



Environmental, Geotechnical & Materials Professionals

46555 Humboldt Drive, Suite 100

Novi, Michigan 48377

Ph.: 248-689.5140 Fax: 248-689.5147

Project Number _____

Project Name _____

Phone	Voicemail	Fax	Email
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RECORD OF COMMUNICATION

TO/FROM: Doug Dabrowski; OF: OHIO EPA
 PHONE: (330) 963-1147 FAX: _____
 DATE: 12/5/07 TIME: 3:15
 REGARDING: Aquifer

SUMMARY: Aquifer in Westlake is Till over
Bedrock interface.
 * Cuyahoga formation
 * MISSISSIPPIAN Age.
 * Weathered, Fractured bedrock

ATC SIGNATURE: _____

RECORD OF COMMUNICATION (ROC)

DATE September 27, 2007 ATC CONTACT Julie Reinwand of ATC Associates

ATC Project/Reference Prime or Unique Farmland, Coastal Zone, and Coastal Barrier Resource request for proposed site and alternative in Westlake, Cuyahoga County.

Talked With Mr. Jim Store of the NRCS

How Contact Initial: Telephone Meeting Other

Summary ATC contacted the NRCS requesting a determination if any prime or unique soils or farmland, coastal zones or coastal barrier resources exist in the project area. According to Mr. Store, a review of the data for the project area does indicate any prime or unique soils or farmland, coastal zones, or coastal barrier resources.

ATC Contact Signature



RECORD OF COMMUNICATION (ROC)

DATE January 22, 2008 ATC CONTACT Julie Reinwand of ATC Associates

ATC Project/Reference Westlake, Cuyahoga County.

Talked With Mr. Mohammad Hauge, Assistant Manager of the Crown Filtration plant

How Contact Initial: Telephone Meeting Other

Summary ATC contacted the Crown Filtration Plant requesting information regarding the stormwater runoff in the vicinity of 955 Clague Road. According to Mr. Hauge, runoff from the plant percolates into the ground surface where it is conveyed by the Clague Creek into the Black-Rocky watershed and ultimately into Lake Erie. Mr. Hauge also indicated that a 48" drain pipe drains directly into Lake Erie from the site.

ATC Contact Signature



macmurray rob

From: Sanders, Randy [Randy.Sanders@dnr.state.oh.us]
Sent: Friday, April 28, 2006 2:14 PM
To: macmurray rob
Subject: 06-0085; Cuyahoga Areawide Radio System (III)

ODNR COMMENTS TO Robert MacMurray, Environmental Scientist, C&S Engineers, Inc., One International Place, 20445 Emerald Parkway, Suite 100, Cleveland, OH 44135

Location: The project is located at various sites in Cuyahoga County, Ohio.

Project: The applicant is preparing environmental compliance checklists for projects located in Cuyahoga County. The projects involve attaching antennas to the rooftops of existing structures, constructing new lattice towers and associated equipment compounds/shelters, attaching antennas to existing lattice towers, and constructing new monopole towers and installing generators. The applicant would like information on significant habitats, endangered, threatened, and rare species or species of special concern, wild, scenic, and recreational rivers, and streams or lakes on or in the vicinity of the proposed project sites.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Rare and Endangered Species: The ODNR, Division of Natural Areas and Preserves has reviewed the project and has the following records in the vicinity of the project area:

Group I

N-9, 2500 Metro Health Dr., No Data

N-11 955 Crague Rd., No Data

S-8 6800 Dunham Rd. We have records near this site.

Corallorhiza maculata, Spotted Coral Root, Potentially Threatened

Juniperus communis, Ground Juniper, Endangered

Elymus trachycalus, Bearded Wheat Grass, Threatened

Solidago squarrosa, Leafy Goldenrod, Threatened

The site is also near the Cuyahoga Valley National Park, they should be contacted at (216) 524-9667 concerning possible impacts to this area.

S-9 38251 Fairmount Blvd. We have records near this site.

Junco hyemalis, Dark-eyed Junco, Threatened, Becky Jenkins of the Division of Wildlife should be contacted regarding impacts to rare animal species. She can be reached at (614) 265-6631.

Juncus platyphyllus, Flat-leaved Rush, Endangered

Gentianopsis crinita, Fringed Gentian, Potentially Threatened

Spiranthes lucida, Shining Ladies Tresses, Potentially Threatened

Shepherdia canadensis, Canada Buffalo Berry, Potentially Threatened

Chagrin State Scenic River- Scenic rivers program has completed review of the proposed 190 foot tall monopole at 38251 Fairmount Blvd., in the Village of Hunting Valley and offers the following comments and recommendations.

This project is located in the watershed of the Chagrin State Scenic River, but has a significant set back from the river and should have little, if any, negative impact to the Chagrin River provided that typical best management practices (BMP's) are implemented for the project. Specifically, erosion control measures including silt fencing installed parallel to the contours of the down slope areas that receive surface runoff from the project site should be utilized. Proper placement and maintenance of BMP's throughout the life of the project should be a priority item in the project plans and fully executed during the project construction. As soon as practical following construction, the disturbed area should be seeded with Ohio native, non-invasive grasses or groundcover and mulched in order stabilize the topsoil and to minimize erosion potential.

This project is exempt from needing a Scenic River approval letter under Section 1517.16 of the Ohio Revised Code.

4/28/2006

Please contact Steve Roloson, NE Ohio Regional Scenic River Manager at (330) 527-4184 or sroloson@apk.net <<mailto:sroloson@apk.net>> if there are any questions regarding these comments.

S-12 6801 Cochran Rd., No Data

S-10 10014 Hickory ridge Dr. We have records near this site.

Oryzopsis asperifolia, Large Leaved Mountain Rice, Endangered

Cuyahoga Valley National Park (216) 524-9667

The site is also near the Brecksville Reservation, Cleveland Metroparks should be contacted at (216) 635-3200 regarding possible impacts to this area.

Group II

S-3 no data

Fish and Wildlife: The project is in the historical range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. If it is necessary to remove any trees to complete the project, it is recommended the applicant first contact the U.S. Fish and Wildlife Service for guidance.

The project is also within the historical range of the piping plover (*Charadrius melodus*), a state and federally endangered bird species. It is recommended the applicant contact the U.S. Fish and Wildlife Service for guidance regarding this species.

The project is also within the historical range of the King rail, (*Rallus elegans*), a state endangered bird species. If wetland habitat is in the vicinity of the project area, the applicant should be observant for these species. If any of these species is encountered during construction of the project, work should immediately be stopped, and the DOW should be contacted.

The project is within the historical range of the Peregrine falcon (*Falco peregrinus*), a state endangered bird species, the Yellow-bellied sapsucker (*Sphyrapicus varius*), a state endangered bird species, and the Golden-winged warbler (*Vermivora chrysoptera*), a state endangered bird species. If any of these species is encountered during construction of the project, work should immediately be stopped, and the DOW should be contacted.

Due to the location of the project and the type of work involved, the DOW believes the projects will not have an impact on these species except for site N-9 which may have an impact on any Peregrine falcons that may be in the area of the project. Additionally, due to forested habitat in the area and the proposed removal of trees, site S-3 may have an impact on Indian bats, Golden-winged warblers, King rails, and yellow-bellied sapsuckers that may be in the area. Therefore, it is recommended the applicant follow the guidance given above.

ODNR appreciates the opportunity to provide these comments. Please contact Randy Sanders at 614.265.6344 if you have questions about these comments or need additional information.

Randall E. Sanders
Environmental Administrator
Division of Real Estate & Land Management
Ohio Department of Natural Resources
2045 Morse Rd, C4
Columbus, Ohio 43229-6693
614.265.6344
fax 614.267.4764
randy.sanders@dnr.state.oh.us



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C&S Engineers, Inc.
One International Place
20445 Emerald Parkway, Suite 100
Cleveland, OH 44135
Phone 216-619-5449
Fax 216-619-5453
www.cscos.com

March 27, 2006

ODNR Environmental Administrator
Mr. Randy Sanders
2045 Morse Road, C4
Columbus, Ohio 43229-6693

**Re: Request for NEPA Project Review
Construction of a 300 foot Lattice Style Tower and Attachment of Eight Communications Antennas
City of Westlake, Cuyahoga County, Ohio**

**Site Name: Filtration Plant
Site Number: N-11**

Dear Mr. Sanders:

C&S Engineers, Inc. has been retained by Motorola, Inc. to perform professional engineering and environmental services for the above-referenced project. As part of pre-construction we are preparing a FCC/NEPA Environmental Compliance Checklist for the proposed communications site. I would like to request that your office provide C&S with information on existing environmental conditions within the area of the proposed project. In particular, C&S would like information on significant habitats; endangered, threatened, and rare species, or species of special concern; wild, scenic, and recreational rivers; streams or lakes on, or in the vicinity of, the proposed project site.

The proposed project site is located approximately 340 feet north of Detroit Road at a location identified as 955 Clague Road within the City of Westlake, Cuyahoga County, Ohio. Attached to this letter you will find a portion of the USGS North Olmstead quadrangle map, dated 1963 and photorevised to 1985, which identifies the approximate location of the proposed project site as 41° 28' 20.2" North & 81° 52' 40.8" West. Please also find a set of proposed design plans and some representative photographs of the proposed project site.


Generally speaking, the proposed project will include the construction of a 300 foot lattice style communications tower, 4,900-ft² equipment compound near the tower's base, 288-ft² equipment shelter within the fenced equipment compound, and a 12 foot wide gravel access road measuring approximately 340 feet in length to connect the proposed communications site to Detroit Road. Subsequent to the tower's construction, eight communications antennas will be attached to the tower.

In total, the proposed project will impact a construction area that measures approximately 5,200-ft²; of that construction area, all 5,200-ft² of it presently consists of previously disturbed maintained lawn and field areas in which vegetation consists of apparent grasses and grows to a height of two feet or less. Therefore, no clearing of trees will be associated with this project.

C&S on behalf of Motorola, Inc., would appreciate whatever assistance you and your office can offer; furthermore, I would be happy to provide additional information or answer any questions you may have.

Sincerely,

C&S ENGINEERS, INC.



Robert MacMurray
Environmental Scientist

Attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4127

(614) 469-6923
Fax: (614) 469-6919

January 8, 2007

Mr. Robert MacMurray
C&S Engineers, Inc.
499 Eileen Collins Blvd.
Syracuse, NY 13316

Dear Mr. MacMurray

This letter is in regards to your e-mail requesting a programmatic agreement for projects involving the installation of telecommunication towers or antennas in the State of Ohio that are not expected to impact Federally-listed threatened, endangered, or candidate species, or migratory birds.

The purpose of this letter is to clarify the level of coordination necessary under Section 7 of the Endangered Species Act for the following activities:

- 1). Replacement of existing towers with a new tower that has equal or less potential for adverse impacts (eg. replacement in-kind, reduction in height or reconfiguration from guyed to self-supported, within the existing developed area).
- 2). Purchases of existing towers or antenna structures for their continued use without physical modification to the configuration, height, access, and/or footprint.
- 3). Cell tower placement on existing structures (co-location), for example existing towers, water towers, rooftops, billboards, and utility poles, with any new associated equipment installed only within the existing previously disturbed areas (manicured lawns; paved, graveled, or otherwise un-vegetated areas that do not require impacts to trees), and which include no significant increase in height (10% of original tower height or 20 feet, whichever is greater).
- 4). Construction of new towers less than 300 feet tall and construction of associated equipment in previously disturbed areas (manicured lawns, paved, graveled, or otherwise un-vegetated areas that do not require impacts to trees).
- 5). Construction of new towers less than 300 feet tall and construction of associated equipment in or on cropland or pastureland that has not been fallow for more than one growing season.
- 6). Construction of new or expansion of existing equipment shelters or sheds with footprints not more than 625 square feet, in areas of previously disturbed ground (developed commercial and industrial areas; agricultural fields not fallow for more than one year; manicured lawns; paved, graveled, graded, filled, or otherwise un-vegetated areas; or areas within the existing tower compound) that do not involve impacts to trees.

Due to the nature of these projects including the location and lack of suitable habitat in these areas, the projects as described above are not expected to have any impacts on Federal threatened, endangered, or candidate species. In addition to endangered species, projects meeting the above requirements are not expected to have any impacts on Federal wilderness areas, National Wildlife Refuges, or designated Critical Habitat. No further coordination with the U.S. Fish and Wildlife Service will be necessary for projects that meet these criteria. Please note, however, that projects involving existing towers located in officially designated wildlife areas should be reviewed by this office.

This categorical exclusion does not apply to any new towers that may affect threatened and endangered species, are proposed within officially designated state or local wildlife refuges or to towers whose construction may impact streams or wetlands. **By September 1, 2007, C&S Engineers, Inc. should submit a written report to this office indicating the number of projects where this Categorical Exclusion was used to demonstrate compliance with Section 7 Consultation under the Endangered Species Act of 1973, as amended. This agreement will remain in effect until December 31, 2007, after which it may be renewed.**

Should, during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be reinitiated to assess whether the determinations are still valid.

MIGRATORY BIRD COMMENTS: In addition to trying to ensure that proposed communication towers do not adversely affect threatened and endangered species, the Service is also interested in minimizing potential impacts to other wildlife resources, particularly migratory birds. The siting of new towers, increasing at an estimated 6 to 8 percent annually, creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating neotropical songbirds. Within this group, thrushes, vireos, and warblers appear to be the most vulnerable. The problem is especially acute at tall, lighted, guyed towers, particularly in inclement night time weather conditions during spring and fall songbird migrations.

Communications towers are currently conservatively estimated to kill 4-5 million birds per year, which violates the spirit and the intent of the Migratory Bird Treaty Act and the Code of Federal Regulations at Part 50 designed to implement the MBTA. Some of the species affected are also protected under the Endangered Species Act and Bald and Golden Eagle Act. The Migratory Bird Treaty Act (16 U.S.C. 703-712) 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 Act has no provision for allowing unauthorized take, it must be recognized that some birds may be killed at structures such as communications towers even if all reasonable measures to avoid it are implemented. The Service's Division of Law Enforcement carries out its mission to protect migratory birds not only through investigations and enforcement, but also through fostering relationships with individuals and industries that proactively seek to eliminate their impacts on migratory birds. While it is not possible under the Act to absolve individuals or companies from liability if they follow these recommended guidelines, the Division of Law Enforcement and Department of Justice have used enforcement and prosecutorial discretion in the past regarding individuals or companies who have made good faith efforts to avoid the take of migratory birds.

Research into the actual causes of bird collisions with towers is limited. A Communications Towers Working Group composed of government agencies, industry, academic researchers and NGO's has been formed to develop a research protocol to determine the best ways to construct towers to minimize bird strikes. To assist field staffs in the review of tower proposals until the results of that research are available, or until research efforts uncover significant new mitigation measures, the Service has developed a set of standard recommendations based on the best information available at this time. These

recommendations are provided below in the interim guidelines which have been approved by the Director of the Service. We believe that they incorporate the most prudent and effective measures for avoiding bird strikes at towers and will provide significant protection for migratory birds pending completion of the Working Group's recommendations. As new information becomes available, the guidelines will be updated. We encourage any company/licensee proposing to site a new communications tower to implement to the fullest extent possible the recommendations set forth in these guidelines in an effort to minimize impacts to migratory birds and other wildlife resources.

In order to obtain information on the usefulness of these guidelines in preventing bird strikes and to identify any recurring problems with their implementation which may necessitate changes to them, please advise us of the final location and specifications of the proposed tower and which of the measures recommended for the protection of migratory birds were implemented. If any of the recommended measures cannot be implemented, please explain why they were not feasible.

Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning

1. Any company/applicant/licensee proposing to construct a new communications tower is strongly encouraged to collocate the communications equipment on an existing communication tower or other structure (e.g., billboard, water tower, or building mount). Depending on tower load factors, from 6 to 10 providers may collocate on an existing tower.
2. If collocation is not feasible and a new tower or towers are to be constructed, communications service providers are strongly encouraged to construct towers no more than 199 feet above ground level (AGL), using construction techniques which do not require guy wires (e.g., use a lattice structure, monopole, etc.). Such towers should be unlighted if Federal Aviation Administration (FAA) regulations permit.
3. If constructing multiple towers, providers should consider the cumulative impacts of all of those towers to migratory birds and threatened and endangered species, as well as the impacts of each individual tower.
4. If at all possible, new towers should be sited within existing "antenna farms" (clusters of towers). Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species. Towers should not be sited in areas with a high incidence of fog, mist, and low ceilings as compared to nearby areas.
5. If taller (>199 feet AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied.
6. Tower designs using guy wires for support which are proposed to be located in known raptor or waterbird concentration areas or daily movement routes, or in major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species. (For guidance on markers, see *Avian Power Line Interaction Committee (APLIC). 1994. Mitigating Bird Collisions with Power Lines: The State of the Art in 1994. Edison Electric Institute, Washington, D.C., 78 pp.* and *Avian Power Line Interaction Committee (APLIC).*

1996. *Suggested Practices for Raptor Protection on Power Lines*. Edison Electric Institute/Raptor Research Foundation, Washington, D.C., 128 pp. Copies can be obtained via the Internet at <http://www.eei.org/resources/pubcat/enviro/> or by calling 1-800/334-5453).

7. Towers and appendant facilities should be sited, designed and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint." However, a larger tower footprint is preferable to the use of guy wires in construction. 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.
8. If significant numbers of breeding, feeding, or roosting birds are known to habitually use the proposed tower construction area, relocation to an alternate site is recommended. If this is not an option, seasonal restrictions on construction should be considered in order to avoid disturbance during periods of high bird activity.
9. In order to reduce the number of towers needed in the future, providers are encouraged to design new towers structurally and electrically to accommodate the applicant/licensee's antennas and comparable antennas for at least two additional users (minimum of three users for each tower structure), unless this design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower.
10. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.
11. If a tower is constructed or proposed for construction, Service personnel or researchers from the Communication Tower Working Group should be allowed access to the site to evaluate bird use, conduct dead-bird searches, to place net catchments below the towers but above the ground, and to place radar, Global Positioning System, infrared, thermal imagery, and acoustical monitoring equipment as necessary to assess and verify bird movements and to gain information on the impacts of various tower sizes, configurations, and lighting systems.
12. Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

This technical assistance letter is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C.661 et seq.), the Endangered Species Act of 1973, as amended, and is consistent with the intent of the National Environmental Policy Act of 1969, and the U.S. Fish and Wildlife Service's Mitigation Policy.

If you have any questions regarding our response or if you need additional information, please contact Megan Seymour at extension 16.

Sincerely,



Mary Knapp, Ph.D.
Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH

Susan Cook

Subject: FW: FW: 955 Clague Rd, Westlake

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

From: Megan_Seymour@fws.gov [mailto:Megan_Seymour@fws.gov]
Sent: Wednesday, January 30, 2008 8:38 AM
To: julie.reinwand@atcassociates.com
Subject: Re: FW: 955 Clague Rd, Westlake

Julie,

I have reviewed the information you provided, and agree that the project is not located in a major flyway area. Additionally, based on the project design (lattice tower, no lighting or guy wires), it should not result in any significant impacts to migratory birds. Please let me know if you have any additional questions.

Sincerely,

Megan Seymour
Wildlife Biologist
U.S. Fish and Wildlife Service
Ecological Services Field Office
6950 Americana Pkwy.
Suite H
Reynoldsburg, OH 43068-4127
(614) 469-6923 ext. 16
(614) 469-6919 fax
www.fws.gov/midwest/Reynoldsburg/



December 19, 2006

Robert MacMurray
C & S Engineers, Inc.
One International Place
20445 Emerald Parkway, Suite 100
Cleveland, Ohio 44135

Dear Mr. MacMurry:

Re: 340' North of Detroit Rd. at 955 Clague Road, Westlake, Cuyahoga County, Ohio. Filtration Plant N-11

This is in response to your additional transmittal, received on December 14, 2006, concerning the proposed 300-foot tall telecommunications tower and associated equipment compound at the above address. Our comments are provided in accordance with the provisions of Section 106 of the National Historic Preservation Act, as revised (36 CFR 800) and the 2005 Nationwide Programmatic Agreement for cell tower projects.

I have reviewed all the information submitted for this project. It is my opinion that the proposed undertaking will have no adverse effect on previously documented properties listed on or eligible for the National Register of Historic Places located within your Area of Potential Effects.

Visual inspection and shovel probe investigations at the project area failed to identify any new archaeological sites. Therefore, based on the information provided, I agree with the recommendation that no further archaeological work is necessary in the proposed project area. It is my opinion that the proposed undertaking will have no adverse effect historic properties. No further coordination is required unless the project changes or archaeological remains are discovered during the course of the project. In such a situation, this office should be contacted as per 36 CFR 800.13. We also strongly encourage you to continue your efforts to contact interested tribal authorities and other interested parties. Should additional correspondence be received, please forward it to this office immediately.

If you have any questions concerning this review, please contact me at 614-298-2000. Thank you for your cooperation.

Sincerely,

Nathan J. Young
Project Reviews Manager
Resource Protection and Review

Please refer to OHPO serial number 1009907 for all future correspondence for this project

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office

567 East Hudson Street, Columbus, Ohio 43211-1030 ph: 614.298.2000 fx: 614.298.2037

www.ohiohistory.org



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C&S Engineers, Inc.

December 13, 2006

Ohio Historic Preservation Office
 Resource Protection and Review
 Mr. Nathan Young, Project Reviews Manager
 567 East Hudson Street
 Columbus, OH 43211-1030

Re: Section 106 Consultation for Three Proposed Wireless Communication Tower Sites

Site Name: Filtration Plant
Site Number: N-11
OHPO File No: 1006163

Site Name: Cuyahoga County Sanitation
Site Number: S-11
OHPO File Nos.: 1006162 and 1006705

Site Name: Chagrin Falls Water Department
Site Number: S-14
OHPO File No: 1007056

File: D60.002.001

Dear Mr. Young:

As you are aware, C&S Engineers is presently attempting to conclude the Section 106 consultation process for three proposed wireless communication tower sites located throughout Cuyahoga County. Site names/numbers and OHPO file numbers for these sites are identified above for your information; however, throughout the remainder of this letter they shall be referred to by their site numbers only.

Pursuant to our latest telephone conversation, dated December 13th, please locate photocopies of all written submissions made to the OHPO to date regarding these sites enclosed within this package. Meanwhile, a brief summary of consultation for these three sites is presented in the following paragraphs.

Section 106 consultation for **Site Number N-11** was initiated with the submission of a completed FCC Form 620 on May 10th, subsequent to which C&S received a written response dated June 8th requesting that C&S advertise the site for public comment. A public notice for the proposed action ran in the Plain Dealer on September 21st and initiated a fifteen day public comment period, during which C&S received no comments from the public. A copy of the public notice and discussion of the comment period was submitted to OHPO on October 11th, subsequent to which C&S has received no written response.

Section 106 consultation for **Site Number S-11** was initiated with the submission of a completed FCC Form 620 on May 10th, subsequent to which C&S received a written response dated May 30th stating that the submission packet was incomplete. Specified sections were corrected and replacement pages were transmitted to the OHPO on June 7th, subsequent to which C&S receive a written response dated July 11th requesting that C&S advertise the site for public comment and consult with the Cuyahoga Valley National Park. Consultations with the Cuyahoga Valley National Park and other public agencies were conducted,

Mr. Nathan Young
December 13, 2006
Page 2 of 2



while a public notice for the proposed action ran in the Plain Dealer on September 21st and initiated a fifteen day public comment period, during which C&S received no comments from the public. A copy of the public notice, written consultation with public agencies, and discussion of the comment period was submitted to OHPO on October 11th, subsequent to which C&S has received no written response.

Section 106 consultation for **Site Number S-14** was initiated with the submission of a completed FCC Form 620 on June 30th, subsequent to which C&S received a written response dated August 9th requesting that C&S advertise the site for public comment. A public notice for the proposed action ran in the Plain Dealer on September 21st and initiated a fifteen day public comment period, during which C&S received no comments from the public. A copy of the public notice and discussion of the comment period was submitted to OHPO on October 11th, subsequent to which C&S has received no written response.

If the contents of this package are not as specified above, please notify me at once.

C&S appreciates your assistance with this matter and is happy to answer any questions that you may have or provide additional information, if necessary.

Sincerely,

C&S ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'R. MacMurray', with a horizontal line extending to the right from the end of the signature.

Robert MacMurray
Environmental Scientist

Enclosures



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C&S Engineers, Inc.

October 11, 2006

Ohio Historic Preservation Office
 Resource Protection and Review
 Mr. Nathan Young, Project Reviews Manager
 567 East Hudson Street
 Columbus, OH 43211-1030

**Re: Request for NEPA Project Review Addendum (OHPO File No. 1006163)
 Construction of a 300 foot Lattice Tower and Attachment of Eight Antennas
 City of Westlake, Cuyahoga County, Ohio**

**Site Name: Filtration Plant
 Site Number: N-11**

File: D60.002.001

Dear Mr. Young:

C&S Engineers, Inc. transmitted a request, dated May 10, 2006, for information on potential historic, architectural, archaeological, or cultural resources that exist within the area of the above-mentioned project site. In addition to the request, C&S also transmitted a completed FCC Form 620 and a letter report summarizing the results of a Phase I Cultural Resources Survey completed for the proposed site.

A response, dated June 8, 2006, was received from your office and signed by a Ms. Monica L. Kuhn. In her response, Ms. Kuhn noted that additional information was needed before a review could be completed; more specifically she stated that "no attempts were made to notify the local government or the public of the project." Furthermore, she noted that a nearby resident had called OHPO to express their concerns over the tower's potential effects on local historic properties.

C&S ran a public notice in the Plain Dealer newspaper to inform members of the public of the proposed project. This notice, a copy of which is attached, was published on September 21, 2006. The notice requested that individuals wishing to comment on the proposed project should do so in writing within 15 days of the notices publication. As of October 11, 2006, 20 days past the notices publication, C&S has received no comments from members of the public.

We hope that this letter and the attached photocopy of the public notice will provide you and your staff with the information you require to complete your review; however, should you have any questions or comments I would be happy to provide additional information or answer any questions you may have.

Sincerely,

C&S ENGINEERS, INC.

Robert MacMurray
 Environmental Scientist

Attachment

Wireless Communications Facility
Motorola, Inc. proposes a wireless antenna structure installation along the northern side of Detroit Road at 955 Clague Road in the City of Westlake, Cuyahoga County, Ohio. Generally, the proposed project will include the construction of a 300 foot lattice style communications tower and the attachment of eight (8) wireless antennas up to a height of approximately 280 feet. The project will also include the construction of a 5,000-ft² chain-link fence enclosed equipment compound around the tower's base that will contain one 290-ft² pre-fabricated equipment shelter and be linked to Detroit Road by a 12 foot wide gravel access road. In accordance with regulations implementing Section 106 of the National Historic Preservation Act, Motorola, Inc. hereby solicits public comments concerning the proposed action. In particular, will the proposed action impact properties in, or eligible for, the National Register of Historic Places; or significant scientific, prehistoric, historic, archaeological, or paleontological resources. Comments should be made in writing within 15 days of this notice and directed to:

Robert MacMurray
C&S Engineers, Inc.
20445 Emerald Parkway,
Suite 100
Cleveland, OH 44135
p.d.sept21,2006

1436174



June 8, 2006

Robert MacMurray
Environmental Scientist
C&S Engineers, Inc
One International Place
20445 Emerald Parkway, Suite 100
Cleveland, Ohio 44135

RECEIVED
JUN 12 2006
C&S ENGINEERS, INC.

Dear Mr. MacMurray,

Section 106 Review- Motorola
C&S Engineering File No: D60.002.001
Filtration Plant N-11
340' north of Detroit Road, at 955 Clague Road,
Westlake, Cuyahoga County, Ohio

This is in response to your correspondence, received May 11, 2006, regarding the construction of a 300' lattice cellular communications tower and related development at this address. My comments are made pursuant to Section 106 of the National Historic Preservation Act and the associated regulations at 36 CFR Part 800.

I have carefully reviewed the information submitted for this project. We need more information before we can complete our review. It appears that no attempts were made to notify the local government or the public of the project. Please see the Nationwide Programmatic Agreement (September 2004) Section V. A., B. and C. for more information on these requirements.

Additionally, a local property owner has called us to express concerns about this tower's effects on local historic properties.

If you have any questions, please call me at (614) 298-2000, or email me at mkuhn@ohiohistory.org. Thank you for your cooperation.

Sincerely,

Monica L. Kuhn, Project Reviews Manager
Resource Protection and Review

1006163



**ENGINEERS
DESIGN BUILD
TECHNICAL RESOURCES
OPERATIONS**

C&S Engineers, Inc.
One International Place
20445 Emerald Parkway, Suite 100
Cleveland, OH 44135
Phone 216-619-5449
Fax 216-619-5453
www.cscos.com

May 10, 2006

Ohio Historic Preservation Office
Resource Protection and Review
Mr. Mark Epstein, Department Head
567 East Hudson Street
Columbus, OH 43211-1030

**Re: Request for NEPA Project Review
Construction of a 300 foot Lattice Tower and Attachment of Eight Antennas
City of Westlake, Cuyahoga County, Ohio**

**Site Name: Filtration Plant
Site Number: N-11**

File: D60.002.001

Dear Mr. Epstein:

C&S Engineers, Inc. has been retained by Motorola, Inc. to perform professional engineering and environmental services for the above-referenced project. As part of pre-construction we are preparing a FCC/NEPA Environmental Compliance Checklist for the proposed communications site. I would like to request that your office provide C&S with information on potential historic, architectural, archaeological, or cultural resources that exist within the area of the proposed project site. In particular, C&S would like to know if the proposed project has the potential to impact properties in, or eligible for inclusion in, the National Register of Historic Places; as well as also knowing whether there is reason to believe that significant scientific, prehistoric, historic, archaeological, or paleontological resources would be lost or destroyed as a result of the proposed project.

The proposed project site is located approximately 350 feet north of Detroit Road at a location identified as 955 Clague Road within the City of Westlake, Cuyahoga County, Ohio. Attached to this letter you will find a portion of the USGS North Olmstead quadrangle map, dated 1963 and photorevised to 1985, which identifies the approximate location of the project site as 41° 28' 20.2" North & 81° 52' 40.8" West.

Generally speaking, the proposed project will include the construction of a 300 foot lattice style communications tower, 4,900-ft² equipment compound near the tower's base, 288-ft² equipment shelter within the fenced equipment compound, and a 12 foot wide gravel access road measuring approximately 350 feet in length to connect the proposed communications site to Detroit Road. Subsequent to the tower's construction, eight communications antennas will be attached to the tower.

In total, the proposed project will impact a construction area that measures approximately 9,100-ft²; of that construction area, all 9,100-ft² of it presently consists of previously disturbed maintained lawn and field areas in which vegetation consists of apparent grasses and grows to a height of two feet or less.

In accordance with the September 2004 "Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission," a copy of FCC Form 620 has been completed for this proposed communications site. This completed form,

Mr. Mark Epstein
May 10, 2006
Page 2 of 2



as well as a letter report summarizing the results of the Phase I Cultural Resources Survey completed for this proposed site, are attached.

C&S, on behalf of Motorola, Inc., would appreciate whatever assistance you and your office can offer; furthermore, I would be happy to provide additional information or answer any questions you may have.

Sincerely,

C&S ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'Robert MacMurray', written over a horizontal line.

Robert MacMurray
Environmental Scientist

Attachment

ASC Group, Inc.

4620 Indianola Avenue
Columbus, Ohio 43214
Phone (614) 268-2514
Fax (614) 268-7881



May 10, 2006

Robert MacMurray
C&S Engineers, Inc.
One International Place
20445 Emerald Parkway, Suite 100
Cleveland, Ohio 44135

**Subject: Results of the Phase I Cultural Resources Survey Fieldwork for the
Filtration Plant Tower (Site No. N-11)**

Dear Mr. MacMurray:

Under contract with C&S Engineers, Inc., ASC Group, Inc., has completed the Phase I cultural resources fieldwork for the Filtration Plant Tower (Site No. N-11). The subject project is located 340 ft (104 m) north of Detroit Road (State Route 254), at 955 Clague Road, and is within the city of Westlake, Cuyahoga County, Ohio (Figure 1). The proposed project will include the construction of a 300-ft (91-m) lattice-style communications tower, a 4,900-sq ft (455-sq m) equipment compound near the tower's base, a 288-sq ft (27-sq m) equipment shelter within the fenced equipment compound, and a 12-ft (3.7-m) wide gravel access road measuring approximately 340-ft (104-m) in length to connect the proposed communications site to Detroit Road (Figure 2). Subsequently, eight antennas will be attached to the new tower. The area of potential effects (APE) for direct effects is comprised entirely within the proposed equipment compound and gravel access road. Because the land within the APE for direct effects exhibited no obvious signs of disturbance, subsurface testing was required to determine if the area was disturbed or if archaeological resources were present. The APE for visual effects of the project area for cultural resources is a 0.75-mile (3,960-ft/1,207-m) radius that extends in all directions from the footprint of the proposed tower location. The APE for visual effects is located in a generally suburban, residential area with a few commercial, educational, and religious properties scattered throughout.

HISTORIC SETTING

Cuyahoga County is part of the Connecticut Western Reserve. In 1786, the State of Connecticut retained claim to the Western Reserve when it ceded its claim to the rest of Ohio to the U.S. government. The Connecticut Western Reserve was the first, along with the Seven Ranges in southeastern Ohio, of the 17 initial partitions of Ohio. The Firelands were created out of the western portion of the Reserve in 1792 for victims of Tory raids during the Revolution. Connecticut sold most of the Reserve to the Connecticut Land Company in 1795 for \$1.2 million. Later that year, Moses Cleaveland, an agent of the Company, began the survey of the region and established Cleveland on the banks of the Cuyahoga River. The company subdivided the land into 5-mi-sq (8.04-km-sq) townships.

Starting in 1798, the company divided the land into shares and held a drawing among its members to distribute the land. The new owners further subdivided the townships into tracts and lots. The townships were divided, in most cases, into 80 lots (Burke 1997).

Cuyahoga County was formed in 1807 from Geauga County, but not formally organized until 1811. In 1911, after Bay Village and North Olmsted became independent municipalities, the remaining portion of Dover Township was incorporated as Dover Village, becoming Westlake in 1940 (dRelocation.com 2006).

LITERATURE REVIEW

In April 2006, Kevin Gibbs of ASC Group, Inc., reviewed the following sources at the OHPO and the Ohio Historical Society (OHS):

- National Historic Landmark listings (NHL);
- National Register of Historic Places (NRHP) listings and nomination files;
- NRHP inactive nomination files;
- NRHP nomination draft files;
- NRHP nomination post-Ohio Historic Site Preservation Advisory Board files;
- NRHP questionnaire files;
- NRHP determination of eligibility (DOE) listings and files;
- United States Geological Survey (USGS) 7.5' and 15' topographic maps;
- *Archeological Atlas of Ohio* (Mills 1914);
- Ohio Archaeological Inventory (OAI) forms;
- Contract archaeology reports;
- Ohio Historic Inventory (OHI) forms;
- Ohio Historic Landscapes Survey forms;
- Ohio Historic Bridge Inventory and Ohio Department of Transportation (ODOT) Bridge Inventory forms;
- Contract architectural history reports; and
- *Ohio Cemeteries: 1803–2003* (Troutman 2003).

PREVIOUSLY DOCUMENTED CULTURAL RESOURCES AND INVESTIGATIONS

The literature review indicated that no previous cultural resources surveys or archaeological resources have been conducted in the APE for direct and visual effects. The literature review indicated that two history/architecture properties listed on the NRHP, the Bay View Hospital and Clague House, had been documented within the APE for visual effects (Figure 1; Table 1). Additionally, the Ohio Historic Inventory files indicated that 11 history/architecture properties had been documented within the APE for visual effects (Figure 1; Table 2). While none of these 11 resources were listed on the NRHP, the OHI files for two of these resources (CUY-1507-13 and CUY-1661-13) stated that they should be considered eligible for NRHP status.

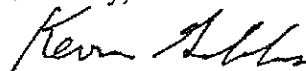
CULTURAL RESOURCES RECONNAISSANCE RESULTS

Kevin Gibbs conducted the cultural resources fieldwork for archaeology, with Amy Bennett undertaking the history/architecture fieldwork. These investigations were conducted on May 1, 2006. The ground surface of the APE for direct effects consisted of mown grasses and other weeds and exhibited no obvious signs of soils disturbance (Figure 2; Plates 1-5). The subsurface investigation consisted of the excavation of a six shovel test pits within the proposed access road, and five shovel test pits (one in each of the four corners and one in the center) within the proposed equipment compound. Each shovel test pit measured 20-by-20 in (50-by-50 cm) and was excavated to a depth sufficient to demonstrate that the soil was disturbed. The soils in each shovel test pit consisted of a mixture of various shades of brown, yellowish brown, grayish brown and gray clay, clay loam, and loam, mixed with gravel, indicating that the soil within the APE for direct effects (and throughout the landform) consisted of fill dirt. Robert Porter, who owns the house at 23319 Detroit Avenue (CUY-1661-13), across the street from the proposed communications tower location, confirmed this later. Mr. Porter stated that the landform on which the APE for direct effects is located consisted of 20 to 40 ft (6 to 12 m) of fill dirt that was excavated during construction at the adjacent filtration plant and deposited in the area (personal communication May 1, 2006). Because this area consists entirely of fill dirt, no further archaeological investigations are recommended for the APE for direct effects.

As stated above, there are two NRHP-listed resources located within the APE for visual effects: the Bay View Hospital, located to the north-northeast of the proposed communications tower at the edge of the APE for visual effects (Figure 1; Plate 6); and the Clague House, located generally southwest of the proposed communications tower location (Figure 1; Plate 7). It is unlikely that the proposed tower will have any effect on either resource, since intervening trees and buildings will make it impossible to even see the tower from either location (Plates 8 and 9). Of the two OHI resources that were recommended as being eligible for NRHP, one (CUY-1507-13) has been demolished. The other, CUY-1661-13, is located directly across the street from the proposed communications tower, making it likely that the proposed tower would have some effect on the resource (Figure 1; Plates 10 and 11). However, the effects would certainly be no more adverse than the presence of the filtration plant and existing utility poles and automobile traffic on Detroit Road. Therefore, it is unlikely that the proposed communication tower will have any adverse effect on any of the history/architecture resources within the APE for visual effects. Because there will be no adverse effect on any cultural resources within either APE, no further cultural investigations are recommended.

If you have any questions, please call.

Sincerely,



Kevin Gibbs
Archaeologist

REFERENCES

Burke, Thomas A.

1997 *Ohio Lands: A Short History*. Office of Auditor of State, Columbus.

dRelocation.com

2006 History of Fairview Park. Electronic document, www.drelocation.com/ohio/cuyahogaco/fairviewpark.htm.

Mills, William C.

1914 *Archeological Atlas of Ohio*. Ohio State Archaeological and Historical Society. Fred J. Heer, Columbus, Ohio.

Troutman, K. Roger

2003 *Ohio Cemeteries: 1803–2003*. Ohio Genealogical Society, Mansfield, Ohio.

kenna eric

Oil Filtration Plant

From: towernotifyinfo@fcc.gov
Sent: Saturday, March 25, 2006 12:45 PM
To: kenna eric
Subject: Proposed Tower Structure Info

Dear Eric N Kenna,

Thank you for submitting a notification regarding your proposed structure via the Tower Construction Notification Application. Note that the FCC has assigned a unique Notification ID number for this proposed structure. You will need to reference this Notification ID number when you update your project's Status with us. Below are the details you provided for the tower you have proposed to construct:

Notification Received: 03/25/2006

Notification ID: 13815
Entity Name: Motorola/Cuyahoga County
Individual or Contact Name: Eric N Kenna

Street Address: 499 Col. Eileen Collins Blvd

City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean sea level