



March 13, 2013

Mr. Vic Michael
Mauna Towers LLC
87 Jasper Lake Road
Loveland, Colorado 80537

Project No. 10012-012168.00

**Subject: National Environmental Policy Act Compliance Report for the Proposed KGCQ
AM Transmitter Site – East Tower, 10888 Highway 93, Arvada, Jefferson County,
Colorado**

Dear Mr. Michael:

Bureau Veritas North America, Inc. (Bureau Veritas) is pleased to present our National Environmental Policy Act (NEPA) Compliance Report for the above-referenced property. Enclosed is one unbound copy of the report.

We appreciate the opportunity to be of service. If you have any questions, please contact the undersigned at 303-988-2585 or by email at melissa.valentine@us.bureauveritas.com or john.rohde@us.bureauveritas.com.

Sincerely,

Melissa Valentine
Project Manager
Rocky Mountain Region

John Rohde
Manager of Site Assessments and Due
Diligence
Rocky Mountain Region

Enclosure

National Environmental Policy Act Report

Proposed KGCQ AM Transmitter Site
East Tower
10888 Highway 93
Arvada, Jefferson County, Colorado

March 13, 2013
Project Number: 10012-012168.00

Prepared for
Mauna Towers L.L.C.
87 Jasper Lake Road
Loveland, Colorado 80537



Move Forward with Confidence

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1.0 INTRODUCTION

Mr. Vic Michael, Mauna Towers, LLC, retained Bureau Veritas North America, Inc. (Bureau Veritas) to support compliance activities with regard to the Federal Communications Commission's (FCC) rules for complying with the National Environmental Policy Act of 1969 (NEPA) for the proposed KGCQ AM Transmitter Site located at 10888 Highway 93 in Arvada, Jefferson County, Colorado (subject property).

Mr. Brad Noisat, Archaeologist with Niwot Archaeological Consultants, Inc., visited the site on November 27, 2012 to conduct a Class III Cultural Resources Survey.

1.1 PURPOSE

The purpose of this NEPA Compliance Report is to identify if the proposed action at the subject property may have a significant environmental effect for which an Environmental Assessment (EA) must be prepared or further evaluation conducted. In conducting the evaluation, Bureau Veritas made inquiries and/or reviewed documents, as applicable, using Title 47 of the Code of Federal Regulations, Part 1, Sections 1307(a) and (b) (47 CFR § 1.1307(a) and (b)) as a guideline.

1.2 STATEMENT OF QUALIFICATIONS

As a stable presence in the environmental services industry since 1954, Bureau Veritas is qualified to perform NEPA evaluations on a wide range of property types. Our 20 offices are located in many urban centers, which allows Bureau Veritas to provide environmental services over a large geographic area. Over the past 15 years, Bureau Veritas has evaluated thousands of possible environmental issues associated with a property's historical, current, and proposed operations or actions. When environmental issues are discovered, Bureau Veritas is able to manage the resolution and mitigation of those issues through further study and appropriate interaction with regulatory agencies, all while maintaining close client contact. Bureau Veritas' ability to perform environmental projects from beginning to end stems from our consultants having a wide variety of scientific backgrounds and experience in which technically feasible, creative, and cost effective solutions are developed. For more information about Bureau Veritas, please visit our website at www.us.bureauveritas.com.

1.3 METHODOLOGY AND LIMITATIONS

The components of the NEPA Compliance Report included the following inquiries designed to evaluate and determine if the proposed action "may have a significant environmental effect, for which EAs must be prepared":

- Whether the proposed action is located in an officially designated wilderness area (47 CFR § 1.1307(a)(1)).
- Whether the proposed action is located in an officially designated wildlife preserve (47 CFR § 1.1307(a)(2)).
- Whether the proposed action: (i) may affect listed threatened or endangered species or designated critical habitats; or (ii) is likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973 (47 CFR § 1.1307(a)(3)).

- Whether the proposed action may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places (47 CFR § 1.1307(a)(4)).
- Whether the proposed action may affect Indian religious sites (47 CFR § 1.1307(a)(5)).
- Whether the proposed action is located in a flood plain (47 CFR § 1.1307(a)(6)).
- Whether the proposed action will involve significant change in surface features (e.g., wetland fill, deforestation or water diversion) (47 CFR § 1.1307(a)(7)).

Although not defined by 47 CFR § 1.1307 (a) and (b) as an action that “may have a significant environmental effect, for which EAs must be prepared”, the following inquiry was made:

- Whether the proposed action is located within one mile of a National Scenic Trail.

Amanda Cushing and Melissa Valentine, Project Managers with Bureau Veritas, conducted the inquiries with applicable personnel and regulatory agencies. Resumes for environmental professionals involved in this compliance report are included in Appendix A. Information for the compliance report was obtained from sources listed in Appendix B. This information, to the extent it was relied on to form our opinion, is assumed to be correct and complete. Bureau Veritas is not responsible for the quality or content of information from these sources.

2.0 SITE DESCRIPTION

2.1 SITE LOCATION

The site is located at 10888 Highway 93, Arvada, Jefferson County, Colorado in rural setting (Figures 1 and 2, Figures Tab). It is located in the western half of Section 9, Township 2 South, Range 70 West within Jefferson County. The site location is depicted on Figure 1.

2.2 CURRENT USE OF SITE

The site, currently owned by Charles McKay, is currently vacant land covered with native vegetation.

2.3 PROPOSED ACTION

The proposed action will consist of the construction of one (1) guyed 150-foot high lattice radio towers and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188-foot long utility trench.

3.0 NEPA COMPLIANCE

The FCC requires an evaluation of proposed communications sites to assess potential environmental impacts from the site on the surrounding areas. The scope of work described in Section 1.3 is based on these FCC requirements. The following subsections summarize the NEPA evaluations conducted by Bureau Veritas. Copies of agency correspondence are included in Appendix C.

3.1 WILDERNESS AREA (47 CFR § 1.1307(A)(1))

Will the facility be located in an officially designated wilderness area?

No

Source: Site observations, U.S. Geological Survey (USGS) 7.5-Minute Series Topographic Quadrangle (Appendix A), and review of U.S. Department of Interior (DOI) National Atlas (www.nationalatlas.gov) and www.wilderness.net.

Finding(s): The proposed facility is not located in an officially designated wilderness area.

3.2 WILDLIFE PRESERVE (47 CFR § 1.1307(A)(2))

Will the facility be located in an officially designated wildlife preserve?

No

Source: Site observations, USGS 7.5-Minute Series Topographic Quadrangle (Appendix A), and review of U.S. DOI National Atlas (www.nationalatlas.gov) and the U.S. Fish and Wildlife Service (USFWS).

Finding(s): The proposed facility is not located in an officially designated wildlife preserve.

3.3 LISTED OR PROPOSED THREATENED OR ENDANGERED SPECIES AND DESIGNATED OR PROPOSED CRITICAL HABITATS (47 CFR § 1.1307(A)(3))

Will the facility affect listed or proposed threatened or endangered species or designated critical habitats?

No

Source: Site observations and consultation with the USFWS and the Colorado Division of Wildlife (DOW) (Appendix C).

Finding(s): There are no federally listed threatened or endangered species or critical habitat present at the Site that would be adversely affected by the proposed project. Therefore, the project will have no effect on protected species and critical habitat.

3.4 HISTORIC PLACES (47 CFR § 1.1307(A)(4))

Bureau Veritas submitted the New Tower Submission Packet (Form 620) to the Colorado Historical Society (CHS) for review by the State Historic Preservation Officer (SHPO) on January 14, 2013. Consultation with the SHPO was initiated for their review of potential impacts to districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places, which may be impacted by the proposed action's area of potential effect (APE) for direct or visual effects. The APE for direct effects is defined by the NPA as "the area of potential ground disturbance and any property, or any portion thereof, that will be physically altered or destroyed" by the proposed action. The APE for visual effects is defined by

the NPA as “the geographic area in which the (proposed action) has the potential to introduce visual elements that diminish or alter the setting, including the landscape, where the setting is a character-defining feature of a Historic Property that makes it eligible for listing in the National Register.” In the case of the site, the APE for visual effects is ½ mile from the proposed action.

In a response dated January 22, 2013, Mr. Edward C. Nichols, SHPO for the CHS, indicated that the “proposed project will have no adverse effect on cultural resources in the APE.” Copies of correspondence with the SHPO can be found in Appendix C, Section 2.

The following tasks were performed in the preparation of Form 620:

- Mr. Brad Noisat, with Niwot Archaeological Consultants, Inc. (Niwot), was subcontracted to perform an archaeological survey for the site and surrounding area. Niwot's report dated November 29, 2012 indicated that no Historic Properties occur in the APE for Direct Effects and Historic Properties (5JF.318.8, 5JF.512.2 and 5JF513.3) occur in the APE for Visual Effects. The proposed undertaking will have no Effect on visual appreciation of these resources. Niwot recommended that cultural resource clearance be issued. A copy of Niwot's report can be found in Appendix C, Section 3.
- A legal notice describing the proposed action was published in the Boulder Daily Camera on December 12, 2012. Notice of the proposed project was also submitted to the Jefferson County Planning and Zoning Department. No responses to the public notices have been received. Documentation of the public notices can be found in Appendix C, Section 4.
- The SHPO requires that detailed project information be sent to the appropriate Historic Preservation Board (HPB) and their comment must be requested. If no HPB exists, comment must be requested from the city or county, whichever holds jurisdiction over the subject property. This request must be sent in addition to the public notice discussed in the paragraph above, even if the request is to be sent to the same agency.

Bureau Veritas submitted the proposed project information to the Jefferson County Historic Society and the Jefferson County Planning and Zoning Department and requested their comment. The Jefferson County Historic Society has not responded to this request. In a response dated January 9, 2013, Mr. Dennis M. Dempsey, Planner with the Jefferson County Planning and Zoning Department, responded with the following comments:

- Please contact the Jefferson County Historical Commission if any historic / cultural resources are found on or adjacent to the subject property.
- It would not appear that the proposed radio tower site would affect any historically significance sites or structures within the area. No additional historical information is needed at this time.
- We recommend siting the radio towers as far to the east and from Highway 93 as possible to minimize any adverse visual impacts from the Highway corridor and to the Mountain Backdrop / Foreground area.

Documentation of correspondence can be found in Appendix C, Section 5.

- Documentation of consultation with Native American Indian Tribes, Native Hawaiian Organizations, and Tribal Historic Preservation Officers (collectively “tribes”) is a required attachment of Form 620. Consultation with applicable tribes has been completed and documentation has been forwarded to the SHPO. A detailed description of the tribal consultation process, which was conducted pursuant to 47 CFR § 1.1307(a)(5), is provided below in Section 3.5.

- Bureau Veritas also considered the affect the proposed action may have on land owned by the Bureau of Land Management (BLM). The BLM has previously indicated that they should be contacted only if the proposed project is located on BLM-owned land or would be visible from BLM-owned land. The subject property is located outside BLM-owned land and would not be visible from BLM-owned land; therefore, Bureau Veritas did not request comment from the BLM.

Based on clearance from the SHPO dated January 22, 2013, the proposed project will not affect historic places. However, should unidentified cultural resources be discovered during construction activities associated with the proposed action, work must be stopped until an evaluation of the resources and additional consultation with the SHPO has been completed.

3.5 INDIAN RELIGIOUS SITES (47 CFR § 1.1307(A)(5))

Bureau Veritas submitted information concerning the proposed project to the FCC's Tower Construction Notification System (TCNS) on November 20, 2012 and was assigned an identification number of 90535. On November 22, 2012, the proposed project's information was forwarded from the TCNS to tribes who may have an interest in the proposed project. Additionally on November 23, 2012, the TCNS forwarded Bureau Veritas a list of tribes who were sent the proposed project's information.

The following additional tasks were performed to gain clearance from tribes who may have an interest in the proposed project:

- Based on the TCNS's list of tribes who may have an interest in the proposed project, exclusions set forth by several tribes identified by the TCNS, and previous correspondence with tribes, Bureau Veritas submitted one (1) letter on December 24, 2012 to the non-responsive tribe in an attempt to gain clearance from the tribe.
- On January 4, 2013, Bureau Veritas requested consultation with the FCC regarding tribes who had not responded to Bureau Veritas' requests. According to correspondence from the FCC dated January 10, 2013, obligations under Section IV of the NPA were considered complete as of January 30, 2013. However, if a tribe requests further information regarding the proposed project, their request must be fulfilled prior to proceeding with the project.

At the time this report was issued, the following tribes have responded to our requests:

Tribe	Date of Response	Response by:	Response
Ponca Tribe of Nebraska	11/23/12	TCNS Tribe list	If the Applicant receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the site. The Applicant, however, must immediately notify the Tribe in the event archaeological properties or human remains are discovered during construction.
Jicarilla Apache Nation	12/12/12	Email	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

Tribe	Date of Response	Response by:	Response
Southern Ute Tribe	11/23/12	TCNS tribe list	The tribe requested a copy of the FCC Form 620. The FCC Form 620 was forwarded to the tribe on 1/14/13. Per the Tribe, if they do not respond within 30 days, they have no issues.
Pawnee Nation of Oklahoma	2/6/13	Letter	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.
Comanche Nation	1/3/13	Letter	Requested site photographs, an aerial photograph of the site, a legal description of the site, and any reports or surveys completed related to the proposed site. This information was sent to the Tribe on 12/21/12. The Tribe stated that "the undertaking will have no effect on National Register eligible or listed properties as defined in 36 CFR 800.16(i)."
Cheyenne and Arapahoe Tribe of Oklahoma	11/29/13	Email	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.
Apache Tribe of Oklahoma	11/23/12	TCNS tribe list	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.
Northern Arapaho	1/14/13	Letter	The Tribe stated "the THPO has determined that there are no traditional cultural properties of religious and cultural significance to the Northern Arapaho that are within the area of potential effect.
Northern Cheyenne Tribe	11/23/12	TCNS tribe list	The Tribe has no interest in participating in pre-construction review for the proposed site. However, the applicant must immediately notify the Tribe in the event of archaeological properties or human remains are discovered.

Based upon responses from the tribes, exclusions set forth by several tribes identified by the TCNS, and the FCC's clearance regarding tribal consultation, the proposed project will not affect Indian religious sites. Should unidentified cultural resources be discovered during construction activities associated with the proposed action, work must be stopped until an evaluation of the resources and additional consultation with the SHPO and/or tribes can be completed. In addition, if a tribe requests further information regarding the proposed project, their request must be fulfilled prior to proceeding with the project. Documentation of the TCNS submittal for the proposed project, copies of correspondence to and from the tribes, and the FCC's tribal consultation clearance can be found in Appendix C, Section 6.

3.6 FLOOD PLAIN (47 CFR § 1.1307(A)(6))

Bureau Veritas reviewed the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) of Jefferson County Unincorporated & Inc. dated June 17, 2003 (Map #08059C0075E) to identify if the subject property is located within a flood plain. Based on review of the map, the proposed action is not located within a flood plain.

3.7 SURFACE FEATURES (47 CFR § 1.1307(A)(7))

Will construction of the facility involve a significant change in surface features (e.g. wetland fill, water diversion, or deforestation)?

No

Source: Site observations, USGS 7.5-Minute Series Topographic Quadrangle, Natural Resources Conservation Service (NRCS) Soil Survey and USFWS National Wetland Inventory (NWI) map (Appendix C).

Finding(s): Due to the scope of the proposed project activities, the current Site conditions and review of applicable source data, significant changes in surface features such as wetland fill, water diversion or deforestation will not be required at the Site.

3.8 NATIONAL SCENIC TRAILS

Bureau Veritas reviewed the *National Trails System Map and Guide* (2013) regarding the presence of National Scenic Trails on the subject property. According to the map, the parent parcel is not located within one mile of a National Scenic Trail.

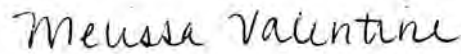
4.0 FINDINGS AND CONCLUSIONS

We have conducted a NEPA evaluation for the subject property in conformance with the scope and limitations of Bureau Veritas' proposal. Limitations encountered during the preparation of this report are described in Section 1.3. The findings presented in this Section are based on Bureau Veritas' understanding of the subject property location and the proposed action at the subject property, as such are described in Sections 2.1 and 2.3, respectively. Should modifications to the location of the subject property or proposed action be made in the future, additional inquiries may be required.

Based upon the inquiries and responses noted in this compliance report (*i.e.*, inquiries related to 40 CFR §§ 1.1307 (a)(1-7)), and in accordance with applicable standards and the scope of work, the proposed action is not expected to have a significant environmental effect for which an EA must be prepared or further evaluation conducted. However, should unidentified cultural resources be discovered during construction activities associated with the proposed action, work must be stopped until an evaluation of the resources and additional consultation with the SHPO and/or tribes can be completed. In addition, if a tribe requests further information regarding the proposed project, their request must be fulfilled prior to proceeding with the project.

If later findings change the conclusions and recommendations in this report, Bureau Veritas will forward an addendum letter to Mauna Towers LLC.

This report prepared by:



Melissa Valentine
Project Manager
Rocky Mountain Region

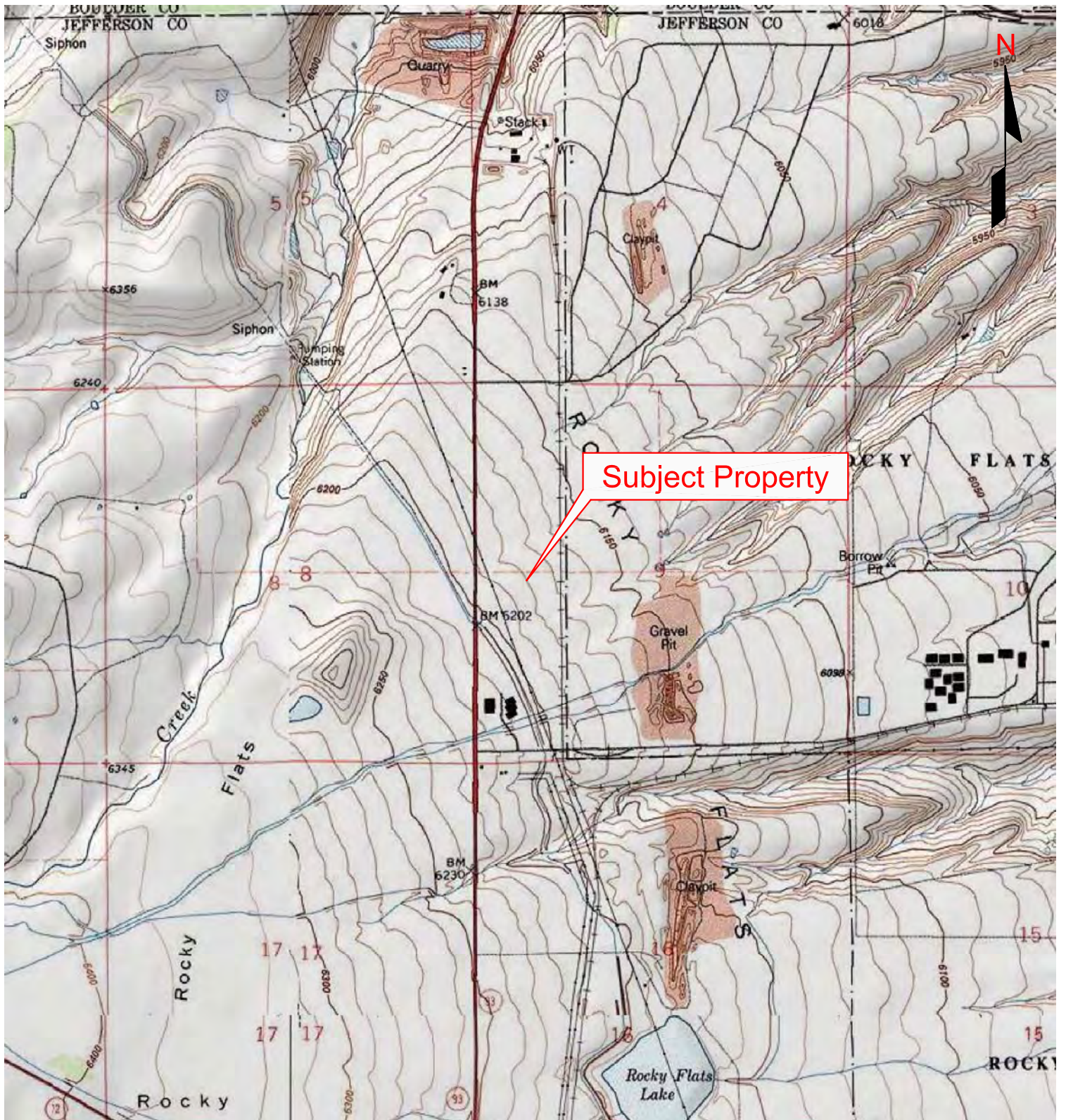
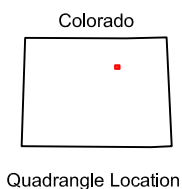
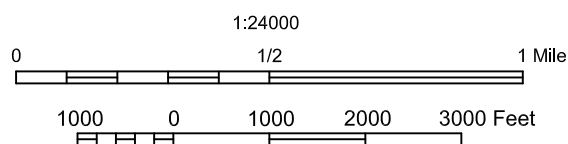
This report reviewed by:



John A. Rohde
Manager of Site Assessments and Due Diligence
Rocky Mountain Region

March 13, 2013
Project No. 10012-012168.00

FIGURES



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
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CLIENT



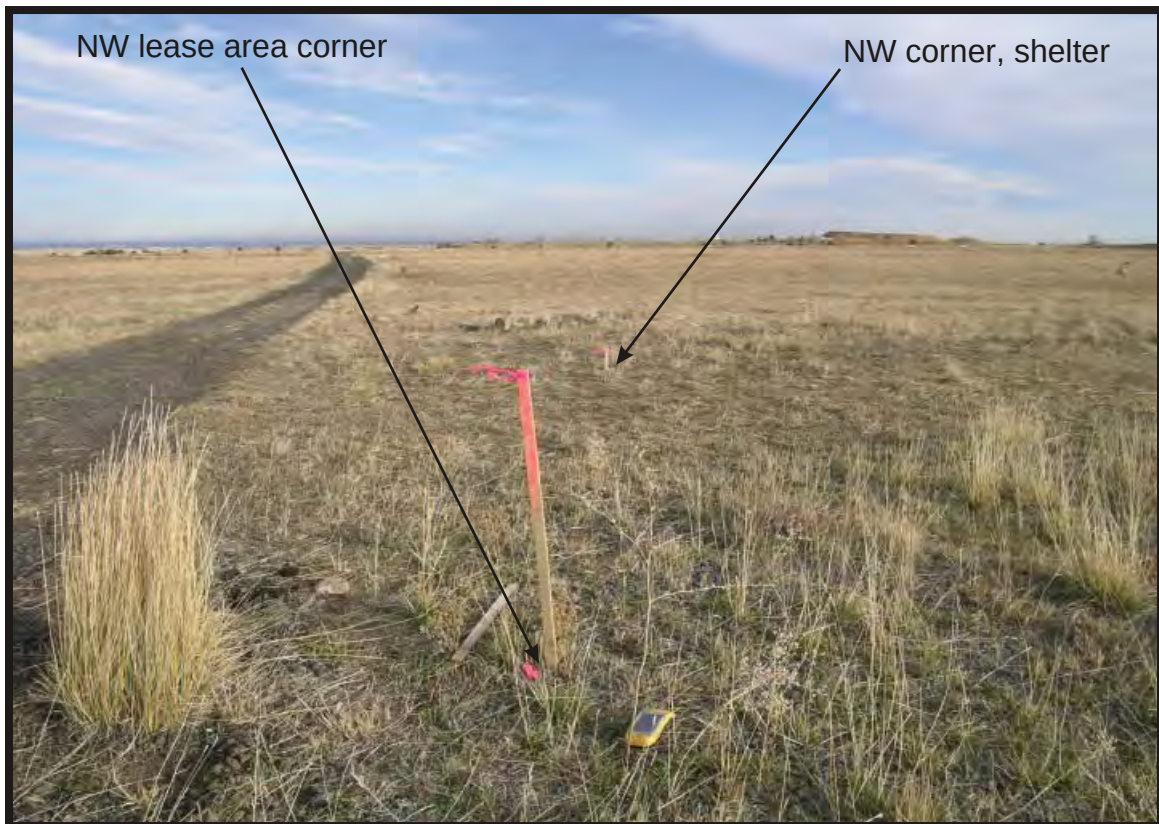
SITE

KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

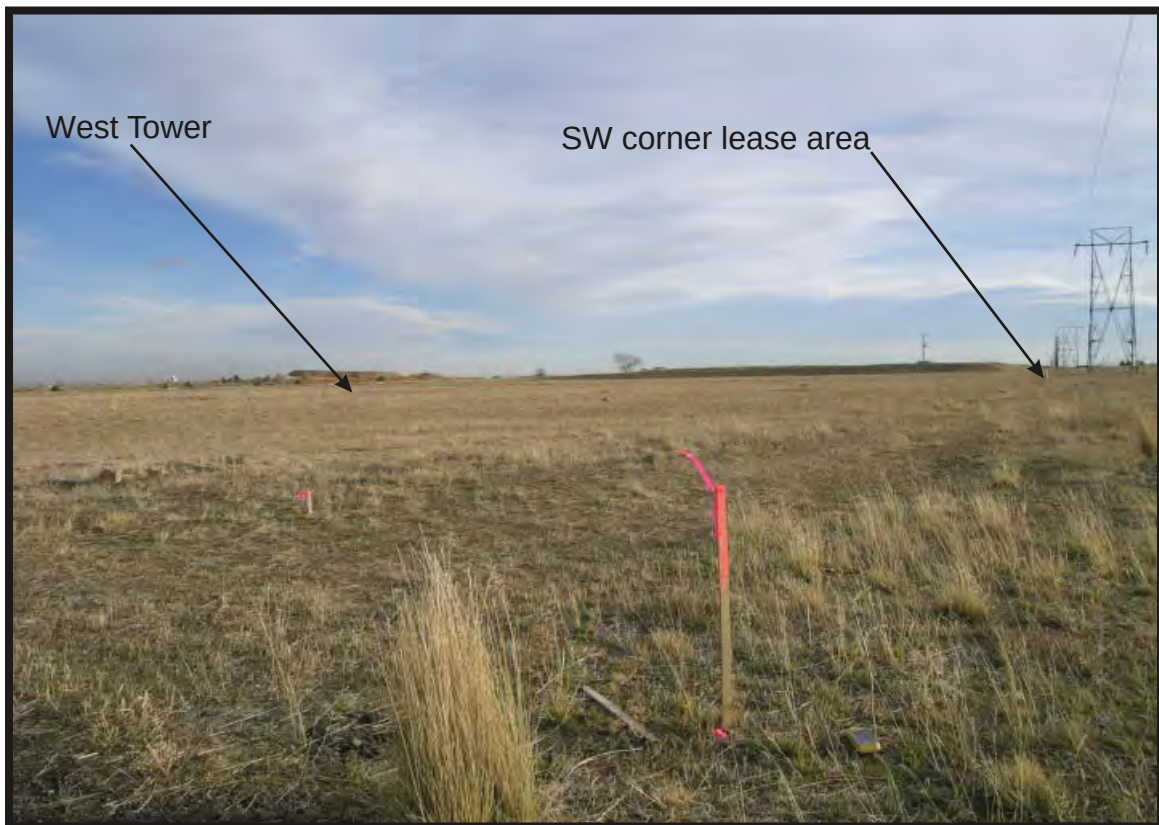
Project No. 10012-012068.00

Last Revision
November 2012

PHOTOGRAPHS



View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



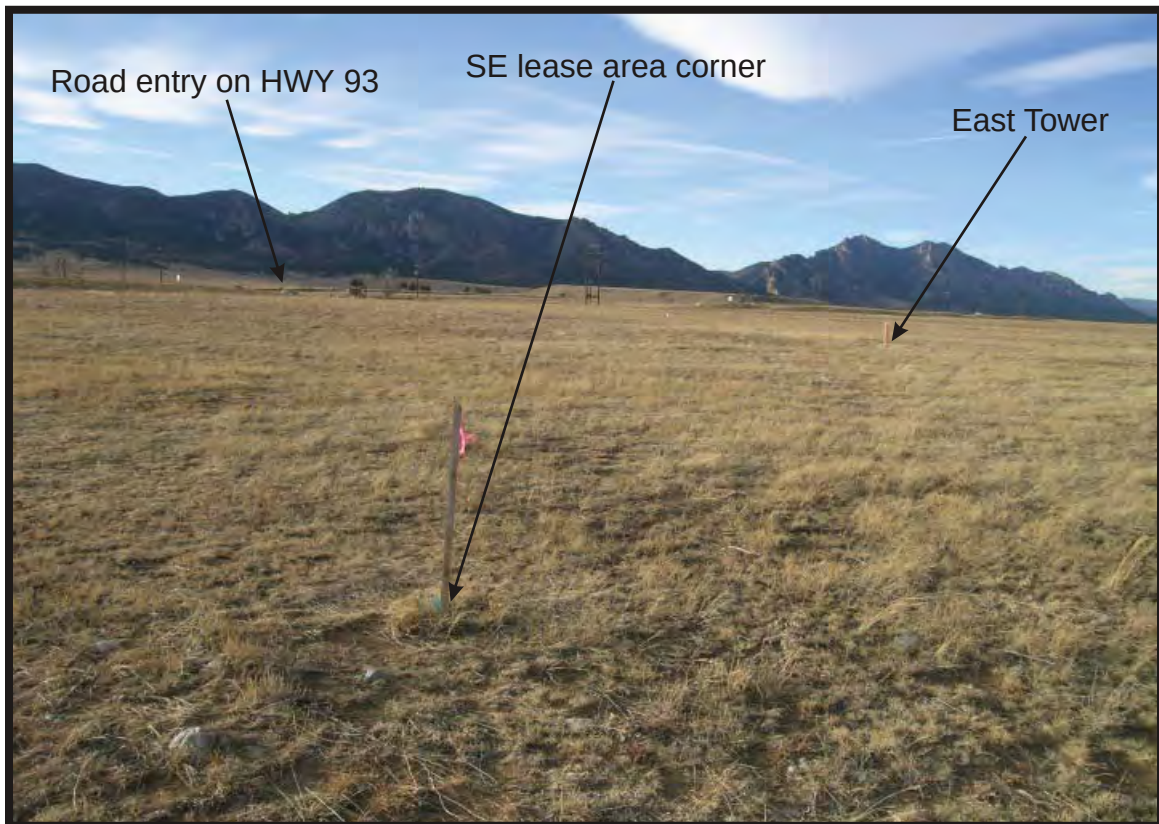
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.

APPENDIX A
RESUMES OF ENVIRONMENTAL PROFESSIONALS

APPENDIX B
REGULATORY AGENCY CORRESPONDENCE

SECTION 1

United States Department of Agriculture – Forest Service

Bureau of Land Management

United States Fish & Wildlife

Colorado Division of Wildlife



December 17, 2012

Ms. Liza Hunholz
District Wildlife Manager
Colorado Parks and Wildlife
Denver Area Office/NE Region Office
6060 Broadway
Denver, Colorado 80216
(303) 291-7122
Eliza.hunholz@state.co.us

Project No. 10012-012168.00 &
10012-012168.01

Subject: **NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado**

Dear Ms. Hunholz:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is performing a NEPA evaluation of the proposed communications projects referenced above. Pursuant to 47 CFR § 1.1307(A)(3), Bureau Veritas requests your opinion and concurrence to our findings as to whether the proposed communication sites described below may affect listed or proposed threatened or endangered species or designated or proposed critical habitats. The sites' locations (Figure 1), design plans, and site photographs are attached for your review.

Bureau Veritas has also contacted the United States Fish and Wildlife Service regarding these proposed projects.

As outlined herein, Bureau Veritas is of the opinion that the proposed projects will not affect listed or proposed threatened or endangered species or designated or proposed critical habitats. The proposed project sites are located on privately owned property and are not located on a designated wildlife preserve, wilderness area, critical habitat area or federal or state-owned lands.

We ask for your written concurrence with regards to our findings.

We also ask that if this correspondence should be directed to another individual in your agency, that you please forward this correspondence on to that individual, and let us know whom we may contact in the future.

PROPERTY DESCRIPTION

Site name/location: The sites are identified as the proposed KGCQ AM Transmitter Sites and are located at 10888 Highway 93, Arvada, Jefferson County, Colorado.

Latitude/Longitude Coordinates:

East Tower: 39° 53' 30.90" N and 105° 14' 19.19" W

West Tower: 39° 53' 31.52" N and 105° 14' 23.25" W

Legal Description: The subject property is located within the western half of Section 9, Township 2 South, Range 70 West within Jefferson County.



Property Owner: Charles McKay currently owns the site.

Current Land Use: The subject property is currently vacant land. The site location is depicted on Figure 1.

Proposed Action: The proposed action will consist of the construction of two (2), guyed 150 foot high lattice radio towers (identified as the East Tower and West Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. The design plans for the proposed action are included as an attachment.

Evaluation of Designated or Proposed Critical Habitats and Proposed Endangered, Endangered, or Threatened Species: Federally listed and candidate species that may occur in Jefferson County, as obtained from online information from the U.S. Fish and Wildlife Service (USFWS), are summarized in the table below. Other information presented in the table includes the species general habitat, and our assessment of the likelihood for potential effects to the species as a result of the proposed project (as described above).

	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
Canada Lynx (<i>Lynx canadensis</i>)	T	None anticipated since the distribution of the Canada lynx is closely associated with the distribution of North American boreal forest. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. This type of habitat was not observed in the project area.	No
Colorado Butterfly plant (<i>Gaura neomexicana</i> var. <i>coloradensis</i>)	T	None anticipated since the Colorado butterfly plant is found in moist areas of floodplains. This type of habitat was not observed in the project area.	No
Gunnison's prairie dog (<i>Cynomys gunnisoni</i>)	C	The prairie dog's habitat was not observed in the project area.	No
*Least tern (population: interior) (<i>Sterna antillarum</i>)	E	None anticipated since this species typically occurs in riparian habitats. This type of habitat was not observed in the project area.	No
Mexican Spotted owl (<i>Strix occidentalis lucida</i>)	T	None anticipated since habitat typically consists of heavily forested or rocky canyon areas. No evidence of species in project area. This type of habitat was not observed in the project area.	No



	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
North American wolverine (<i>Gulo gulo luscus</i>)	C	None anticipated since habitat typically consists of areas that are cold and receive enough winter precipitation to reliably maintain deep persistent snow late into the warm season. The requirement of cold, snowy conditions means that wolverine distribution is restricted to high elevations. This type of habitat was not observed at or near the project area.	No
*Pallid sturgeon (<i>Scaphirhynchus albus</i>)	E	None anticipated since this species occupies aquatic habitats. This type of habitat was not observed in the project area.	No
Pawnee Montane skipper (<i>Hesperia leonardus montana</i>)	T	The skipper occurs only in the South Platte Canyon River drainage system in Colorado.	
*Piping Plover (population: except Great Lakes watershed) (<i>Charadrius melodus</i>)	T	None anticipated since this species typically occurs in riparian habitats. Areas include prairie alkali wetlands and surrounding shoreline; river channels and associated sandbars and islands; and reservoirs and inland lakes and their sparsely vegetated shorelines, peninsulas, and islands. This type of habitat was not observed in the project area.	No
Preble's meadow jumping mouse (USA: CO, WY population) (<i>Zapus hudsonius ssp. preblei</i>)	T	None anticipated since this species typically lives primarily in heavily vegetated, shrub-dominated riparian (streamside) habitats and immediately adjacent upland habitats along the foothills. This type of habitat was not observed in the project area.	No
Ute ladies'-tresses (<i>Spiranthes diluvialis</i>)	T	None anticipated since the Ute ladies'-tresses orchid occurs along riparian edges, gravel bars, old oxbows, high flow channels, and moist to wet meadows along perennial streams. It typically occurs in stable wetland and seepy areas associated with old landscape features within historical floodplains of major rivers. It also is found in wetland and seepy areas near freshwater lakes or springs. This type of habitat was not observed in the project area.	No



	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
*Western Prairie Fringed Orchid (<i>Platanthera praeclara</i>)	T	None anticipated since this species typically occurs in riparian habitats. This type of habitat was not observed in the project area.	No
Whooping crane (population: except where EXPN) (<i>Grus americanas</i>)	E	None anticipated since this species typically occurs in riparian habitats. Whooping cranes breed and nest along lake margins or among rushes and sedges in marshes and meadows. Whooping cranes prefer sites with minimal human disturbance. Wetlands provide the whooping crane with protection from terrestrial predators. This type of habitat was not observed in the project area.	No

Federally Listed and Proposed Endangered (E), Threatened (T), Experimental (X), and Candidate (C) Species and Habitat in Colorado By County (provided by the USFWS via IPaC and dated 12/11/12)

The starred (*) species are the Platte River Species targeted for the Platte River Recovery Implementation Program. The USFWS has adopted a policy that water-related activities in the Platte River basin resulting in less than 0.1 acre-foot/year of depletions in flow to the nearest surface water tributary to the Platte River system do not affect the Platte River target species, and thus do not require consultation with the USFWS for potential effects on those species. The proposed site should not affect water-related activities in the Platte River basin and therefore, should have no effect on the above-referenced targeted species.

USFWS recommendations published in Interim Guidelines for Recommendations on Communication Tower Siting, Construction, Operation, and Decommissioning (2000) state the preferred tower height to decrease potential effects on migratory birds is less than 200 feet tall. The siting and design process for this project could not conform to all the USFWS recommendations. Therefore, it has included mitigating factors such as consideration of collocation, tower siting with existing towers or in minimally sensitive areas and limiting tower height to 150 feet.

As summarized in the table above, our evaluation of the potential effects to the species listed above indicates the proposed project will not have significant effects to proposed critical habitats or proposed endangered, endangered, or threatened species, due to the lack of suitable habitat in the project area, the limited scope of the project, and limited footprint of the project.

Furthermore, the proposed site is located on private land outside of designated wildlife preserves and designated wilderness areas.

In summary, the proposed action does not appear to have the potential to affect the listed and candidate threatened or endangered species that may occur in Jefferson County.

Figures including design plans and photographs of the site and surrounding area are attached. We ask for your written concurrence with regards to our findings.

Ms. Liza Hunholz
Colorado Parks and Wildlife
December 17, 2012



Page 5
Project No. 10012-012168.00
& 10012-012168.01

We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.218.3510 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads 'Amanda Cushing'.

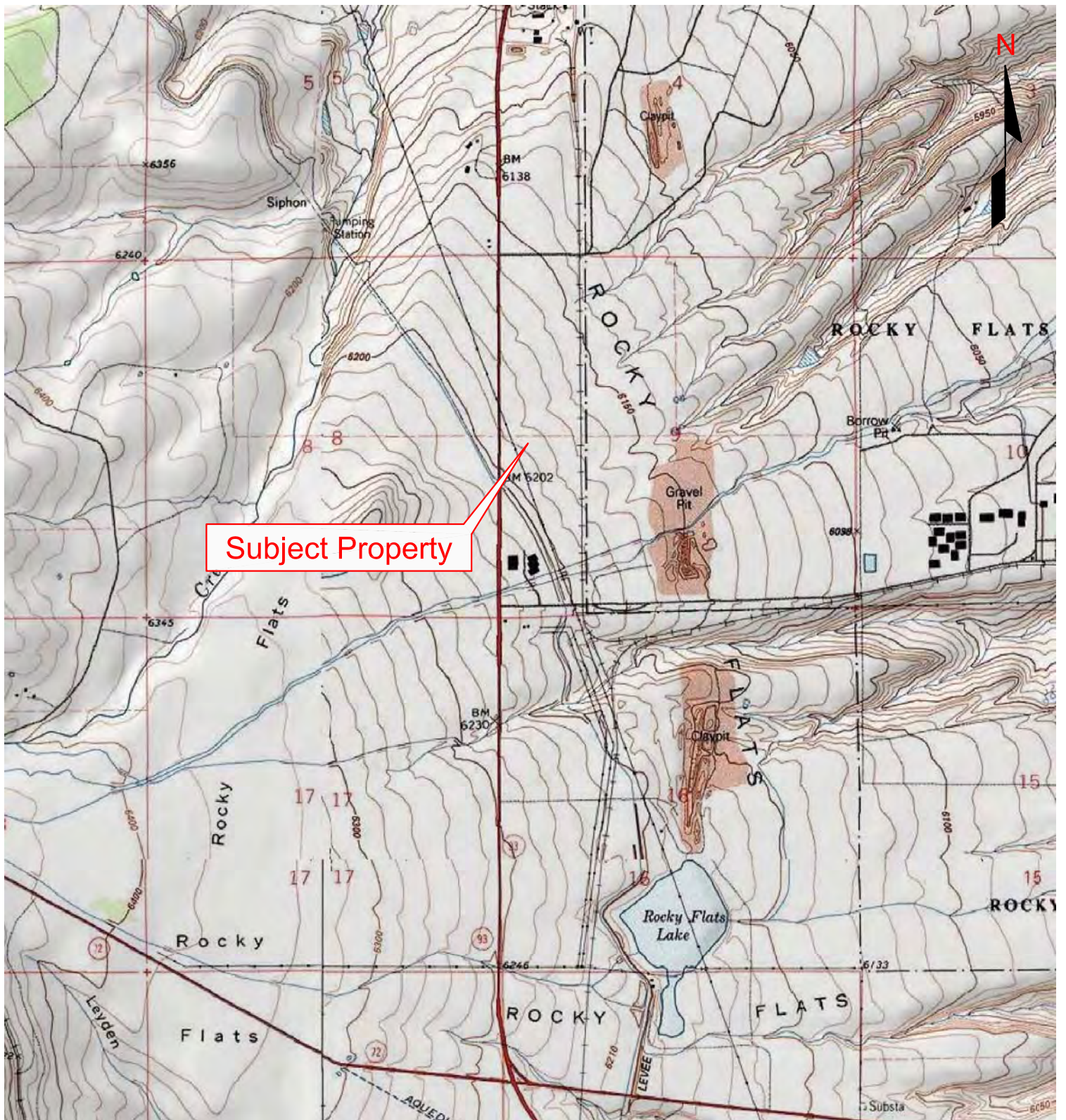
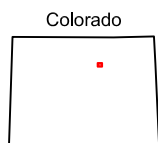
Amanda Cushing
Project Manager
Natural Resources Specialist
Rocky Mountain Region

Attachments:

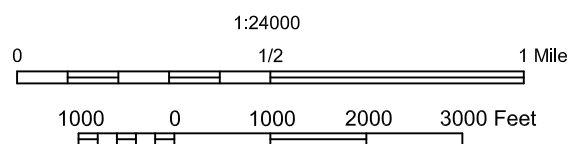
Figure
Design Plans
Site Photographs

ATTACHMENTS

Figures



Quadrangle Location



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd, Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

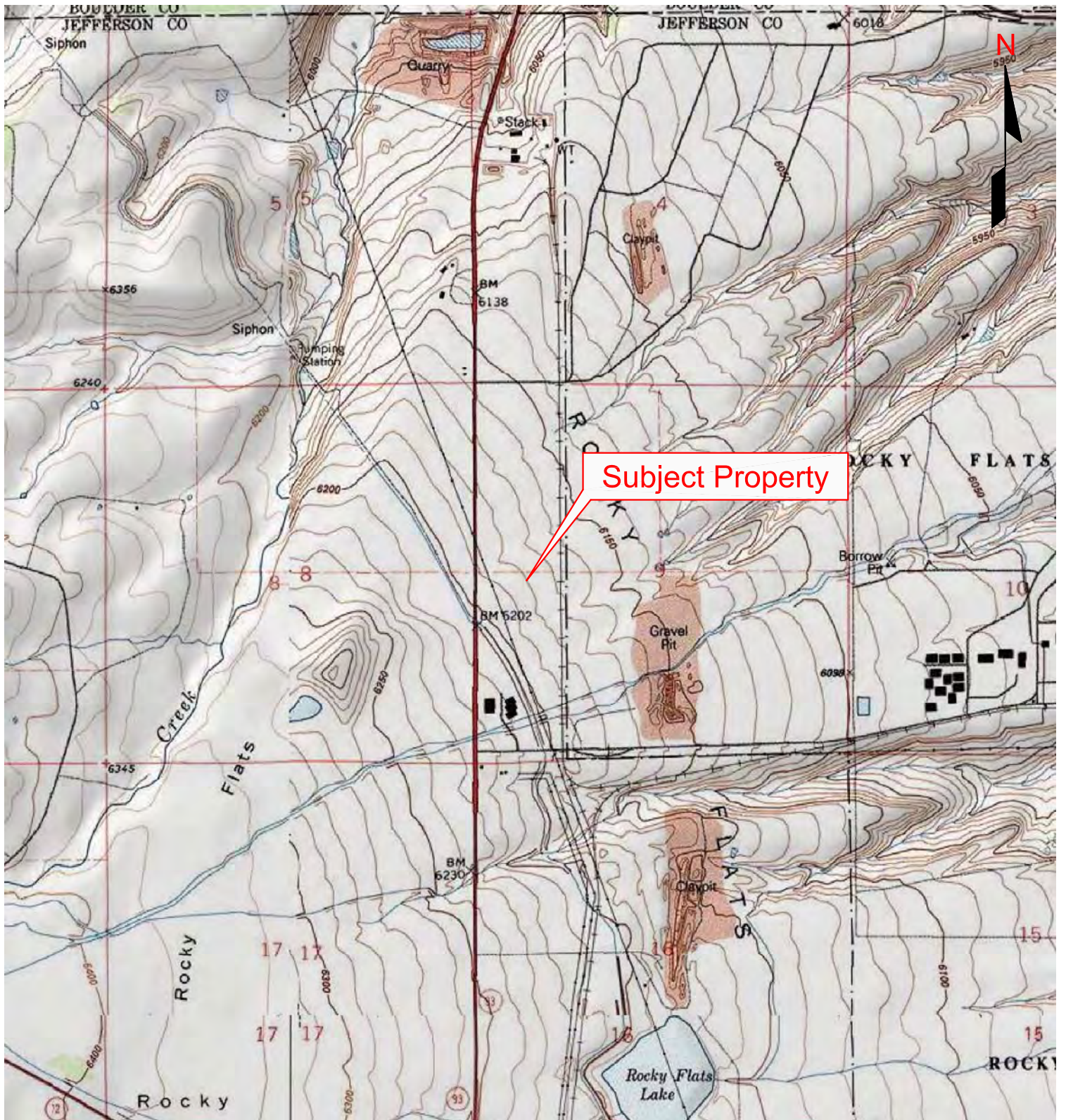
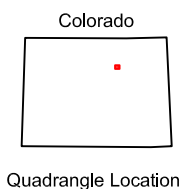
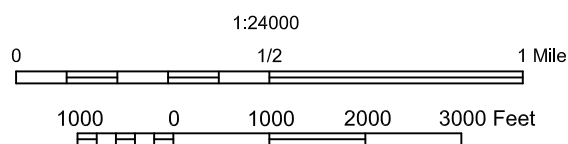


SITE

KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
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165 South Union Blvd., Suite 310
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303-988-2585 Telephone
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CLIENT



SITE

KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

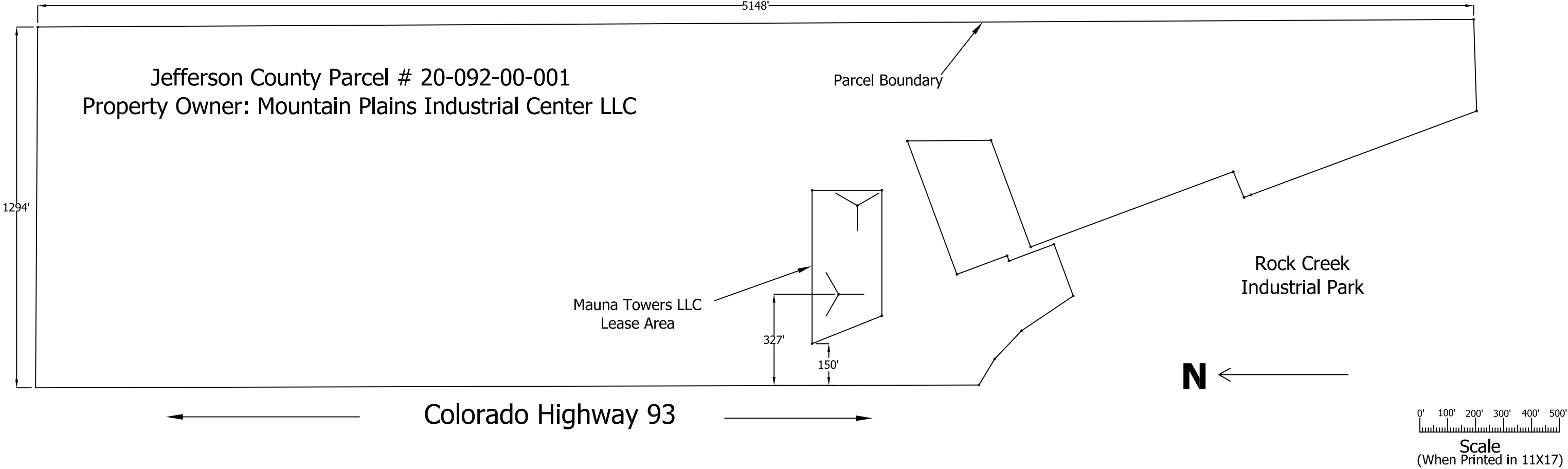
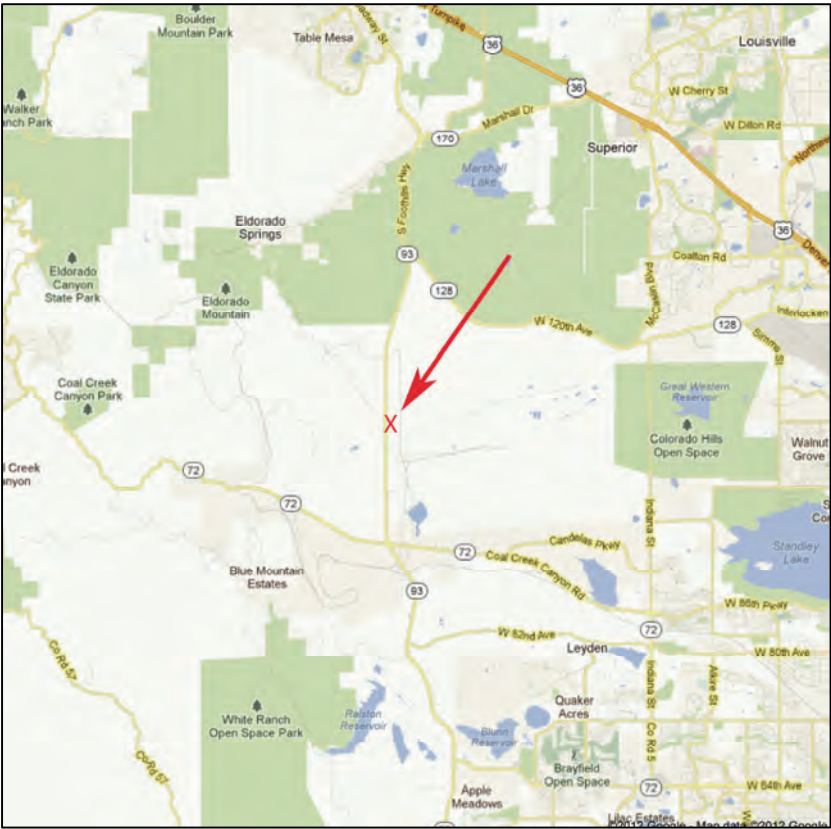
Project No. 10012-012068.00

Last Revision
November 2012

Design Plans

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - Mauna Towers, LLC

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

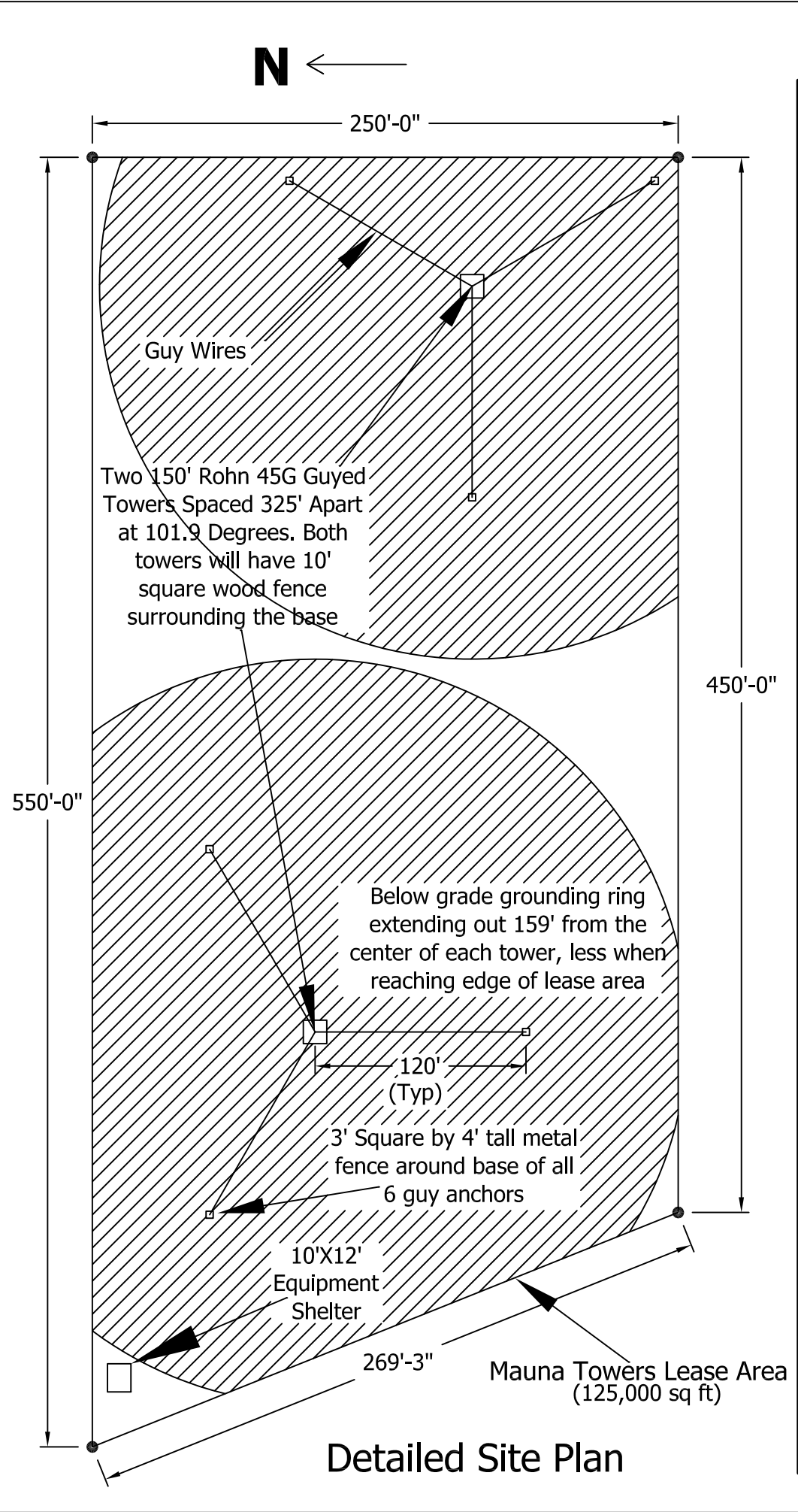


Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
1			
2			

150' Tower

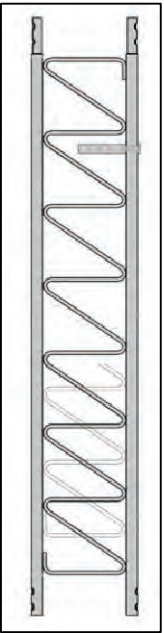
Guy Wires

10'X12' Equipment Shelter

3' Square by 4' tall metal fence around base of all 6 guy anchors

10' square by 6' tall wood fence around base of both towers

South Elevation



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



Closser Consulting LLC

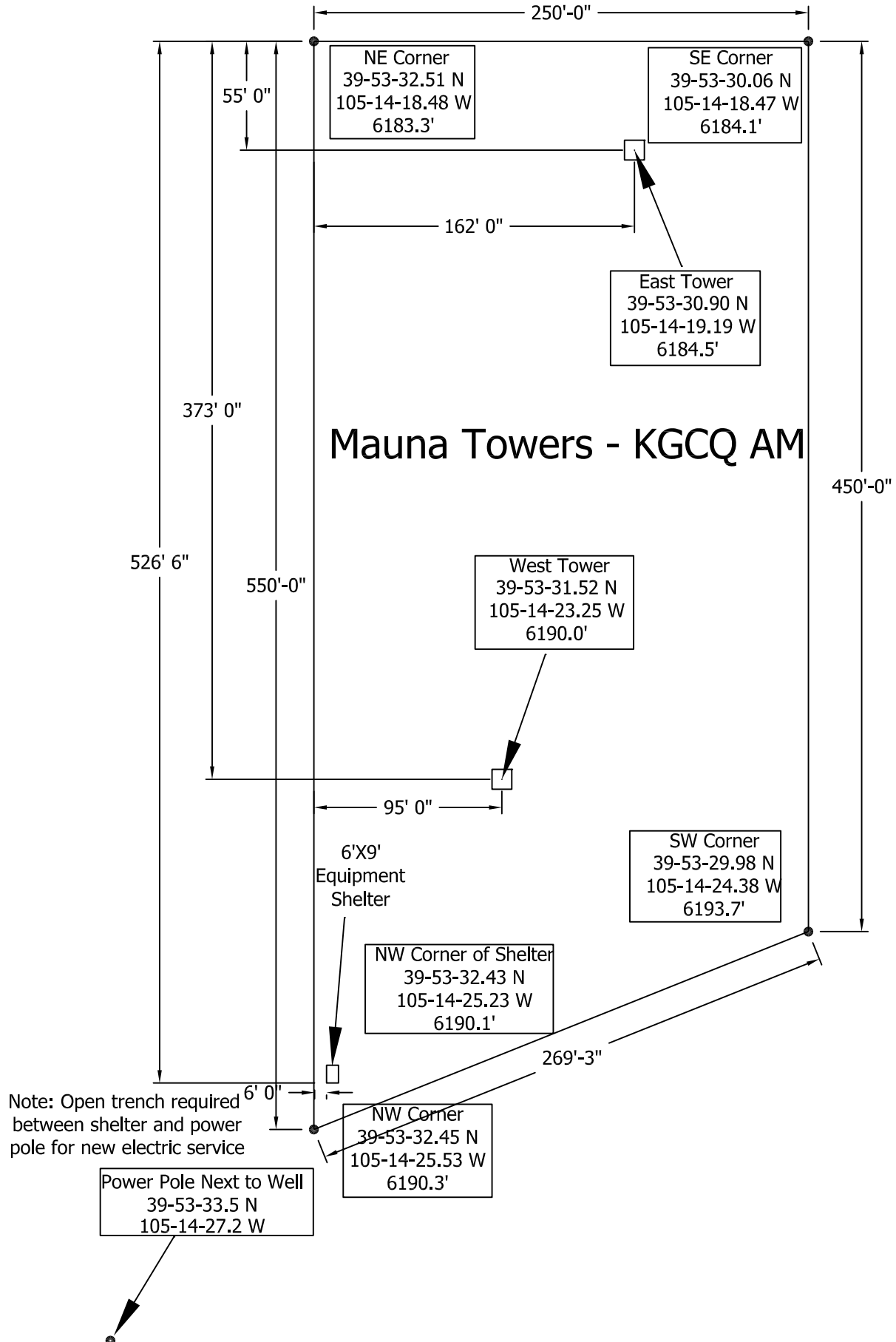
4305 Darley Avenue
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303-554-1432 aclosser@comcast.net

- *FOR* -

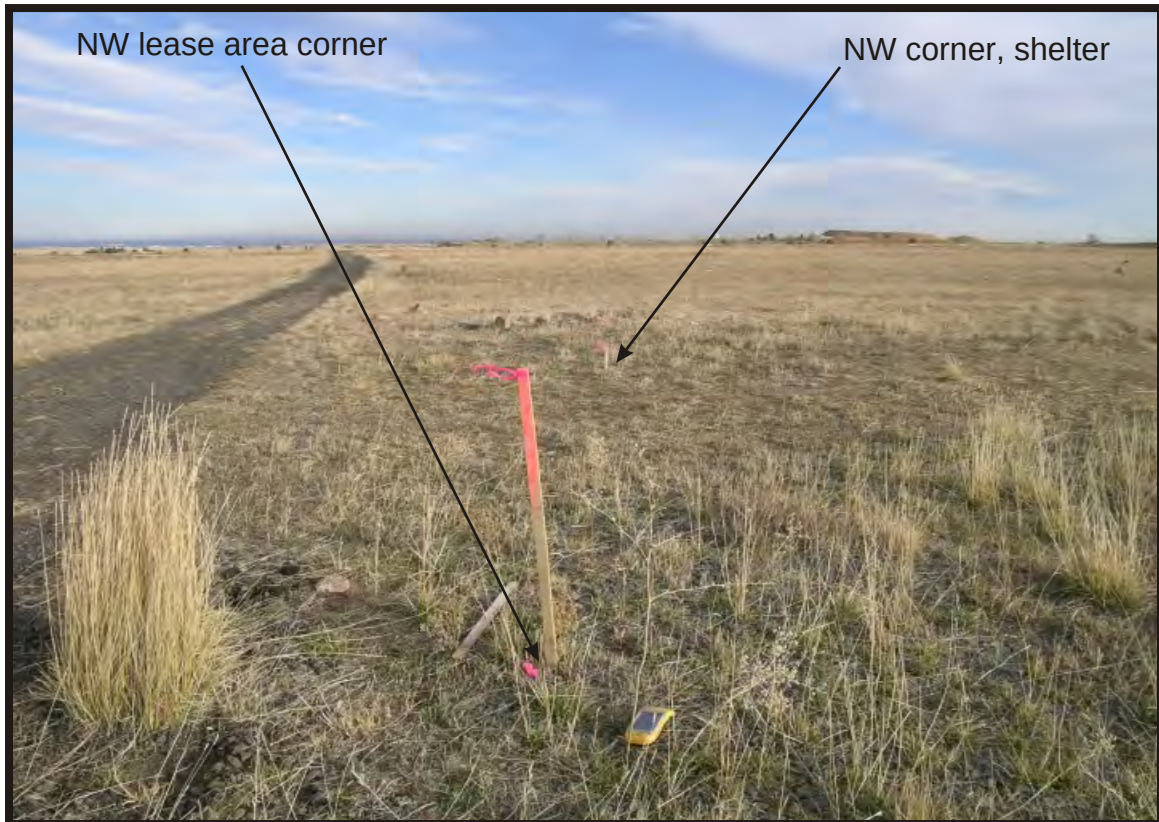
Mauna Towers, LLC

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DATE: 9/3/12	BY: DAC		Page 2 of 2

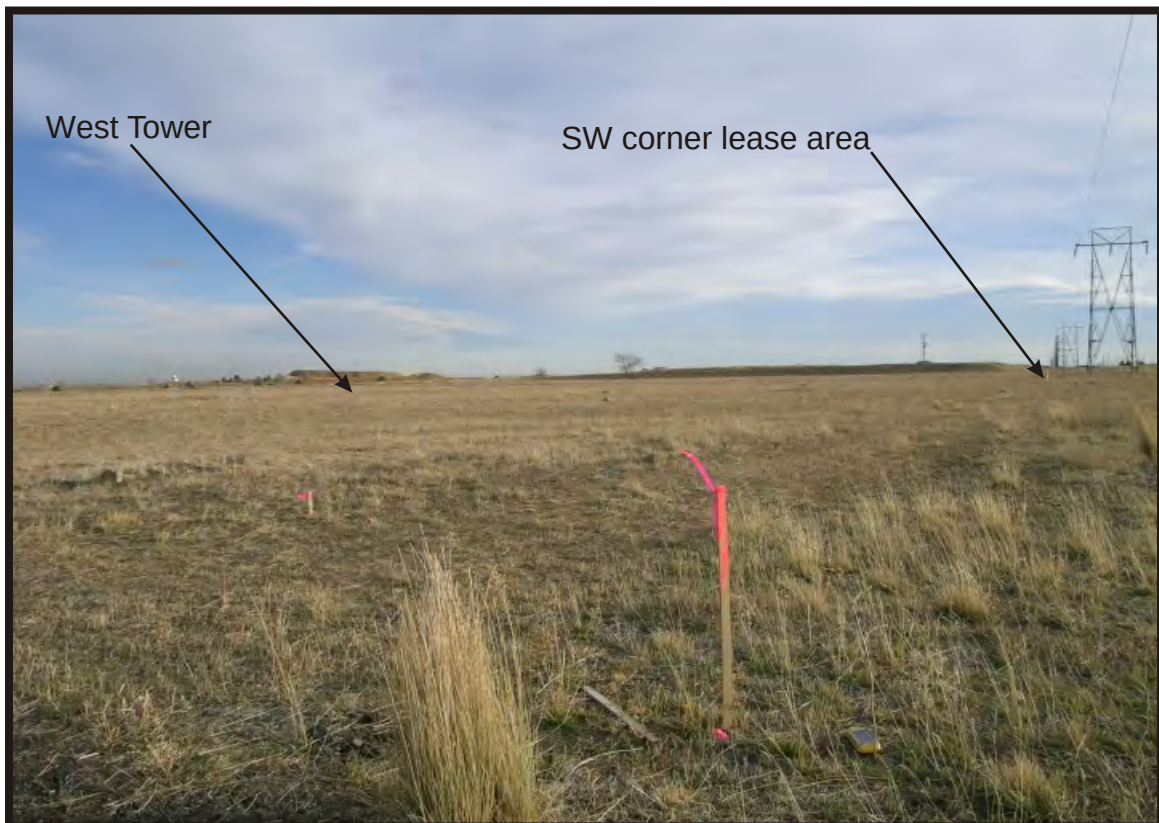
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Photographs



View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



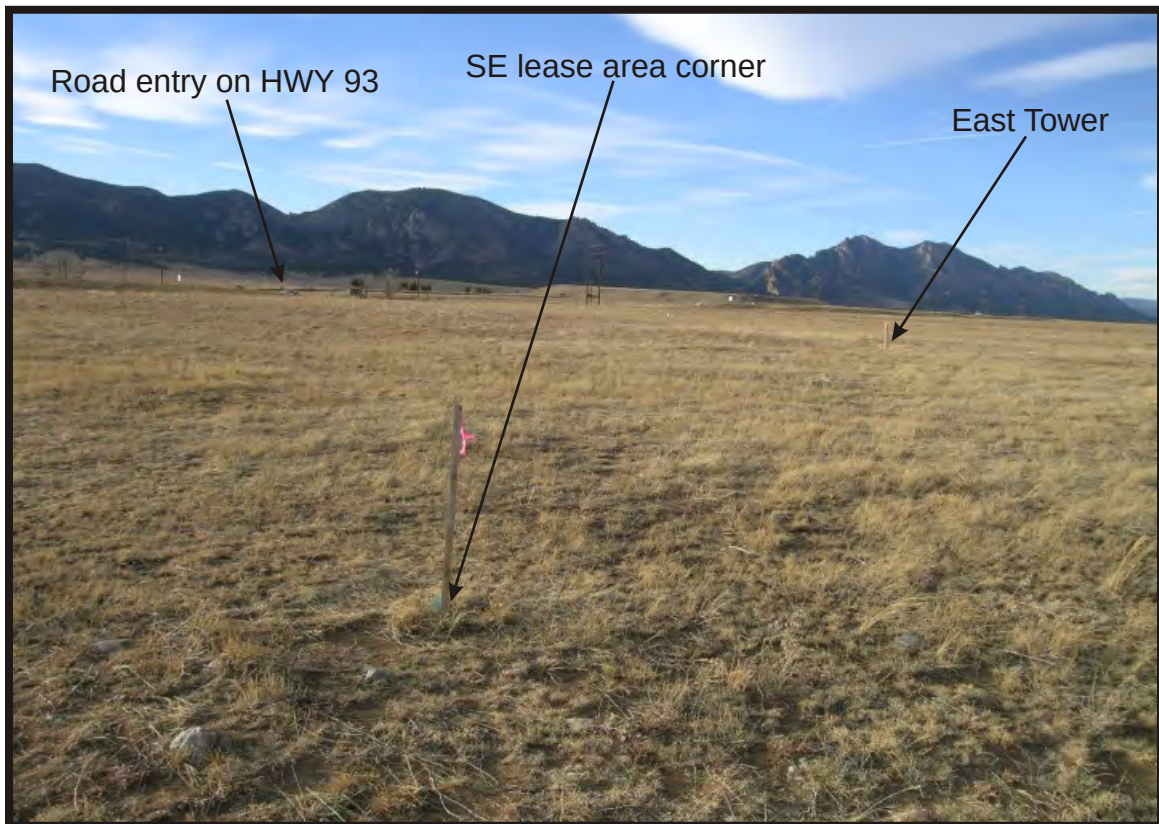
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.



December 17, 2012

United States Fish and Wildlife Service
Ecological Services, Colorado Field Office
Attn: Ms. Susan Linner
P.O. Box 25486, DFC (MS 65412)
Denver, Colorado 80225-0486

Project No. 10012-012168.00 &
10012-012168.01

Subject: **NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado**

Dear Ms. Linner:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is performing a NEPA evaluation of the proposed communications projects referenced above. Pursuant to 47 CFR § 1.1307(A)(3), Bureau Veritas requests your opinion and concurrence to our findings as to whether the proposed communication sites described below may affect listed or proposed threatened or endangered species or designated or proposed critical habitats. The sites' locations (Figure 1), design plans, and site photographs are attached for your review.

Bureau Veritas has also contacted the Colorado Parks and Wildlife regarding these proposed projects.

As outlined herein, Bureau Veritas is of the opinion that the proposed projects will not affect listed or proposed threatened or endangered species or designated or proposed critical habitats. The proposed project sites are located on privately owned property and are not located on a designated wildlife preserve, wilderness area, critical habitat area or federal or state-owned lands.

We ask for your written concurrence with regards to our findings.

We also ask that if this correspondence should be directed to another individual in your agency, that you please forward this correspondence on to that individual, and let us know whom we may contact in the future.

PROPERTY DESCRIPTION

Site name/location: The sites are identified as the proposed KGCQ AM Transmitter Sites and are located at 10888 Highway 93, Arvada, Jefferson County, Colorado.

Latitude/Longitude Coordinates:

East Tower: 39° 53' 30.90" N and 105° 14' 19.19" W

West Tower: 39° 53' 31.52" N and 105° 14' 23.25" W

Legal Description: The subject property is located within the western half of Section 9, Township 2 South, Range 70 West within Jefferson County.

Property Owner: Charles McKay currently owns the site.



Current Land Use: The subject property is currently vacant land. The site location is depicted on Figure 1.

Proposed Action: The proposed action will consist of the construction of two (2), guyed 150 foot high lattice radio towers (identified as the East Tower and West Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. The design plans for the proposed action are included as an attachment.

Evaluation of Designated or Proposed Critical Habitats and Proposed Endangered, Endangered, or Threatened Species: Federally listed and candidate species that may occur in Jefferson County, as obtained from online information from the U.S. Fish and Wildlife Service (USFWS), are summarized in the table below. Other information presented in the table includes the species general habitat, and our assessment of the likelihood for potential effects to the species as a result of the proposed project (as described above).

	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
Canada Lynx (<i>Lynx canadensis</i>)	T	None anticipated since the distribution of the Canada lynx is closely associated with the distribution of North American boreal forest. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. This type of habitat was not observed in the project area.	No
Colorado Butterfly plant (<i>Gaura neomexicana</i> var. <i>coloradensis</i>)	T	None anticipated since the Colorado butterfly plant is found in moist areas of floodplains. This type of habitat was not observed in the project area.	No
Gunnison's prairie dog (<i>Cynomys gunnisoni</i>)	C	The prairie dog's habitat was not observed in the project area.	No
*Least tern (population: interior) (<i>Sterna antillarum</i>)	E	None anticipated since this species typically occurs in riparian habitats. This type of habitat was not observed in the project area.	No
Mexican Spotted owl (<i>Strix occidentalis lucida</i>)	T	None anticipated since habitat typically consists of heavily forested or rocky canyon areas. No evidence of species in project area. This type of habitat was not observed in the project area.	No



	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
North American wolverine (<i>Gulo gulo luscus</i>)	C	None anticipated since habitat typically consists of areas that are cold and receive enough winter precipitation to reliably maintain deep persistent snow late into the warm season. The requirement of cold, snowy conditions means that wolverine distribution is restricted to high elevations. This type of habitat was not observed at or near the project area.	No
*Pallid sturgeon (<i>Scaphirhynchus albus</i>)	E	None anticipated since this species occupies aquatic habitats. This type of habitat was not observed in the project area.	No
Pawnee Montane skipper (<i>Hesperia leonardus montana</i>)	T	The skipper occurs only in the South Platte Canyon River drainage system in Colorado.	
*Piping Plover (population: except Great Lakes watershed) (<i>Charadrius melodus</i>)	T	None anticipated since this species typically occurs in riparian habitats. Areas include prairie alkali wetlands and surrounding shoreline; river channels and associated sandbars and islands; and reservoirs and inland lakes and their sparsely vegetated shorelines, peninsulas, and islands. This type of habitat was not observed in the project area.	No
Preble's meadow jumping mouse (USA: CO, WY population) (<i>Zapus hudsonius ssp. preblei</i>)	T	None anticipated since this species typically lives primarily in heavily vegetated, shrub-dominated riparian (streamside) habitats and immediately adjacent upland habitats along the foothills. This type of habitat was not observed in the project area.	No
Ute ladies'-tresses (<i>Spiranthes diluvialis</i>)	T	None anticipated since the Ute ladies'-tresses orchid occurs along riparian edges, gravel bars, old oxbows, high flow channels, and moist to wet meadows along perennial streams. It typically occurs in stable wetland and seepy areas associated with old landscape features within historical floodplains of major rivers. It also is found in wetland and seepy areas near freshwater lakes or springs. This type of habitat was not observed in the project area.	No



	Status	Potential Effects	Subject Property Likely Located in Critical Habit?
*Western Prairie Fringed Orchid (<i>Platanthera praeclara</i>)	T	None anticipated since this species typically occurs in riparian habitats. This type of habitat was not observed in the project area.	No
Whooping crane (population: except where EXPN) (<i>Grus americanas</i>)	E	None anticipated since this species typically occurs in riparian habitats. Whooping cranes breed and nest along lake margins or among rushes and sedges in marshes and meadows. Whooping cranes prefer sites with minimal human disturbance. Wetlands provide the whooping crane with protection from terrestrial predators. This type of habitat was not observed in the project area.	No

Federally Listed and Proposed Endangered (E), Threatened (T), Experimental (X), and Candidate (C) Species and Habitat in Colorado By County (provided by the USFWS via IPaC and dated 12/11/12)

The starred (*) species are the Platte River Species targeted for the Platte River Recovery Implementation Program. The USFWS has adopted a policy that water-related activities in the Platte River basin resulting in less than 0.1 acre-foot/year of depletions in flow to the nearest surface water tributary to the Platte River system do not affect the Platte River target species, and thus do not require consultation with the USFWS for potential effects on those species. The proposed site should not affect water-related activities in the Platte River basin and therefore, should have no effect on the above-referenced targeted species.

USFWS recommendations published in Interim Guidelines for Recommendations on Communication Tower Siting, Construction, Operation, and Decommissioning (2000) state the preferred tower height to decrease potential effects on migratory birds is less than 200 feet tall. The siting and design process for this project could not conform to all the USFWS recommendations. Therefore, it has included mitigating factors such as consideration of collocation, tower siting with existing towers or in minimally sensitive areas and limiting tower height to 150 feet.

As summarized in the table above, our evaluation of the potential effects to the species listed above indicates the proposed project will not have significant effects to proposed critical habitats or proposed endangered, endangered, or threatened species, due to the lack of suitable habitat in the project area, the limited scope of the project, and limited footprint of the project.

Furthermore, the proposed site is located on private land outside of designated wildlife preserves and designated wilderness areas.

In summary, the proposed action does not appear to have the potential to affect the listed and candidate threatened or endangered species that may occur in Jefferson County.

Figures including design plans and photographs of the site and surrounding area are attached. We ask for your written concurrence with regards to our findings.

Ms. Susan Linner
United States Fish and Wildlife Service
December 17, 2012



Page 5
Project No. 10012-012168.00
& 10012-012168.01

We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.218.3510 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads 'Amanda Cushing'.

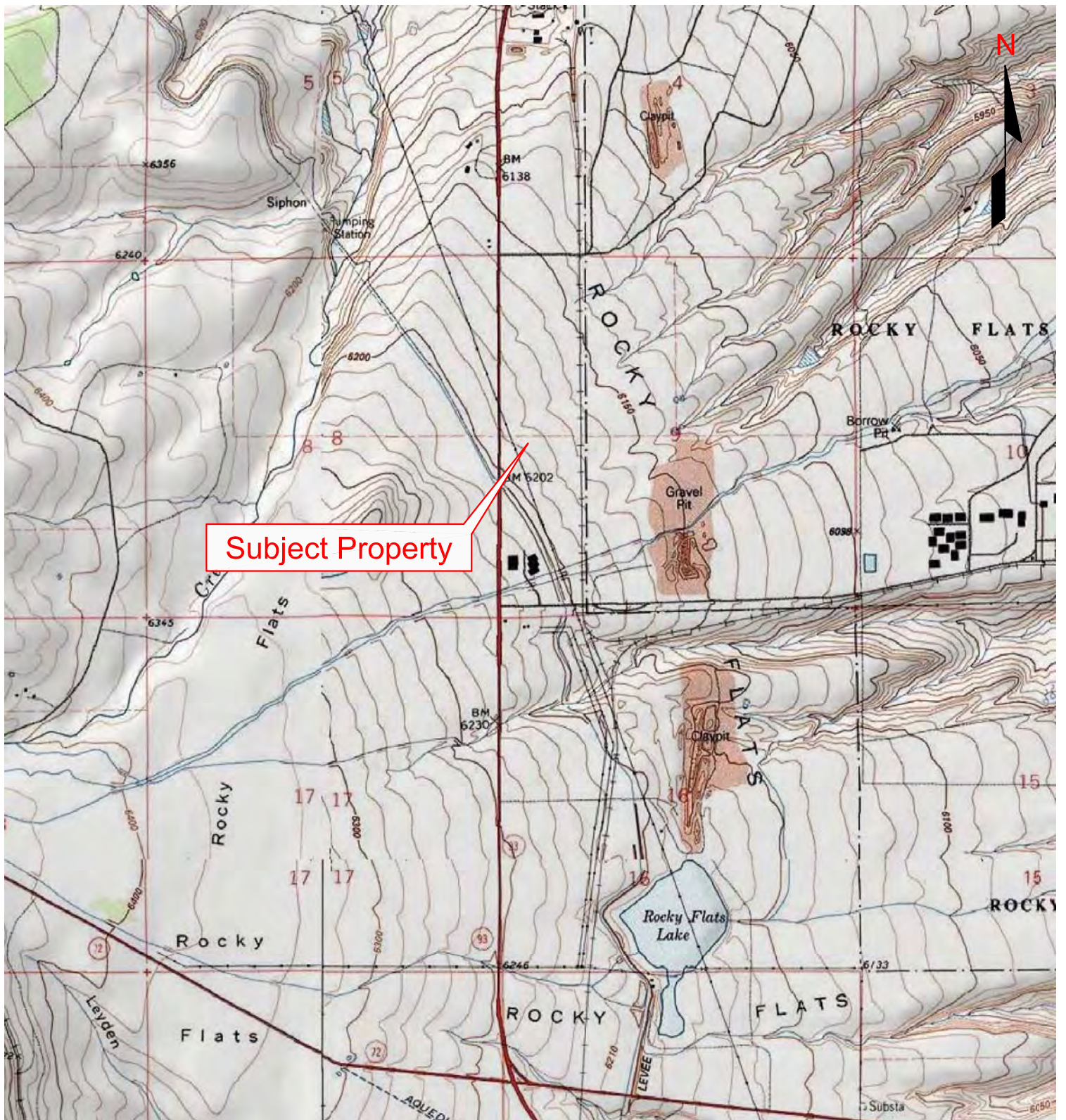
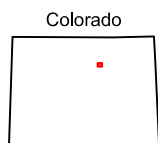
Amanda Cushing
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Rocky Mountain Region

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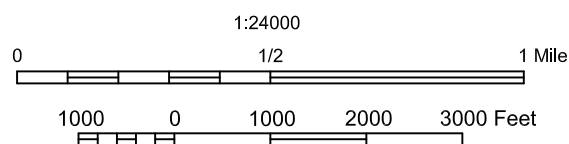
- Figure
- Design Plans
- Site Photographs
- Tower Site Evaluation Form

ATTACHMENTS

Figures



Quadrangle Location



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd, Suite 310
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303-988-2585 Telephone
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CLIENT

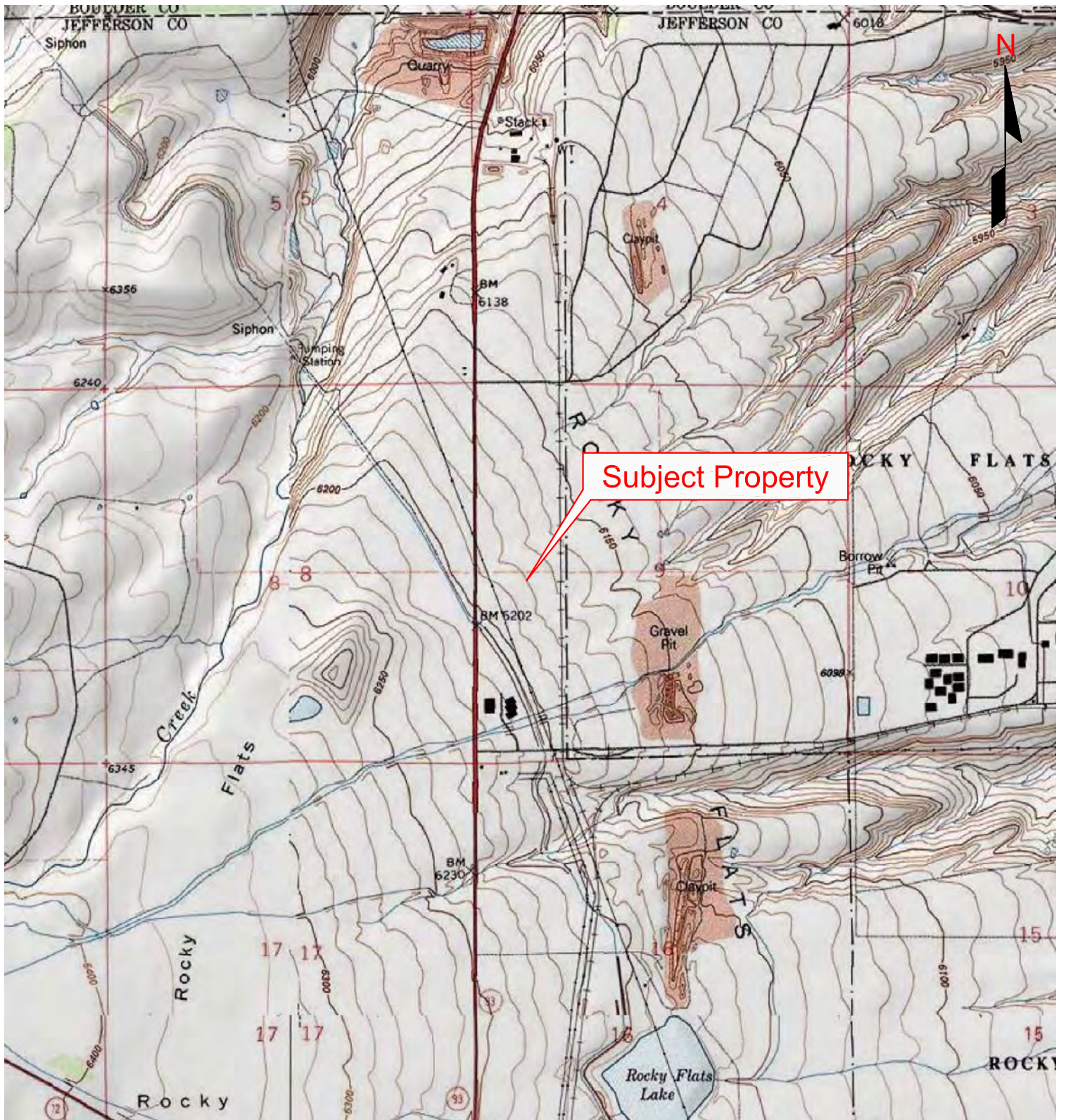
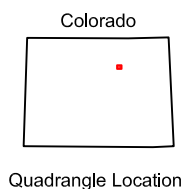
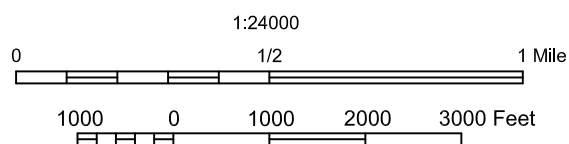


SITE

KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
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Louisville, Colorado
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Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

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KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

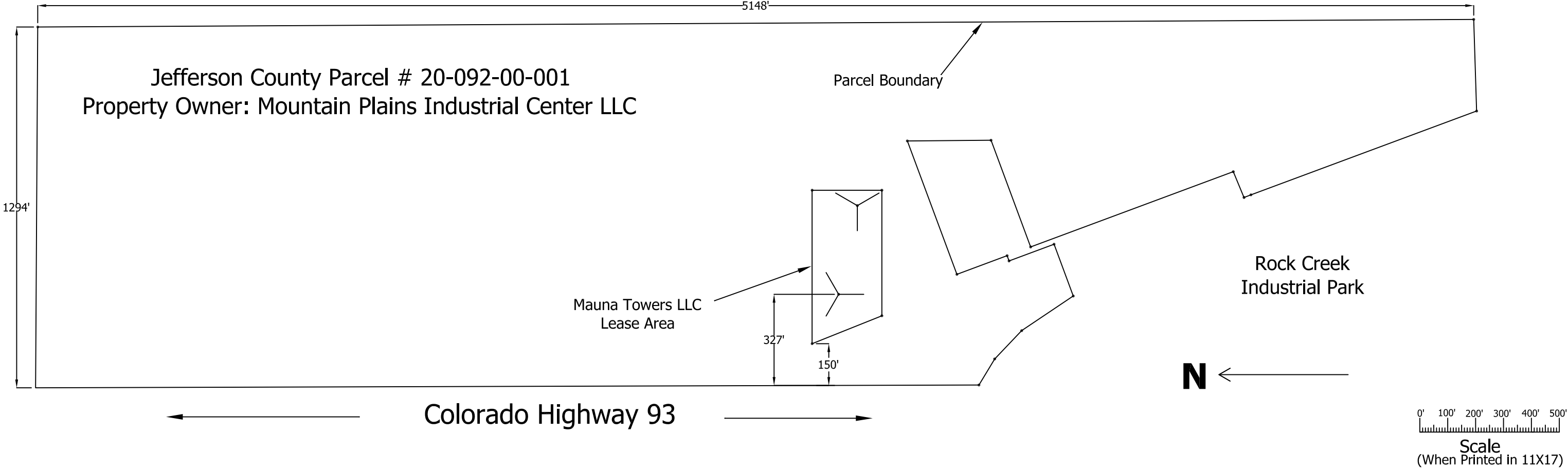
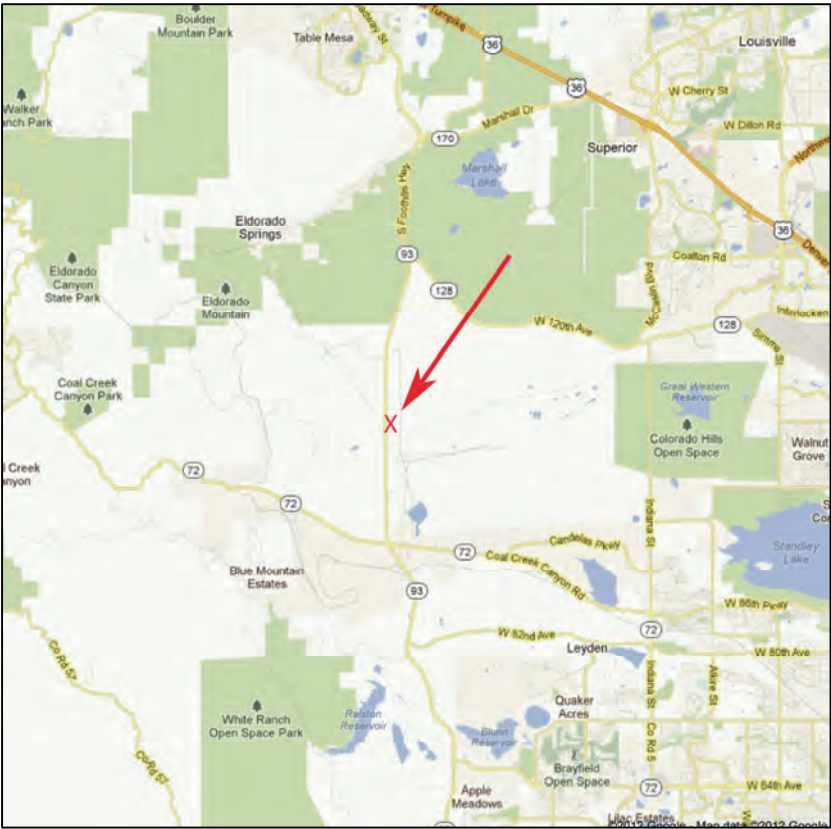
Project No. 10012-012068.00

Last Revision
November 2012

Design Plans

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

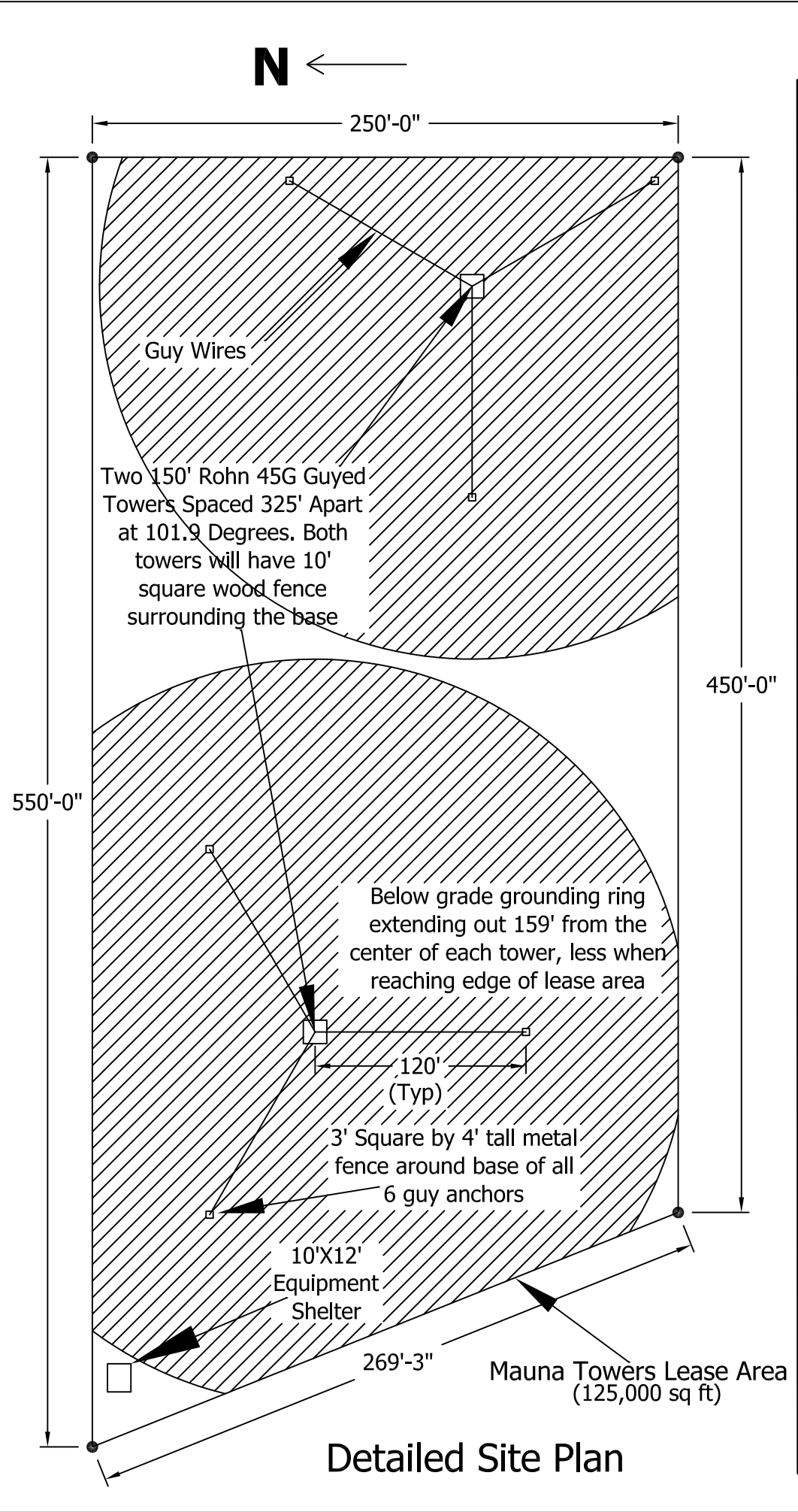


Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
1			
2			

150' Tower

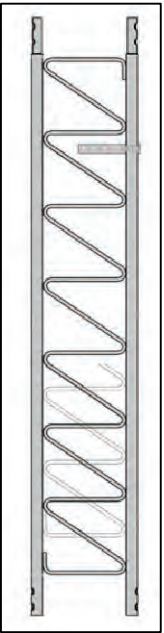
Guy Wires

10'X12' Equipment Shelter

3' Square by 4' tall metal fence around base of all 6 guy anchors

10' square by 6' tall wood fence around base of both towers

South Elevation



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



Closser Consulting LLC

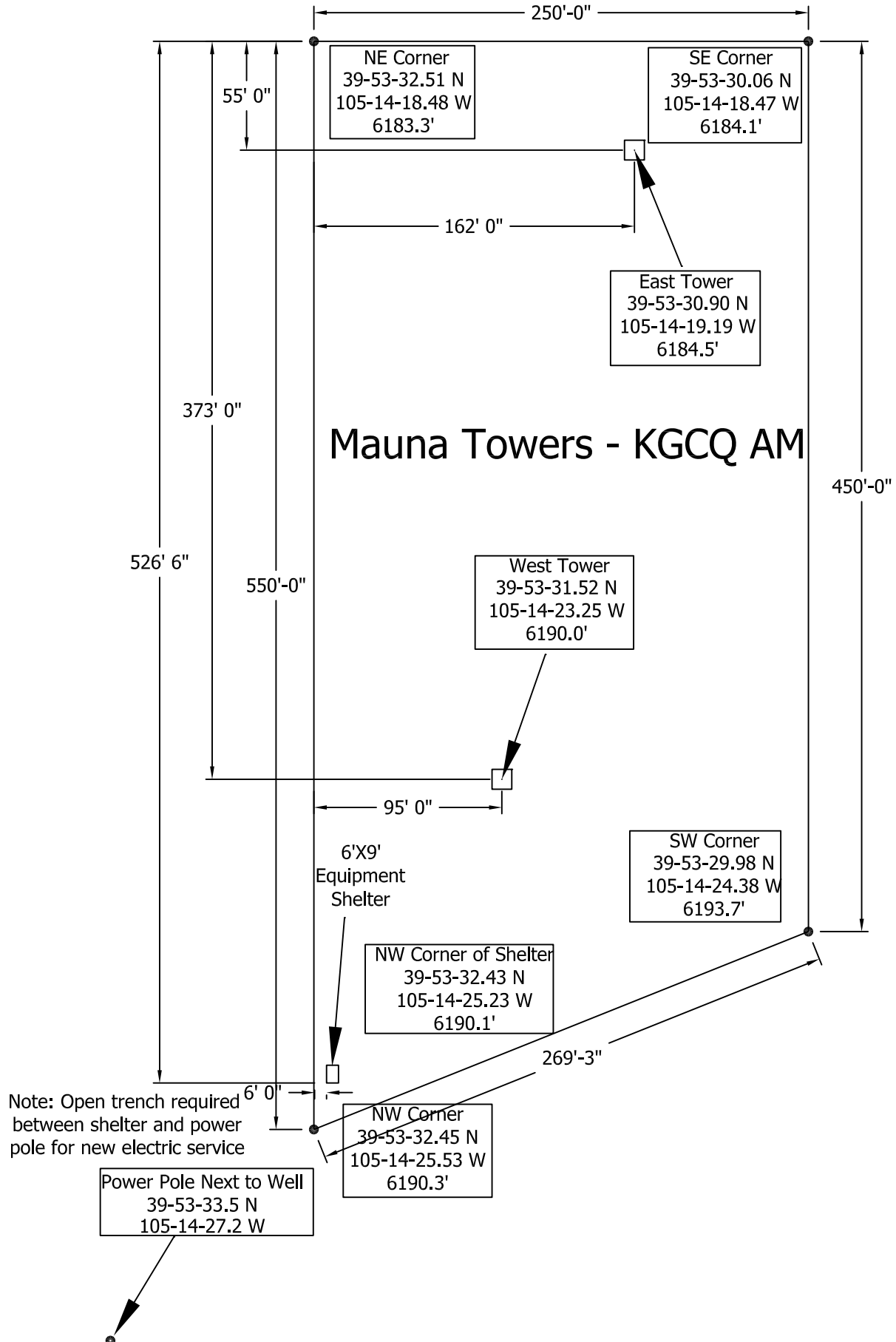
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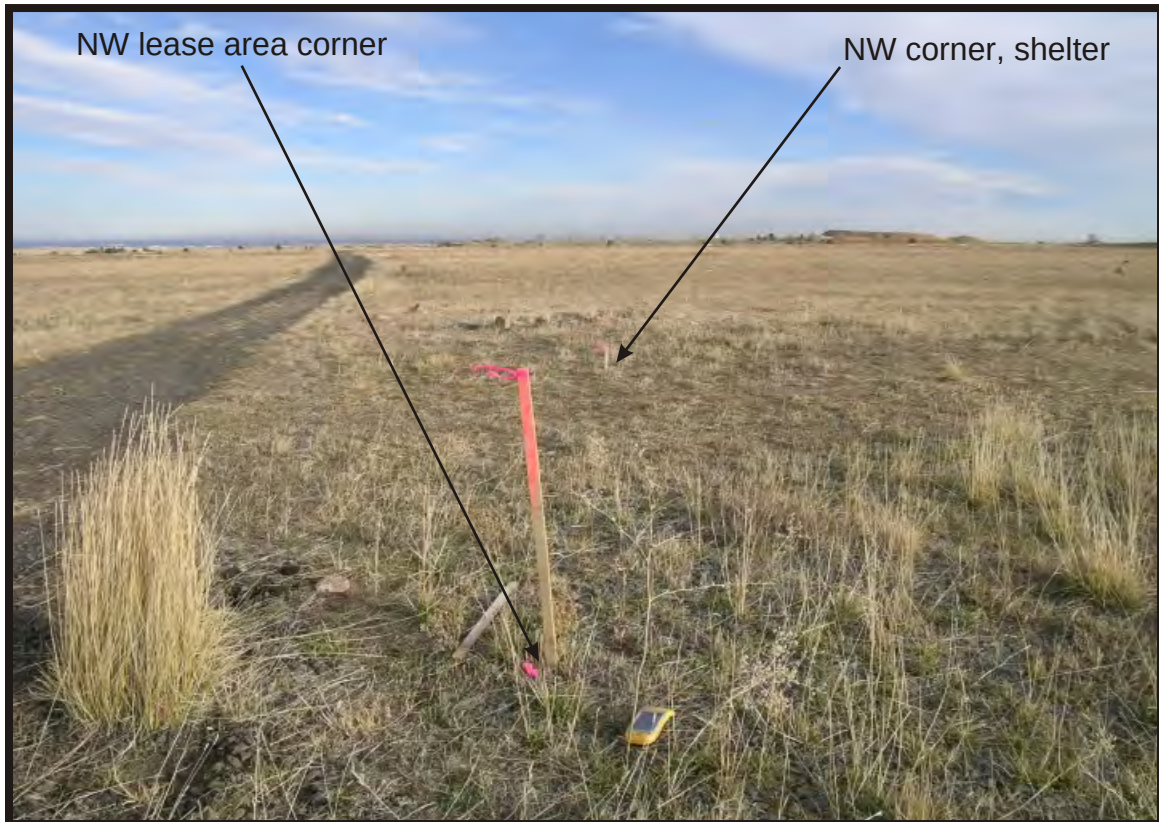
Mauna Towers, LLC

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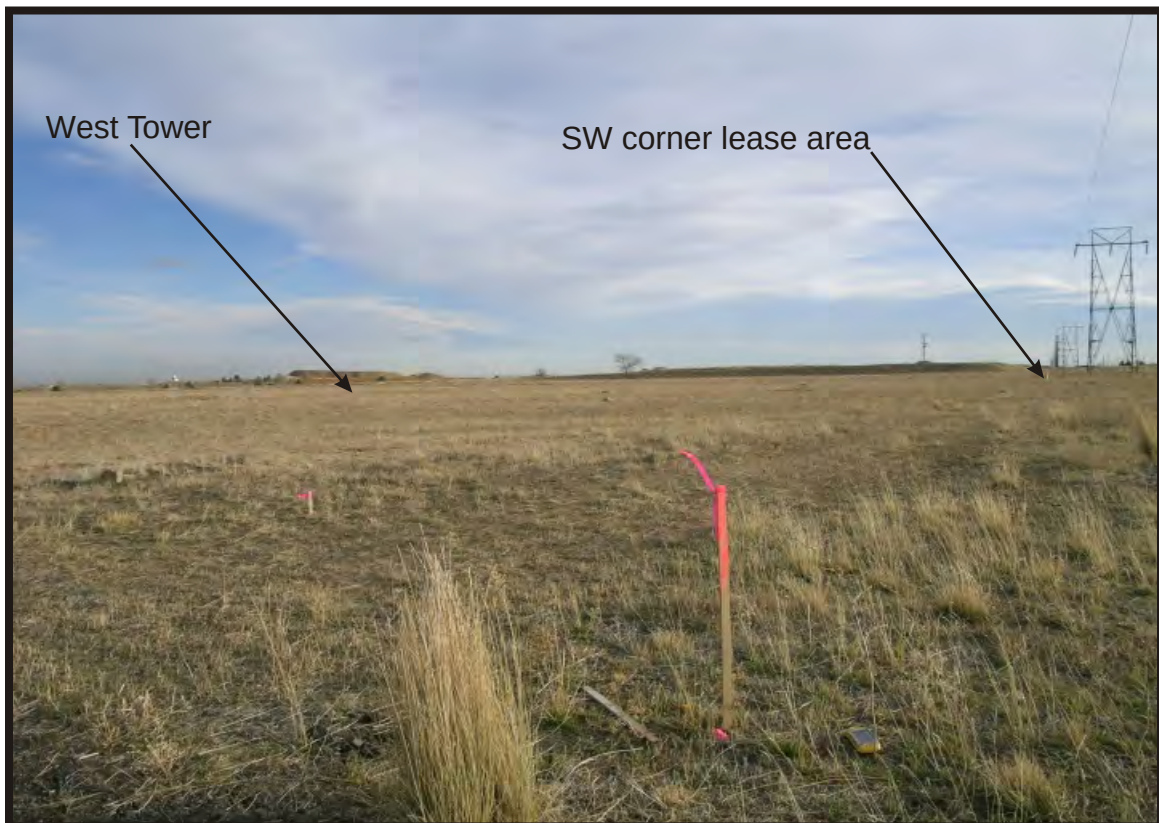
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Photographs



View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



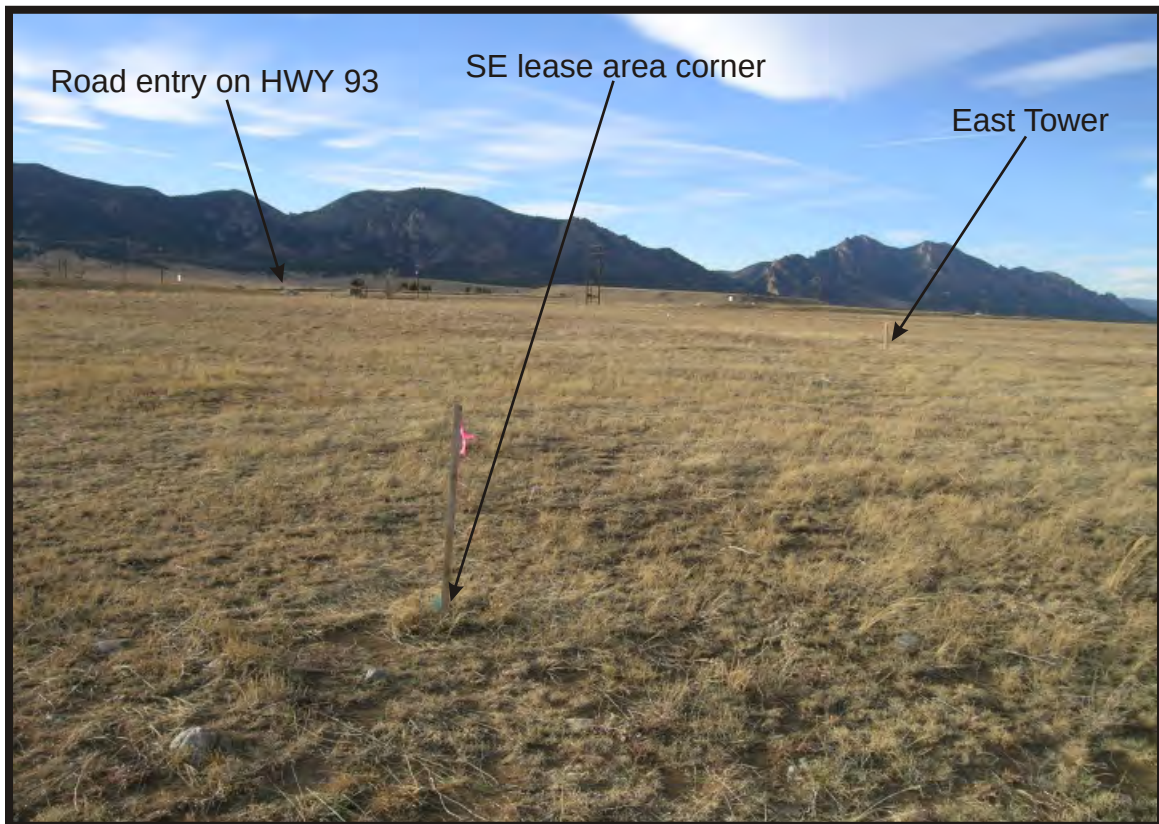
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.

Tower Site Evaluation Forms

TOWER SITE EVALUATION FORM

1. Location (Provide maps if possible):

State: CO County: Jefferson Latitude/Longitude/GPS Grid: LAT: 39° 53' 31.52"N LONG: 105° 14' 23.25"W (West Tower) and LAT: 39° 53' 30.90"N LONG: 105° 14' 19.19"W (East Tower)

City and Highway Direction (2 miles W on Hwy 20, etc.): Arvada. The West Tower is located approximately 350 feet to the southeast of the intersection of Highway 93 and an unnamed driveway. The East Tower is located approximately 325 feet to the southeast of the West Tower.

2. Elevation above mean sea level: and 6190.1 feet (West Tower) and 6184.5 feet (East Tower)

3. Will the equipment be co-located on an existing **FCC licensed** tower or other existing structure (building, billboard, etc.)? (y/n) No If yes, type of structure: If yes, no further information is required.

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

Height: 150 feet Construction type (lattice, monopole, etc.): Lattice

Guy-wired? (y/n) Yes No. bands: 3

Total No. Wires: 6

Lighting (Security & Aviation): NA

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

5. Area of tower footprint in acres or square feet: 2.82 acres

6. Length and width of access road in feet: Access has not been defined. However, the access road will most likely follow an existing broken asphalt road originating on Highway 93.

7. General description of terrain - mountainous, rolling hills, flat to undulating, etc. Photographs of the site and surrounding area are beneficial: Flat

8. Meteorological conditions (incidence of fog, low ceilings, etc.): High winds

9. Soil type(s): Flatirons, very sandy loam

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

11. Dominant vegetative species in each habitat type: Native grasses

12. Average diameter breast height of dominant tree species in forested areas: Not Applicable

13. Will construction at this site cause fragmentation of a larger block of habitat into two or more smaller blocks? (y/n) No If yes, describe: Not Applicable

14. Is evidence of bird roosts or rookeries present? (y/n) No If yes, describe: Not Applicable

15. Distance to nearest wetland area (forested swamp, marsh, riparian, marine, etc.), and coastline if applicable: Not Applicable

16. Distance to nearest telecommunications tower: Not Applicable

17. Potential for co-location of antennas on existing towers or other structures: Not Applicable

18. Have measures been incorporated for minimizing impacts to migratory birds? (y/n) Yes If yes, describe: See evaluation in attached letter.

19. Has an evaluation been made to determine if the proposed facility may affect listed or proposed endangered or threatened species or their habitats as required by FCC regulation at 47 CFR 1.1307(a)(3)? (y/n) Yes If yes, present findings: See evaluation in attached letter.

20. Additional information required: See attached figures and photos.

SECTION 2

State Historic Preservation Office

Notification Date: **7AM EST 01/14/2013****New Tower ("NT") Submission Packet**

See instructions for

File Number: **0005600775**

public burden estimates

General Information

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

Applicant Information

3) FCC Registration Number (FRN): 0015784085
4) Name: Mauna Towers, LLC

Contact Name

5) First Name: Vic	6) MI:	7) Last Name: Michael	8) Suffix:
9) Title:			

Contact Information

10) P.O. Box:	And /Or	11) Street Address: 87 Jasper Lake Road	
12) City: Loveland		13) State: CO	14) Zip Code: 80537
15) Telephone Number: (970)669-9200		16) Fax Number:	
17) E-mail Address: VicMichael@aol.com			

Consultant Information

18) FCC Registration Number (FRN): 0012951935
19) Name: Bureau Veritas North America, Inc.

Principal Investigator

20) First Name: Amanda	21) MI:	22) Last Name: Cushing	23) Suffix:
24) Title: Project Manager			

Principal Investigator Contact Information

25) P.O. Box:	And /Or	26) Street Address: 165 South Union Boulevard Suite 310	
27) City: Lakewood		28) State: CO	29) Zip Code: 80228
30) Telephone Number: (303)218-3510		31) Fax Number: (303)988-2583	
32) E-mail Address: amanda.cushing@us.bureauveritas.com			

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	() <u>Y</u> es (X) <u>N</u> o
34) Areas of Professional Qualification: () Archaeologist () Architectural Historian () Historian () Architect (X) Other (Specify) <u>Section 106 Consultant</u>	

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(X) <u>Y</u> es () <u>N</u> o
--	---

If "YES," complete the following:

36) First Name: Brad	37) MI:	38) Last Name: Noisat	39) Suffix:
40) Title:			
41) Areas of Professional Qualification: (X) Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____			

Site Information

Tower Construction Notification System

1) TCNS Notification Number: **90535**

Site Information

2) Site Name: **Mauna Towers - East Tower**

3) Site Address: **10888 Highway 93**

4) City: **Arvada**

5) State: **CO**

6) Zip Code: **80403**

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

8) Nearest Crossroads: **Highway 93 and an unnamed road**

9) NAD 83 Latitude (DD-MM-SS.S): **39-53-30.9**

(☒) N or () S

10) NAD 83 Longitude (DD-MM-SS.S): **105-14-19.2**

() E or (☒) W

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 45.7 () Feet (☒) Meters

12) Tower Type (Select One):

(☒) Guyed lattice tower

() Self-supporting lattice

() Monopole

() Other (Describe):

Project Status

13) Current Project Status (Select One):

(☒) Construction has not yet commenced

() Construction has commenced, but is not completed

Construction commenced on: _____

() Construction has been completed

Construction commenced on: _____

Construction completed on: _____

Determination of Effect

14) Direct Effects (Select One):

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

15) Visual Effects (Select One):

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

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(☒) <u>Yes</u> (☐) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>90535</u>		Number of Tribes/NHOs: <u>10</u>
2b) Tribes/NHOs contacted through an alternate system:		Number of Tribes/NHOs: <u>0</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Apache Tribe of Oklahoma

Contact Name

5) First Name: Lyman	6) MI:	7) Last Name: Guy	8) Suffix:
9) Title: Tribal Administrator			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Cheyenne-Arapaho Tribes of Oklahoma

Contact Name

5) First Name: Margaret	6) MI:	7) Last Name: Anquoe	8) Suffix:
9) Title: THPO			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied <u>11/29/2012</u>
(☐) No Reply	
(☒) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(☒) <u>Yes</u> (☐) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>90535</u>		Number of Tribes/NHOs: <u>10</u>
2b) Tribes/NHOs contacted through an alternate system:		Number of Tribes/NHOs: <u>0</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Comanche Nation

Contact Name

5) First Name: Kelly	6) MI:	7) Last Name: Glancy	8) Suffix:
9) Title: THPO Assistant			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Jicarilla Apache Nation

Contact Name

5) First Name: Joanna	6) MI:	7) Last Name: Dykehouse	8) Suffix:
9) Title: Tribal Historic Preservation Office Aide			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied <u>12/12/2012</u>
(☐) No Reply	
(☒) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(☒) <u>Yes</u> (☐) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>90535</u>		Number of Tribes/NHOs: <u>10</u>
2b) Tribes/NHOs contacted through an alternate system:		Number of Tribes/NHOs: <u>0</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Northern Arapaho

Contact Name

5) First Name: Darlene	6) MI:	7) Last Name: Conrad	8) Suffix:
9) Title: THPO			

Dates & Response

10) Date Contacted <u>11/21/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Northern Cheyenne Tribe

Contact Name

5) First Name: Conrad	6) MI:	7) Last Name: Fisher	8) Suffix:
9) Title: THPO			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(☒) <u>Yes</u> (☐) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>90535</u>		Number of Tribes/NHOs: <u>10</u>
2b) Tribes/NHOs contacted through an alternate system:		Number of Tribes/NHOs: <u>0</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Pawnee Nation of Oklahoma

Contact Name

5) First Name: Gordon	6) MI:	7) Last Name: Adams	8) Suffix:
9) Title: THPO			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Ponca Tribe of Nebraska

Contact Name

5) First Name: Randy	6) MI:	7) Last Name: Teboe	8) Suffix:
9) Title: THPO Coordinator			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(☒) <u>Yes</u> (☐) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>90535</u>		Number of Tribes/NHOs: <u>10</u>
2b) Tribes/NHOs contacted through an alternate system:		Number of Tribes/NHOs: <u>0</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Southern Ute Tribe

Contact Name

5) First Name: Alden	6) MI:	7) Last Name: Naranjo	8) Suffix:
9) Title: NAGPRA Coordinator			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Tribe/NHO Contacted Through TCNS

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

Contact Name

5) First Name: Betsy	6) MI: L	7) Last Name: Chapoose	8) Suffix:
9) Title: Cultural Rights & Protection Director			

Dates & Response

10) Date Contacted <u>11/22/2012</u>	11) Date Replied _____
(☒) No Reply	
(☐) Replied/No Interest	
(☐) Replied/Have Interest	
(☐) Replied/Other	

Other Tribes/NHOs Contacted

Tribe/NHO Information

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

Contact Name

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

Contact Information

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

Dates & Response

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

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	(☒) <u>Y</u> es () <u>N</u> o
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	() <u>Y</u> es (☒) <u>N</u> o
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	() <u>Y</u> es (☒) <u>N</u> o

Historic Property

4) Property Name:
5) SHPO Site Number:

Property Address

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

Status & Eligibility

11) Is this property listed on the National Register? Source: _____	() <u>Y</u> es () <u>N</u> o
12) Is this property eligible for listing on the National Register? Source: _____	() <u>Y</u> es () <u>N</u> o
13) Is this property a National Historic Landmark?	() <u>Y</u> es () <u>N</u> o

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

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Jefferson County Planning and Zoning

Contact Name

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

Contact Information

8) P.O. Box:	And /Or	9) Street Address: 100 Jefferson County Pkwy #3550	
10) City: Golden		11) State: CO	12) Zip Code: 80419
13) Telephone Number: (303)271-8700		14) Fax Number:	
15) E-mail Address:			
16) Preferred means of communication: () E-mail (X) Letter () Both			

Dates & Response

17) Date Contacted 12/10/2012	18) Date Replied 01/09/2013
() No Reply	
(X) Replied/No Interest	
() Replied/Have Interest	
() Replied/Other	

Additional Information

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

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Jefferson County Historical Society

Contact Name

3) First Name: No Name	4) MI:	5) Last Name: Given	6) Suffix:
7) Title:			

Contact Information

8) P.O. Box: 703	And /Or	9) Street Address:	
10) City: Evergreen		11) State: CO	12) Zip Code: 80437
13) Telephone Number: (303)497-7650		14) Fax Number:	
15) E-mail Address:			
16) Preferred means of communication: () E-mail (X) Letter () Both			

Dates & Response

17) Date Contacted 12/10/2012	18) Date Replied _____
(X) No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other	

Additional Information

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

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	() <u>Y</u> es (X) <u>N</u> o
--	---

Consulting Party

2) FCC Registration Number (FRN):
3) Name:

Contact Name

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

Contact Information

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

Dates & Response

18) Date Contacted _____	19) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other	

Additional Information

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

Designation of SHPO/THPO

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

SHPO/THPO

Name: **Colorado Historical Society**

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

SHPO/THPO Name: _____

SHPO/THPO Name: _____

SHPO/THPO Name: _____

Certification

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

Party Authorized to Sign

First Name: **Amanda**

MI:

Last Name: **Cushing**

Suffix:

Signature: **Amanda Cushing**

Date: **01/11/2013**

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

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

Attachments

Resumes

Site Information

Maps

Areas of Potential Effects

Tribal and NHO Involvement

Historic Properties

Local Government

Public Involvement

Resumes



Amanda Cushing

Project Manager

B.A., Environmental Studies, 2002
Temple University, Philadelphia,
Pennsylvania

Environmental Professional as defined in
§312.10 of 40 CFR 312

Assessment of Vapor Intrusion Into
Structures on Property Involved in Real
Estate Transactions Training, ASTM,
June 2008

Overview of the NEPA Process
Workshop, The Shipley Group,
June 2010

Environmental Management Systems
ISO 14001:2004:2008 Lead Auditor,
January 2011

OSHA 40-Hour Hazardous Waste
Operations and Emergency Response
(HAZWOPER) Training

OSHA 8-Hour HAZWOPER Refresher
(annual)

EPA AHERA Building Inspector
Certified Colorado Building Inspector

Employment History

Bureau Veritas – Rocky Mountain
Region
Project Manager
2011 to Present

Bureau Veritas – Rocky Mountain
Region
Consultant
2008 to 2011

Bureau Veritas – Clayton Group
Services – Denver Regional Office
Staff Consultant
2004 to 2008

A.G. Wassenaar – Denver, Colorado
Environmental Scientist
2003 to 2004

Temple University Department of
Geology – Philadelphia, Pennsylvania
Research Assistant
2000 to 2001

Ms. Cushing joined Bureau Veritas North America, Inc. in March of 2004. Ms. Cushing has conducted numerous Phase I and Phase II Environmental Site Assessments (ESAs) of residential, commercial, and industrial properties, where attention to detail is crucial.

Phase I ESA activities included site inspection and reconnaissance as well as performing current and historical research. Research includes analyzing historical aerial photographs and topographic maps, fire insurance maps, and city directories.

Phase II ESA activities included retaining and supervising subcontractors for drilling and sampling of soil and groundwater, preparing health and safety plans, data analysis, and report generation.

Ms. Cushing has also conducted numerous National Environmental Policy Act (NEPA) Screenings for proposed and existing wireless telecommunications facilities to assess compliance with federal regulations. Screenings included identifying if the facilities may have a significant environmental effect for which further evaluation should be conducted. These NEPA Screenings consist of working with the United States Fish & Wildlife Service, the United States Department of Agriculture Forest Service, the National Park Service, state agencies, local governments, and Native American Indian Tribes. Ms. Cushing has extensive knowledge of the newly adopted National Programmatic Agreement executed by the Federal Communications Commission regarding Section 106 consultations.

Additionally, Ms. Cushing performs groundwater monitoring of petroleum-contaminated sites within the state of Colorado.



Amanda Cushing

Project Experience

National Environmental Policy Act Assessments

Proposed Wireless Telecommunications Facilities

Ms. Cushing has completed over 200 National Environmental Policy Act (NEPA) assessments of proposed wireless telecommunications facilities. Assessments were completed to determine compliance on behalf of the wireless provider with Federal Communications Commission (FCC) regulations for implementing NEPA. Ms. Cushing contacted appropriate state and federal agencies and Native American groups to assess potential impacts to officially designated wilderness areas and wildlife preserves, listed threatened or endangered species or designated critical habitats, and/or historically or culturally significant resources, including those listed in the National Register of Historic Places. Assessments of impacts to historic and cultural resources were performed through consultation with applicable State Historic Preservation Officers, local historic preservation societies or groups, and Native American groups in accordance with Section 106 of the National Historic Preservation Act and the nationwide programmatic agreement issued by the FCC concerning review of effects on historic properties resulting from construction of proposed wireless telecommunications facilities.

Environmental Assessments

National Institutes of Health (NIH)

Ms. Cushing assisted in the preparation of an Environmental Assessment (EA) for the expansion of a campus building at the University of Michigan, Ann Arbor, Michigan. Ms. Cushing conducted the research and wrote portions of the Affected Environment and Environmental Consequences sections of the EA. Portions of the EA that were written by Ms. Cushing included the socioeconomic, noise, land use and ecological resources sections.

Department of Housing and Urban Development (HUD)

Ms. Cushing also assisted in the technical review of an EA funded by HUD. The EA was required for the development of a multi-family apartment complex in Williston, North Dakota. Ms. Cushing assisted in drafting the concurrence letter to the State Historic Preservation Office and reviewing the HUD-required forms. The EA was granted a FONSI at the conclusion of the project.

Hunt Development under United States Air Force guidance

Ms. Cushing was the Project Manager in the preparation of an EA for an access road and associated interior roads for Ellsworth Air Force Base in Box Elder, South Dakota. Ms. Cushing was responsible for preparing the Description of the Proposed Action and Alternatives (DOPAA) as well as the Interagency and Intergovernmental Coordination for Environmental Planning Correspondence and other aspects of the project. Ms. Cushing was responsible for keeping the client involved in the progress of the document and keeping the project on budget. It is anticipated that the project will contain a Finding of No Practicable Alternatives due to the presence of floodplains in the Area of Proposed Action.

Professional Affiliations

Rocky Mountain Association of Environmental Professionals, Member

2012 RESUME: Brad Noisat

Personal Information

- Name: Bradley Anthony Noisat
- Home Office Address: 20139 Ridgefield Loop
Spearfish, SD 57783
- Phone/FAX: 605-269-2060
- Cell: 970-580-3765
- Email: bradnac@kci.net
- Web site: www.niwotarch.com

Education

Additional coursework to PHD, 1978-1982

M.A., Anthropology (1978), University of Colorado, Boulder

B.A., Anthropology (1976), San Jose State University, San Jose, CA

Work History

- (1) Company: Niwot Archaeological Consultants, Inc. (NAC)
 - Dates: August 1988 – Present
 - Address: 20139 Ridgefield Loop
Spearfish, SD 57783
 - Position: President, Owner, Principal Investigator
 - Principal Clients: USDA, Forest Service, Region 2 (Colorado, South Dakota, Nebraska); BLM, Wyoming, Newcastle Field Office; Bureau Veritas North America, Inc. (Colorado and Wyoming); EBI Consulting (Colorado); Colorado State Historical Society, State Historical Fund; BLM, South Dakota (South Dakota); Bureau of Reclamation (Colorado)
 - Project Types: Block surveys for federal agencies ranging from 100-18,000 acres in size for timber, range, transportation, water developments, land exchanges, NRHP property nominations, pipelines, power lines, wilderness areas, wind farms, and recreation areas; total of 272 cell tower projects in Colorado, Wyoming, South Dakota, and Kansas; excavations of 3 historic urban building sites in Colorado for State Historical Society; many miscellaneous projects for industrial urban sites, urban and rural roads, power lines, irrigation works, urban and rural air traffic telecoms; surveyed 100 miles of the Continental Divide National Scenic Trail
- (2) Company: Overland Associates, Inc. (OAI)
 - Dates: June 1981-August 1988
 - Address: Not currently operating; once headquartered in Boulder, CO
 - Position: Vice-President, Co-Owner, Principal Investigator
 - Principal Clients: Amoco Production Company; Exxon; USDA, Forest Service, Black Hills National Forest; BLM, Wyoming, Rock Springs, Casper, and Rawlins Districts; U.S. Army Corps of Engineers; many miscellaneous oil-and-gas and mineral (coal and uranium) producers.
 - Project Types: Managed field office for three-state area (SW Wyoming, NW Colorado, NE Utah) and assisted other field offices when needed; performed more than 200

well pad surveys in western Wyoming, northwestern Colorado, northeastern Utah, southeastern and north-central Montana, and western and central North Dakota; site excavation of Knife River Quarries; surveyed 100 miles of Lake Sakakawea shoreline; surveyed Exxon CO2 pipeline in Montana; performed project planning, crew supervision, proposal preparation duties; principal investigator on all large block area inventories; primary responsibility for report preparation.

- (3) Employer: Various; summer fieldwork jobs while a full-time student
- Dates: June 1974-June 1981
 - Address: Various
 - Position: Crew Chief or Crew Member, as briefly listed below

- 1980 Crew Member on 5000+ acre archeological survey/ NRHP evaluation of sites within coal mine area in Carbon and Converse Counties, Wyoming; Crew Member on power line survey in Basalt-Aspen area, Colorado. Employer (both): Jane Anderson, Longmont, CO.
- 1979 Crew Member, uranium solution mining project areas in northeastern Colorado (Pawnee National Grassland), for Archaeological Associates, Inc., Boulder CO.
- 1978 Field school student, Yellow Jacket Ruin Excavation, southwestern Colorado, for University of Colorado Museum.
- 1977 Crew Member, on 8000+ acre archaeological survey of coal shale lands in northwestern Colorado, for Archaeological Associates, Inc., Boulder CO.
- 1976 Crew Chief, Bisti-Star Lake Coal Lease Areas, site survey, northwestern New Mexico, for Archaeological Associates, Inc., Boulder CO.
- 1975 Crew Chief, Hovenweep National Monument, survey and research test excavations of BMIII-PIII Pueblos, for San Jose State University and National Park Service.
- 1974 Field school student, Hovenweep National Monument, site survey of Pueblo sites, SJS/NPS.

Licenses/Certificates

- State of Colorado, Annual Survey/Testing Archeological Permit (Principal Investigator) (current).
- Special-Use Cultural Resource Blanket Permit, Principal Investigator for all National Forests in Rocky Mountain Region 2 (current).
- BLM, Wyoming Newcastle Field Office Antiquities permit for Principal Investigator (current)

Outside Interests

- Travel: Polynesia and other South Pacific, Latin America, Caribbean
- Real estate: flipping properties, renovating historic residences, property investing and development
- Recreation: freshwater fly-fishing, salt-water fishing, bird hunting, Black Hills ATV adventures
- Music: piano

Additional Site Information

Proposed Action

The proposed action will consist of the construction of one (1), guyed 150 foot high lattice radio tower (identified as the Mauna Towers - East Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. Soil disturbance is anticipated due to the construction of the tower, equipment shelter, and the utility easement.

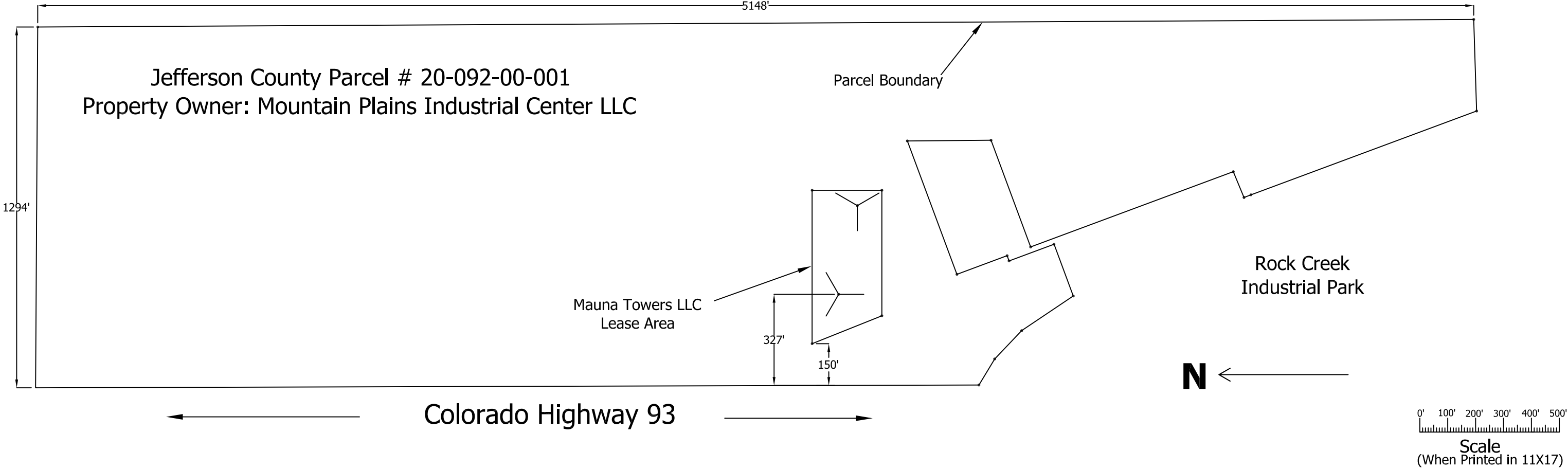
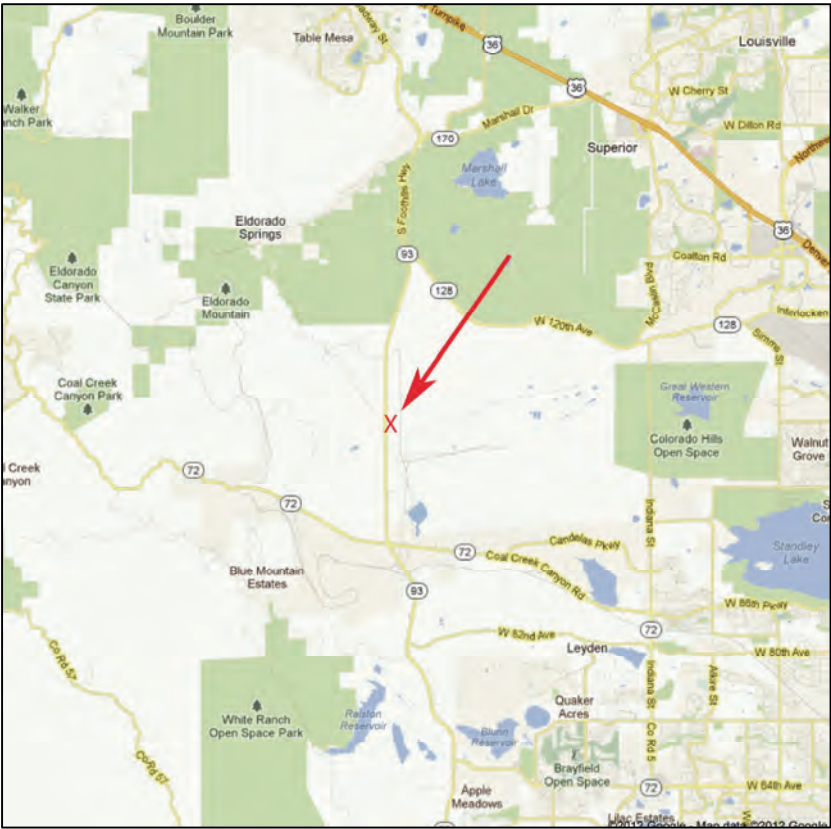
A copy of design plans for the proposed action is attached.

Current Land Use

The proposed project area is currently vacant land.

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

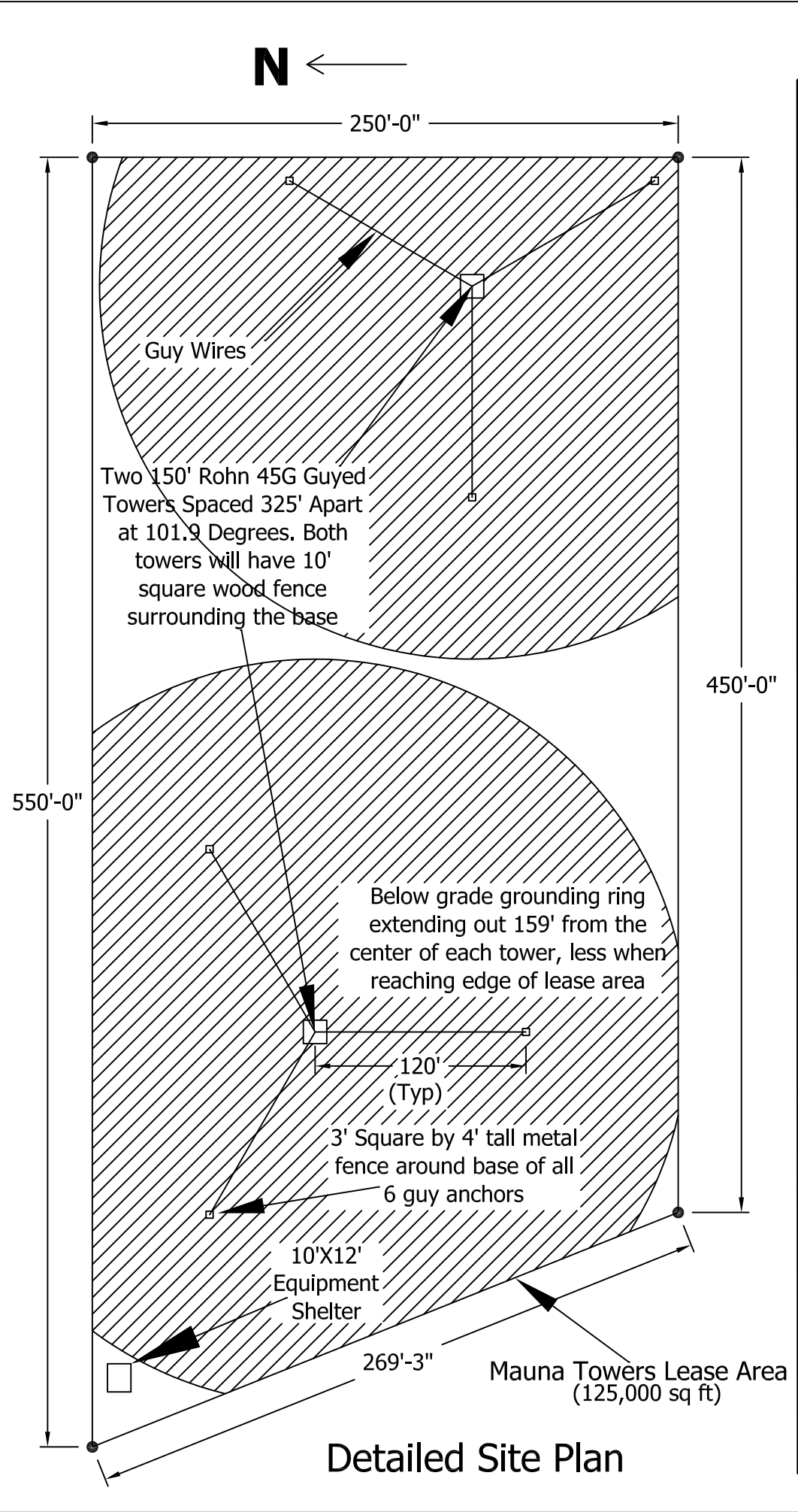


Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
1			
2			

150' Tower

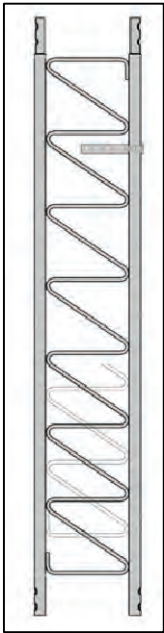
Guy Wires

10'X12' Equipment Shelter

3' Square by 4' tall metal fence around base of all 6 guy anchors

10' square by 6' tall wood fence around base of both towers

South Elevation



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



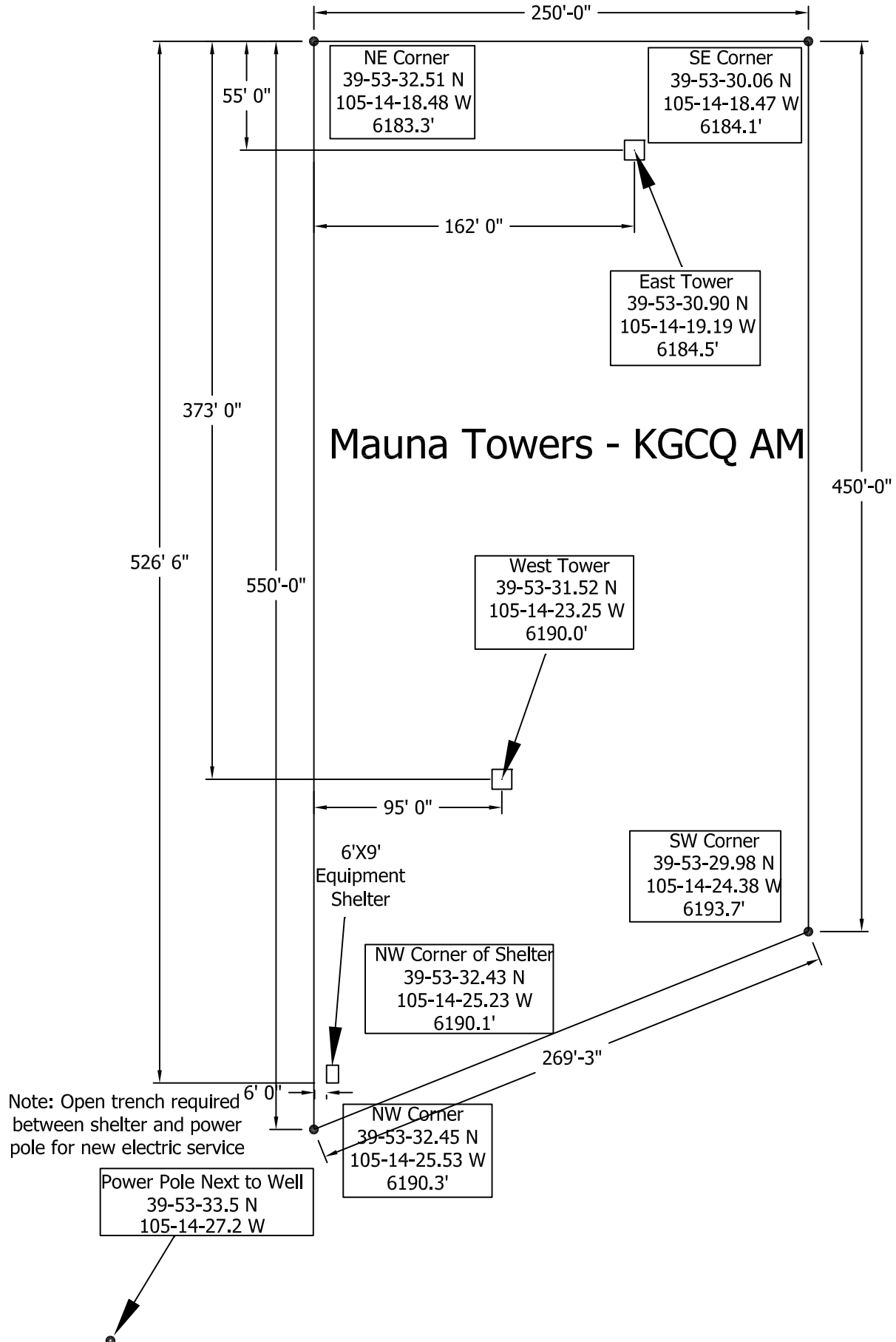
Closser Consulting LLC
4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

- *FOR* -

Mauna Towers, LLC

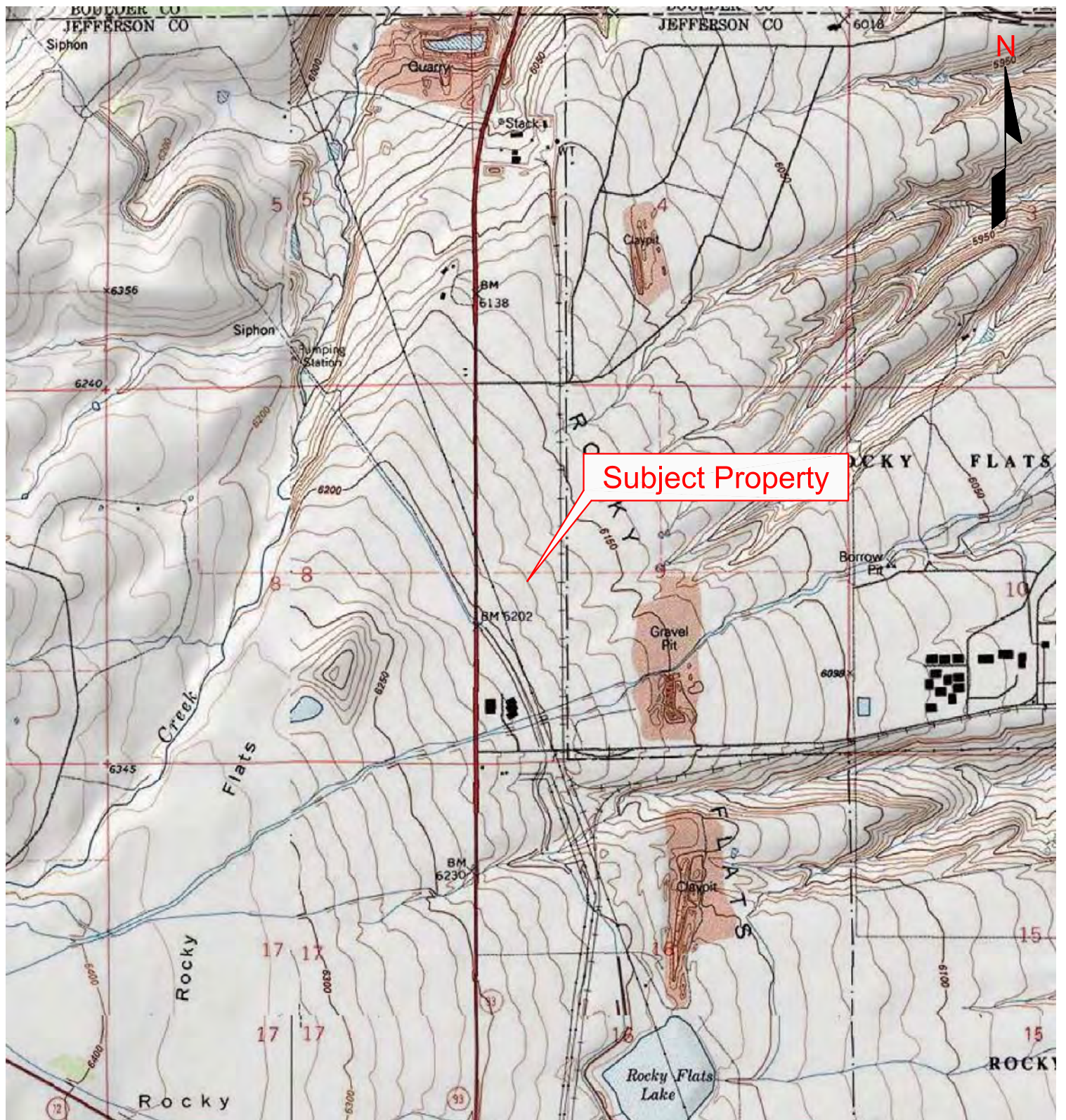
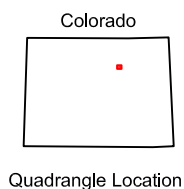
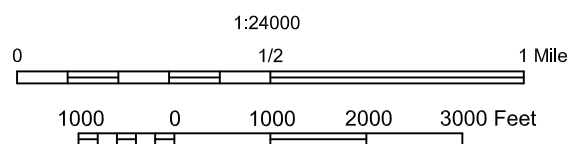
CLOSSER CONSULTING FILE NAME: Mauna Towers Page 2.dwg			
TITLE: Detailed Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 9/3/12	BY: DAC		Page 2 of 2

N ←



Maps

A map of the proposed project area is attached.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

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KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012

Areas of Potential Effects

The *Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the FCC* (NPA) released by the FCC on October 5, 2004 and effective March 7, 2005 indicates that a proposed project will have Area of Potential Effects (APE) for direct and visual effects as defined below:

- Direct Effects – “the area of potential ground disturbance and any property, or any portion thereof, that will be physically altered or destroyed” by the proposed action.

The APE for direct effects for the proposed action includes the lease area, utility runs, and site access route.

- Visual Effects – “the geographic area in which the (proposed action) has the potential to introduce visual elements that diminish or alter the setting, including the landscape, where the setting is a character-defining feature of a Historic Property that makes it eligible for listing in the National Register”. As stated by the NPA, the APE for visual effects for a tower
 1. less than or equal to 200 feet in overall height, is $\frac{1}{2}$ mile;
 2. greater than 200 feet in height and less than 400 feet in height, is $\frac{3}{4}$ mile; and
 3. greater than 400 feet in height, is 1.5 miles.

The APE for visual effects for the proposed action includes the area within $\frac{1}{2}$ mile of the subject property.

Tribal & NHO Involvement

Bureau Veritas submitted information concerning the proposed project to the FCC's Tower Construction Notification System (TCNS) on November 20, 2012 and was assigned an identification number of 90535. The TCNS was developed to aid in identifying Native American Indian Tribes, Native Hawaiian Organizations, and Tribal Historic Preservation Officers (collectively "tribes") that have requested consultation for projects located within specific geographic areas as defined by each tribe. Tribes were contacted through the TCNS on November 22, 2012.

The following additional tasks were performed in an attempt to gain clearance from tribes who may have an interest in the proposed project:

- Based on the TCNS's list of tribes who may have an interest in the proposed project, exclusions set forth by several tribes identified by the TCNS, and previous correspondence with tribes, Bureau Veritas submitted one (1) letter on December 24, 2012 to a non-responsive tribe in an attempt to gain clearance from that tribe.
- On January 4, 2013, Bureau Veritas requested consultation with the FCC regarding tribes who had not responded to Bureau Veritas' requests. According to correspondence from the FCC dated January 10, 2013, obligations under Section IV of the NPA will be considered complete as of January 30, 2013. However, if a tribe requests further information regarding the proposed project, their request must be fulfilled prior to proceeding with the project.

Bureau Veritas will forward to the CHS copies of responses from tribes that indicate interest or concerns with the proposed project if such a response is received.

At the time this report was issued, the following tribes have responded to our requests:

Tribe	Date of Response	Response by:	Response
Ponca Tribe of Nebraska	11/23/12	TCNS tribe list	No interest if a response has not been received within 30 days; however, if archaeological properties or human remains are discovered during construction, the tribe must be contacted.
Jicarilla Apache Nation	12/12/12	E-mail	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.
Southern Ute Tribe	11/23/12	TCNS tribe list	The Southern Ute Tribe has requested the Form 620. The Form 620 will be submitted on 1/14/13.
Pawnee Nation of Oklahoma	12/10/12	Letter	The Tribe requested the Cultural Resources Survey which was sent on 12/21/12.
Comanche Nation	11/23/12	TCNS tribe list	Requested site photographs, an aerial photograph of the site, a legal description of the site, and any reports or surveys completed related to the proposed site. This information was sent to the Tribe on 12/21/12.

Tribe	Date of Response	Response by:	Response
Cheyenne and Arapaho Tribe of Oklahoma	11/19/12	Email	We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.
Apache Tribe of Oklahoma	11/23/12	TCNS tribe list	The Apache Tribe of Oklahoma has no interest in participating in pre-construction review for this site. The Applicant, however, must notify the Apache Tribe of Oklahoma in the event archaeological properties or human remains are discovered during construction.
Northern Arapaho Tribe	12/13/12	TCNS tribe list	Requested site photographs, site map, a legal description of the site, legal description, and archeological survey or site inventory for the area within ½ mile of APE. This information was sent to the Tribe on 12/12/12.
Northern Cheyenne Tribe	11/23/12	TCNS tribe list	If the applicant/tower builder receives no response from the Northern Cheyenne Tribe within 30 days after notification through TCNS, the Northern Cheyenne Tribe has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Northern Cheyenne Tribe in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

Copies of the TCNS documentation and correspondence to and/or from the tribes are attached.

Applicant's Name: Mauna Towers LLC
Project Name: Mauna Towers – East Tower
Project Number: 10012-012168.00



towernotifyinfo @fcc.go
v

11/20/2012 02:21 PM

To: BVNATCNSMail@VERITAS
cc:
Subject: Proposed Tower Structure Info - Email ID #3149663
Ref.:

Dear Amanda Cushing,

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

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

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.
Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level



towernotifyinfo@fcc.gov

v

11/23/2012 01:01 AM

To: BVNATCNSMail@VERITAS
cc: kim.pristello@fcc.gov, diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED
TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID
#3151227

Ref.:

Dear Sir or Madam:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the information you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter).

Persons who have received the information that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribes and in making further contacts, the City and State of the Seat of Government for each Tribe and NHO, as well as the designated contact person, is included in the listing below. We note that Tribes may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribes and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These

procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. THPO Coordinator Randy Teboe - Ponca Tribe of Nebraska - Niobrara, NE - electronic mail and regular mail
Details: If the Applicant receives no response from the Ponca Tribe of Nebraska within 30 days after notification through TCNS, the Ponca Tribe of Nebraska has no interest in participating in pre-construction review for the site. The Applicant, however, must immediately notify the Ponca Tribe of Nebraska in the event archaeological properties or human remains are discovered during construction.

2. Tribal Historic Preservation Office Aide Joanna Dykehouse - Jicarilla Apache Nation - Dulce, NM - regular mail

3. NAGPRA Coordinator Alden Naranjo - Southern Ute Tribe - Ignacio, CO - electronic mail and regular mail
Details: Under the following 6 conditions, the Southern Ute Indian Tribe does not need to review the proposed tower (PLEASE NOTE THAT THE FORM 620 IS MANDATORY IF THE PROPOSED TOWER NEEDS TO BE REVIEWED. IF YOU DO NOT SEND US THE FORM 620 FOR TOWERS THAT NEED TO BE REVIEWED, PLEASE CONSIDER THE MATTER TO BE AN OPEN MATTER, AND DO NOT PROCEED WITH CONSTRUCTION. WE WILL NOT MAKE ANY DETERMINATIONS UNTIL WE ARE ABLE TO REVIEW THE FORM 620):

The Southern Ute Indian Tribe does NOT need to review proposed extensions to increase the height of already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed collocations on already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on rooftops.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are within a city's limits, if the proposed structure is to be located on a disturbed road that has already been gravelled.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on pastures that have already been plowed or cultivated.

The Southern Ute Indian Tribe does NOT need to review proposed

structures that are merely extensions in height of an already existing structure.

For all other proposed areas, the Southern Ute Indian Tribe DOES NEED a copy of the Form 620. Please send the Form 620 via regular mail and be sure to INCLUDE THE FAX # of the company in order to receive a reply:

Alden Naranjo, NAGPRA Coordinator, P.O. Box 737, Mail Stop #73, Ignacio, Colorado 81137

If the applicant/tower builder receives no response from the Southern Ute Indian Tribe within 30 days AFTER YOU HAVE SENT THE FORM 620 to the Tribe (including color photographs and resumes), then the Southern Ute Indian Tribe has no interest in participating in pre-construction review for the site.

4. THPO Gordon Adams - Pawnee Nation of Oklahoma - Pawnee, OK - regular mail

Details: If the proposed site is in Kansas, the Pawnee Nation of Oklahoma is only concerned with sites in Kansas if the proposed site lies in the north central part of Kansas (north of the Kansas River and north of the Smoky Hill River). For all proposed sites, if the Applicant receives no response from the Pawnee Nation of Oklahoma within 30 days after notification through TCNS, the Pawnee Nation of Oklahoma has no interest in participating in pre-construction review for the site. The Applicant, however, must notify the Pawnee Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

5. THPO Assistant Kelly Glancy - Comanche Nation - Lawton, OK - regular mail

Details: The Comanche Nation Historic Preservation Office does not need to review the following types of projects; those that have already been evaluated by the Comanche Nation involving pre-existing above-ground feature additions or modifications (unless there is an increase in height), and those that have already been evaluated by the Comanche Nation within the city limits on a previously disturbed site.

If the proposed project does not meet one of the aforementioned conditions, the Comanche Nation Historic Preservation Office requires the following items; photographs taken of all 4 directions (north, south, east and west) from the center of the

project site (where possible), legal description of the proposed site (i.e.; section, range, township, etc.) and any existing archeological/environmental reports or surveys relating to the site. We do not require, but request that you provide us with an aerial view of the proposed site if possible.

Due to the heavy volume of requests, we can no longer accept email requests.

Please send all materials to the Comanche Nation Historic Preservation Office, C/O Kelly Glancy, #6 SW 'D' Avenue, Suite 'A', Lawton, Oklahoma 73502 via regular or express mail, with a \$500 review fee, per project (payable to the Comanche Nation Historic Preservation Office). Please note on the cashier's check/money order (or on an attachment), the TCNS Number/Project Name that the review fee is being provided for. Upon receipt of review fee, the Comanche Nation Historic Preservation Office will promptly respond to your review request. Other correspondence can be sent to the main P.O. Box 908, Lawton, Oklahoma 73502 address.

Note: If the Comanche Nation Office of Historic Preservation has commented previously on the project under requested review, inform us of the date in the body of the review request, and you will not be assessed a review fee. If you are in need of additional information you may contact us directly at (580) 595-9960 or 9618 for clarification. In addition, this messageserves as the 'Official' Notice from the Comanche Nation Historic Preservation Office and can be printed for your records, if necessary.

Thank you!

Sincerely,
Jimmy W. Arterberry, THPO

6. THPO Margaret Anquoe - Cheyenne-Arapaho Tribes of Oklahoma - Concho, OK - electronic mail and regular mail

7. Tribal Administrator Lyman Guy - Apache Tribe of Oklahoma - Anadarko, OK - electronic mail and regular mail
Details: The Apache Tribe of Oklahoma has no interest in participating in pre-construction review for this site. The Applicant, however, must notify the Apache Tribe of Oklahoma in the event archaeological properties or human remains are discovered during construction.

8. THPO Darlene Conrad - Northern Arapaho - Fort Washakie, WY - electronic mail

Details: The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects where the proposed antenna or tower will be collocated on an existing tower, building, or other structure (unless on the NRHP), or where the proposed tower will be constructed on already disturbed land like a parking lot.

The Northern Arapaho Tribe does not need to review proposed structures that are extensions in height of an already existing structure. The Northern Arapaho Tribe requests a site map for all projects that involve ground disturbance. Please send an archeological survey or site inventory for the area within 1/2 mile of APE. The Northern Arapaho Tribe requests a legal description of the proposed site (township, range, section and topo map name). The Northern Arapaho Tribe request a chronology if sites are within the 1/2 mile radius of the APE. The Northern Arapaho Tribe requests information of Native American tribes identified having traditional use within the 1/2 mile radius of the APE. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 281 in Kansas. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 283 in Nebraska. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 63 in South Dakota.

There is a consultation fee of \$300 for review of the tower reports. Please make the \$300 check payable to 'The Northern Arapaho Tribe.' Write the words 'Northern Arapaho THPO' in the memo line on the check. Mail the check to 'The Northern Arapaho Tribe, THPO at P.O. Box 396, Fort Washakie, WY 82514.' Once the fee is received the project will be reviewed.

9. Cultural Rights & Protection Director Betsy L Chapoose - Ute Indian Tribe - Ft. Duchesne, UT - electronic mail and regular mail

10. THPO Conrad Fisher - Northern Cheyenne Tribe - Lame Deer, MT - electronic mail and regular mail

If the applicant/tower builder receives no response from the Northern Cheyenne Tribe within 30 days after notification through TCNS, the Northern Cheyenne Tribe has no interest in participating in pre-construction review for the proposed site.

The Applicant/tower builder, however, must immediately notify the Northern Cheyenne Tribe in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

The information you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA.

11. Deputy SHPO Carol Griffith - Arizona State Parks - Phoenix, AZ - electronic mail

12. Deputy SHPO William Collins - Arizona State Parks - Phoenix, AZ - electronic mail

13. SHPO Edward C Nichols - Colorado Historical Society - Denver, CO - regular mail

14. SHPO Bob L Blackburn - Oklahoma Historical Society - Oklahoma City, OK - regular mail

15. SHPO Wilson Martin - Utah State Historical Society - Salt Lake City, UT - electronic mail

16. Deputy SHPO Roger Roper - Utah State Historical Society - Salt Lake City, UT - electronic mail

17. Deputy SHPO Jim Dykman - Utah State Historical Society - Salt Lake City, UT - electronic mail

If you are proposing to construct a facility in the State of Alaska, you should contact Commission staff for guidance regarding your obligations in the event that Tribes do not respond to this notification within a reasonable time.

Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585
Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic mail form located on the FCC's website at:

<http://wireless.fcc.gov/outreach/notification/contact-fcc.html>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission



December 24, 2012

Ute Indian Tribe
Ms. Betsy Chapoose
Cultural Rights and Protection Director
P.O. Box 190
Ft. Duchese, UT 84026

Re: Second Attempt to solicit comments regarding impacts to properties of religious and cultural importance resulting from construction of a proposed telecommunications facility

Dear Ms. Chapoose:

In accordance with the Nationwide Programmatic Agreement for review of effects on Historic Properties for certain undertakings, this letter is a second attempt to respectfully request whether the Ute Indian Tribe would like to comment on the planned wireless communications site described below regarding impacts to properties of religious and cultural importance.

The proposed site/facility is described as follows:

Site Name: **Mauna Towers – East Tower**
TCNS ID Number: **90535**
Date of Initial Notification: **November 23, 2012**
Site Location: **10888 Highway 93, Arvada, Jefferson County, CO 80403**

Project Description: **The proposed action includes the construction of a guyed 150 foot high lattice radio tower and a 10-foot x 12-foot equipment shelter.**

Please contact us by mail at the address below, telephone at (303) 988-2585, or by electronic-mail at amanda.cushing@us.bureauveritas.com.

Sincerely,

Amanda Cushing
Project Manager
Denver Regional Office

Bureau Veritas North America, Inc.

Health, Safety and Environmental Services
165 South Union Boulevard, Suite 310
Lakewood, Colorado 80228

Phone: (303) 988.2585
Fax: (303) 988.2583
www.us.bureauveritas.com



towernotifyinfo @fcc.go
v

01/04/2013 03:15 PM

To: BVNATCNSMail@VERITAS
cc: kim.pristello@fcc.gov, diane.dupert@fcc.gov
Subject: Confirmation - Referral of a Proposed Tower Construction Notification -
Email ID #3174509
Ref.:

Dear Amanda Cushing,

Your referral of a proposed tower structure notification has been successfully submitted via the Tower Construction Notification System. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Declaratory Ruling of October 6, 2005. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you provided in the referral of the tower you have proposed to construct:

Notification Received: 11/20/2012

Notification Referred: 01/04/2013

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

Entities Who Have Not Responded:

Ute Indian Tribe

First Contact Date: 11/22/2012

Second Contact Date: 12/24/2012

**Note that the FCC will assign a unique Notification ID number for a site where the initial contact was not made through TCNS. You will need to reference this Notification ID number when you update your project's Status with us.



towernotifyinfo @fcc.go
v

01/10/2013 07:04 AM

To: BVNATCNSMail@VERITAS
cc: Diane.Dupert@fcc.gov, Kim.Pristello@fcc.gov
Subject: Proposed Construction of Communications Facilities Notification of
Final Contacts - Email ID #11982
Ref.:

Mauna Towers, LLC
Amanda Cushing
165 South Union Blvd.
Suite 310
Lakewood, CO 80228

Dear Applicant:

This letter addresses the proposed communications facilities listed below that you have referred to the Federal Communications Commission (Commission) for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages (collectively Indian Tribes), and Native Hawaiian Organizations (NHOs), as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). Consistent with the procedures outlined in the Commission's recent Declaratory Ruling (1), we have contacted the Indian Tribes or NHOs identified in the attached Table for the projects listed in the attached Table. You referred these projects to us between 01/03/2013 and 01/10/2013. Our contact with these Indian Tribes or NHOs was sent on 01/10/2013.

Thus, as described in the Declaratory Ruling (2), if you or Commission staff do not receive a statement of interest regarding a particular project from any Tribe or NHO within 20 calendar days of 01/10/2013, your obligations under Section IV of the NPA with respect to these Indian Tribes or NHOs are complete(3). If an Indian Tribe or NHO responds that it is interested in participating within the 20 calendar day period, the Applicant must involve it in the review as set forth in the NPA, and may not begin construction until the process set forth in the NPA is completed.

You are reminded that Section IX of the NPA imposes independent obligations on an Applicant when a previously unidentified site that may be a historic property, including an archeological property, is discovered during construction or after the completion of review(4). In such instances, the Applicant must cease construction and promptly notify, among others, any potentially affected Indian Tribe or NHO. An Indian Tribe's or NHO's failure to express interest in participating in pre-construction review of an undertaking does not necessarily mean it is not interested in archeological properties or human remains that may inadvertently be discovered during

construction. Hence, an Applicant is still required to notify any potentially affected Indian Tribe or NHO of any such finds pursuant to Section IX or other applicable law.

Sincerely,
Dan Abeyta
Assistant Chief
Spectrum and Competition Policy Division
Wireless Telecommunications Bureau

1) See Clarification of Procedures for Participation of Federally Recognized Indian Tribes and Native Hawaiian Organizations Under the Nationwide Programmatic Agreement, Declaratory Ruling, FCC 05-176 (released October 6, 2005) (Declaratory Ruling).

2) Id S 8-10.

3) We note that, under the Declaratory Ruling, an expression of interest by an Indian Tribe or NHO addressed solely to the Commission staff during the 20-day period is sufficient even if it does not contact the Applicant.

4) Id at S 11.

LIST OF PROPOSED COMMUNICATIONS TOWERS

TCNS# 90535 Referred Date: 01/04/2013 Location: 10888 Highway 93,
Arvada, CO
Tribe Name: Ute Indian Tribe

TCNS# 90538 Referred Date: 01/04/2013 Location: 10888 Highway 93,
Arvada, CO
Tribe Name: Ute Indian Tribe

LEGEND:

* - Notification numbers are assigned by the Commission staff for sites where initial contact was not made through TCNS.



towernotifyinfo@fcc.gov
v

12/12/2012 08:01 AM

To: BVNATCNSMail@VERITAS
cc: tcns.fccarchive@fcc.gov, dykehousej@gmail.com
Subject: Reply to Proposed Tower Structure (Notification ID: 90535) - Email ID #3162966
Ref.:

Dear Amanda Cushing,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Tribal Historic Preservation Office Aide Joanna Dykehouse of the Jicarilla Apache Nation in reference to Notification ID #90535:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

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

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level



towernotifyinfo @fcc.go
v

11/29/2012 08:21 AM

To: BVNATCNSMail@VERITAS
cc: tcns.fccarchive@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 90535) - Email ID #3156027
Ref.:

Dear Amanda Cushing,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Margaret Anquoe of the Cheyenne-Arapaho Tribes of Oklahoma in reference to Notification ID #90535:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

Margaret Anquoe
405-422-7630
manquoe@c-a-tribes.org

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

Notification Received: 11/20/2012
Notification ID: 90535
Tower Owner Individual or Entity Name: Mauna Towers, LLC
Consultant Name: Amanda Cushing
Street Address: 165 South Union Blvd.
Suite 310
City: Lakewood
State: COLORADO
Zip Code: 80228
Phone: 303-988-2585
Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes
Latitude: 39 deg 53 min 30.9 sec N
Longitude: 105 deg 14 min 19.2 sec W
Location Description: 10888 Highway 93
City: Arvada
State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

Historic Properties

A copy of the Cultural Resource Survey performed by Niwot Archaeological Consultants, Inc. (Niwot) is attached. According to this survey, the proposed project will have no direct or visual impacts on identified properties.

**Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers,
Jefferson County, Colorado**

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
www.niwotarchaeology.com
November 29, 2012

Abstract

On November 27, 2012, Brad Noisat, Principal Investigator of Niwot Archaeological Consultants, Inc. performed a Class III Inventory of 2.82 acres for the proposed Mauna Towers LLC, KGCQ AM Towers adjacent to State Highway 93 in rural Jefferson County, Colorado. The proposed APEs for Direct Effects of the project will include construction of two, guyed 150 ft high lattice radio towers and a 10 ft x 12 ft equipment shelter and excavation of a 188 ft long utility line trench. No cultural resources occur within the Direct Effects APE of the project. The proposed undertaking will have No Effect on historic irrigation ditch sites 5JF.512.2, 5JF.513.3, and 5JF.318.8 within the Visual Effects APE of the project. Cultural resource clearance for the proposed undertaking is recommended.

Project Description

Mauna Towers LLC proposes to construct two radio transmitter towers to provide AM radio broadcast service for radio station KGCQ. The 2.82-acre project area is located in rural Jefferson County, Colorado adjacent to State HWY 93 in the vicinity of Rocky Flats. Project location corresponds to the N1/2, NW1/4, NW1/4, SWW1/4 and the S1/2, SW1/4, SW1/4, NW1/4, Section 9, T2S-R70W, 6th PM (USGS 7.5' Louisville, Colorado 1994 quadrangle). Attachment 1 shows the project location and Visual Effects APE on the Louisville quadrangle. The Visual Effects APE is defined by a 1/2-mile radius surrounding the proposed towers. Figure 1 provides an aerial view of the project location and the Visual Effects APE. The project design plans are presented in Attachment 2. Views of the proposed Direct Effects APEs are shown in Attachment 3. The proposed Direct Effects APEs of Mauna Towers project are as follows:

- The proposed lease area for the project is a trapezoidal block area roughly 2.82 acres in size.
- Two 150 ft high lattice towers known as the East Tower and West Tower will be constructed within the lease area. The towers will be spaced 325 ft apart. A 10 ft square x 6 high fence will be placed around the base of each tower. Both towers will be secured to the ground using three guy wire anchors extending 120 ft from the base of the tower. A 3 ft square x 4 ft high metal fence will be placed around all 6 guy wire anchor locations.

Figure 1. Mauna Towers LLC project area location and the Visual Effects APE (red circle).



- A 10 ft N/S x 12 ft E/W equipment shelter will be constructed in the northwest corner of the lease area.
- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

Buried utility services between the equipment shelter and the two towers have not been specified. Access has also not been defined. However, the access road will probably follow an existing broken asphalt road originating on HWY 93. The existing road forms the northern perimeter of the lease area. Any other buried utility lines will be sited within the proposed lease area, which was inventoried by intensive Class III methods (see below). According to the Jefferson County Assessor, the subject property is owned by Charles McKay.

Class I Inventory

On November 26, 2012, a Class I inventory was performed of Sections 8, 9, 16, and 17, T2S-R70W, 6th PM using the Colorado Historical Society, *Compass* database. The four-section Class I inventory area identifies National Register properties that might be directly or indirectly affected by the proposed undertaking.

The SHPO records show that two previous inventories have been performed within the Direct Effects APE of the project area. A Class III inventory encompassing all of Section 9 was performed in 1991 by Dames and Moore for Ebasaco and EG&G Rocky Flats: project MC.E.R9: Cultural Resource Class III Survey of the Department of Energy Rocky Flats Plant, Northern Jefferson, Boulder, (and Broomfield) Counties, Colorado. A 1998 linear inventory of HWY 93 by O.D. Hand for CDOT either abuts or extends slightly into the ROW of the proposed buried utility trench. That project is JF.CH.NR39, An Intensive Archaeological Survey along State Highway 93 between Leyden Road and the Boulder County Line, Jefferson County, Colorado (BR 093-1(016)). Because the 1991 inventory is now 22 years old, a re-inventory of the project area is needed. The SHPO records do not show any previously recorded sites within the Direct Effects APE of the project area.

Seven other previous inventories have been performed elsewhere within the Class I inventory area. A total of 41 previously recorded sites are listed for lands elsewhere within the Class I inventory area.

As shown on Attachment 1, three previously recorded sites occur within the Visual Effects APE of the project. Site 5JF.318.8, South Boulder Diversion Conduit-Segment, is a 1935 canal listed as Eligible-Officially. Site 5JF.512.2, Upper Church Ditch (Segment), is an abandoned historic irrigation ditch listed as Eligible-Field. Site 5JF.513.3, McKay Ditch-Zang Segment, is an abandoned 1881 irrigation ditch, culvert, and slab listed as Eligible-Field.

Three other NRHP-significant sites occur within the Class I inventory area, but are located beyond the Visual Effects APE of the project. Site 5JF.2431 (Eligible-Field) is a streamside Late Prehistoric Period campsite consisting of 34 stone circles, one stone

cluster, a mano and grindstone, and chert, quartzite, chalcedony, and petrified wood flakes. Site 5JF.2434 (Eligible-Field) is a prehistoric cairn. Site 5JF.2452.1 (Eligible-Field) is an abandoned historic irrigation ditch.

Prehistoric sites elsewhere within the Class I inventory area include: cairns (very common), rubble mounds, isolated chert flakes, a stone alignment, and a stone square. These finds are either listed as Not Eligible or Needs Data. Historic sites elsewhere within the Class I inventory area include: the Denver, Utah & Pacific RR line, gravel pits, a stock pond, a fence, IF bottle and trash scatters, earthen features/foundation depressions, farmsteads, and irrigation ditches. Most historical archaeological finds are listed as Not Eligible.

In summary, no NRHP-eligible sites are known to occur within the Direct Effects APE of the project. Three NRHP-eligible sites are known to occur within the Visual Effects APE of the project: 5JF.318.8, 5JF.512.2, and 5JF513.3.

Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

Pages 4 and 5 in Attachment 3 show the visual relationship between the proposed radio towers and the crossings of historic ditches 5JF.318.8 and 5JF.512.2/5JF513.3 on HWY 93. As shown in these views, existing cell towers, radio tower nests, microwave towers, wind turbines, and high-voltage transmission towers are common features in the viewshed of the project area. The proposed West Tower will be located 0.20 mile from 5JF.318.8, and both towers are situated about almost ½-mile mile from 5JF.512.2 and 5JF.513.3. At these distances, the proposed West Tower and East Tower will have no direct visual impact on the three historic irrigation ditches. Moreover, the proposed radio towers will blend in with the numerous existing towers already present on the horizon, and will thus not change the existing visual landscape surrounding the historic ditches. Therefore, the proposed undertaking at Mauna Towers LLC, AM KGCQ Towers will have No Effect on visual appreciation of sites 5JF.318.8, 5JF512.2, and 5JF.513.3 in the APE for Visual Effects.

Recommendations

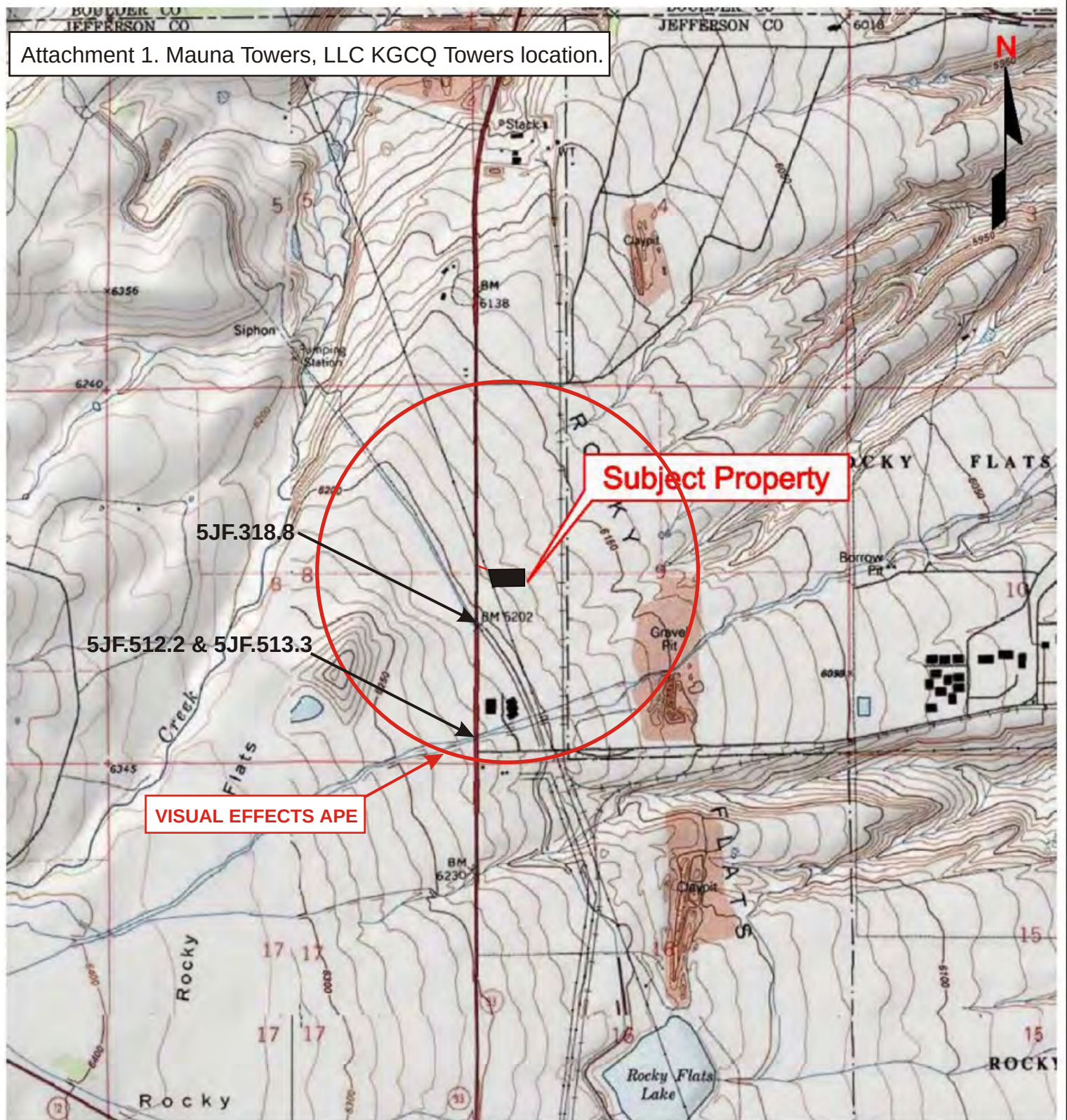
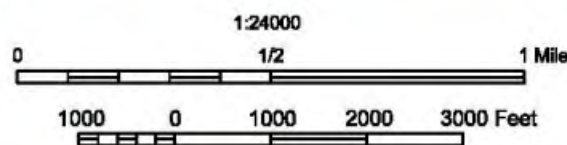
Based on the Class III inventory results, direct effects and visual effects of the proposed Mauna Towers LLC, KGCQ AM Towers are as follows:

- ❑ No Historic Properties occur in the APE for Direct Effects.

- ❑ Historic Properties 5JF.318.8, 5JF.512.2, and 5JF513.3 occur in the APE for Visual Effects. The proposed undertaking will have No Effect on visual appreciation of these resources.

Cultural resource clearance for the proposed Verizon Wireless, Inc., Mauna Towers LLC, KGCQ AM Towers is recommended. If subsurface remains are found during construction, these should be reported immediately to the Colorado State Historic Preservation Office.

Attachment 1. Mauna Towers, LLC KGCQ Towers location.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

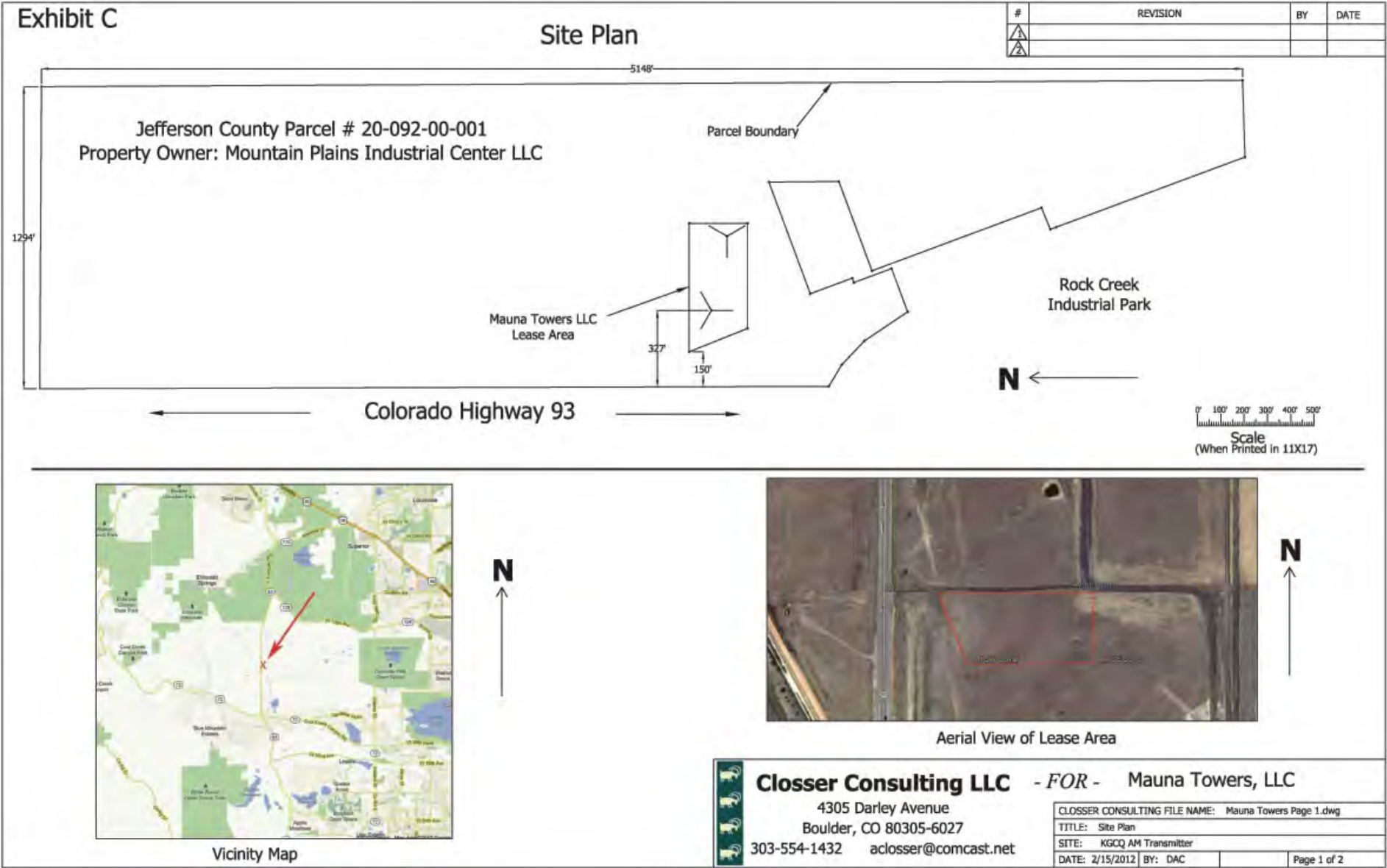


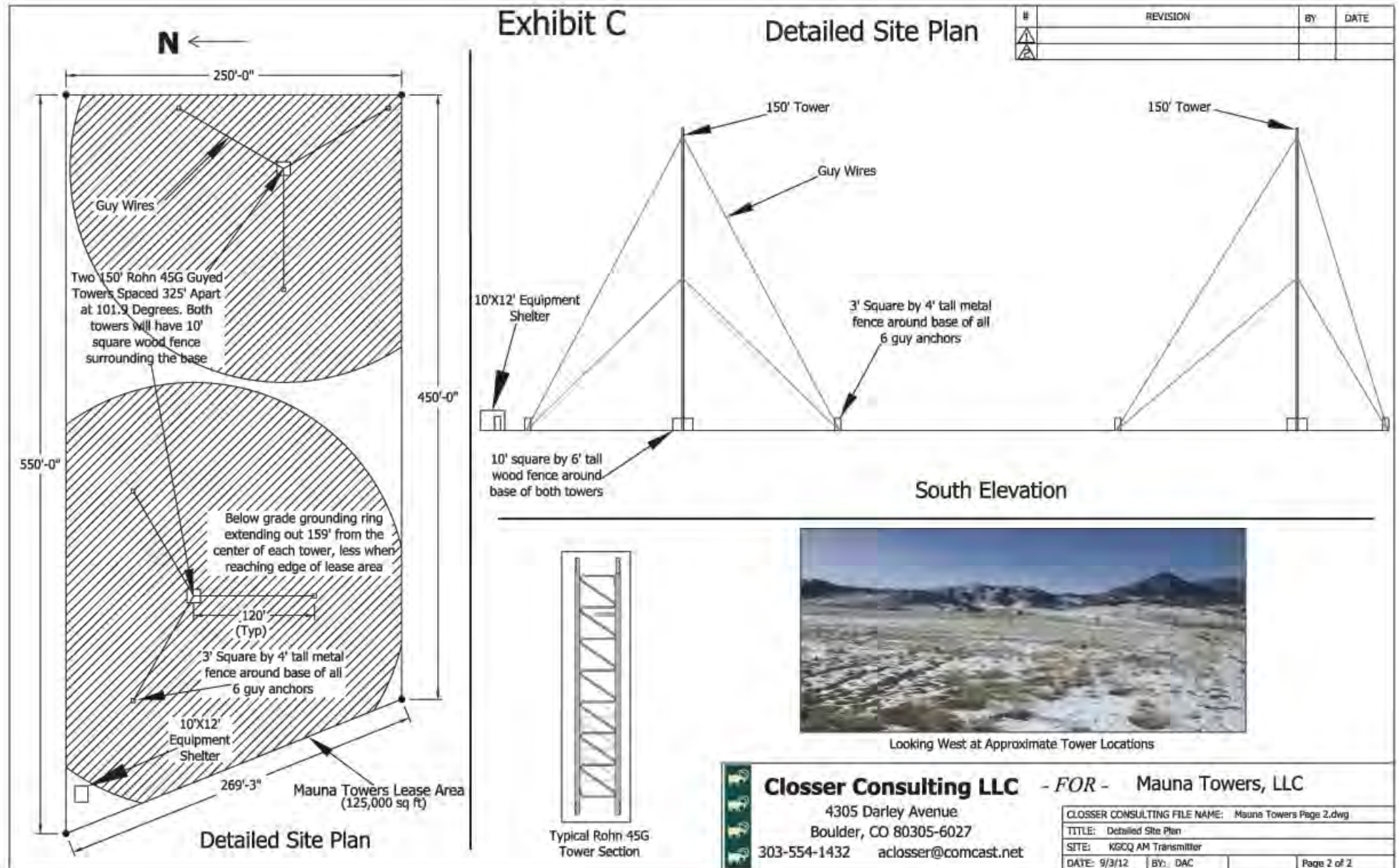
SITE

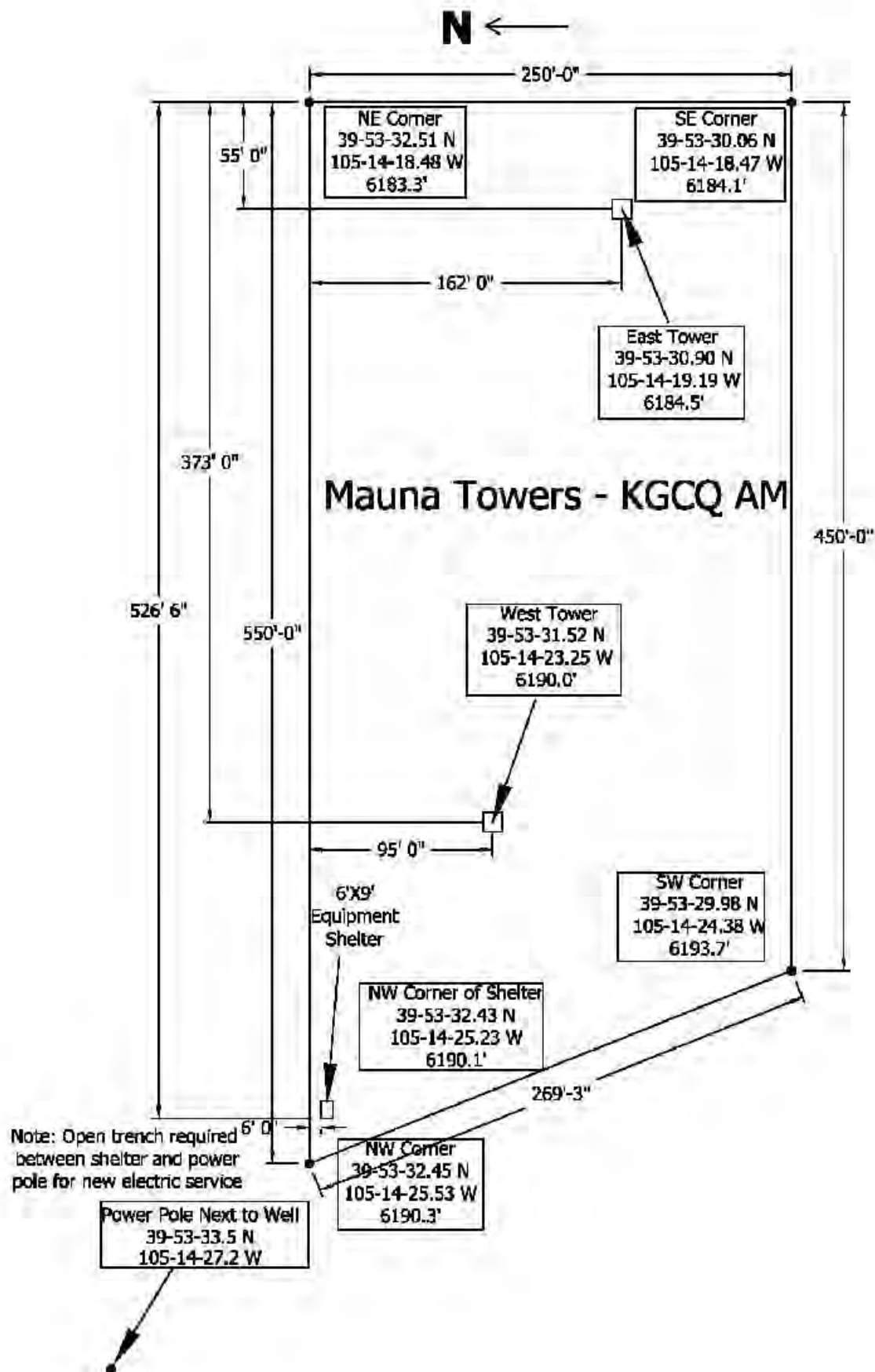
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

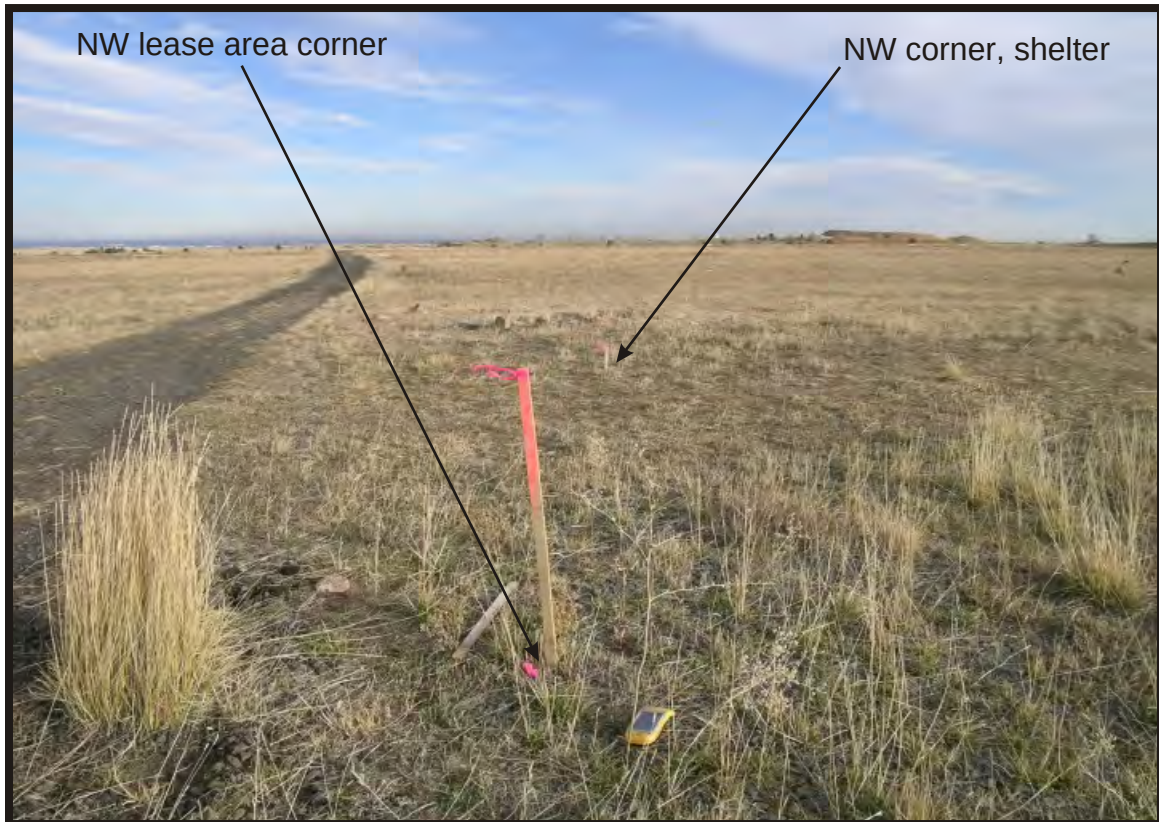
Project No. 10012-012088.00

Last Revision
November 2012

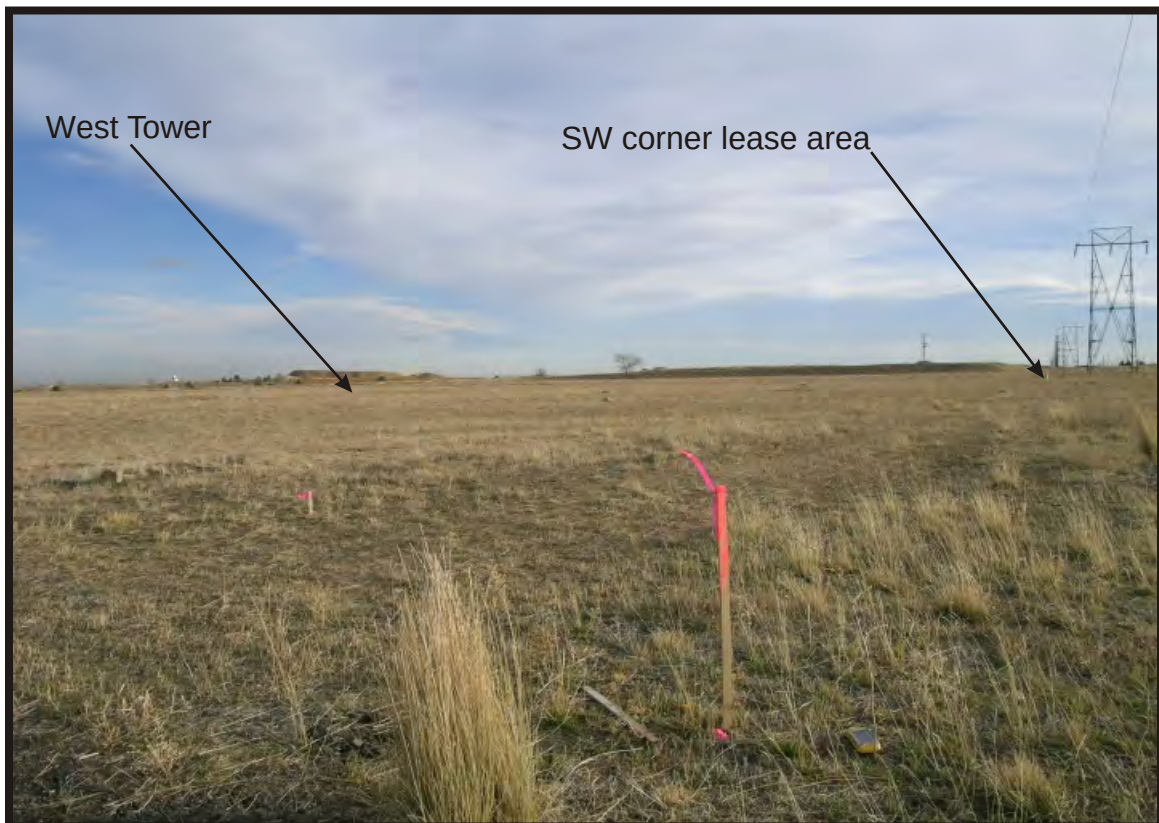








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



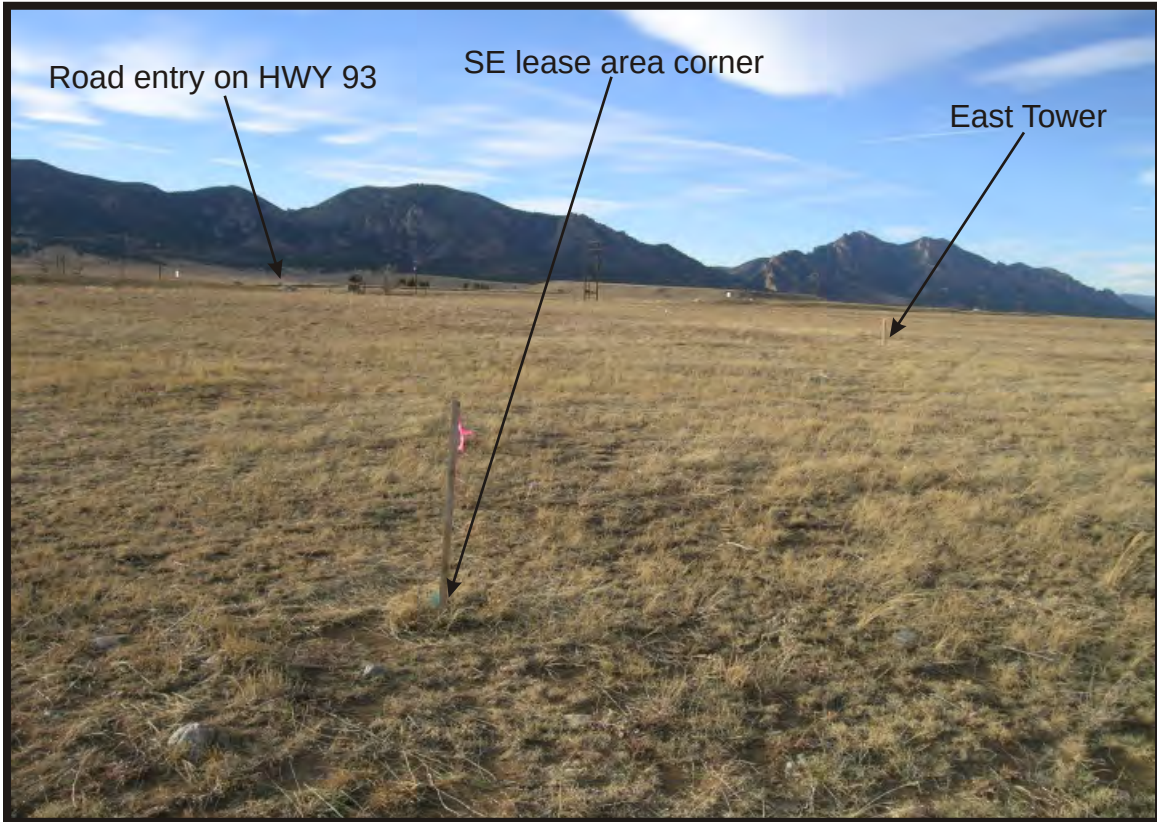
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.

Local Government

Bureau Veritas submitted the proposed project's information to the Jefferson County Planning and Zoning Department (JCPZD) and the Jefferson County Historical Society (JCHS) and requested their comment concerning the proposed project's impact to cultural resources and historic properties.

Bureau Veritas received a letter from the Jefferson County Planning and Zoning (Historical Commission) on January 9, 2013 which provided their analysis for historical review. Within the letter, JCHC stated that the subject site was "There were no historic sites or structures listed on the North Plains Area Plan historic map that would be impacted by the construction and operation of the proposed radio towers. The applicant provided the results of a Class I and Class III Cultural Resource Inventory conducted by Brad Noisat, Niwot Archaeological Consultants, Inc. The report stated that there are no known National Register Eligible sites within the project area that would be affected by the construction of the towers."

Their summary and recommendations are as follows:

- Please contact the Jefferson County Historical Commission if any historic/cultural resources are found on or adjacent to the subject property.
- It would not appear that the proposed radio tower sites would affect any historically significance sites or structures within the area. No additional historical information is needed at this time.
- We recommend siting the radio towers as far to the east and from Highway 93 as possible to minimize any adverse visual impacts from the Highway corridor and to the Mountain Backdrop/Foreground area.

As of the date of this submittal, Bureau Veritas has not received a response from the JCHS.

Correspondence to the JCPZD and the JCHS is attached.



December 10, 2012

Jefferson County Planning & Zoning
Mr. Dennis Dempsey
100 Jefferson County Pkwy #3550
Golden, CO 80419
303-271-8700

Project No. 10012-012168.00
and 10012-012168.01

Subject: **NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado**

Dear Mr. Dempsey:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is conducting a NEPA evaluation for the above-referenced property. According to the Colorado Historical Society, the Jefferson County Planning & Zoning would like to be contacted regarding in Section 106 consultations within Jefferson County. Therefore, pursuant to 47 CFR §1.1307(a)(4), we respectfully request your comment as to whether the proposed communications project "may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places."

PROPERTY DESCRIPTION

Site name/location: The site is identified as the proposed KGCQ AM Transmitter Sites and is located at 10888 Highway 93, Arvada, Jefferson County, Colorado.

Legal Description: The subject property is located within the western half of Section 9, Township 2 South, Range 70 West within Jefferson County.

Property Owner: Charles McKay currently owns the site.

Current Land Use: The subject property is currently vacant land. The site location is depicted on Figure 1.

Proposed Action: The proposed action will consist of the construction of two (2), guyed 150 foot high lattice radio towers (identified as the East Tower and West Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. The design plans for the proposed action are included as an attachment.

Latitude and Longitude Coordinates:

East Tower: 39° 53' 30.90" N and 105° 14' 19.19" W

West Tower: 39° 53' 31.52" N and 105° 14' 23.25" W

The following report, which was performed by Niwot Archaeological Consultants, is attached for your review:



- *Class III Cultural Resources Inventory: Mauna Towers LLC, KGCQ AM Towers, Jefferson County, Colorado*

Photographs of the site and surrounding area are included with the Cultural Resources Inventory.

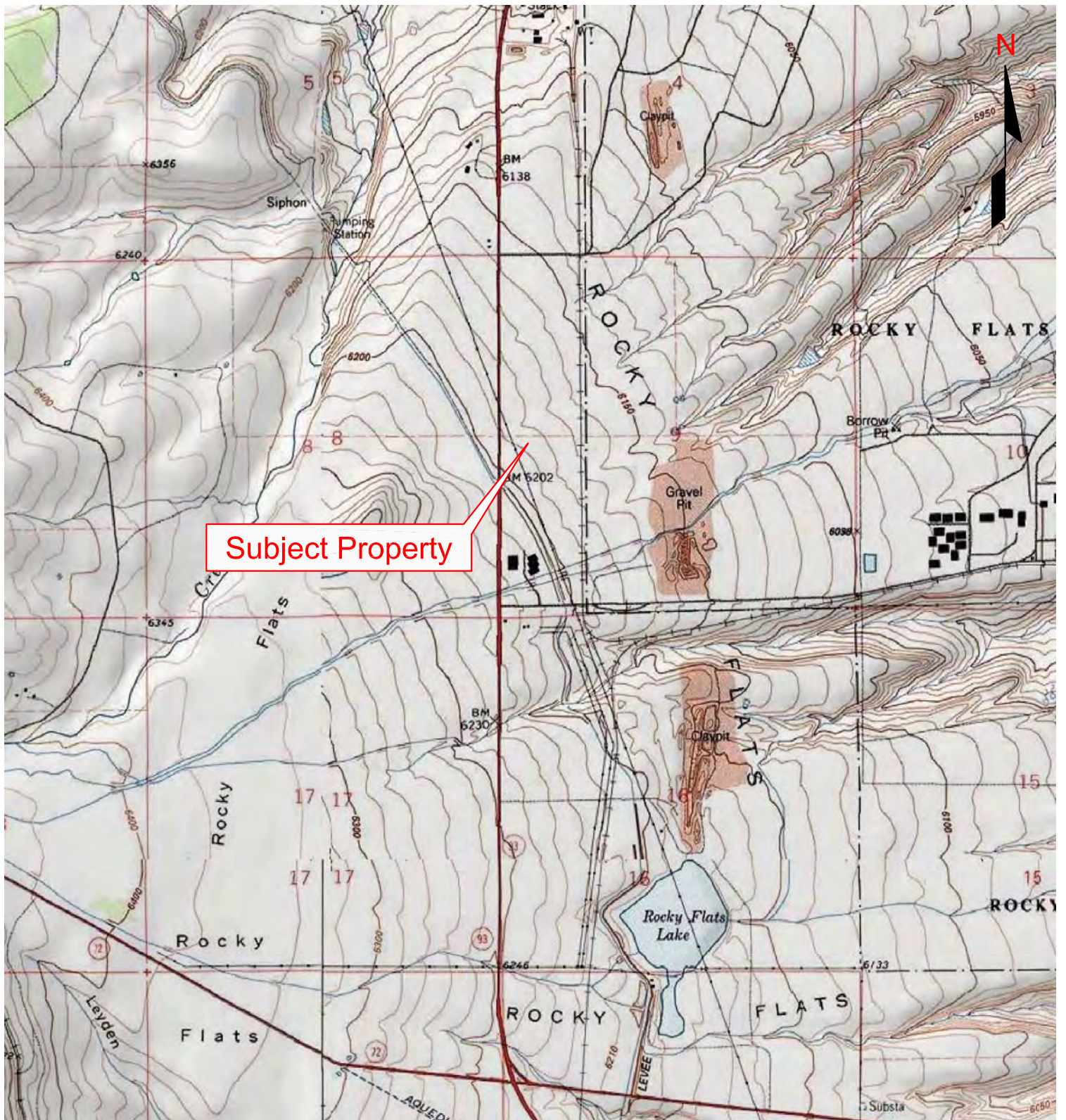
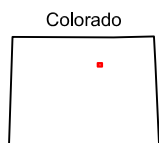
We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.988.2585 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

Sincerely,

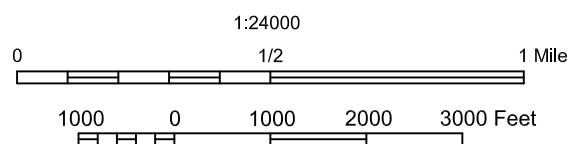
Amanda Cushing
Project Manager
Rocky Mountain Region

Attachments: Figure 1, Design Plans, Cultural Resources Inventory

ATTACHMENTS



Quadrangle Location



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd, Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT



SITE

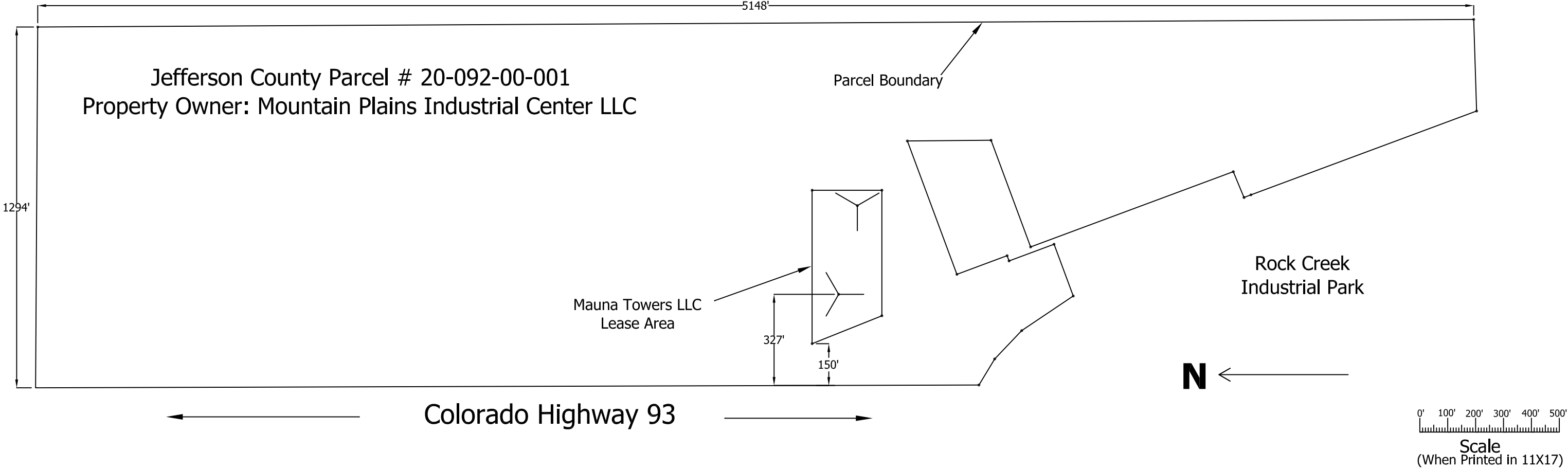
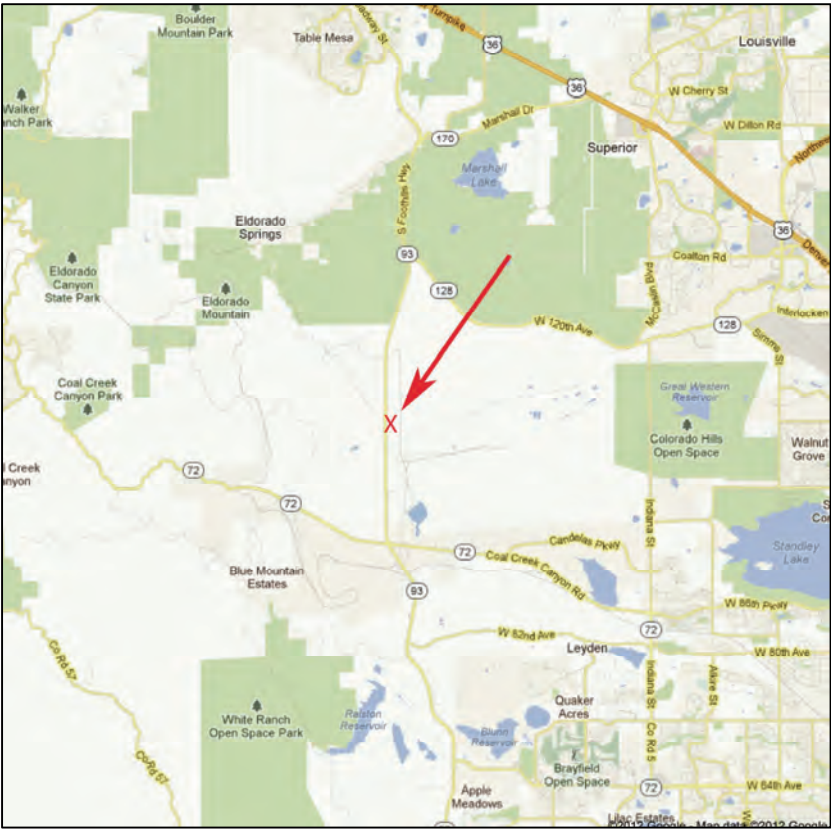
KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - Mauna Towers, LLC

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

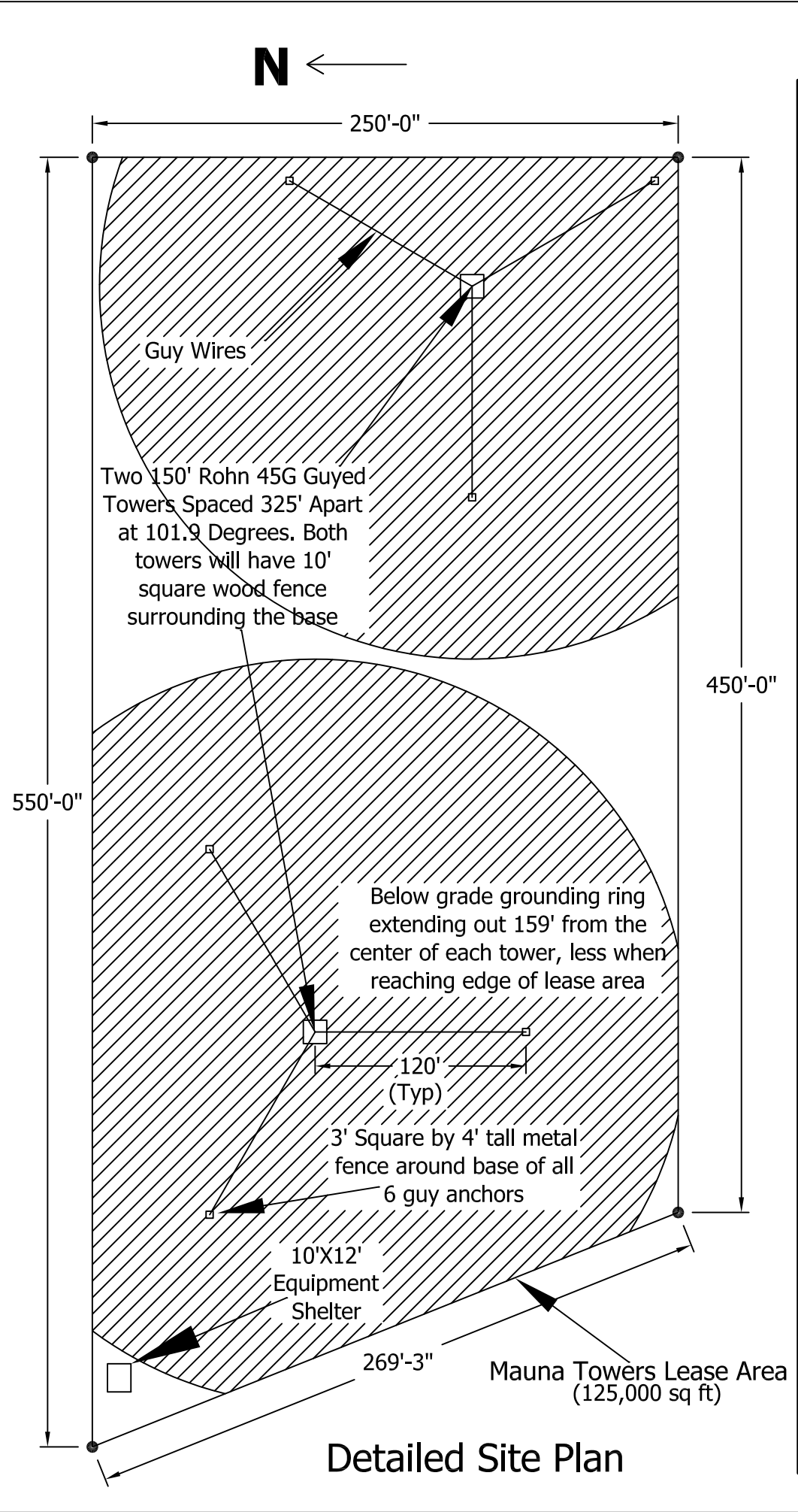
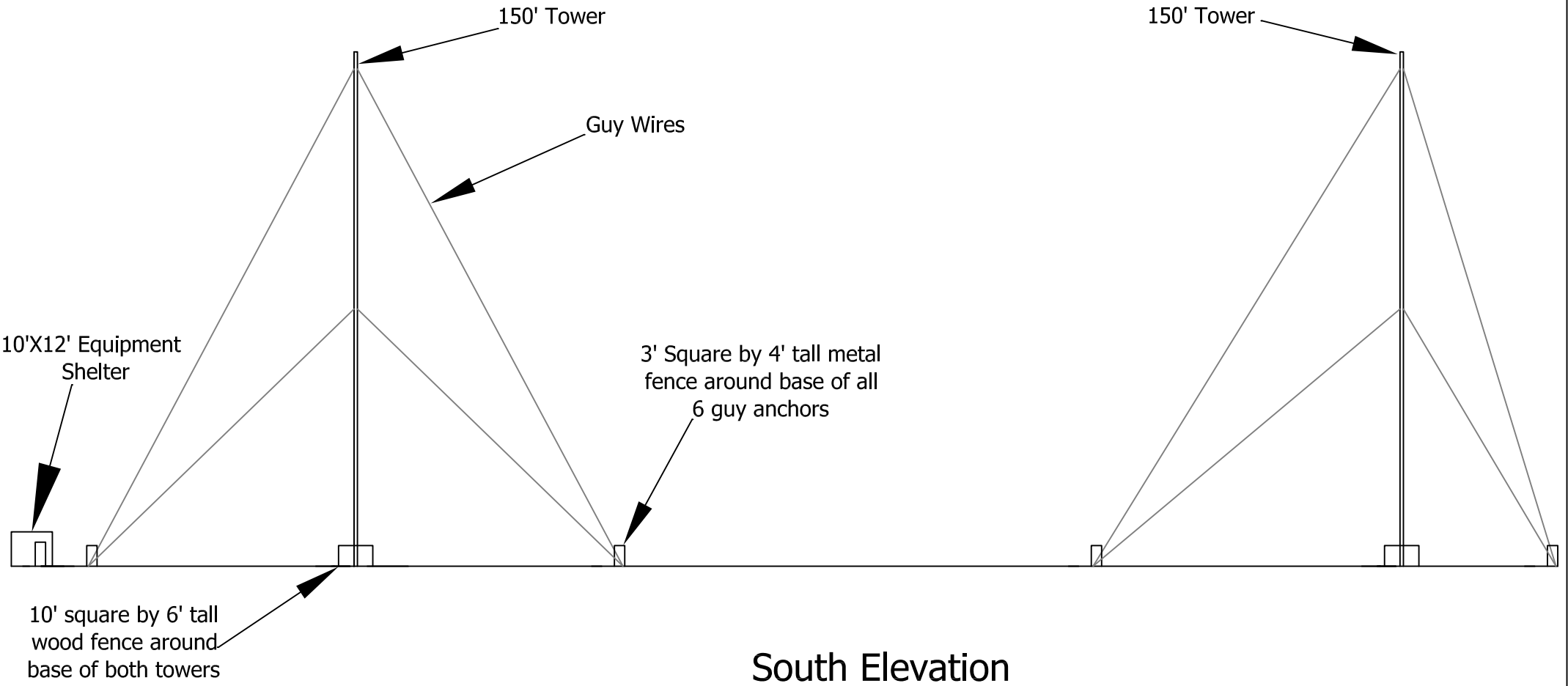
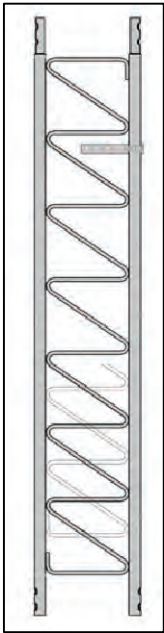


Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
1			
2			



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue

Boulder, CO 80305-6027

303-554-1432

aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 2.dwg

TITLE: Detailed Site Plan

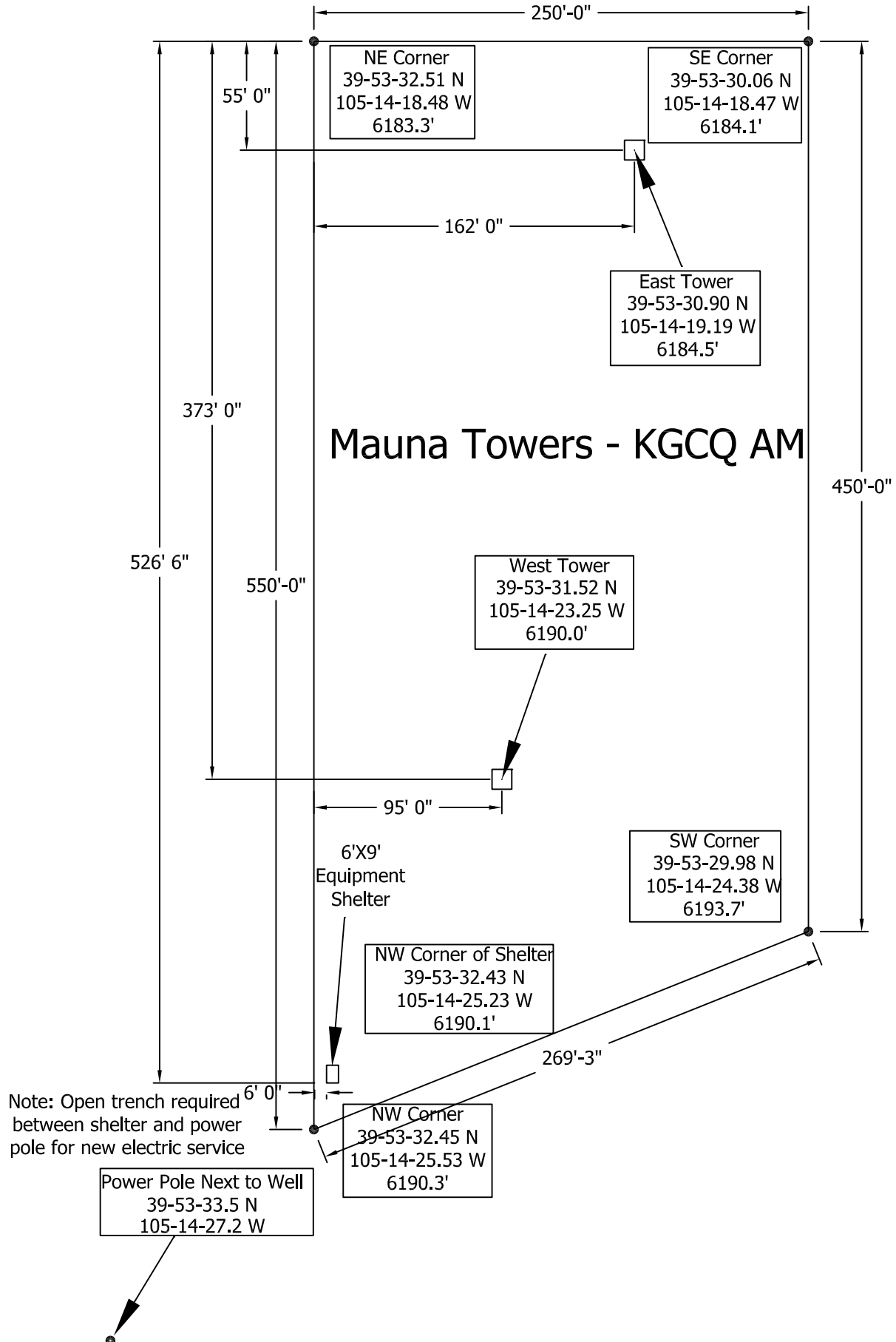
SITE: KGCQ AM Transmitter

DATE: 9/3/12

BY: DAC

Page 2 of 2

N ←



**Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers,
Jefferson County, Colorado**

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
www.niwotarchaeology.com
November 29, 2012

Abstract

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- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

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Class I Inventory

On November 26, 2012, a Class I inventory was performed of Sections 8, 9, 16, and 17, T2S-R70W, 6th PM using the Colorado Historical Society, *Compass* database. The four-section Class I inventory area identifies National Register properties that might be directly or indirectly affected by the proposed undertaking.

The SHPO records show that two previous inventories have been performed within the Direct Effects APE of the project area. A Class III inventory encompassing all of Section 9 was performed in 1991 by Dames and Moore for Ebasaco and EG&G Rocky Flats: project MC.E.R9: Cultural Resource Class III Survey of the Department of Energy Rocky Flats Plant, Northern Jefferson, Boulder, (and Broomfield) Counties, Colorado. A 1998 linear inventory of HWY 93 by O.D. Hand for CDOT either abuts or extends slightly into the ROW of the proposed buried utility trench. That project is JF.CH.NR39, An Intensive Archaeological Survey along State Highway 93 between Leyden Road and the Boulder County Line, Jefferson County, Colorado (BR 093-1(016)). Because the 1991 inventory is now 22 years old, a re-inventory of the project area is needed. The SHPO records do not show any previously recorded sites within the Direct Effects APE of the project area.

Seven other previous inventories have been performed elsewhere within the Class I inventory area. A total of 41 previously recorded sites are listed for lands elsewhere within the Class I inventory area.

As shown on Attachment 1, three previously recorded sites occur within the Visual Effects APE of the project. Site 5JF.318.8, South Boulder Diversion Conduit-Segment, is a 1935 canal listed as Eligible-Officially. Site 5JF.512.2, Upper Church Ditch (Segment), is an abandoned historic irrigation ditch listed as Eligible-Field. Site 5JF.513.3, McKay Ditch-Zang Segment, is an abandoned 1881 irrigation ditch, culvert, and slab listed as Eligible-Field.

Three other NRHP-significant sites occur within the Class I inventory area, but are located beyond the Visual Effects APE of the project. Site 5JF.2431 (Eligible-Field) is a streamside Late Prehistoric Period campsite consisting of 34 stone circles, one stone

cluster, a mano and grindstone, and chert, quartzite, chalcedony, and petrified wood flakes. Site 5JF.2434 (Eligible-Field) is a prehistoric cairn. Site 5JF.2452.1 (Eligible-Field) is an abandoned historic irrigation ditch.

Prehistoric sites elsewhere within the Class I inventory area include: cairns (very common), rubble mounds, isolated chert flakes, a stone alignment, and a stone square. These finds are either listed as Not Eligible or Needs Data. Historic sites elsewhere within the Class I inventory area include: the Denver, Utah & Pacific RR line, gravel pits, a stock pond, a fence, IF bottle and trash scatters, earthen features/foundation depressions, farmsteads, and irrigation ditches. Most historical archaeological finds are listed as Not Eligible.

In summary, no NRHP-eligible sites are known to occur within the Direct Effects APE of the project. Three NRHP-eligible sites are known to occur within the Visual Effects APE of the project: 5JF.318.8, 5JF.512.2, and 5JF513.3.

Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

Pages 4 and 5 in Attachment 3 show the visual relationship between the proposed radio towers and the crossings of historic ditches 5JF.318.8 and 5JF.512.2/5JF513.3 on HWY 93. As shown in these views, existing cell towers, radio tower nests, microwave towers, wind turbines, and high-voltage transmission towers are common features in the viewshed of the project area. The proposed West Tower will be located 0.20 mile from 5JF.318.8, and both towers are situated about almost ½-mile mile from 5JF.512.2 and 5JF.513.3. At these distances, the proposed West Tower and East Tower will have no direct visual impact on the three historic irrigation ditches. Moreover, the proposed radio towers will blend in with the numerous existing towers already present on the horizon, and will thus not change the existing visual landscape surrounding the historic ditches. Therefore, the proposed undertaking at Mauna Towers LLC, AM KGCQ Towers will have No Effect on visual appreciation of sites 5JF.318.8, 5JF512.2, and 5JF.513.3 in the APE for Visual Effects.

Recommendations

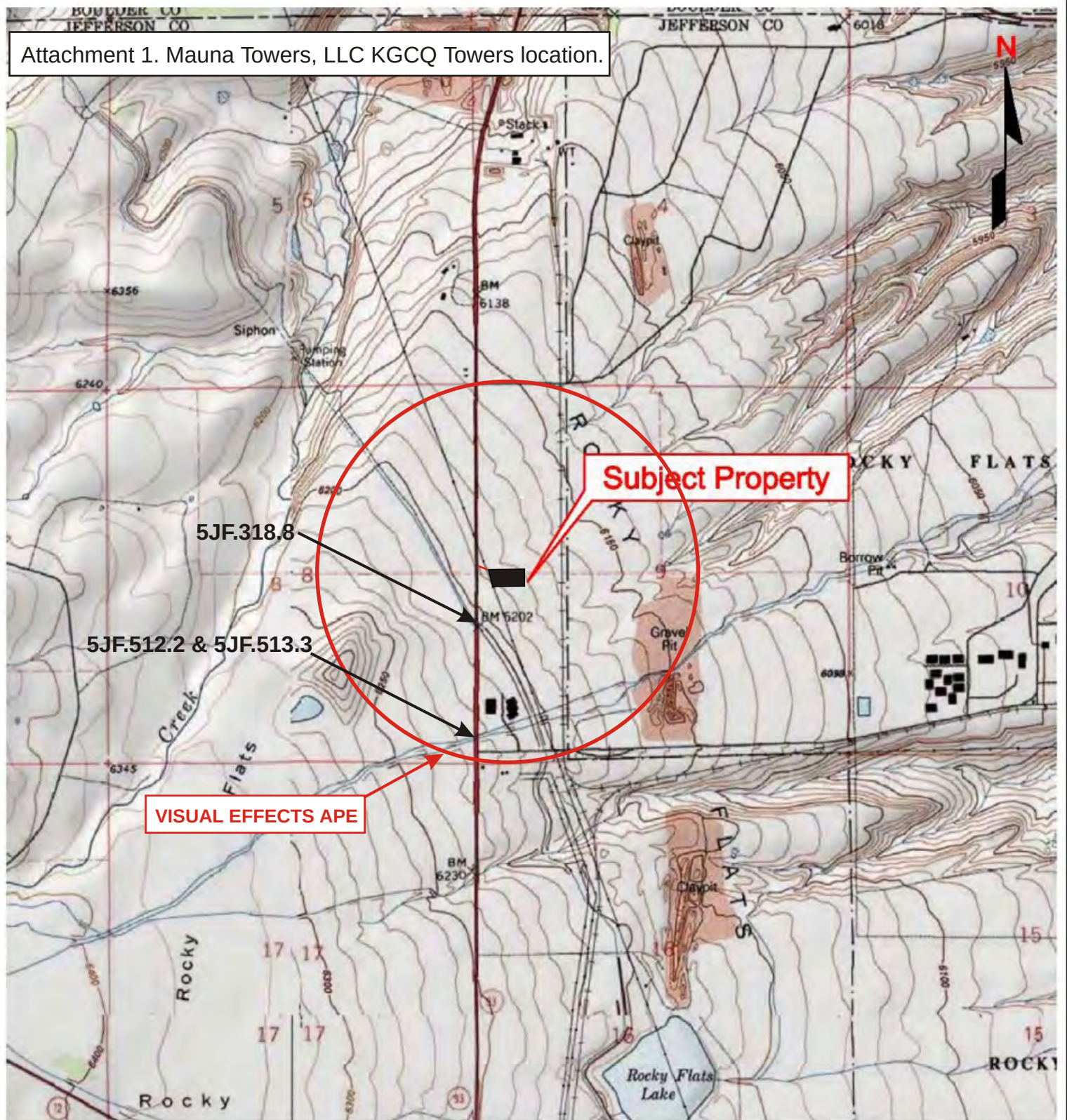
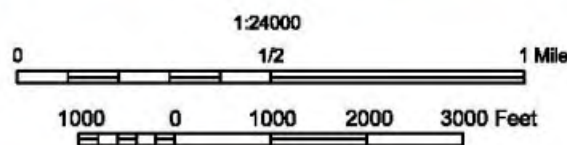
Based on the Class III inventory results, direct effects and visual effects of the proposed Mauna Towers LLC, KGCQ AM Towers are as follows:

- ❑ No Historic Properties occur in the APE for Direct Effects.

- ❑ Historic Properties 5JF.318.8, 5JF.512.2, and 5JF513.3 occur in the APE for Visual Effects. The proposed undertaking will have No Effect on visual appreciation of these resources.

Cultural resource clearance for the proposed Verizon Wireless, Inc., Mauna Towers LLC, KGCQ AM Towers is recommended. If subsurface remains are found during construction, these should be reported immediately to the Colorado State Historic Preservation Office.

Attachment 1. Mauna Towers, LLC KGCQ Towers location.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

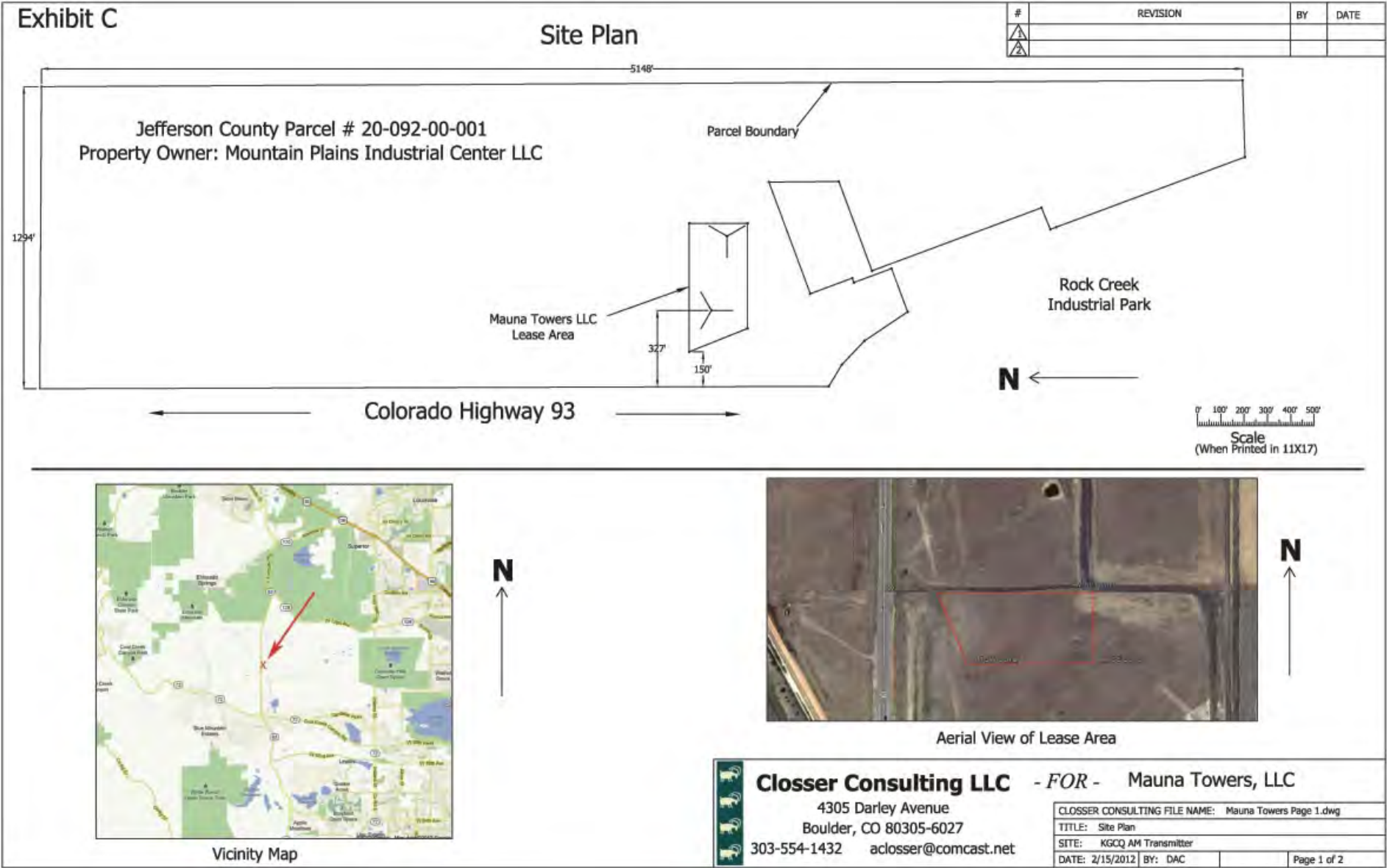


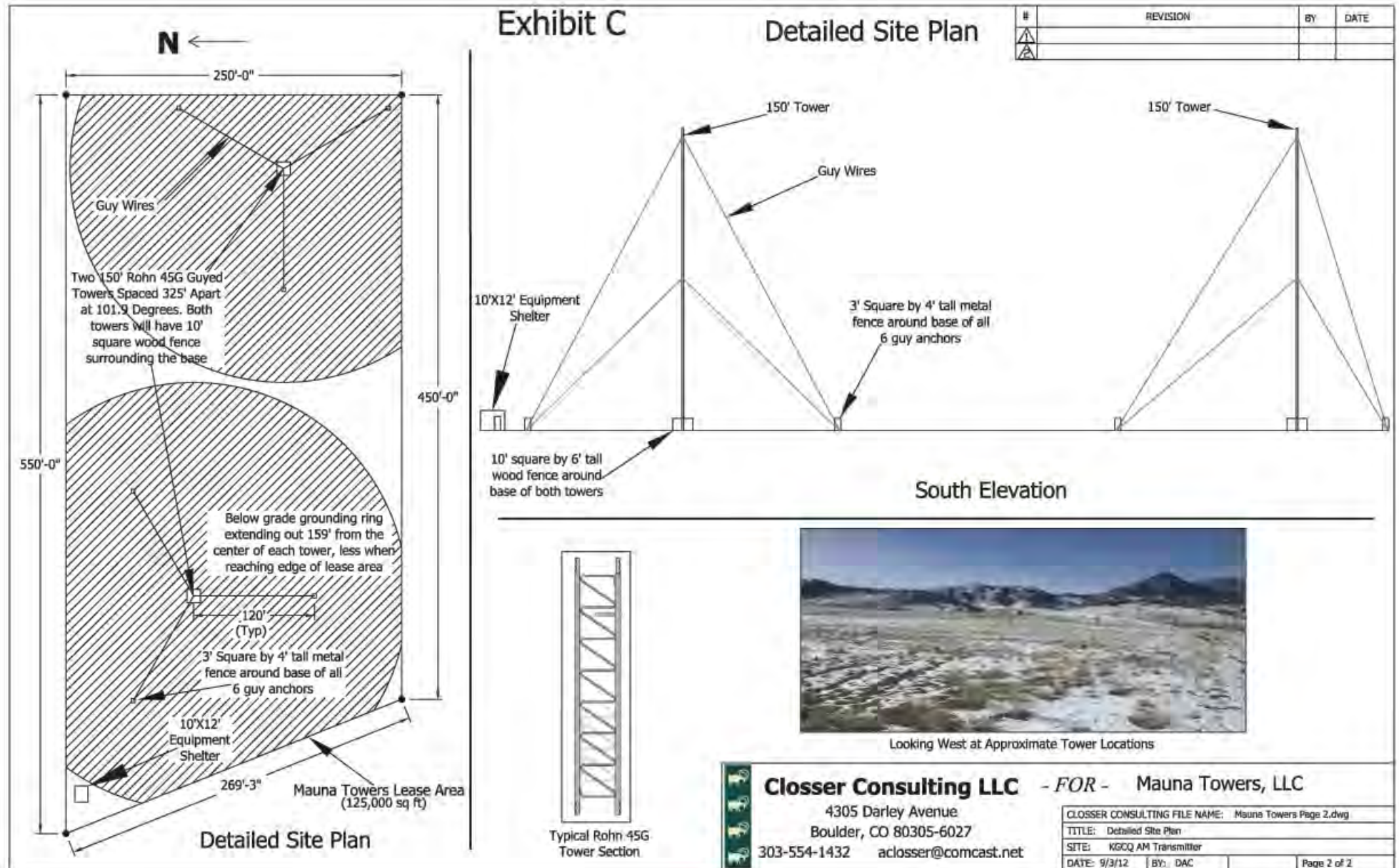
SITE

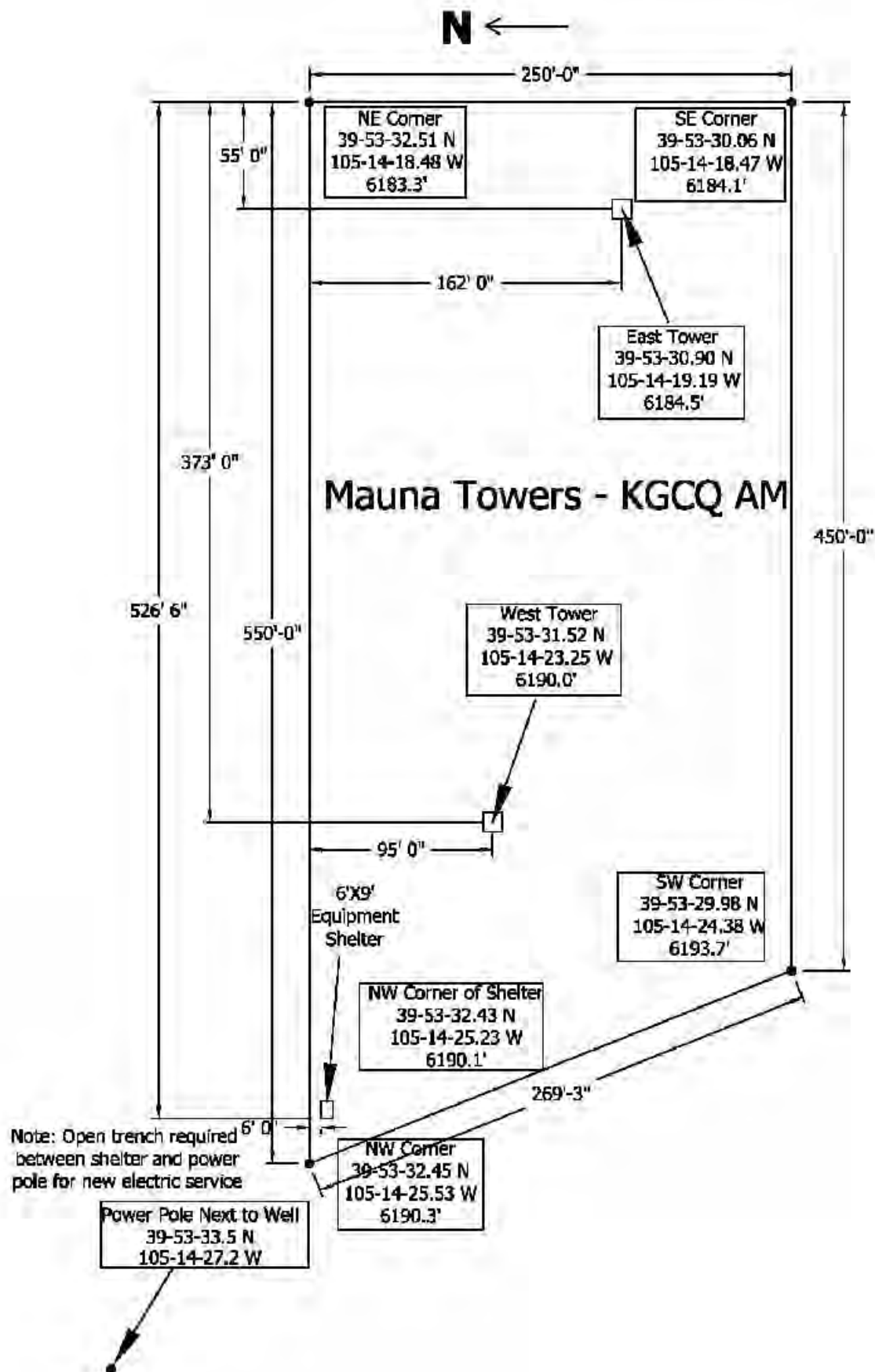
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

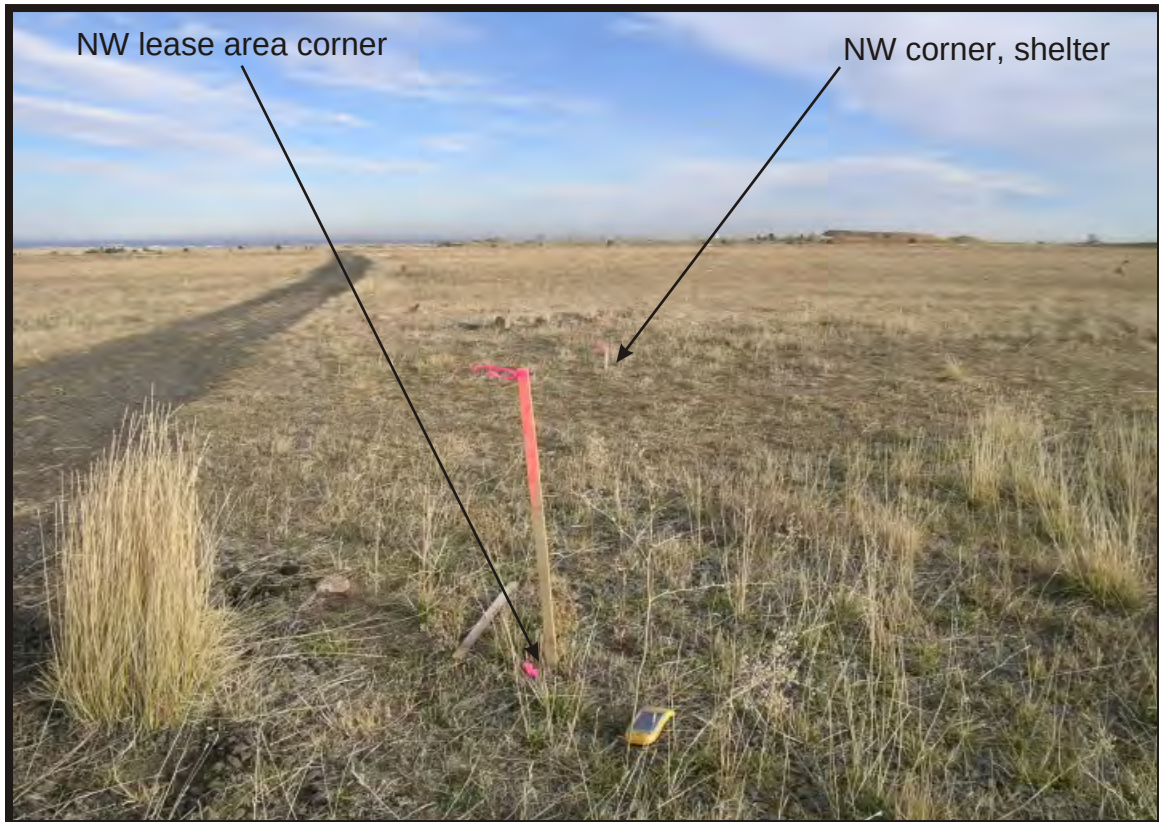
Project No. 10012-012088.00

Last Revision
November 2012

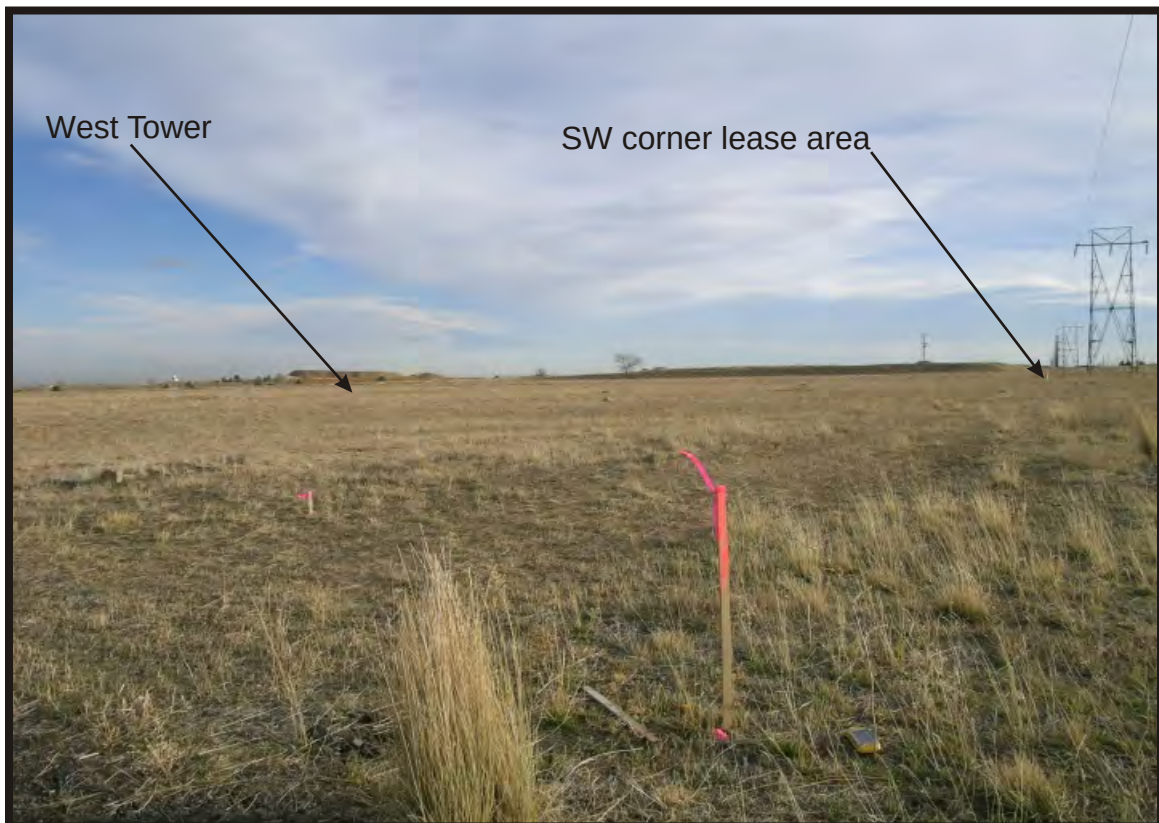








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



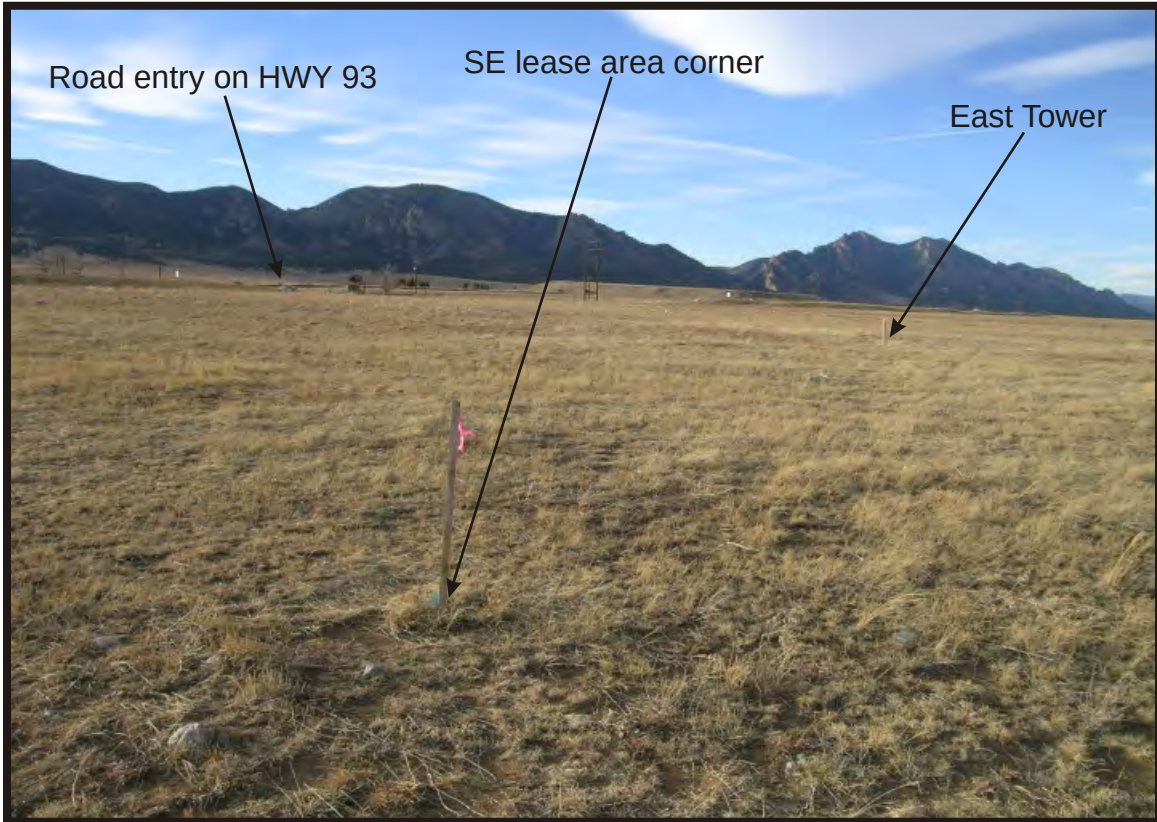
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.



Jefferson County Planning and Zoning

Historical Review for Telecommunication Operation			
Date Received: December 12, 2012		Date Due: Within 30 days	
Date of P & Z Review: January 9, 2013		*Date of JCHC-HPC Review: Not applicable	
Case Type: Historic Referral for the proposed construction of two 150' high lattice radio towers and a 10 x 12 foot equipment shelter.		Case Number: KGCQ AM Transmitter Sites	
Owner/Applicant: Mauna Towers, LLC, Bureau Veritas of North America, Applicant Charles McKay, Owner		Address of Property: 10888 Highway 93, unincorporated Jefferson County	
Phone #: Bureau Veritas 303-988-2585		Email: Amanda.cushing@us.bureauveritas.com	
Contact Person: Amanda Cushing		165 South Union Blvd., Suite 310, Lakewood, CO 80228	
P&Z Case Manager: NA			
Historic Case Manager: Dennis Dempsey		*JCHC-HPC Researcher: NA	
Phone Number: (303 271-8734)		Phone Number:	
Email: ddempsey@jeffco.us		Email:	
PROPERTY STATUS			
	Yes	No	Comments
Historically Significant:		x	According to applicant, the proposed radio tower site would be located on a 2.82 acre leased site within an area zoned Industrial-One (I-1) and recommended for Industrial type uses. There are no known cultural/historic resources found within a ½ mile radius from the proposed radio tower site.
Potential Historic District:		x	The adjacent Rocky Flats Plant Site is listed on the National Register and considered a Historic District.
Additional Data Needed:		x	The applicant provided the results of a Class I and Class III Cultural Resource Inventory conducted by Brad Noisat, Niwot Archaeological Consultants, Inc. The report stated that there are no known National Register Eligible sites within the project area that would be affected by the construction of the towers.

*If applicable

I. PROPERTY DESCRIPTION			
Community Plan Area: The subject property is within the North Plains Area and is recommended for Industrial use.		Lot Size of Property: 2.82 acres	
Location of Subject Property: The subject property is located to the east of Highway 93 and to the north of Rock Creek Industrial Park		Year Built: Vacant land	
Current Zoning: Industrial-One (I-1)		Proposed Zoning: Same	
	Yes	No	Comments
Vacant property:	x		This site is considered vacant land



Case Name: LGCQ AM Tower Project
Location: 10888 Highway 93

Structure(s) on subject property		x	There are no structures on this site
Significant architecture, design, or cultural resource?		x	
Any significant historical sites or structures adjacent to the subject property?		x	The Rocky Flats Industrial Plant is located about 1 mile to the east of the proposed radio tower site.
Any significant cultural resources on or adjacent to the subject property? (Roads, trails, artifacts...)			The North Plains Area Plan historic map does not show any historic sites or structures within the area.
Local, State or National Register?		x	
Part of a Historic District?		x	

II. SUMMARY OF PROPOSAL:

Request for comments relating to the potential impacts to historic sites and structures associated with the construction of two 150' tall radio towers and equipment shelter.

III. STATUS OF HISTORIC STRUCTURE(S):

	Yes	No	Comments
Are there plans to remove or demolish a historic resource?		x	No historic resources are planned for removal
Would the approval of this proposal threaten or endanger any historically significant sites or structures?		x	
Would this proposal significantly change or alter a historic resource?		x	
If yes to the above, this referral will be sent to the JCHC historian for further review and comments.		x	

IV. HISTORIC SITE AND STRUCTURE ANALYSIS:

Research Records	Historically Significant		Comments
	Yes	No	
Community Plan:		x	There were no historic sites or structures listed on the North Plains Area Plan historic map that would be impacted by the construction and operation of the proposed radio towers
1999 – 2002 Cultural Resource database for unincorporated Jefferson County:		x	Not listed
County Assessor Records:		x	According to County Assessor records, this site is considered vacant land
Colorado Historic Society – Office of Archaeology		x	Search of Colorado Historical



Case Name: LGCQ AM Tower Project
Location: 10888 Highway 93

and Historic Preservation:			Society- Office of Archaeology and Historic Preservation data base. No historic sites or structures were noted within the area of potential affect.
Local, State and National Register:		x	
Other Resources:		x	
Site Visit:		x	Date of Site Visit: Not needed at this time
Ranking or I.D.# if Applicable		x	

V. Summary and Recommendations:

- Please contact the Jefferson County Historical Commission if any historic/cultural resources are found on or adjacent to the subject property.
- It would not appear that the proposed radio tower site would affect any historically significance sites or structures within the area. No additional historical information is needed at this time.
- We recommend siting the radio towers as far to the east and from Highway 93 as possible to minimize any adverse visual impacts from the Highway corridor and to the Mountain Backdrop/Foreground area.

Completed By:	Date:
Planning and Zoning: Dennis M. Dempsey Planner/Jefferson County Historical Commission Staff Liaison	January 9, 2013
Jefferson County Historical Commission:	



December 10, 2012

Jefferson County Historical Society
P.O. Box 703
Evergreen, CO 80437
303.497.7650

Project No. 10012-012168.00
and 10012-012168.01

Subject: NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado

To Whom It May Concern:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is conducting a NEPA evaluation for the above-referenced property. According to the Colorado Historical Society, the Jefferson County Historical Society would like to be contacted regarding in Section 106 consultations within Jefferson County. Therefore, pursuant to 47 CFR §1.1307(a)(4), we respectfully request your comment as to whether the proposed communications project "may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places."

PROPERTY DESCRIPTION

Site name/location: The site is identified as the proposed KGCQ AM Transmitter Sites and is located at 10888 Highway 93, Arvada, Jefferson County, Colorado.

Legal Description: The subject property is located within the western half of Section 9, Township 2 South, Range 70 West within Jefferson County.

Property Owner: Charles McKay currently owns the site.

Current Land Use: The subject property is currently vacant land. The site location is depicted on Figure 1.

Proposed Action: The proposed action will consist of the construction of two (2), guyed 150 foot high lattice radio towers (identified as the East Tower and West Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. The design plans for the proposed action are included as an attachment.

Latitude and Longitude Coordinates:

East Tower: 39° 53' 30.90" N and 105° 14' 19.19" W

West Tower: 39° 53' 31.52" N and 105° 14' 23.25" W

The following report, which was performed by Niwot Archaeological Consultants, is attached for your review:



- *Class III Cultural Resources Inventory: Mauna Towers LLC, KGCQ AM Towers, Jefferson County, Colorado*

Photographs of the site and surrounding area are included with the Cultural Resources Inventory.

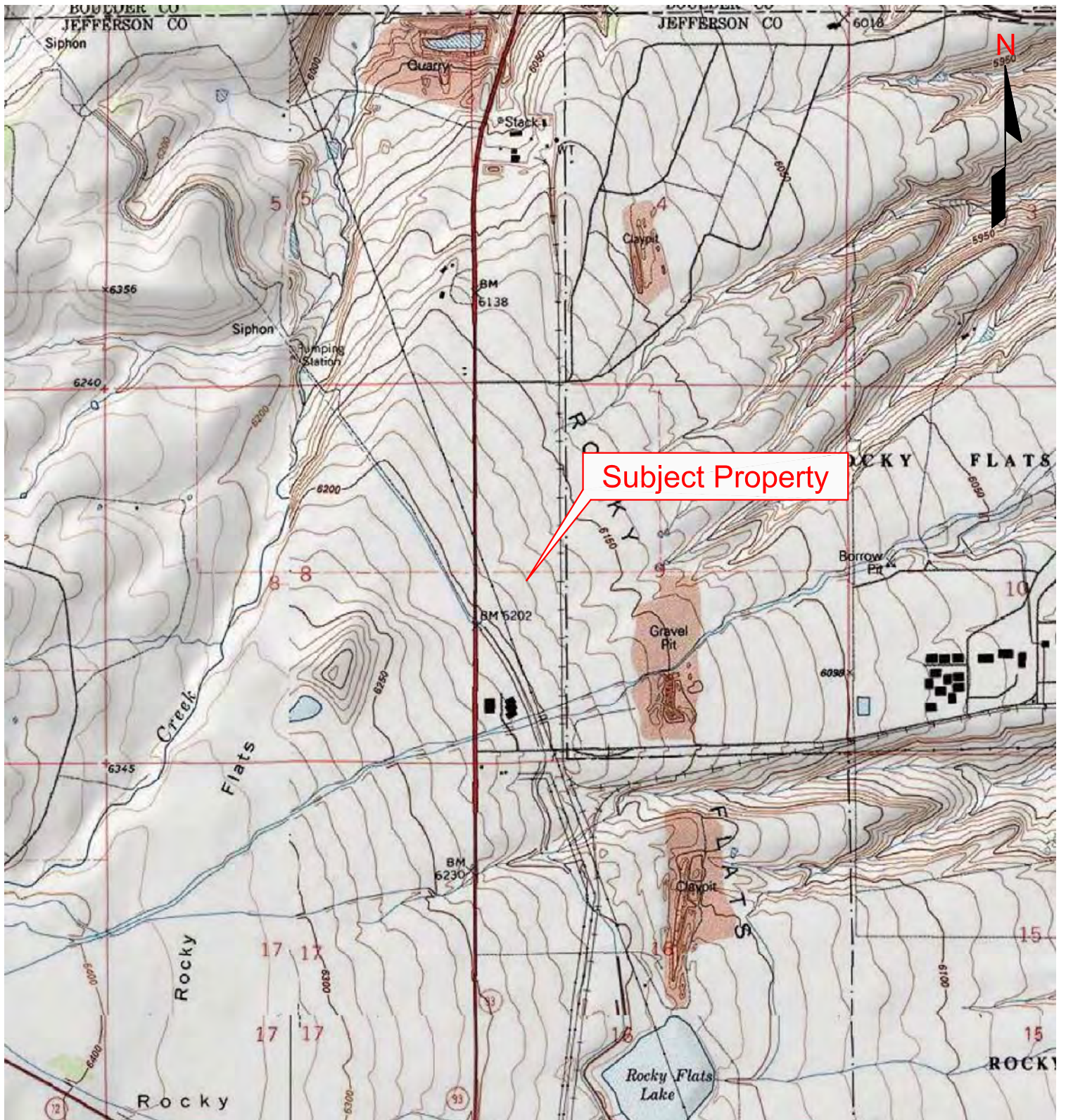
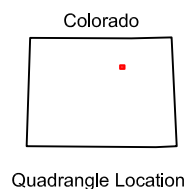
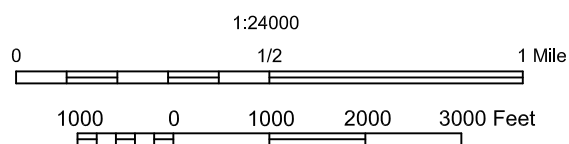
We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.988.2585 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

Sincerely,

Amanda Cushing
Project Manager
Rocky Mountain Region

Attachments: Figure 1, Design Plans, Cultural Resources Inventory

ATTACHMENTS



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

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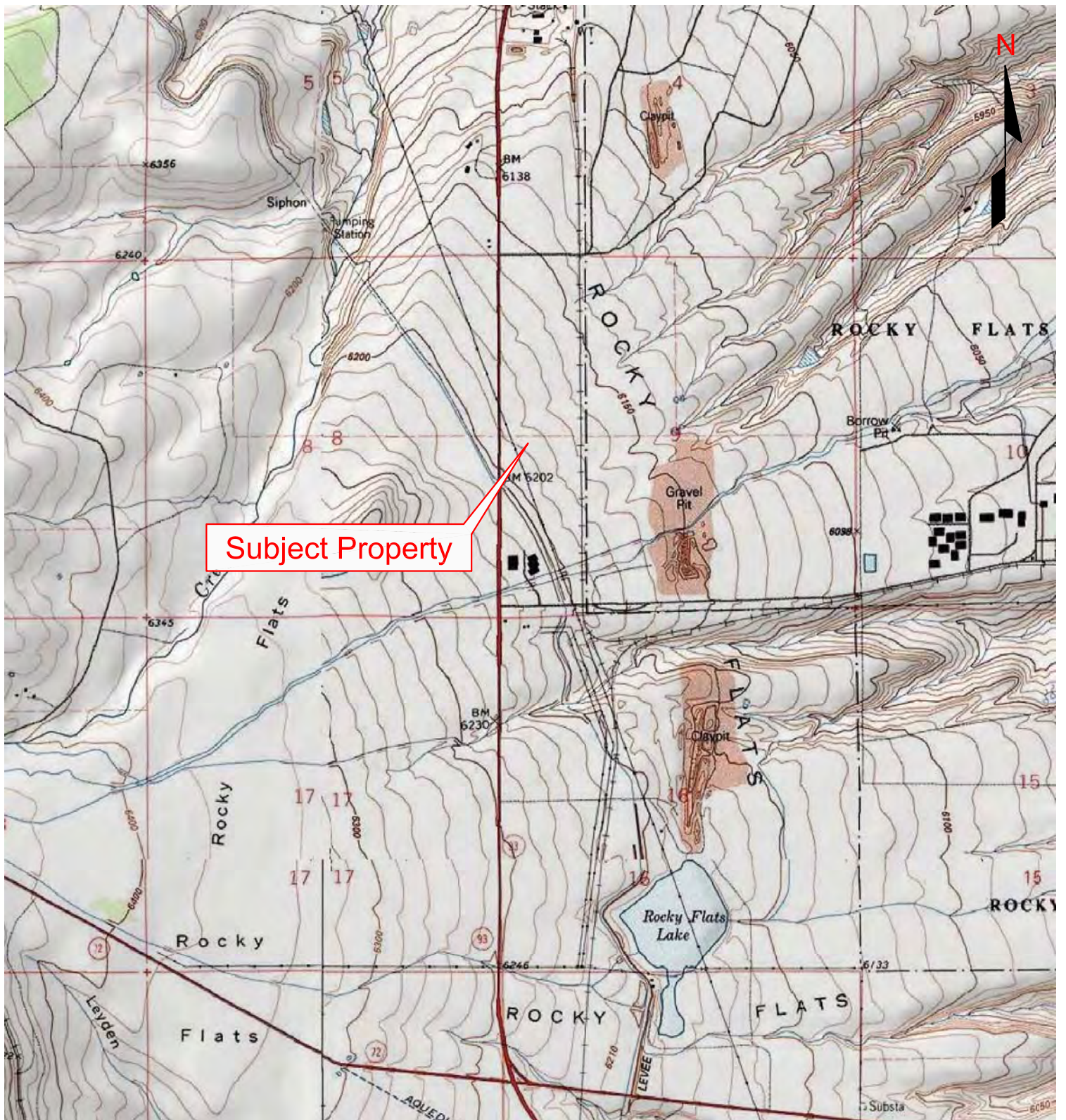
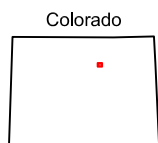


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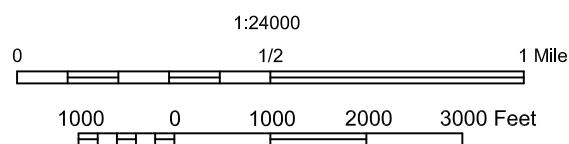
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012



Quadrangle Location



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd, Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT



SITE

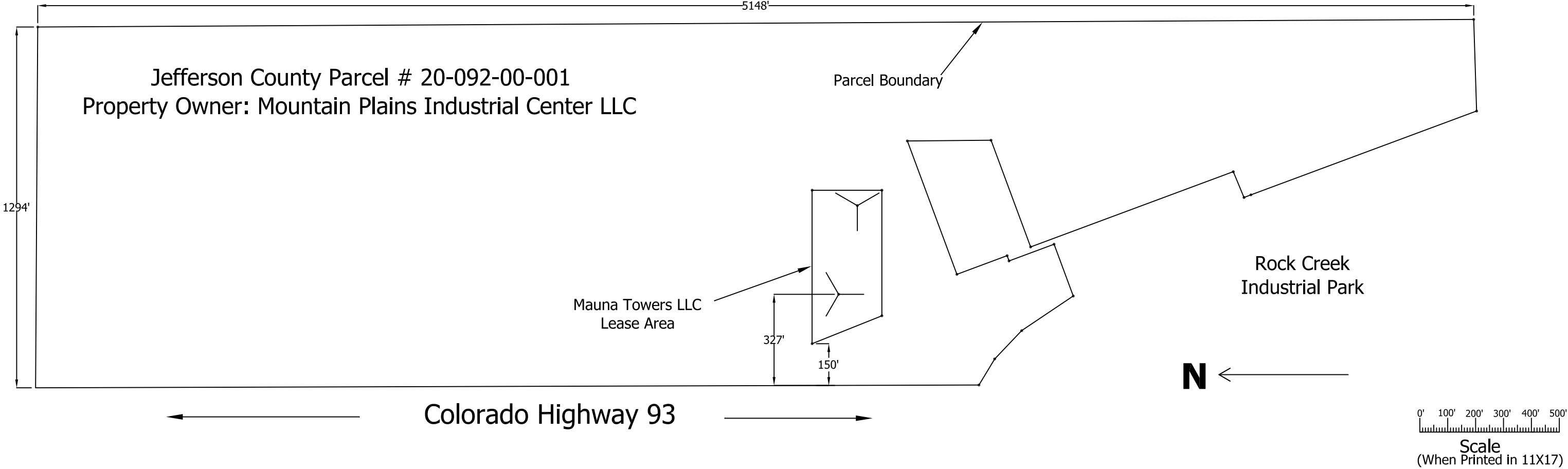
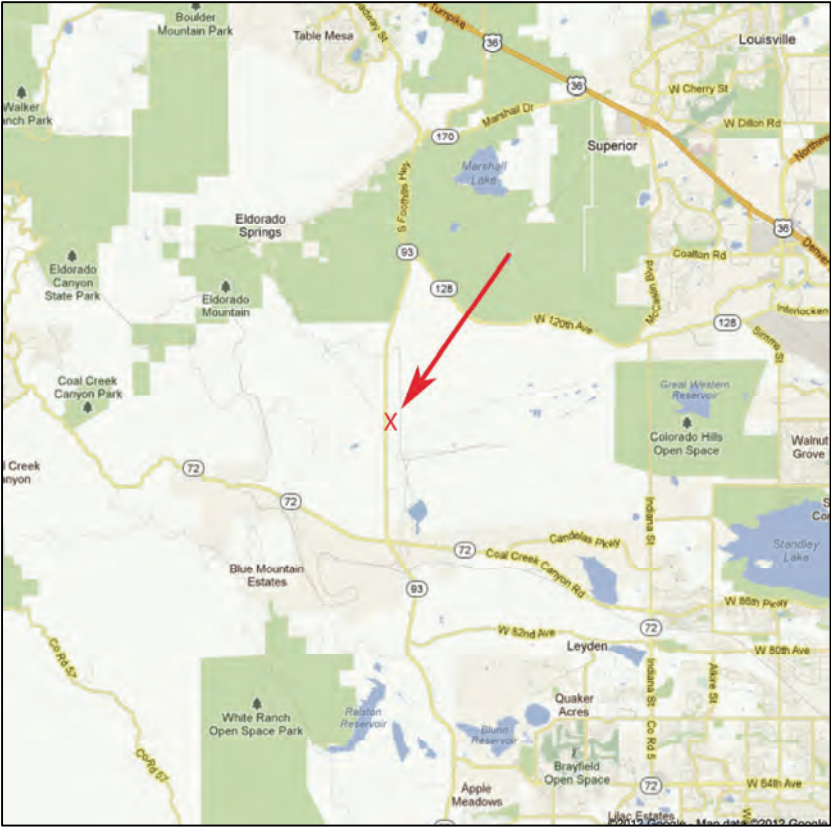
KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - Mauna Towers, LLC

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

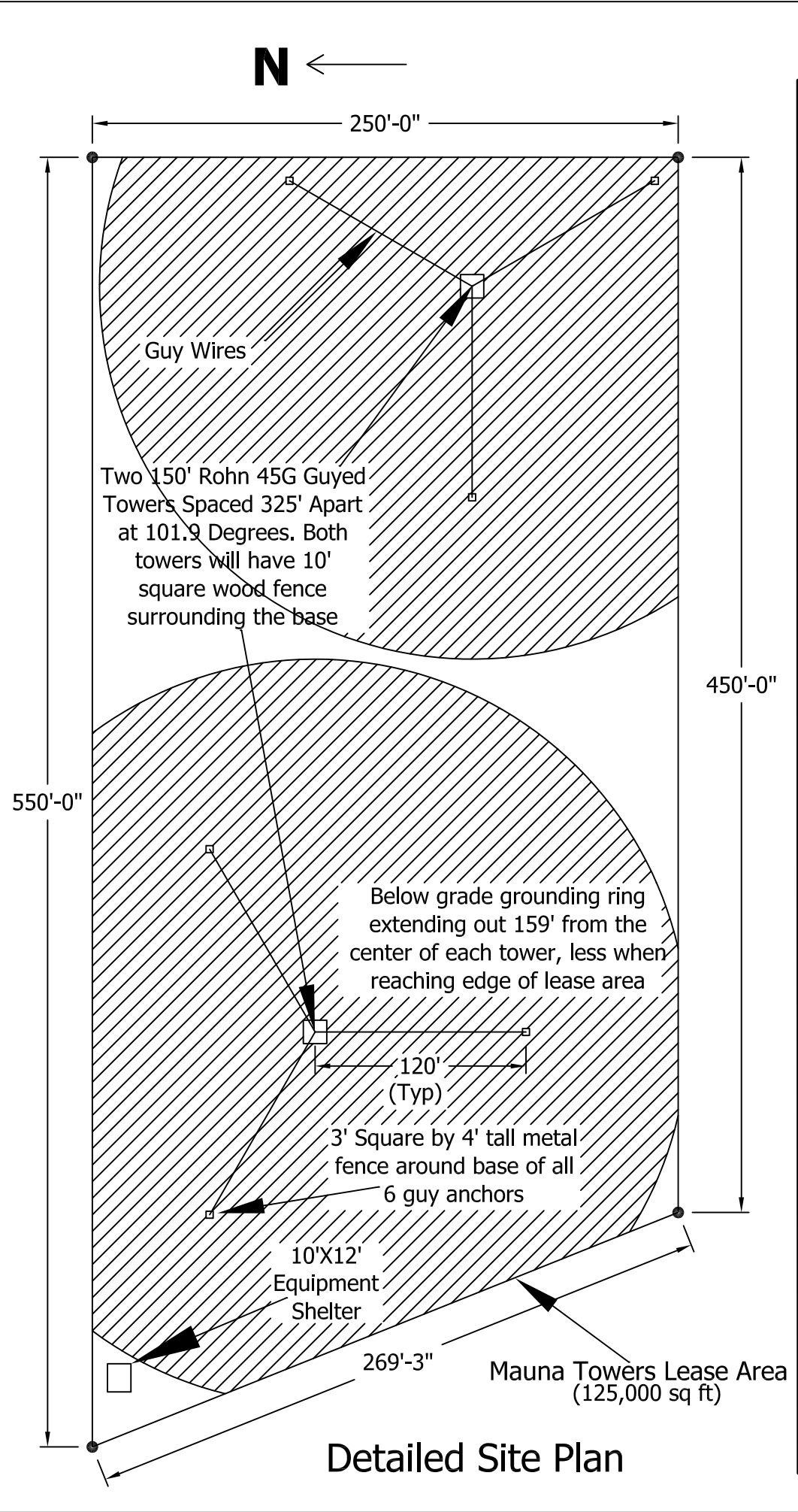


Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
1			
2			

150' Tower

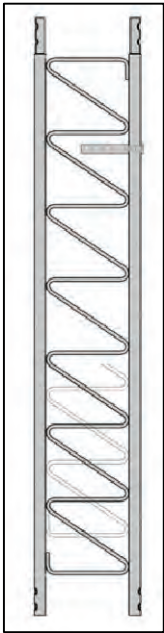
Guy Wires

10'X12' Equipment Shelter

3' Square by 4' tall metal fence around base of all 6 guy anchors

10' square by 6' tall wood fence around base of both towers

South Elevation



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



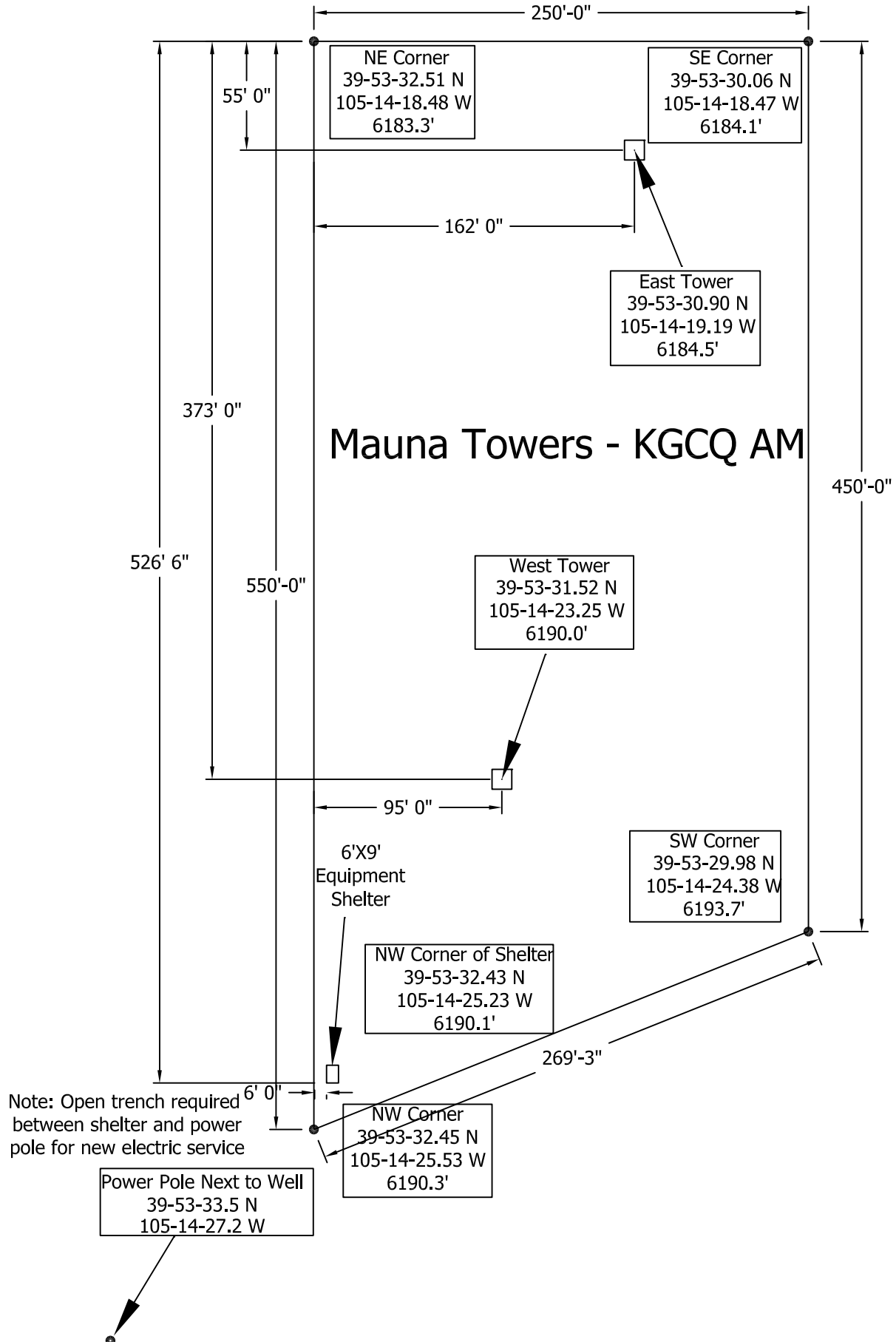
Closser Consulting LLC
4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

- *FOR* -

Mauna Towers, LLC

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 2.dwg			
TITLE: Detailed Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 9/3/12	BY: DAC		Page 2 of 2

N ←



Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers, Jefferson County, Colorado

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
www.niwotarchaeology.com
November 29, 2012

Abstract

On November 27, 2012, Brad Noisat, Principal Investigator of Niwot Archaeological Consultants, Inc. performed a Class III Inventory of 2.82 acres for the proposed Mauna Towers LLC, KGCQ AM Towers adjacent to State Highway 93 in rural Jefferson County, Colorado. The proposed APEs for Direct Effects of the project will include construction of two, guyed 150 ft high lattice radio towers and a 10 ft x 12 ft equipment shelter and excavation of a 188 ft long utility line trench. No cultural resources occur within the Direct Effects APE of the project. The proposed undertaking will have No Effect on historic irrigation ditch sites 5JF.512.2, 5JF.513.3, and 5JF.318.8 within the Visual Effects APE of the project. Cultural resource clearance for the proposed undertaking is recommended.

Project Description

Mauna Towers LLC proposes to construct two radio transmitter towers to provide AM radio broadcast service for radio station KGCQ. The 2.82-acre project area is located in rural Jefferson County, Colorado adjacent to State HWY 93 in the vicinity of Rocky Flats. Project location corresponds to the N1/2, NW1/4, NW1/4, SWW1/4 and the S1/2, SW1/4, SW1/4, NW1/4, Section 9, T2S-R70W, 6th PM (USGS 7.5' Louisville, Colorado 1994 quadrangle). Attachment 1 shows the project location and Visual Effects APE on the Louisville quadrangle. The Visual Effects APE is defined by a 1/2-mile radius surrounding the proposed towers. Figure 1 provides an aerial view of the project location and the Visual Effects APE. The project design plans are presented in Attachment 2. Views of the proposed Direct Effects APEs are shown in Attachment 3. The proposed Direct Effects APEs of Mauna Towers project are as follows:

- The proposed lease area for the project is a trapezoidal block area roughly 2.82 acres in size.
- Two 150 ft high lattice towers known as the East Tower and West Tower will be constructed within the lease area. The towers will be spaced 325 ft apart. A 10 ft square x 6 high fence will be placed around the base of each tower. Both towers will be secured to the ground using three guy wire anchors extending 120 ft from the base of the tower. A 3 ft square x 4 ft high metal fence will be placed around all 6 guy wire anchor locations.

Figure 1. Mauna Towers LLC project area location and the Visual Effects APE (red circle).



- A 10 ft N/S x 12 ft E/W equipment shelter will be constructed in the northwest corner of the lease area.
- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

Buried utility services between the equipment shelter and the two towers have not been specified. Access has also not been defined. However, the access road will probably follow an existing broken asphalt road originating on HWY 93. The existing road forms the northern perimeter of the lease area. Any other buried utility lines will be sited within the proposed lease area, which was inventoried by intensive Class III methods (see below). According to the Jefferson County Assessor, the subject property is owned by Charles McKay.

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Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

Pages 4 and 5 in Attachment 3 show the visual relationship between the proposed radio towers and the crossings of historic ditches 5JF.318.8 and 5JF.512.2/5JF513.3 on HWY 93. As shown in these views, existing cell towers, radio tower nests, microwave towers, wind turbines, and high-voltage transmission towers are common features in the viewshed of the project area. The proposed West Tower will be located 0.20 mile from 5JF.318.8, and both towers are situated about almost ½-mile mile from 5JF.512.2 and 5JF.513.3. At these distances, the proposed West Tower and East Tower will have no direct visual impact on the three historic irrigation ditches. Moreover, the proposed radio towers will blend in with the numerous existing towers already present on the horizon, and will thus not change the existing visual landscape surrounding the historic ditches. Therefore, the proposed undertaking at Mauna Towers LLC, AM KGCQ Towers will have No Effect on visual appreciation of sites 5JF.318.8, 5JF512.2, and 5JF.513.3 in the APE for Visual Effects.

Recommendations

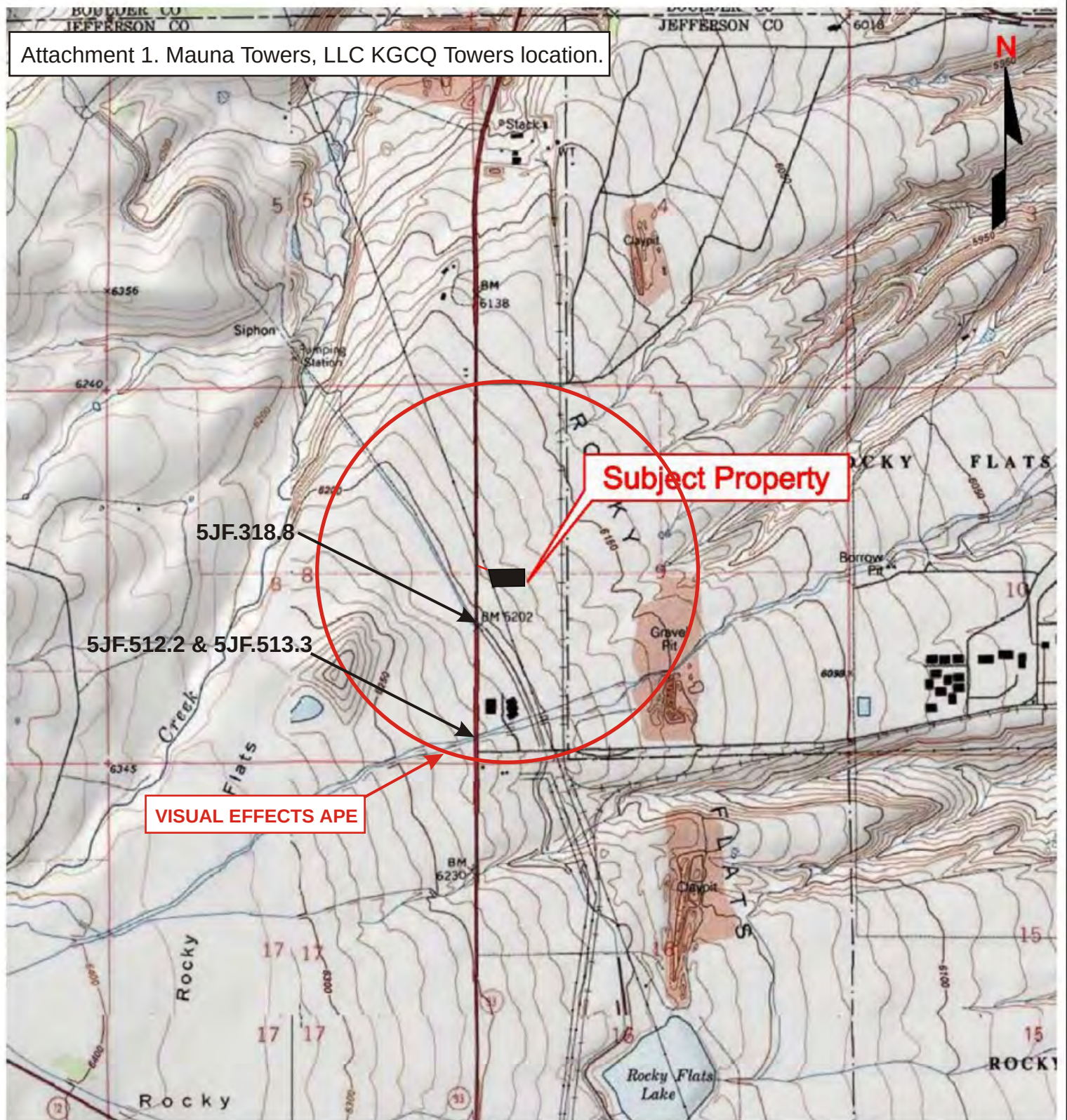
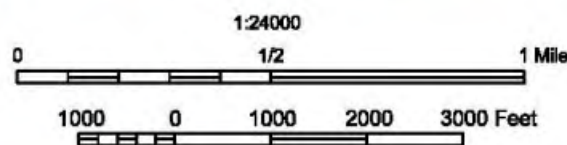
Based on the Class III inventory results, direct effects and visual effects of the proposed Mauna Towers LLC, KGCQ AM Towers are as follows:

- ❑ No Historic Properties occur in the APE for Direct Effects.

- ❑ Historic Properties 5JF.318.8, 5JF.512.2, and 5JF513.3 occur in the APE for Visual Effects. The proposed undertaking will have No Effect on visual appreciation of these resources.

Cultural resource clearance for the proposed Verizon Wireless, Inc., Mauna Towers LLC, KGCQ AM Towers is recommended. If subsurface remains are found during construction, these should be reported immediately to the Colorado State Historic Preservation Office.

Attachment 1. Mauna Towers, LLC KGCQ Towers location.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

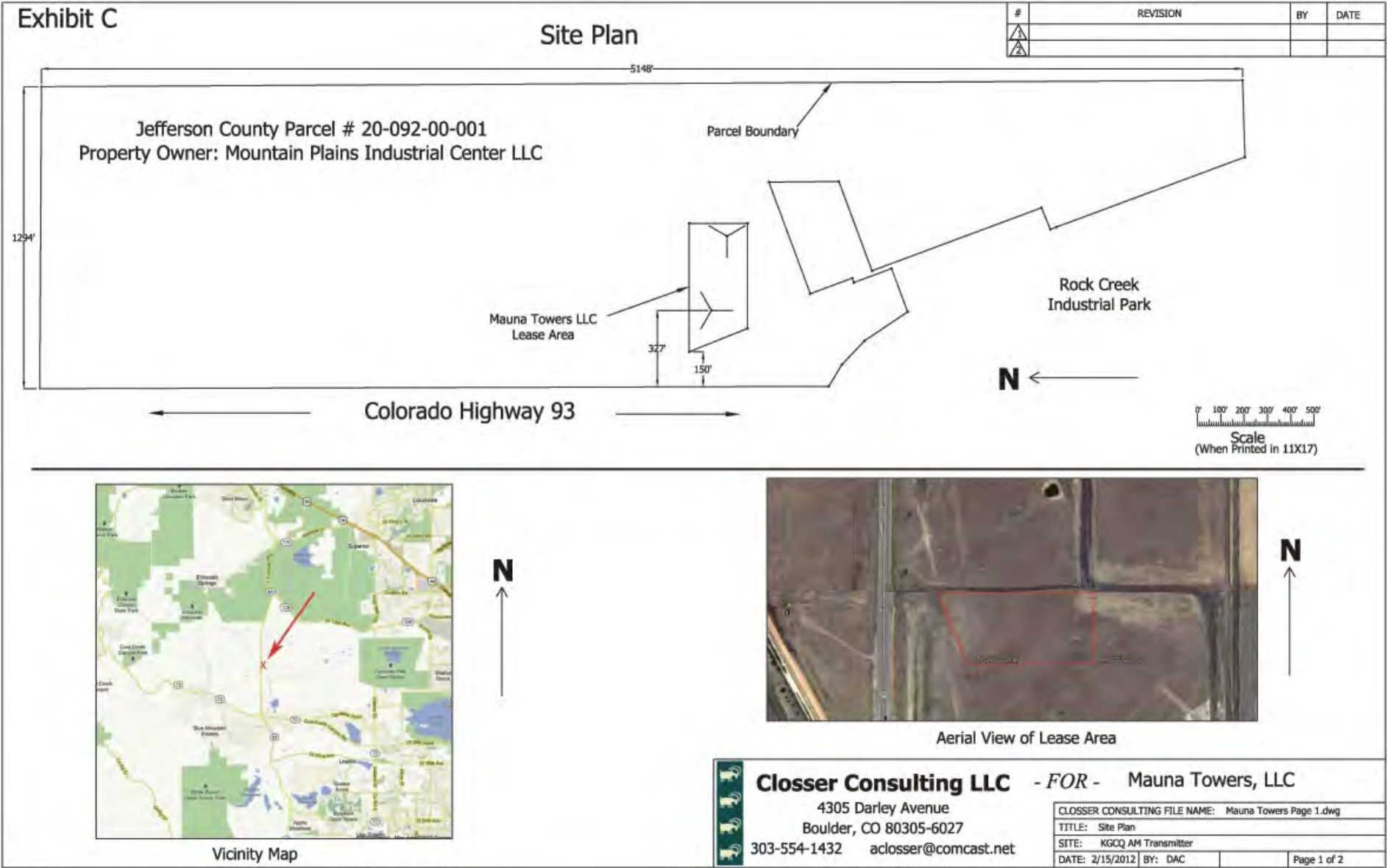


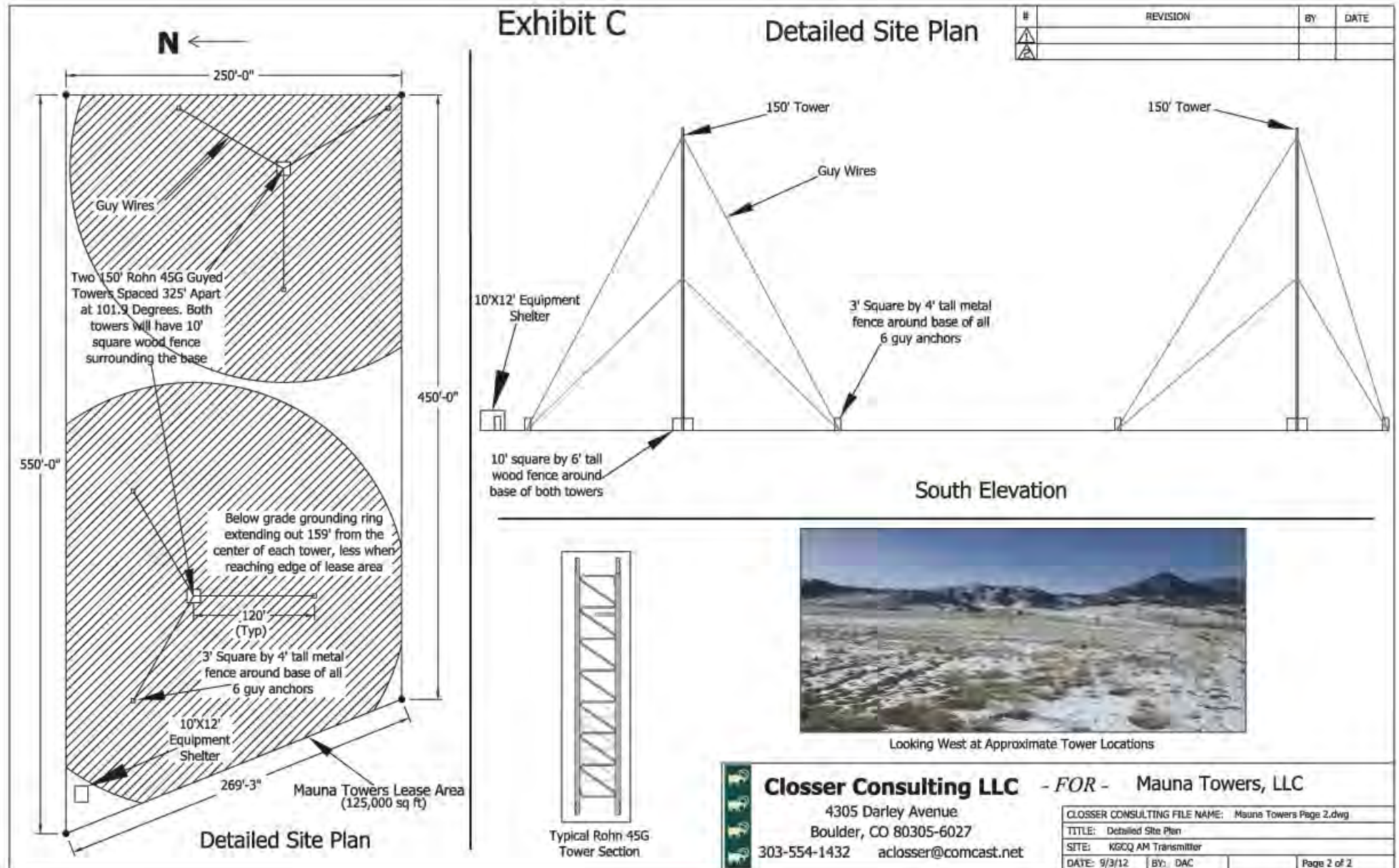
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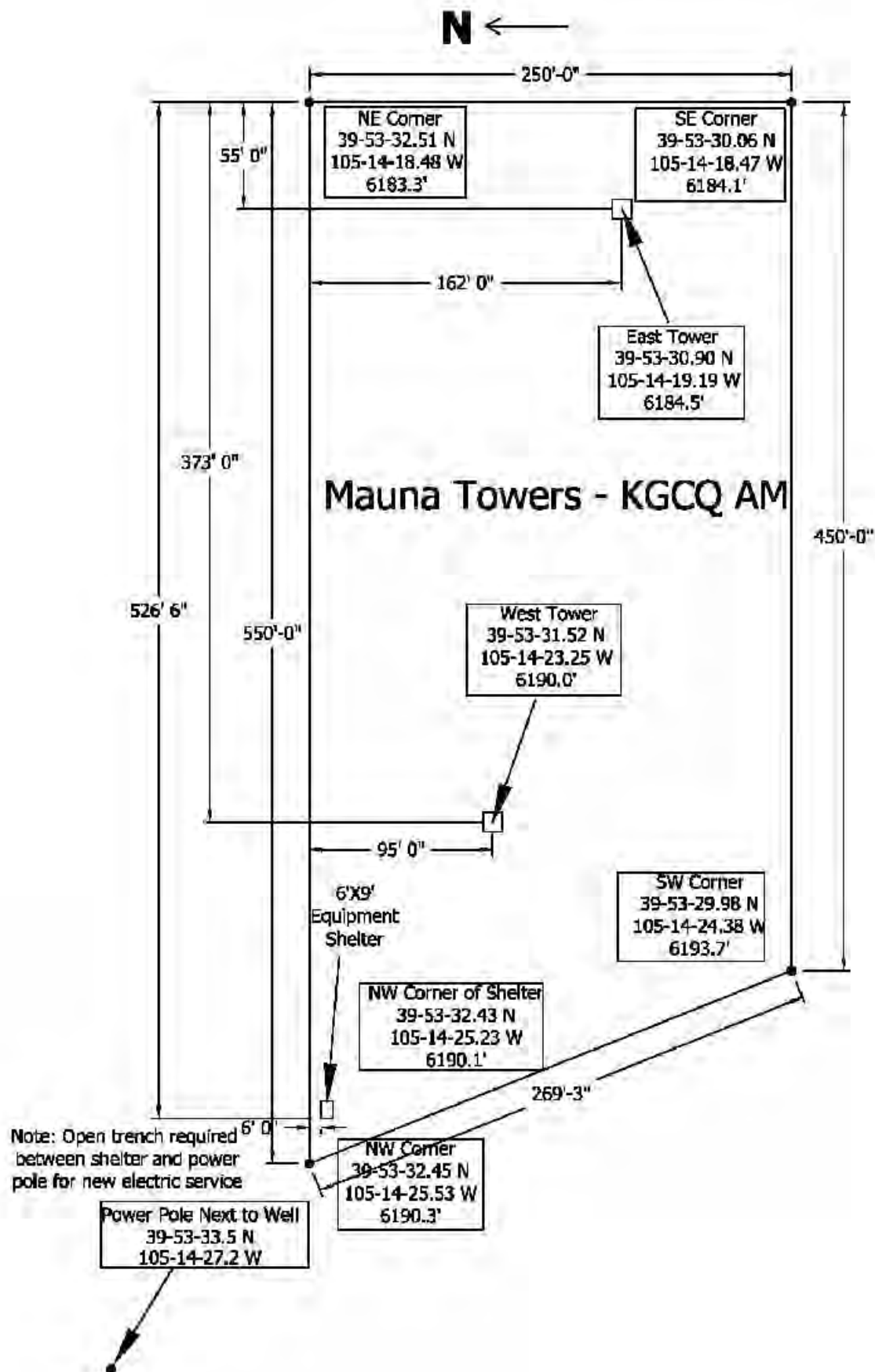
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

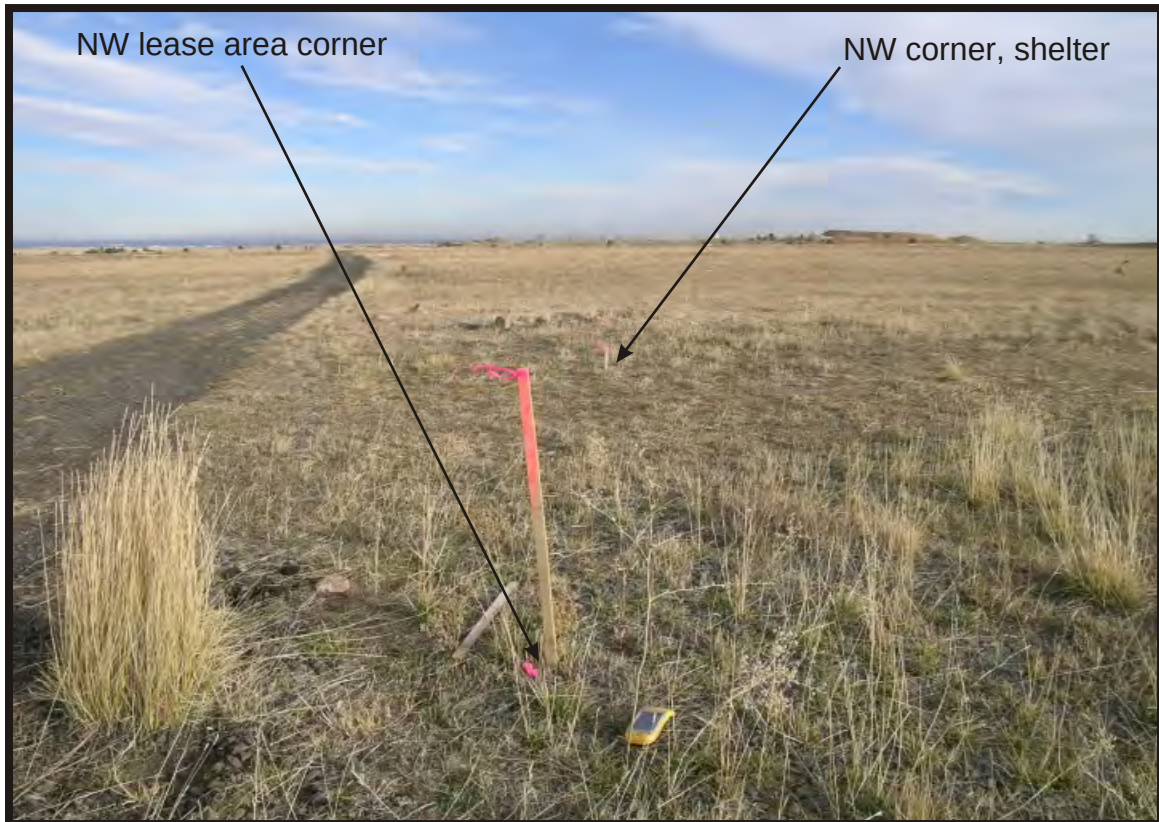
Project No. 10012-012088.00

Last Revision
November 2012

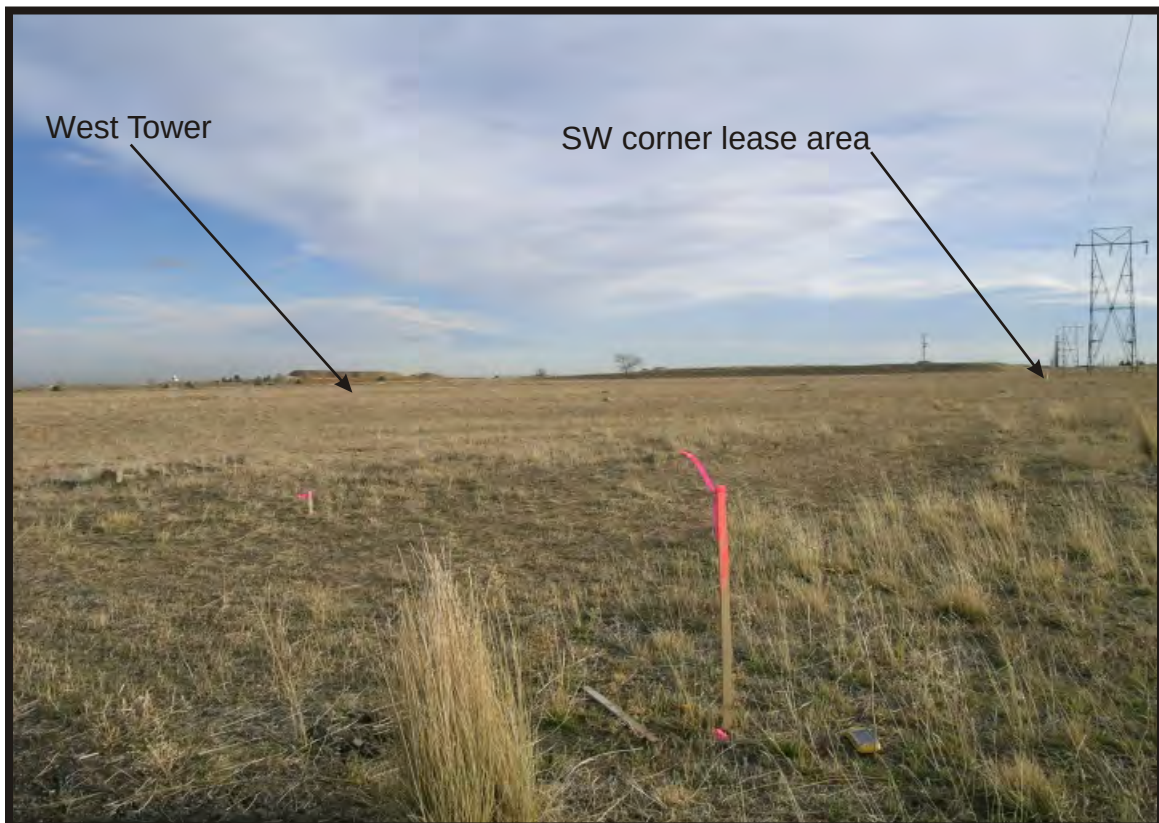








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



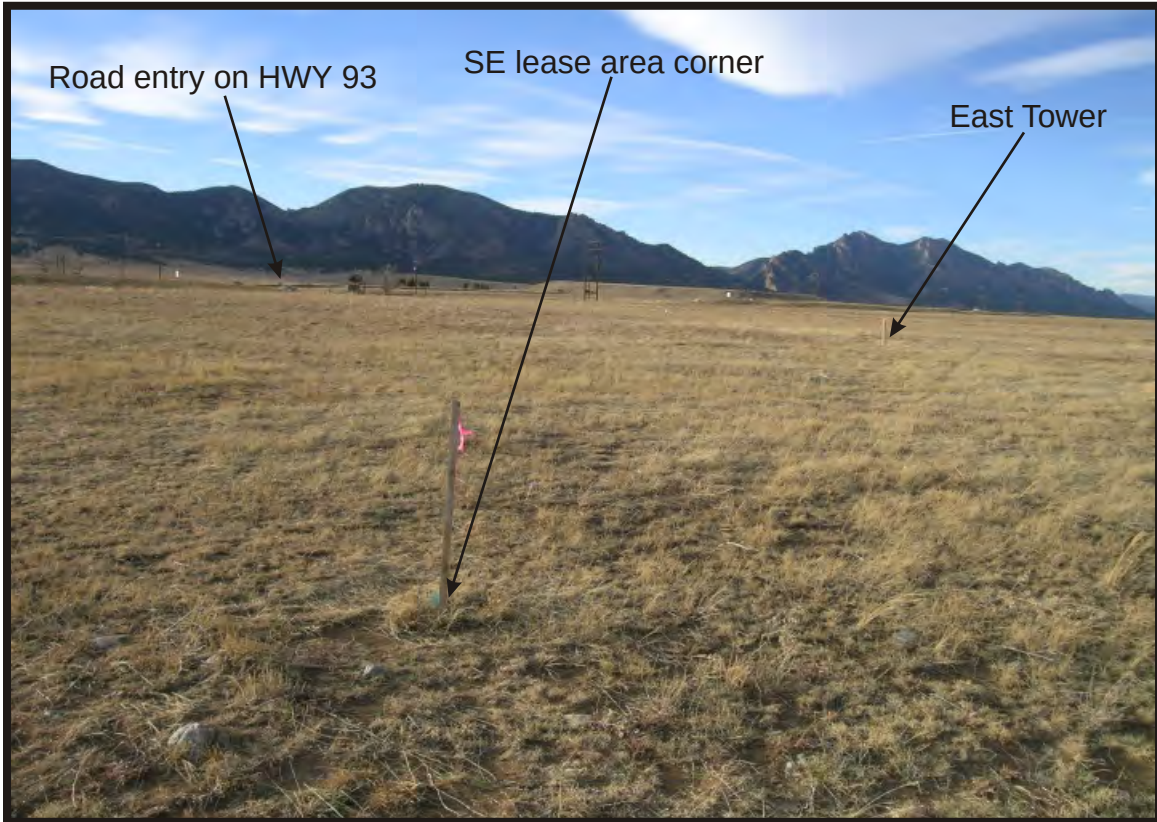
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.



December 10, 2012

Jefferson County Planning & Zoning
100 Jefferson County Pkwy #3550
Golden, CO 80419
303.271.8700
303.271.8744 FAX

Project No. 10012-012168.00
and 10012-012168.01

Subject: NEPA Evaluation for the Proposed KGCC AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado

To Whom It May Concern:

Bureau Veritas North America, Inc. (Bureau Veritas) is submitting this notice on behalf of Mauna Towers, LLC (Mauna). Mauna is proposing to construct two (2), guyed 150 foot high lattice radio towers and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench.

Pursuant to the FCC rules regarding review under Section 106 of the National Historic Preservation Act, we are contacting you in regard to potential impacts to historic properties or cultural resources. Per FCC requirements, Bureau Veritas is also contacting applicable agencies and Native American groups, and has run an advertisement in local newspapers as a public notification effort.

This letter is only to notify your office of the proposed project and to request any information you may have regarding impacts to historical properties or cultural resources. **A formal submission and application will be made by others at a later date for zoning approval of the project.**

Information or comments you may have regarding this project's potential impact to historic properties or cultural resources can be made by contacting me at 303.988.2585 or by email at amanda.cushing@us.bureauveritas.com. Thank you very much.

If this memo has been sent to the wrong person/department, please forward it to the correct location.

Sincerely,

Amanda Cushing
Project Manager
Rocky Mountain Region

Public Notice

Bureau Veritas provided public notice of the proposed project through publication of a legal notice in The Daily Camera. A copy of the affidavit of publication, which affirms that the ad copy, as shown on the affidavit, was published in the above newspaper on December 12, 2012, is attached. Bureau Veritas did not receive responses or objections to the notice.

If additional correspondence is received, Bureau Veritas will forward a copy of that correspondence to your office.

AFFIDAVIT OF PUBLICATION

CAMERA

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the CAMERA is a daily newspaper printed, in whole or in part, and published in the City of Boulder, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Broomfield counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

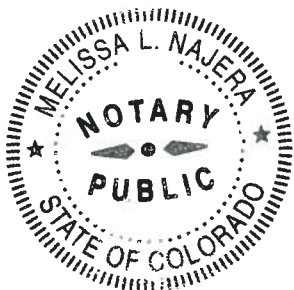
The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **December 12, 2012**.

M. Deack
Agent

Subscribed and sworn to before me this **12th** day of
December, 2012 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public
My commission expires 12/11/2014

FEE \$62.00
ACCOUNT #: 311427
AD #5575504



2500	Public Notice	2500	Public Notice	2500	Public Notice
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PUBLIC NOTICE
Mauna Towers is proposing to construct two (2) 150-foot tall guyed towers in the vicinity of 10888 Highway 93, Arvada, CO. Public comments regarding potential effects from this site on historic properties may be submitted within 30-days from the date of this publication to: A. Cushing, 303.218.3510, 165 S. Union Blvd., Ste. 310, Lakewood, CO 80228 or by email at amanda.cushing@us.bureauveritas.com.
Published in the Camera on December 12, 2012 - 5575504



22 January 2013

CHS #63336

Amanda Cushing
Bureau Veritas North America, Inc.
165 South Union Blvd., Suite 310
Lakewood, CO 80228

RE: Placement of a cellular antenna KGCQ AM (Mauna Towers, East Tower)
 equipment facility at: 10888 State Highway 93
 Arvada, Jefferson County

Dear Ms. Cushing:

Thank you for your recent correspondence concerning the installation of a cellular facility at the above address (a project having Federal Communication Commission involvement). Our office has reviewed the submitted materials.

- _____ There are no cultural resources in the Area of Potential Effect (APE).
- _____ No historic or archaeological resources will be affected by this project.
- _____ No historic properties will be affected by this project. However, there is a possibility that historic and/or prehistoric subsurface resources are located in the APE. If artifacts are discovered during the course of construction, please stop work immediately and contact our office for further guidance.
- X The proposed project will have no adverse effect on cultural resources within the APE.
- _____ The proposed project will result in an adverse effect. Please refer to the attached letter for more details.

If you have any questions, please feel free to contact Joseph Saldibar, Architectural Services Manager, at (303) 866-3741. We look forward to hearing from you.

Sincerely,


Edward C. Nichols
State Historic Preservation Officer and
President, Colorado Historical Society

RECEIVED
JAN 28 2013

BY:

OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION
303-866-3392 * Fax 303-866-2711 * E-mail: oahp@state.co.us * Internet: www.historycolorado.org



Section 106 New Filing Submitted- Email ID #371134
towernotifyinfo
to:
Amanda Cushing
01/11/2013 02:45 PM
Hide Details
From: towernotifyinfo@fcc.gov

To: Amanda Cushing/USA/VERITAS@VERITAS

The following new Section 106 filing has been submitted:

File Number: 0005600775
Purpose: New Tower Submission Packet
Notification Date: 7AM EST 01/14/2013
Applicant: Mauna Towers, LLC
Consultant: Bureau Veritas North America, Inc.
Site Name: Mauna Towers - East Tower
Site Address: 10888 Highway 93
Site Coordinates: 39-53-30.9 N, 105-14-19.2 W
City: Arvada
County: JEFFERSON
State: CO
Lead SHPO/THPO: Colorado Historical Society

Consultant Contact Information:
Name: Bureau Veritas North America, Inc.
Title: Project Manager
PO Box:
Address: 165 South Union Boulevard
Suite 310
City: Lakewood
State: CO
Zip: 80228
Phone: 303-218-3510
Fax: 303-988-2583
Email: amanda.cushing@us.bureauveritas.com

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

SECTION 3

Archaeological Survey Report

**Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers,
Jefferson County, Colorado**

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
www.niwotarchaeology.com
November 29, 2012

Abstract

On November 27, 2012, Brad Noisat, Principal Investigator of Niwot Archaeological Consultants, Inc. performed a Class III Inventory of 2.82 acres for the proposed Mauna Towers LLC, KGCQ AM Towers adjacent to State Highway 93 in rural Jefferson County, Colorado. The proposed APEs for Direct Effects of the project will include construction of two, guyed 150 ft high lattice radio towers and a 10 ft x 12 ft equipment shelter and excavation of a 188 ft long utility line trench. No cultural resources occur within the Direct Effects APE of the project. The proposed undertaking will have No Effect on historic irrigation ditch sites 5JF.512.2, 5JF.513.3, and 5JF.318.8 within the Visual Effects APE of the project. Cultural resource clearance for the proposed undertaking is recommended.

Project Description

Mauna Towers LLC proposes to construct two radio transmitter towers to provide AM radio broadcast service for radio station KGCQ. The 2.82-acre project area is located in rural Jefferson County, Colorado adjacent to State HWY 93 in the vicinity of Rocky Flats. Project location corresponds to the N1/2, NW1/4, NW1/4, SWW1/4 and the S1/2, SW1/4, SW1/4, NW1/4, Section 9, T2S-R70W, 6th PM (USGS 7.5' Louisville, Colorado 1994 quadrangle). Attachment 1 shows the project location and Visual Effects APE on the Louisville quadrangle. The Visual Effects APE is defined by a 1/2-mile radius surrounding the proposed towers. Figure 1 provides an aerial view of the project location and the Visual Effects APE. The project design plans are presented in Attachment 2. Views of the proposed Direct Effects APEs are shown in Attachment 3. The proposed Direct Effects APEs of Mauna Towers project are as follows:

- The proposed lease area for the project is a trapezoidal block area roughly 2.82 acres in size.
- Two 150 ft high lattice towers known as the East Tower and West Tower will be constructed within the lease area. The towers will be spaced 325 ft apart. A 10 ft square x 6 high fence will be placed around the base of each tower. Both towers will be secured to the ground using three guy wire anchors extending 120 ft from the base of the tower. A 3 ft square x 4 ft high metal fence will be placed around all 6 guy wire anchor locations.

Figure 1. Mauna Towers LLC project area location and the Visual Effects APE (red circle).



- A 10 ft N/S x 12 ft E/W equipment shelter will be constructed in the northwest corner of the lease area.
- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

Buried utility services between the equipment shelter and the two towers have not been specified. Access has also not been defined. However, the access road will probably follow an existing broken asphalt road originating on HWY 93. The existing road forms the northern perimeter of the lease area. Any other buried utility lines will be sited within the proposed lease area, which was inventoried by intensive Class III methods (see below). According to the Jefferson County Assessor, the subject property is owned by Charles McKay.

Class I Inventory

On November 26, 2012, a Class I inventory was performed of Sections 8, 9, 16, and 17, T2S-R70W, 6th PM using the Colorado Historical Society, *Compass* database. The four-section Class I inventory area identifies National Register properties that might be directly or indirectly affected by the proposed undertaking.

The SHPO records show that two previous inventories have been performed within the Direct Effects APE of the project area. A Class III inventory encompassing all of Section 9 was performed in 1991 by Dames and Moore for Ebasaco and EG&G Rocky Flats: project MC.E.R9: Cultural Resource Class III Survey of the Department of Energy Rocky Flats Plant, Northern Jefferson, Boulder, (and Broomfield) Counties, Colorado. A 1998 linear inventory of HWY 93 by O.D. Hand for CDOT either abuts or extends slightly into the ROW of the proposed buried utility trench. That project is JF.CH.NR39, An Intensive Archaeological Survey along State Highway 93 between Leyden Road and the Boulder County Line, Jefferson County, Colorado (BR 093-1(016)). Because the 1991 inventory is now 22 years old, a re-inventory of the project area is needed. The SHPO records do not show any previously recorded sites within the Direct Effects APE of the project area.

Seven other previous inventories have been performed elsewhere within the Class I inventory area. A total of 41 previously recorded sites are listed for lands elsewhere within the Class I inventory area.

As shown on Attachment 1, three previously recorded sites occur within the Visual Effects APE of the project. Site 5JF.318.8, South Boulder Diversion Conduit-Segment, is a 1935 canal listed as Eligible-Officially. Site 5JF.512.2, Upper Church Ditch (Segment), is an abandoned historic irrigation ditch listed as Eligible-Field. Site 5JF.513.3, McKay Ditch-Zang Segment, is an abandoned 1881 irrigation ditch, culvert, and slab listed as Eligible-Field.

Three other NRHP-significant sites occur within the Class I inventory area, but are located beyond the Visual Effects APE of the project. Site 5JF.2431 (Eligible-Field) is a streamside Late Prehistoric Period campsite consisting of 34 stone circles, one stone

cluster, a mano and grindstone, and chert, quartzite, chalcedony, and petrified wood flakes. Site 5JF.2434 (Eligible-Field) is a prehistoric cairn. Site 5JF.2452.1 (Eligible-Field) is an abandoned historic irrigation ditch.

Prehistoric sites elsewhere within the Class I inventory area include: cairns (very common), rubble mounds, isolated chert flakes, a stone alignment, and a stone square. These finds are either listed as Not Eligible or Needs Data. Historic sites elsewhere within the Class I inventory area include: the Denver, Utah & Pacific RR line, gravel pits, a stock pond, a fence, IF bottle and trash scatters, earthen features/foundation depressions, farmsteads, and irrigation ditches. Most historical archaeological finds are listed as Not Eligible.

In summary, no NRHP-eligible sites are known to occur within the Direct Effects APE of the project. Three NRHP-eligible sites are known to occur within the Visual Effects APE of the project: 5JF.318.8, 5JF.512.2, and 5JF513.3.

Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

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Recommendations

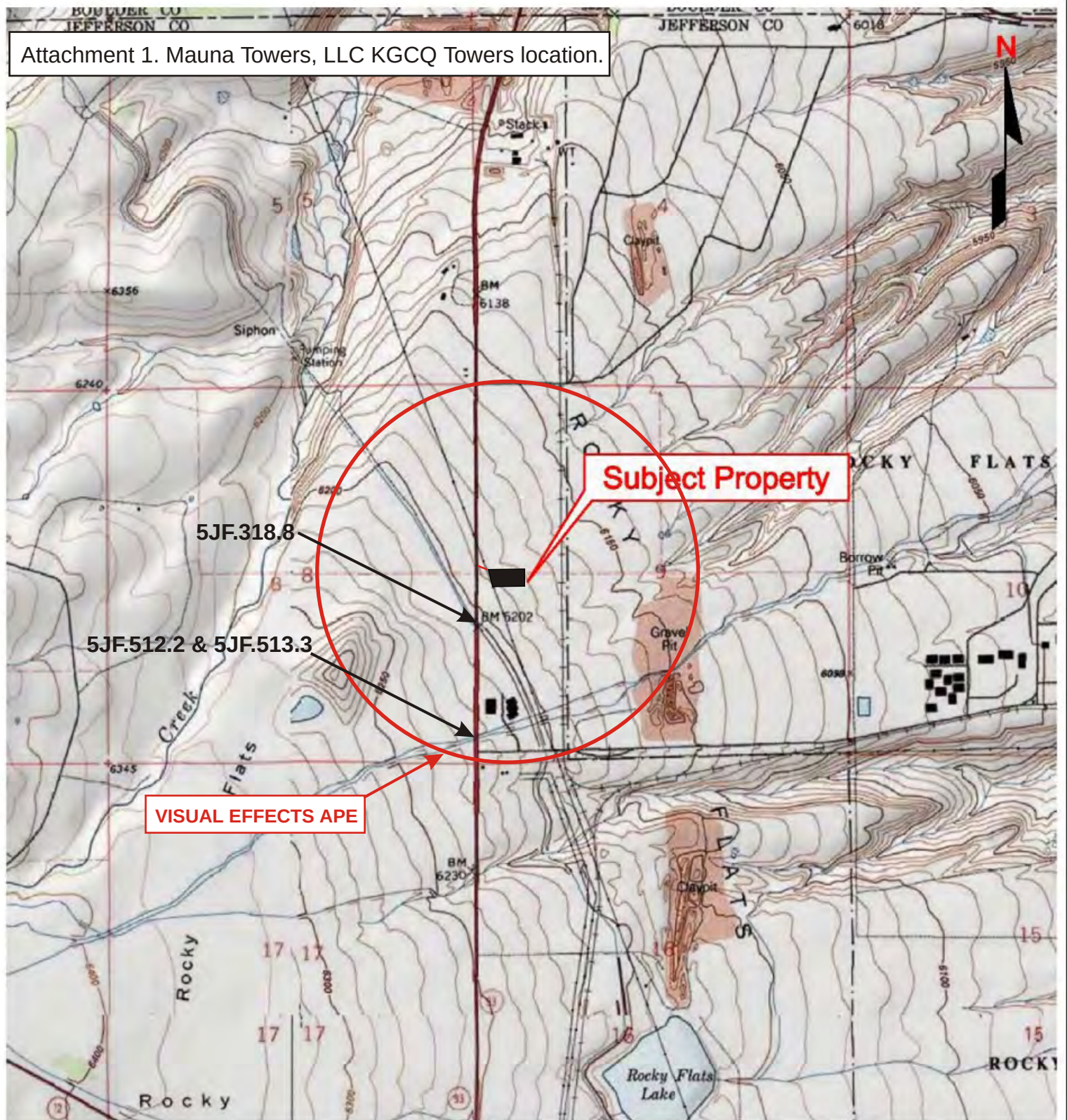
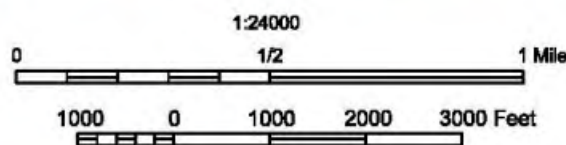
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Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

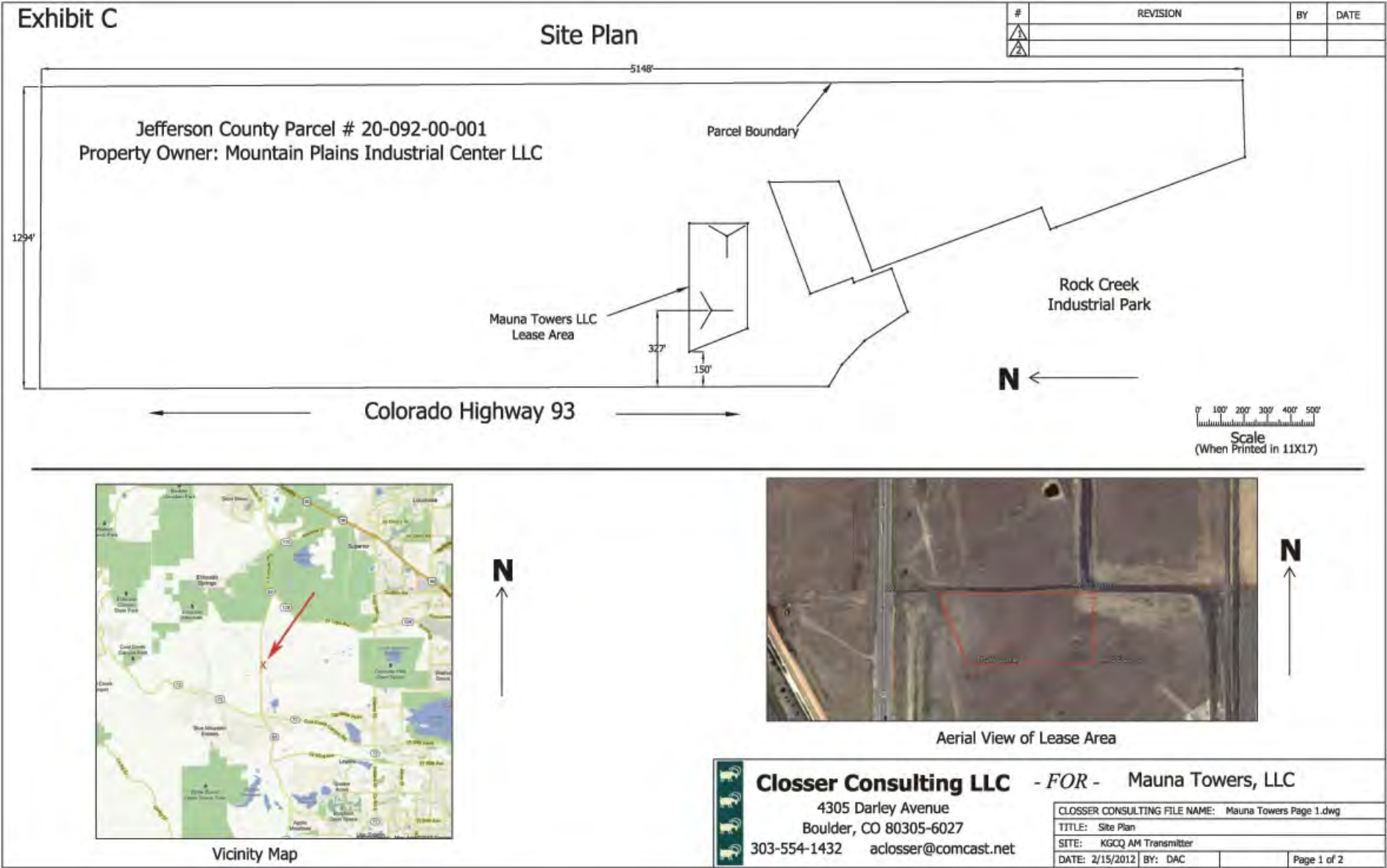


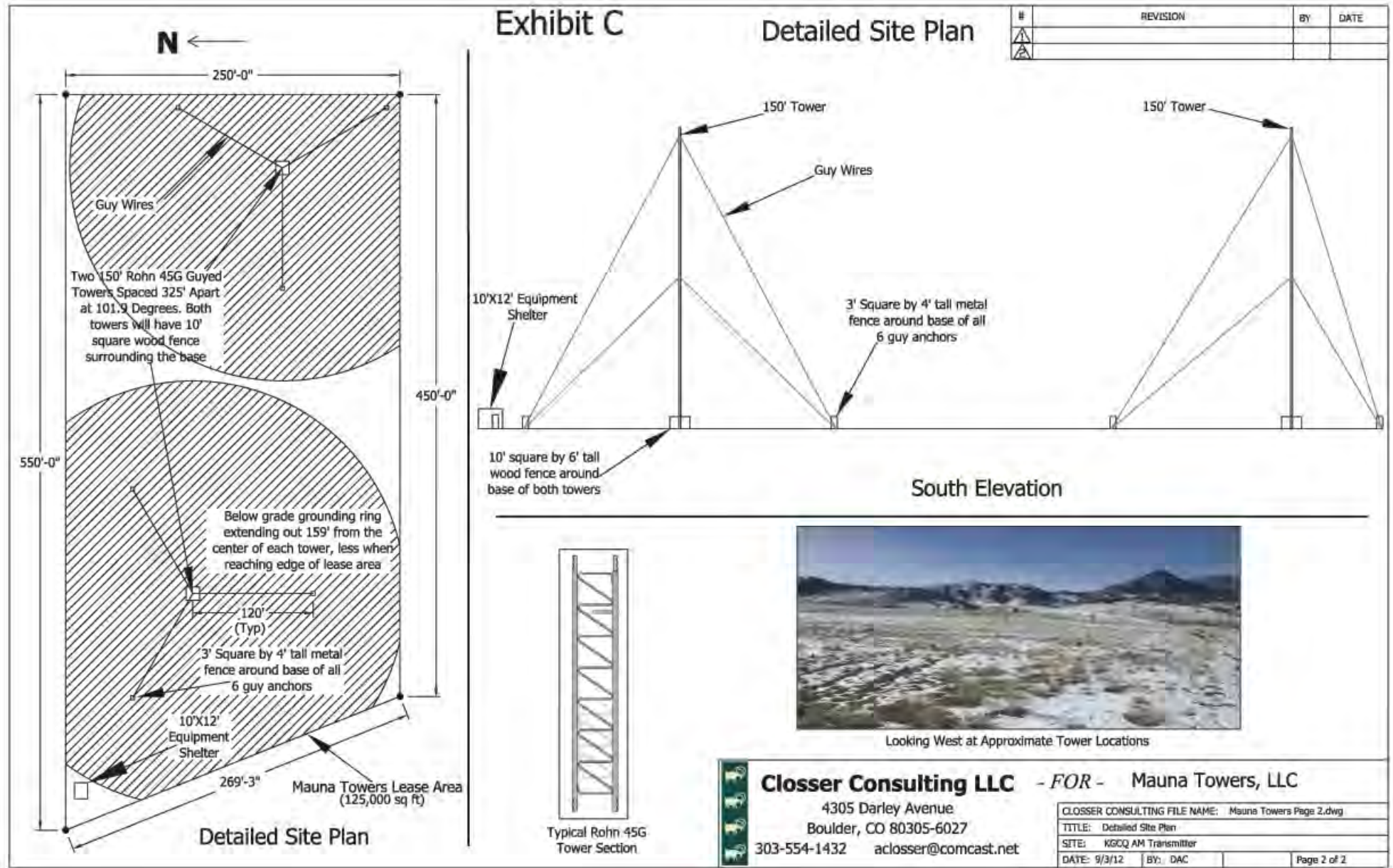
SITE

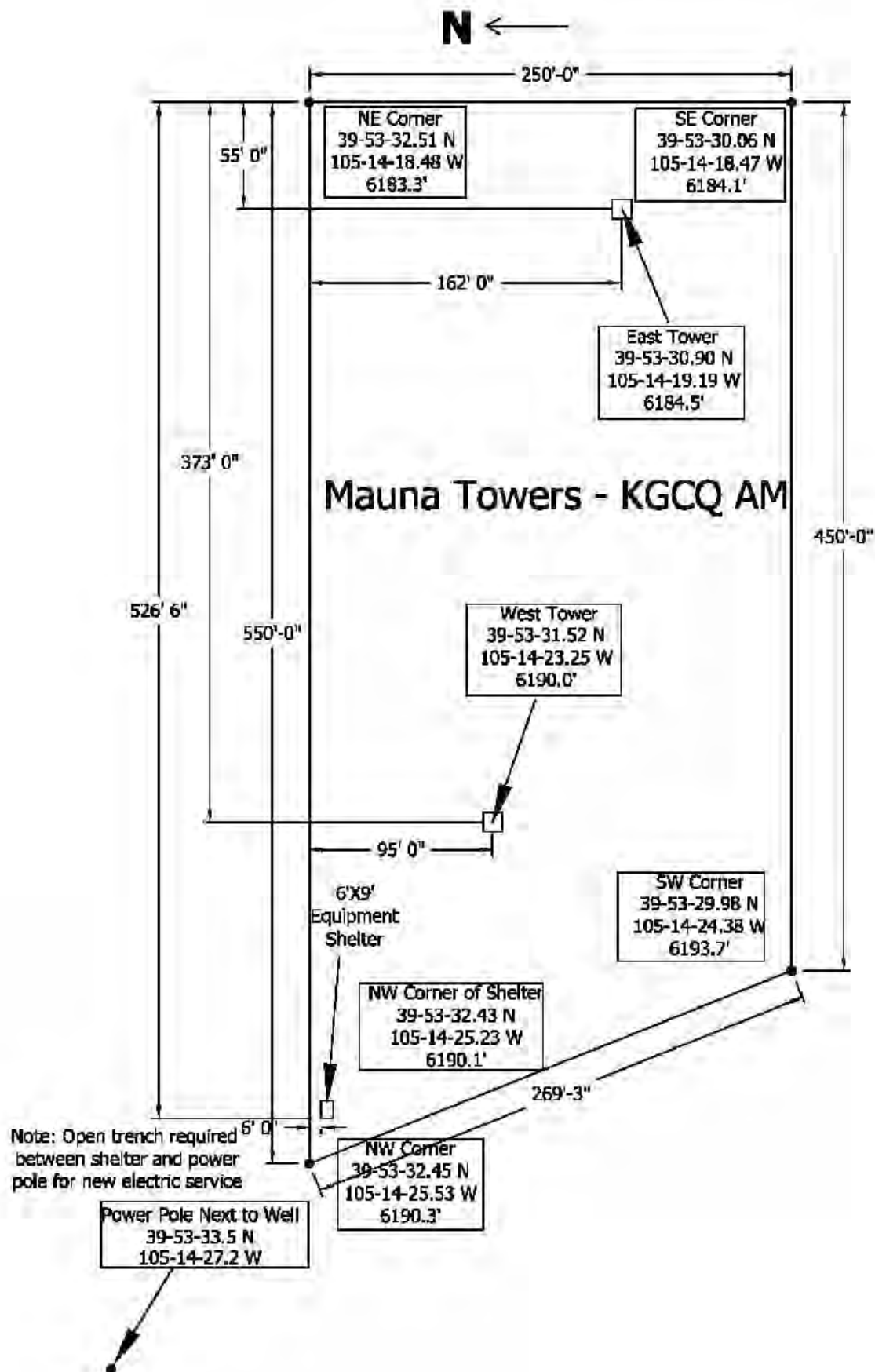
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

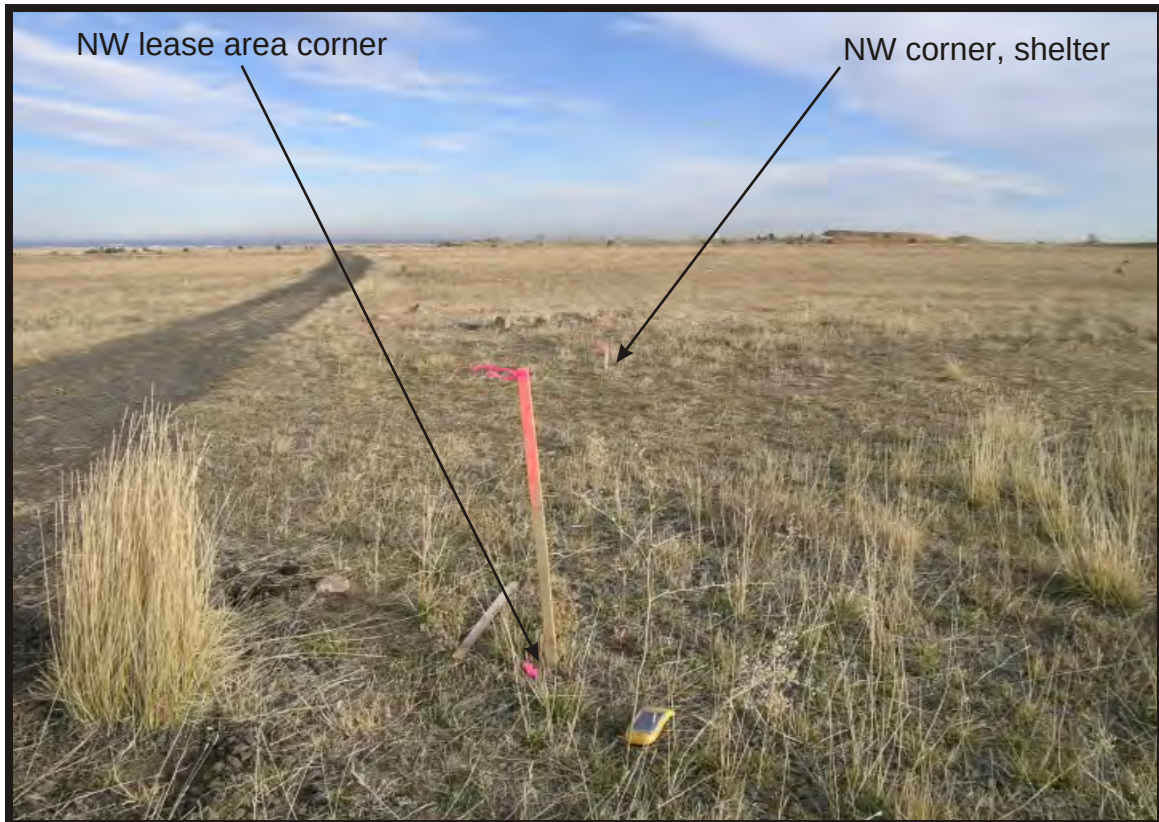
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Last Revision
November 2012

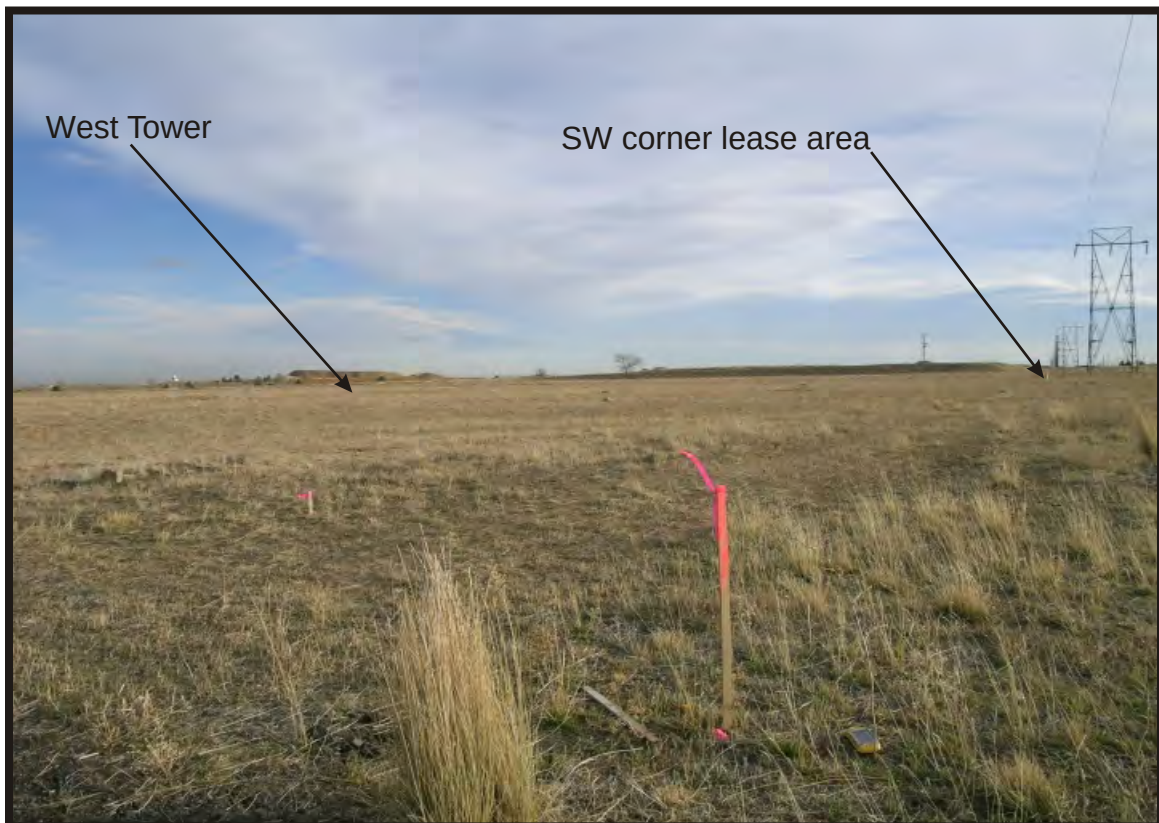








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



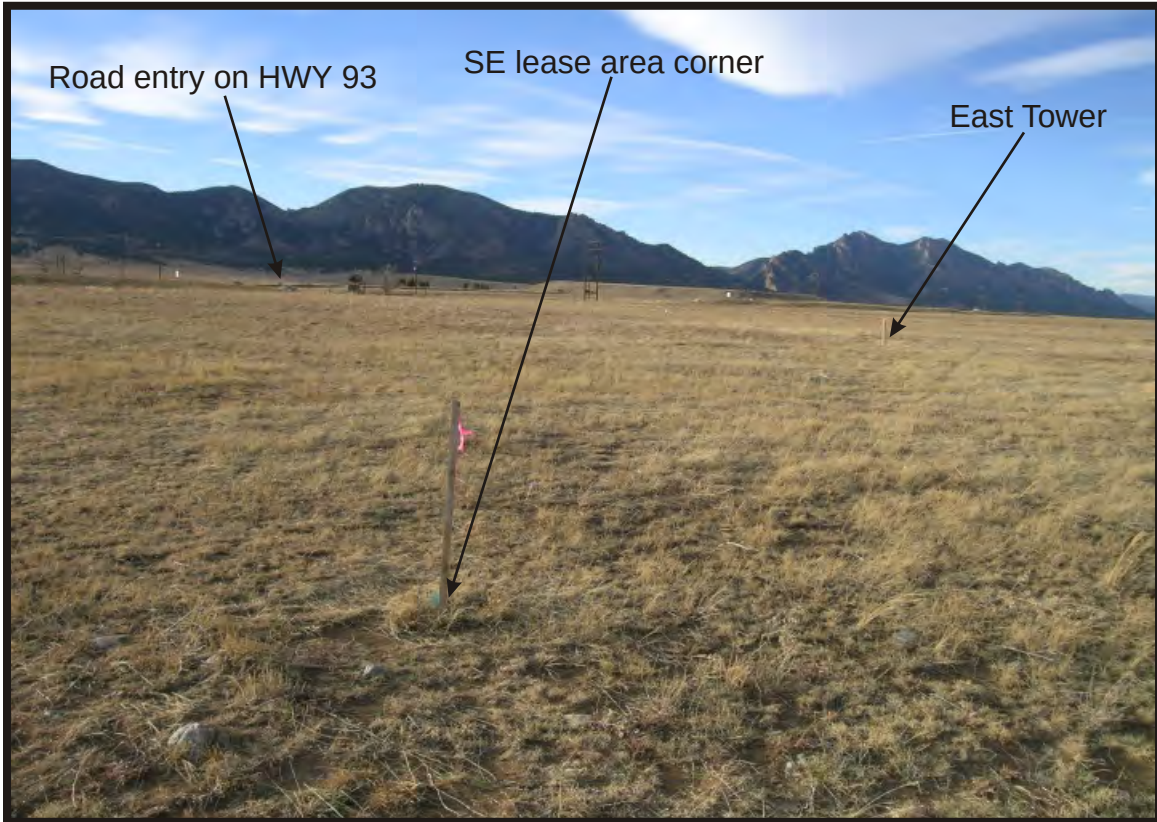
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF513.3 ditch crossings on HWY 93.

SECTION 4

Public Notice

AFFIDAVIT OF PUBLICATION

CAMERA

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the CAMERA is a daily newspaper printed, in whole or in part, and published in the City of Boulder, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Broomfield counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

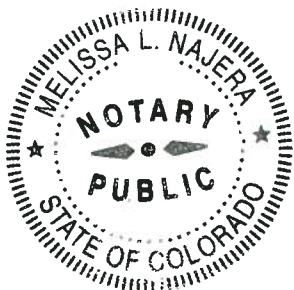
The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **December 12, 2012**.

M. Deack
Agent

Subscribed and sworn to before me this **12th** day of
December, 2012 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public
My commission expires 12/11/2014

FEE \$62.00
ACCOUNT #: 311427
AD #5575504



2500	Public Notice	2500	Public Notice	2500	Public Notice
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PUBLIC NOTICE
Mauna Towers is proposing to construct two (2) 150-foot tall guyed towers in the vicinity of 10888 Highway 93, Arvada, CO. Public comments regarding potential effects from this site on historic properties may be submitted within 30-days from the date of this publication to: A. Cushing, 303.218.3510, 165 S. Union Blvd., Ste. 310, Lakewood, CO 80228 or by email at amanda.cushing@us.bureauveritas.com.
Published in the Camera on December 12, 2012 - 5575504

SECTION 5

City/County Request for Comment



December 10, 2012

Jefferson County Planning & Zoning
100 Jefferson County Pkwy #3550
Golden, CO 80419
303.271.8700
303.271.8744 FAX

Project No. 10012-012168.00
and 10012-012168.01

Subject: NEPA Evaluation for the Proposed KGCC AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado

To Whom It May Concern:

Bureau Veritas North America, Inc. (Bureau Veritas) is submitting this notice on behalf of Mauna Towers, LLC (Mauna). Mauna is proposing to construct two (2), guyed 150 foot high lattice radio towers and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench.

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If this memo has been sent to the wrong person/department, please forward it to the correct location.

Sincerely,

Amanda Cushing
Project Manager
Rocky Mountain Region



December 10, 2012

Jefferson County Historical Society
P.O. Box 703
Evergreen, CO 80437
303.497.7650

Project No. 10012-012168.00
and 10012-012168.01

Subject: **NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado**

To Whom It May Concern:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is conducting a NEPA evaluation for the above-referenced property. According to the Colorado Historical Society, the Jefferson County Historical Society would like to be contacted regarding in Section 106 consultations within Jefferson County. Therefore, pursuant to 47 CFR §1.1307(a)(4), we respectfully request your comment as to whether the proposed communications project "may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places."

PROPERTY DESCRIPTION

Site name/location: The site is identified as the proposed KGCQ AM Transmitter Sites and is located at 10888 Highway 93, Arvada, Jefferson County, Colorado.

Legal Description: The subject property is located within the western half of Section 9, Township 2 South, Range 70 West within Jefferson County.

Property Owner: Charles McKay currently owns the site.

Current Land Use: The subject property is currently vacant land. The site location is depicted on Figure 1.

Proposed Action: The proposed action will consist of the construction of two (2), guyed 150 foot high lattice radio towers (identified as the East Tower and West Tower) and a 10-foot x 12-foot equipment shelter as well as the excavation of a 188 foot long utility line trench. The design plans for the proposed action are included as an attachment.

Latitude and Longitude Coordinates:

East Tower: 39° 53' 30.90" N and 105° 14' 19.19" W

West Tower: 39° 53' 31.52" N and 105° 14' 23.25" W

The following report, which was performed by Niwot Archaeological Consultants, is attached for your review:



- *Class III Cultural Resources Inventory: Mauna Towers LLC, KGCQ AM Towers, Jefferson County, Colorado*

Photographs of the site and surrounding area are included with the Cultural Resources Inventory.

We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.988.2585 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

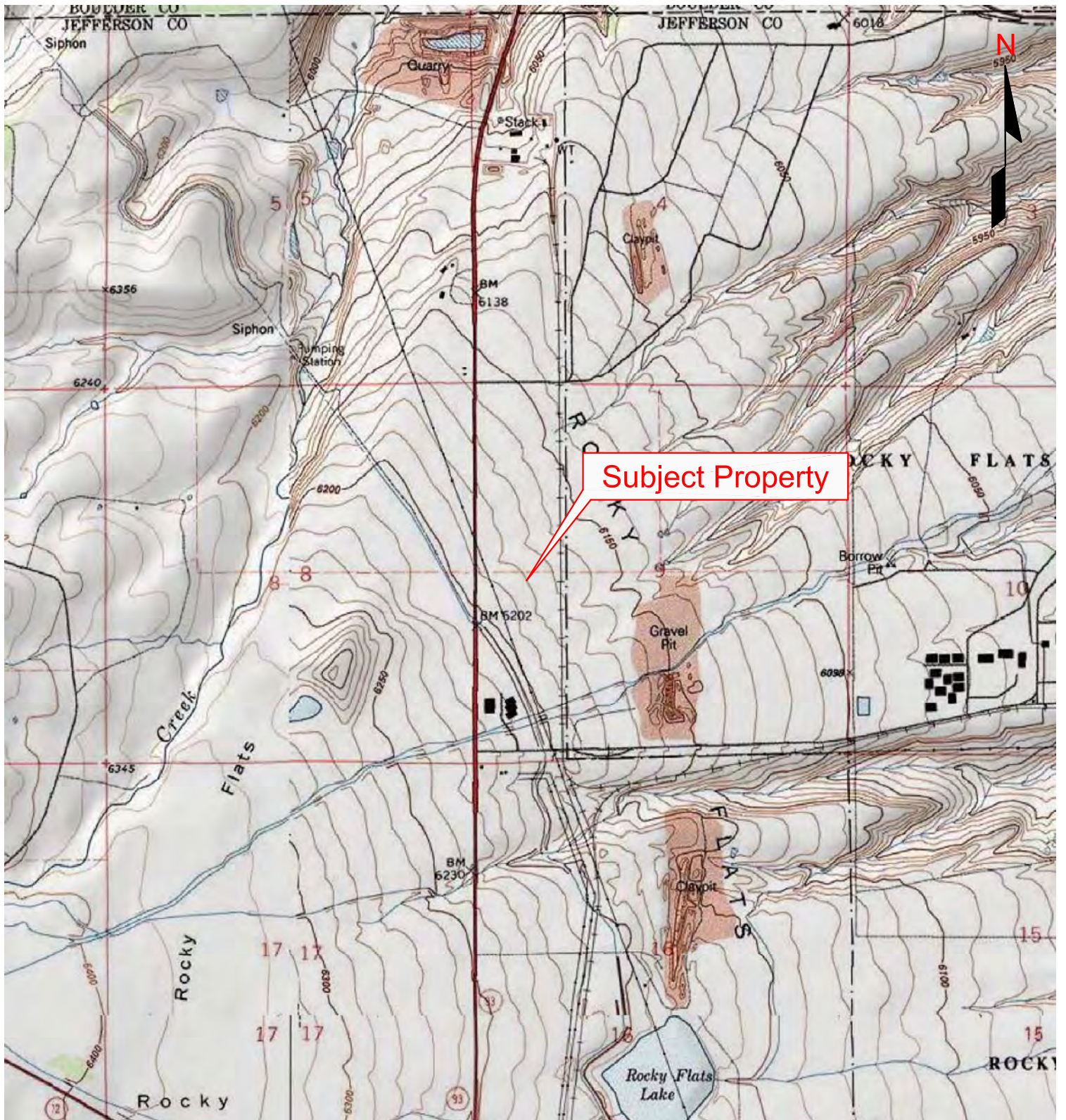
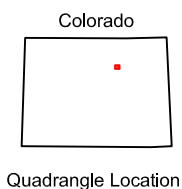
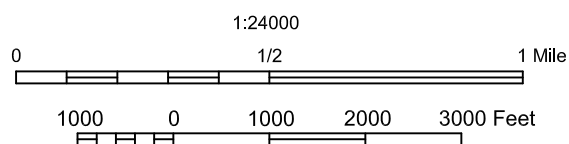
Sincerely,

A handwritten signature in cursive script that reads "Amanda Cushing".

Amanda Cushing
Project Manager
Rocky Mountain Region

Attachments: Figure 1, Design Plans, Cultural Resources Inventory

ATTACHMENTS



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakewood, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

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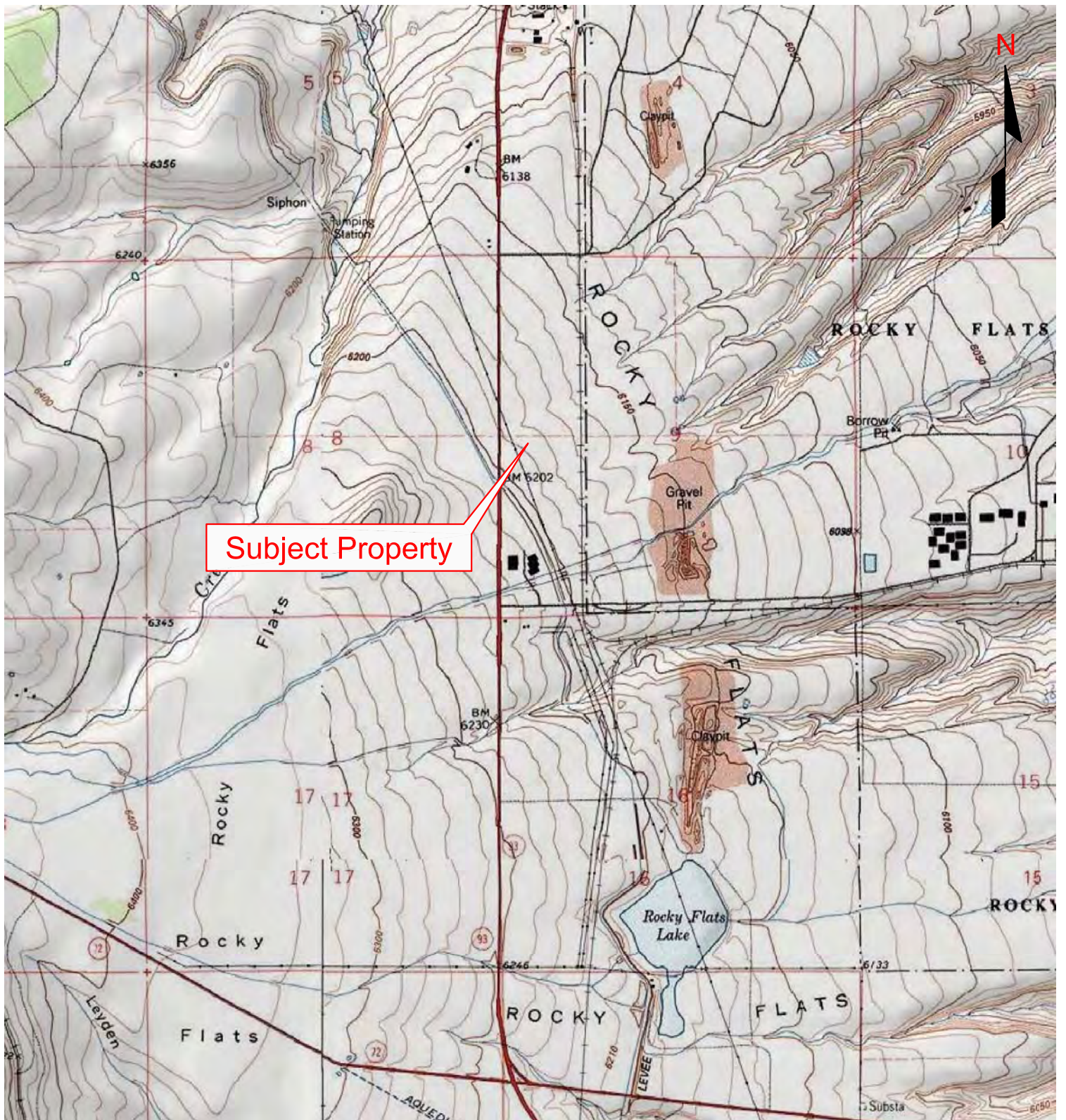
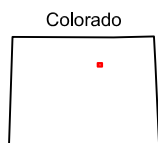


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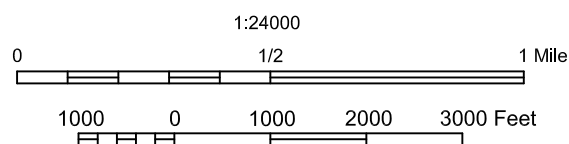
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012



Quadrangle Location



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

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Figure 1
Site Location Map



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303-988-2585 Telephone
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CLIENT



SITE

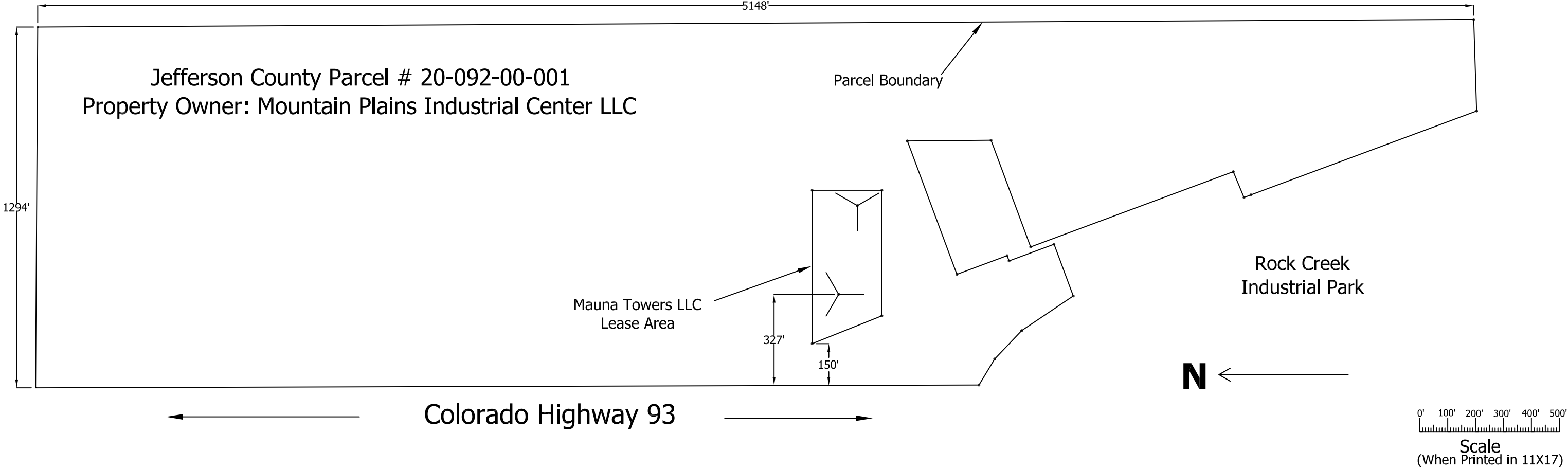
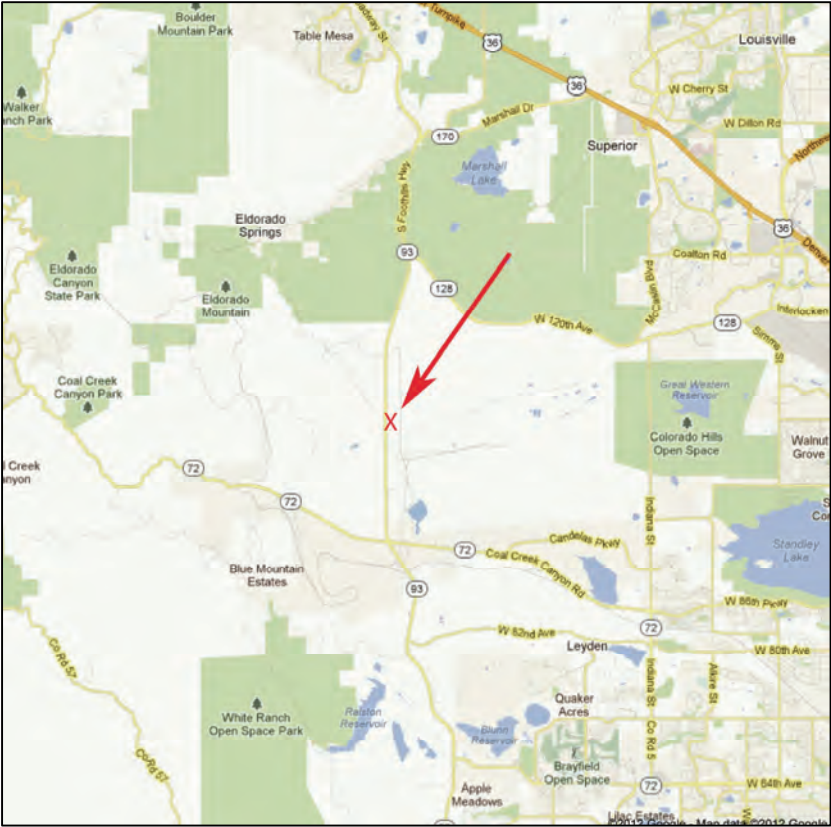
KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

Project No. 10012-012068.00

Last Revision
November 2012

Site Plan

#	REVISION	BY	DATE
1			
2			



Vicinity Map



Aerial View of Lease Area



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

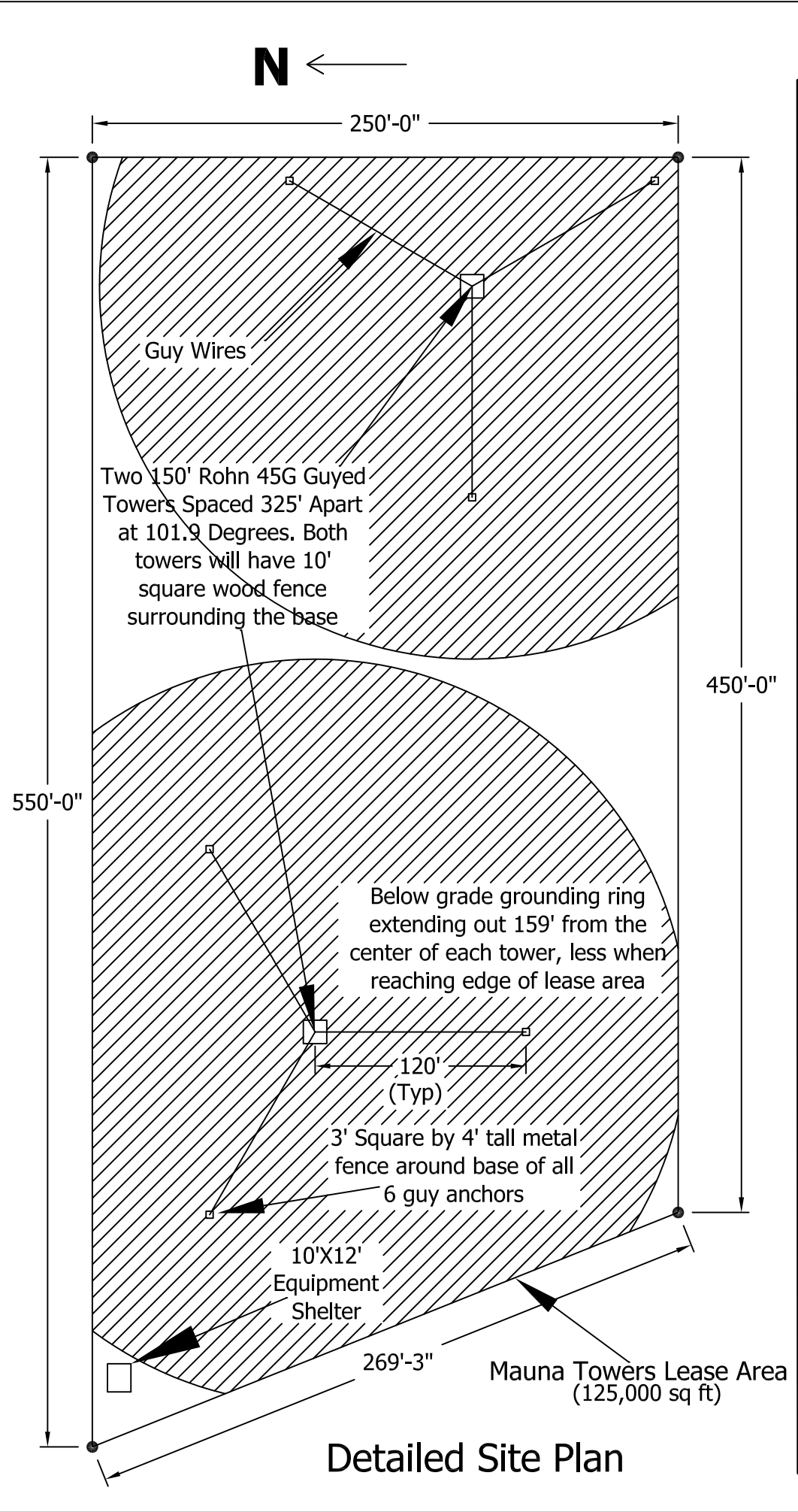
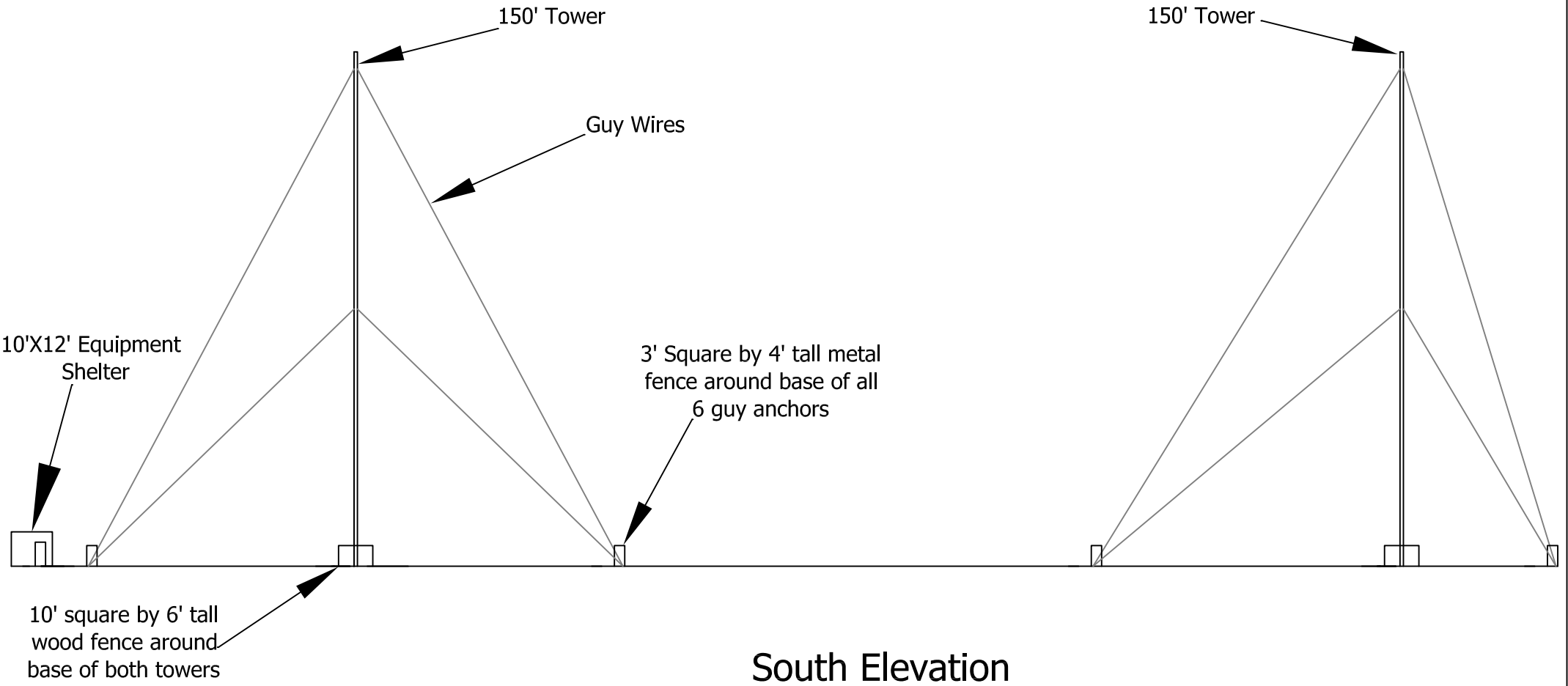
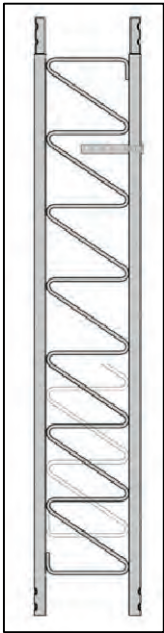


Exhibit C

Detailed Site Plan

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2			



Typical Rohn 45G Tower Section



Looking West at Approximate Tower Locations



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

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303-554-1432

aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 2.dwg

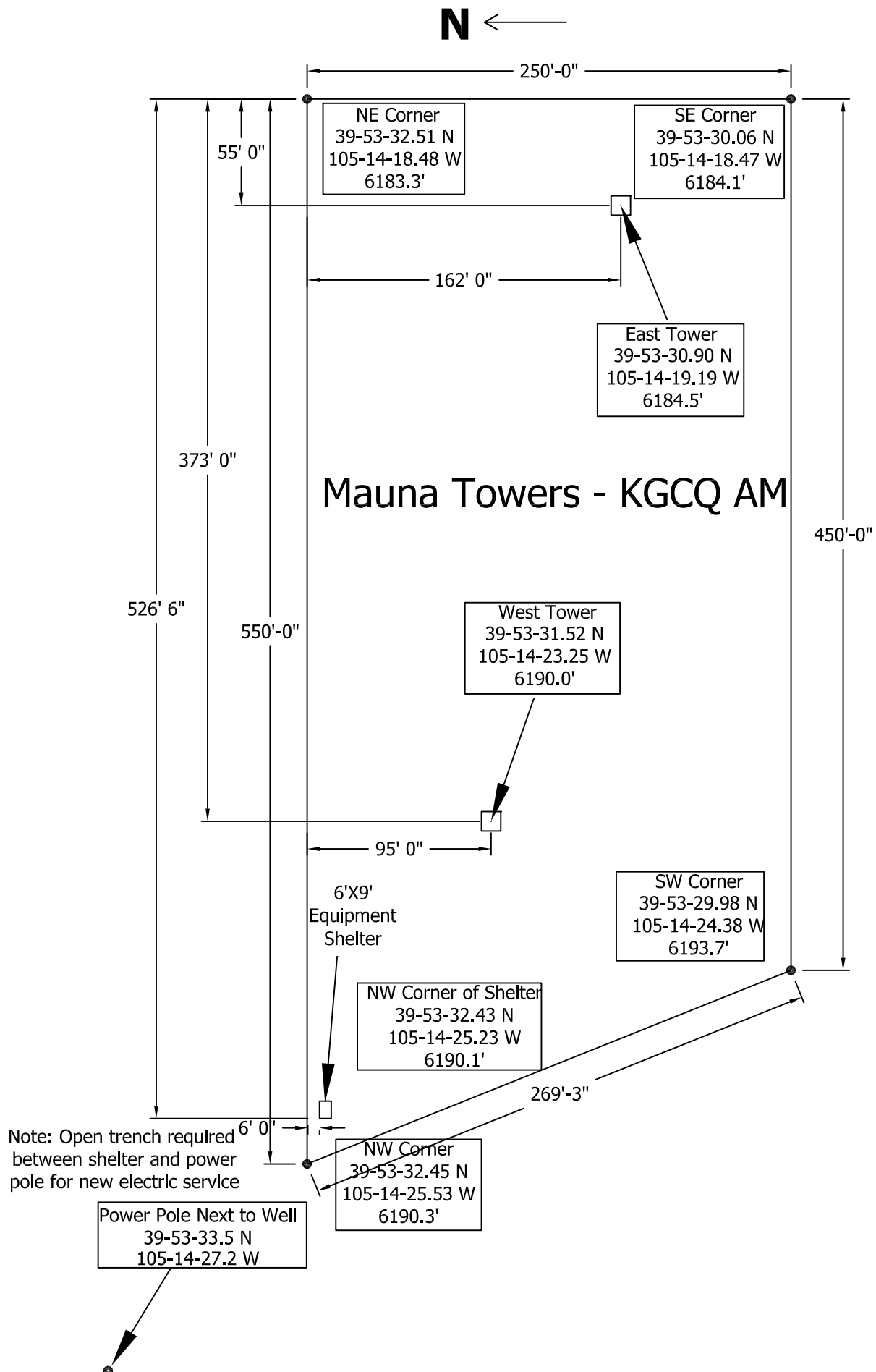
TITLE: Detailed Site Plan

SITE: KGCQ AM Transmitter

DATE: 9/3/12

BY: DAC

Page 2 of 2



**Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers,
Jefferson County, Colorado**

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
www.niwotarchaeology.com
November 29, 2012

Abstract

On November 27, 2012, Brad Noisat, Principal Investigator of Niwot Archaeological Consultants, Inc. performed a Class III Inventory of 2.82 acres for the proposed Mauna Towers LLC, KGCQ AM Towers adjacent to State Highway 93 in rural Jefferson County, Colorado. The proposed APEs for Direct Effects of the project will include construction of two, guyed 150 ft high lattice radio towers and a 10 ft x 12 ft equipment shelter and excavation of a 188 ft long utility line trench. No cultural resources occur within the Direct Effects APE of the project. The proposed undertaking will have No Effect on historic irrigation ditch sites 5JF.512.2, 5JF.513.3, and 5JF.318.8 within the Visual Effects APE of the project. Cultural resource clearance for the proposed undertaking is recommended.

Project Description

Mauna Towers LLC proposes to construct two radio transmitter towers to provide AM radio broadcast service for radio station KGCQ. The 2.82-acre project area is located in rural Jefferson County, Colorado adjacent to State HWY 93 in the vicinity of Rocky Flats. Project location corresponds to the N1/2, NW1/4, NW1/4, SWW1/4 and the S1/2, SW1/4, SW1/4, NW1/4, Section 9, T2S-R70W, 6th PM (USGS 7.5' Louisville, Colorado 1994 quadrangle). Attachment 1 shows the project location and Visual Effects APE on the Louisville quadrangle. The Visual Effects APE is defined by a 1/2-mile radius surrounding the proposed towers. Figure 1 provides an aerial view of the project location and the Visual Effects APE. The project design plans are presented in Attachment 2. Views of the proposed Direct Effects APEs are shown in Attachment 3. The proposed Direct Effects APEs of Mauna Towers project are as follows:

- The proposed lease area for the project is a trapezoidal block area roughly 2.82 acres in size.
- Two 150 ft high lattice towers known as the East Tower and West Tower will be constructed within the lease area. The towers will be spaced 325 ft apart. A 10 ft square x 6 high fence will be placed around the base of each tower. Both towers will be secured to the ground using three guy wire anchors extending 120 ft from the base of the tower. A 3 ft square x 4 ft high metal fence will be placed around all 6 guy wire anchor locations.

Figure 1. Mauna Towers LLC project area location and the Visual Effects APE (red circle).



- A 10 ft N/S x 12 ft E/W equipment shelter will be constructed in the northwest corner of the lease area.
- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

Buried utility services between the equipment shelter and the two towers have not been specified. Access has also not been defined. However, the access road will probably follow an existing broken asphalt road originating on HWY 93. The existing road forms the northern perimeter of the lease area. Any other buried utility lines will be sited within the proposed lease area, which was inventoried by intensive Class III methods (see below). According to the Jefferson County Assessor, the subject property is owned by Charles McKay.

Class I Inventory

On November 26, 2012, a Class I inventory was performed of Sections 8, 9, 16, and 17, T2S-R70W, 6th PM using the Colorado Historical Society, *Compass* database. The four-section Class I inventory area identifies National Register properties that might be directly or indirectly affected by the proposed undertaking.

The SHPO records show that two previous inventories have been performed within the Direct Effects APE of the project area. A Class III inventory encompassing all of Section 9 was performed in 1991 by Dames and Moore for Ebasaco and EG&G Rocky Flats: project MC.E.R9: Cultural Resource Class III Survey of the Department of Energy Rocky Flats Plant, Northern Jefferson, Boulder, (and Broomfield) Counties, Colorado. A 1998 linear inventory of HWY 93 by O.D. Hand for CDOT either abuts or extends slightly into the ROW of the proposed buried utility trench. That project is JF.CH.NR39, An Intensive Archaeological Survey along State Highway 93 between Leyden Road and the Boulder County Line, Jefferson County, Colorado (BR 093-1(016)). Because the 1991 inventory is now 22 years old, a re-inventory of the project area is needed. The SHPO records do not show any previously recorded sites within the Direct Effects APE of the project area.

Seven other previous inventories have been performed elsewhere within the Class I inventory area. A total of 41 previously recorded sites are listed for lands elsewhere within the Class I inventory area.

As shown on Attachment 1, three previously recorded sites occur within the Visual Effects APE of the project. Site 5JF.318.8, South Boulder Diversion Conduit-Segment, is a 1935 canal listed as Eligible-Officially. Site 5JF.512.2, Upper Church Ditch (Segment), is an abandoned historic irrigation ditch listed as Eligible-Field. Site 5JF.513.3, McKay Ditch-Zang Segment, is an abandoned 1881 irrigation ditch, culvert, and slab listed as Eligible-Field.

Three other NRHP-significant sites occur within the Class I inventory area, but are located beyond the Visual Effects APE of the project. Site 5JF.2431 (Eligible-Field) is a streamside Late Prehistoric Period campsite consisting of 34 stone circles, one stone

cluster, a mano and grindstone, and chert, quartzite, chalcedony, and petrified wood flakes. Site 5JF.2434 (Eligible-Field) is a prehistoric cairn. Site 5JF.2452.1 (Eligible-Field) is an abandoned historic irrigation ditch.

Prehistoric sites elsewhere within the Class I inventory area include: cairns (very common), rubble mounds, isolated chert flakes, a stone alignment, and a stone square. These finds are either listed as Not Eligible or Needs Data. Historic sites elsewhere within the Class I inventory area include: the Denver, Utah & Pacific RR line, gravel pits, a stock pond, a fence, IF bottle and trash scatters, earthen features/foundation depressions, farmsteads, and irrigation ditches. Most historical archaeological finds are listed as Not Eligible.

In summary, no NRHP-eligible sites are known to occur within the Direct Effects APE of the project. Three NRHP-eligible sites are known to occur within the Visual Effects APE of the project: 5JF.318.8, 5JF.512.2, and 5JF513.3.

Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

Pages 4 and 5 in Attachment 3 show the visual relationship between the proposed radio towers and the crossings of historic ditches 5JF.318.8 and 5JF.512.2/5JF513.3 on HWY 93. As shown in these views, existing cell towers, radio tower nests, microwave towers, wind turbines, and high-voltage transmission towers are common features in the viewshed of the project area. The proposed West Tower will be located 0.20 mile from 5JF.318.8, and both towers are situated about almost ½-mile mile from 5JF.512.2 and 5JF.513.3. At these distances, the proposed West Tower and East Tower will have no direct visual impact on the three historic irrigation ditches. Moreover, the proposed radio towers will blend in with the numerous existing towers already present on the horizon, and will thus not change the existing visual landscape surrounding the historic ditches. Therefore, the proposed undertaking at Mauna Towers LLC, AM KGCQ Towers will have No Effect on visual appreciation of sites 5JF.318.8, 5JF512.2, and 5JF.513.3 in the APE for Visual Effects.

Recommendations

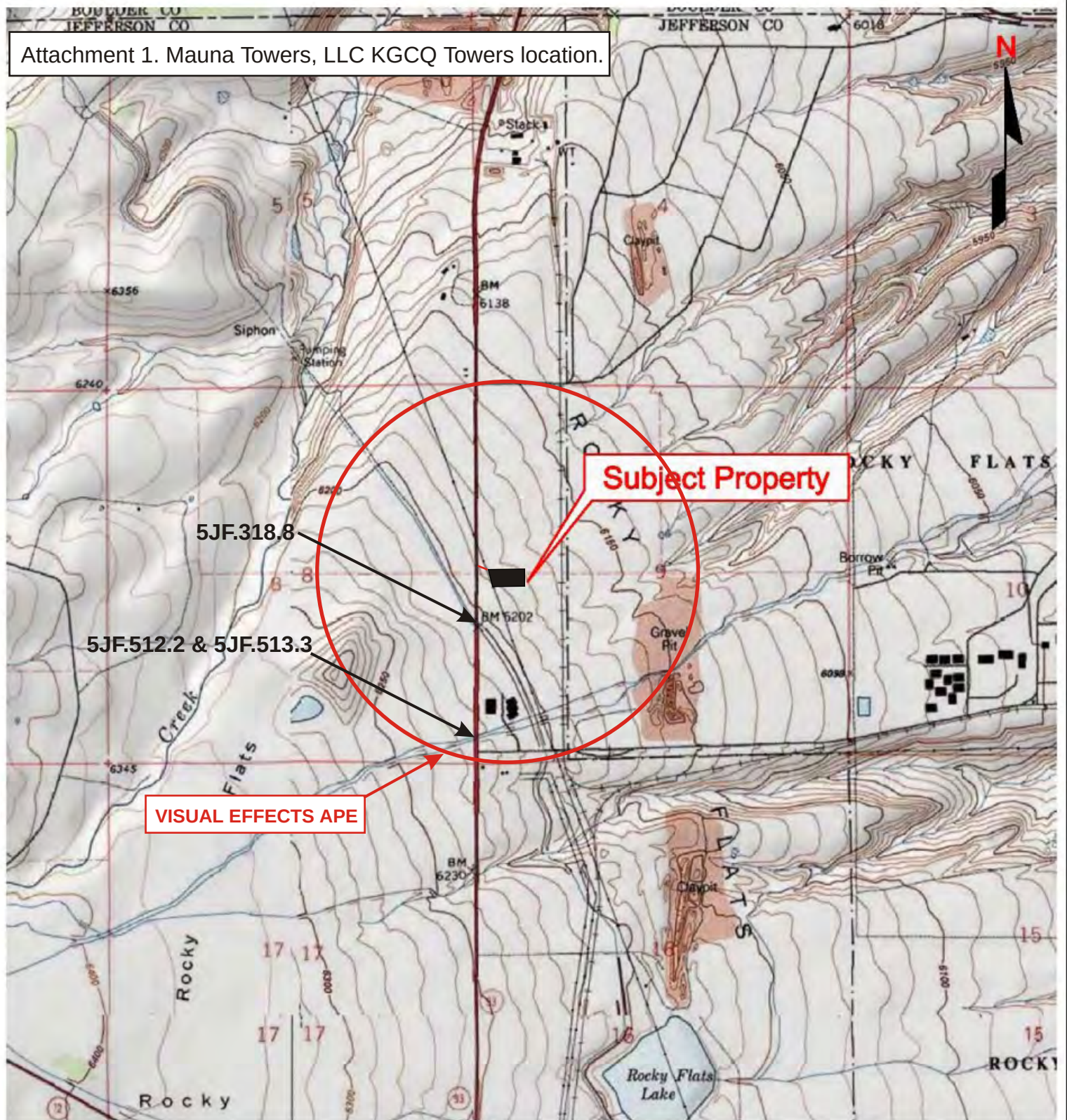
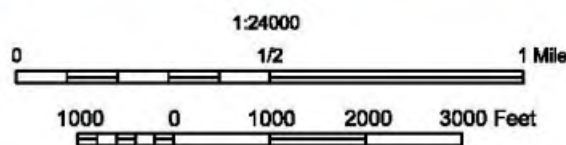
Based on the Class III inventory results, direct effects and visual effects of the proposed Mauna Towers LLC, KGCQ AM Towers are as follows:

- ❑ No Historic Properties occur in the APE for Direct Effects.

- ❑ Historic Properties 5JF.318.8, 5JF.512.2, and 5JF513.3 occur in the APE for Visual Effects. The proposed undertaking will have No Effect on visual appreciation of these resources.

Cultural resource clearance for the proposed Verizon Wireless, Inc., Mauna Towers LLC, KGCQ AM Towers is recommended. If subsurface remains are found during construction, these should be reported immediately to the Colorado State Historic Preservation Office.

Attachment 1. Mauna Towers, LLC KGCQ Towers location.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

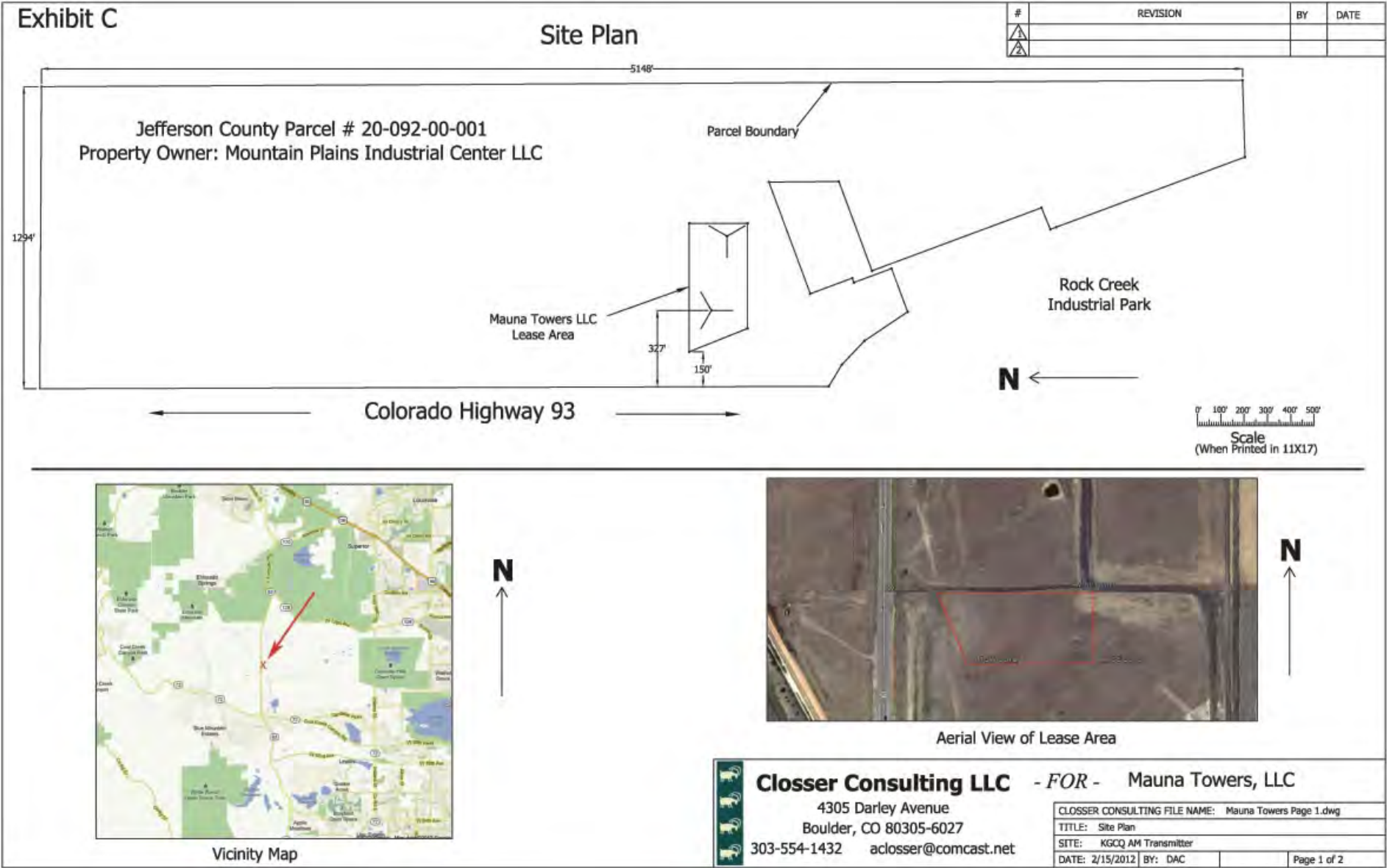


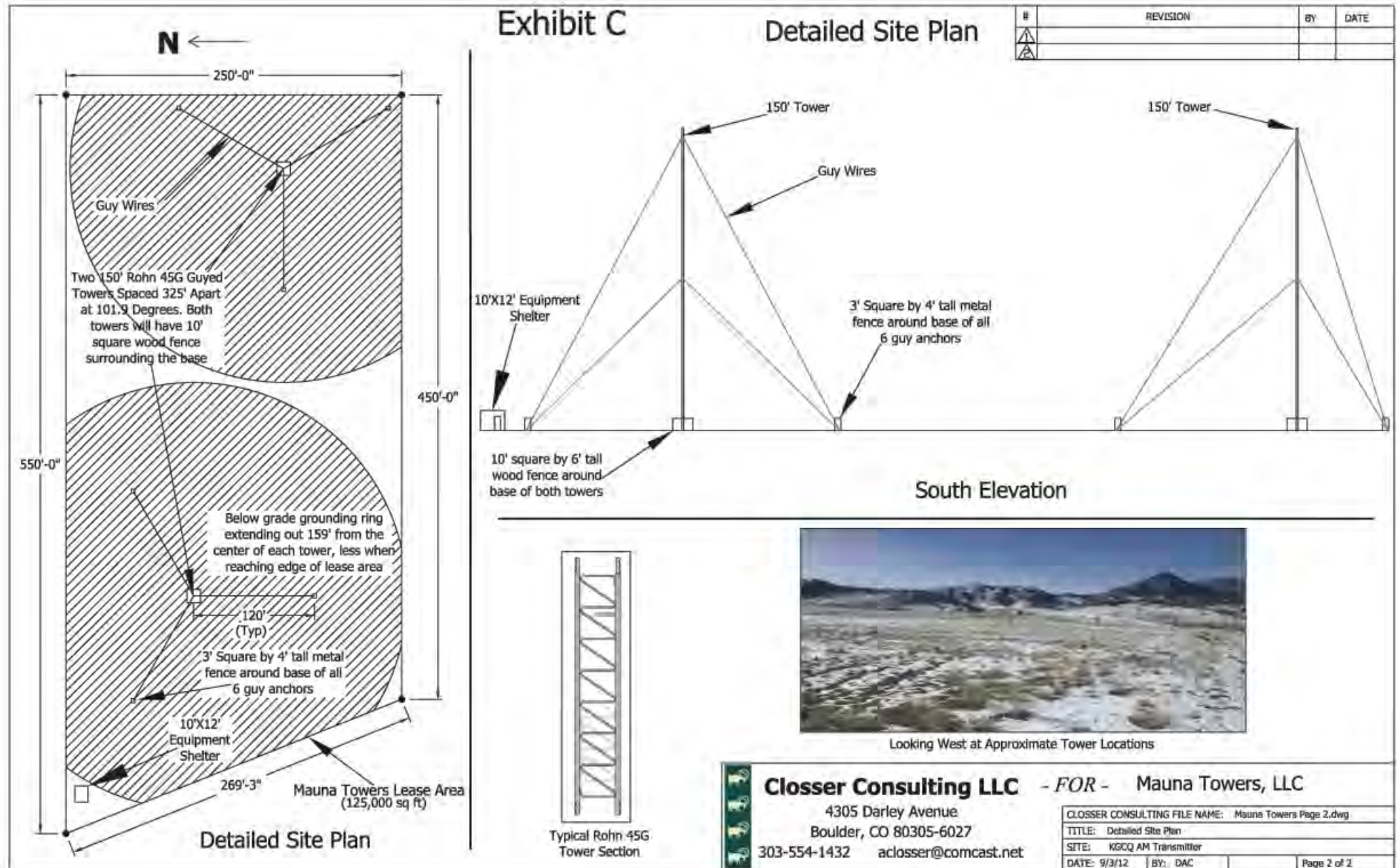
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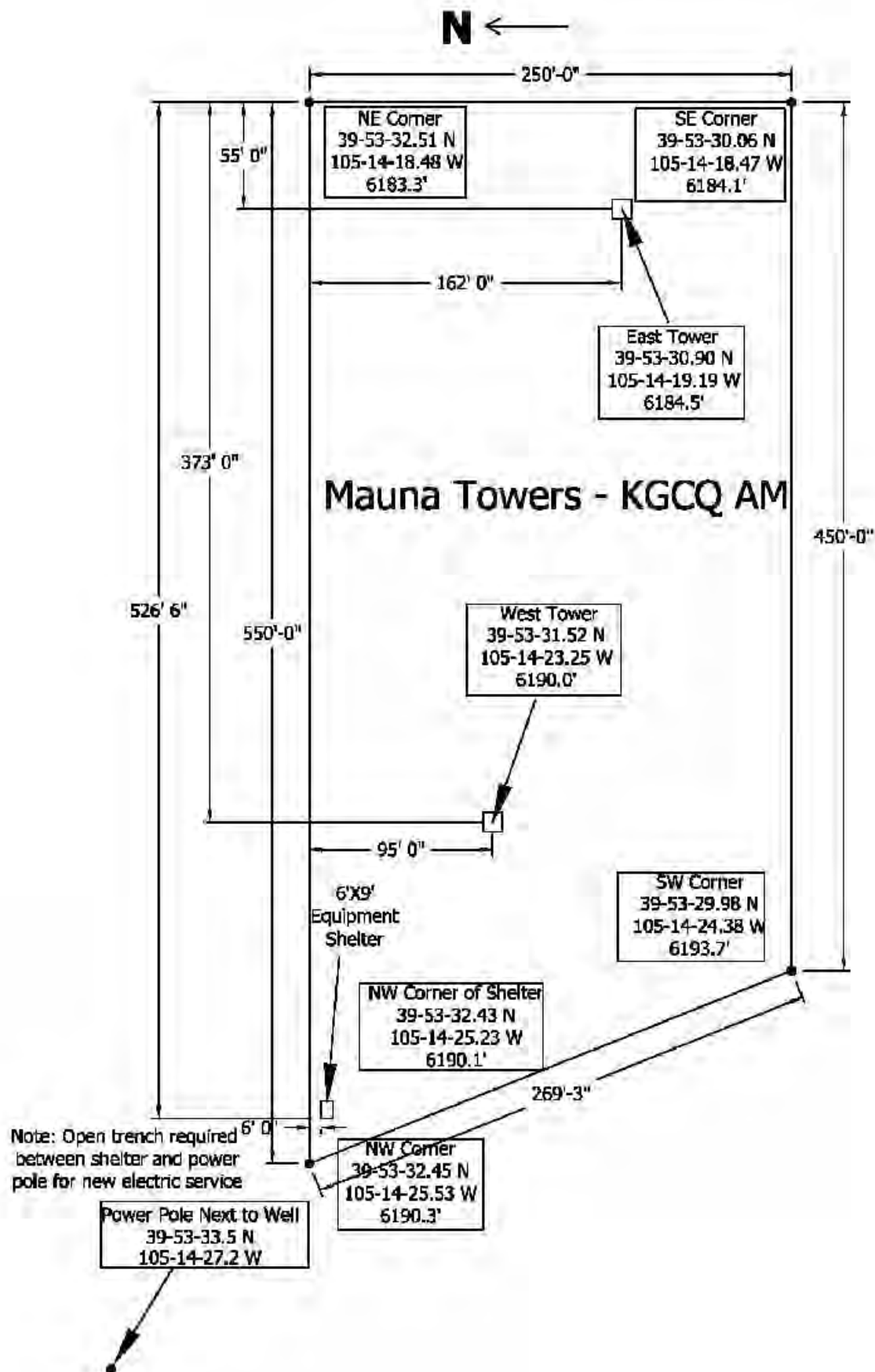
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

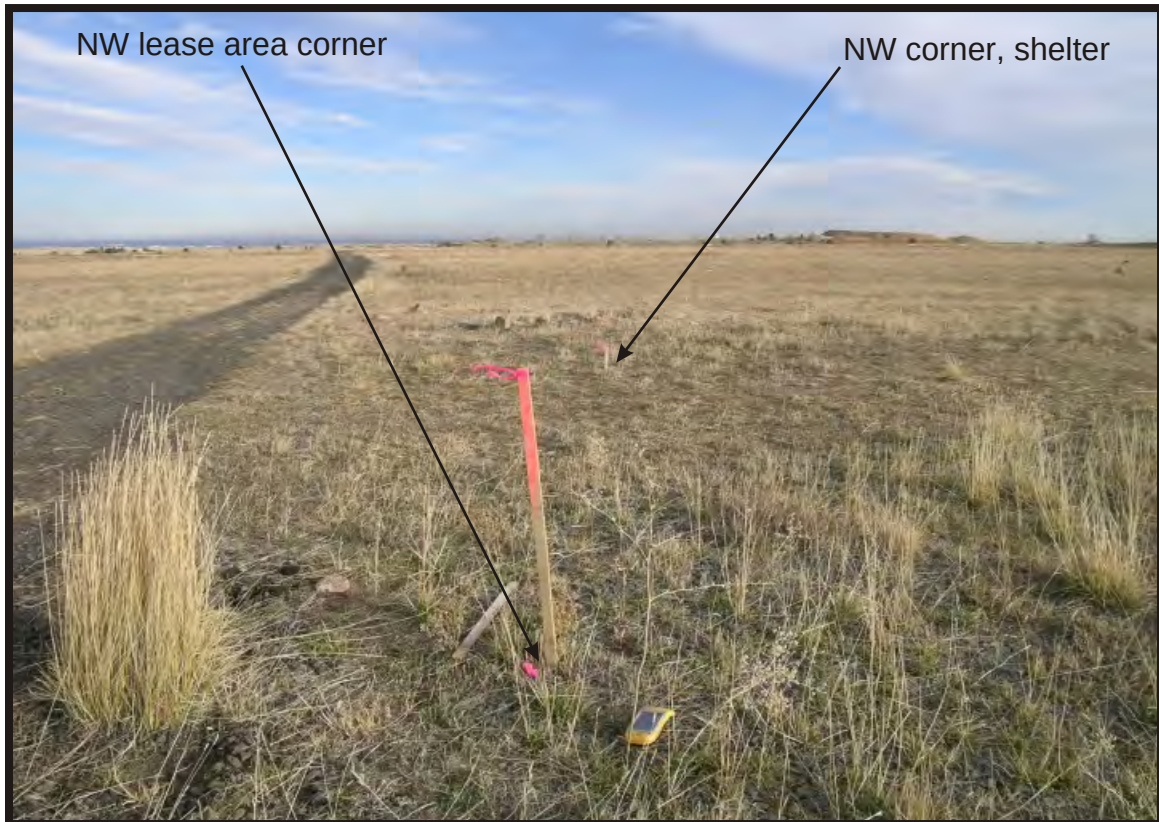
Project No. 10012-012088.00

Last Revision
November 2012

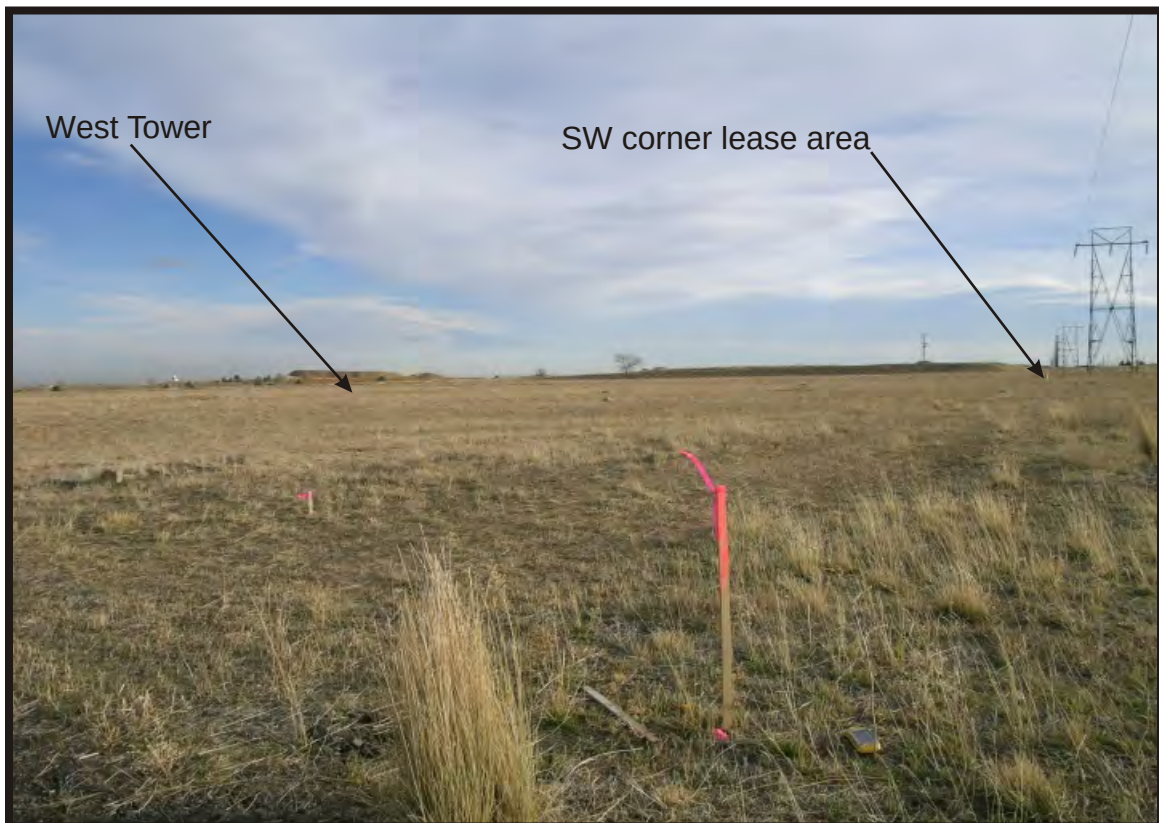








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



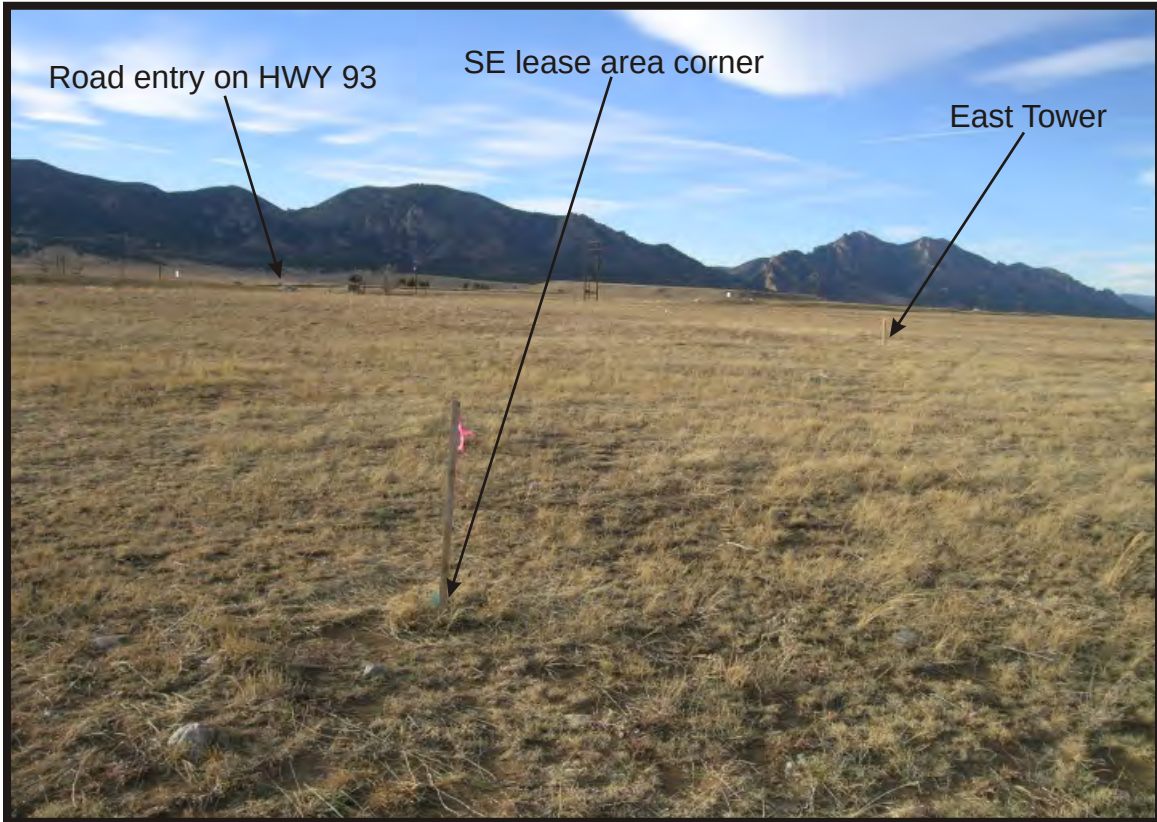
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.



December 10, 2012

Jefferson County Planning & Zoning
Mr. Dennis Dempsey
100 Jefferson County Pkwy #3550
Golden, CO 80419
303-271-8700

Project No. 10012-012168.00
and 10012-012168.01

Subject: **NEPA Evaluation for the Proposed KGCQ AM Transmitter Sites, 10888 Highway 93, Arvada, Jefferson County, Colorado**

Dear Mr. Dempsey:

On behalf of Mauna Towers, LLC, Bureau Veritas North America, Inc. (Bureau Veritas) is conducting a NEPA evaluation for the above-referenced property. According to the Colorado Historical Society, the Jefferson County Planning & Zoning would like to be contacted regarding in Section 106 consultations within Jefferson County. Therefore, pursuant to 47 CFR §1.1307(a)(4), we respectfully request your comment as to whether the proposed communications project "may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places."

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Photographs of the site and surrounding area are included with the Cultural Resources Inventory.

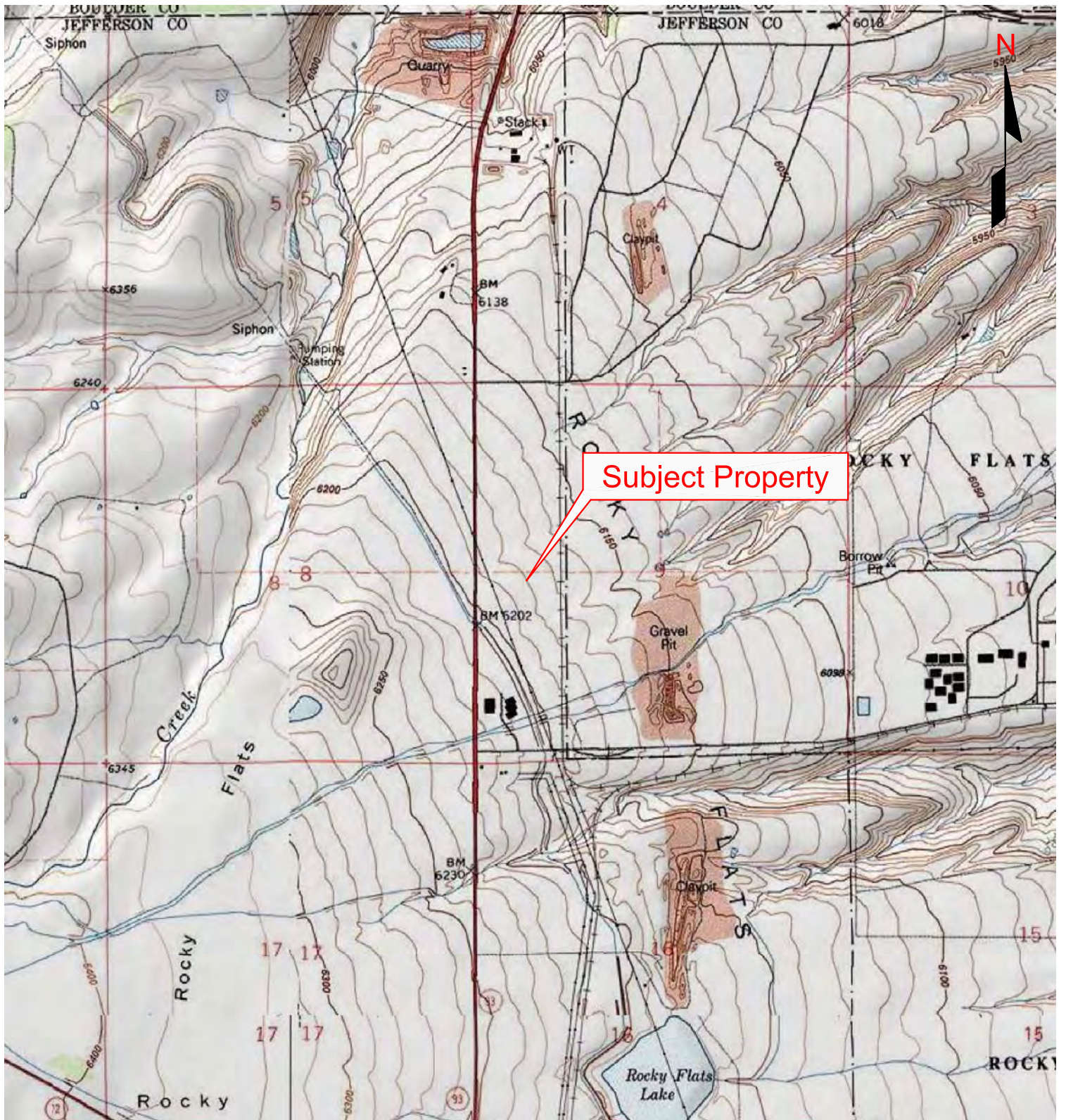
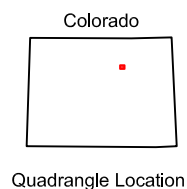
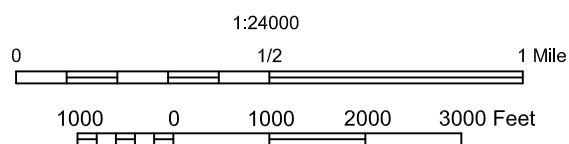
We thank you in advance for your attention to this matter and respectfully request a written response to our inquiry. If you have any questions, please call me at 303.988.2585 or e-mail me at amanda.cushing@us.bureauveritas.com. Thank you very much.

Sincerely,

Amanda Cushing
Project Manager
Rocky Mountain Region

Attachments: Figure 1, Design Plans, Cultural Resources Inventory

ATTACHMENTS



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
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303-988-2585 Telephone
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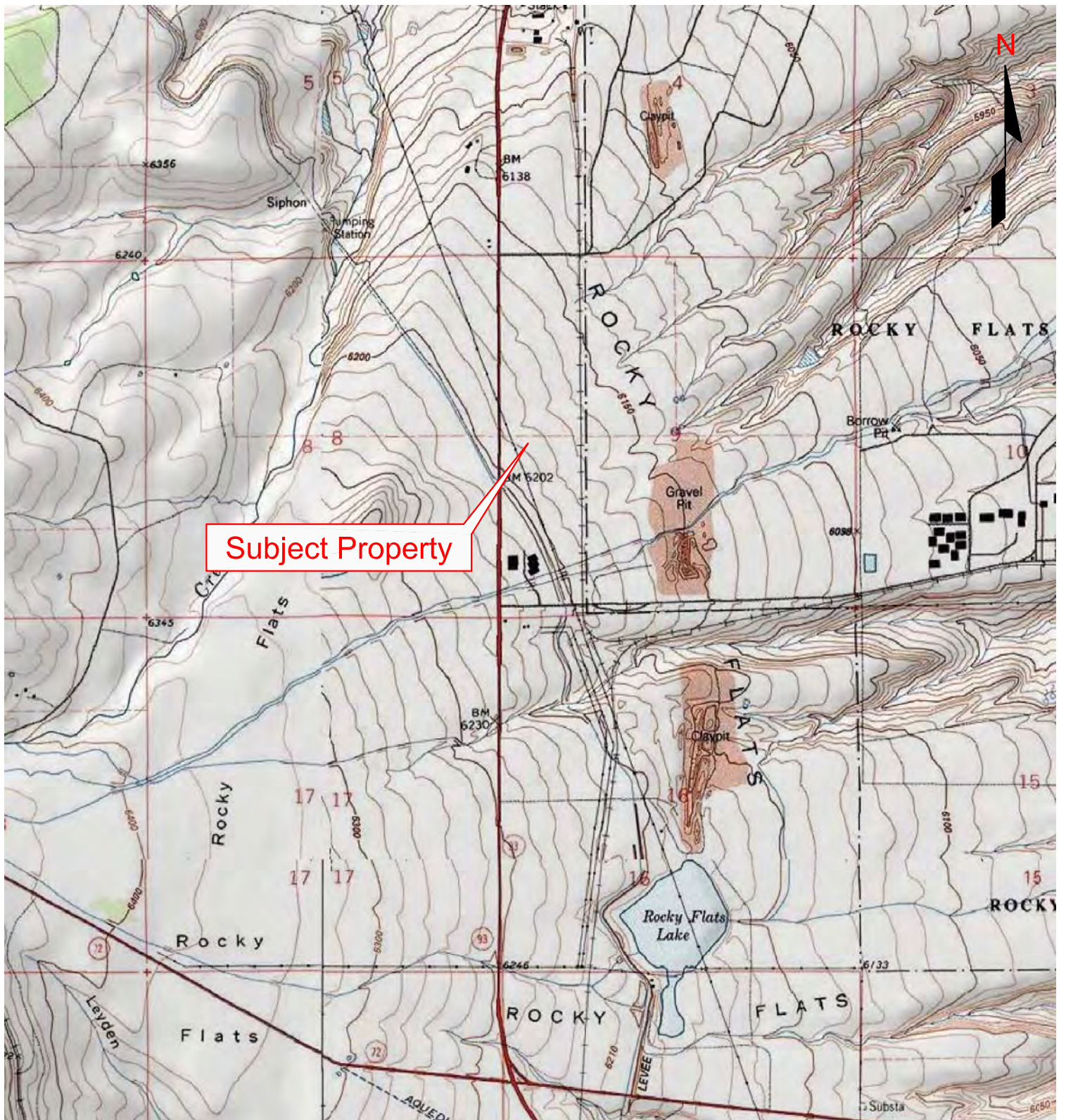
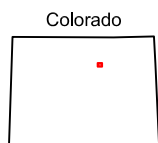


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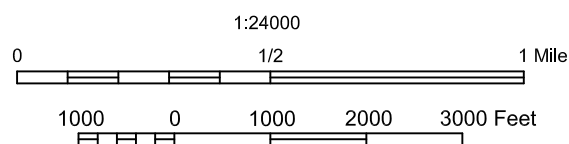
KGCQ AM - East Tower
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Quadrangle Location



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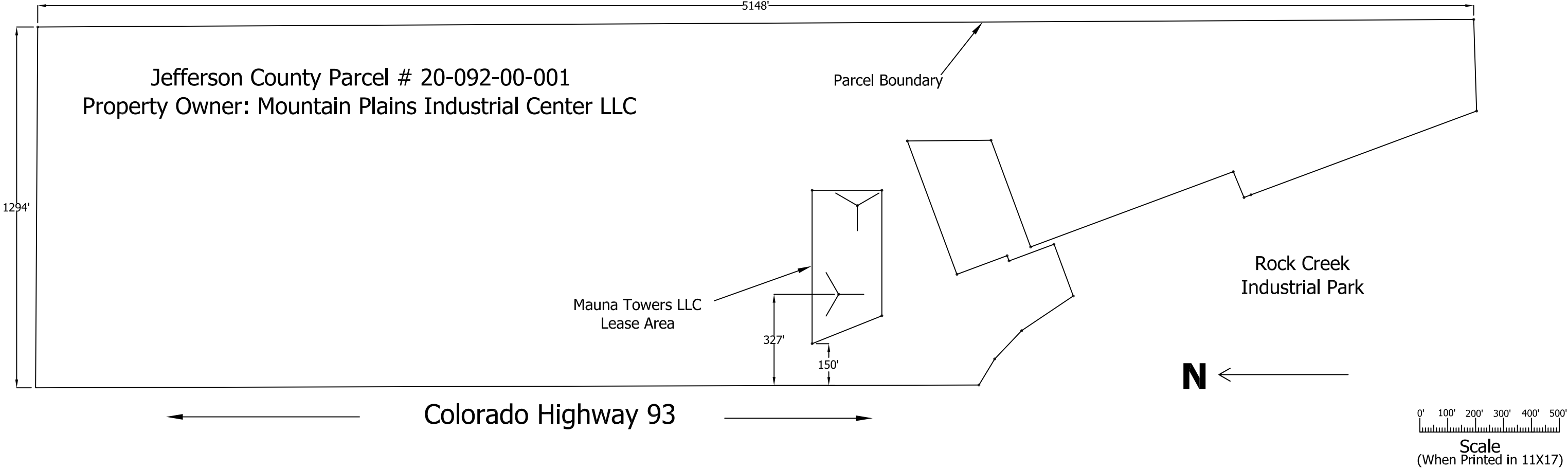
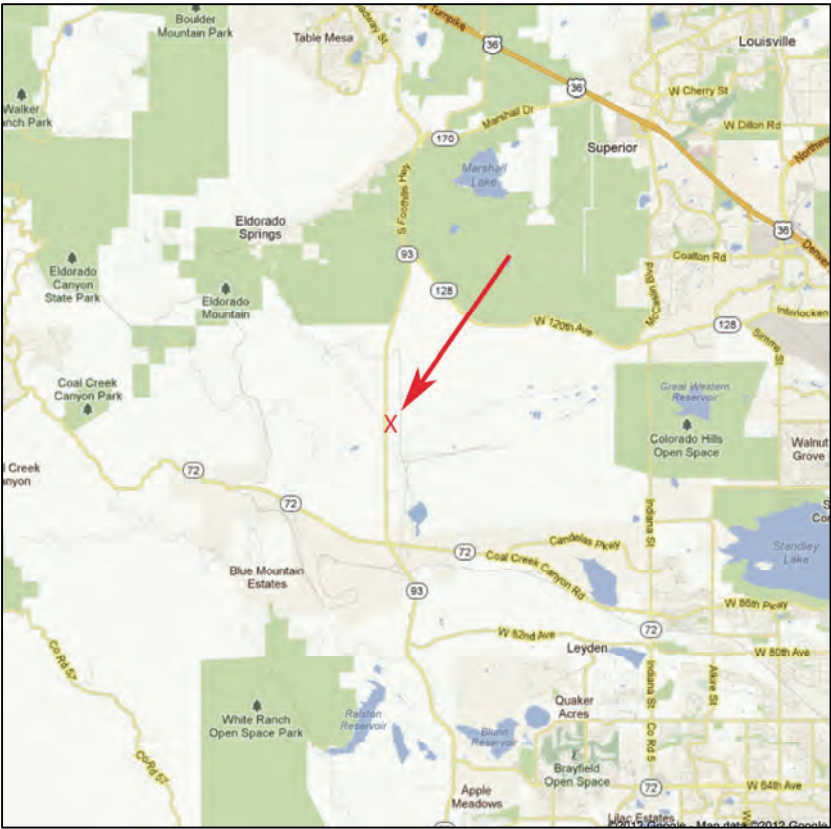
KGCQ AM - West Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

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Last Revision
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Site Plan

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Vicinity Map



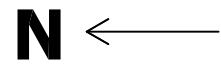
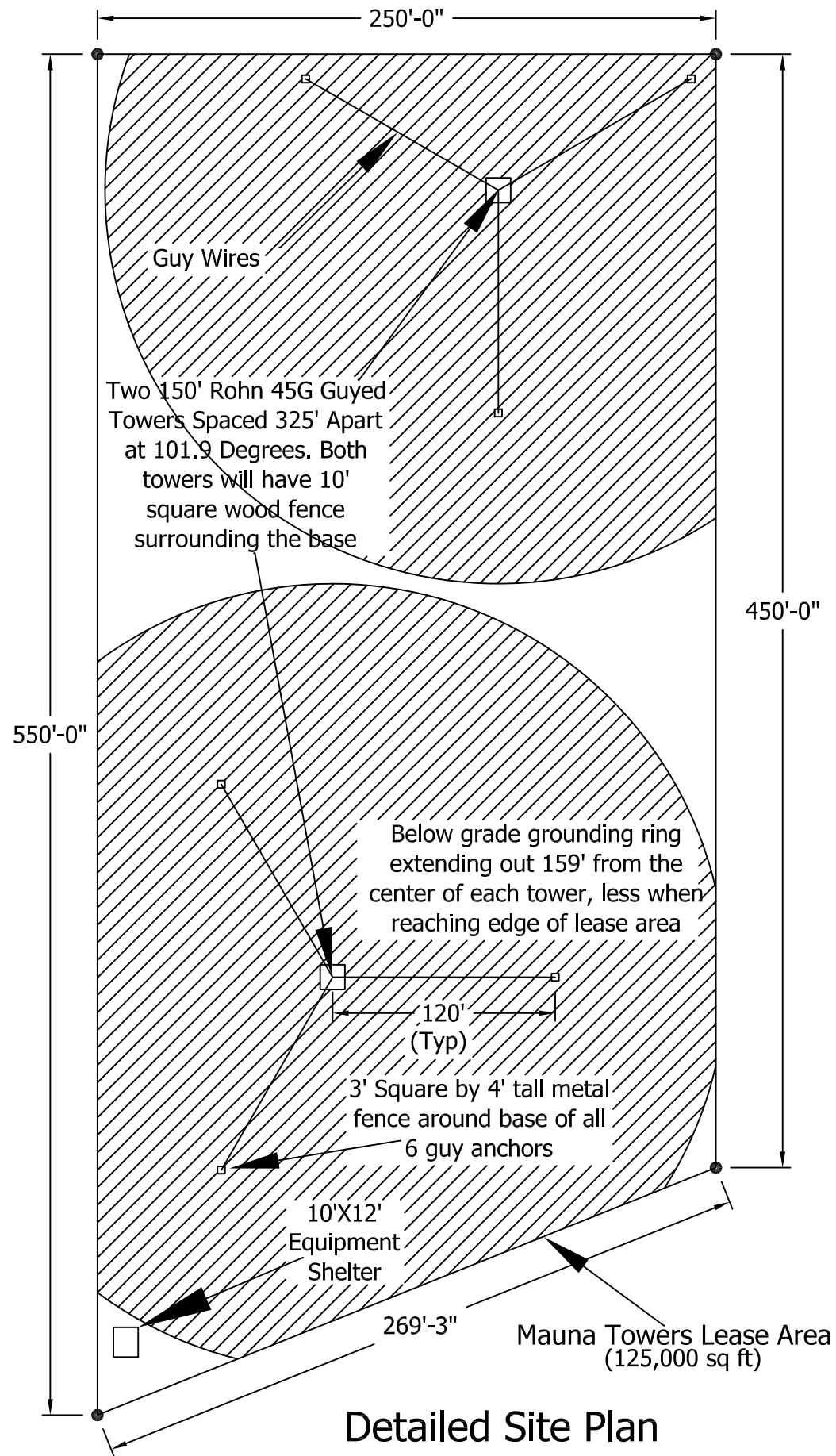
Aerial View of Lease Area



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue
Boulder, CO 80305-6027
303-554-1432 aclosser@comcast.net

CLOSSER CONSULTING FILE NAME: Mauna Towers Page 1.dwg			
TITLE: Site Plan			
SITE: KGCQ AM Transmitter			
DATE: 2/15/2012	BY: DAC		Page 1 of 2

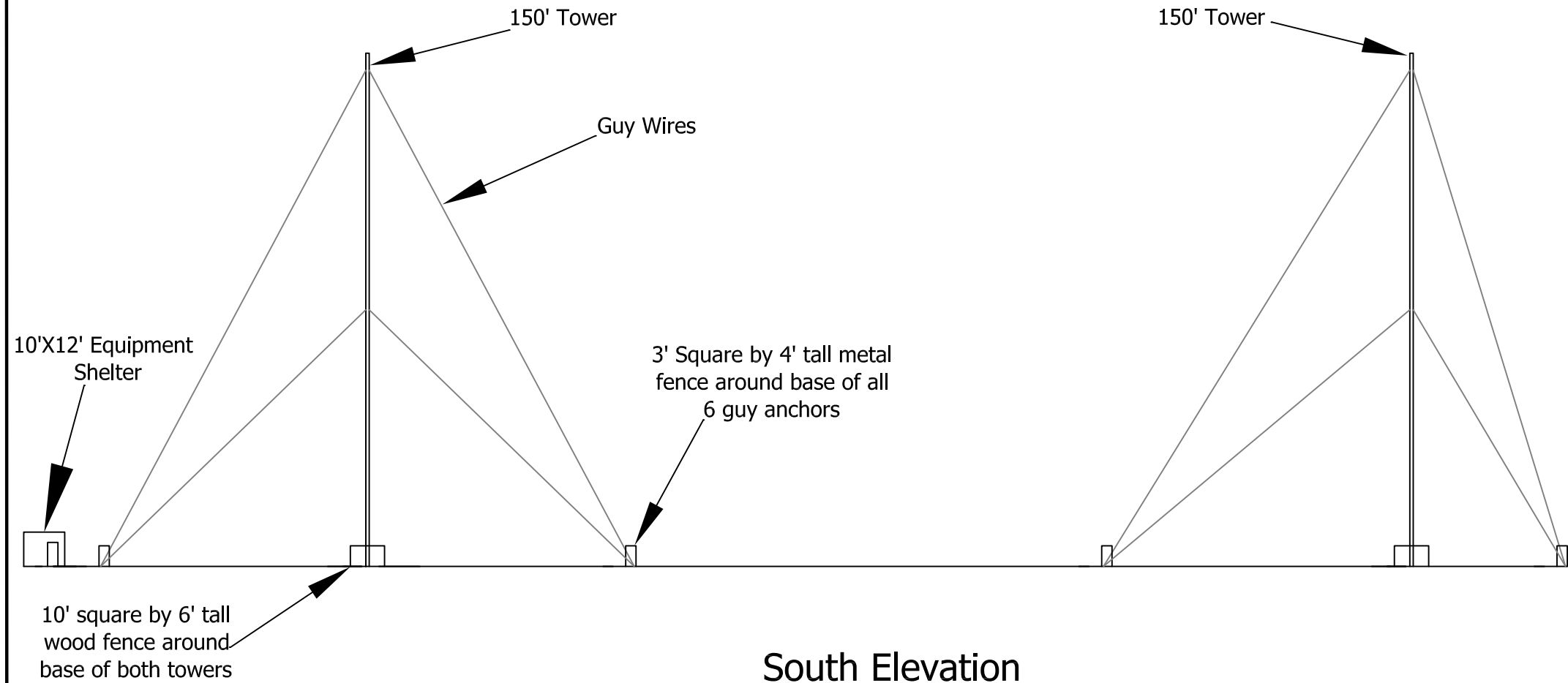


Detailed Site Plan

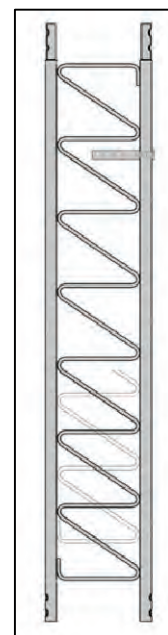
Exhibit C

Detailed Site Plan

#	REVISION	BY	DATE
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South Elevation



Typical Rohn 45G
Tower Section



Looking West at Approximate Tower Locations



Closser Consulting LLC - *FOR* - **Mauna Towers, LLC**

4305 Darley Avenue

Boulder, CO 80305-6027

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aclosser@comcast.net

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TITLE: Detailed Site Plan

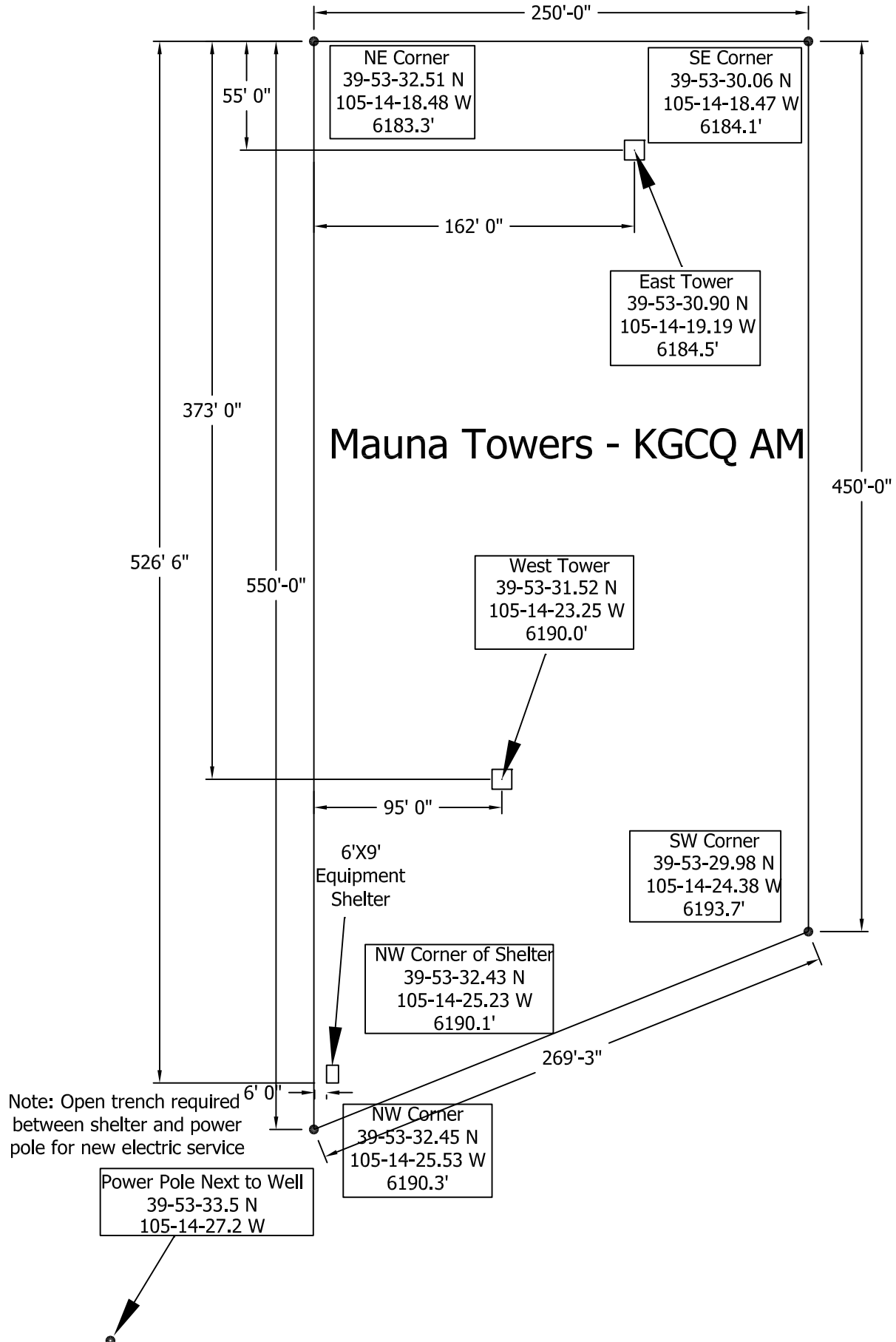
SITE: KGCQ AM Transmitter

DATE: 9/3/12

BY: DAC

Page 2 of 2

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**Class III Cultural Resource Inventory: Mauna Towers LLC, KGCQ AM Towers,
Jefferson County, Colorado**

Brad Noisat
Niwot Archaeological Consultants, Inc.
Colorado Archaeological Survey/Testing Permit No. 2012-6
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November 29, 2012

Abstract

On November 27, 2012, Brad Noisat, Principal Investigator of Niwot Archaeological Consultants, Inc. performed a Class III Inventory of 2.82 acres for the proposed Mauna Towers LLC, KGCQ AM Towers adjacent to State Highway 93 in rural Jefferson County, Colorado. The proposed APEs for Direct Effects of the project will include construction of two, guyed 150 ft high lattice radio towers and a 10 ft x 12 ft equipment shelter and excavation of a 188 ft long utility line trench. No cultural resources occur within the Direct Effects APE of the project. The proposed undertaking will have No Effect on historic irrigation ditch sites 5JF.512.2, 5JF.513.3, and 5JF.318.8 within the Visual Effects APE of the project. Cultural resource clearance for the proposed undertaking is recommended.

Project Description

Mauna Towers LLC proposes to construct two radio transmitter towers to provide AM radio broadcast service for radio station KGCQ. The 2.82-acre project area is located in rural Jefferson County, Colorado adjacent to State HWY 93 in the vicinity of Rocky Flats. Project location corresponds to the N1/2, NW1/4, NW1/4, SWW1/4 and the S1/2, SW1/4, SW1/4, NW1/4, Section 9, T2S-R70W, 6th PM (USGS 7.5' Louisville, Colorado 1994 quadrangle). Attachment 1 shows the project location and Visual Effects APE on the Louisville quadrangle. The Visual Effects APE is defined by a 1/2-mile radius surrounding the proposed towers. Figure 1 provides an aerial view of the project location and the Visual Effects APE. The project design plans are presented in Attachment 2. Views of the proposed Direct Effects APEs are shown in Attachment 3. The proposed Direct Effects APEs of Mauna Towers project are as follows:

- The proposed lease area for the project is a trapezoidal block area roughly 2.82 acres in size.
- Two 150 ft high lattice towers known as the East Tower and West Tower will be constructed within the lease area. The towers will be spaced 325 ft apart. A 10 ft square x 6 high fence will be placed around the base of each tower. Both towers will be secured to the ground using three guy wire anchors extending 120 ft from the base of the tower. A 3 ft square x 4 ft high metal fence will be placed around all 6 guy wire anchor locations.

Figure 1. Mauna Towers LLC project area location and the Visual Effects APE (red circle).



- A 10 ft N/S x 12 ft E/W equipment shelter will be constructed in the northwest corner of the lease area.
- A lease area 5 ft wide x 188 ft long will be established for a trench excavated between the equipment shelter and an existing overhead utility pole with a pole-mounted transformer on the east side of HWY 93. An electrical feeder line will be buried within the trench.

Buried utility services between the equipment shelter and the two towers have not been specified. Access has also not been defined. However, the access road will probably follow an existing broken asphalt road originating on HWY 93. The existing road forms the northern perimeter of the lease area. Any other buried utility lines will be sited within the proposed lease area, which was inventoried by intensive Class III methods (see below). According to the Jefferson County Assessor, the subject property is owned by Charles McKay.

Class I Inventory

On November 26, 2012, a Class I inventory was performed of Sections 8, 9, 16, and 17, T2S-R70W, 6th PM using the Colorado Historical Society, *Compass* database. The four-section Class I inventory area identifies National Register properties that might be directly or indirectly affected by the proposed undertaking.

The SHPO records show that two previous inventories have been performed within the Direct Effects APE of the project area. A Class III inventory encompassing all of Section 9 was performed in 1991 by Dames and Moore for Ebasaco and EG&G Rocky Flats: project MC.E.R9: Cultural Resource Class III Survey of the Department of Energy Rocky Flats Plant, Northern Jefferson, Boulder, (and Broomfield) Counties, Colorado. A 1998 linear inventory of HWY 93 by O.D. Hand for CDOT either abuts or extends slightly into the ROW of the proposed buried utility trench. That project is JF.CH.NR39, An Intensive Archaeological Survey along State Highway 93 between Leyden Road and the Boulder County Line, Jefferson County, Colorado (BR 093-1(016)). Because the 1991 inventory is now 22 years old, a re-inventory of the project area is needed. The SHPO records do not show any previously recorded sites within the Direct Effects APE of the project area.

Seven other previous inventories have been performed elsewhere within the Class I inventory area. A total of 41 previously recorded sites are listed for lands elsewhere within the Class I inventory area.

As shown on Attachment 1, three previously recorded sites occur within the Visual Effects APE of the project. Site 5JF.318.8, South Boulder Diversion Conduit-Segment, is a 1935 canal listed as Eligible-Officially. Site 5JF.512.2, Upper Church Ditch (Segment), is an abandoned historic irrigation ditch listed as Eligible-Field. Site 5JF.513.3, McKay Ditch-Zang Segment, is an abandoned 1881 irrigation ditch, culvert, and slab listed as Eligible-Field.

Three other NRHP-significant sites occur within the Class I inventory area, but are located beyond the Visual Effects APE of the project. Site 5JF.2431 (Eligible-Field) is a streamside Late Prehistoric Period campsite consisting of 34 stone circles, one stone

cluster, a mano and grindstone, and chert, quartzite, chalcedony, and petrified wood flakes. Site 5JF.2434 (Eligible-Field) is a prehistoric cairn. Site 5JF.2452.1 (Eligible-Field) is an abandoned historic irrigation ditch.

Prehistoric sites elsewhere within the Class I inventory area include: cairns (very common), rubble mounds, isolated chert flakes, a stone alignment, and a stone square. These finds are either listed as Not Eligible or Needs Data. Historic sites elsewhere within the Class I inventory area include: the Denver, Utah & Pacific RR line, gravel pits, a stock pond, a fence, IF bottle and trash scatters, earthen features/foundation depressions, farmsteads, and irrigation ditches. Most historical archaeological finds are listed as Not Eligible.

In summary, no NRHP-eligible sites are known to occur within the Direct Effects APE of the project. Three NRHP-eligible sites are known to occur within the Visual Effects APE of the project: 5JF.318.8, 5JF.512.2, and 5JF513.3.

Class III Inventory

On November 27, 2012, the author performed a Class III inventory of the proposed lease area and linear APE. Lease area corners, tower locations, and the northwest corner of the equipment shelter were staked and marked. The lease area occurs on a flat under glacial till cover. The lease area was systematically inventoried using tight zig-zag transects spaced no more than 5-10 apart. The proposed utility run was intensively inventoried using tight zig-zag transects spaced no more than 205 m apart. A faint two-track trail runs N/S along the west perimeter of the lease area. The project area is under bunchgrass and forb cover. Ground visibility was 40%. No cultural resources were found within the Direct Effects APEs of the project area.

Pages 4 and 5 in Attachment 3 show the visual relationship between the proposed radio towers and the crossings of historic ditches 5JF.318.8 and 5JF.512.2/5JF513.3 on HWY 93. As shown in these views, existing cell towers, radio tower nests, microwave towers, wind turbines, and high-voltage transmission towers are common features in the viewshed of the project area. The proposed West Tower will be located 0.20 mile from 5JF.318.8, and both towers are situated about almost ½-mile mile from 5JF.512.2 and 5JF.513.3. At these distances, the proposed West Tower and East Tower will have no direct visual impact on the three historic irrigation ditches. Moreover, the proposed radio towers will blend in with the numerous existing towers already present on the horizon, and will thus not change the existing visual landscape surrounding the historic ditches. Therefore, the proposed undertaking at Mauna Towers LLC, AM KGCQ Towers will have No Effect on visual appreciation of sites 5JF.318.8, 5JF512.2, and 5JF.513.3 in the APE for Visual Effects.

Recommendations

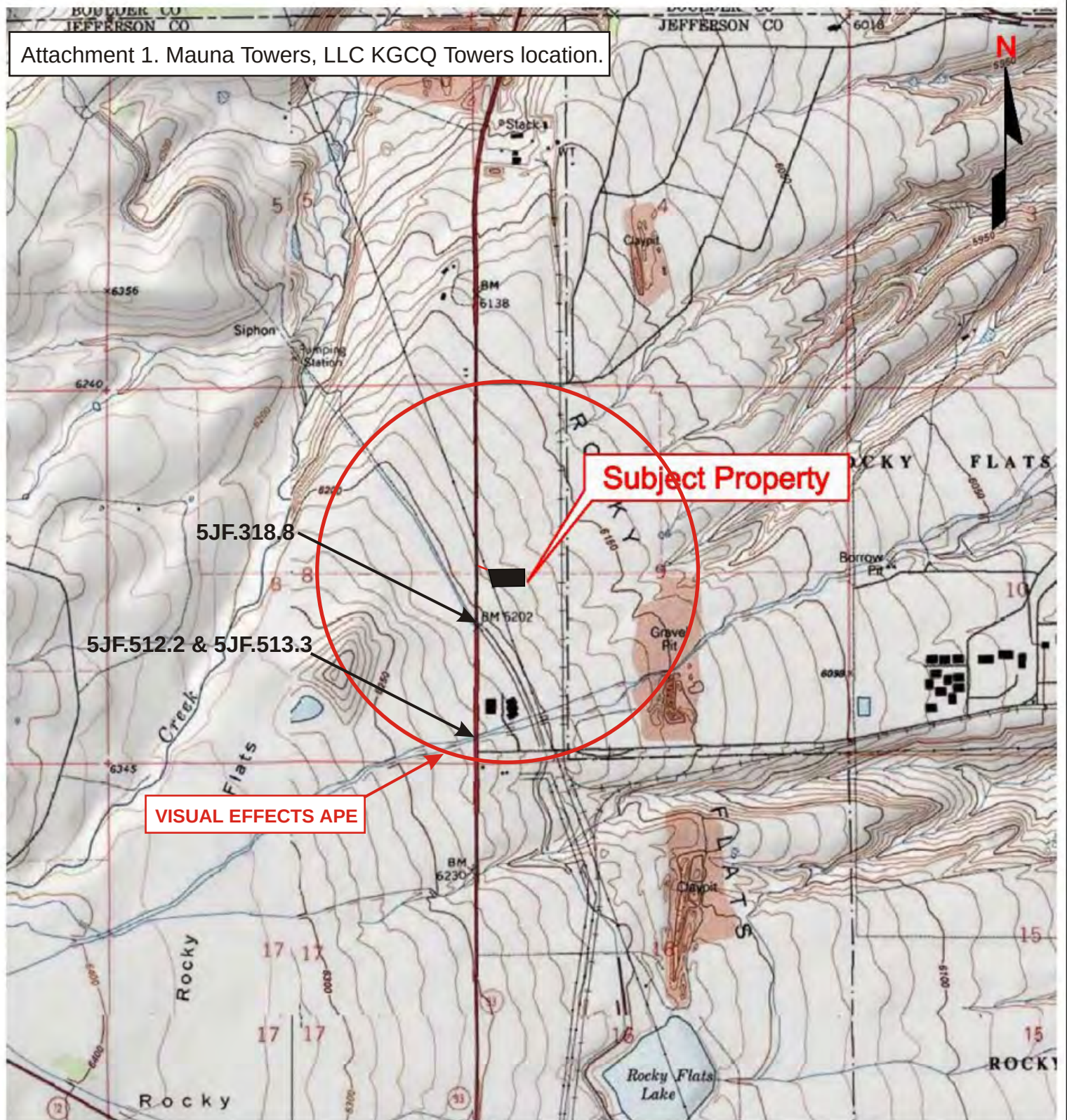
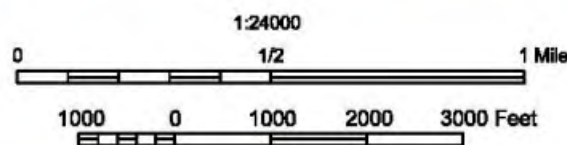
Based on the Class III inventory results, direct effects and visual effects of the proposed Mauna Towers LLC, KGCQ AM Towers are as follows:

- ❑ No Historic Properties occur in the APE for Direct Effects.

- ❑ Historic Properties 5JF.318.8, 5JF.512.2, and 5JF513.3 occur in the APE for Visual Effects. The proposed undertaking will have No Effect on visual appreciation of these resources.

Cultural resource clearance for the proposed Verizon Wireless, Inc., Mauna Towers LLC, KGCQ AM Towers is recommended. If subsurface remains are found during construction, these should be reported immediately to the Colorado State Historic Preservation Office.

Attachment 1. Mauna Towers, LLC KGCQ Towers location.



Portion of 7.5-minute Series
Topographic Map
United States Department of the Interior
Geological Survey

Louisville, Colorado
1994

Figure 1
Site Location Map



Bureau Veritas North America, Inc.
Health, Safety, and Environmental Services
165 South Union Blvd., Suite 310
Lakeview, Colorado 80228
303-988-2585 Telephone
303-988-2583 Fax

CLIENT

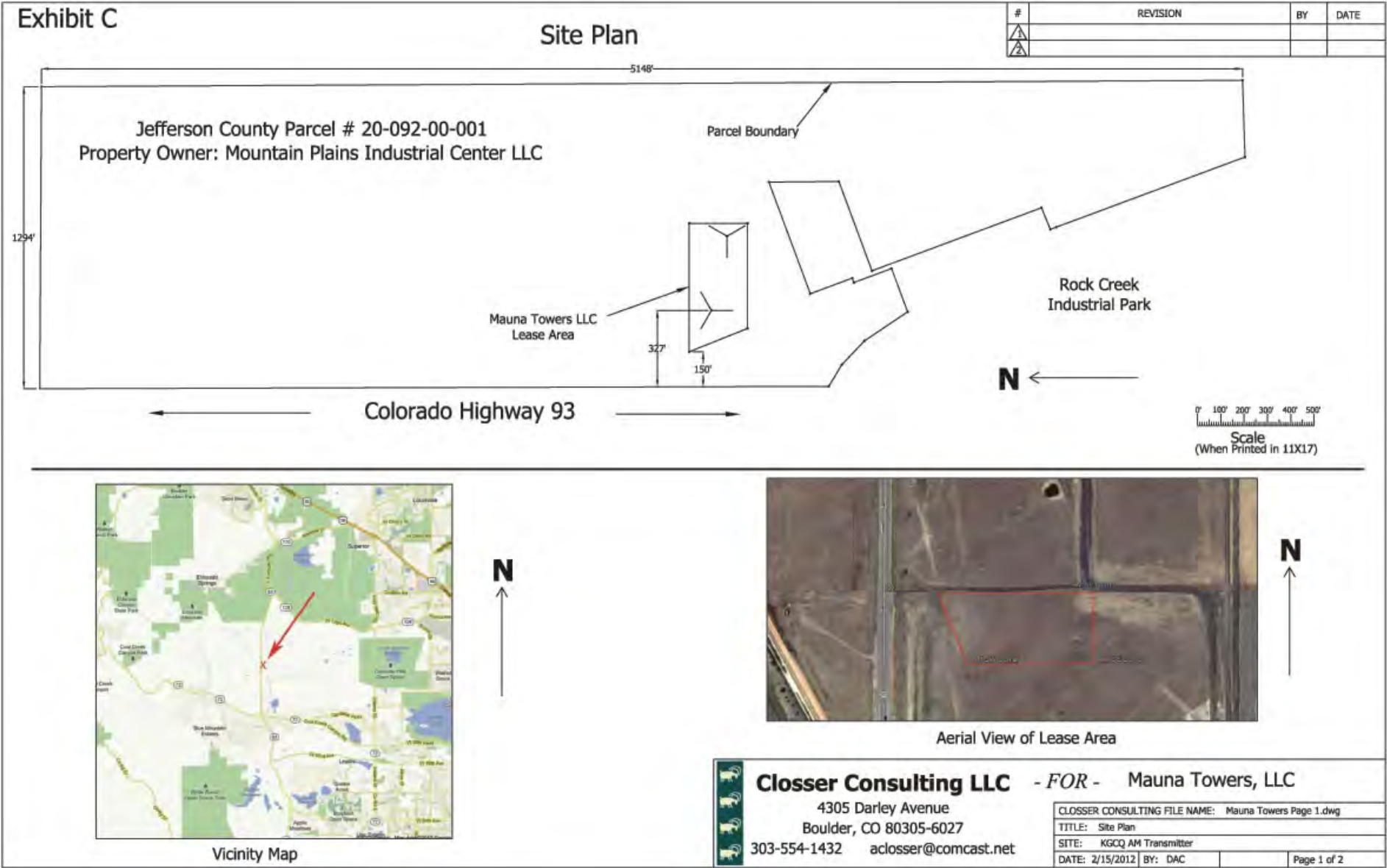


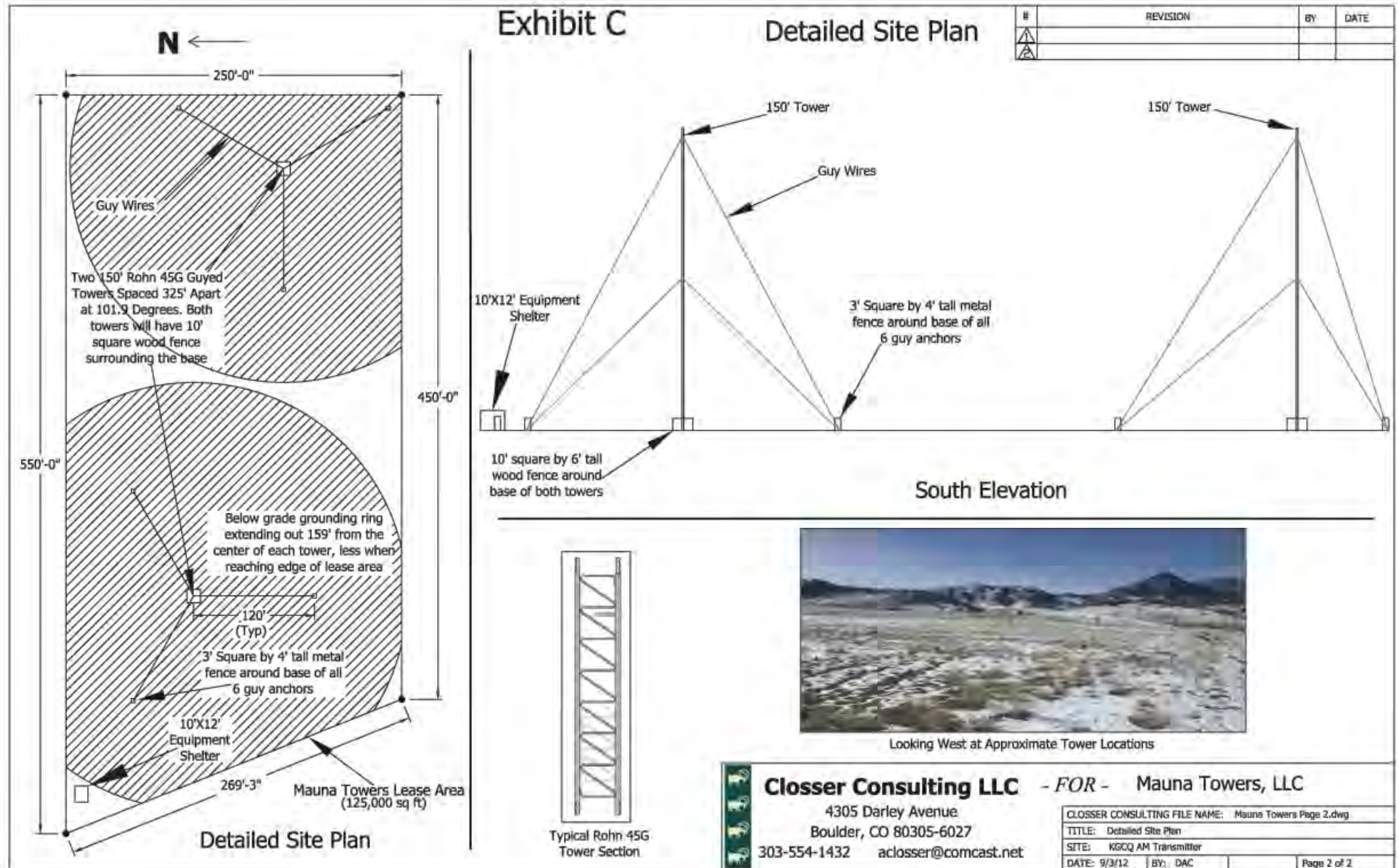
SITE

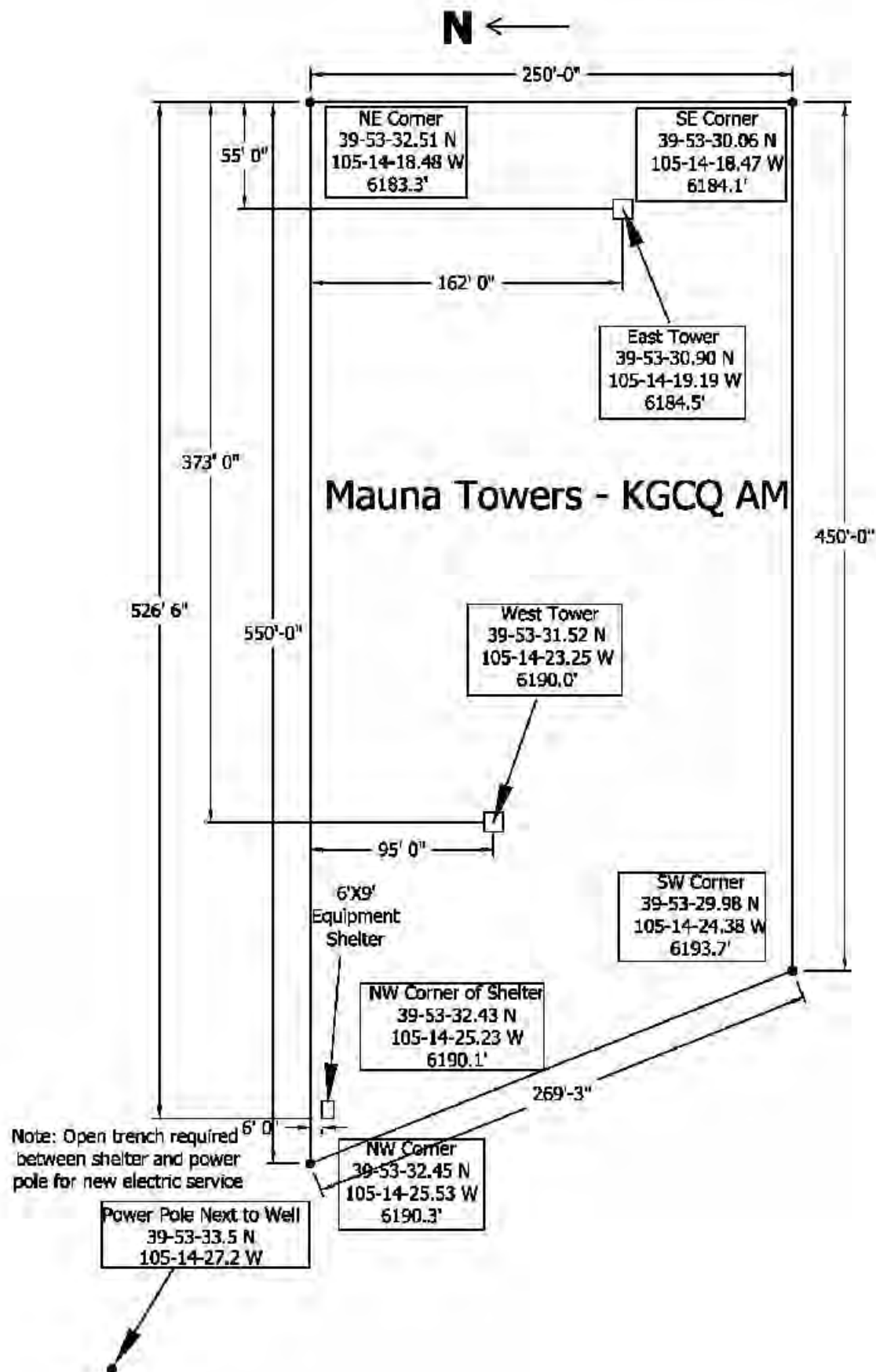
KGCQ AM - East Tower
10888 State Highway 93
Arvada, Jefferson County, Colorado

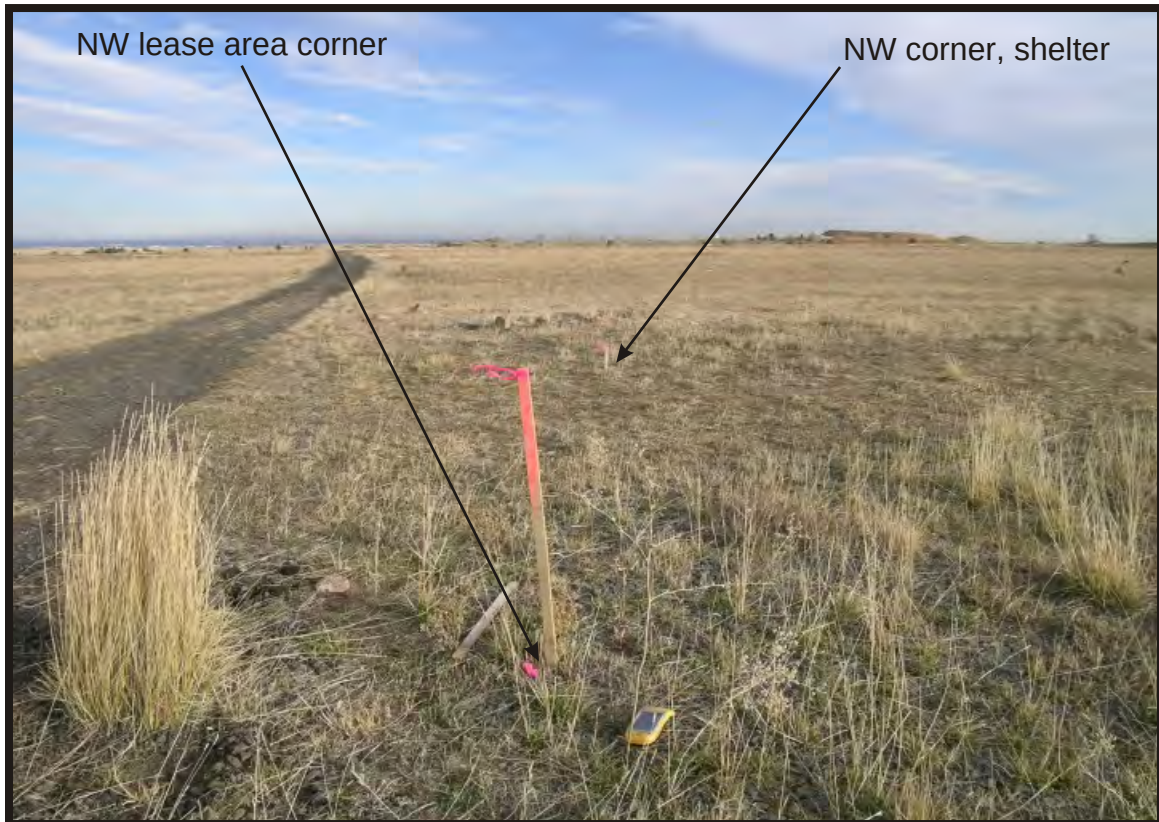
Project No. 10012-012088.00

Last Revision
November 2012

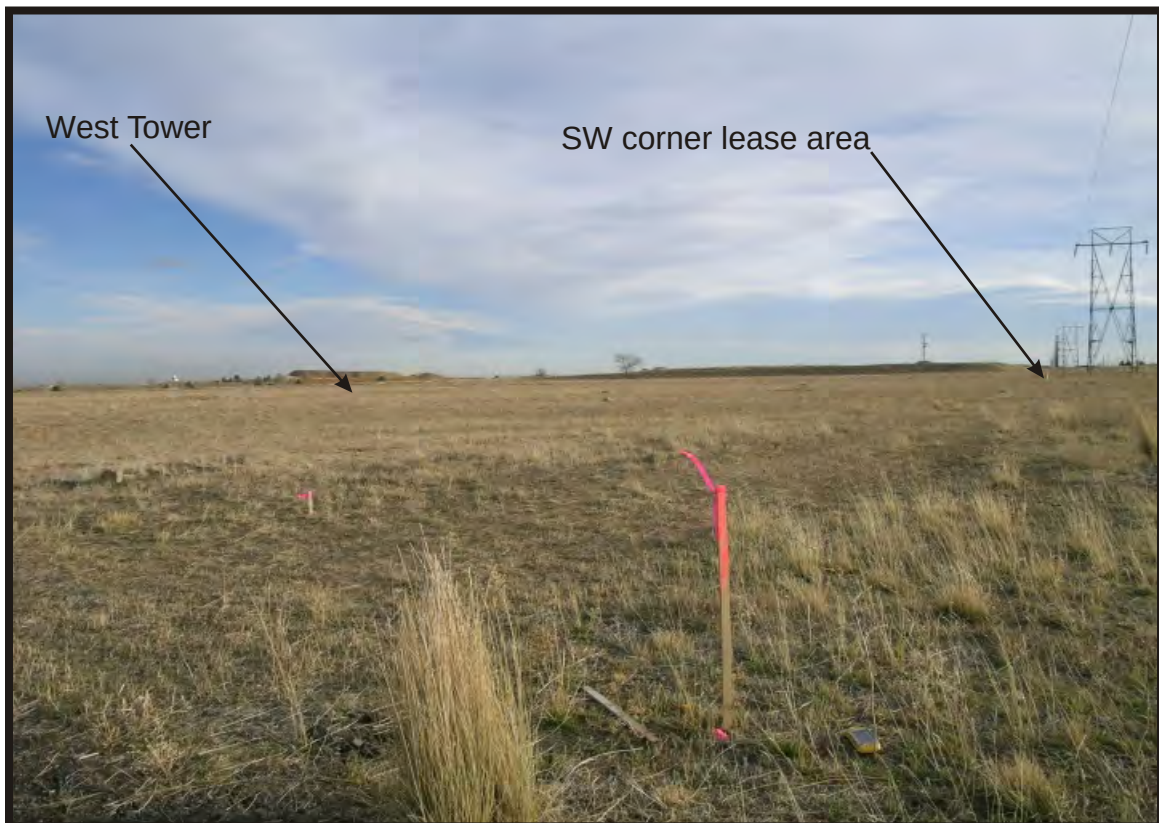








View of proposed lease area facing east from northwest corner. Note broken asphalt road bordering north perimeter of lease area.



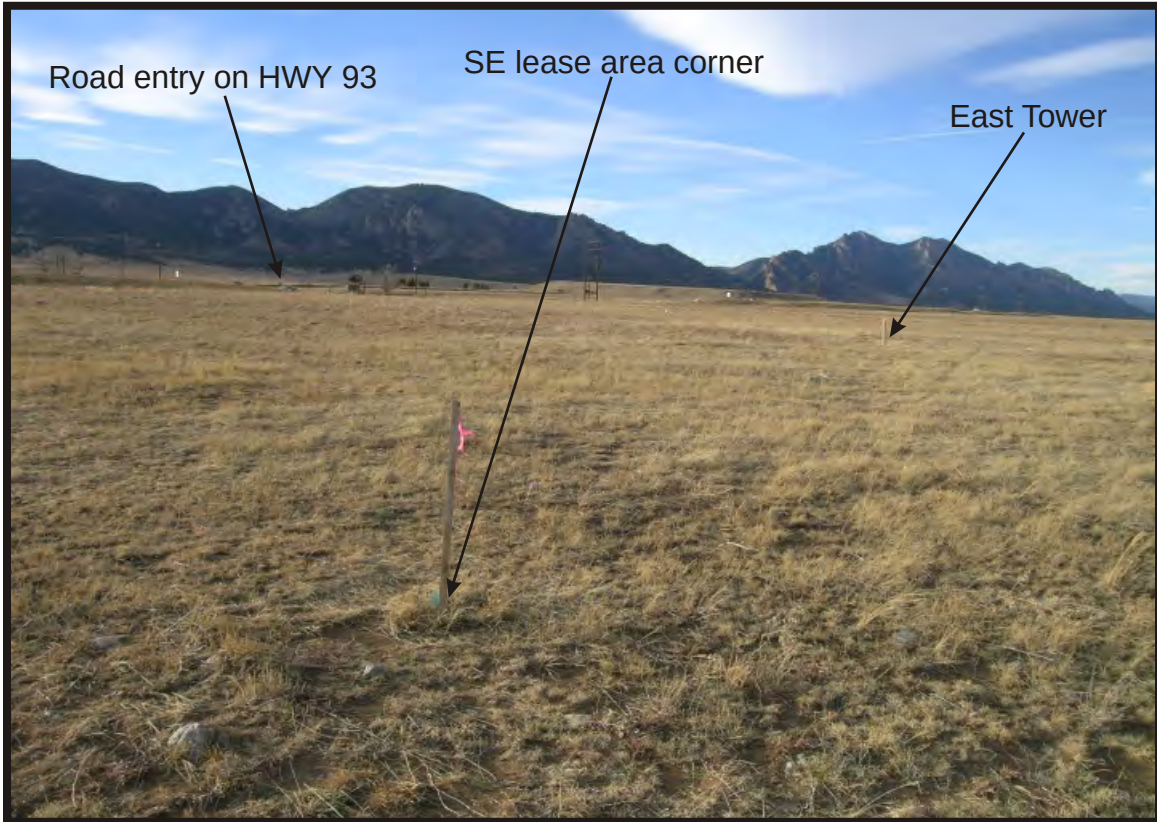
View of proposed lease area facing southeast from northwest corner. Note faint N/S two track along west perimeter of lease area.



View of proposed buried utility run from equipment shelter to existing utility pole with transformer (dashed line), facing northwest.



View of proposed buried utility run (dashed line) to equipment shelter facing southeast from utility pole on HWY 93.



View of proposed lease area facing northwest from the SE corner of the lease area.



View facing south in direction of historic ditch site 5JF.318.8, 5JF512.2, and 513.3 crossing on HWY 93 from NW corner of lease area.



View of 5JF318.8 (at arrow) facing southeast from HWY 93.



View to proposed lease area and towers facing NNE from 5JF.318.8 crossing on HWY 93. Note existing wind turbines, radio towers, and cell towers in distance.



View of 5JF.512.2 and 5JF.513.3 ditches facing ENE from HWY 93 crossing.



View facing NNE to lease area (out of view) from 5JF.512.2 and 5JF.513.3 ditch crossings on HWY 93.



Jefferson County Planning and Zoning

Historical Review for Telecommunication Operation			
Date Received: December 12, 2012		Date Due: Within 30 days	
Date of P & Z Review: January 9, 2013		*Date of JCHC-HPC Review: Not applicable	
Case Type: Historic Referral for the proposed construction of two 150' high lattice radio towers and a 10 x 12 foot equipment shelter.		Case Number: KGCQ AM Transmitter Sites	
Owner/Applicant: Mauna Towers, LLC, Bureau Veritas of North America, Applicant Charles McKay, Owner		Address of Property: 10888 Highway 93, unincorporated Jefferson County	
Phone #: Bureau Veritas 303-988-2585		Email: Amanda.cushing@us.bureauveritas.com	
Contact Person: Amanda Cushing		165 South Union Blvd., Suite 310, Lakewood, CO 80228	
P&Z Case Manager: NA			
Historic Case Manager: Dennis Dempsey		*JCHC-HPC Researcher: NA	
Phone Number: (303 271-8734)		Phone Number:	
Email: ddempsey@jeffco.us		Email:	
PROPERTY STATUS			
	Yes	No	Comments
Historically Significant:		x	According to applicant, the proposed radio tower site would be located on a 2.82 acre leased site within an area zoned Industrial-One (I-1) and recommended for Industrial type uses. There are no known cultural/historic resources found within a ½ mile radius from the proposed radio tower site.
Potential Historic District:		x	The adjacent Rocky Flats Plant Site is listed on the National Register and considered a Historic District.
Additional Data Needed:		x	The applicant provided the results of a Class I and Class III Cultural Resource Inventory conducted by Brad Noisat, Niwot Archaeological Consultants, Inc. The report stated that there are no known National Register Eligible sites within the project area that would be affected by the construction of the towers.

*If applicable

I. PROPERTY DESCRIPTION			
Community Plan Area: The subject property is within the North Plains Area and is recommended for Industrial use.		Lot Size of Property: 2.82 acres	
Location of Subject Property: The subject property is located to the east of Highway 93 and to the north of Rock Creek Industrial Park		Year Built: Vacant land	
Current Zoning: Industrial-One (I-1)		Proposed Zoning: Same	
	Yes	No	Comments
Vacant property:	x		This site is considered vacant land



Case Name: LGCQ AM Tower Project
Location: 10888 Highway 93

Structure(s) on subject property		x	There are no structures on this site
Significant architecture, design, or cultural resource?		x	
Any significant historical sites or structures adjacent to the subject property?		x	The Rocky Flats Industrial Plant is located about 1 mile to the east of the proposed radio tower site.
Any significant cultural resources on or adjacent to the subject property? (Roads, trails, artifacts...)			The North Plains Area Plan historic map does not show any historic sites or structures within the area.
Local, State or National Register?		x	
Part of a Historic District?		x	

II. SUMMARY OF PROPOSAL:

Request for comments relating to the potential impacts to historic sites and structures associated with the construction of two 150' tall radio towers and equipment shelter.

III. STATUS OF HISTORIC STRUCTURE(S):

	Yes	No	Comments
Are there plans to remove or demolish a historic resource?		x	No historic resources are planned for removal
Would the approval of this proposal threaten or endanger any historically significant sites or structures?		x	
Would this proposal significantly change or alter a historic resource?		x	
If yes to the above, this referral will be sent to the JCHC historian for further review and comments.		x	

IV. HISTORIC SITE AND STRUCTURE ANALYSIS:

Research Records	Historically Significant		Comments
	Yes	No	
Community Plan:		x	There were no historic sites or structures listed on the North Plains Area Plan historic map that would be impacted by the construction and operation of the proposed radio towers
1999 – 2002 Cultural Resource database for unincorporated Jefferson County:		x	Not listed
County Assessor Records:		x	According to County Assessor records, this site is considered vacant land
Colorado Historic Society – Office of Archaeology		x	Search of Colorado Historical



Case Name: LGCQ AM Tower Project
Location: 10888 Highway 93

and Historic Preservation:			Society- Office of Archaeology and Historic Preservation data base. No historic sites or structures were noted within the area of potential affect.
Local, State and National Register:		x	
Other Resources:		x	
Site Visit:		x	Date of Site Visit: Not needed at this time
Ranking or I.D.# if Applicable		x	

V. Summary and Recommendations:

- Please contact the Jefferson County Historical Commission if any historic/cultural resources are found on or adjacent to the subject property.
- It would not appear that the proposed radio tower site would affect any historically significance sites or structures within the area. No additional historical information is needed at this time.
- We recommend siting the radio towers as far to the east and from Highway 93 as possible to minimize any adverse visual impacts from the Highway corridor and to the Mountain Backdrop/Foreground area.

Completed By:	Date:
Planning and Zoning: Dennis M. Dempsey Planner/Jefferson County Historical Commission Staff Liaison	January 9, 2013
Jefferson County Historical Commission:	

SECTION 6

Tower Construction Notification System

Tribal Correspondence

FCC Clearance



towernotifyinfo @fcc.go
v

11/20/2012 02:21 PM

To: BVNATCNSMail@VERITAS
cc:
Subject: Proposed Tower Structure Info - Email ID #3149663
Ref.:

Dear Amanda Cushing,

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

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

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.
Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level



towernotifyinfo @fcc.go

v

11/23/2012 01:01 AM

To: BVNATCNSMail@VERITAS
cc: kim.pristello@fcc.gov, diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED
TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID
#3151227

Ref.:

Dear Sir or Madam:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the information you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter).

Persons who have received the information that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribes and in making further contacts, the City and State of the Seat of Government for each Tribe and NHO, as well as the designated contact person, is included in the listing below. We note that Tribes may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribes and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These

procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. THPO Coordinator Randy Teboe - Ponca Tribe of Nebraska - Niobrara, NE - electronic mail and regular mail
Details: If the Applicant receives no response from the Ponca Tribe of Nebraska within 30 days after notification through TCNS, the Ponca Tribe of Nebraska has no interest in participating in pre-construction review for the site. The Applicant, however, must immediately notify the Ponca Tribe of Nebraska in the event archaeological properties or human remains are discovered during construction.

2. Tribal Historic Preservation Office Aide Joanna Dykehouse - Jicarilla Apache Nation - Dulce, NM - regular mail

3. NAGPRA Coordinator Alden Naranjo - Southern Ute Tribe - Ignacio, CO - electronic mail and regular mail
Details: Under the following 6 conditions, the Southern Ute Indian Tribe does not need to review the proposed tower (PLEASE NOTE THAT THE FORM 620 IS MANDATORY IF THE PROPOSED TOWER NEEDS TO BE REVIEWED. IF YOU DO NOT SEND US THE FORM 620 FOR TOWERS THAT NEED TO BE REVIEWED, PLEASE CONSIDER THE MATTER TO BE AN OPEN MATTER, AND DO NOT PROCEED WITH CONSTRUCTION. WE WILL NOT MAKE ANY DETERMINATIONS UNTIL WE ARE ABLE TO REVIEW THE FORM 620):

The Southern Ute Indian Tribe does NOT need to review proposed extensions to increase the height of already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed collocations on already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on rooftops.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are within a city's limits, if the proposed structure is to be located on a disturbed road that has already been gravelled.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on pastures that have already been plowed or cultivated.

The Southern Ute Indian Tribe does NOT need to review proposed

structures that are merely extensions in height of an already existing structure.

For all other proposed areas, the Southern Ute Indian Tribe DOES NEED a copy of the Form 620. Please send the Form 620 via regular mail and be sure to INCLUDE THE FAX # of the company in order to receive a reply:

Alden Naranjo, NAGPRA Coordinator, P.O. Box 737, Mail Stop #73, Ignacio, Colorado 81137

If the applicant/tower builder receives no response from the Southern Ute Indian Tribe within 30 days AFTER YOU HAVE SENT THE FORM 620 to the Tribe (including color photographs and resumes), then the Southern Ute Indian Tribe has no interest in participating in pre-construction review for the site.

4. THPO Gordon Adams - Pawnee Nation of Oklahoma - Pawnee, OK - regular mail

Details: If the proposed site is in Kansas, the Pawnee Nation of Oklahoma is only concerned with sites in Kansas if the proposed site lies in the north central part of Kansas (north of the Kansas River and north of the Smoky Hill River). For all proposed sites, if the Applicant receives no response from the Pawnee Nation of Oklahoma within 30 days after notification through TCNS, the Pawnee Nation of Oklahoma has no interest in participating in pre-construction review for the site. The Applicant, however, must notify the Pawnee Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

5. THPO Assistant Kelly Glancy - Comanche Nation - Lawton, OK - regular mail

Details: The Comanche Nation Historic Preservation Office does not need to review the following types of projects; those that have already been evaluated by the Comanche Nation involving pre-existing above-ground feature additions or modifications (unless there is an increase in height), and those that have already been evaluated by the Comanche Nation within the city limits on a previously disturbed site.

If the proposed project does not meet one of the aforementioned conditions, the Comanche Nation Historic Preservation Office requires the following items; photographs taken of all 4 directions (north, south, east and west) from the center of the

project site (where possible), legal description of the proposed site (i.e.; section, range, township, etc.) and any existing archeological/environmental reports or surveys relating to the site. We do not require, but request that you provide us with an aerial view of the proposed site if possible.

Due to the heavy volume of requests, we can no longer accept email requests.

Please send all materials to the Comanche Nation Historic Preservation Office, C/O Kelly Glancy, #6 SW 'D' Avenue, Suite 'A', Lawton, Oklahoma 73502 via regular or express mail, with a \$500 review fee, per project (payable to the Comanche Nation Historic Preservation Office). Please note on the cashier's check/money order (or on an attachment), the TCNS Number/Project Name that the review fee is being provided for. Upon receipt of review fee, the Comanche Nation Historic Preservation Office will promptly respond to your review request. Other correspondence can be sent to the main P.O. Box 908, Lawton, Oklahoma 73502 address.

Note: If the Comanche Nation Office of Historic Preservation has commented previously on the project under requested review, inform us of the date in the body of the review request, and you will not be assessed a review fee. If you are in need of additional information you may contact us directly at (580) 595-9960 or 9618 for clarification. In addition, this messageserves as the 'Official' Notice from the Comanche Nation Historic Preservation Office and can be printed for your records, if necessary.

Thank you!

Sincerely,
Jimmy W. Arterberry, THPO

6. THPO Margaret Anquoe - Cheyenne-Arapaho Tribes of Oklahoma - Concho, OK - electronic mail and regular mail

7. Tribal Administrator Lyman Guy - Apache Tribe of Oklahoma - Anadarko, OK - electronic mail and regular mail
Details: The Apache Tribe of Oklahoma has no interest in participating in pre-construction review for this site. The Applicant, however, must notify the Apache Tribe of Oklahoma in the event archaeological properties or human remains are discovered during construction.

8. THPO Darlene Conrad - Northern Arapaho - Fort Washakie, WY - electronic mail

Details: The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects where the proposed antenna or tower will be collocated on an existing tower, building, or other structure (unless on the NRHP), or where the proposed tower will be constructed on already disturbed land like a parking lot.

The Northern Arapaho Tribe does not need to review proposed structures that are extensions in height of an already existing structure. The Northern Arapaho Tribe requests a site map for all projects that involve ground disturbance. Please send an archeological survey or site inventory for the area within 1/2 mile of APE. The Northern Arapaho Tribe requests a legal description of the proposed site (township, range, section and topo map name). The Northern Arapaho Tribe request a chronology if sites are within the 1/2 mile radius of the APE. The Northern Arapaho Tribe requests information of Native American tribes identified having traditional use within the 1/2 mile radius of the APE. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 281 in Kansas. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 283 in Nebraska. The Northern Arapaho Tribe is not interested in participating in pre-construction review on projects east of Hwy 63 in South Dakota.

There is a consultation fee of \$300 for review of the tower reports. Please make the \$300 check payable to 'The Northern Arapaho Tribe.' Write the words 'Northern Arapaho THPO' in the memo line on the check. Mail the check to 'The Northern Arapaho Tribe, THPO at P.O. Box 396, Fort Washakie, WY 82514.' Once the fee is received the project will be reviewed.

9. Cultural Rights & Protection Director Betsy L Chapoose - Ute Indian Tribe - Ft. Duchesne, UT - electronic mail and regular mail

10. THPO Conrad Fisher - Northern Cheyenne Tribe - Lame Deer, MT - electronic mail and regular mail

If the applicant/tower builder receives no response from the Northern Cheyenne Tribe within 30 days after notification through TCNS, the Northern Cheyenne Tribe has no interest in participating in pre-construction review for the proposed site.

The Applicant/tower builder, however, must immediately notify the Northern Cheyenne Tribe in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

The information you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA.

11. Deputy SHPO Carol Griffith - Arizona State Parks - Phoenix, AZ - electronic mail

12. Deputy SHPO William Collins - Arizona State Parks - Phoenix, AZ - electronic mail

13. SHPO Edward C Nichols - Colorado Historical Society - Denver, CO - regular mail

14. SHPO Bob L Blackburn - Oklahoma Historical Society - Oklahoma City, OK - regular mail

15. SHPO Wilson Martin - Utah State Historical Society - Salt Lake City, UT - electronic mail

16. Deputy SHPO Roger Roper - Utah State Historical Society - Salt Lake City, UT - electronic mail

17. Deputy SHPO Jim Dykman - Utah State Historical Society - Salt Lake City, UT - electronic mail

If you are proposing to construct a facility in the State of Alaska, you should contact Commission staff for guidance regarding your obligations in the event that Tribes do not respond to this notification within a reasonable time.

Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585
Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic mail form located on the FCC's website at:

<http://wireless.fcc.gov/outreach/notification/contact-fcc.html>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission



towernotifyinfo @fcc.go
v

01/04/2013 03:15 PM

To: BVNATCNSMail@VERITAS
cc: kim.pristello@fcc.gov, diane.dupert@fcc.gov
Subject: Confirmation - Referral of a Proposed Tower Construction Notification -
Email ID #3174509
Ref.:

Dear Amanda Cushing,

Your referral of a proposed tower structure notification has been successfully submitted via the Tower Construction Notification System. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Declaratory Ruling of October 6, 2005. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you provided in the referral of the tower you have proposed to construct:

Notification Received: 11/20/2012

Notification Referred: 01/04/2013

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

Entities Who Have Not Responded:

Ute Indian Tribe

First Contact Date: 11/22/2012

Second Contact Date: 12/24/2012

**Note that the FCC will assign a unique Notification ID number for a site where the initial contact was not made through TCNS. You will need to reference this Notification ID number when you update your project's Status with us.



towernotifyinfo @fcc.go
v

01/10/2013 07:04 AM

To: BVNATCNSMail@VERITAS
cc: Diane.Dupert@fcc.gov, Kim.Pristello@fcc.gov
Subject: Proposed Construction of Communications Facilities Notification of
Final Contacts - Email ID #11982
Ref.:

Mauna Towers, LLC
Amanda Cushing
165 South Union Blvd.
Suite 310
Lakewood, CO 80228

Dear Applicant:

This letter addresses the proposed communications facilities listed below that you have referred to the Federal Communications Commission (Commission) for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages (collectively Indian Tribes), and Native Hawaiian Organizations (NHOs), as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). Consistent with the procedures outlined in the Commission's recent Declaratory Ruling (1), we have contacted the Indian Tribes or NHOs identified in the attached Table for the projects listed in the attached Table. You referred these projects to us between 01/03/2013 and 01/10/2013. Our contact with these Indian Tribes or NHOs was sent on 01/10/2013.

Thus, as described in the Declaratory Ruling (2), if you or Commission staff do not receive a statement of interest regarding a particular project from any Tribe or NHO within 20 calendar days of 01/10/2013, your obligations under Section IV of the NPA with respect to these Indian Tribes or NHOs are complete(3). If an Indian Tribe or NHO responds that it is interested in participating within the 20 calendar day period, the Applicant must involve it in the review as set forth in the NPA, and may not begin construction until the process set forth in the NPA is completed.

You are reminded that Section IX of the NPA imposes independent obligations on an Applicant when a previously unidentified site that may be a historic property, including an archeological property, is discovered during construction or after the completion of review(4). In such instances, the Applicant must cease construction and promptly notify, among others, any potentially affected Indian Tribe or NHO. An Indian Tribe's or NHO's failure to express interest in participating in pre-construction review of an undertaking does not necessarily mean it is not interested in archeological properties or human remains that may inadvertently be discovered during

construction. Hence, an Applicant is still required to notify any potentially affected Indian Tribe or NHO of any such finds pursuant to Section IX or other applicable law.

Sincerely,
Dan Abeyta
Assistant Chief
Spectrum and Competition Policy Division
Wireless Telecommunications Bureau

1) See Clarification of Procedures for Participation of Federally Recognized Indian Tribes and Native Hawaiian Organizations Under the Nationwide Programmatic Agreement, Declaratory Ruling, FCC 05-176 (released October 6, 2005) (Declaratory Ruling).

2) Id S 8-10.

3) We note that, under the Declaratory Ruling, an expression of interest by an Indian Tribe or NHO addressed solely to the Commission staff during the 20-day period is sufficient even if it does not contact the Applicant.

4) Id at S 11.

LIST OF PROPOSED COMMUNICATIONS TOWERS

TCNS# 90535 Referred Date: 01/04/2013 Location: 10888 Highway 93,
Arvada, CO
Tribe Name: Ute Indian Tribe

TCNS# 90538 Referred Date: 01/04/2013 Location: 10888 Highway 93,
Arvada, CO
Tribe Name: Ute Indian Tribe

LEGEND:

* - Notification numbers are assigned by the Commission staff for sites where initial contact was not made through TCNS.



towernotifyinfo @fcc.go
v

11/29/2012 08:21 AM

To: BVNATCNSMail@VERITAS
cc: tcns.fccarchive@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 90535) - Email ID #3156027
Ref.:

Dear Amanda Cushing,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Margaret Anquoe of the Cheyenne-Arapaho Tribes of Oklahoma in reference to Notification ID #90535:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

Margaret Anquoe
405-422-7630
manquoe@c-a-tribes.org

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

Notification Received: 11/20/2012
Notification ID: 90535
Tower Owner Individual or Entity Name: Mauna Towers, LLC
Consultant Name: Amanda Cushing
Street Address: 165 South Union Blvd.
Suite 310
City: Lakewood
State: COLORADO
Zip Code: 80228
Phone: 303-988-2585
Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes
Latitude: 39 deg 53 min 30.9 sec N
Longitude: 105 deg 14 min 19.2 sec W
Location Description: 10888 Highway 93
City: Arvada
State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level



towernotifyinfo @fcc.go
v

12/12/2012 08:01 AM

To: BVNATCNSMail@VERITAS
cc: tcns.fccarchive@fcc.gov, dykehousej@gmail.com
Subject: Reply to Proposed Tower Structure (Notification ID: 90535) - Email ID #3162966
Ref.:

Dear Amanda Cushing,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Tribal Historic Preservation Office Aide Joanna Dykehouse of the Jicarilla Apache Nation in reference to Notification ID #90535:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

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

Notification Received: 11/20/2012

Notification ID: 90535

Tower Owner Individual or Entity Name: Mauna Towers, LLC

Consultant Name: Amanda Cushing

Street Address: 165 South Union Blvd.

Suite 310

City: Lakewood

State: COLORADO

Zip Code: 80228

Phone: 303-988-2585

Email: BVNATCNS@us.bureauveritas.com

Structure Type: GTOWER - Guyed Structure Used for Communication Purposes

Latitude: 39 deg 53 min 30.9 sec N

Longitude: 105 deg 14 min 19.2 sec W

Location Description: 10888 Highway 93

City: Arvada

State: COLORADO

County: JEFFERSON

Ground Elevation: 1885.0 meters

Support Structure: 45.7 meters above ground level

Overall Structure: 45.7 meters above ground level

Overall Height AMSL: 1930.7 meters above mean sea level

Hoinon'ainino'

Northern Arapaho Tribe TRIBAL HISTORIC PRESERVATION OFFICE

P.O. Box 396 - Ft. Washakie, Wyoming 82514 - PH: 307.856.1628 - narapahothpo_2009@ymail.com

Date: January 14, 2013

Address Amanda Cushing, Project Manager
Rocky Mountain Region
Bureau Veritas
165 South Union Blvd, Suite 310
Lakewood, CO 80228
PH-303-988-2585 Fax 303-988-2583

Review Request for Proposed Two(2) guyed 150 ft high lattice radio towers and 10'X12' equipment shelter and excavation of 188 ft. long utility line trench located in Sec.9, T2S,R70W of the 6th Principal Meridian , (2.82 acres) Jefferson County, CO
Site Name: Mauna Towers- West Tower and Mauna Towers-East.

TCNS # 90538 and TCNS # 90535

The Northern Arapaho THPO has reviewed your Consultation Request under the National Historic Preservation Act, Section 106 regarding the proposed project and offer the following response:

NO EFFECT - The THPO has determined that there are no traditional cultural properties of religious and cultural significance to the Northern Arapaho that are within the area of potential effect .

If any traditional cultural properties or human remains are found during excavation, please contact our office and provide a report.

Thank you for consulting with the Northern Arapaho Tribe and providing the Cultural Resource Inventory for review.


Darlene Conrad,
Tribal Historic Preservation Officer

Comanche Nation Office of Historic Preservation



Amanda Cushing
Bureau Veritas
165 South Union Blvd., Suite 310
Lakewood, CO 80228

January 3, 2013

Re: TCNS # 90535 (Site: Mauna Towers- East)

Dear Ms. Cushing:

In response to your request, the above referenced project has been reviewed by staff of this office. Based on the information provided and a search within the Comanche Nation Site Files, we have determined that the following undertaking will have *no effect* on National Register eligible or listed properties as defined in 36 CFR 800.16 (i).

If you require additional information or are in need of further assistance, please contact this office at (580) 595-9960 or 9618.

This review is performed in order to locate, record, and preserve the Comanche Nation and State's prehistoric and historic cultural heritage, in cooperation with the State Historic Preservation Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Glancy". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kelly Glancy, HPO Assistant
Tribal Historic Preservation Office
Comanche Nation

APPENDIX C
TCNS CERTIFICATION

TCNS Certification

Site Name: Mauna Towers – East Tower

TCNS # 90535

All notified Tribes either responded that no issues existed with the proposed action or communication was referred to the FCC through the TCNS system and the appropriate waiting time has expired.

This also certifies that should I receive in the future any Tribal request regarding this site, I will notify you immediately.

Date: March 13, 2013

Consultant Name/Address: Bureau Veritas North America, Inc.
165 South Union Boulevard, Suite 310
Lakewood, Colorado 80228