

## **Statement of Sutro Tower, Inc. Regarding Environmental Impact and Permitting**

The subject transmitter site and proposed facility for this application is located at the Sutro Tower shared antenna tower facility and site located on Mt. Sutro in the City and County of San Francisco, California, with its base at an elevation of 834 feet above sea level, supporting a 977 foot (297.7 meter) tall self-supporting tower structure. Sutro Tower is an existing antenna tower structure with FCC antenna structure registration number 1001289 and Federal Aviation Administration (FAA) tower authorization clearance, pursuant to original FCC and FAA construction authority.

Applicant's proposed facility and construction, both in itself, and in conjunction with other concurrent post-spectrum auction repacking of broadcasters located at Sutro Tower, will have no significant environmental impact pursuant to the National Environmental Policy Act (NEPA) and FCC regulations, such that neither an Environmental Impact Statement (EIS) nor Environmental Assessment (EA), must be prepared or filed pursuant to NEPA and FCC regulations. Specifically, this application and applicant's proposed facility involve no circumstances or Commission actions covered by FCC rules requiring an EA (47 C.F.R. Section 1.1307(a) and (b)), are deemed individually and cumulatively to have no significant effect on the quality of the human environment, and are categorically excluded from environmental processing, in that they consist solely of actions and applications described as such by 47 C.F.R. Section 1.1306(b). In substance, applicant's proposed facility is for repacking-driven replacement facilities solely on the existing, previously approved Sutro Tower antenna structure, involving no change to the Tower site, nor increase in Tower height, size or profile, no high intensity lighting, and no human exposure to radio frequency (RF) radiation in excess of the safety standards specified in applicable FCC rules.

RF Exposure Control. Applicant's proposed facility will continue to comply with applicable safety standards for human exposure to radio frequency radiation as specified in FCC rules, 47 C.F.R. Section 1.1307(b), including with respect to members of the public, occupational exposures, and persons authorized access to the transmitter site. RF safety measures include a complete ground-level perimeter security fence around the Tower site preventing public access, with only a single point of authorized entry having security-guard manning on a 24 hour, 7 day, 365 day basis. For occupational and onsite exposure, Sutro Tower has a suite of RF exposure controls in coordination with all site users including RF signage; controlled access to the single elevator which enables workers to be on the Tower above ground level; training of all Tower workers in RF safety protocols; contractor prequalification requirements including for RF safety and Tower safety rules; operating protocols such as broadcast power reduction or ceasing operation and switching to auxiliary antenna broadcasting when workers are on relevant areas of the Tower; RF safety and standards compliance requirements in all Tower user leases, licenses and contractor agreements; and a periodic RF safety measurement program testing numerous locations both onsite, and offsite in the Tower vicinity, conducted by an independent RF engineer in accordance with testing protocols also developed by an independent RF engineering firm.

RF Certification. Applicant certifies the proposed facilities will be in compliance with the applicable RF human exposure limits specified in FCC rules, 47 CFR 1.1310 and 2.1093. Applicant certifies that it, in coordination with other users of the Sutro Tower transmitter site,

will reduce power or cease operation, as necessary to protect persons having access to the site, transmitter and antenna from RF electromagnetic exposure in excess of FCC guidelines.

### **Local Land Use and Environmental Compliance**

As noted above, no Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required for this application or proposed facility pursuant to NEPA and FCC rules including 47 C.F.R. Subpart I (NEPA Implementation) and in particular, Section 1.1306(b). However, we note for informational purposes that the proposed facility in conjunction with other concurrent post-auction spectrum repacking affecting the numerous full power TV broadcast stations operating from Sutro Tower, is subject to compliance with the applicable California Environmental Quality Act (CEQA) and local land use and permitting requirements of the City and County of San Francisco. Sutro Tower is located in an RH-1-(D), residentially oriented zoning district in the central city, existing as a conditionally permitted use pursuant to San Francisco Planning Commission Resolution No. 5967 and Resolution No. 11399, such that any and all San Francisco city building permit applications regarding Sutro Tower, its transmission equipment Building or any part of its site including the Tower are subject to fully discretionary review by the San Francisco Planning Commission prior to permit issuance. Permit approvals by the San Francisco Planning Commission are subject to appeal to the City's governing, popularly elected Board of Supervisors and/or the Board of Permit Appeals.

Applicant's proposed facility and the entire Sutro Tower post-auction spectrum repacking project involve no increase in Tower height, size, profile or overall RF emissions exposure intensity (onsite or offsite). In fact the environmental impact of the current operation of Sutro Tower is expected instead to decrease after completion of the spectrum repacking project. In view of the lack of significant environmental impact, it is anticipated that state and local CEQA environmental review requirements for the project may be addressed through preparation of an Addendum to a prior local Environmental Impact Report for Sutro Tower work, for which requisite local San Francisco permits were issued. In any event, the necessary CEQA environmental and local land use and permitting requirements for the project in San Francisco may involve timing which will not be within applicant's or the site owner Sutro Tower's control, in the final issuance of necessary local San Francisco construction and installation permits