

Draft Environmental Assessment

Public Safety Communications Tower

Hayes County Office of Emergency Management
Hayes County, Nebraska

Homeland Security Grant Program

April 2008



FEMA

U.S. Department of Homeland Security
500 C Street SW
Washington, DC 20472

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SECTION ONE: BACKGROUND	1
1.1 INTRODUCTION	1
1.2 PURPOSE AND NEED	1
SECTION TWO: ALTERNATIVES ANALYSIS	1
2.1 NO ACTION ALTERNATIVE	1
2.2 ALTERNATIVE 1: CONSTRUCTION OF TELECOMMUNICATION FACILITY AT HAYES COUNTY SITE (PROPOSED ACTION)	2
2.3 ALTERNATIVE 2: PURCHASE EXISTING TOWER AND RENT SPACE ON TWO OTHER TOWERS (CONSIDERED AND DISMISSED)	2
SECTION THREE: AFFECTED ENVIRONMENT AND IMPACTS	2
3.1 PHYSICAL ENVIRONMENT	2
3.1.1 Soils and Farmland	4
3.1.2 Water Resources and Water Quality	5
3.1.3 Floodplain Management (Executive Order 11988)	5
3.1.4 Air Quality	5
3.1.5 Visual Resources	6
3.2 BIOLOGICAL ENVIRONMENT	6
3.2.1 Terrestrial and Aquatic Environment	6
3.2.2 Wetlands (Executive Order 11990)	6
3.2.3 Threatened and Endangered Species	7
3.2.4 Migratory Birds	7
3.3 SOCIOECONOMICS	8
3.3.1 Zoning and Land Use	8
3.3.2 Noise	8
3.3.3 Public Health and Safety	8
3.3.4 Environmental Justice (Executive Order 12898)	9
3.4 CULTURAL RESOURCES	9
3.4.1 Historic Properties	9
3.4.2 Tribal Coordination and Indian Religious Sites	10
SECTION FOUR: CUMULATIVE IMPACTS	10
SECTION FIVE: PUBLIC PARTICIPATION	10

SECTION SIX: MITIGATION MEASURES AND PERMITS 11

SECTION SEVEN: CONSULTATIONS AND COORDINATION 11

SECTION EIGHT: CONCLUSION..... 12

SECTION NINE: LIST OF PREPARERS 12

SECTION TEN: LIST OF APPENDICES..... 13

LIST OF TABLES

1. AFFECTED ENVIRONMENT AND IMPACTS..... 3

SECTION ONE: BACKGROUND

1.1 INTRODUCTION

The Nebraska Emergency Management Agency (NEMA) was awarded funding under the Department of Homeland Security's (DHS) Homeland Security Grant Program - State Homeland Security Grant Program (SHSGP), which is now administered by the Federal Emergency Management Agency's Grant Programs Directorate. The Hayes County Office of Emergency Management (HCEM) received funding from NEMA under the 2006 SHSGP, and proposes to construct an interoperable communications tower using their grant award.

This Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (Title 40 of the Code of Federal Regulations [CFR] Parts 1500–1508), and DHS' NEPA procedures (Management Directive 5100.1 "Environmental Planning Program"). The EA process provides steps and procedures to evaluate the potential environmental, social, and economic impacts of a proposed action and alternatives, as well as an opportunity for stakeholders to provide input through a public comment period. These potential impacts are measured by their context and intensity, as defined in the CEQ regulations. The purpose of this EA is to analyze the potential impacts of the proposed project on the human and natural environment, and to determine whether to prepare an Environmental Impact Statement (EIS) or Finding of No Significant Impact (FONSI).

1.2 PURPOSE AND NEED

It is HCEM's objective to have complete radio coverage throughout Hayes County. A large portion of Hayes County currently experiences a loss of radio coverage. Consequently, there is a need to ensure that the public safety telecommunication infrastructure is capable of providing and maintaining radio coverage, especially during an emergency event. This EA evaluates the proposed action and alternatives to achieve radio coverage throughout Hayes County.

SECTION TWO: ALTERNATIVES ANALYSIS

The following alternatives were considered to address the need for radio coverage throughout Hayes County:

- No Action Alternative
- Alternative 1: Construction of telecommunications facility at Hayes County Site (proposed action)
- Alternative 2: Purchase existing tower and rent space on two other towers

2.1 NO ACTION ALTERNATIVE

Under the No Action alternative, HCEM's public safety radio communications system would not receive a radio coverage upgrade. The current coverage is very unreliable and uneven at a distance greater than five miles from Hayes Center. Consequently, the risk of lost coverage during an emergency event would continue to jeopardize command control, rescue, or event analysis operations.

2.2 ALTERNATIVE 1: CONSTRUCTION OF TELECOMMUNICATION FACILITY AT HAYES COUNTY SITE (PROPOSED ACTION)

The proposed project site is located in Hayes County, approximately one mile west of Hayes Center, Nebraska, and is owned by the county. The site is in SE ¼ 35S-T7N-R33W in Hayes County. An aerial photo of the site is provided in Appendix A.

The proposed project involves construction of a 300-foot tower with three guy wires, antennas, cabling, fencing, an equipment shelter, a backup generator, propane tank, and associated electronic equipment. The backup generator would be situated on a concrete pad outside of the equipment shed and would be fueled by a 500 gallon propane tank. The 80/90 Series ROHN Tower would be constructed in an equilateral triangular pattern with either steel pipe or solid steel legs and tubular or angle steel cross bracing with bolted construction. The triangular size is 41' on leg centers for the No. 80 Tower. Federal Aviation Administration (FAA) lighting would be used on the tower. A pre-fabricated 10-foot by 12-foot equipment shelter would be located at the site. The tower and equipment would be located within a chain link fence compound, located on a presently non irrigated cropland. The facility would be accessed by an unpaved driveway, and traffic to and from the site would be limited to maintenance activities. HCEM determined that the proposed facility would successfully address radio coverage issues in the county.

2.3 ALTERNATIVE 2: PURCHASE EXISTING TOWER AND RENT SPACE ON TWO OTHER TOWERS (CONSIDERED AND DISMISSED)

HCEM considered purchasing an existing 199-foot tower located six miles north of Hayes Center, renting space on an existing tower just across the Hayes – Chase County line in the southwest, and renting space on an existing tower four miles east of Hayes Center. After placing equipment on all three towers, there would still be spotty communications in the northwest, northeast, and southeast areas of Hayes County. An equipment shelter would need to be placed at the rural north location, where high speed internet connectivity is not available. Internet connectivity is needed for interoperability with agencies within the county and surrounding counties. Furthermore, the cost of renting space on two towers and maintenance of equipment at three sites exceeds the cost of the proposed action and would be a financial burden for the county. Therefore, this alternative was removed from further consideration.

SECTION THREE: AFFECTED ENVIRONMENT AND IMPACTS

3.1 PHYSICAL ENVIRONMENT

The following table summarizes the potential impacts of the Proposed Action Alternative, and identifies conditions or mitigation measures to minimize those impacts, where appropriate. Following the summary table, each environmental area is evaluated in greater detail.

Table 1. AFFECTED ENVIRONMENT AND IMPACTS

Affected Environment	Impacts	Mitigation
Soils and Farmland	Construction activities may cause some disturbance, but effects to soils would be minor and temporary. Loss of cropland is approximately 3 acres. The majority of the site will remain farmable.	Stormwater BMPs during construction.
Water Resources & Water Quality	No surface water, no effects to ground water.	
Floodplain Management	Action is not located in a floodplain.	
Air Quality	Construction equipment may temporarily affect air quality; however, no long-term impacts are anticipated.	Measures to limit emission of fugitive dust, including watering down construction areas.
Visual Resources	No adverse effects to visual resources.	
Terrestrial and Aquatic Environment	Action is not located in or near any park areas and will not affect wildlife management.	
Wetlands	Action is not located in or near wetlands.	
Threatened and Endangered Species	No adverse effects to threatened and endangered species or critical habitats anticipated.	
Migratory Birds	Potential adverse impacts.	Use of white / red strobe lights and visual markers on guy wires; on-ground security lighting will be down shielded; USFWS and NGPC will be allowed access to the site to conduct aviation mortality studies.
Zoning and Land Use	No adverse effects anticipated.	
Noise	Construction activities may temporarily increase noise levels; however, no long-term effects are anticipated.	
Public Health and Safety	No adverse effects anticipated. Proposed action is expected to be beneficial in assisting communication efforts in the event of an emergency.	

Affected Environment	Impacts	Mitigation
Environmental Justice	No adverse effects anticipated. Proposed action is expected to benefit all populations in Hayes County in the event of an emergency.	
Historic Properties	No adverse effects anticipated.	If historic or archaeological materials are discovered during construction, all ground disturbing activities shall cease and FEMA/NSHS will be notified.
Indian Coordination and Religious Sites	No adverse effects anticipated.	If human remains or artifacts are discovered during construction, all ground disturbing activities shall cease and the coroner/FEMA/NSHS will be notified.

3.1.1 Soils and Farmland

The project site is located at an elevation of 3067' NGVD in an area of rolling hills. According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Soil Report for Hayes County, Nebraska, prepared in November 2006, there are two predominant soil types present at the proposed tower site. The soil types present at the site are Kuma silt loam, 1 to 3 percent slope, and Keith silt loam, 0 to 1 percent slope. A copy of the soil report is provided in Appendix C.

The Farmland Protection Policy Act (FPPA) requires federal agencies to minimize the extent to which their activities contribute to the unnecessary conversion of farmland to nonagricultural uses. Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber and oilseed crops (USDA, 1989). Prime farmland is either used for food or fiber crops or is available for those crops; it is not urban, built-up land, or water areas. The proposed project site has been farmed on a three-year rotation basis, (non irrigated wheat and milo, with the third year treated with herbicides for weed control), and is considered prime farmland.

Form AD-1006, "Farmland Conversion Impact Rating," was submitted to and evaluated by the NRCS Nebraska Office. The proposed tower site scored a total of 170 points. According to FPPA regulations at 7 CFR Part 658.4, sites receiving a total score of more than 160 points should "be given increasingly higher levels of consideration for protection." However, Hayes County evaluated alternative sites and the proposed site was deemed to have the best radio coverage for the County's public safety radio communications system. Furthermore, except for the tower base and the guy paths (an area of approximately three acres), the site will remain farmable with a minimal loss of cropland. A copy of Form AD-1006 is provided in Appendix D.

No Action Alternative - Under the No Action alternative, no impacts to soils or farmland would occur.

Proposed Action Alternative - Under the Proposed Action, construction activities could cause short-term impacts to soils. Appropriate Best Management Practices (BMPs) would be used during the construction phase. The telecommunications facility would convert approximately three acres of prime farmland to non-agricultural use; except for the tower base and the guy paths, the site will remain farmable with a minimal loss of cropland.

3.1.2 Water Resources and Water Quality

The project site lies above the Ogallala Aquifer, according to the USGS map of the topography of Hayes County (USGS Cataloging Unit: N4030-W10100/7.5). The nearest monitored water body is Frenchman Creek, which flows southwest approximately 15 miles south of the proposed project site. There are two USGS wells within a 1-mile radius of the site. The Middle Republican Natural Resource District and U.S. Army Corps of Engineers indicated that the proposed project will not impact any water resources (see Appendices E and F).

No Action Alternative - Under the No Action alternative, no impacts to surface or ground water resources would occur.

Proposed Action Alternative - Under the Proposed Action, potential impacts to surface or ground water resources are negligible, due to the type of activity and the small size of the project area. A National Pollution Discharge Elimination System (NPDES) permit is not required for this project.

3.1.3 Floodplain Management (Executive Order 11988)

Executive Order 11988 (Floodplain Management) requires Federal agencies to avoid, to the extent possible, actions within or affecting the floodplain. FEMA Flood Insurance Rate Maps (FIRMs) are used to identify the 100-year and 500-year regulatory floodplain for the National Flood Insurance Program. As indicated on the FIRM for Hayes County, Nebraska, the proposed tower site is located in Zone X, which is outside the 100-year floodplain (Appendix G).

No Action Alternative - Under the No Action alternative, no impacts to floodplains would occur.

Proposed Action Alternative - Under the Proposed Action, no impact to the floodplain is anticipated, because the site is not located in a floodplain.

3.1.4 Air Quality

The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. The Act established two types of national air quality standards: primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly; secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings. The current criteria pollutants are: Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), Ozone (O₃), Lead (Pb), Particulate Matter (PM₁₀), and Sulfur Dioxide (SO₂). As of March 12, 2008, the entire

State of Nebraska is considered an attainment area for all primary and secondary standards.

No Action Alternative – Under the No Action alternative, there would be no impacts to air quality because no construction would occur.

Proposed Action Alternative - Under the Proposed Action, there could be short-term local and minor impacts to air quality during the construction phase due to heavy equipment use. Measures would be taken to limit emission of fugitive dust, including watering down construction areas. No long-term impacts to air quality are anticipated.

3.1.5 Visual Resources

The tower will be located a mile from Hayes Center on a parcel of land owned by Hayes County. The existing visual character of the project area is rural farmland that has been cultivated for at least the past 25 years.

No Action Alternative – Under the No Action alternative, there would be no impacts to visual resources because no construction would occur.

Proposed Action Alternative - Under the Proposed Action, the views in the immediate vicinity of the tower will be altered or obstructed by the tower itself and the lighting. The nearest home is a half mile away from the site. Security lighting will be down shielded to limit light glare from a distance.

3.2 BIOLOGICAL ENVIRONMENT

3.2.1 Terrestrial and Aquatic Environment

The proposed project site is currently non irrigated cropland. Because the property and immediately adjacent areas are farmland and a State highway is nearby, the area is considered to have limited value for wildlife species.

A formal request was submitted to the Nebraska Game and Parks Commission (NGPC) to determine if the proposed project will impact any state Wilderness Areas or Wildlife Preserves. In a response letter dated May 21, 2007 (Appendix H), NGPC indicated that the project will not impact any park areas or wildlife management as there are none located in the area.

No Action Alternative - Under the No Action alternative, no impacts to terrestrial or aquatic environments would occur.

Proposed Action Alternative - Under the Proposed Action, no impacts to terrestrial or aquatic environments are anticipated.

3.2.2 Wetlands (Executive Order 11990)

Executive Order 11990 (Protection of Wetlands) requires Federal agencies to avoid, to the extent possible, adverse impact to wetlands. The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or filled material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act (CWA). A formal request was sent to the USACE Omaha District to determine if the proposed project would impact any known wetlands. In a response letter dated October 29, 2007 (Appendix F), USACE indicated that there would be no apparent impacts to waters of the United States, including jurisdictional wetlands, and that a Department of the Army permit pursuant to Section 404 would not be required for the proposed tower project.

No Action Alternative - Under the No Action alternative, no impacts to wetlands would occur.

Proposed Action Alternative - Under the Proposed Action, no impacts to wetlands are anticipated, because the proposed project site is not located in or near a wetland.

3.2.3 Threatened and Endangered Species

Federally-listed threatened and endangered plant and animal species (TES) and their critical habitat are protected by the Endangered Species Act (ESA). The law requires federal agencies to ensure that their actions are not likely to jeopardize the continued existence of any TES or result in the destruction or adverse modification of designated critical habitats. A review of the US Fish and Wildlife Service (USFWS) Endangered Species website (http://www.fws.gov/mountain%2Dprairie/endspp/name_county_search.htm) indicated that two listed species may be present in Hayes County: the black footed ferret and whooping crane. Formal requests were submitted to NGPC and USFWS to determine if the proposed project will impact any State or Federally-listed threatened or endangered species. In a response letter dated May 21, 2007 (Appendix H), NGPC indicated that the project is not likely to adversely affect state-listed threatened or endangered species. In a response e-mail letter dated December 10, 2007 (Appendix I), USFWS indicated that the proposed project will not adversely affect federally listed threatened and endangered species, or their designated critical habitat.

No Action Alternative - Under the No Action alternative, no impacts to threatened or endangered species would occur.

Proposed Action Alternative - Under the Proposed Action, no impacts to threatened or endangered species are anticipated.

3.2.4 Migratory Birds

Under the Migratory Bird Treaty Act, taking, killing, or possessing migratory birds is unlawful. Migratory birds are a Federal trust resource that the USFWS is authorized to protect, and the Service has put forth "Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers" addressing potential adverse impacts of towers on migratory birds. The USFWS and NGPC were contacted regarding the proposed telecommunications facility. In a response e-mail letter dated December 10, 2007 (Appendix I), USFWS determined that, based on the proposed tower height and design, the project does not meet the Services' guidelines and may adversely impact migratory birds. USFWS and NGPC (Appendix H) advised that white (preferable) or red strobe lights of the minimum number and intensity and fewest flashes per minute should be utilized at night, because they are less likely to attract night-migrating birds; the use of solid or pulsating (beacon) red lights at night should be avoided. USFWS and NGPC also advised that any security lighting for on-ground facilities and equipment should be down shielded to keep light within the boundaries of the site. USFWS advised that daytime visual markers should be used on the guy wires.

No Action Alternative - Under the No Action alternative, no impacts to migratory birds would occur.

Proposed Action Alternative - Under the Proposed Action, there would be potential adverse impacts to migratory birds. However, there are no sensitive bird habitats present in the project area and the tower would not be located in a major North

American flyway. The guy wires would have some type of daytime visual markers and the tower would use white strobe lights during the daytime hours and red strobe lights at night, as recommended by NGPC and USFWS and in accordance with FAA regulations. All on-ground security lighting would be down shielded to keep light within the boundaries of the site. Due to the potential for avian strikes associated with the proposed tower, site access would be granted to USFWS and NGPC for conducting avian mortality surveys. If the tower is later abandoned, the County would remove the tower and restore the site.

3.3 SOCIOECONOMICS

Socioeconomics describes a community by examining its social and economic characteristics. The project area is located in Hayes County, Nebraska. According to the 2000 U.S. Census (www.census.gov), the total population of the county was 1,068, with a population density of 1.5 residents per square mile. The project area is located within non irrigated croplands with no permanent residents.

3.3.1 Zoning and Land Use

Due to the public safety nature of the project, it is considered an “essential service” and a zoning permit was issued on July 2, 2007 (Appendix J).

3.3.2 Noise

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by Federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses such as residences, schools, or hospitals. Because the proposed project area is remote and rural, there are no close noise-sensitive land uses in or near the project area. Noise sources in the project area are typical of agricultural areas, primarily farm vehicle traffic.

No Action Alternative - Under the No Action alternative, no impacts to noise would occur.

Proposed Action Alternative - Under the Proposed Action, temporary short-term increases in noise levels are anticipated due to construction activities and the use of heavy equipment. The proposed project does not readily create noise, except for exterior HVAC equipment cooling units for the shelter and occasional backup power generator activation, which is located over half a mile from any residence or public areas. There are no noise sensitive land uses within the area of potential effect.

3.3.3 Public Health and Safety

The Southwest Nebraska Public Health Department was contacted regarding the proposed project. In a letter dated April 20, 2007, the Health Department indicated that they perceive no health risks and have no knowledge of any significant impacts that the proposed telecommunications facility would have on public health. The letter also states the new tower would be beneficial in assisting with communication efforts in the event of a public health emergency in Hayes County (Appendix K).

No Action Alternative – Under the No Action alternative, no impacts to public health

and safety would occur.

Proposed Action Alternative – Under the Proposed Action, no impacts to public health and safety are anticipated. The tower and equipment will be enclosed in a fenced compound, to restrict access to the site.

3.3.4 Environmental Justice (Executive Order 12898)

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations.

No Action Alternative – Under the No Action Alternative, there would be no disproportionately high and adverse effects on minority or low-income populations. All populations could potentially be adversely affected by a loss of radio coverage during an emergency.

Proposed Action – Under the Proposed Action, no disproportionately high and adverse impacts on minority or low-income populations are anticipated. The radio coverage upgrade would benefit all populations by improving communication related to public safety.

3.4 CULTURAL RESOURCES

Consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA). Requirements include identifying significant historic properties and districts that may be affected by a federal undertaking and mitigating adverse effects to those resources. Section 106 of NHPA requires Federal agencies to go through a review process to consider the effects of proposed actions on historic properties, which may include consultation with the appropriate State Historic Preservation Office (SHPO). Historic properties are defined as archaeological sites, standing structures, or other historic resources listed in or eligible for listing in the National Register of Historic Places (NRHP). As defined in 36 CFR Part 800.16(d), the Area of Potential Effect (APE) for historic properties, “is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist.”

3.4.1 Historic Properties

The proposed project site is cropland where activities include tilling. Because of the disturbed nature of the project site, no archeological fieldwork was required. No NRHP-listed or eligible properties have been identified in the APE. In a letter dated May 1, 2007, the Nebraska State Historical Society (NSHS) indicated that construction of the proposed telecommunications facility will have no effect on historic properties (Appendix L).

No Action Alternative - Under the No Action alternative, no impacts to historic properties would occur.

Proposed Action Alternative - Under the Proposed Action, no impacts to historic properties are anticipated. If historic or archaeological materials are discovered during construction, all ground disturbing activities shall cease and FEMA/NSHS will be notified immediately.

3.4.2 Tribal Coordination and Indian Religious Sites

Section 106 of the NHPA requires consultation with Federally-recognized Indian tribes who may have potential cultural interests in the project area, and acknowledges that tribes may have interests in geographic locations other than their seat of government. HCEM contacted the Nebraska Commission on Indian Affairs office to seek guidance about any Native American Indian tribes that may have interest in tower projects in Nebraska. Subsequently, HCEM contacted the following tribes via fax in early November 2007: Omaha Tribal Council, Ponca Tribe of Nebraska, Santee Sioux Tribal Council, and Winnebago Tribal Council (Appendix M). The Ponca Tribe of Nebraska and the Santee Sioux Tribal Council responded with no concerns about the proposed project (Appendix N). However, both tribes noted that work must cease and the appropriate authorities be contacted should human remains or artifacts be discovered during construction. No response was received from the Omaha Tribal Council or the Winnebago Tribal Council

In addition, HCEM used the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS), a voluntary e-mail system, to facilitate communication between HCEM and Federally-recognized Native American Indian tribes in the region that have indicated an interest in tower construction projects.

No Action Alternative - Under the No Action Alternative, no impacts to Native American religious or sacred areas would occur.

Proposed Action Alternative - Under the Proposed Action, no impacts to Tribal religious or sacred sites are anticipated. In the event that any human remains or archeological resources are discovered during construction, all ground-disturbing work shall cease, the site shall be protected, and FEMA and NSHS shall be notified immediately.

SECTION FOUR: CUMULATIVE IMPACTS

Cumulative impacts are those effects on the environment that result from the incremental effect of an action when added to past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

There are no known on-going or planned projects in the vicinity of the proposed project site. Therefore, no cumulative impacts are anticipated.

SECTION FIVE: PUBLIC PARTICIPATION

HCEM has encouraged the involvement of and communicated openly on several occasions with Hayes County residents and community officials who may be affected by the proposed tower project. The following summarizes the county's efforts to facilitate public and agency participation related to the proposed action to construct a new communications tower.

A Public Hearing regarding the proposed project was advertised in the November 8, 2007 edition of the *Times Republican*, Hayes County's legal newspaper. The hearing was held on November 13, 2007 and attended by the commissioners, county clerk, county treasurer, and emergency manager. The Hayes County Board of Commissioners, Hayes County Emergency Manager, and the Hayes County Sheriff

Office have had discussions at the regular commissioners meetings concerning the proposed telecommunications facility. These were all advertised meetings, and the agendas were available to the public at the clerk's office. Meetings have also been held between the Nebraska Department of Communications, the board of commissioners, Hayes County Emergency Management, Hayes County Sheriff, and the Hitchcock County Sheriff (dispatcher for Hayes County) in which the participants decided to build one 300-foot tower to provide coverage for Hayes County; in addition, Hitchcock County would possibly place their equipment on the Hayes County tower to provide service in Palisade, Hitchcock County, Nebraska. Community officials voted unanimously in favor of allowing the telecommunication facility to be constructed, and no residents have voiced any objection to the proposed project. Copies of the meeting notices are included in Appendix O.

Hayes County notified the public of an early draft of the Environmental Assessment (EA) in November 2007 through publication of a notice in the *Times Republican*. The draft EA was available locally at the Hayes County Clerk's office for 30 days; no one from the community visited the Clerk's office to view the draft EA or offered any comments. Additional analysis and information has been added to the draft EA since November 2007, so Hayes County will notify the public again of the availability of the draft EA through publication of a public notice in the *Times Republican*. The draft EA will be available locally at the Hayes County Clerk's office, 502 Troth Ave, Hayes Center, Nebraska, 69032 from 8 am to 4 pm Central Time, and on the FEMA website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region7.shtm>.

SECTION SIX: MITIGATION MEASURES AND PERMITS

In accordance with applicable local, state, and federal requirements, HCEM is responsible for obtaining any necessary permits or approvals prior to commencing construction at the proposed project site or operating the tower, including any that are required by the FCC and FAA.

The project has received a zoning permit (Appendix J). The FAA issued a "No Hazard to Air Navigation" for the proposed tower on June 8, 2007 (Appendix P) and the FCC issued an Antenna Structure Registration on August 21, 2007 (Appendix Q). HCEM indicated that they will obtain an FCC license once the project has been approved by DHS/FEMA.

SECTION SEVEN: CONSULTATIONS AND COORDINATION

The following agencies and organizations were contacted and asked to comment on the proposed project. See Section Ten for a list of the Appendices where the correspondence is located.

- Southwest Nebraska Public Health Department
- Nebraska State Historical Society
- U.S. Fish and Wildlife Service
- Nebraska Game and Parks Commission
- U.S. Army Corps of Engineers
- Middle Republican Resources District
- Federal Aviation Administration
- Hayes County Farm Service Agency
- Natural Resource Conservation Service at Hayes Center, Nebraska

SECTION EIGHT: CONCLUSION

No impacts to floodplains, wetlands, threatened and endangered species, socioeconomic resources, environmental justice, historic properties, or Indian religious sites are anticipated under the Proposed Action. During the construction period, there are potential short-term and minor impacts to soils, surface water, air quality, and noise. All short-term impacts require appropriate Best Management Practices to minimize and mitigate impacts to the project site and surrounding areas. The proposed 300-foot guyed tower could have potential adverse impacts on migratory birds. However, the tower would not be located in a major North American flyway and, to mitigate potential bird collisions, the tower's guy wires would have daytime visual markers and the tower would not use solid or pulsating red lights at night. The telecommunications facility would convert approximately three acres of prime farmland to non-agricultural use. With the exception of the tower base and the guy paths, the site will remain farmable with a minimal loss of cropland.

SECTION NINE: LIST OF PREPARERS

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SECTION TEN: APPENDICES

- A. USDA Farm Service Agency Map/Aerial Photo
- B. Nebraska Department of Communications Coverage Map and Cost Estimate
- C. USDA Natural Resources Conservation Service Soil Report
- D. USDA Farmland Conversion Impact Rating Form
- E. Middle Republican Natural Resource District Consultation Letter
- F. U.S. Army Corps of Engineers Consultation Letter
- G. FEMA Flood Insurance Rate Map (FIRM)
- H. Nebraska Game and Parks Commission Consultation Letter
- I. U.S. Fish and Wildlife Service Consultation Letter
- J. Hayes Center Village Zoning Permit
- K. Southwest Nebraska Public Health Department Consultation Letter
- L. Nebraska State Historical Society Consultation Letter
- M. Letters to Native American Tribes of Nebraska
- N. FCC Tribal Notification System E-mail Responses
- O. Newspaper Notices for Public Meetings
- P. Federal Aviation Administration Determination of Hazard to Air Navigation
- Q. Federal Communications Commission Antenna Structure Registration

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