

# ENVIRONMENTAL ASSESSMENT

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FOR THE  
BERKS COUNTY PUBLIC SAFETY RADIO SYSTEM  
SITE KNOWN AS

**EXIT 19 / BLUE MOUNTAIN**

**1553 STATE ROUTE 183  
WAYNE TOWNSHIP, PENNSYLVANIA**

**January 25, 2013**

PREPARED ON BEHALF OF:

COUNTY OF BERKS DEPARTMENT OF EMERGENCY SERVICES  
2561 BERNVILLE ROAD  
READING, PENNSYLVANIA 19605

SUBMITTED TO:

FEDERAL COMMUNICATIONS COMMISSION  
445 12<sup>TH</sup> STREET SW,  
WASHINGTON, D.C. 20554

PREPARED BY:



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## EXECUTIVE SUMMARY

EBI Consulting prepared the following Environmental Assessment in accordance with the Federal Communications Commission's National Environmental Policy Act rules set forth in 47 CFR §1.1301-1.1319. This report was prepared to evaluate the potential effects of a proposed telecommunications tower facility on the quality of human environment, including a focus on the potential impacts of the facility on migratory birds.

The proposed action consists of the replacement of an existing communications tower with a new 300-foot self-support lattice tower and the installation new associated ground-level support equipment. The proposed tower facility will be part of a 23-site public safety radio system for the County of Berks and is required to satisfy an FCC mandate upgrading existing radio communications infrastructure technology.

Based on the findings of this report, the proposed telecommunications tower facility is anticipated to have no significant impact on the environment with respect to facilities identified by the Federal Communications Commission, which are outlined in 47 CFR §1.1307(a) and (b).

Further, to demonstrate a commitment to minimizing and mitigating impacts of the proposed installation on migratory birds, the County of Berks agrees to the following:

1. At such time as Federal Aviation Administration regulations permit, and when such modifications become commercially available through our lighting system manufacturer, the County of Berks will modify the tower lighting system to replace the red-steady burn L-810 sidelights with flashing fixtures.
2. Representatives of the Hawk Mountain Sanctuary wishing to conduct avian mortality studies at the telecommunications tower site will be granted access to do so. This access will be subject to Hawk Mountain securing the necessary permissions from the land owner. Access to the site will be limited to the exterior of the security fencing unless accompanied by an agent of the County. This permission assumes that Hawk Mountain personnel will advise the County when they intend to be on-site.

## I.0 PROJECT INFORMATION

**Project:** Berks County Public Safety Radio System  
Site Name: Exit 19 / Blue Mountain

**Project Location:** 1553 State Route 183  
Wayne Township, Pennsylvania  
Exit 19/Blue Mountain Site: 40° 31' 52.1" N / 76° 12' 0.8" W

**Lead Federal Agency:** Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Applicant:** County of Berks Department of Emergency Services  
256 I Bernville Road  
Reading, PA 19605

**Authorized Agent:** EBI Consulting  
21 B Street,  
Burlington, MA 01803  
Contact: Lee Brewer  
Phone: 717-428-0401 (Ext. 1203)  
[lbrewer@ebiconsulting.com](mailto:lbrewer@ebiconsulting.com)

## 2.0 SCOPE AND PURPOSE

In accordance with Federal Communications Commission (FCC) rules implementing the National Environmental Policy Act (NEPA) set forth in Title 47 Code of Federal Regulations (47 CFR) §1.1306 thru 1.1308 and 1.1311, EBI Consulting (EBI) has prepared this Environmental Assessment (EA) for the proposed public safety radio tower facility identified as “Exit 19 / Blue Mountain.”

EBI previously completed a NEPA Screening Report for the proposed Exit 19 / Blue Mountain public safety radio tower facility to assess whether the proposed project is categorically excluded from further environmental processing under FCC rules implementing NEPA, specifically 47 CFR §1.1307. EBI’s NEPA Screening Report concluded that the proposed action did not classify as a facility requiring further environmental review under §1.1307(a). However, §1.1307(c) of FCC rules state that the FCC may, at their discretion, require the applicant to prepare an EA should interested persons allege that an otherwise categorically excluded action will have a significant environmental effect.

The Project Site is located on the Blue Mountain / Kittatinny Ridge (BM-KR) and has been identified as being located within a designated Important Bird Area by the Pennsylvania Natural Heritage Program (PA NHP) and as a migratory bird flyway of global importance by the National Audubon Society and its Pennsylvania chapter. In a January 10, 2012 email from Mr. William B. Allen of the National Park Service (NPS) to Mr. Steve Delsordo of the FCC, the NPS expressed a concern regarding the potential effects that the proposed Exit 19 / Blue Mountain tower facility (and two other proposed towers) to be located along the Blue Mountain - Kittatinny Ridge (BM-KR) region, may have on migratory birds and raptors. Similarly, in a letter dated June 6, 2012, the Appalachian Trail Conservancy (ATC) also expressed a concern over the potential effects on migratory birds which may result from the proposed tower facility (and two other proposed towers) to be located along the BM-KR. While this EA was not expressly requested by the FCC, the purpose of this report is to assess the potential effects of the proposed Exit 19 / Blue Mountain tower facility on the environment, with particular focus on its potential effects on migratory birds.

## 3.0 GENERAL INFORMATION

### 3.1 Project Summary

In accordance with an FCC mandate, the County of Berks in the Commonwealth of Pennsylvania (herein, Berks County) is improving their current public safety radio system and complying with a federal mandate regarding “narrowbanding.” The FCC’s narrowbanding mandate requires that all public safety mobile radio systems operating in the 150-512 MHz radio bands must cease operating using 25 kHz efficiency technology and begin using at least 12.5 kHz efficiency technology or be abandoned. Berks County proposes to complete these improvements before the FCC’s imposed deadline of January 1, 2013, when non-narrow banded systems are required to be shut down.

To facilitate the FCC’s narrowbanding requirement, Berks County is constructing a new public safety radio network comprised of a total of 23 separate installation sites, including 20 sites located throughout Berks County, and an additional three sites located just over the Berks County line in adjacent counties. Of the 23 sites, 8 are collocations on existing infrastructure, while the remaining 15 sites have required the construction of new tower facilities. Further, in order to ensure countywide coverage, the proposed improved public safety radio system relies upon three tower facilities along the BM-KR region, including the proposed Exit 19 / Blue Mountain tower site which is the focus of this EA.

### 3.2 Site and Facility Description

The proposed Exit 19 / Blue Mountain public safety radio tower facility is proposed to be located on an approximately 1,398.4-acre parcel of predominantly forested land (herein, the “Subject Property”). The Subject Property is currently State-owned land under the jurisdiction of the Pennsylvania Game Commission (PGC), and is identified as State Game Lands No. 110.

This Subject Property is situated approximately three miles north of the Strausstown Town Center, between State Route 183 to the west and State Route 61 to the east. The Subject Property comprises a portion of the BM-KR, which runs roughly parallel to, and to the north of Interstate Highway 78.

The location of the proposed Exit 19 / Blue Mountain tower facility (herein, the Project Site), is situated approximately 1.10 miles east of State Route 183, along an existing forest road (formerly a portion of the Appalachian Trail, which currently runs approximately 825 feet south of the Project Site), which runs roughly along the county line separating Berks and Schuylkill Counties. The Project Site is currently improved by an existing 120-foot PGC radio tower and associated ground equipment shelter and propane tank enclosed within in a fenced compound.

Berks County proposes to replace the existing PGC tower at the Project Site with a 300-foot self-support lattice tower (304 feet including a top-mounted lightning rod) and install new ground-level support equipment within a 12-foot by 32-foot shelter. The proposed tower and support equipment will be enclosed within a new 100-foot by 100-foot compound to be constructed in place of the existing compound. Additional proposed equipment to be installed will include a 100 kW back-up generator on a 4-foot by 14-foot concrete pad, and two propane tanks (one 500-gallon and one 1,000-gallon) to be buried underground within the fenced tower compound (*Note: the attached drawings depict the propane tanks installed on concrete pads, but the proposed facility design has since been changed to install the propane tanks underground*). Cables will be routed from the equipment shelter to the tower via a proposed 24-inch wide waveguide bridge and power conduits will be routed to the nearest utility pole to be installed by the utility company. The Project Site will be accessed via an existing forest access road extending approximately 5,800 feet from State Route 183. An approximately 15-foot wide by 15-foot long ingress will connect the Project Site to the existing access road. Please see Appendix A for drawings depicting the proposed installation.

### 3.3 Zoning Classification

According to the Wayne Township Zoning Department, the Subject Property is located within an area zoned as Conservation-Recreation “CR” District. This classification is defined as districts that are protected from excessive

development; however, some minimal development will occur to allow for public recreational activities and government infrastructure. As such the proposed facility does not diverge from the intended zoning requirements.

### 3.4 Communications with Local, State, and Federal Authorities

The Project Site is located on land currently owned by the State of Pennsylvania, under the jurisdiction of the PGC. As such, a “Memorandum of License for Right-Of-Way” (ROW), executed on January 1, 2012, was established between the PGC (the “Landlord”) and Berks County (the “tenant”) to grant Berks County access and use of certain portions of the land identified as Tax Parcel 34-19-0025, located at 1553 South Route, Wayne Township, Schuylkill County, PA. Further, EBI was also provided with correspondence dated January 30, 2012 from Mr. Dennis Neideigh, Chief of the PGC Division of Real Estate, which stated that the PGC supports the *County of Berks*’ proposal to construct the proposed telecommunications facility. The PGC stated that, “It is our opinion that this project will not significantly affect the Commonwealth’s wildlife resources, the general character of the property, neighborhood, nor the neighborhood’s property values. The PGC believes that the County has taken sufficient steps to mitigate for any impacts that may arise from the proposed project; and in fact, the County (at its own cost) is removing two other towers currently located on the State Game Lands and are consolidating that communications equipment onto their own new tower. The County has expressed their desire to continue to cooperate with the PGC should any unforeseen problems arise.” Please See Appendix B for copies of this agreement.

Various local, state and federal authorities, including but not limited to the Hawk Mountain Sanctuary, State Historic Preservation Office (SHPO), the PGC, and National Park Service (NPS), were also invited to comment on the proposed facility known as ‘Exit 19/Blue Mountain.’ A summary of the pertinent details of their comments and interactions with the parties can be found in Section 3.5 (below) and other applicable sections of this EA.

### 3.5 Discussion of Environmental Controversy

As described in Section 2.0., the Project Site is located on the BM-KR and has been identified as being located within a designated Important Bird Area (IBA) by the Pennsylvania Natural Heritage Program (PA NHP) and as a migratory bird flyway of global importance by the National Audubon Society and its Pennsylvania chapter. Correspondence from the NPS, the ATC, and Hawk Mountain Sanctuary expressed concerns regarding the potential effects that the proposed Exit 19 / Blue Mountain tower facility (and two other towers) to be located along the BM-KR, may have on migratory birds and raptors. Please refer to Section 5.3 for a more detailed discussion on this matter.

Early consultations efforts made under Section 106 of the National Historic Preservation Act (NHPA) with regard to the proposed Exit 19 / Blue Mountain tower site identified some concerns expressed by the ATC and the Pennsylvania Heritage and Museum Commission (PHMC). The concerns of these parties centered around the potential effects that the proposed tower site – and specifically the required tower lighting – may have on the Appalachian National Scenic Trail, a resource eligible for listing on the National Register of Historic Places. However, following a review of additional materials relating to the proposed tower lighting, which were provided by Berks County, a September 19, 2012 letter from the PHMC outlining their final determination stated that the proposed tower site would have “no adverse effect on the Appalachian Trail.” Please see Section 5.2.4 for complete details regarding EBI’s review of proposed tower site’s potential effects on historic resources, including the Appalachian Trail, and a summary of consultation carried out with interested parties.

EBI was not made aware of any other matters concerning environmental controversy with regard to the proposed Exit 19 / Blue Mountain tower facility.

## 4.0 SITE SELECTION

### 4.1 Summary

The following summary of the site selection process is an excerpt from a July 2012 ‘Alternatives Analysis’ report prepared by L.R. Kimball & Associates on behalf of the Berks County Department of Emergency Services. While this report was written for two other proposed tower sites within the BM-KR, the following summary is applicable to the greater system requirements of the proposed public safety radio system, including the Exit 19 / Blue Mountain site.

*Within a countywide public safety system, each remote site must provide two distinct end products in order to function as an effective component within the overall design: coverage and connectivity. A site that is unable to provide this critical combination is not considered a viable candidate. The sum of the combined coverage from all of the system’s sites is specified to provide usable radio coverage to not less than 95% of the entire physical landmass of Berks County. Each site utilizes a unique combination of frequency band specific antennas which transmit or receive wireless radio signals. The primary Berks County system, being in the 700 MHz band, generally affords a coverage area within a six to eight mile radius, located immediately around any given site. This coverage provides the actual means to communicate for the first responders operating within that specific area. Simultaneously, licensed microwave frequencies provide the point to point connectivity which ties the constellation of remote sites together into a single radio system. Microwave paths require unobstructed lines of sight to provide the connecting link between any two remote sites. This connectivity also provides a certain level of redundancy, enabling the radio system to retain functionality even if forced to overcome the loss of an individual site within a microwave connected loop.*

Please refer to Appendix C for copies of relevant portions of the aforementioned ‘Alternatives Analysis’ report.

### 4.2 Candidate Sites

According to a “Candidate Site Summaries for Blue Mountain” report provided by Berks County, a series of five existing communications towers located along the crest of Blue Mountain and east of State Route 183 were considered as possible candidate sites for the proposed “Exit 19 / Blue Mountain” tower facility. Making use of the additional elevation offered by the Blue Mountain ridgeline was deemed an essential element in obtaining the necessary coverage for the proposed public safety radio system and to acquire efficient microwave connectivity. Each of these five sites was evaluated in April of 2010. The table below summarizes the findings of this evaluation.

Candidate Site Name & Description	Summary of Evaluation	Comments
<b>Sunoco Logistics</b> 100-foot guyed tower and ground equipment within an irregularly-shaped fenced compound	Candidate site provides insufficient coverage for the needs of the public safety radio system; insufficient space to deploy antennas and microwave dishes required by the public safety radio system; and the tower has insufficient structural capacity.	Sunoco tower to be removed. Antennas and ground equipment will be moved to the proposed Exit 19 / Blue Mountain tower facility.
<b>Bob Green Communications</b> 330-foot self-supporting tower and unsecured ground equipment	Candidate site provides insufficient tower space and an unsecured area for ground-level support equipment.	This candidate was reconsidered in early-2001, but a structural assessment determined that had neither the physical space nor the structural capacity to accommodate the public safety radio system installation.
<b>Triangle Communications</b> 180-foot self-supporting tower within a small fenced compound	Candidate site provides insufficient tower space at necessary elevations (i.e. the only available open space is below 100 feet in height) to meet coverage needs of public safety radio system	None

Candidate Site Name & Description	Summary of Evaluation	Comments
<b>American Tower (#92890)</b> 260-foot guyed tower within an irregularly-shaped fenced compound	Candidate site provides insufficient tower space and structural capacity (i.e. the tower is already at 84% of its capacity per ATC representatives) to accommodate the public safety radio system installation	This candidate currently houses 18 existing antennas at 150 feet and six antennas at 240 feet.
<b>Pennsylvania Game Commission Site</b> 120-foot self-supporting tower within a small fenced compound	Candidate site in its current form provides insufficient tower space and structural capacity. However, in February 2011, Berks County representatives approached the PA Game Commission to inquire about the possibility of replacing the existing tower.	This candidate is currently the proposed Project Site. The existing tower and compound will be removed and replaced by the proposed Exit 19 / Blue Mountain tower facility. Please refer to Section 3.4 for details regarding the land access agreement established between the PGC and Berks County.

Please refer to Appendix C for copies of relevant portions of the aforementioned 'Candidate Site Summaries for Blue Mountain' report, which pertain specifically to the Exit 19 / Blue Mountain site.

### 4.3 Primary Candidate Selection Considerations

The proposed Exit 19 / Blue Mountain site reuses an existing forest access road and an existing tower facility currently owned by the PGC. The proposed improvement will expand the existing facility by approximately 6,400 square feet into undisturbed natural land. The existing 120-foot PGC tower will be replaced with the proposed 300-foot tower. Forest impacts are further limited due to the ability to share the existing forest access road and utility pathway leading to the site, and by reusing an existing tower location.

Further, the 100-foot tall unlighted, guyed tower owned by Sunoco Logistics and located 0.71 miles to the northeast will also be removed following the construction of the proposed Exit 19 / Blue Mountain tower facility. The antennas and support equipment associated with the Sunoco Logistics tower will be moved to the proposed Exit 19 / Blue Mountain site when complete. As a result of removing both the PGC and Sunoco Logistics towers, the proposed Exit 19 / Blue Mountain tower facility will result in a net reduction of one tower.

Berks County also researched the cost of replacing a single tower proposed to be installed along the BM-KR as part of the public safety radio system, with towers in the valley below. The findings of this research indicated that four towers would be required in the valley below the BM-KR to achieve the same coverage area provided by one tower on the BM-KR, and that the cost to the county would be an additional \$5.4 million to \$5.5 million, plus additional ground lease costs that would be incurred by the additional installation sites.

## 5.0 ENVIRONMENTAL EFFECTS

### 5.1 FCC NEPA Category Review Checklist (47 CFR §1.1307)

The following FCC NEPA checklist summarizes the findings of EBI's review of the proposed Exit 19 / Blue Mountain tower site on environmental and historic resources as set forth by the FCC in 47 CFR §1.1307(a) and (b). Please refer to Section 5.2 below for further details pertaining to the review completed by EBI for each of these categories.

FCC NEPA CATEGORIES 47 CFR 1.1307	YES	NO
Facilities to be located in an officially designated wilderness area		X
Facilities to be located in an officially designated wildlife preserve		X
Facilities that may affect listed threatened or endangered species or designated critical habitats, or are likely to jeopardize the continued existence of any proposed endangered or threatened species, or likely to result in the destruction or adverse modification of proposed critical habitat		X
Facilities that may affect districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering, or culture, that is listed or is eligible for listing in the National Register of Historic Places		X
Facilities that may affect Indian Religious Sites		X
Facilities to be located in a floodplain		X
Facilities whose construction will involve significant change in surface features (e.g., wetland fill, deforestation, or water diversion)		X
Antenna towers and/or supporting structures that are to be equipped with high-intensity white lights which are to be located in residential neighborhoods, as defined by the applicable zoning law		X
Facilities whose operation or transmitter would cause human exposure to levels of radiofrequency radiation in excess of the limits		X

### 5.2 FCC NEPA Category Review Summary (47 CFR §1.1307)

#### 5.2.1 Facilities that are to be located in an officially designated wilderness area [47 CFR §1.1307(a)(1)].

Based on EBI's review of the United States National Wilderness Preservation System (NWPS) interactive online map (<http://www.wilderness.net/index.cfm?fuse=NWPS>), the Project Site is not located in an officially designated wilderness area. Please refer to Appendix D for a copy of the relevant resource map.

#### Additional Considerations

EBI's review of available online resources (<http://www.rivers.gov>) indicates that the Project Site is not located within one mile of a Wild and Scenic River.

EBI's review of available on-line resources ([http://www.nps.gov/ncrc/programs/nts/nts\\_trails.html](http://www.nps.gov/ncrc/programs/nts/nts_trails.html)) indicates that the Project Site is located within one mile of a National Scenic Trail, specifically the Appalachian Trail. At its closest point, the Appalachian Trail passes approximately 825 feet southwest of the proposed Project Site. The Appalachian Trail is a resource eligible for listing on the National Register of Historic Places. Please refer to the discussion of potential effects on historic resources [47 CFR §1.1307(a)(4)] in this section, for complete details regarding this historic resource.

**5.2.2 Facilities that are to be located in an officially designated wildlife preserve [47 CFR §1.1307(a)(2)].**

Based on EBI's review of the NWRS interactive online refuge locator (<http://www.fws.gov/refuges/>), the Project Site is not located in an officially designated wildlife preserve.

**5.2.3 Facilities that: (i) May affect listed threatened or endangered species or designated critical habitats; or (ii) are likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973 [47 CFR §1.1307(a)(3)]**

EBI completed the Pennsylvania Natural Heritage Program's Pennsylvania online Natural Diversity Index (PNDI; <http://www.gis.dcnr.state.pa.us/hgis-er/default.aspx>) Project Environmental Review on November 30, 2011. The PNDI review provides project details to, and solicits preliminary comments from four jurisdictional agencies, including the United States Fish and Wildlife Service (USFWS), the Pennsylvania Game Commission (PGC), the Pennsylvania Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (FBC). The PNDI environmental review encompasses an 800-foot buffer search around a site and is valid for one year.

According to the PNDI Project Environmental Review receipt, the Pennsylvania Field Office of the USFWS concluded "No Known Impact" and responded "No Further Review Required." However, the PNDI receipt also indicated that the PGC, the DCNR, and the FBC identified a "Potential Impact" and requested further information. As such, EBI sent a letter dated December 9, 2011, detailing project information, with associated maps and figures, requesting comments relative to the potential impacts of the project to the PGC, the DCNR, and the FBC.

Pennsylvania Game Commission

In correspondence dated February 21, 2012, the PGC stated that "PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, the PGC has determined that no impact is likely. Therefore, no further coordination with the PGC will be necessary for this project at this time." The PGC also noted that the Project Site is located on State Game Lands #110 and that the Southeast Regional Office should be contacted to discuss the project activities. The PGC response is valid for one year from the date of their letter.

On February 22, 2012, EBI contacted Ms. Olivia Mowery of the PGC for clarification regarding the note to contact the Southeast Regional Office. Ms. Mowery stated the language about contacting the regional office in their PNDI response is standard input for any site that has the potential to impact State Game Lands. However, Ms. Mowery believed that coordination had already occurred between the *County of Berks* and the Southeast Regional Office and that a signed agreement is either being prepared or has already been prepared. Ms. Mowery suggested EBI contact Mr. Bruce Metz, Land Management Supervisor of the Southeast Regional Office of the PA Game Commission. On March 1, 2012, EBI contacted Mr. Metz regarding the proposed project. Mr. Metz stated that the Southeast Regional Office of the PGC is aware of the proposed Berks County tower on the State Game Lands #110. Mr. Metz stated that the Real Estate Division of the Game Commission is already working on an agreement with the *County of Berks* for the tower's construction.

A "Memorandum of License for Right-Of-Way" (ROW), executed on January 1, 2012, was established between the PGC (the "Landlord") and Berks County (the "tenant") to grant Berks County access and use of certain portions of the land identified as Tax Parcel 34-19-0025, located at 1553 South Route, Wayne Township, Schuylkill County, PA. Further, EBI was also provided with correspondence dated January 30, 2012 from Mr. Dennis Neideigh, Chief of the PGC Division of Real Estate, which stated that the PGC supports the *County of Berks*' proposal to construct the proposed telecommunications facility. The PGC stated that, "It is our opinion that this project will not significantly affect the Commonwealth's wildlife resources, the general character of the property, neighborhood, nor the neighborhood's property values. The PGC believes that the County has taken sufficient steps to mitigate for any impacts that may arise from the proposed project; and in fact, the County (at its own

cost) is removing two other towers currently located on the State Game Lands and are consolidating that communications equipment onto their own new tower. The County has expressed their desire to continue to cooperate with the PGC should any unforeseen problems arise.” Please See Appendix B for copies of this agreement.

#### Pennsylvania Department of Conservation and Natural Resources

In correspondence dated December 28, 2011, the DCNR stated that “PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, DCNR has determined that no impact is likely to occur to species of special concern under our jurisdiction as a result of this project.” The DCNR response is valid for one year from the date of their letter.

#### Pennsylvania Fish and Boat Commission

In correspondence dated January 13, 2012, the FBC stated “...the timber rattlesnake (*Crotalus horridus*, PA candidate) is known from the vicinity of the proposed project site. They prefer forested areas to forage for small mammals (e.g., mice and chipmunks) and southerly-facing slopes for hibernating and other thermoregulatory activities.” The FBC further stated:

*“There have been observations of timber rattlesnakes in the vicinity of the project area, but based on our review of the information you sent as well as mapping overlays, we do not anticipate any direct adverse impacts to the timber rattlesnake from the proposed project. However, the project areas could be used as foraging habitat for timber rattlesnakes and this warrants some concern about rattlesnake-human conflicts. Although the nature of the timber rattlesnake is rather docile, it can be dangerous if cornered or handled. Therefore, the workers should be mindful of the presence of the snakes in the area. Rattlesnakes are attracted to open, rocky, log-strewn areas for basking and forested areas with thick deciduous leaf litter that tend to support high populations of rodents. We recommend that the workers responsible for implementing this project be advised that timber rattlesnakes may be encountered and that avoidance is the best means of minimizing risks to personal safety. These workers should also be advised that the timber rattlesnake is a state-protected species and is not to be harmed. Killing of timber rattlesnakes without a proper permit is prohibited by the Commission pursuant to Chapter 79.6, subsection 2102(b) of the Fishing and Boating Regulations. If any timber rattlesnakes are observed on-site, please notify this office.”*

#### United States Fish and Wildlife Service

Although the PNDI review indicated that no further consultation with the USFWS was required, EBI invited the USFWS to comment on the proposed project. In a letter dated December 9, 2011, EBI provided project details to the USFWS and requested comments relative the potential impacts of the project on federally-listed threatened or endangered species under Section 7 of the Endangered Species Act. In a response letter dated February 6, 2012, the USFWS stated “Except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the project impact area. Therefore, neither a biological assessment nor further consultation under the Endangered Species Act, are required with the Fish and Wildlife Service (Service).”

The USFWS response continued, recommending that the *County of Berks* “...carefully evaluate their proposed project in light of the National Bald Eagle Management Guidelines to determine whether or not eagles might be disturbed as a direct or indirect result of the project.” According to the USFWS, “Bald eagles generally nest near coastlines, rivers, large lakes or streams that support an adequate food supply. They often nest in mature or old-growth trees; snags (dead trees); cliffs; rock promontories; rarely on the ground; and with increasing frequency on human-made structures such as power poles and communication towers. In forested areas, bald eagles often select the tallest trees with limbs strong enough to support a nest that can weigh more than 1,000 pounds. Nest sites typically include at least one perch with a clear view of the water where the eagles usually forage. Shoreline trees or snags located in reservoirs provide the visibility and accessibility needed to locate aquatic prey.” To the extent practicable, where the operational integrity of the proposed tower site as a part of the greater public safety radio network is maintained, the proposed tower site adheres to the recommendations outlined in the National Bald Eagle Management Guidelines.

Update:

Please note that as of the date of this EA, the PNDI submittal originally completed for this project on November 30, 2011 has expired. At the time of the original review, PNDI review policy stated that the online review was valid for a period of one year. PNDI review policy has since been changed to extend the period in which the PNDI is valid to two years. However, EBI completed a new PNDI online review for the project on November 15, 2012. The results of the updated PNDI review were unchanged from the original submittal. Specifically, the results indicated that the Pennsylvania Field Office of the USFWS concluded “No Known Impact” and responded “No Further Review Required.” However, the PNDI receipt also indicated that the PGC, the DCNR, and the FBC identified a “Potential Impact” and requested further information. EBI forwarded letters dated December 12, 2012 to each of the three state agencies, explaining that the proposed action had not changed from the original correspondence and requesting confirmation that the original determinations of each agency would likewise be unchanged. Copies of the PNDI Project Environmental Review Receipt, as well as correspondence with the DCNR, FBC, and USFWS are included in Appendix E.

Please refer to Section 5.3 for details pertaining to EBI’s assessment of the potential effects of the proposed ‘Exit 19 / Blue Mountain’ tower facility on migratory birds and raptors within the BM-KR.

**5.2.4 Facilities that may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places [47 CFR §1.1307(a)(4)]**

EBI reviewed the proposed project plans against the Exclusions of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA). EBI concluded that construction of the proposed telecommunications tower facility does not meet any of the Exclusions listed in Section III of the NPA. Therefore, consultation with the Pennsylvania Historical & Museum Commission (PHMC) was required.

Based on EBI’s review of files online at the National Register Information System ([www.nr.nps.gov](http://www.nr.nps.gov)) and Pennsylvania State Historic Preservation Office (SHPO) files, one Historic Property – the Appalachian Trail (Key #144291) – was identified within the ¾-mile Area of Potential Effect (APE) for visual effects (VE) of the proposed tower. No Historic Properties were identified within the APE for direct effects (DE).

Ms. Vanessa Sullivan, EBI Project Archaeologist, and Ms. S. Lorraine Norwood, MA, RPA, performed an evaluation of the proposed Project Site for the likelihood of containing archaeological resources. Ms. Norwood concluded that “In light of available information, it is my professional opinion that the APE-DE for the present project is not sensitive for the presence of significant archaeological resources due to disturbance from the construction of the existing radio tower and associated utilities on the Subject Property. The likelihood of encountering archaeological deposits is negligible. In addition, the limited extent of the excavation associated with this project mitigates the disturbance of any sub-surface historic resources. Accordingly, I recommend that no further archaeological work be conducted in conjunction with the present project.”

On December 2, 2011, EBI sent letters to the National Park Service (NPS) and to the Appalachian Trail Conservancy (ATC) requesting comments relative to the potential impacts of the project on the Appalachian Trail. No initial response regarding this project was received from the NPS. However, a November 28, 2011 response from Ms. Karen L. Lutz, Regional Director of the ATC, stated that this tower – which is one of three proposed towers to be located along the Kittatinny Ridge – is near the Appalachian Trail and that “Impacts from these towers should be considered collectively as well as individually and mitigation should be required which results in no-net-loss to the natural, scenic and historic resources mentioned herein.” Ms. Lutz also expressed concern regarding the proposed project and the potential impacts to migratory birds.

EBI submitted project plans, the results of the archaeological survey, the results of the balloon test photographs, photo simulations, consulting party comments, and a request for comment on FCC Form 620 to the Pennsylvania SHPO via the FCC’s e-106 system, certified on March 9, 2012 and via FedEx on March 9, 2012. Regarding the effects of the proposed project on the Appalachian Trail, EBI stated the following:

- The Appalachian Trail is within the APE – VE, and at its closest point, is located approximately 825 feet from the Project Site. The County of Berks proposes to remove and replace an existing telecommunications facility at the Project Site. The proposed tower and support equipment will be constructed in the same location as the existing facility and access to the site will be obtained via an existing gravel driveway.
- Based on a balloon test and photo simulation completed by Network Building & Construction on December 12, 2012 the visibility of the proposed replacement tower from the Appalachian Trail will be limited to one location approximately 2,200 feet east of the Project Site (please see photos in Attachment 2 of the e-106 Form 620 submittal; Appendix F). As illustrated in the photo simulation, the proposed tower will be minimally discernible through the trees during the leaf-off season and will not be visible during the leaf-on season.
- Per Section 800.5 of 36 CFR 800, “An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling or association.”
- The FCC has provided further guidance in the determination of visual adverse effects in Section VI.E.3 stating that “An Undertaking will have a visual adverse effect on a Historic Property if the visual effect from the Facility will noticeably diminish the integrity of one or more of the characteristics qualifying the property for inclusion in or eligibility for the National Register. Construction of a Facility will not cause a visual adverse effect except where visual setting or visual elements are character-defining features of eligibility of a Historic Property located within the APE.”
- As demonstrated in the included balloon test and photo simulation, the proposed facility will not be sufficiently salient to detract from the Trail’s historical significance and character-defining features. Specifically, the proposed installation will not directly or visually impact the Trail’s location (including its alignment), design, workmanship or materials.
- Further, the Trail’s woodland setting will not be diminished by the proposed replacement tower’s very limited visibility as a result of the intervening tree growth together with the meandering nature of the Trail. The existing trees will obscure the tower’s appearance from the vast majority of the Trail and minimize the tower’s appearance from the one location from which it is partially visible from the Trail. Consequently, the proposed undertaking will not adversely affect the Trail’s feeling or association within the natural landscape. Therefore the proposed tower will not adversely [affect] the Appalachian Trail.

In correspondence dated April 24, 2012, the Pennsylvania Historical and Museum Commission (PHMC) stated that the project will have “No Effect” on historic properties located in the APE for direct effects, but that the proposed project will have an “Adverse Effect” on historic properties located in the APE for visual effects. The PHMC further stated, “While the proposed tower will only [be] minimally visible from the Appalachian Trail, the strobe light required on the tower will adversely affect the qualities that make the Appalachian Trail eligible for the National Register. The Trail was developed as a wilderness trail. The feeling of being in the wilderness will be seriously disrupted by a strobe light in close proximity to the Trail.”

Comments were added to the FCC’s e-106 system by EBI, PHMC, NPS, and Hawk Mountain Sanctuary between April 16, 2012 and September 19, 2012 related to the proposed lighting system. In a comment dated August 24, 2012, EBI stated:

*EBI Consulting has been working with the County to find a way to clearly demonstrate the minimal impact that the FAA-required lighting system is going to have on the visual setting of the Appalachian Trail at the distance where there is a break in the vegetation that permits the views of the proposed tower. On August 5, 2012, EBI uploaded a graphic created by the County of Berks that demonstrates the brightness of the required lighting as it will be perceived by a hiker along the trail in the area where the tower will be visible through the branches of the trees. In*

summary, manufacturers focus the light emitted from the beacon at the top of the tower so that the maximum brightness will be visible to oncoming planes in line with the top of the tower and minimize the brightness of the beacon to anything below the level of the beacon. Through the analysis provided in the document uploaded on 8/5, it is shown that a hiker would perceive light approximately equal to (5) 100 watt bulbs along the portion of the trail in question.

Then we wanted to be able to demonstrate what (5) 100 watt bulbs looks like to someone at the distance in question so, the County of Berks found a tower of similar design with a pulsating beacon (same lighting kit as what is currently proposed at Blue Mountain) and they made a video to show the visual impact. The link below takes you to the website with the video as well as a map. The map shows that the distance to the tower was adjusted to insure that the visual representation of the brightness of the light emitted to a ground-level viewer was accurately depicted in the video. Please note that what we were not able to reproduce was the vegetation conditions that exist at the Blue Mountain site. This video has a clear, unobstructed view toward the tower whereas the Blue Mountain site does not have any clear, unobstructed views - all views are through the interwoven branches of deciduous trees during leaf off seasons and will have no views of the tower during the leaf on seasons.

Link to video and mapping: <https://www.dropbox.com/sh/d0vfkin01y9l2qs/8LENKToHuN>.

It is the opinion of EBI Consulting that this video, combined with the document uploaded on August 24, 2012 which provides the mathematical calculations and the pertinent images of the existing vegetation and the photo simulations of the tower, support a finding of 'No Adverse Effect.' Therefore, we request a reconsideration of the finding of effect by the PHMC based on this supplementary documentation.

In a comment dated September 19, 2012, the PHMC stated, "The additional graphic material provided helps to demonstrate the visibility of the lighting on the tower and the distance of the tower from the trail. While the setting is different, it clarifies that the tree cover along the trail will help screen the tower from the Appalachian Trail. Therefore, the Pennsylvania State Historic Preservation Office wishes to change [their] previous opinion of adverse effect to no adverse effect on the Appalachian Trail." Please refer to Appendix F for copies of all relevant documents and correspondences pertaining to the review of potential effects on historic resources.

In the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, The County of Berks must halt activities immediately and contact the appropriate local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

### **5.2.5 Facilities that may affect Indian religious sites [47 CFR §1.1307(a)(5)]**

Based on the requirements of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA), Tribal consultation was required for this project because the proposed tower construction did not meet Exclusions A, B, C or F of the NPA.

EBI submitted documentation regarding the proposed project to the FCC's Tower Construction Notification System (TCNS; ID # 80964). On November 18, 2011 the FCC's TCNS sent the project information to Tribes listed on their database who have interest in the state in which the project is planned. Additionally, EBI submitted follow-up requests for comment to each of the Tribes indicated by the TCNS to have a potential interest in the area of the project.

Tribal communication to date for this project is summarized in the following table.

#	Tribe Name	Response to Initial Contact (TCNS ID #80964)	Additional Contact Attempts	Response to Additional Attempts	Action Recommended
1	Delaware Nation	Request project details and review fee (TCNS)	Letter and review fee (Mail); December 8, 2011	None	No Further Action
			Follow-up letter (Email); January 9, 2012	Does not endanger known sites of interest (Email); January 10, 2012	

#	Tribe Name	Response to Initial Contact (TCNS ID #80964)	Additional Contact Attempts	Response to Additional Attempts	Action Recommended
2	Absentee-Shawnee Tribe of Indians of Oklahoma	Request cultural resources / archaeological survey report and response from SHPO (TCNS)	Requested materials sent (Mail); April 26, 2012	No interest if no response received within 30 days (Record of Communication); May 13, 2011	No Further Action
3	Onondaga Indian Nation	Consult with Tribe if project plans change (Mail); November 23, 2011	N/A	N/A	No Further Action
4	Cayuga Nation	No interest if no response within 30 days (TCNS)	N/A	N/A	No Further Action
5	Tuscarora Nation	No interest if no response within 30 days (TCNS)	N/A	N/A	No Further Action
6	Keweenaw Bay Indian Community	No properties of interest at proposed location / Request review fee (Email); November 16, 2011	Review fee sent (Mail); December 8, 2011	N/A	No Further Action
7	Seneca-Cayuga of Oklahoma	Request project details and review fee (TCNS)	Requested materials and review fee sent (Mail); April 26, 2012	Does not endanger known sites of interest (Mail); May 9, 2012	No Further Action
8	Eastern Shawnee Tribe of Oklahoma	No interest if no response within 30 days (TCNS)	N/A	N/A	No Further Action
9	Wyandotte Nation	Request project details and review fee (Email); February 2, 2012	Letter and review fee (Mail); April 26, 2012	None	No Further Action
			Follow-up letter sent (Email); May 22, 2012	None	
			Follow-up letter sent (Email); June 4, 2012	No objections (Email); June 7, 2012	
10	Shawnee Tribe	Interested in consulting (Email); November 18, 2011	Letter and review fee (Mail); April 26, 2012	No known historic properties will be impacted and no issues of concern (Fax); May 11, 2012	No Further Action
11	Delaware Tribe of Indians of Oklahoma	Request project details and review fee (TCNS)	Letter and review fee sent (Mail); December 8, 2011	No religious or culturally-significant sites present and no objections (Mail); December 14, 2011	No Further Action

Correspondence between EBI and the Tribes that includes copies of the Tower Construction Notification System emails, follow-up correspondence, and Tribal responses are located in Appendix G.

Please note, in the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, *Berks County* must halt activities immediately and contact the appropriate tribal governments, local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

### **5.2.6 Facilities to be located in a flood plain [47 CFR §1.1307(a)(6)]**

According to the FEMA Flood Insurance Rate Map data for Wayne Township, Schuylkill County, Pennsylvania (Community Map #422027A, Panel #10) included on the Land Resources Map (Appendix D), the Project Site is not located within a 100-year floodplain. A review of the Flood Insight Flood Zone determination (Appendix A) confirmed that the Project Site is not located within a floodplain.

### **5.2.7 Facilities whose construction will involve a significant change in surface features (e.g. wetlands fill, deforestation, or water diversion [47 CFR §1.1307(a)(7)])**

It is EBI's opinion that no documented or potential wetlands are located at or within a 100-foot radius of the proposed tower based upon the following facts:

- No hydrophytic vegetation or standing water was observed at the proposed Project Site and soils were noted to be disturbed and compacted.
- According to the Fish and Wildlife Service National Wetlands Inventory (NWI) information, which is included on the Land Resources Map (see Appendix D), no mapped wetlands are located at or within close proximity to the proposed tower site.
- According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) website (<http://websoilsurvey.nrcs.usda.gov/app/>; see Appendix D), the dominant soil composition in the vicinity of the Project Site is classified as Hazleton-Clymer association, gently sloping (HGB), 0 to 8 percent slopes. The depth to a restrictive feature is 40 to 80 inches. The soil has no frequency of flooding or ponding. This soil does not meet hydric criteria.

The area proposed Project Site is currently owned by the State of Pennsylvania and is under the jurisdiction of the PGC. The Project Site is also improved by an existing telecommunications tower facility. The existing tower will be removed and replaced with the proposed Berks County tower, and the existing compound will be expanded. The proposed improvement will expand the existing facility by approximately 6,400 square feet into undisturbed natural land, but will not result in the significant removal of mature trees. As such, the proposed installation will not result in deforestation. According to the proposed construction plans and onsite observations, surface water body diversion will not occur.

**5.2.8 Antenna towers and/or supporting structures that are to be equipped with high intensity white lights which are to be located in residential neighborhood, as defined by the applicable zoning law [47 CFR §1.1307(a)(8)]**

According to client representatives and site plans (see Appendix B), the proposed installation will not include high intensity white lights and will not be located in a residential neighborhood.

**5.2.9 Facilities whose operation or transmitter would cause human exposure to levels of radiofrequency radiation in excess of the limits [47 CFR §1.1307(b)]**

According to FCC Rules set forth in 47 CFR §1.1307(b)(1), the routine environmental evaluation and the preparation of an EA for facilities exceeding permissible exposure limits is required only for facilities, operations and transmitters that fall into the categories listed in table I, or specified in paragraph (b)(2) of this section. All remaining categories of facilities are excluded from this requirement. As the proposed facility is a Public Safety Radio System, and covered under subpart B of Part 90 Rules, and not listed in table I or paragraph (b)(2) of §1.1307, it is excluded from this requirement.

### **5.3 Migratory Birds**

The Project Site is located on the BM-KR and has been identified as being located within a designated Important Bird Area (IBA) by the PA NHP and as a migratory bird flyway of global importance by the National Audubon Society and its Pennsylvania chapter. Additionally, the National Park Service and Hawk Mountain Sanctuary have expressed concerns regarding the impact of the proposed project on migratory birds.

As such, EBI prepared a Biological Assessment (BA) specifically to evaluate the potential effects of this proposed tower site, as well as two other proposed tower sites located along the BM-KR, on migratory birds. In preparation of this BA, EBI coordinated with the Pennsylvania Audubon Society and the Hawk Mountain Sanctuary, and conducted supplemental research for the preparation of this BA. Both the Pennsylvania Audubon Society and Hawk Mountain Sanctuary provided research material, technical data and field observation records at the request of Berks County.

On October 25, 2012, EBI forwarded both electronic and hard copies of the aforementioned BA to the Pennsylvania Field Office of the USFWS, requesting a review and comment with regard to the findings and potential effects of the proposed tower sites on migratory birds. In a response letter dated November 30, 2012, the USFWS indicated that the BA had “thoroughly addressed the need for the project, the logistical challenges to

the Service's recommendations, and the impacts to migratory birds as a result of the project's location within a major migratory bird flyway." Further, as a result of the potential for avian mortality resulting from collisions with the proposed tower sites, the USFWS made the following recommendations:

- (i) Seasonal Restrictions: Due to the potential impacts to habitat of sensitive species in the area of the proposed tower sites (including the Exit 19/Blue Mountain site), the USFWS recommends that where disturbance will occur, the clearing of natural and semi-natural habitats (e.g. forests, woodlots, shrubby areas) be completed between September 1<sup>st</sup> and March 31<sup>st</sup>, which is outside the nesting season of most native bird species. Alternatively, the USFWS recommends constructing the towers outside of the breeding seasons of the species compiled in Tables 2 and 6 of the BA.
- (ii) Monitoring: Due to the potentially significant impact of the proposed tower sites (including the Exit 19 / Blue Mountain site) on migratory birds, the USFWS recommends that a monitoring plan be implemented during construction and operation of the towers to document bird mortality and to implement future best practices as they are developed." The USFWS further requested that incidents of avian mortality and injuries be reported the USFWS's web-based 'Bird Fatality/Injury Reporting Program.

Please refer to Appendix H for a copy of relevant portions of BA and the November 30, 2012 letter from the USFWS.

To the extent practicable, with consideration given to both the FCC's mandated deadline for activation of the proposed facility and to the timely issuance of a 'Finding of No Significant Impact' by the FCC as provided for under 47 CFR §1.1308 of FCC NEPA Rules, Berks County will endeavor to complete construction of the proposed 'Exit 19 / Blue Mountain' tower facility within the recommended timeframe of September 1<sup>st</sup> and March 31<sup>st</sup> or the outside of the specific breeding seasons of the species noted in Tables 2 and 6 of the BA.

Further, to demonstrate a commitment to minimizing and mitigating impacts of the proposed installation on migratory birds, the County of Berks agrees to the following:

1. At such time as Federal Aviation Administration regulations permit, and when such modifications become commercially available through our lighting system manufacturer, the County of Berks will modify the tower lighting system to replace the red-steady burn L-810 sidelights with flashing fixtures.
2. Representatives of the Hawk Mountain Sanctuary wishing to conduct avian mortality studies at the telecommunications tower site will be granted access to do so. This access will be subject to Hawk Mountain securing the necessary permissions from the land owner. Access to the site will be limited to the exterior of the security fencing unless accompanied by an agent of the County. This permission assumes that Hawk Mountain personnel will advise the County when they intend to be on-site.

## 6.0 SIGNATURES OF PERSONNEL

The following EBI personnel contributed in the preparation of this EA and associated supporting reports and consultations included within the appendices of this report. The professional qualifications of these EBI personnel are presented in Appendix I.



Talia Gilmore  
Project Scientist / Tribal Interaction Specialist



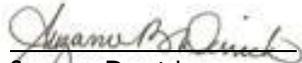
Lorraine Norwood  
Senior Archaeologist



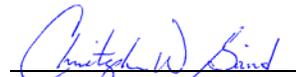
Richard Bolton  
Wetlands Biologist / Natural Resource Specialist



Lee Brewer  
Program Manager



Suzanne Derrick  
Technical Director, Cultural Resource Management



Christopher W. Baird  
Technical Director, NEPA

---

## 7.0 REFERENCES

EBI review of threatened or endangered species habitats or designated critical habitats on Pennsylvania Natural Heritage Program online Natural Diversity Index, November 30, 2011; updated November 15, 2012.

Pennsylvania Department of Conservation and Natural Resources correspondence dated December 28, 2011 and December 12, 2012.

Pennsylvania Game Commission correspondence dated January 30, 2012, February 21, 2012, and December 12, 2012.

EBI telephone correspondence with Pennsylvania Game Commission Staff, February 22, 2012 and March 1, 2012.

Pennsylvania Fish and Boat Commission correspondence dated January 13, 2012.

United State Fish and Wildlife Service (USFWS) correspondence, dated February 6, 2012.

*Service Interim Guidelines for Recommendations on Communications Tower Siting, Construction, Operation, and Decommissioning*, issued by USFWS dated September 14, 2000.

*National Bald Eagle Management Guidelines*, issued by USFWS.

EBI correspondence with the Hawk Mountain Bird Sanctuary dated April 16, 2012 and June 12, 2012.

Pennsylvania Historical & Museum Commission comments on the FCC e106 system, dated March 12, 2012 through September 19, 2012.

EBI correspondence with the National Park Service, Appalachian National Scenic Trail, dated June 8, 2012.

Alternatives Analysis Report prepared by L.R. Kimball & Associates dated April 2012.

Schematics and specifications for the proposed tower and equipment-shed foundations, dated January 11, 2012.

National Environmental Policy Act Screening Report, prepared by EBI Consulting, dated October 25, 2012.

Biological Assessment for Migratory Birds, prepared by EBI Consulting, dated October 16, 2012.

## 8.0 LIMITATIONS

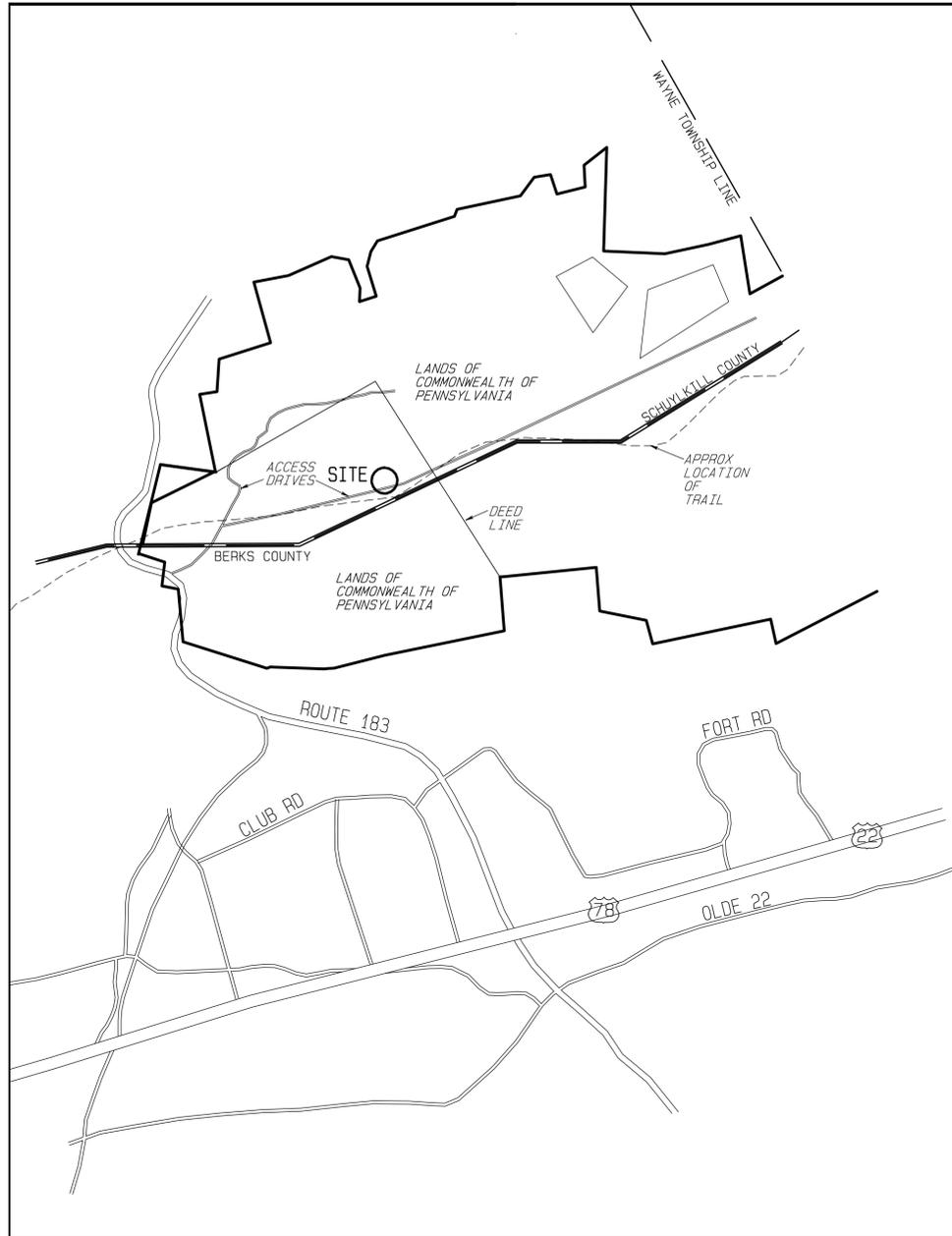
This *EA* was prepared on behalf of Berks County, for the purpose of submittal to the FCC for further environmental processing per the requirements set forth in 47 CFR §1.1307. This *EA* was completed in accordance with guidelines set forth by the FCC in 47 CFR §1.1306 thru 1.1308 and 1.1311, general industry standards, and the terms and conditions authorized by you.

The observations in this *EA* are valid on the date of the investigation. Changes to the proposed action may result in different findings and may require updates or revisions to this *EA*, and notification to the FCC for consideration.

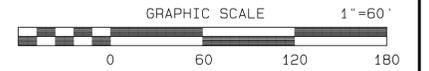
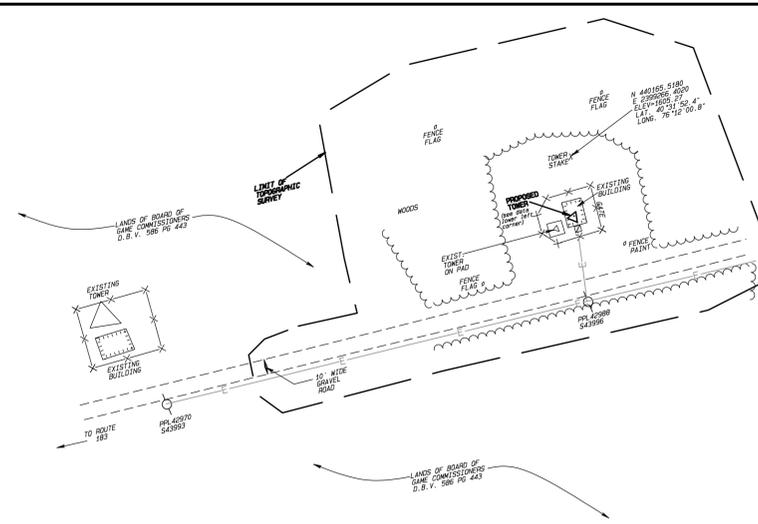
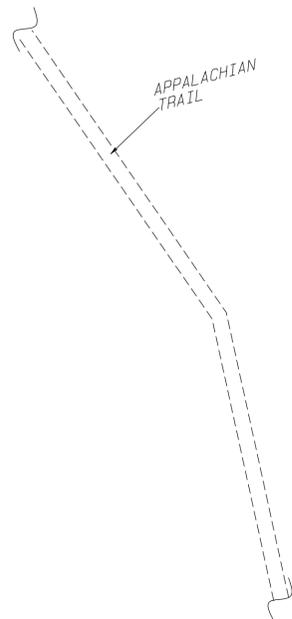
There are no intended or unintended third party beneficiaries to this *Report*, unless specifically named. EBI is an independent contractor, not an employee of either the property owner, the project proponent (i.e. the County Berks, Pennsylvania), and its compensation was not based on the findings or recommendations made in the *Report* or on the closing of any business transaction.

**APPENDIX A**  
**SITE DRAWINGS**





LOCATION MAP  
1"=2000'



LEGEND

- = CLEAN OUT/VENT (C.O.)
- = CATCH BASIN (C.B.)
- = SANITARY OR STORM MANHOLES (AS INDICATED)
- = WATER VALVE CAP
- = UTILITY POLE W/GUY WIRE
- = STREET SIGN (AS NOTED)
- = POST
- = FIRE HYDRANT
- = GAS VALVE
- = EXIST. CONTOURS
- - - = EXIST. INDEX CONTOURS
- W = EXIST. WATERLINE
- S = EXIST. SANITARY SEWER LINE
- = EXIST. STORM SEWER LINE
- G = EXIST. GASLINE
- E = EXIST. OVERHEAD ELECTRIC LINE
- x-x-x-x = EXIST. FENCE LINE



GENERAL NOTES

1. SITE FEATURES PER LUDGATE ENGINEERING CORPORATION FIELD SURVEY OF 11-22-11.
2. DATUMS:  
HORIZONTAL: PA SPEC - SOUTH (NAD 83)  
VERTICAL: NAVD 88
3. PARENT TRACT DATA:  
BOARD OF GAME COMMISSIONERS  
D.B.V. 586 PG. 443  
TAX MAP# 34-15-0025.000
4. THIS IS NOT A BOUNDARY SURVEY OF THE PARENT TRACT

I, THOMAS BRYAN LUDGATE, HEREBY CERTIFY TO: INCLUDING ITS SUBSIDIARIES, AFFILIATES, SUCCESSORS AND ASSIGNS.

LUDGATE ENGINEERING CORPORATION

THOMAS BRYAN LUDGATE  
LAND SURVEYOR - PA # SU-053115

Date of Survey: \_\_\_\_\_

Date of Last Revision: \_\_\_\_\_



BLUE MT. SITE

SITUATE IN:  
WAYNE TOWNSHIP,  
SCHUYLKILL COUNTY,  
PENNSYLVANIA

BERKS COUNTY CELL TOWER SITE

**Ludgate Engineering Corporation**  
ENGINEERS SURVEYORS PLANNERS  
ENVIRONMENTAL SCIENTISTS  
© 2011

LINCOLN CORPORATE CENTER  
10 VANGUARD DRIVE, SUITE 90  
READING, PA 19606  
PHONE: 610/404-7330 | FAX: 610/404-7371  
www.ludgate-eng.com

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DRAWN	COMP (BY)	COMP (DATE)	PA ONE CALL DATE	COMPUTER FILE
SLS				P: B200911.PRO
11-23-11				
SCALE	TAX MAP PARCEL	DRAWING NUMBER		
1"=60'		D-B200911 SHEET 1 OF 2		

REVISION	DATE	DESCRIPTION

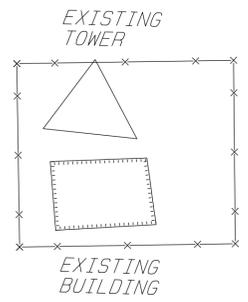
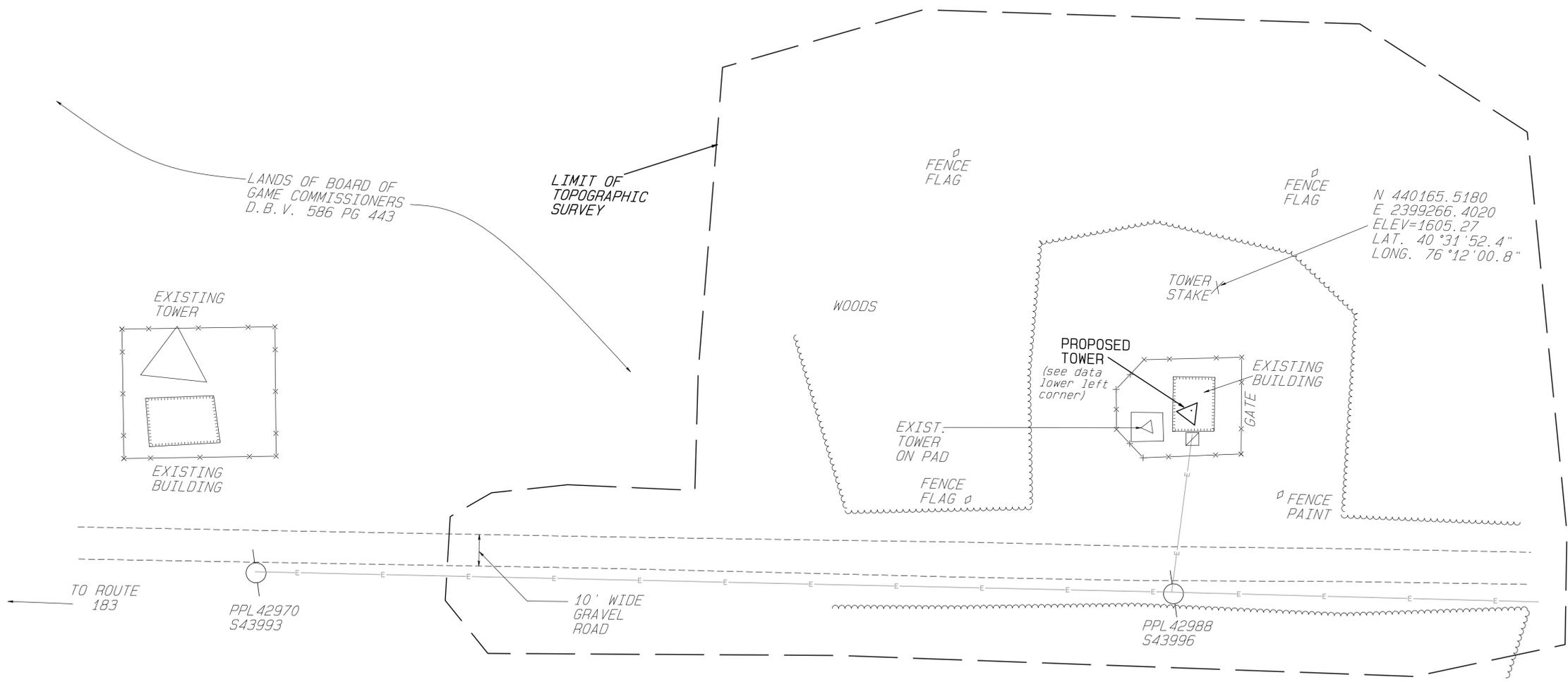
Project Desc.: P:\NBA\B200911.pro Plot Date/Time: Wed Nov 30, 2011 / 13:28:50

**TOWER LOCATION INFORMATION**  
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LATITUDE = 40°31'52.4" N ± 15'  
LONGITUDE = 76°12'00.8" W ± 15'  
N 440126.6660  
E 2399268.5148  
GROUND ELEVATION AT BASE OF TOWER = 1605.01' NAVD88



**LEGEND**

- = CLEAN OUT/VENT (C.O.)
- ⊠ = CATCH BASIN (C.B.)
- = SANITARY OR STORM MANHOLES (AS INDICATED)
- = WATER VALVE CAP
- ⊥ = UTILITY POLE W/GUY WIRE
- ⊙ = STREET SIGN (AS NOTED)
- = POST
- ⊕ = FIRE HYDRANT
- ⊙ = GAS VALVE
- = EXIST. CONTOURS
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- S----- = EXIST. SANITARY SEWER LINE
- ===== = EXIST. STORM SEWER LINE
- G----- = EXIST. GASLINE
- E----- = EXIST. OVERHEAD ELECTRIC LINE
- ××××× = EXIST. FENCE LINE



**GENERAL NOTES**

1. SITE FEATURES PER LUDGATE ENGINEERING CORPORATION FIELD SURVEY OF 11-22-11.
2. DATUMS:  
HORIZONTAL: PA SPEC - SOUTH (NAD 83)  
VERTICAL: NAVD 88
3. PARENT TRACT DATA:  
BOARD OF GAME COMMISSIONERS  
D.B.V 586 PG.443  
TAX MAP# 34-15-0025.000
4. THIS IS NOT A BOUNDARY SURVEY OF THE PARENT TRACT

I THOMAS BRYAN LUDGATE, HEREBY CERTIFY TO: \_\_\_\_\_ INCLUDING ITS SUBSIDIARIES, AFFILIATES, SUCCESSORS AND ASSIGNS.

LUDGATE ENGINEERING CORPORATION

THOMAS BRYAN LUDGATE  
LAND SURVEYOR - PA # SU-053115  
Date of Survey: \_\_\_\_\_  
Date of Last Revision: \_\_\_\_\_



**TOWER LOCATION INFORMATION**  
NAD 83  
LATITUDE = 40°31'52.1" N ± 15'  
LONGITUDE = 76°12'00.8" W ± 15'  
N 440126.6660  
E 2399268.5148  
GROUND ELEVATION AT BASE OF TOWER = 1605.01' NAVD88

**BLUE MT. SITE**

**BERKS COUNTY CELL TOWER SITE**

**Ludgate Engineering Corporation**  
ENGINEERS SURVEYORS PLANNERS ENVIRONMENTAL SCIENTISTS  
© 2011

LINCOLN CORPORATE CENTER  
10 VANGUARD DRIVE, SUITE 90  
READING, PA 19606  
PHONE: 610/404-7330 | FAX: 610/404-7371  
www.ludgate-eng.com

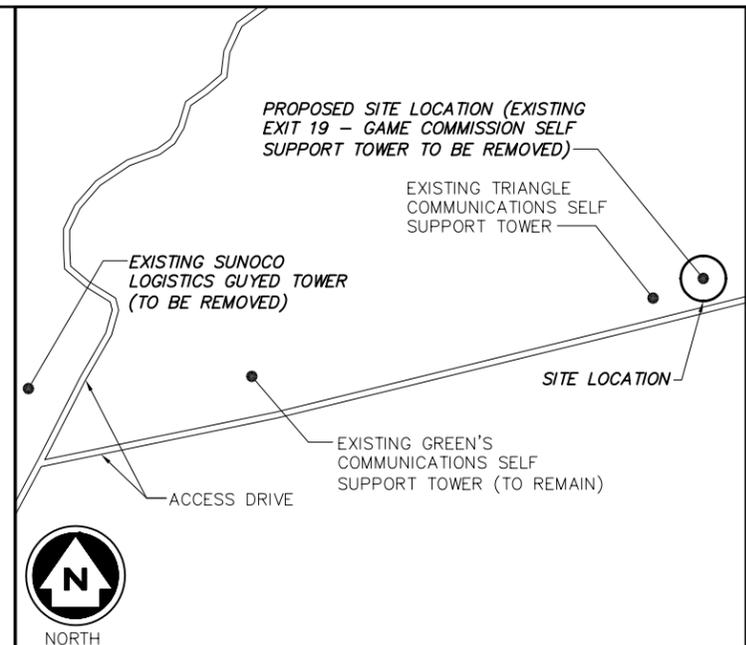
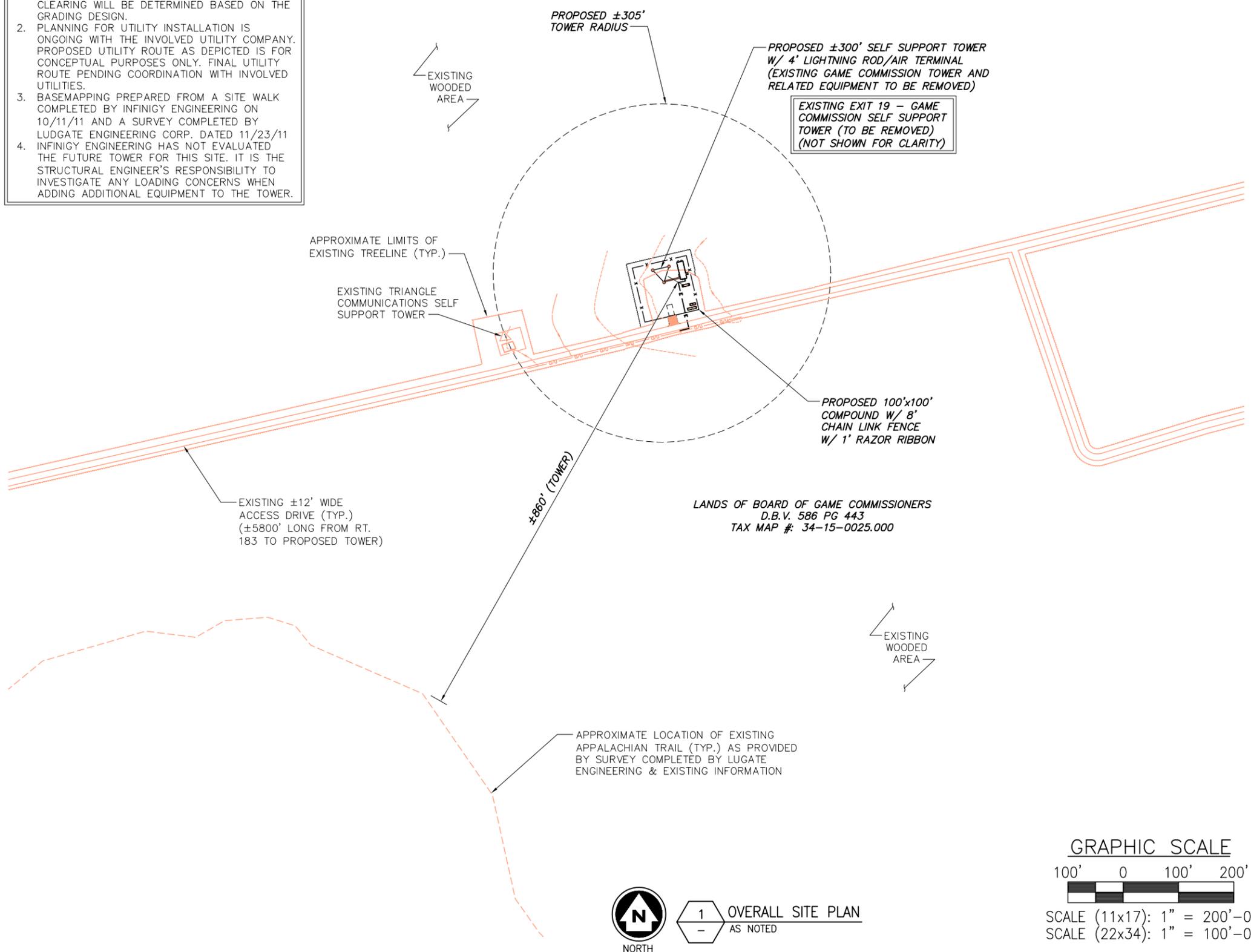
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DRAWN	COMP (BY)	COMP (LOT)	PA ONE CALL DATE	COMPUTER FILE
SLS				P: B200911.PRO
11-23-11				
SCALE	TAX MAP PARCEL			DRAWING NUMBER
1"=20'				D-B200911 SHEET 2 OF 2

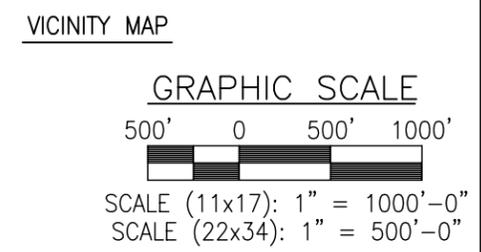
REVISION	DATE	DESCRIPTION

Project Desc.: P:\N\B\B200911.pro Plot Date/Time: Wed Nov 30, 2011 / 13:30:08

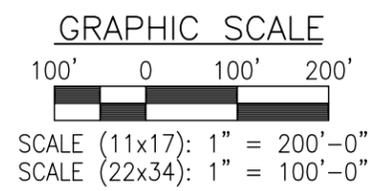
- NOTE:**
1. A GRADING PLAN HAS NOT BEEN COMPLETED UPON ISSUANCE OF THE PLANS. PROPOSED CLEARING BUFFER AREAS DEPICTED ARE FOR CONCEPTUAL PURPOSES ONLY. FINAL LIMITS OF CLEARING WILL BE DETERMINED BASED ON THE GRADING DESIGN.
  2. PLANNING FOR UTILITY INSTALLATION IS ONGOING WITH THE INVOLVED UTILITY COMPANY. PROPOSED UTILITY ROUTE AS DEPICTED IS FOR CONCEPTUAL PURPOSES ONLY. FINAL UTILITY ROUTE PENDING COORDINATION WITH INVOLVED UTILITIES.
  3. BASEMAPPING PREPARED FROM A SITE WALK COMPLETED BY INFINIGY ENGINEERING ON 10/11/11 AND A SURVEY COMPLETED BY LUDGATE ENGINEERING CORP. DATED 11/23/11
  4. INFINIGY ENGINEERING HAS NOT EVALUATED THE FUTURE TOWER FOR THIS SITE. IT IS THE STRUCTURAL ENGINEER'S RESPONSIBILITY TO INVESTIGATE ANY LOADING CONCERNS WHEN ADDING ADDITIONAL EQUIPMENT TO THE TOWER.



**NOTE:**  
VICINITY MAP BASED ON INFORMATION PROVIDED BY LUDGATE ENGINEERING CORP. DATED 11/23/11



SITE SUMMARY	
ZONING DISTRICT:	CONSERVATION-RECREATION "CR" DISTRICT
JURISDICTION:	WAYNE TOWNSHIP
SITE OWNER:	BOARD OF GAME COMMISSIONERS 2001 ELMERTON AVE, HARRISBURG PA 17110-9797
SITE DEVELOPER:	THE COUNTY OF BERKS 633 COURT ST. READING, PA 19601
ENGINEER:	INFINIGY ENGINEERING PLLC 2255 SEWELL MILL ROAD, SUITE 130 MARIETTA, GA 30062
SURVEYOR:	LUDGATE ENGINEERING CORP. 10 VANGUARD DRIVE, SUITE 90 READING, PA 19606



**1** OVERALL SITE PLAN  
AS NOTED

NORTH

NO.	DATE	REVISIONS	BY	CHK	APP'D
2	1/11/12	REVISED PER COMMENTS	SKB	RGB	CJW
1	12/28/11	REVISED PER COMMENTS	SKB	RGB	CJW
0	12/12/11	ISSUED FOR ZONING	SKB	RGB	CJW

**infinigy**  
engineering  
2255 SEWELL MILL ROAD  
SUITE 130  
MARIETTA, GA 30062  
678-444-4463  
127-434

**Pyramid Network Services, LLC**



**MOTOROLA SOLUTIONS**

BLUE MOUNTAIN  
(EXIT 19)

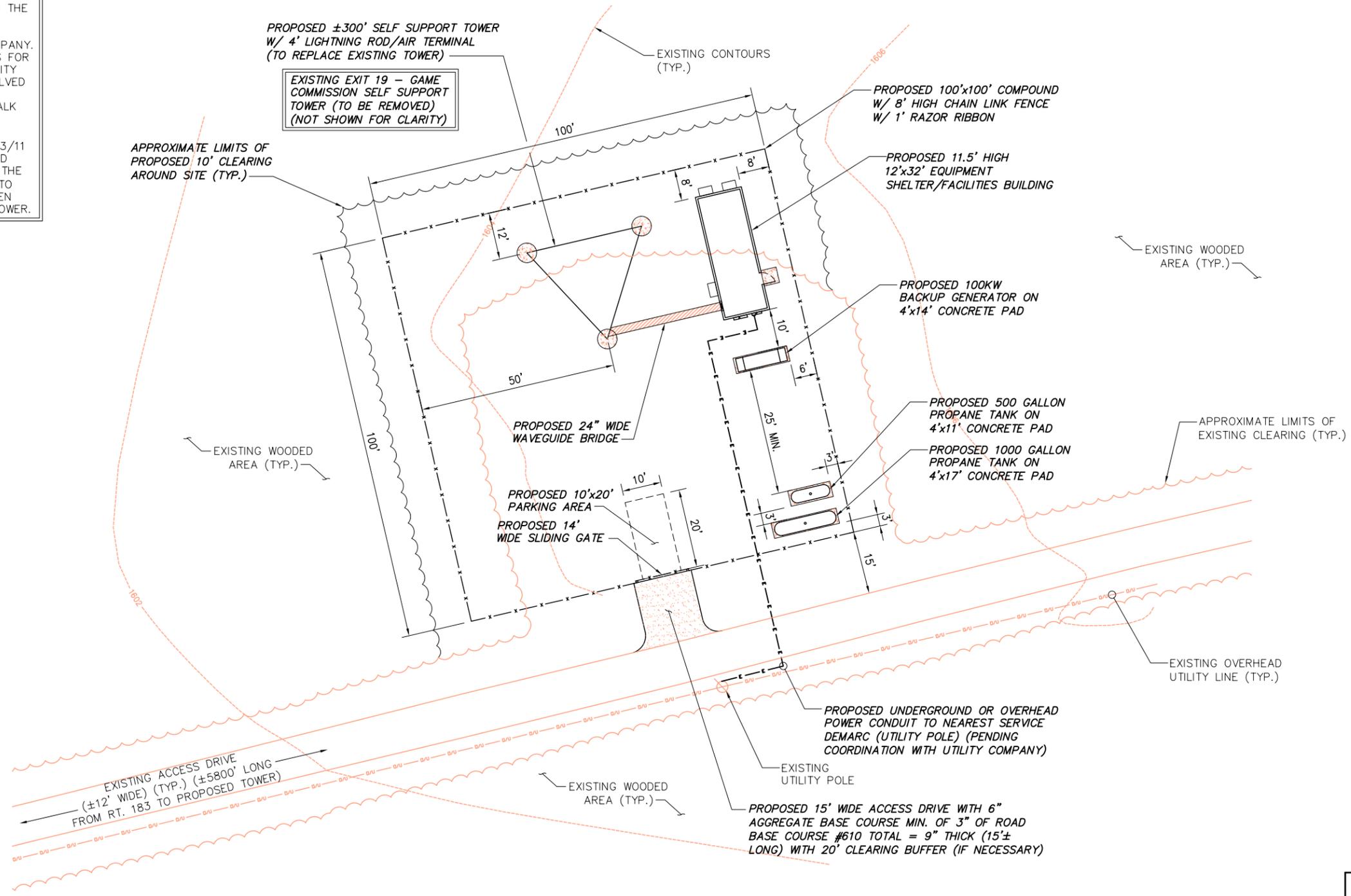
OVERALL SITE PLAN  
BERKS, COUNTY

Z1

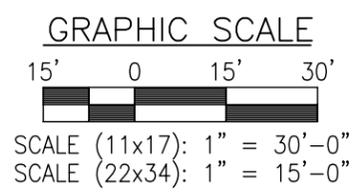
REV 2

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- NOTE:**
1. A GRADING PLAN HAS NOT BEEN COMPLETED UPON ISSUANCE OF THE PLANS. PROPOSED CLEARING BUFFER AREAS DEPICTED ARE FOR CONCEPTUAL PURPOSES ONLY. FINAL LIMITS OF CLEARING WILL BE DETERMINED BASED ON THE GRADING DESIGN.
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1 COMPOUND PLAN  
AS NOTED



NO.	DATE	REVISIONS	BY	CHK	APP'D
2	1/11/12	REVISED PER COMMENTS	SKB	RGB	CJW
1	12/28/11	REVISED PER COMMENTS	SKB	RGB	CJW
0	12/12/11	ISSUED FOR ZONING	SKB	RGB	CJW

**infinigy**  
engineering  
2255 SEWELL MILL ROAD  
SUITE 130  
MARIETTA, GA 30062  
678-444-4463  
127-434



BLUE MOUNTAIN  
(EXIT 19)

COMPOUND PLAN  
BERKS, COUNTY

Z2

REV  
2

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**APPENDIX B**  
**GOVERNMENT COMMUNICATION DOCUMENTATION**

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COMMONWEALTH OF PENNSYLVANIA

Pennsylvania Game Commission

2001 ELMERTON AVENUE
HARRISBURG, PA 17110-9797

To manage all wild birds, mammals and their habitats
for current and future generations.

Table with 2 columns: BUREAU NAME and PHONE NUMBER. Includes: PERSONNEL, ADMINISTRATION, AUTOMOTIVE AND PROCUREMENT DIVISION, LICENSE DIVISION, WILDLIFE MANAGEMENT INFORMATION & EDUCATION, WILDLIFE PROTECTION, WILDLIFE HABITAT MANAGEMENT, REAL ESTATE DIVISION, AUTOMATED TECHNOLOGY SERVICES.

WILDLIFE HABITAT
MANAGEMENT
REAL ESTATE DIVISION
717-787-6568

www.pgc.state.pa.us

January 30, 2012

Wayne Township
Attn: Zoning Hearing Board
P.O. Box 97
Friedensburg, PA 17933-0097

Re: Berks County Emergency Response System Expansion Project ("Project"),
Wayne Township, Schuylkill County, PA

Dear Ladies and Gentlemen:

Please be advised that the Pennsylvania Game Commission ("PGC") does support Berks County's proposed communication tower site project to be located on State Game Land No. 110, partially in Wayne Township, Schuylkill County, PA ("Township").

It is our opinion that this project will not significantly affect the Commonwealth's wildlife resources, the general character of the property, neighborhood, nor the neighborhood's property values.

We appreciate the importance of this project, as it should be very beneficial to the citizens of the Commonwealth and may ultimately save lives.

Sincerely,

Handwritten signature of Dennis Neideigh

Dennis Neideigh
Chief, Division of Real Estate

cc: James G. Caravan, Esquire
Ronald L. Williams, Esquire

**EBI Consulting**  
**RECORD OF COMMUNICATION**

**JOB:** 61114599

Contact Name: Olivia Mowery Date: Feb. 22, 2012

Contact Title: Environmental Planner Time: 2:10 PM

Organization: PA Game Commission Phone: 717-787-4250 ext 3128

**EBI CONTACT:** TALIA C. GILMORE

**RESULTS:**

Ms. Mowery stated the language about contacting the regional office in their PNDI response is standard input for any site that has the potential to impact State Game Lands. Ms. Mowery believed that coordination has already occurred between The County of Berks and the Southeast Regional Office and a signed agreement is either being prepared or has already been prepared. Ms. Mowery suggested EBI contact Mr. Bruce Metz, Land Management Supervisor of the Southeast Regional Office of the PA Game Commission.

**FOLLOW-UP ACTION REQUIRED:**

Contact Bruce Metz with the Southeast Regional Office of the PA Game Commission

**EBI Consulting**  
**RECORD OF COMMUNICATION**

**JOB:** 61114599

Contact Name: Bruce Metz Date: March 1, 2012

Contact Title: Land Management Supervisor Time: 10:44 AM

Organization: PA Game Commission Phone: 610-926-3136

**EBI CONTACT:** TALIA C. GILMORE

**RESULTS:**

Mr. Metz stated the Southeast Regional Office of the PA Game Commission is aware of the proposed Berks County tower on the State Game Lands #110. Mr. Metz stated that the Real Estate Division of the Game Commission is already working on an agreement with The County of Berks for the tower construction.

**FOLLOW-UP ACTION REQUIRED:**

Not applicable

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION

LICENSE FOR RIGHT-OF-WAY

THIS AGREEMENT, made this 1<sup>st</sup> day of January 2012, between the PENNSYLVANIA GAME COMMISSION of the Commonwealth of Pennsylvania, party of the first part, hereinafter called "Commission",

A

N

D

THE COUNTY OF BERKS, PENNSYLVANIA, a Pennsylvania political subdivision having a mailing address of 633 Court Street, Reading, Pennsylvania, 19602, party of the second part, hereinafter called "Licensee",

WHEREAS, in accordance with existing laws, the "Licensee" has applied for the privilege of constructing, operating, maintaining and removing a three hundred foot (300') self-supporting communications tower with associated facilities for its public safety radio system, along with the use of five thousand seven hundred twenty five feet (5,725') of existing administrative road, in, on, over or through Pennsylvania State Game Land No. 110, situate in the Township of Wayne, Schuylkill County, and the Townships of Bethel and Upper Tulpehocken, Berks County, Commonwealth of Pennsylvania; and

WHEREAS, "Commission" under Section 725 of the Game and Wildlife Code, as amended, is empowered to grant such rights, and having considered the application of "Licensee" for the granting thereof, and being satisfied that granting the same will not adversely affect game protection and propagation has consented to grant the License hereinafter provided for;

NOW, THEREFORE, THIS AGREEMENT WITNESSES that "Commission" in consideration of the foregoing, and the remuneration agreed upon, as hereinafter written, and of the promises, conditions and agreements hereinafter contained and to be performed on the part of "Licensee", hereby grants to "Licensee", for a term of one (1) year from January 1, 2012, the privilege of constructing, operating, maintaining and removing a three hundred foot (300') self-supporting communications tower with associated facilities for its public safety radio system, including a 12' x 32' equipment shelter, backup generator, and two propane tanks, all being enclosed in a 100' x 100' fenced compound on a site approximately 120' x 120' as depicted on the plan attached hereto marked Exhibit "B" and made a part hereof, plus the use of approximately 5,725' of existing "Commission" administrative roadway altogether hereafter called "Project", which is located on the hereinbefore mentioned State Game Land at the location(s) shown on the map attached hereto, marked Exhibit "A" and made a part hereof.

Excepting and reserving to "Commission" the privilege of using and authorizing the use of the said strip of land for any reasonable purpose in connection with the administration or utilization of the said State Game Land deemed by "Commission" to be not incompatible with the right hereby granted to "Licensee". In the case of licenses to use a road through State Game Lands, "Commission" reserves the right to license others to use the same road upon such terms and conditions as it may consider reasonable and proper.

In consideration of which, "Licensee" promises faithfully to abide by, perform and fulfill each and all of the terms, conditions and stipulations, viz:

1. INITIAL PAYMENT - "Licensee" shall pay to "Commission" when submitting the signed License **\$1,800.00**, being the license fee for the period ending December 31, 2012.

"Licensee" shall thereafter make a yearly license payment in the amount of **\$1,800.00\***, commencing January 1<sup>st</sup> 2013, and continuing yearly thereafter during the continuance of this agreement. All payments shall be made to the Pennsylvania Game Commission at its office in Harrisburg, Pennsylvania.

\*Initially this tower shall be classified as a Non-Profit Tower Site. Should "Licensee" add a "commercial co-locator" to the site; the tower classification shall convert to a "Commercial Status" with a corresponding conversion of the annual license fee to twelve thousand six hundred dollars (**\$12,600.00**) per year, with additional revenue share fees due as indicated in provision number 26 of this agreement.

It is a condition of the "Commission" granting this license to the "Licensee" that "Licensee" shall consolidate communication facilities currently existing on State Game Land 110 in the vicinity of the "Project" when feasible. Sunoco Logistics has tentatively agreed to move their equipment onto the County tower when construction of the new tower is complete. Therefore it is anticipated that the status of the tower site will be Commercial at some point during the 2012 license year. The "Commission" will accept the license fee paid by Sunoco, and the license fee paid to the Commission by any other of the Commission's existing licensees that collocates on the "Licensee's" tower in 2012 as payment in full for "Licensee's" commercial co-location commitment for the 2012 license year. Thereafter, effective January 1, 2013, the annual base license fee shall be assessed at the commercial rate so long as there exists a commercial presence on the tower or at the "Project" along with any revenue share fees due as outlined in provision 26 of this license agreement.

2. ADVANCE NOTICE OF OPERATIONS - "Licensee" shall give the Commission's Southeast Regional Director Douglas M. Killough, 448 Snyder Road, Reading, Pennsylvania, 19605-9254, telephone number 610-926-3136 and Land Management Group Supervisor (LMGS) Matthew Belding, who can be contacted by telephone through "Commission's" Southeast Regional Office at 610-926-3136 not less than four (4) days advance notice, in writing, of its intention to commence operations hereunder.

3. CHEMICALS - "Licensee" shall not use, or permit to be used by anyone under its control, any chemical weed or vegetation killer on the right-of-way except upon written approval by "Commission".

4. CUTTING FOREST PRODUCTS - "Licensee" shall have the right to cut or trim such forest growth upon the strip of land as it deems necessary. Should marketable timber damages occur during the construction or maintenance of the "Project", "Licensee" shall be assessed by and pay to the "Commission" double the stumpage value based on a timber value assessment made by "Commission" foresters at such times damages may occur. "Licensee" shall give advance notice to the LMGS prior to any timber cutting/removal and coordinate said cutting/removal with and to the satisfaction of the LMGS.

5. STUMP HEIGHT - "Licensee" shall cut all trees which it finds necessary to cut so that the height of the stumps above the surface of the ground shall conform with "Commission's" regulations then in effect or specific instructions given by LMGS.

6. SEEDING BY "LICENSEE" - "Licensee" shall comply with "Commission's" specifications with respect to preparing, planting, seeding and maintaining the designated acreage as indicated by "Commission's" LMGS.

7. CROP DAMAGE - In the event that the construction, operation or maintenance of "Project" shall result in damage to crops planted by any sharecropper, tenant or Licensee farming any part of the Game Lands, whether within or outside of the right-of-way herein granted, "Licensee" shall compensate such sharecropper for the amount of damage sustained, of which "Commission's" Regional Director shall be the sole judge.

8. DAMAGES OUTSIDE OF "PROJECT" AREA - If, in the building and maintenance of the said "Project", it becomes necessary in the judgment of "Licensee" to cut or remove forest growth on additional portions of the said State Game Lands not included on the said strip of land, "Licensee", after permission to cut has been obtained in advance from "Commission", shall pay to "Commission", at its office in Harrisburg, for all trees, seedlings or other vegetation so cut or removed the value thereof as fixed by "Commission".

9. OTHER DAMAGES - Should additional damage to the Commonwealth result at any time directly from the construction, operation or maintenance of said "Project", not herein contemplated or specifically mentioned, "Licensee" shall make full compensation to "Commission" at its office in Harrisburg; the same to be estimated and calculated by "Commission" as near as may be by the methods then in use by "Commission" for the computation of damages.

10. RELOCATION OF TELEPHONE LINES - "Licensee" shall relocate, at its own expense, the wires of all portions of all telephone lines owned or used by "Commission" which cross or otherwise lie within the said strip of land or are affected by the operation of the said "Project", in accordance with the then current rules and order of the Public Utility Commission.

11. BRUSH DISPOSAL - "Licensee" shall dispose of all brush, tops and branches that may be cut, in such a way as not to constitute a forest fire hazard, either by placing and scattering said brush, tops and branches outside of the strip of land, in a manner designated by "Commission", or by burning said brush, tops and branches at such times and in such manner as may be authorized or required by "Commission", including the right to restrain the burning of fall and winter cuttings for up to three (3) weeks.

12. MAINTENANCE (CUTTING) - "Licensee" shall keep the said strip of land properly brushed out at all times unless it receives written authorization to the contrary from "Commission's" office in Harrisburg. After the initial cutting, all cuttings shall be done between December 1<sup>st</sup> and March 31<sup>st</sup>.

13. REPLACEMENT OF BOUNDARY MARKERS, ETC. - "Licensee" shall replace, as "Commission" shall direct, all State Game Lands boundary and warrant line markers and corners removed, damaged or destroyed in any work incident to the construction, operation or maintenance of said "Project", or in any cutting or removal of forest growth incidental thereto, or in default thereof shall pay to "Commission" double the cost of such replacement.

14. LIABILITY FOR FIRES - "Licensee" shall see to it that no fire is set on or adjacent to the said State Game Lands by any of its officers, agents, employees, contractors or sub-contractors, except in pursuance of and in accordance with the conditions prescribed in the permission first obtained from "Commission", fixing the time, place and manner of burning. Should any fire set by "Licensee" or by any of the persons mentioned in this paragraph escape in any manner and damage any forest growth or game or other property of the Commonwealth, "Licensee" shall be liable for all such damages resulting from such escape and for all costs incurred by the Commonwealth in fighting such fire; and "Licensee", its officers, agents and employees, in the vicinity, as well as its contractors and sub-contractors, shall, with such assistance as it or they may have at hand or be able to summon, render aid in fighting said fire without cost to the Commonwealth.

15. REPORTING FIRES - "Licensee" or its employees shall report promptly all forest fires detected by them to the District Forester and to the employee of "Commission" having charge of said State Game Lands, and shall assist in extinguishing forest fires burning on the said strip of land or within the said State Game Lands adjacent thereto.

16. RELOCATING IMPROVEMENTS - "Licensee" shall fully compensate "Commission's" permittees for all expenses incurred in relocating any or all improvements on the said State Game Land, which by reason of the construction, operation or maintenance of said "Project", shall be relocated or removed.

17. INGRESS AND EGRESS - "Licensee" shall have the right of ingress to and egress from the said strip of land over the said State Game Lands, at places designated by "Commission" or its employees having charge of said lands; provided, however, that no roads or trails or any other portion of State Game Lands, except the said strip of land, shall be used until permission has first been obtained from "Commission" or its employee, which shall designate and approve such use and fix the compensation, if any, to be paid to "Commission" and the time, place and manner of payment.

18. DAMAGE CLAIMS - "Licensee" shall, to the extent allowed by law, at all times hereafter indemnify and save harmless the Commonwealth from and against any and all detriment, damages, losses, claims, demands, suits, costs and expenses not herein provided for which the Commonwealth may suffer, sustain or be subjected to, directly or indirectly, by reason of the location, construction, operation, maintenance or removal of said project; provided, however, should the right-of-way herein granted be solely for the purpose of "Licensee" giving service to the Commonwealth or its Lessees or Licensees, then, in that limited situation, "Licensee" shall only indemnify and save harmless the Commonwealth for damages resulting from the negligence of "Licensee", its clerks, servants, agents and employees.

19. DEFAULT AND FORFEITURE - If "Licensee" shall fail to pay the annual fees when the same becomes due or shall violate this agreement in any other manner or shall do or permit to be done any other act contrary to the best interests of "Commission" or wildlife or the said State Game Lands, "Commission" shall by notice and order require "Licensee" to fulfill its obligations hereunder and to make good any damages resulting from said violations or defaults and to desist in any acts or conduct which are not to the best interests of "Commission" or wildlife or the said State Game Lands; and, in the case of the neglect or refusal of "Licensee", after due notice and order as aforesaid, to comply with such order of "Commission" within a period of thirty (30) days, then the grant, license or privilege acquired by "Licensee" under this instrument shall absolutely determine, at the option of "Commission"; the termination of this License for Right-of-Way to be signified by written notice to the effect, mailed to "Licensee" by Certified Mail. When the said License for Right-of-Way shall have been so determined, the Attorney General of the Commonwealth of Pennsylvania, or any attorney, may appear, after providing "Licensee" ten (10) days advance notice of the pending action, for "Licensee" in an amicable action of ejectment to be brought by "Commission" in any competent court for the recovery of, and damages for the detention of, the hereinbefore described right-of-way or easement and therein confess judgment against "Licensee" for which this Agreement (or a true copy thereof) shall be a sufficient warrant; and "Commission" may issue thereon all the necessary writs or process for recovering possession of said premises, with damages for detention (to be assessed at an amount equal to all unpaid rent) and costs. No determination of this License for Right-

of-Way, nor recovery of possession or damages, as aforesaid, shall release "Licensee" from liability for the breach of any covenants herein contained. Notwithstanding anything to the contrary in this agreement, should the "Commission" identify an issue (other than non-payment of license fees) involving the terms and conditions of the agreement or the protection of species under their jurisdiction that may justify a termination of said agreement, the "Commission" shall permit the "Licensee" reasonable opportunity to resolve said issue(s) to the satisfaction of the "Commission" prior to exercising their right to terminate and shall not terminate this license agreement without just cause.

20. RENEWAL AND/OR REVISION - This Agreement shall automatically be renewed from year to year until either party shall give ninety (90) days written notice to the other of his or its intention to terminate the same upon the expiration of the then current term. Either party may request a revision of the terms and conditions of this Agreement by written notice given to the other at least ninety (90) days prior to the expiration of the then current term. In the event that the parties are unable to agree upon such revision, the party requesting the revision may terminate this Agreement upon the expiration of the term of renewal during which such request was made, provided that written notice of such termination shall be given before the expiration of such term. No revision of this Agreement shall become effective unless and until the same shall be reduced to writing and shall be signed by the parties hereto.

21. ASSIGNMENT - This License shall not be assigned by "Licensee" nor shall "Licensee" authorize or permit any other corporation, firm or individual to use the right-of-way hereby granted without the prior written consent of "Commission".

22. REMOVAL OF INSTALLATIONS - In the event that this Agreement provides for a facility other than a road, "Licensee" shall remove all of its installations within six (6) months after the termination of this Agreement, without notice or demand by "Commission". In default of such removal, "Commission" may remove any and all such installations remaining on the Game Lands after the expiration of said six (6) month period, without being accountable to "Licensee" for any materials recovered in such removal, or damaged, lost or destroyed by reason thereof, and in all cases where such removal shall be made by "Commission", "Licensee" shall pay to "Commission" double the cost of such removal.

23. STATE LAWS, RULES AND REGULATIONS - Subject to the construction, operation and maintenance of said "Project", nothing in this Agreement shall in any way be so construed as to impair the powers, privileges or duties of the Pennsylvania Game Commission, or its representatives, in the execution of the laws of the Commonwealth, or the rules and regulations of "Commission" now in force or hereafter enacted or adopted, having reference to the use, control, protection, maintenance, utilization and development of the said State Game Lands.

24. REMOVAL OF EXISTING FACILITIES - "Licensee" shall, at their sole expense, remove and properly dispose of the existing communications facilities at the "Project" location formerly owned and operated by W.C. McQuaid Trucking Company.

25. ROAD MAINTENANCE - The "Licensee" shall maintain the road(s) herein licensed in a drivable condition, and shall take such measures as are necessary (which may include grading, crowning, applying stone and keeping drainage structures clear and functioning as determined by the LMGS) to prevent the road(s) from becoming impassable to normal "Commission" use on a day-to-day basis.

If there are multiple Licensees using the aforesaid administrative road, and said road requires routine repair and/or maintenance to return it to "Commission" standards, the "Commission", if it so elects, may choose to have the necessary repairs/maintenance performed by a qualified contractor who the "Commission" would select through established Commonwealth procedures.

Should the "Commission" elect to contract for repairs, each "Licensee" will be billed for and shall pay to the "Commission" their pro-rated share of the repairs as determined by the "Commission". Should "Licensee" fail to remit their pro-rated share of the road repair/maintenance expense within 30 days of invoice the license will enter into a default status and the "Commission" may elect to terminate the "Licensee" by providing ninety (90) days written notice.

26. REVENUE SHARE - In addition to the base license fee, "Licensee" shall pay to the "Commission" the greater of twenty five percent (25%) of the gross revenue received by "Licensee" from each co-locator or one thousand two hundred dollars (\$1,200.00) for each co-locator per year. "Licensee", shall forward to "Commission" by January 31<sup>st</sup> of each calendar year, a certified affidavit of business indicating payments received from any co-locators as of December 31<sup>st</sup> for the immediately preceding license year along with their payment of the revenue share due to the "Commission" for all co-locators, as determined and calculated above.

27. "Licensee" shall be responsible for all damages done by their employees or agents to roads, bridges, refuge lines, boundary lines, pipe lines, telephone or power lines crossing the designated project area or adjacent thereto, or damage to any other improvements or structures thereon.

28. "Licensee" shall conform to all local, state and national standards applicable to tower site construction, operation and maintenance. The "Licensee" and the "Project" shall conform to all local, state and federal laws or regulations that now exist or may hereafter be adopted.

29. "Licensee" shall comply with all FAA rules and regulations relating to lighting and marking. Except as otherwise required by the FAA or other governmental authority having jurisdiction, only medium intensity strobe lighting shall be permitted during daytime operation, nighttime operation shall revert to red strobe lighting only. Strobe lighting shall be set to the longest "off" interval permitted by regulations. All lighting on the tower and at the facility should be kept to a minimum and shielded downward (hooded) whenever possible within the FAA regulatory guidelines to minimize skyward illumination. All lighting of tower sites shall be reviewed and approved by the "Commission's" Radio Engineer prior to installation.

30. "Licensee" shall affix and maintain on the outside of the entrance of its equipment building or on its tower or on the gate or entryway of its security fence, if the facility is to be fenced, a permanent identification plate containing "Licensee's" name, business address and telephone number, in letters which can be easily and conveniently read. The identification plate shall be approximately 5" x 9" in size, weatherproof and affixed at eye level.

31. "Licensee" shall maintain its tower site and communications facilities in a neat and orderly manner, keeping it in a state of good repair. "Licensee" shall coordinate all construction, maintenance and policing activity at the site with "Commission's" Land Management Group Supervisor and comply with all specific directions given by LMGS.

32. "Licensee" shall eliminate interference of any type that its communications facilities and/or the operation thereof may cause to Commission-owned or other existing licensed installations on Game Lands or in the vicinity of the "Project".

33. "Licensee" shall not permit any other entity to use the tower or site without the express written consent of the "Commission" including attachments to the tower and use of service building or equipment or to otherwise occupy the site. Which consent, if granted, shall be given in the form of an amendment to this agreement and shall be subject to an increase in license fees according to "Commission" regulations or policy then in effect.

34. "Licensee" agrees to provide space on its tower and at the site to the "Commission" at no cost should the "Commission" determine it necessary for their own communications system.

35. "Licensee" agrees that if the use and/or occupancy of the land licensed herein results in any or all of the land herein licensed, or any improvements thereon, becoming subject to tax (if not previously subject to tax); or if the use and occupancy of the land licensed herein results in an increase in taxes (if previously subject to tax), then "Licensee" shall be given prompt notice and shall be responsible for and shall pay or discharge by appeal or otherwise all such taxes assessed and levied on account of the change in taxable status or increase in taxes as a result of the "Project". If "Licensee" fails to discharge said taxes, and "Commission" elects to pay such taxes or increase in taxes, "Licensee" shall reimburse "Commission" for said taxes. "Licensee" shall pay, within thirty (30) days of "Licensee's" receipt of reasonable proof of same from "Commission", for any increase in "Commission's" real property taxes or in lieu of tax apportionments directly attributable to an increased assessment resulting from the "Project", provided "Licensee" shall be entitled to appeal any such increase payable by it. Furthermore, if the State Game Lands on which the "Project" is located, which are currently exempt from real estate taxes, become taxable by virtue of "Licensee's" use of the "Project", then (a) "Commission" and "Licensee" shall have the option, if the State Game Lands become taxable as a result of "Licensee's" use thereof, to terminate this Agreement within thirty (30) days after said State Game Lands become taxable, such termination to become effective upon ten (10) days written notice to the other party, or

(b) if neither party terminates this Agreement, "Licensee" shall pay its share of such real estate taxes (i.e. the portion of taxes directly attributable to any increase resulting from "Licensee's installation of the "Project"). In no event shall "Licensee" be responsible for paying any real property taxes attributable to any part of the State Game Lands other than the "Project" or resulting from and directly attributable to the "Project".

36. "Licensee" shall be authorized to utilize this right-of-way solely in conjunction with the purpose intended. Unless specifically granted otherwise, this right-of-way shall not be used to gain access for hunting, trapping, fishing or any other activity inconsistent with the intended purpose of the rights herein granted.

37. "Licensee" shall not transport any unauthorized persons behind "Commission" gates or into other areas closed to the public. Duly authorized employees or agents of the "Licensee" shall be clearly distinguishable and shall coordinate activities at the "Project" site with the "Commission's" Region Office at all times possible to curtail unauthorized activity at the site.

38. Notwithstanding anything to the contrary in this agreement, the "Commission" acknowledges the "Project's" primary purpose is to provide communications services to emergency personnel and recognizes the importance of maintaining the facilities in an operational condition. Therefore it is understood by the parties hereto that emergency maintenance shall be available 24 hours a day, seven days a week when necessary. "Licensee" agrees to coordinate all routine maintenance with the LMGS and to inform the LMGS as soon as conveniently possible when emergency maintenance services have been initiated.

39. "Licensee" shall not interfere with lawful public hunting and trapping activities. No construction activity shall occur on the opening days of small game season, spring and fall turkey season, deer and bear season and the Saturdays associated with these seasons. The "Commission" may limit activities at other times of the year due to management activities, hunting seasons, inclement weather, road conditions or other conflicts.

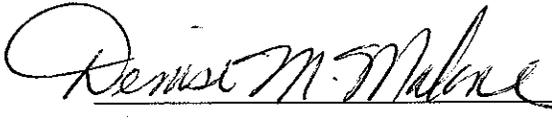
**Note:** Except on Sundays or for persons using authorized shooting ranges, it is unlawful to be present on State Game Lands from November 15 through December 15 inclusive when not engaged in lawful hunting or trapping and fail to wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined so that it is visible in a 360 degree arc. It is strongly recommended for safety purposes that all individuals operating under the authority of this agreement wear the prescribed orange material at all times when accessing the State Game Lands.

(The remainder of this page intentionally left blank, signature page to follow.)

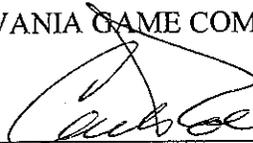
NOW THEREFORE, in witness whereof and intending to be legally bound the parties hereto have caused this agreement to be executed by their duly authorized representatives the day and year first above written.

Attest:

PENNSYLVANIA GAME COMMISSION

  
\_\_\_\_\_

By:

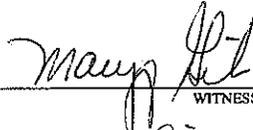
  
\_\_\_\_\_

(SEAL)

Carl G. Roe  
Executive Director

Attest:

COMMISSIONERS OF  
BERKS COUNTY, PENNSYLVANIA

  
\_\_\_\_\_

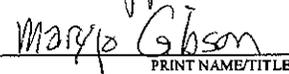
WITNESS

By:

  
\_\_\_\_\_

(SEAL)

BERKS COUNTY COMMISSIONER

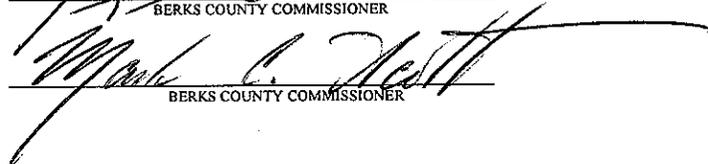
  
\_\_\_\_\_

PRINT NAME/TITLE

  
\_\_\_\_\_

BERKS COUNTY COMMISSIONER

  
\_\_\_\_\_

  
\_\_\_\_\_

BERKS COUNTY COMMISSIONER

Approved as to Legality and Form:

Approved as to Legality and Form:

OFFICE OF ATTORNEY GENERAL

PENNSYLVANIA GAME COMMISSION

  
\_\_\_\_\_

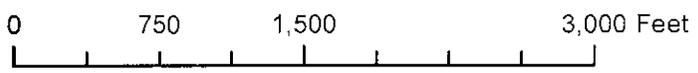
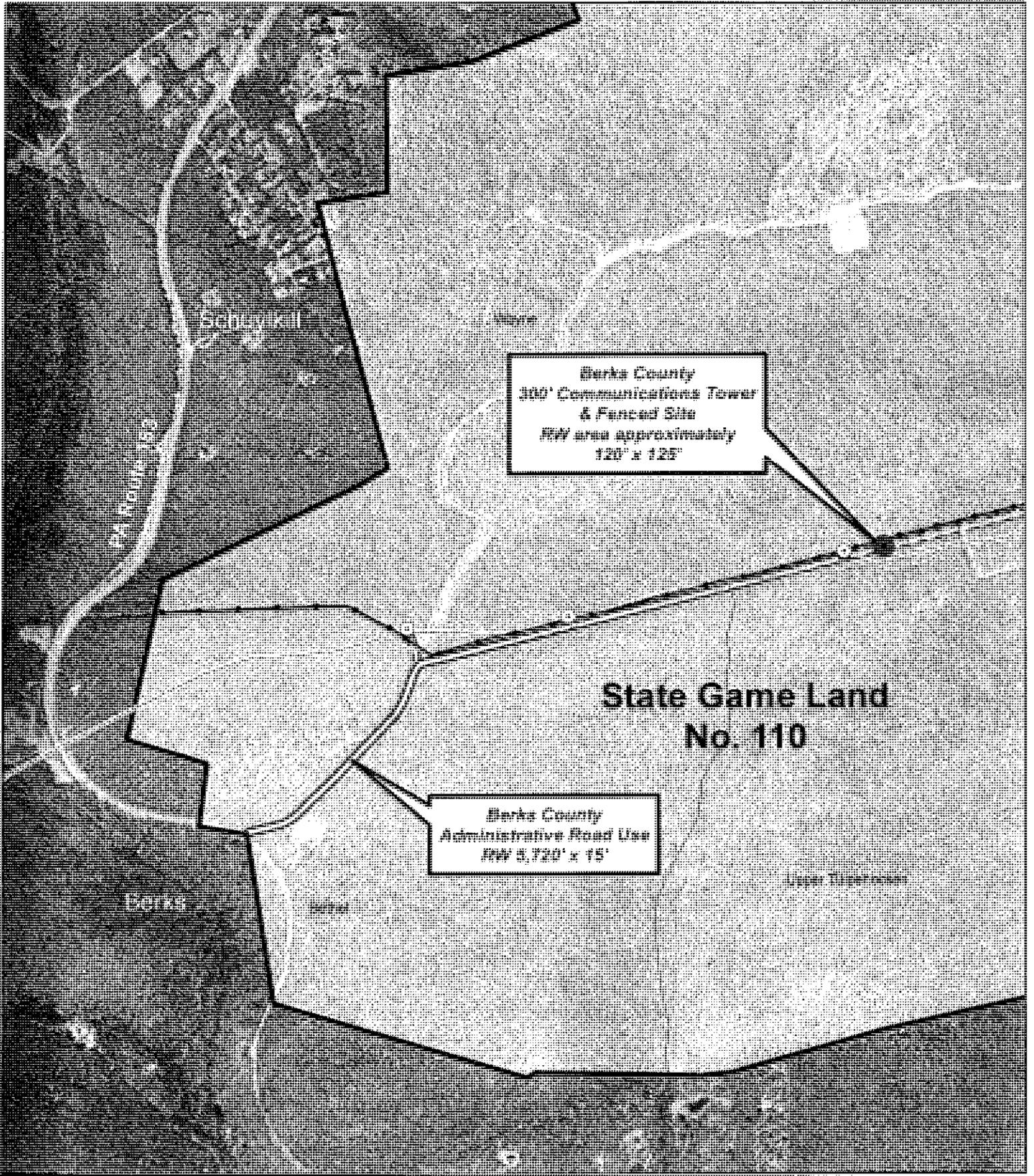
Deputy Attorney General

  
\_\_\_\_\_

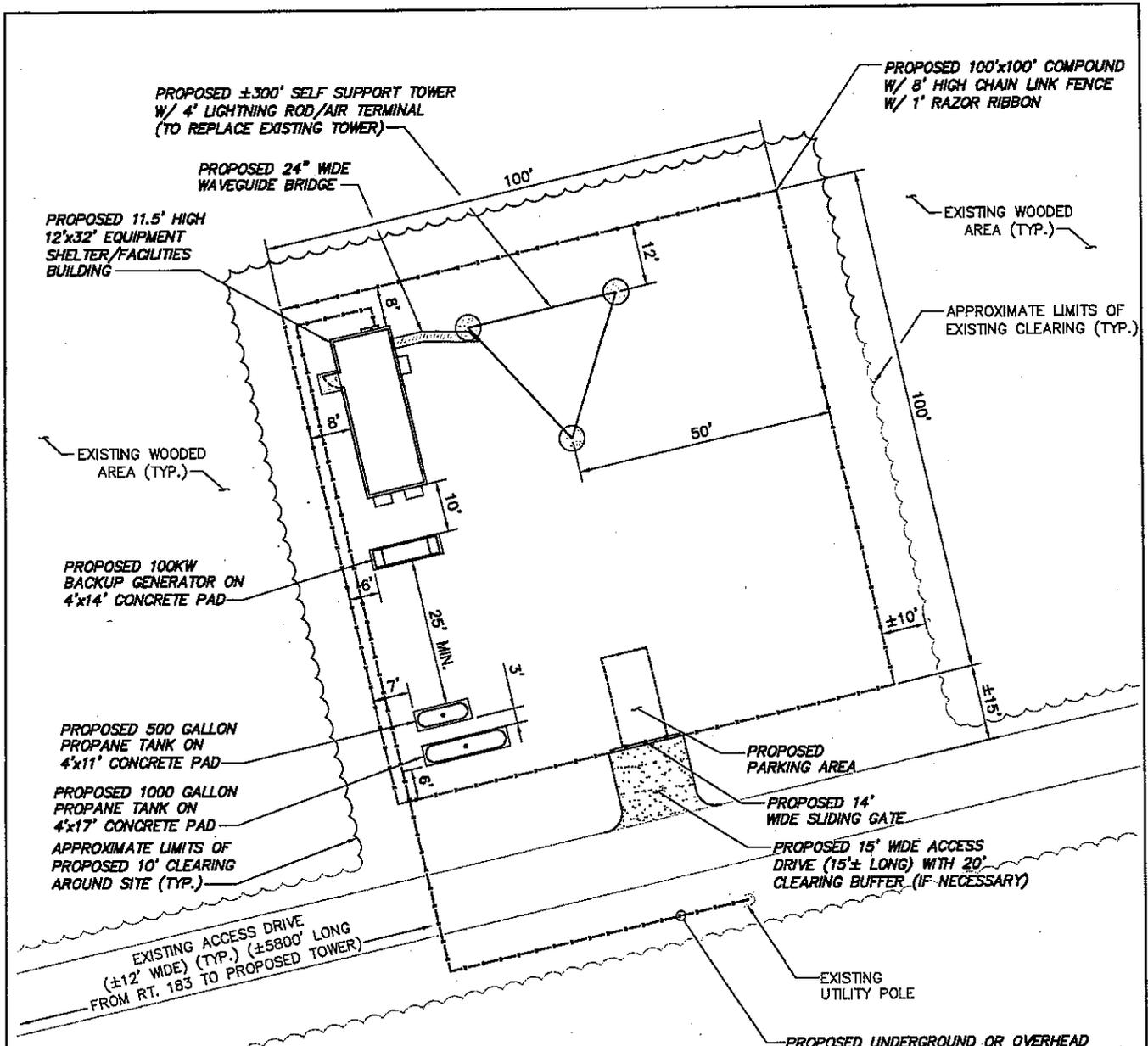
Assistant Chief Counsel

The County of Berks, Pennsylvania  
Sub-account No. 90311121SE110

Wayne Twp., Schuylkill Co.  
License dated: January 1, 2012



**Exhibit "A"**



**NOTE:**  
 PLANNING FOR UTILITY INSTALLATION IS ONGOING WITH THE INVOLVED UTILITY COMPANY. PROPOSED UTILITY ROUTE AS DEPICTED IS FOR CONCEPTUAL PURPOSES ONLY. FINAL UTILITY ROUTE PENDING COORDINATION WITH INVOLVED UTILITIES.

**NOTE:**  
 BASEMAPPING PREPARED FROM A SITE VISIT PERFORMED BY INFINIGY ENGINEERING ON 10/11/11, AERIAL PHOTOGRAPHY AND INFORMATION PROVIDED BY PYRAMID NETWORK SERVICES AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.



CALLED NORTH

**COMPOUND PLAN (PROPOSED)** 1

SCALE: 15' 0 15' 30'

			<p>2255 SEWELL MILL ROAD          SUITE 130          MARIETTA, GA 30062          678-444-4483</p> <p>INFINIGY PROJECT # 127-434</p>	<b>BLUE MOUNTAIN (EXIT 19)</b>	
				<b>COMPOUND PLAN (PROPOSED)</b>	
			REVISION: 1	<b>LE-4</b>	
			DATE: 11-11-11		

**Exhibit "B"**

**APPENDIX C**  
**SITE SELECTION DOCUMENTATION**



**BERKS COUNTY PUBLIC SAFETY RADIO SYSTEM**

**ALTERNATES ANALYSIS**

**ALBANY and BETHEL**

**RADIO TRANSMISSION SITES**

**Prepared April, 2012**

**Berks County Department of Emergency Services  
L.R. Kimball & Associates**

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## INTRODUCTION

This document provides a concise but detailed summary of the methodology and evaluation process that went into selecting viable candidate sites for inclusion in the Berks County, Pennsylvania Emergency Communications Radio System. While this assessment will deal specifically with the locations that were considered in the **Albany** and **Bethel Township** areas, it will also provide an overview of the county-wide design and the resulting technical considerations which, to a large part, dictate site location and selection within the system. Each of the candidate sites included here, were evaluated not just on their individual merits, but also on their ability to contribute effectively to the 'greater whole' of a unified, county-wide radio system. This document will also touch briefly on the general concepts and specific methodology that went into selecting an efficient, effective constellation of sites to meet the need of the Berks County design.

## PROJECT BACKGROUND: THE NECESSITY OF INTEROPERABILITY OVERLAY SYSTEMS AND THE IMPACT OF THE FCC'S NARROW BANDING REQUIREMENTS ON SITE SELECTION

This complex public safety initiative was undertaken in the interest of designing, developing and deploying a county-wide, emergency communications radio system. Once implemented, this system will provide a clear and dependable wireless communications platform for police, fire and emergency medical personnel to use while operating in and around Berks County. By utilizing an integrated network of linked communications sites and dispatch facilities combined with state of the art equipment, this design will meet not only the in-county coverage requirements essential for an effective Public Safety wireless system, but it will also afford the critical interoperability overlay systems which will enable Berks County first responders to communicate effectively with their counterparts in neighboring counties who are currently operating on disparate radio systems. While mutual aid response occurs most commonly in the fire service discipline, multi-jurisdictional incidents are increasingly commonplace with law enforcement agencies and large scale catastrophic events necessitate coordinated emergency medical response from countless entities, emphasizing the importance of interoperability overlay systems as part of a comprehensive county-wide communications system. Having six different counties, with radio systems operating in multiple frequency bands, bordering against various sections of Berks County it had become essential that radio coverage be both dependable and versatile in the boundary areas.

The need to deploy interoperability systems directly impacts site selection, as it mandates where specific coverage, in a particular frequency band, is required and dictates which antennas will need to be placed on a given tower in that area. Antennas from separate frequency bands require physical separation to keep them from interfering with each other when deployed in close proximity, making this type of public safety tower deployment much more space dependant than cellular / commercial, where fairly consistent antenna schemes are used. Additionally, the majority of antennas required by the varied public safety frequency bands do not conform to the panel type commonly utilized in the commercial communication industry. Omni directional sticks and directional dipole and yagi antennas are often required to efficiently address specific system design criteria in a given area. The sizes, shapes and required deployment separations of these antennas can range drastically, further complicating and often restricting the site selection process.

Apart from the basic over-arching need to allow the many disparate public safety radio systems, which had evolved over the past several decades, in and around Berks County, to communicate effectively with each other there was another, larger imperative to undertake this critical project at this particular point in time. The Narrow Banding requirement implemented by the Federal Communications Commission (FCC) was developed to effectively double the amount of radio spectrum in the VHF and UHF frequency bands, thereby addressing the complete lack of available frequencies for license in these bands. This regulation stipulates that all wireless communications systems must be able to function on licensed channels that are limited to 12.5 kHz, effective January 1st, 2013. Most of the existing radio systems currently operating in Berks County are technically incapable of making this transition and are therefore on the verge of becoming, not only obsolete, but illegal to operate. The Berks County Public Safety Radio Project is intended to provide a unified, compliant radio system for its emergency communicators prior to that deadline.

## ADDITIONAL SITE SELECTION CONSIDERATIONS: COVERAGE AND CONNECTIVITY

Within a countywide public safety system, each remote site must provide two distinct end products in order to function as an effective component within the overall design: **coverage** and **connectivity**. A site that is unable to provide this critical combination is not considered a viable candidate. The sum of the combined coverage from all of the system's sites is specified to provide usable radio coverage to not less than 95% of the entire physical landmass of Berks County. Each site utilizes a unique combination of frequency band specific antennas which transmit or receive wireless radio signals. The primary Berks County system, being in the **700 MHz band**, generally affords a coverage area within a six to eight mile radius, located immediately around any given site. This coverage provides the actual means to communicate for the first responders operating within that specific area. Simultaneously, licensed microwave frequencies provide the point to point connectivity which ties the constellation of remote sites together into a single radio system. Microwave paths require unobstructed, lines of site to provide the connecting link between any two remote sites. This connectivity also provides a certain level of redundancy, enabling the radio system to retain functionality even if forced to overcome the loss of an individual site within a microwave connected loop.

## THE IMPACT OF TERRAIN ON SITE SELECTION: KITTATINNY RIDGE/BLUE MOUNTAIN

Terrain plays a critical role in the complicated balance of site selection to maximize coverage and connectivity. While generally rural areas, which comprise a significant part of Berks County's 866 square miles, can be effectively covered with potentially fewer tower sites, to do so it is essential to place those sites where they can take maximum advantage of available terrain. At a minimum, the radio system's constellation of sites must be able to overcome the often dominant negative influence of terrain. Running from west to northeast along the northern boundary of Berks County, Blue Mountain geographically dominates the entire western half of its landmass. The crest of the mountain literally is the border between Berks County and its primary neighbor to the north, Schuylkill County. Kittatinny Ridge Blue Mountain (used hereinafter interchangeably in referring to the terrain feature) also rises between 900 and 1100 feet above the generally flatter terrain to its south. Blue Mountain's geographic influence over the adjacent countryside clearly explains why so many existing communications sites have been developed along the ridge over the past several decades. From a communications standpoint, it is a critical location to afford both coverage and connectivity.

In the spring of 2010, the L.R. Kimball team began to assess site candidates for the Berks County system and immediately acknowledged that Blue Mountain was the single geographic feature with the ability to make or break the system design, from a coverage standpoint, both along the northern tier and down the western half of Berks County. Priority was given to the assessment of the existing sites and potential raw land locations that were oriented along the crest of Blue Mountain. Given the environmentally sensitive nature of the ridge, use of existing tower sites for collocation was the preferred method to attempt to address the coverage requirement in this area. Unfortunately, with the crest of the mountain also constituting the boundary between Berks and Schuylkill Counties the existing towers were found to be, to a large extent, fully loaded and collocation was not possible. Many site alternatives were considered prior to the selection of the current proposed Albany and Bethel sites. The following sections provide

detail of the locations and towers that were evaluated during this process, and ultimately why they were not viable for use within the context of the Berks County radio system.

Table 1 clearly illustrates the over-arching need for radio sites in this part of the county in order to provide necessary coverage (95% reliability in 95% land area using portable radios) to emergency responders. The data for this table was developed by the County’s radio system vendor – Motorola Solutions Inc., at the request of the County, in order to evaluate the need for the Kittatinny Ridge sites. Propagation modeling is performed by the Motorola Hydra tool, a proprietary but universally accepted and reliable methodology of radio propagation modeling. For the purpose of this study, Motorola was asked to run propagation modeling for the system in the following scenarios:

1. As designed/proposed
2. As designed/proposed but eliminating the Bethel site
3. As designed/proposed but eliminating the Albany site
4. As designed/proposed but eliminating all Kittatinny Ridge sites

Table 1 demonstrates the need for each of the proposed sites to be incorporated into the system design in order to accomplish necessary coverage. This table is referenced elsewhere in this document.

Blue Ridge Consolidated Coverage Analysis Results							
System Types	700 MHz Trunked			Conventional Interops			
Configuration Analyzed	20dB	12dB	On Street	800 MHz	UHF	VHF	Low
System As Designed	Pass	Pass	Pass	Pass	Pass	Pass	Pass
Design Excluding Bethel	Pass	Pass	Fail	Fail	Fail	Fail	Fail
Design Excluding Albany	Pass	Fail	Fail	Fail	Fail	Fail	Fail
Design w/o Both Sites Above	Fail	Fail	Fail	Fail	Fail	Fail	Fail

**Table 1. Summary of Propagation Analysis Results.** Data based on modeling when considering the elimination of one or more proposed Kittatinny Ridge radio transmission sites. (Data provided by Motorola Solutions Incorporated)

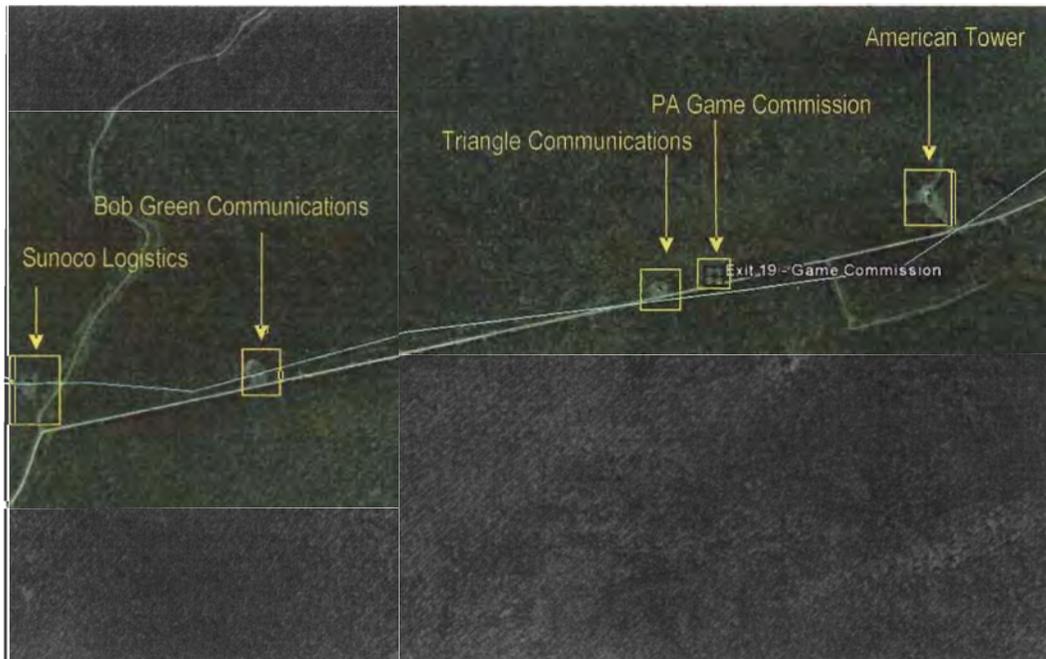
Appendices C through J graphically illustrate the coverage differentials that would be experienced with and without each of the sites under consideration. The modeling for this analysis was run in each of the following design scenarios:

1. 20 dB In Building Loss – This scenario represents coverage/lack of coverage experienced by a responder operating in a 20 dB structure. 20 dB loss is comparable to the basement of a residential structure or the above grade floors of a modern commercial structure.
2. 12 dB In Building Loss – This scenario represents coverage/lack of coverage experienced by a responder operating in a 12 dB structure. 12 dB loss is comparable to the above grade floors of a light commercial structure or older construction residential structure.
3. Portable On Street – This scenario represents coverage/lack of coverage experienced by a responder operating outside a structure using a portable radio (walkie-talkie).
4. Mobile – This scenario represents coverage/lack of coverage experienced by a responder operating with a mobile (vehicular mounted) radio.

# Candidate Site Summaries for Blue Mountain

## B. Exit 19

The County of Berks (the “County” or the “County of Berks”) identified a series of five (5) existing communication towers along the crest of Blue Mountain, due east of PA Route 183, as possible candidate sites. Each of these sites was evaluated for inclusion in the County of Berks public safety radio system. In this section of Berks County, these are the only existing towers along the critical mountaintop terrain. The additional ground elevation is an essential element to obtaining the necessary coverage for the County of Berks public safety radio system and to acquire efficient microwave connectivity. The presence of several existing towers makes it evident that this is a crucial spot to provide radio coverage in this section of the County of Berks. In April of 2010, each of these sites was evaluated and the following summaries are in order of the towers shown below from west to east (left to right in the photo below).



An aerial view identifying the owners of the existing communications sites at Game Lands #110. The boundary line between Schuylkill and Berks Counties is depicted in green.

**1. Sunoco Logistics** – This site consists of a guyed tower measuring 100 feet AGL and an irregularly shaped fenced compound with a block building. This is an older heavy duty tower that only has one VHF low band antenna deployed on the tower. Due to the low height of this tower: (i) the tower provides insufficient coverage for the County of Berks public safety radio system; (ii) insufficient space to deploy the antennas and microwave dishes required for the County of Berks public safety radio system; and (iii) this tower does not have sufficient structural capacity. Consequently, this site was rejected from the County’s consideration. Alternatively, if the PA Game Commission were willing to terminate its existing lease agreement with Sunoco Logistics, the County of Berks would be willing to allow Sunoco Logistics to place its VHF low band antennas on the County of Berks new 300 ft. tower on the PA Game Commission’s property, subject to completion of an interference analysis.



Sunoco Logistics tower and compound

**2. Bob Green Communications** - This site consists of a heavy-duty self-supporting tower measuring 330 feet AGL and an unsecured ground space with no perimeter fencing. There are two separate shelters along with a single pad with equipment cabinets and a single pedestal type deployment. The tower is heavily loaded with a few isolated small open spaces, which are insufficient to accommodate the County of Berks deployment of antennas and microwave dishes. The combination of insufficient tower space and a completely unsecured compound eliminated this site from consideration by the County of Berks. In early 2011, this tower was reconsidered as an alternate site and the County’s proposed loading was sent to the tower owner for structural evaluation. The result of the structural analysis was that the tower did not have either the physical space or structural capacity to accommodate the County of Berks public safety radio deployment. Therefore, the site was dropped from consideration.



Bob Green Communications tower and ground deployments

**3. Triangle Communications** – This site consists of a self-supporting tower measuring 180 feet AGL and a small fenced compound measuring approximately 50 feet by 50 feet. The antennas currently deployed are all located between 110 feet and the top of the tower, meaning that the only open tower space is below 100 feet AGL. Consequently, this site was rejected due to insufficient space at the heights required to meet the coverage needs for the County’s public safety radio system.



Triangle Communications tower and compound

**4. American Tower #92890 (Blue Mountain)** - This site consists of a heavy-duty guyed tower measuring 260 feet AGL and featuring an irregularly shaped fenced compound with three buildings. This tower contains eighteen (18) existing antennas at an elevation of 150 ft. and six (6) antennas located at 240 ft. on the tower. Therefore, it does not provide sufficient space on the tower and for structural capacity to accommodate the County of Berks public safety radio system deployment. The site is located at co-ordinates 40 31 45.8N -76 12 49.1W (NAD83).

A site visit occurred in April of 2010 with the regional site manager from American Tower Company (“ATC”) to discuss the potential Berks County deployment. In January 2011,

the County of Berks presented its deployment of antennas and microwave dishes to ATC in order to determine the technical viability of this tower. At this time, ATC and the County of Berks understood that additional technical analysis would be necessary to determine whether this tower site would be a viable site for the County of Berks public safety radio system. Subsequently, the County of Berks submitted a formal application to ATC with the deployment of antennas and microwave dishes. ATC recently informed the County that the tower is at 84% of its capacity (not including the significant proposed loading required by Berks County). Consequently, this site will not structurally support the County's public safety radio deployment.



American Tower #92890 – tower and compound

**5. PA Game Commission Site** –This older site consists of a light-duty self-supporting tower measuring approximately 120 ft. AGL and a small fenced compound. The clearing of this site measures approximately 100 ft. by 80 ft.; however, it can be expanded to 100 ft. by 100 ft. to accommodate the County of Berks with the removal of minimal brush. The co-ordinates are 40 31 51.9N -76 12 01.1W (NAD83). This site was not considered as a potential candidate for the Berks County radio system until structural capacity issues with the American Tower candidate forced re-consideration of decommissioning the existing PA Game Commission tower and construction of a new tower at this location.

In February 2011, Berks County approached the PA Game Commission (“PGC”) to inquire about whether the PGC would allow the County of Berks to replace the existing tower with a new dual use tower that could be used jointly by the County of Berks and the PGC. The proposed concept is that PGC will lease ground space to the County to develop a new public safety radio communications tower after the County of Berks removes the existing tower. The new tower will support the County of Berks public safety needs, as well as provide capacity for future Commonwealth of Pennsylvania and/or PGC deployments.

In order to meet the County of Berks public safety coverage needs, the proposed tower is a three-legged self-supporting tower measuring 300 feet AGL. This tower site will be designed to meet all contemporary guidelines for Public Safety grade communications. The site

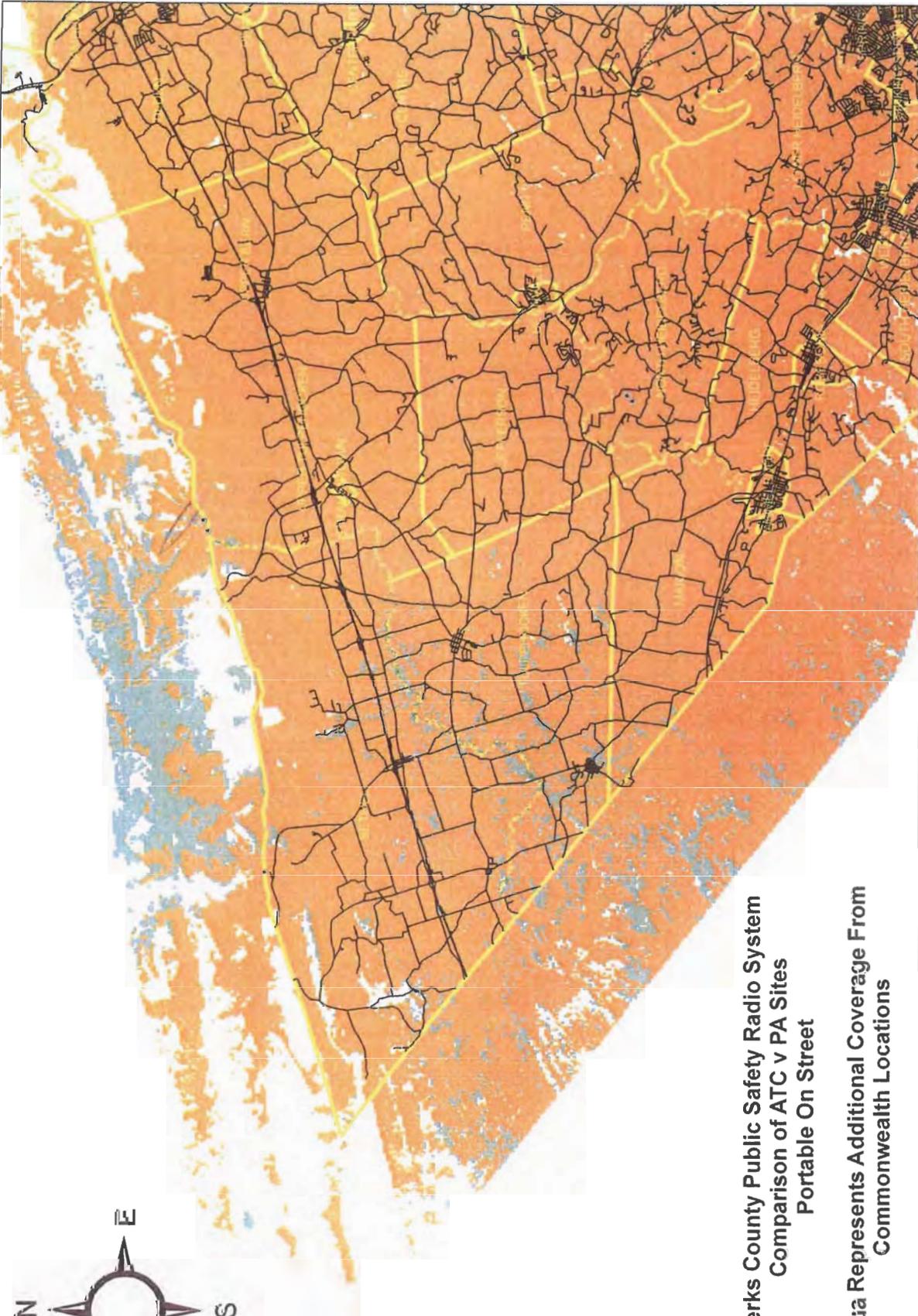
compound will be 100 ft. by 100 ft. and enclosed by a chain linked fence measuring eight feet in height and topped with three strands of barbed wire. This secure perimeter will be large enough to enclose the tower, a ballistic proof, pre-fabricated equipment shelter to house the Berks County radio equipment, an exterior generator and attendant propane tank, to provide backup power, and a utility board to distribute commercial power. This ground space will also provide sufficient space for the Commonwealth of Pennsylvania and/or PGC to deploy equipment as needed in the future. This proposed ground space can fit in the existing clearing with little to no modification. The County has prepared and filed an application package with the PA Game Commission to detail this proposed site development and it is currently under review.

The County of Berks has researched the cost that would be needed in order to replace one (1) communication tower on the Kittatinny Ridge and has concluded that four (4) towers would be required in the valley. In relation to coverage requirements, for construction alone (i.e. construction of tower, shelter, ancillary equipment, antennas, etc.) at Exit 19 building the four (4) towers in the valley to replace the one (1) tower on the Kittatinny Ridge would cost the County of Berks an additional \$5.4 million - \$5.5 million without even considering the additional significant ground lease costs. At this time, it is difficult to predict the additional ground lease costs as the ground lease costs vary to a great extent depending upon whether the towers would be placed on property owned by a municipality or property owned by a private landowner.



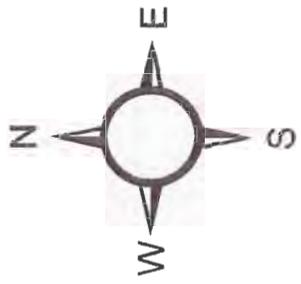
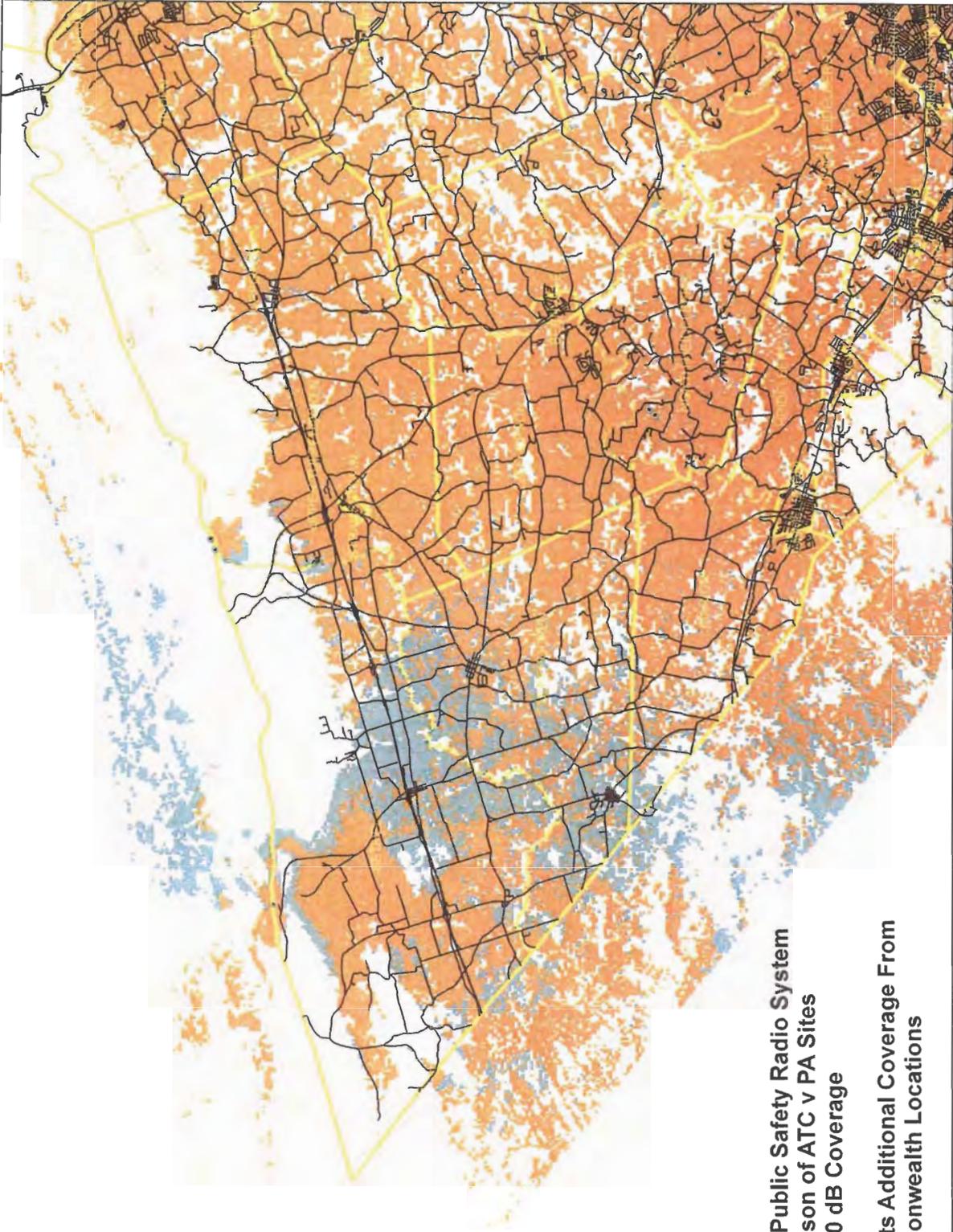
Existing PA Game Commission tower and compound





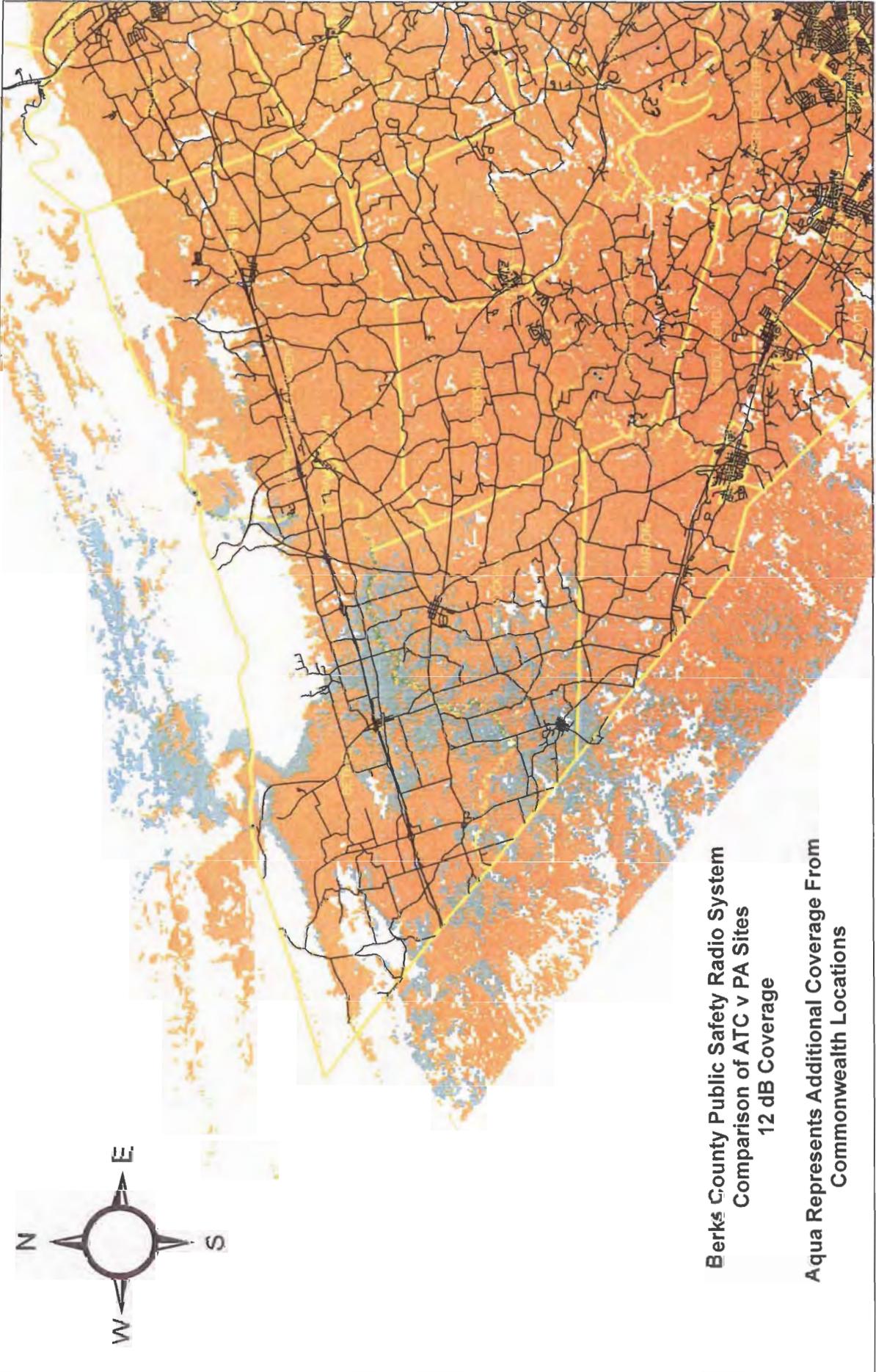
**Berks County Public Safety Radio System  
Comparison of ATC v PA Sites  
Portable On Street**

**Àgua Represents Additional Coverage From  
Commonwealth Locations**



**Berks County Public Safety Radio System  
Comparison of ATC v PA Sites  
20 dB Coverage**

**Aqua Represents Additional Coverage From  
Commonwealth Locations**



**Berks County Public Safety Radio System  
Comparison of ATC v PA Sites  
12 dB Coverage**

**Aqua Represents Additional Coverage From  
Commonwealth Locations**

## Coverage Map Summaries

### **Paragraph for Map Portable on Street**

The Berks County Public Safety Radio System Map illustrates the coverage comparison of the system when incorporating the two (2) American Tower Corporation tower sites (i.e., Bethel – ATC and Exit 19 – ATC) versus eliminating the two ATC sites and incorporating the Commonwealth of PA Sites (i.e. Exit 19 - PA Game Commission, and Bethel - DCNR). This map specifically displays portable on the street coverage, or where police officers and emergency personnel would be able to use their walkie-talkies for communicating outside of buildings. The aqua color represents the additional coverage offered by using the Commonwealth of PA sites.

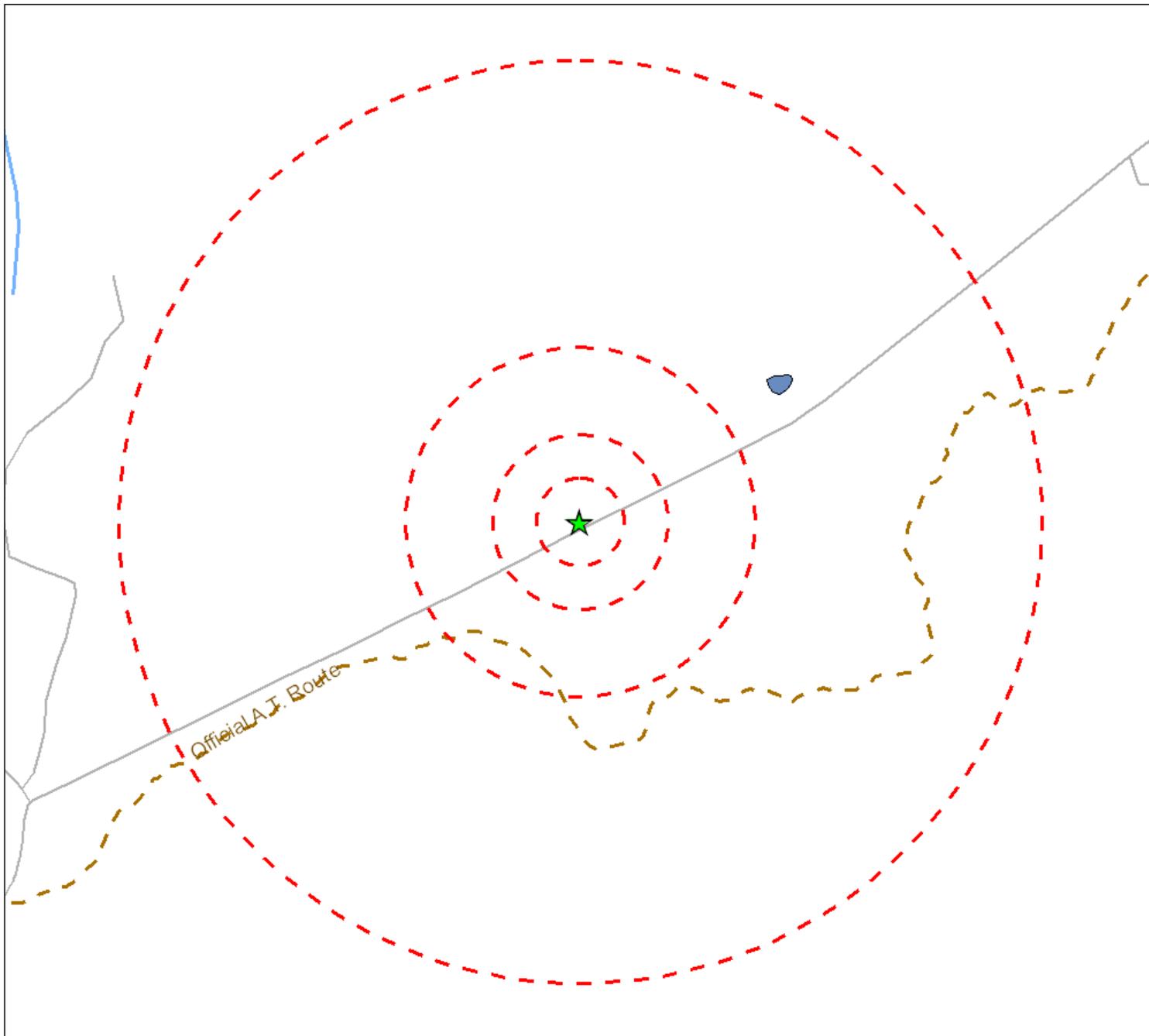
### **Paragraph for 12 dB Coverage**

The Berks County Public Safety Radio System Map illustrates the coverage comparison of the system when incorporating the two (2) American Tower Corporation tower sites (i.e., Bethel – ATC and Exit 19 – ATC) versus eliminating the two ATC sites and incorporating the Commonwealth of PA Sites (i.e. Exit 19 - PA Game Commission, and Bethel - DCNR). This map specifically displays in 12 dB (medium construction) building coverage, or where police officers and emergency personnel would be able to use their walkie-talkies for communicating inside buildings of medium construction. The aqua color represents the additional coverage offered by using the Commonwealth of PA sites.

### **Paragraph for 20 dB Coverage**

The Berks County Public Safety Radio System Map illustrates the coverage comparison of the system when incorporating the two (2) American Tower Corporation tower sites (i.e., Bethel – ATC and Exit 19 – ATC) versus eliminating the two ATC sites and incorporating the Commonwealth of PA Sites (i.e. Exit 19 - PA Game Commission, and Bethel - DCNR). This map specifically displays in 20 dB (heavy construction) building coverage, or where police officers and emergency personnel would be able to use their walkie-talkies for communicating inside buildings of heavy construction or in the basements of most buildings. The aqua color represents the additional coverage offered by using the Commonwealth of PA sites.

**APPENDIX D**  
**RESOURCE MAPS**



Legend

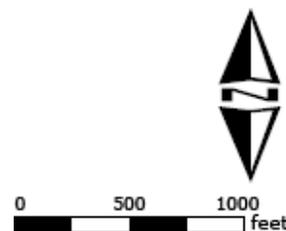
- ★ Project Site
- Site Buffer at 250', 500', 1000' and 1/2 mile

See associated legend for additional map symbology  
Land and Historic Resources Map

Source: See associated map legend

Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, PA 17972

PN: 61114599



# National Datalayers Legend\*

 National Register Historic Site

 National Register Historic District

Source: NPS National Register of Historic Places, updated July 2008

 National Park Service Trail

Source: U.S. National Parks Service. Various dates. NR/GIS WebSite, U.S. Dept. of the Interior, NPS, Wash., D.C. <http://science.nature.nps.gov/nrdata/index.cfm>

 National Scenic Parkway

 National Wild and Scenic River

 Federally Owned Land

Source: National Atlas of the U.S., Reston, VA, 12/05, National Wilderness Preservation System Federal Land Features of the U.S.  
-Parkways and Scenic Rivers  
-Federal Lands of the United States  
-National Wilderness Areas

 FWS Critical Habitat

Source: U.S. Fish and Wildlife Service. Various dates. FWS Critical Habitat for Threatened & Endangered Species website. U.S. Dept. of the Interior, FWS, Wash, D.C. <http://crithab.fws.gov/>

## National Wilderness Areas by Agency

 BLM

 FS

 FWS

 NPS

\*Includes data obtained from federal agencies developed to be consistent throughout the US.

## National Wetlands Inventory

 Stream or Creek

 Freshwater Forested/Shrub Wetland

 Freshwater Emergent Wetland

 Estuarine & Marine Wetland

 Unconsolidated Shore

 Freshwater Lake, Pond, or River

 Estuarine & Marine Deepwater

 Open Water

Source: U.S. Fish and Wildlife Service. Various dates. National Wetlands Inventory website. U.S. Dept. of the Interior, FWS, Wash, D.C. <http://www.fws.gov/nwi/>

## FEMA Q3 Flood Zone

 500-year inundation area.

 100-year inundation area.

 100-year inundation area with velocity hazard.

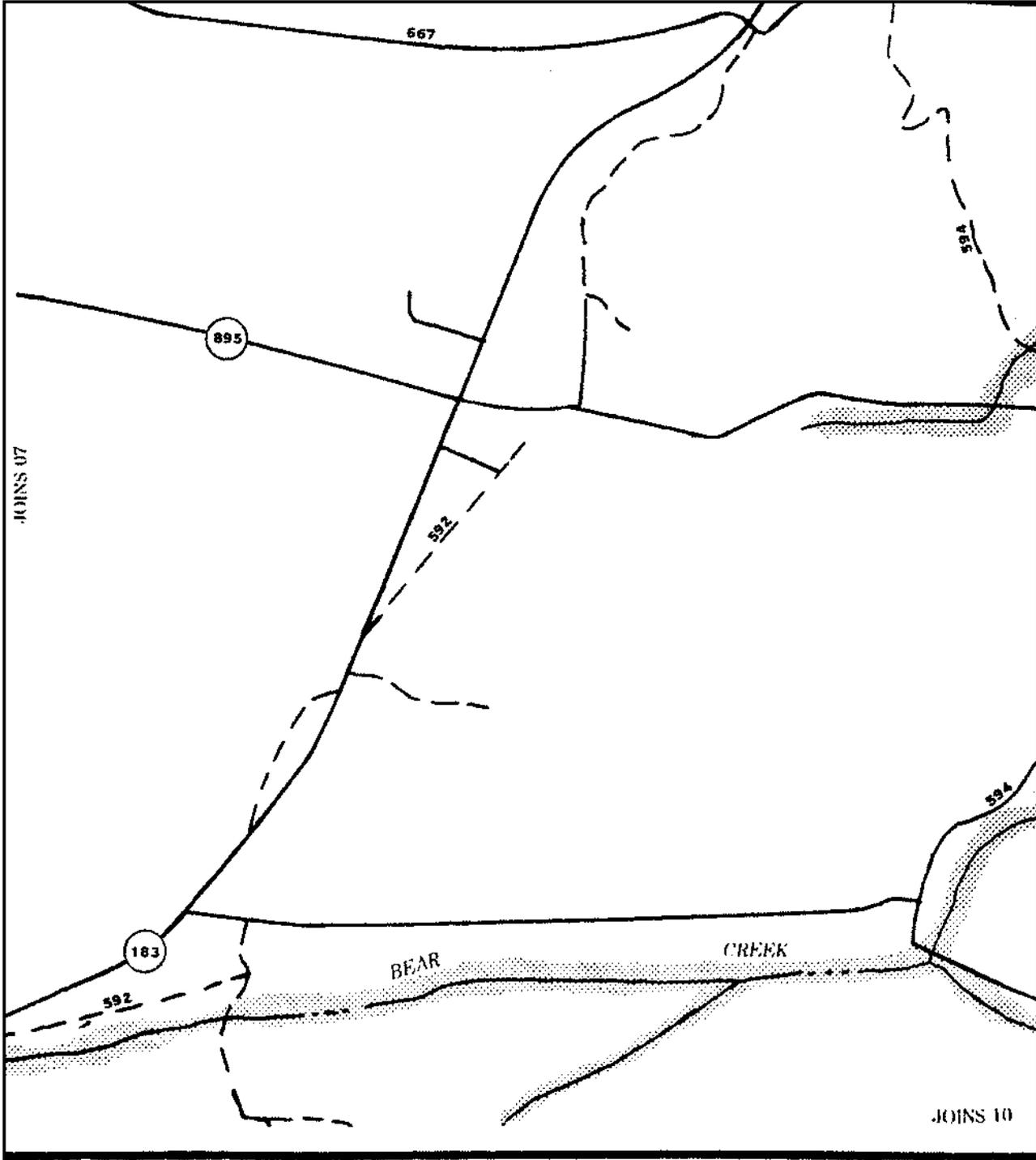
 Area not included on any FIRM publication.

 Undetermined but possible flood hazard area.

 Floodway area, including watercourse extent.

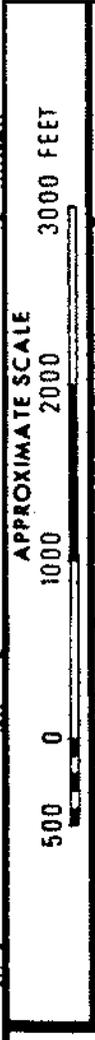
 No Flood Data No Flood Data Available

Source: FEMA



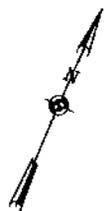
JOINS 07

JOINS 10



**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
 Federal Insurance Administration  
**TOWNSHIP OF WAYNE, PA**  
 (SCHUYLKILL CO.)

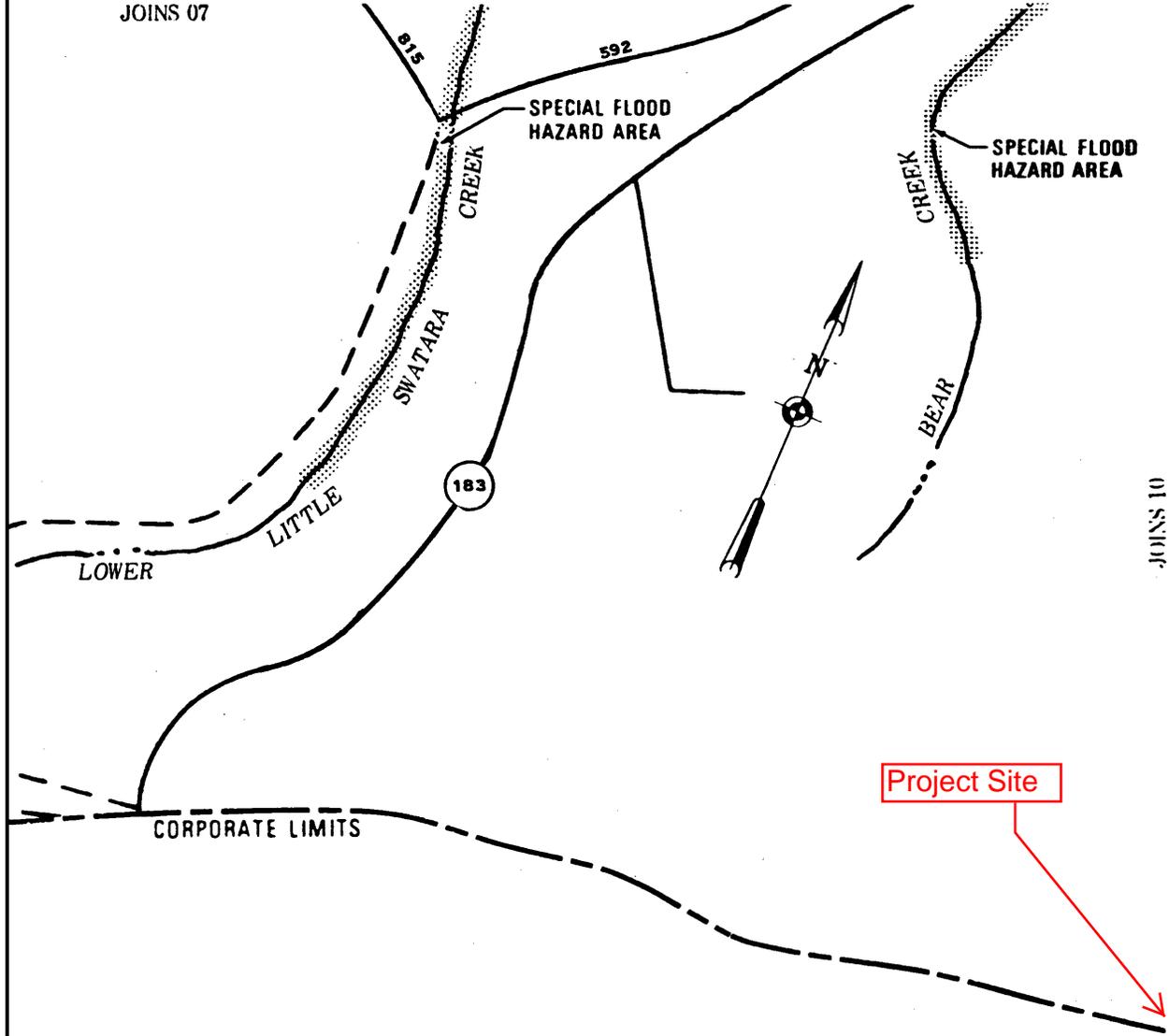
**08**



Effective Date  
**NOVEMBER 29, 1974**

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

JOINS 07



JOINS 10



**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
 Federal Insurance Administration  
**TOWNSHIP OF WAYNE, PA**  
 (SCHUYLKILL CO.)

09

Effective Date:  
**NOVEMBER 29, 1974**

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

**Flood Insights test results for :**

**Latitude: 40.5311111211777 Longitude: -76.200277775526**

*Geocoding Accuracy: Not Available*

**Flood Zone Determinations**

[Test Description](#)

**SFHA (Flood Zone) Within 250 feet of multiple flood zones?**

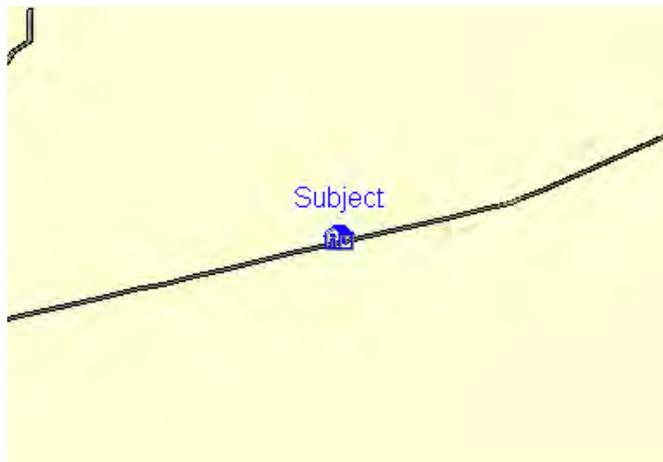
Out No

Zone	Community	Community Name	Panel	Panel Date	Cobra	Map Number
X	422027	WAYNE, TOWNSHIP OF	10	September 01, 1986	OUT	42202710

**FIPS Code Census Tract**

42107 0035.00

*Copyright 2000, First American Flood Data Services. All rights reserved.*



**FloodMap Legend**

**Flood Zones**

- Areas inundated by 500-year flooding
- Areas outside of the 100- and 500-year floodplains
- Areas inundated by 100-year flooding
- Areas inundated by 100-year flooding with velocity hazard
- Floodway areas
- Floodway areas with velocity hazard
- Areas of undetermined but possible flood hazards
- Areas not mapped on any published FIRM

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powered by  
 **RiskMeter.com**  
 617 737 4444  
[www.cdys.com](http://www.cdys.com)

This report was generated by: ebi on 11-10-2011

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U.S. Fish and Wildlife Service  
**National Wetlands Inventory**

61114599 NWI Map

Dec 1, 2011



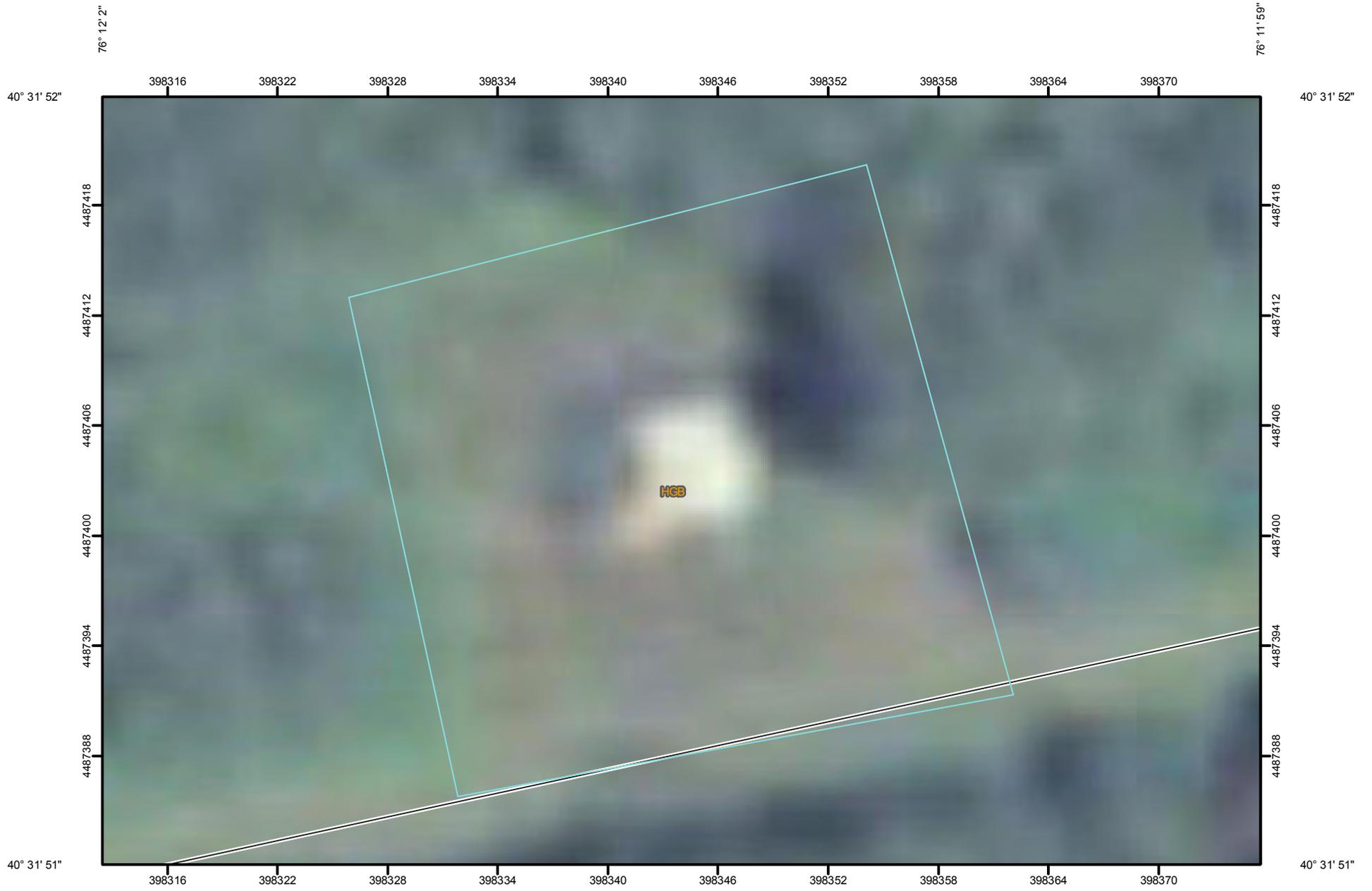
**Wetlands**

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

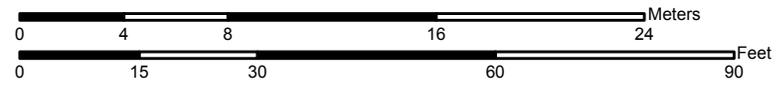
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**User Remarks:**

Soil Map—Schuylkill County, Pennsylvania



Map Scale: 1:299 if printed on A size (8.5" x 11") sheet.



## 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

 Very Stony Spot

 Wet Spot

 Other

### 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: 1:299 if printed on A size (8.5" × 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 18N NAD83

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

Soil Survey Area: Schuylkill County, Pennsylvania  
 Survey Area Data: Version 5, Sep 29, 2008

Date(s) aerial images were photographed: Data not available.

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

Schuylkill County, Pennsylvania (PA107)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HGB	Hazleton-Clymer association, gently sloping	0.2	100.0%
<b>Totals for Area of Interest</b>		<b>0.2</b>	<b>100.0%</b>

## Map Unit Description (Brief, Generated)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

## Report—Map Unit Description (Brief, Generated)

### Schuylkill County, Pennsylvania

**Map Unit:** HGB—Hazleton-Clymer association, gently sloping

**Component:** Hazleton (50%)

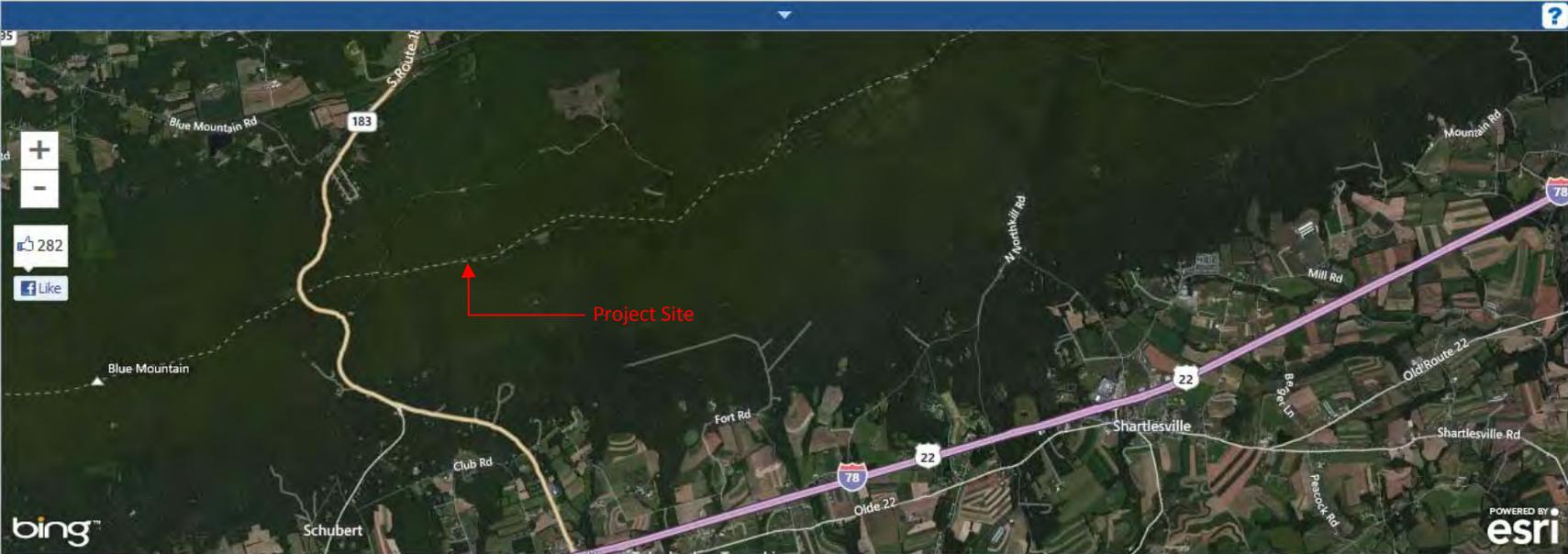
The Hazleton component makes up 50 percent of the map unit. Slopes are 0 to 8 percent. This component is on mountain slopes, mountains. The parent material consists of residuum weathered from sandstone. Depth to a root restrictive layer, bedrock, lithic, is 40 to 80 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 7s. This soil does not meet hydric criteria.

**Component:** Clymer (35%)

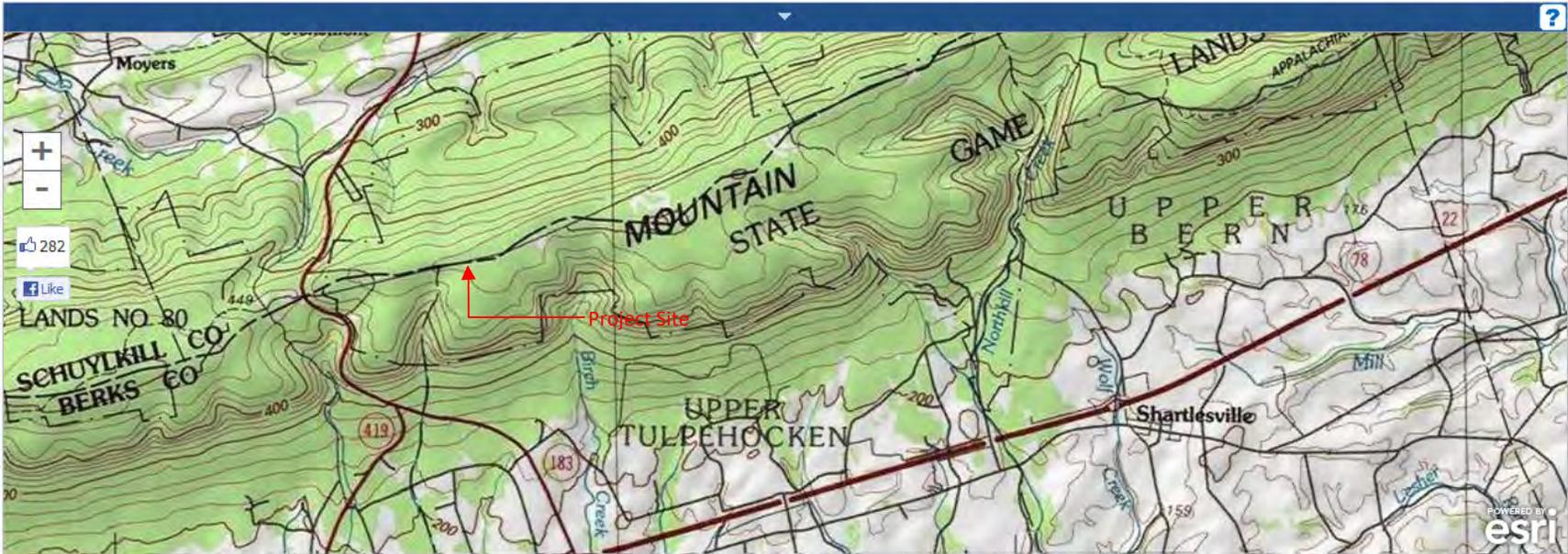
The Clymer component makes up 35 percent of the map unit. Slopes are 0 to 8 percent. This component is on mountains. The parent material consists of residuum weathered from sandstone. Depth to a root restrictive layer, bedrock, lithic, is 40 to 80 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 7s. This soil does not meet hydric criteria.

### **Data Source Information**

Soil Survey Area: Schuylkill County, Pennsylvania  
Survey Area Data: Version 5, Sep 29, 2008



Latitude/Longitude:  
Wildernesses Managed By: ■ Bureau of Land Management ■ Fish and Wildlife Service ■ Forest Service ■ National Park Service



Latitude/Longitude:  
Wildernesses Managed By: ■ Bureau of Land Management ■ Fish and Wildlife Service ■ Forest Service ■ National Park Service

**APPENDIX E**  
**PROTECTED SPECIES REVIEW**

# 1. PROJECT INFORMATION

Project Name: **Exit 19 / Blue Mountain**

Date of review: **11/15/2012 5:27:51 PM**

Project Category: **Communication, Cell or communication tower (include access roads in project area), new tower**

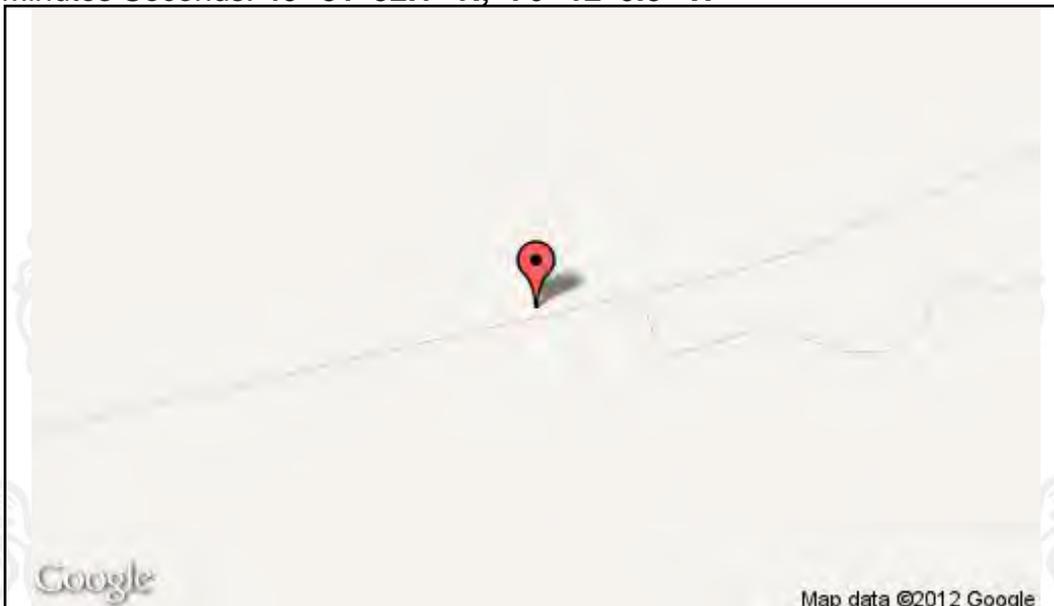
Project Area: **N/A**

County: **Schuylkill** Township/Municipality: **Wayne**

Quadrangle Name: **FRIEDENSBURG** ~ ZIP Code: **19507**

Decimal Degrees: **40.531138 N, -76.200222 W**

Degrees Minutes Seconds: **40° 31' 52.1" N, -76° 12' 0.8" W**



# 2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
PA Department of Conservation and Natural Resources	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
PA Fish and Boat Commission	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Note that regardless of PNDI search results, projects requiring a Chapter 105 DEP individual permit or GP 5, 6, 7, 8, 9 or 11 in certain counties (Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York) must comply with the bog turtle habitat screening requirements of the PASPGP.

## RESPONSE TO QUESTION(S) ASKED

**Q1:** Will the entire project occur within an existing building, parking lot, driveway, road, street, or maintained (periodically mowed) lawn?

Your answer is: **3. Unknown**

### 3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

### PA Game Commission

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**PGC Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

**Scientific Name:** Sensitive Species\*\*

**Common Name:**

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

### PA Department of Conservation and Natural Resources

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**DCNR Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below. After desktop review, if a botanical

survey is required by DCNR, we recommend the DCNR Botanical Survey Protocols, available here: [http://www.gis.dcnr.state.pa.us/hgis-er/PNDI\\_DCNR.aspx](http://www.gis.dcnr.state.pa.us/hgis-er/PNDI_DCNR.aspx).)

**Scientific Name:** Herbaceous vernal pond

**Common Name:**

**Current Status:** Special Concern Resource\*

**Proposed Status:** Special Concern Resource\*

**Scientific Name:** Papaipema sp. 1

**Common Name:** Flypoison Borer Moth

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

**Scientific Name:** Red maple - highbush blueberry palustrine woodland

**Common Name:** Red maple - highbush blueberry palustrine woodland

**Current Status:** Special Concern Resource\*

**Proposed Status:** Special Concern Resource\*

## PA Fish and Boat Commission

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**PFBC Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

**Scientific Name:** Sensitive Species\*\*

**Common Name:**

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

## U.S. Fish and Wildlife Service

**RESPONSE:** No impacts to **federally** listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

\* Special Concern Species or Resource - Plant or animal species classified as rare, tentatively undetermined or candidate as well as other taxa of conservation concern, significant natural communities, special concern populations (plants or animals) and unique geologic features.

\*\* Sensitive Species - Species identified by the jurisdictional agency as collectible, having economic value, or being susceptible to decline as a result of visitation.

## WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, send the following information to the agency(s) seeking this information (see AGENCY CONTACT INFORMATION).

### **Check-list of Minimum Materials to be submitted:**

- SIGNED** copy of this Project Environmental Review Receipt
- Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.
- Project location information (name of USGS Quadrangle, Township/Municipality, and County)
- USGS 7.5-minute Quadrangle with project boundary clearly indicated, and quad name on the map

### **The inclusion of the following information may expedite the review process.**

- A basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)
- Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)
- Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams

## 4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. For cases where a "Potential Impact" to threatened and endangered species has been identified before the application has been submitted to DEP, the application should not be submitted until the impact has been resolved. For cases where "Potential Impact" to special concern species and resources has been identified before the application has been submitted, the application should be submitted to DEP along with the PNDI receipt. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. DEP and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <http://www.naturalheritage.state.pa.us>.





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**BUREAU OF FORESTRY****Date: December 20, 2012****PNDI Number: 20121115380282**

Talia C. Gilmore, Project Scientist  
EBI Consulting  
6876 Susquehanna Trail South  
York, PA 17403  
Fax: 717-428-0403 (hard copy will not follow)

**Re: Update – Exit 19 Blue Mountain Tower**  
**County: Schuylkill Township: Wayne**

Dear Ms. Gilmore,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number 20121115380282 for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources of concern under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

**No Impact Anticipated**

PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, DCNR has determined that no impact is likely. No further coordination with our agency is needed for this project.

This response represents the most up-to-date review of the PNDI data files and is valid for two years only. If project plans change or more information on listed or proposed species becomes available, our determination may be reconsidered. For PNDI project updates, please see the PNHP website at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us) for guidance. As a reminder, this finding applies to potential impacts under DCNR's jurisdiction only. Visit the PNHP website for directions on contacting the Commonwealth's other resource agencies for environmental review. Should you have any questions or concerns, please don't hesitate to contact me at 717-772-0263 or [c-shockey@pa.gov](mailto:c-shockey@pa.gov).

Sincerely,

A handwritten signature in black ink that reads 'Richard L. Shockey'.

Richard L. Shockey, Environmental Review Specialist  
Pennsylvania Natural Heritage Program  
DCNR Bureau of Forestry, Ecological Services Section

A handwritten signature in black ink that reads 'Rebecca H. Bowen'.

Rebecca H. Bowen, Section Chief  
Pennsylvania Natural Heritage Program  
DCNR Bureau of Forestry, Ecological Services Section

---

**conserve****sustain****enjoy**

---

P.O. Box 8552, Harrisburg, PA 17015-8552 717-787-3444 (fax) 717-772-0271

December 12, 2012

PA Department of Conservation and Natural Resources  
Bureau of Forestry, Ecological Services Section  
400 Market Street  
P.O. Box 8552  
Harrisburg, PA 17105-8552

Subject: Request for Species and Habitat Review  
PNDI Project Search ID: 20121115380282 (Previously #2011130327714)  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #61114599

To Whom It May Concern:

EBI CONSULTING (EBI) is preparing an environmental review on behalf of *The County of Berks* for a proposed Public Safety Radio System (E-911) for the county. EBI is conducting this review in accordance with the protocols set forth within the Federal Communications Commission's (FCC) rules for implementing the National Environmental Policy Act (NEPA; 47 CFR 1.1307). As a part of this review, EBI would like to invite the PA Department of Conservation and Natural Resources (DCNR) to comment on the proposed project.

EBI previously submitted information to your office for review of the proposed project under PNDI #2011130327714 in which we received a "no impact anticipated" response dated December 28, 2011. This response is valid for one year. Please note that that construction of the proposed installation has not yet started. As such, EBI has resubmitted the proposed project under PNDI #20121115380282, which indicated a potential impact under your agency's jurisdiction. It should also be noted that there are no changes to the proposed installation plans.

*The County of Berks* is proposing to replace an existing Game Commission tower located on State Game Lands No. 110 with a 300-foot self support lattice tower, approximately 1.25 miles east of State Route 183 and 2.3 miles north-northwest of the Exit 19 interchange of Interstate 78/22 and Route 183. Including its highest appurtenance, the overall height of the tower will be 304 feet above ground level. The new tower, along with a 12-foot by 32-foot equipment shelter, 100KW backup generator on a 4-foot by 14-foot concrete pad, and 500-gallon and 1,000-gallon propane underground storage tanks, will be installed within a new 100-foot by 100-foot fenced compound area that covers the current tower and compound footprint. Cables will be routed from the equipment shelter to the tower via a proposed waveguide bridge. Power conduits will be either routed underground or overhead to the nearest utility pole. The Project Site will be accessed via a new approximately 15-foot wide by 15-foot long access drive commencing from an existing access road extending approximately 5,800 feet from Route 183.

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

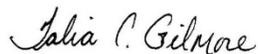
Enclosed please find a signed copy of the new PNDI receipt and the previous DCNR response. Additionally, a street map as well as a section of the representative USGS topographic map that have the location of the

proposed telecommunications installation highlighted, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties, and U.S. Fish and Wildlife Service National Wetlands Inventory Map are attached to this letter.

The area proposed to be occupied by *The County of Berks* consists of an existing tower and compound that is currently owned by the Pennsylvania Game Commission as well as grass-covered and wooded areas. The proposed construction plans do not call for the significant removal of mature trees; therefore, the proposed installation will not result in deforestation. According to the proposed construction plans and onsite observations, surface water body diversion will not occur.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,



Ms. Talia C. Gilmore  
Project Scientist  
Tel: 717-428-0401 ext. 1218  
[tgilmore@ebiconsulting.com](mailto:tgilmore@ebiconsulting.com)

Attachments

**NOTE:**

**The Attachments of this Document Have Been Removed to Minimize/Avoid Duplication of Attachments Already Included Elsewhere in Environmental Assessment Appendices**

December 12, 2012

PA Game Commission  
Bureau of Wildlife Habitat Management  
Division of Environmental Planning and Habitat Protection  
2001 Elmerton Avenue  
Harrisburg, PA 17110-9797

Subject: Request for Species and Habitat Review  
PNDI Project Search ID: 20121115380282 (Previously #2011130327714)  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #6114599

To Whom It May Concern:

EBI CONSULTING (EBI) is preparing an environmental review on behalf of *The County of Berks* for a proposed Public Safety Radio System (E-911) for the county. EBI is conducting this review in accordance with the protocols set forth within the Federal Communications Commission's (FCC) rules for implementing the National Environmental Policy Act (NEPA; 47 CFR 1.1307). As a part of this review, EBI would like to invite the PA Game Commission to comment on the proposed project.

EBI previously submitted information to your office for review of the proposed project under PNDI #2011130327714 in which we received a "no impact anticipated" response dated February 21, 2012. This response is valid for one year. Please note that that construction of the proposed installation has not yet started. As such, EBI has resubmitted the proposed project under PNDI #20121115380282, which indicated a potential impact under your agency's jurisdiction. It should also be noted that there are no changes to the proposed installation plans.

*The County of Berks* is proposing to replace an existing Game Commission tower located on State Game Lands No. 110 with a 300-foot self support lattice tower, approximately 1.25 miles east of State Route 183 and 2.3 miles north-northwest of the Exit 19 interchange of Interstate 78/22 and Route 183. Including its highest appurtenance, the overall height of the tower will be 304 feet above ground level. The new tower, along with a 12-foot by 32-foot equipment shelter, 100KW backup generator on a 4-foot by 14-foot concrete pad, and 500-gallon and 1,000-gallon propane underground storage tanks, will be installed within a new 100-foot by 100-foot fenced compound area that covers the current tower and compound footprint. Cables will be routed from the equipment shelter to the tower via a proposed waveguide bridge. Power conduits will be either routed underground or overhead to the nearest utility pole. The Project Site will be accessed via a new approximately 15-foot wide by 15-foot long access drive commencing from an existing access road extending approximately 5,800 feet from Route 183.

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

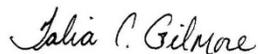
Enclosed please find a signed copy of the new PNDI receipt and your previous response. Additionally, a street map as well as a section of the representative USGS topographic map that have the location of the proposed

telecommunications installation highlighted, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties, and U.S. Fish and Wildlife Service National Wetlands Inventory Map are attached to this letter.

The area proposed to be occupied by *The County of Berks* consists of an existing tower and compound that is currently owned by the Pennsylvania Game Commission as well as grass-covered and wooded areas. The proposed construction plans do not call for the significant removal of mature trees; therefore, the proposed installation will not result in deforestation. According to the proposed construction plans and onsite observations, surface water body diversion will not occur.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,



Ms. Talia C. Gilmore  
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Attachments

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# 1. PROJECT INFORMATION

Project Name: **EBI 61114599**

Date of review: **11/30/2011 11:34:47 AM**

Project Category: **Communication, Cell or communication tower (include access roads in project area), new tower**

Project Area: **N/A**

County: **Schuylkill** Township/Municipality: **Wayne**

Quadrangle Name: **FRIEDENSBURG** ~ ZIP Code: **19507**

Decimal Degrees: **40.531138 N, -76.200222 W**

Degrees Minutes Seconds: **40° 31' 52.1" N, -76° 12' 0.8" W**



# 2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
PA Department of Conservation and Natural Resources	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
PA Fish and Boat Commission	Potential Impact	<b>FURTHER REVIEW IS REQUIRED, See Agency Response</b>
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Note that regardless of PNDI search results, projects requiring a Chapter 105 DEP individual permit or GP 5, 6, 7, 8, 9 or 11 in certain counties (Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York) must comply with the bog turtle habitat screening requirements of the PASPGP.

## RESPONSE TO QUESTION(S) ASKED

**Q1:** Will the entire project occur within an existing building, parking lot, driveway, road, street, or maintained (periodically mowed) lawn?

Your answer is: **3. Unknown**

### 3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for one year** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

#### PA Game Commission

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**PGC Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

**Scientific Name:** Sensitive Species\*\*

**Common Name:**

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

#### PA Department of Conservation and Natural Resources

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**DCNR Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below. After desktop review, if a botanical

survey is required by DCNR, we recommend the DCNR Botanical Survey Protocols, available here: [http://www.gis.dcnr.state.pa.us/hgis-er/PNDI\\_DCNR.aspx](http://www.gis.dcnr.state.pa.us/hgis-er/PNDI_DCNR.aspx).)

**Scientific Name:** Herbaceous vernal pond

**Common Name:**

**Current Status:** Special Concern Resource\*

**Proposed Status:** Special Concern Resource\*

**Scientific Name:** Papaipema sp. 1

**Common Name:** Flypoison Borer Moth

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

**Scientific Name:** Red maple - highbush blueberry palustrine woodland

**Common Name:** Red maple - highbush blueberry palustrine woodland

**Current Status:** Special Concern Resource\*

**Proposed Status:** Special Concern Resource\*

## PA Fish and Boat Commission

**RESPONSE:** Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

**PFBC Species:** (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

**Scientific Name:** Sensitive Species\*\*

**Common Name:**

**Current Status:** Special Concern Species\*

**Proposed Status:** Special Concern Species\*

## U.S. Fish and Wildlife Service

**RESPONSE:** No impacts to **federally** listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

\* Special Concern Species or Resource - Plant or animal species classified as rare, tentatively undetermined or candidate as well as other taxa of conservation concern, significant natural communities, special concern populations (plants or animals) and unique geologic features.

\*\* Sensitive Species - Species identified by the jurisdictional agency as collectible, having economic value, or being susceptible to decline as a result of visitation.

## WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, send the following information to the agency(s) seeking this information (see AGENCY CONTACT INFORMATION).

### **Check-list of *Minimum Materials to be submitted:***

- \_\_\_ **SIGNED** copy of this Project Environmental Review Receipt
- \_\_\_ Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.
- \_\_\_ Project location information (name of USGS Quadrangle, Township/Municipality, and County)
- \_\_\_ USGS 7.5-minute Quadrangle with project boundary clearly indicated, and quad name on the map

### **The inclusion of the following information may expedite the review process.**

- \_\_\_ A basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)
- \_\_\_ Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)
- \_\_\_ Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams
- \_\_\_ The DEP permit(s) required for this project

## 4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. For cases where a "Potential Impact" to threatened and endangered species has been identified before the application has been submitted to DEP, the application should not be submitted until the impact has been resolved. For cases where "Potential Impact" to special concern species and resources has been identified before the application has been submitted, the application should be submitted to DEP along with the PNDI receipt, a completed PNDI form and a USGS 7.5 minute quadrangle map with the project boundaries delineated on the map. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. DEP and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <http://www.naturalheritage.state.pa.us>.





# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Pennsylvania Field Office  
315 South Allen Street, Suite 322  
State College, Pennsylvania 16801-4850

February 6, 2012

Talia Gilmore  
EBI Consulting  
6876 Susquehanna Trail South  
York, PA 17403

RE: USFWS Project #2012-0240

Dear Ms. Gilmore:

This responds to your letter of December 9, 2011, requesting information about federally listed and proposed endangered and threatened species in the vicinity of a proposed Public Safety Radio System (E-911) communication tower (Exit 19/Blue Mountain) located at 1553 State Route 183, Wayne Township, Schuylkill County, Pennsylvania. The following comments are provided pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401, 16 U.S.C. 661 *et seq.*), the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the Migratory Bird Treaty Act (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755, as amended) and the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended; 16 U.S.C. 668-668d).

### Federally Listed and Proposed Species

Except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the project impact area. Therefore, neither a biological assessment nor further consultation under the Endangered Species Act, are required with the Fish and Wildlife Service (Service). This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office will be necessary. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

### Assessment of Risks to Migratory Birds including Bald and Golden Eagles

The Service is the principal Federal agency charged with protecting and enhancing populations and habitat of migratory bird species. The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the MBTA has no provision for authorizing incidental take, the Service recognizes that some birds

may be killed even if all reasonable measures to avoid take are implemented. Unless the take is authorized, it is not possible to absolve individuals, companies or agencies from liability (even if they implement avian mortality avoidance or similar conservation measures). However, the Office of Law Enforcement focuses enforcement action on those individuals, companies, or agencies that take migratory birds with disregard for their actions and the law.

In addition to the MBTA, bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (Eagle Act), which prohibits killing; selling; or otherwise harming eagles, their nests, or their eggs. The Eagle Act also includes provisions not included in the MBTA, including the protection of unoccupied nests and a definition of take that prohibits disturbing eagles. The Service recommends that applicants carefully evaluate their proposed project in light of the *National Bald Eagle Management Guidelines* to determine whether or not eagles might be disturbed as a direct or indirect result of the project. These guidelines as well as additional eagle information are available at <http://www.fws.gov/migratorybirds/BaldEagle.htm>

The siting and construction of new towers creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. The primary factors that affect the magnitude of the risk to birds posed by a particular tower are the height of the structure above the surrounding landscape; whether the structure is lighted, and if so, the type of lighting employed; the use of guy wires; the location of the tower; and the weather patterns in the area of the tower site. Communication towers are estimated to kill 4-5 million birds per year. Most massive bird kills occur as the birds become attracted to and confused by clouds that are illuminated by tall lighted structures. To minimize such losses, we recommend the following measures be implemented to protect migratory birds from collisions with towers:

1. Any company/licensee proposing to site a new communications tower is strongly encouraged to co-locate the communications equipment on an existing communication tower or related structure (*e.g.*, church steeple, billboard mount, monopole, or building mount). Depending on tower load factors, from 6-10 providers may co-locate on an existing tower.
2. If co-location is not feasible, providers are strongly encouraged to construct towers less than 200 feet above ground level, using construction techniques which do not require guy wires (*e.g.*, use a monopole). Such towers should be unlighted. If at all possible, new towers should be located within existing "antenna farms," preferably in areas not used by migratory birds or listed species. Avoid siting towers in or near (within 3-5 miles) of wetlands, other known bird concentration areas (*e.g.*, IBAs, refuges), or in critical habitat of threatened or endangered species known to be affected by towers. Review local meteorological conditions, and avoid siting towers in areas with an especially high incidence of fog, mist, and low ceilings.
3. If taller (>200 feet above ground level) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the Federal Aviation Administration should be used. Wherever possible, non-flashing lights should not be used. (*See Gehring J., P. Kerlinger, A.M. Manville II. 2009. Communication towers, lights, and birds: successful methods of reducing the frequency of avian collisions. Ecological Applications: Vol. 19, No. 2, pp. 505-514.*)

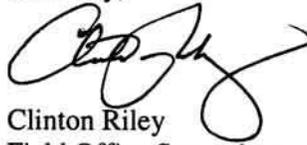
4. Towers which must use guy wires for support should have daytime visual markers on the wires to minimize collisions by these diurnally moving species, especially if constructed in known raptor or waterbird concentration areas. (*See Avian Power Line Interaction Committee. 2006. Suggested practices for avian protection on power lines: the state of the art in 2006. Edison Electric Institute, APLIC, and the California Energy Commission. Washington, D.C. and Sacramento, CA.*)
5. Towers should be constructed so as to limit or minimize habitat loss within the tower "footprint." Road access and fencing should be minimized to reduce or prevent habitat fragmentation and disturbance, and to reduce above-ground obstacles to birds in flight. However, a larger tower footprint is preferable to the use of guy wires in construction.
6. Where disturbance is necessary, clear natural or semi-natural habitats (*e.g.*, forests, woodlots, reverting fields, shrubby areas) and perform maintenance activities (*e.g.*, mowing) between September 1 and March 31, which is outside the nesting season for most native bird species. Without undertaking specific analysis of breeding species and their respective nesting seasons on the project site, implementation of this seasonal restriction will avoid take of most breeding birds, their nests, and their young (*i.e.*, eggs, hatchlings, fledglings).
7. New towers should be designed structurally and electrically to accommodate the applicant's antennas and comparable antennas for at least two additional users (minimum of three users required for each tower structure), in order to reduce the number of towers needed in the future, unless this design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower.
8. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.
9. If a tower is constructed, and if requested, Service personnel should be allowed access to the site after construction is complete to conduct both large (*e.g.*, crane, swan, and goose) and small dead-bird searches, to place net catchments below the towers, and to place radar, Global Positioning System, infrared, thermal imagery, or acoustical monitoring equipment as necessary to assess and verify bird migrations and habitat use.
10. Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

Additional information on this subject can be obtained by visiting the Service's migratory bird website at <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>.

*To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

Please contact Bonnie Dershem of my staff at 814-234-4090 if you have any questions or require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clinton Riley', with a large, sweeping flourish extending to the right.

Clinton Riley  
Field Office Supervisor

Enclosure

**Federally Listed, Proposed, and Candidate Species in Pennsylvania**  
(revised January 18, 2012)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status<sup>1</sup></u>	<u>Distribution (Counties and/or Watersheds)</u>
<b>MAMMALS</b>			
Indiana bat	<i>Myotis sodalis</i>	E	<u>Hibernacula</u> : Armstrong, Beaver, Blair, Centre, Fayette, Huntingdon, Lawrence, Luzerne, Mifflin and Somerset Co. <u>Maternity Colonies &amp; Male Sites</u> : Adams, Armstrong, Bedford, Berks, Blair, Greene, Pike, Washington, and York Counties. Potential winter habitat state-wide in caves or abandoned mines. Potential summer habitat state-wide in forests or wooded areas.
<b>BIRDS</b>			
Piping plover	<i>Charadrius melodus</i>	E	Designated critical habitat on Presque Isle (Erie Co.). Migratory. No nesting in PA since 1950s, but recent colonization attempts at Presque Isle
<b>REPTILES</b>			
Bog turtle	<i>Clemmys (Glyptemys) mühlenbergii</i>	T	Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co.  <i>Historically found in Crawford, Mercer and Philadelphia Co.</i>
Eastern massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co.  <i>Historically found in Allegheny and Lawrence Co.</i>
<b>MUSSELS</b>			
Clubshell	<i>Pleurobema clava</i>	E	Allegheny River (Armstrong, Clarion, Forest, Venango, Warren); Conneaut Outlet (Crawford); Conneauttee Creek (Crawford); French Creek (Crawford, Erie, Mercer, Venango); LeBoeuf Creek (Erie); Muddy Creek (Crawford); Shenango River (Mercer)  <i>Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Indiana, Lawrence, and Westmoreland Co.</i>
Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	E	Delaware River (Monroe, Northampton, Pike, Wayne Co.).  <i>Has not been found recently in streams of historical occurrence in the Delaware River watershed (Bucks, Carbon, Chester, Philadelphia) or Susquehanna River watershed (Lancaster)</i>
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	Allegheny River (Armstrong, Clarion, Forest, Venango, Warren); Conewango Creek (Warren); French Creek (Crawford, Erie, Mercer, Venango); LeBoeuf Creek (Erie); Muddy Creek (Crawford)  <i>Has not been found recently in streams of historical occurrence, including Shenango River (Lawrence)</i>

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status<sup>1</sup></u>	<u>Distribution (Counties and/or Watersheds)</u>
Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i>	C	Allegheny River (Armstrong, Clarion, Forest, Venango, Warren); Conneauttee Creek (Venango); French Creek (Crawford, Erie, Mercer, Venango); LeBoeuf Creek (Erie); Muddy Creek (Crawford); Shenango River (Crawford, Mercer)
Rayed bean	<i>Villosa fabalis</i>	PE	Allegheny River (Armstrong, Clarion, Forest, Venango, Warren); Cussewago Creek (Crawford); French Creek (Crawford, Erie, Mercer, Venango); LeBoeuf Creek (Erie); Muddy Creek (Crawford)  <i>Potentially extant in Shenango River (Crawford, Mercer) and Woodcock Creek (Venango)</i>  <i>Has not been found recently in 5 streams of historical occurrence in Armstrong, Lawrence, Mercer and Warren Co.</i>
Sheepnose	<i>Plethobasus cyphus</i>	PE	Allegheny River (Forest and Venango Co.).  <i>Has not been found recently in streams of historical occurrence, including: Allegheny River (Armstrong); Beaver River (Lawrence); Monongahela River (Washington); Ohio River (Allegheny and Beaver)</i>
Snuffbox	<i>Epioblasma triquetra</i>	PE	Allegheny River (Armstrong, Clarion, Venango), Conneaut Outlet (Crawford); Cussewago Creek (Crawford); Dunkard Creek (Greene); French Creek (Crawford, Erie, Mercer, Venango); LeBoeuf Creek (Erie); Little Mahoning Creek (Indiana); Muddy Creek (Crawford); Shenango and Little Shenango River (Mercer); West Branch French Creek (Erie)
<b>FISH</b>			
Atlantic sturgeon <sup>2</sup>	<i>Acipenser oxyrinchus oxyrinchus</i>	C	Delaware River and other Atlantic coastal waters
Shortnose sturgeon <sup>2</sup>	<i>Acipenser brevirostrum</i>	E	Delaware River and other Atlantic coastal waters
<b>PLANTS</b>			
Northeastern bulrush	<i>Scirpus ancistrochaetus</i>	E	Adams, Bedford, Blair, Cambria, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder, Tioga, and Union Co.  <i>Historically found in Northampton Co.</i>
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Centre, Chester and Venango Co.  <i>Historically found in Berks, Greene, Monroe, Montgomery and Philadelphia Co.</i>

<sup>1</sup> E = Endangered; T = Threatened; PE = Proposed for listing as Endangered; C = Candidate

<sup>2</sup> Atlantic sturgeon and shortnose sturgeon are under the jurisdiction of the National Marine Fisheries Service

December 9, 2011

U.S. Fish & Wildlife Service  
Endangered Species Section  
315 South Allen Street  
Suite 322  
State College, Pennsylvania 16801-4851

Subject: Request for Section 7 Review  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #61114599  
PNDI Project Search ID: 2011130327714

To Whom It May Concern:

EBI CONSULTING (EBI) is preparing an environmental review on behalf of the Berks County, Pennsylvania for a proposed Public Safety Radio System (E-911) for the county. EBI is conducting this review in accordance with the protocols set forth within the Federal Communications Commission's (FCC) rules for implementing the National Environmental Policy Act (NEPA; 47 CFR 1.1307). As a part of this review, and in accordance with Section 7 of the Endangered Species Act, EBI would like to invite the United States Fish and Wildlife Service (USFWS) to comment on the proposed project.

EBI would like to inquire if you would be interested in commenting on this proposed project. Please refer to the attached Project Summary Form for complete details regarding this proposed project.

Enclosed please find copies of a street map as well as a section of the representative USGS topographic map that have the location of the proposed telecommunications installation highlighted. Additionally, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties are attached to this letter.

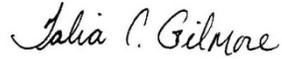
EBI completed an online review using the Pennsylvania Natural Diversity Index (PNDI) system. Results of the online review identified "No Known Impact" with respect to resources under the jurisdiction of the USFWS (please find the PNDI receipt attached).

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

EBI completed a site inspection and review of available federal species information (50 CFR 17) for Schuylkill County, Pennsylvania, to determine the likelihood of federally-protected species (threatened, endangered and special concern) being present at the proposed Project Site. Federally-listed species (50 CFR 17) are present within the county (see attached list). Based on the readily available information, habitat for listed species does not appear to be present at the site. The Project Site consists of an area improved with an existing telecommunications facility. As such, suitable habitat for the Indiana bat and Bog turtle is not present. The lack of suitable habitat for listed species and the small proposed site size do not appear to represent a potential for impacts to listed species.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,



Ms. Talia C. Gilmore  
Project Scientist  
Tel: (717) 428-0401 ext. 1218  
Fax: (781) 425-3611  
[tgilmore@ebiconsulting.com](mailto:tgilmore@ebiconsulting.com)

Appendix A – Project Summary Form  
Appendix B – Figures, Drawings, and Maps  
Appendix C – Photographs  
Appendix D – PNDI Project Environmental Review Receipt

**NOTE:**

**The Attachments of this Document Have Been Removed to Minimize/Avoid Duplication of Attachments Already Included Elsewhere in Environmental Assessment Appendices**



**pennsylvania**  
DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES

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BUREAU OF FORESTRY

December 28, 2011

PNDI Number: 20111130327714

**Talia C. Gilmore**  
**EBI Consulting**  
6876 Susquehanna Trail South  
York, PA 17403  
FAX: 781-425-3611 (hard copy will not follow)

Re: Exit 19 / Blue Mountain Public Safety Radio System Tower  
EBI Project # 61114599  
Wayne Twp., Schuylkill County

Dear Ms. Gilmore,

Thank you for your submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number **20111130327714** for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources of concern under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

**No Impact Anticipated**

PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, DCNR has determined that no impact is likely to occur to species of special concern under our jurisdiction as a result of this project.

This response represents the most up-to-date summary of the PNDI data files and is valid for one (1) year from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on-site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered. Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map).

This finding applies to impacts to DCNR only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure the U.S. Fish and Wildlife Service, PA Game Commission, and the Pennsylvania Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us).

Sincerely,

Rebecca H. Bowen, Environmental Review Manager FOR Chris Firestone, Wild Plant Program Mgr.  
Ph: 717-772-0258 - [c-rbowen@state.pa.us](mailto:c-rbowen@state.pa.us)

December 9, 2011

PA Department of Conservation and Natural Resources  
Bureau of Forestry, Ecological Services Section  
400 Market Street  
P.O. Box 8552  
Harrisburg, PA 17105-8552

Subject: Request for Species and Habitat Review  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #61114599  
PNDI Project Search ID: 2011130327714

To Whom It May Concern:

EBI CONSULTING (EBI) is preparing an environmental review on behalf of *The County of Berks* for a proposed Public Safety Radio System (E-911) for the county. EBI is conducting this review in accordance with the protocols set forth within the Federal Communications Commission's (FCC) rules for implementing the National Environmental Policy Act (NEPA; 47 CFR 1.1307). As a part of this review, EBI would like to invite the PA Department of Conservation and Natural Resources (DCNR) to comment on the proposed project.

EBI would like to inquire if you would be interested in commenting on this proposed project. Please refer to the attached Project Summary Form for complete details regarding this proposed project.

Enclosed please find copies of a street map as well as a section of the representative USGS topographic map that have the location of the proposed telecommunications installation highlighted. Additionally, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties are attached to this letter.

EBI completed an online review using the Pennsylvania Natural Diversity Index (PNDI) system. Results of the online review identified a "Potential Impact" with respect to resources under the jurisdiction of the DCNR (please find the PNDI receipt attached).

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,

*Talia C. Gilmore*

Ms. Talia C. Gilmore

Project Scientist

Tel: (717) 428-0401 ext. 1218

Fax: (781) 425-3611

[tgilmore@ebiconsulting.com](mailto:tgilmore@ebiconsulting.com)

Appendix A – Project Summary Form

Appendix B – Figures, Drawings, and Maps

Appendix C – Photographs

Appendix D – PNDI Project Environmental Review Receipt

**NOTE:**

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# Pennsylvania Fish & Boat Commission

Division of Environmental Services  
Natural Diversity Section  
450 Robinson Lane  
Bellefonte, PA 16823-9620  
(814) 359-5237 Fax: (814) 359-5175

January 13, 2012

**IN REPLY REFER TO**  
SIR# 37765

CHRIS MURRAY  
EBI CONSULTING  
21 B STREET  
BURLINGTON, MA 01803

**RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species**  
**PNDI Search No. 20111130327714**  
**BLUE MOUNTAIN CELL SITE**  
**WAYNE Township, SCHUYLKILL County, Pennsylvania**

Dear Mr. MURRAY:

I have reviewed the map accompanying your recent correspondence, which concerns the above-referenced project. Based on records maintained in the Pennsylvania Natural Diversity Inventory (PNDI) database and Pennsylvania Fish & Boat Commission (PFBC) files, the **timber rattlesnake (*Crotalus horridus*, PA candidate)** is known from the vicinity of the proposed project site. Timber rattlesnakes occur in the forested, mountainous regions of the Commonwealth. They prefer forested areas to forage for small mammals (e.g., mice and chipmunks) and southerly-facing slopes for hibernating and other thermoregulatory activities. The timber rattlesnake is threatened by habitat loss/alteration, wanton killing, and poaching.

There have been observations of timber rattlesnakes in the vicinity of the project area, but based on our review of the information you sent as well as mapping overlays, **we do not anticipate any direct adverse impacts to the timber rattlesnake from the proposed project.** However, the project areas could be used as foraging habitat for timber rattlesnakes and this warrants some concern about rattlesnake-human conflicts. Although the nature of the timber rattlesnake is rather docile, it can be dangerous if cornered or handled. Therefore, the workers should be mindful of the presence of the snakes in the area. Rattlesnakes are attracted to open, rocky, log-strewn areas for basking and forested areas with thick deciduous leaf litter that tend to support high populations of rodents. We recommend that the workers responsible for implementing this project be advised that timber rattlesnakes may be encountered and that avoidance is the best means of minimizing risks to personal safety. These workers should also be advised that the timber rattlesnake is a state protected species and is not to be harmed. Killing of timber rattlesnakes without a proper permit is prohibited by the Commission pursuant to Chapter 79.6, subsection 2102 (b) of the Fishing and Boating Regulations. If any timber rattlesnakes are observed on-site, please notify this office.

Note that this office performed no field inspection of the project area. Consequently, comments in this letter are not meant to address other issues or concerns that might arise concerning matters under Pennsylvania Fish and Boat Commission jurisdiction or that of other authorities. If you have any questions regarding this response, please contact Bob Morgan at 814 359 5129 and **refer to the SIR**

**Our Mission:**

[www.fish.state.pa.us](http://www.fish.state.pa.us)

*To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.*

**number at the top of this letter.** Thank you for your cooperation and attention to this matter of endangered species conservation and habitat protection.

Sincerely,



Christopher A. Urban, Chief  
Natural Diversity Section

CAU/RTM/mr

Cc: Mark Faulkenberry, DCNR

December 9, 2011

PA Fish and Boat Commission  
Division of Environmental Services  
450 Robinson Lane  
Bellefonte, PA 16823-7437

Subject: Request for Species and Habitat Review  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #61114599  
PNDI Project Search ID: 20111130327714

To Whom It May Concern:

EBI CONSULTING (EBI) is preparing an environmental review on behalf of *The County of Berks* for a proposed Public Safety Radio System (E-911) for the county. EBI is conducting this review in accordance with the protocols set forth within the Federal Communications Commission's (FCC) rules for implementing the National Environmental Policy Act (NEPA; 47 CFR 1.1307). As a part of this review, EBI would like to invite the PA Fish and Boat Commission to comment on the proposed project.

EBI would like to inquire if you would be interested in commenting on this proposed project. Please refer to the attached Project Summary Form for complete details regarding this proposed project.

Enclosed please find copies of a street map as well as a section of the representative USGS topographic map that have the location of the proposed telecommunications installation highlighted. Additionally, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties are attached to this letter.

EBI completed an online review using the Pennsylvania Natural Diversity Index (PNDI) system. Results of the online review identified a "Potential Impact" with respect to resources under the jurisdiction of the PA Fish and Boat Commission (please find the PNDI receipt attached).

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,

*Talia C. Gilmore*

Ms. Talia C. Gilmore

Project Scientist

Tel: (717) 428-0401 ext. 1218

Fax: (781) 425-3611

[tgilmore@ebiconsulting.com](mailto:tgilmore@ebiconsulting.com)

Appendix A – Fish and Boat Commission Species Impact Review Request Form

Appendix B – Project Summary Form

Appendix C – Figures, Drawings, and Maps

Appendix D – Photographs

Appendix E – PNDI Project Environmental Review Receipt

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Division of Environmental  
Planning and Habitat  
Protection  
717-783-5957

COMMONWEALTH OF PENNSYLVANIA  
**Pennsylvania Game Commission**  
2001 ELMERTON AVENUE  
HARRISBURG, PA 17110-9797

*"To manage all wild birds, mammals and their habitats  
for current and future generations."*

**ADMINISTRATIVE BUREAUS:**

ADMINISTRATION.....717-787-5670  
HUMAN RESOURCES.....717-787-7836  
FISCAL MANAGEMENT.....717-787-7314  
CONTRACTS AND  
PROCUREMENT.....717-787-6594  
LICENSING.....717-787-2084  
OFFICE SERVICES.....717-787-2116  
WILDLIFE MANAGEMENT.....717-787-5529  
INFORMATION & EDUCATION.....717-787-6286  
WILDLIFE PROTECTION.....717-783-6526  
WILDLIFE HABITAT  
MANAGEMENT.....717-787-6818  
REAL ESTATE DIVISION.....717-787-6568  
AUTOMATED TECHNOLOGY  
SERVICES.....717-787-4076

[www.pgc.state.pa.us](http://www.pgc.state.pa.us)

February 21, 2012

**PNDI Number(s):** 20111130327714

Ms. Talia Gilmore  
EBI Consulting  
6876 Susquehanna Trail South  
York, Pennsylvania 17403

Re: EBI 61114599 – Telecommunication Tower Replacement  
Wayne Township, Schuylkill County, Pennsylvania

Dear Ms. Gilmore,

Thank you for submitting the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number 20111130327714 for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

### **No Impact Anticipated**

PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, the PGC has determined that no impact is likely. Therefore, no further coordination with the PGC will be necessary for this project at this time.

It should be noted that the above referenced project is located on **State Game Lands# 110**. If you haven't already done so, please contact the Southeast Regional Office at (610) 926-3136 to discuss the project activities and coordinate obtaining the necessary approvals if your project will impact State Game Lands. It is recommended that you coordinate with Game Commission Staff early in your project planning process.

This response represents the most up-to-date summary of the PNDI data files and is valid for one (1) year from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for an additional year.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us).

Sincerely,



Olivia A. Mowery  
Environmental Planner  
Division of Environmental Planning & Habitat Protection  
Bureau of Wildlife Habitat Management  
Phone: 717-787-4250, Extension 3128  
Fax: 717-787-6957  
E-mail: OMowery@pa.gov

A PNHP Partner



OAM/oam

cc: Librandi Mumma  
Killough  
Metz  
Shirk  
File

December 9, 2011

PA Game Commission  
Bureau of Wildlife Habitat Management  
Division of Environmental Planning and Habitat Protection  
2001 Elmerton Avenue  
Harrisburg, PA 17110-9797

Subject: Request for Species and Habitat Review  
Exit 19 / Blue Mountain  
1553 State Route 183  
Wayne Township, Schuylkill County, PA 17972  
Latitude & Longitude: N 40° 31' 52.1" and W 76° 12' 0.8"  
EBI Project #61114599  
PNDI Project Search ID: 20111130327714

To Whom It May Concern:

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EBI would like to inquire if you would be interested in commenting on this proposed project. Please refer to the attached Project Summary Form for complete details regarding this proposed project.

Enclosed please find copies of a street map as well as a section of the representative USGS topographic map that have the location of the proposed telecommunications installation highlighted. Additionally, photographs of the areas proposed to be occupied by *The County of Berks* and vicinity properties are attached to this letter.

EBI completed an online review using the Pennsylvania Natural Diversity Index (PNDI) system. Results of the online review identified a "Potential Impact" with respect to resources under the jurisdiction of the PA Game Commission (please find the PNDI receipt attached).

A review of the U.S. Department of the Interior, Fish & Wildlife Service's National Wetland Inventory (NWI) Map (available online at <http://www.fws.gov/wetlands/Data/mapper.html>) indicated that the Project Site is not located on or within 300 feet of a wetlands area. Additionally, EBI did not observe visual evidence of potential wetland areas on or within 300 feet of the Project Site.

We would appreciate your assistance on determining if the proposed project will have an impact on any listed and/or proposed threatened or endangered species or designated and/or proposed critical habitats. On behalf of *The County of Berks*, I would appreciate your comments on this proposed telecommunications installation in a letter directed to my attention at the address noted above.

Sincerely,

*Talia C. Gilmore*

Ms. Talia C. Gilmore

Project Scientist

Tel: (717) 428-0401 ext. 1218

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[tgilmore@ebiconsulting.com](mailto:tgilmore@ebiconsulting.com)

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