



## **FCC NEPA LAND USE SCREENING CHECKLIST**

**Eco-Site Site No. VA-0003  
0 Plank Road  
Fredericksburg, Virginia 22407**

Prepared for:

Network Building and Consulting, LLC  
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Elkridge, Maryland 21075

And

Eco-Site, Inc.  
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Prepared by:

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AEC Project No. NBC-Eco-002  
August 24, 2016



August 24, 2016  
Mr. David Hoogasian  
Project Manager  
Network Building and Consulting, LLC.  
6095 Marshalee Drive, Suite 300  
Elkridge, Maryland 21075

**Subject:     Eco-Site Site No. VA-0003**  
**0 Plank Road**  
**Fredericksburg, Virginia 22407**  
**AEC Project No. NBC-Eco-002**

Dear Mr. Hoogasian:

Advantage Environmental Consultants, LLC (AEC) completed the Federal Communications Commission (FCC) National Environmental Policy Act (NEPA) Land Use Screening Checklist of the above-referenced property (i.e., "the Site"). Network Building and Consulting, LLC and Eco-Site, Inc. propose the installation of telecommunications equipment at the Site. The purpose of this report was to evaluate the effect of the proposed telecommunications installation on any of eight categories listed within the FCC Special Interest Items found within CFR Title 47, Part 1, Subpart 1, Sections 1.1301 to 1.1319. The NEPA Summary Report is included as Section 2.

The Site, identified as "Site No. VA-0003," is located at 0 Plank Road in Fredericksburg, Spotsylvania County, Virginia. The legal descriptions of the larger Site parcels is listed as Central Crescent Subdiv Parcel 2 61025 0 The north adjoining parcel is identified as Parcel 3 in the same subdivision. The Site (i.e., area of proposed impact by Eco-Site) is owned by Central Crescent Investments LLC and is located approximately 600 feet south of the intersection of Plank Road and Heatherstone Drive. The Site consists of a portion of the Centre Pointe Health Specialties parking lot and grass-covered land. A Site Vicinity Map is included within Appendix A.

Eco-Site proposes to construct a 150-foot tall monopole in a 40-foot by 63-foot leasing area. Subsurface trenching for the installation of underground power and telco is proposed from the proposed compound to a transformer approximately 150 feet north of the Site (option 1); or north along the parking lot drive approximately 500 feet to utility connections along Plank Road (option 2). A client-provided site plan is included in Appendix A.

## ***Conclusions/Recommendations***

Based on the results of this assessment, the preparation and submittal of an Environmental Assessment is not warranted and no further action is recommended.

However, the following recommendation was provided by the Virginia Department of Conservation and Recreation (DCR): Due to the presence of a Stream Conservation Unit (SCU) downstream from the project site with two associated natural heritage resources (Aquatic Natural Communities NP-Lower Rappahannock Second Order Stream and NC-Lower Rappahannock Second Order Stream), the DCR recommends "the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations, establishment/enhancement of riparian buffers with native plant species and maintaining natural stream flow."

This report is intended exclusively for the use and benefit of Network Building and Consulting, LLC and Eco-Site, Inc. This report is not for the use or benefit of, nor may it be relied upon by, any other person or entity for any purpose without the advance written consent of AEC. AEC makes no representation to any third party except that it has used the degree of care and skill ordinarily exercised by a reasonable, prudent environmental professional in the same community and in the same time frame given the same or similar facts and circumstances. No other warranties are made to any third party, either expressed or implied.

We appreciate the opportunity to be of service to Network Building and Consulting, LLC and Eco-Site, Inc. Qualifications for the environmental professionals involved with this assessment are presented in Appendix G. If you should have any questions regarding this report, please contact Mr. Andrew Fleming at (301) 776-0500.

Sincerely,

**ADVANTAGE ENVIRONMENTAL CONSULTANTS, LLC**



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Delaine Loedding  
Staff Scientist



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Andrew L. Fleming  
Senior Project Manager

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## **1.0 Introduction**

### **1.1 Purpose**

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The purpose of this report is to provide Network Building and Consulting LLC and Eco-Site, Inc. (i.e., "the Client") with information and documentation regarding the Site and its effect on any of eight categories listed within the Federal Communications Commission (FCC) Special Interest Items found within CFR Title 47, Part 1, Subpart 1, Sections 1.1301 to 1.1319. If one of the items within these categories is found to have an effect, a preparation and submittal of an Environmental Assessment (EA) may be warranted.

### **1.2 Scope of Services**

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The National Environmental Policy Act (NEPA) of 1969 is the recognized national charter for environmental protection. It requires all Federal agencies to implement procedures to make environmental consideration a necessary part of an agency's decision-making process. The FCC requires Commission licensees and applicants to review their proposed actions for environmental consequences.

Advantage Environmental Consultants, LLC. (AEC) will assist in determining if provide Network Building and Consulting LLC and Eco-Site, Inc.'s proposed wireless telecommunication installation will potentially impact any of the following categories (see CFR Title 47, Part 1, Subpart 1, Section 1.1307(a)):

- Wilderness Areas/Wildlife Preserves/National Scenic Trails
- Threatened/Endangered Species/Critical Habitats
- Historic Properties
- Native American Religious Sites
- Flood Plains
- Wetlands and Surface Features
- High-Intensity White Lights
- Radio Frequency Radiation (RF)

Based on AEC's site reconnaissance, agency and documentation review, assessment of Client-provided information, and review of information obtained from Client interviews, AEC will complete a FCC NEPA Land Use Checklist Screening report with AEC's findings and recommendations.

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### **1.3 Limitations and Exceptions**

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AEC prepared this checklist report in accordance with the FCC's Special Interest Items as outlined in 47 CFR Subpart 1, Chapter 1, Section 1.1307. No other warranties, either express or implied, are made by AEC.

Documentation and data provided by the Client, designated representatives of the Client, or other interested third parties, or from the public domain, and referred to in the preparation of this assessment, are assumed to be complete and correct and have been used and referenced with the understanding that AEC assumes no responsibility or liability for their accuracy. AEC's conclusions are based upon such information and documentation as well as AEC's observations of Site conditions, as they existed on the date of the Site inspection. Because Site conditions may change significantly over a short period of time and additional data may become available, data reported and conclusions drawn in this report are limited to current conditions and may not be relied upon on a significantly later date.

AEC has performed this assessment and prepared this checklist report at the level customary for other prudent and competent professionals performing these related services at the same time and place. Reasonable efforts have been made during this assessment to obtain information regarding the potential for environmental impacts to the Site (as they relate to the FCC's Special Interest Items within CFR 1.1307). "Reasonable efforts" are limited to information gained from visual observation of unobstructed areas, recorded database information held in public record, and available information gathered from interviews/and or research documentation from appropriate public agencies. Such methods may not identify items that may have been hidden from view due to snow cover, paving, construction or debris pile storage, or incorrect information from sources.

Nothing in this report constitutes a legal opinion or legal advice. This report can reduce but not wholly eliminate uncertainty regarding the potential for environmental impacts (as they relate to the FCC NEPA Checklist Items) at the Site. For information regarding specific individual or organizational liability, AEC recommends consultation with independent legal counsel.

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## **2.0 NEPA Summary Report**

A Site reconnaissance was conducted on March 31, 2016 by Mr. Andrew Fleming, Senior Project Manager at AEC. The proposed installation includes the construction of a 105-foot tall monopole in a 40-foot by 63-foot leasing area. Subsurface trenching for the installation of underground power and telco is proposed from the proposed compound to a transformer approximately 150 feet north of the Site (option 1); or north along the parking lot drive approximately 500 feet to utility connections along Plank Road (option 2). The weather conditions at the time of the Site inspection were cloudy, with temperatures in the 65 degree Fahrenheit range. Visibility was unimpaired.

### **2.1 Wilderness Areas/Wildlife Preserves/National Scenic Trails**

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AEC conducted a site reconnaissance and reviewed wilderness information on the National Wilderness Preservation System website as provided online (<http://www.wilderness.net/nwps>). Based upon a review of this information, the Site is not located in the vicinity of any designated wilderness areas.

AEC reviewed information from the following sources: the United States Fish & Wildlife Service (USFWS) website as provided online (<http://refuges.fws.gov>); and the Salem Church, Virginia USGS 7.5-minute topographic quadrangle for information regarding officially-designated Wildlife Preserves in the vicinity of the Site. Based on a review of these sources, the Site is not located within an officially-designated Wildlife Preserve.

AEC also reviewed the proximity of the tower to the Appalachian Trail using Google Earth™. The tower location is greater than 25 miles from the Appalachian Trail. According to past correspondence with a representative of the Appalachian Trail Conference, towers to be constructed greater than four miles from the Appalachian Trail and out of sight of the Appalachian Trail are not considered to have the potential to adversely impact the trail.

### **2.2 Threatened/Endangered Species/Critical Habitats**

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AEC conducted a site reconnaissance to determine if there was potential to impact any federally-listed (or proposed) threatened or endangered species, and/or federally designated critical habitats. In addition, AEC reviewed the United States Department of the Interior USFWS Chesapeake Bay Field Office Information for Planning and Conservation (IPaC) website to prepare a preliminary species list for the proposed installation. On May 20, 2016, the USFWS Virginia Field Office provided the IPaC Trust Resource Report, which identified the federally threatened Northern long-eared bat (*Myotis septentrionalis*) as potentially present in the vicinity of the Site; however, no suitable habitat was identified in the project area. AEC submitted project information to the USFWS Virginia Field Office on July 11, 2016 to determine the proposed project's potential effects on the federally threatened Northern long-eared bat. The USFWS

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reviewed the project information in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), and sent AEC Online Project Review Certification Letters on August 11, 2016 certifying the determination that the proposed project will have no effect on the Northern long-eared bat because no suitable habitat matching the description of the Northern long-eared bat habitat was observed on-Site. In addition, no other federal proposed or listed endangered or threatened species are known to exist within the project impact area, nor were critical habitats identified within the project impact area.

AEC also submitted information requests on behalf of the Client (as a “designated non-Federal entity”) to the Commonwealth of Virginia Department of Conservation and Recreation (DCR) (pursuant to Section 7 of the Endangered Species Act) on June 16, 2016.

AEC received response letters from Ms. Alli Baird, Coastal Zone Locality Liaison for the DCR, dated July, 11 2016. Ms. Baird indicated “the current activity will not affect any documented state-listed plant or insects,” and that “there are no State Natural Area Preserves under DCR’s jurisdiction in the project vicinity.” Due to the presence of a Stream Conservation Unit (SCU) downstream from the project site with two associated natural heritage resources (Aquatic Natural Communities NP-Lower Rappahannock Second Order Stream and NC-Lower Rappahannock Second Order Stream), DCR recommends “the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations, establishment/enhancement of riparian buffers with native plant species and maintaining natural stream flow.” The DCR also recommended the voluntary implementation of USFWS interim guidelines for Communication Tower Siting, Construction, Operation, and Decommissioning (CTSCOD).

AEC conducted a search of the Virginia Department of Game and Inland Fisheries (VDGIF) Fish and Wildlife Information Service (VaFWIS) geographic search website to generate a VaFWIS Search Report of wildlife resources located within the selected geographic area of the Site. The VaFWIS Search Report identified the Atlantic sturgeon (*Acipenser oxyrinchus*), the Dwarf wedgemussel (*Alasmodonta heterodon*), the Bald Eagle (*Haliaeetus leucocephalus*) and the Northern long-eared bat (*Myotis septentrionalis*) as species known or likely to occur within a three-mile radius of the Site.

Based on AEC’s observations during the site visit, the USFWS response letter, and the DCR response letter, no further investigation regarding federally threatened or endangered species or critical habitats is warranted. Copies of the IPaC Trust Resource Report, USFWS Chesapeake Bay Field Office correspondence, DCR correspondence, and the USFWS interim guidelines for CTSCOD are included in Appendix C.

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## 2.3 Historical Review

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On June 15, 2016, AEC submitted a Report of Findings to the Virginia Department of Historic Resources (VA SHPO), on behalf of Eco-Site, Inc. with a finding of *No Adverse Effect on Historic Properties in Area of Potential Effects (APE)* via the FCC's E-106 online system. AEC received an email response dated July 8, 2016 indicating that the VA SHPO concurred with the *No Adverse Effect on Historic Properties in APE* finding. Copies of the Section 106 documentation are included within Appendix D.

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## 2.4 Native American Religious Sites

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On May 10, 2015, AEC uploaded the Site information into the FCC's Tower Construction Notification System (TCNS), to notify Native American Indian Tribes and Tribal Historic Preservation Officers (THPOs) of the proposed installation. Based on response e-mails generated by TCNS, six tribes had indicated geographical interest in the Site area and were thereby notified of the proposed construction (Delaware Nation, Tuscarora Nation, Cherokee Nation, Eastern Shawnee Tribe of Oklahoma, Shawnee Tribe, and Catawba Indian Nation).

AEC sent project information to the Delaware Nation on June 14, 2016. A response was received on July 27, 2016 from Mr. Jason Ross, Section 106 Program Manager with the Delaware Nation, indicating that "the Delaware Nation has reviewed the information provided and has determined that the projects listed are to be passed and to please continue with the work as planned. However, should this project inadvertently uncover and archaeological site or object(s), we request that you halt all construction and ground disturbance activities and immediately contact the appropriate state agencies, as well as our office (within 24 hours)."

The Tuscarora Nation has stated that if no comment is received within 30 days of the initial notification, they have no objections to the proposed construction. As of this date, no comments have been received from this tribe, and AEC does not anticipate receiving any.

AEC sent project information to the Cherokee Nation on June 14, 2016. A response was received from Ms. Sheila Bird, THPO of the Cherokee Nation, on July 6, 2016 indicating that no known historic properties will be negatively impacted by construction of this tower site.

AEC forwarded Site information to the Eastern Shawnee Tribe of Oklahoma on June 14, 2016. A response from the Eastern Shawnee Tribe was received on July 8, 2016 from Ms. Robin Dushane, Tribal Historic Preservation Officer for the Eastern Shawnee Tribe, indicating that no historic properties of sacred and/or cultural significance to the Tribe will be impacted by this proposed project.

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AEC sent project information to the Shawnee Tribe on June 14, 2016. A response was received from Ms. Kim Jumper, THPO of the Shawnee Tribe, on June 28, 2016 indicating that no known historic properties will be negatively impacted by construction of this tower site.

AEC sent project information to the Catawba Indian Nation on June 14, 2016. A response stating that “the Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas,” was received on July 15, 2016.

Based on stated exclusions on the TCNS system or correspondence with tribal representatives, no further consultation with native tribes is considered warranted. Copies of the tribal correspondence are included within Appendix E.

## **2.5 Flood Plains**

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According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the Site (Community-Panel number 5103080075C), dated February 18, 1998, the Site is located within Flood Zone X (unshaded). Zone X (unshaded) is designated as areas of minimal flooding.

## **2.6 Wetlands and Surface Features**

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According to the United States Fish and Wildlife Service National Wetlands Inventory, wetlands were not mapped on or within 500 feet of the Site. AEC observed a drainage swale approximately 50 feet east of the proposed *Option 2* underground power and telco trench route. The swale has not been evaluated for wetland conditions. If the underground power and telco trench path is revised to be more proximal to the drainage swale, further investigation may be required. Based on the path of the closest trench being located within an asphalt drive, wetlands are not expected to be impacted. A copy of the NWI map is provided in Appendix F.

## **2.7 High-Intensity White Lights**

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According to a review of Client-provided drawings for the Site, high-intensity white lights will not be required for the proposed installation. A copy of the drawings is included in Appendix A.

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## **2.8 Radio Frequency**

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An evaluation to determine whether radiofrequency (RF) emissions standards are met was not included within this report. Please refer to the RF-EME report for the Site.



## References

FEMA Online Map Service Center (<https://msc.fema.gov/>);

Google Earth™ Program (<http://earth.google.com/>);

County of Spotsylvania Online GIS Data Mapper Website  
(<http://gis.spotsylvania.va.us/Spotsylvania/>);

National Wilderness Preservation System website (<http://www.wilderness.net/nwps>);

United States Department of the Interior USFWS Chesapeake Bay Field Office  
Information for Planning and Conservation (IPaC) website (<https://ecos.fws.gov/ipac/>);

USFWS Interim Guidelines for Communication Tower Siting, Construction, Operation,  
and Decommissioning;

United States Fish & Wildlife Service Map of Wildlife Refuges Online  
(<http://refuges.fws.gov>);

United States Fish and Wildlife Service Online Wetlands Mapper  
(<http://www.fws.gov/wetlands/Data/Mapper.html>); and

United States Geological Survey (USGS) 7.5 Minute Series Salem Church, VA  
Topographic Quadrangle, Dated 2014.

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