

ATTACHMENT 5. NATIVE AMERICAN CONSULTATIONS

[Fwd: Proposed Tower Structure Info - Email ID #2320031]

Subject: [Fwd: Proposed Tower Structure Info - Email ID #2320031]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Mon, 12 Oct 2009 11:28:10 -0400
To: Josh Arritt <jarritt@vt.edu>

Josh,

Another in the spam this morning !

JJ

----- Original Message -----
Subject: Proposed Tower Structure Info - Email ID #2320031
Date: Fri, 9 Oct 2009 18:03:31 -0400 (EDT)
From: towernotifyinfo@fcc.gov
To: jlargen@wheelerbroadcasting.com

Dear J J Largen,

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: 10/09/2009

Notification ID: 56906
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargen@wheelerbroadcasting.com

Structure Type: CTOWER - Guyed Tower
Latitude: 37 deg 18 min 09.1 sec N
Longitude: 090 deg 02 min 31.7 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 326.4 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 444.7 meters above mean sea level

Please think before you print this e-mail.

The information contained in this e-mail message, including any attachments, is intended only for use of the individual or entity named above (addressee). This e-mail may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, any disclosure, dissemination, distribution, copying or other use of the communication or its substance is prohibited. If you have received this e-mail in error, please reply to this e-mail indicating you are not the intended recipient and

[Fwd: Proposed Tower Structure Info - Email ID #2320031]

immediately destroy all copies of this e-mail. Receipt by anyone other than the intended recipient is not a waiver of any privileged information.

[Fwd: Proposed Tower Structure Info - Email ID #2320030]

Subject: [Fwd: Proposed Tower Structure Info - Email ID #2320030]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Mon, 12 Oct 2009 11:27:38 -0400
To: Josh Arritt <jarritt@vt.edu>

Josh,

Found this in my spam this morning.....

JJ

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

Subject: Proposed Tower Structure Info - Email ID #2320030
Date: Fri, 9 Oct 2009 17:58:46 -0400 (EDT)
From: towernotifyinfo@fcc.gov
To: jlargen@wheelerbroadcasting.com

Dear J J Largen,

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: 10/09/2009

Notification ID: 56905
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargen@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 15.7 sec N
Longitude: 080 deg 02 min 27.2 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 335.3 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 453.6 meters above mean sea level

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[Fwd: Proposed Tower Structure Info - Email ID #2320030]

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[Fwd: Reply to Proposed Tower Structure (Notification ID: 56906) - ...

Subject: [Fwd: Reply to Proposed Tower Structure (Notification ID: 56906) - Email ID #2325068]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Fri, 16 Oct 2009 13:35:03 -0400
To: Josh Arritt <jarritt@vt.edu>

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

Subject: Reply to Proposed Tower Structure (Notification ID: 56906) - Email ID #2325068
Date: Fri, 16 Oct 2009 11:27:39 -0400 (EDT)
From: towernotifvinfo@fcc.gov
To: jjlargen@wheelerbroadcasting.com
CC: tcns.fccarchive@fcc.gov

Dear J J Largen,

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 Administrative Assistant Jo Ann Beckham of the Eastern Shawnee Tribe of Oklahoma in reference to Notification ID #56906:

October 16, 2009

To Whom It May Concern:

Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. At present, the Eastern Shawnee Tribe does not wish to participate as a consulting party on the above referenced project(s). However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,

Jo Ann Beckham, Administrative Assistant Eastern Shawnee Tribe of Oklahoma

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

Notification Received: 10/09/2009
Notification ID: 56906
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018

[Fwd: Reply to Proposed Tower Structure (Notification ID: 56906) - ...

Phone: 540-774-9200

Email: jlargen@wheelerbroadcasting.com

Structure Type: GTCWER - Guyed Tower

Latitude: 37 deg 18 min 9.1 sec N

Longitude: 80 deg 2 min 31.7 sec W

Location Description: 1002 Newman Drive

City: Salem

State: VIRGINIA

County: SALEM CITY

Ground Elevation: 326.4 meters

Support Structure: 118.3 meters above ground level

Overall Structure: 118.3 meters above ground level

Overall Height AMSL: 444.7 meters above mean sea level

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Fwd: Reply to Proposed Tower Structure (Notification ID: 56905) - ...

Subject: [Fwd: Reply to Proposed Tower Structure (Notification ID: 56905) - Email ID #2325069]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Fri, 16 Oct 2009 13:34:47 -0400
To: Josh Arritt <jarritt@vt.edu>

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

Subject: Reply to Proposed Tower Structure (Notification ID: 56905) - Email ID #2325069
Date: Fri, 16 Oct 2009 11:27:39 -0400 (EDT)
From: towernotifyinfo@fcc.gov
To: jlargen@wheelerbroadcasting.com
CC: tcns.fccarchive@fcc.gov

Dear J J Largen,

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October 16, 2009

To Whom It May Concern:

Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. At present, the Eastern Shawnee Tribe does not wish to participate as a consulting party on the above referenced project(s). However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,
Jo Ann Beckham, Administrative Assistant Eastern Shawnee Tribe of Oklahoma

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

Notification Received: 10/09/2009
Notification ID: 56905
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018

Fwd: Reply to Proposed Tower Structure (Notification ID: 56905) - ...

Phone: 540-774-9200
Email: jlargen@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 15.7 sec N
Longitude: 80 deg 2 min 27.2 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
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Overall Structure: 118.3 meters above ground level
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Subject: [Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2321066]

From: JJ Largen <jlargen@wheelerbroadcasting.com>

Date: Fri, 16 Oct 2009 09:13:30 -0400

To: Josh Arritt <jarritt@vt.edu>

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

Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2321066

Date: Fri, 16 Oct 2009 03:00:45 -0400 (EDT)

From: tcwernotifyinfo@fcc.gov

To: jlargen@wheelerbroadcasting.com

CC: kim.pristello@fcc.gov, diane.dupert@fcc.gov

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. Chief Leo R Henry - Tuscarora Nation - Via: Lewiston, NY - regular mail
Details: If the Applicant/tower builder receives no response from the Tuscarora Nation within 30 days after notification through TCNS, the Tuscarora Nation has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Tuscarora Nation in the event

archaeological properties or human remains are discovered during construction.

2. Policy Analyst Richard L Allen - Cherokee Nation - Tahlequah, OK - electronic mail
Details: The TCNS Details do not provide me enough information to conduct a proper assessment of the projects on behalf of the Cherokee Nation. Therefore, I request that I be sent a brief summary of the Phase I findings [please try to limit the summary to between 1-10 pages], a topo of the area, and relevant photos. Please send these by email to rallen@cherokee.org. Please treat this request for additional material as a routine supplement to the TCNS Details Notification for each of your projects that fall within our Tribe's areas of geographic interest. Consequently, if you do not receive a response from me within 30 days from the date on which you e-mailed the supplemental items to me, you may move forward with the 20-Day Letter procedures pursuant to the FCC's guidelines. Thank you. -- Dr. Richard L. Allen

3. Administrative Assistant Jo Ann Beckham - Eastern Shawnee Tribe of Oklahoma - Seneca, MO - electronic mail
Details: If you, the Applicant and/or tower constructor, do not receive a response from us, the Eastern Shawnee Tribe of Oklahoma, within 30 days from the date of the TCNS notification, then you may conclude that we do not have an interest in the site. However, if archeological resources or remains are found during construction, you must immediately stop construction and notify us of your findings in accordance with the FCC's rules. (See 47 C.F.R. § 1.1312(d))

4. THPO Kim Jumper - Shawnee Tribe - Miami, OK - regular mail
Details: THIS IS YOUR OFFICIAL NOTICE THAT THE SHAWNEE TRIBE IS INTERESTED IN CONSULTING ON ALL PROJECTS BUILT IN OUR AREAS OF GEOGRAPHIC INTEREST.

ATTENTION, NEW INFORMATION: Our procedures were updated on 14 January 2008. Please call Kim Jumper, THPO, at 918-542-2441, so that she can send you a copy.

If your tower is a co-location, please fax us this information to let us know. We cannot always tell from the TCNS web site that a tower is a co-location. We require a written response from you to let us know that it is a co-location. If a co-location project includes some new ground disturbance (such as from an expanded compound or access road, or construction of an ancillary structure), the Shawnee Tribe treats such a project the same as any other non co-location project.
Our correct mailing/physical address is: 29 South Highway 69A. Our correct phone number is (918-542-2441) and our historic preservation fax line is (918-542-9913).
THPO Kim Jumper manages all cell tower consultation.

As of 26 June 2006, all of the faxed responses of our final comments on a tower site will contain an original Shawnee Tribe signature. Each final comment fax is signed individually. Copies may be compared, for authentication, against the original in our files. If a final comment fax does not contain a signature, it is not valid. ALL FINAL COMMENTS FROM THE SHAWNEE TRIBE ARE WRITTEN; FINAL COMMENTS ARE NEVER PROVIDED VERBALLY. IF THE SHAWNEE TRIBE IS CREDITED WITH HAVING GIVEN A VERBAL RESPONSE, THAT RESPONSE IS NOT VALID.

If you receive notification through the TCNS listing the Shawnee Tribe, that is an indication that the Shawnee Tribe is interested in consulting on the tower for which that notification was received. Please consider that our official indication of interest to you. The Shawnee Tribe considers the Tower Construction Notification System's weekly e-mail to be the first notification that we receive that a tower will be constructed in an area of our concern. We do not view the TCNS notifications as completion of 106 consultation obligations.

The Shawnee Tribe has developed streamlined consultation procedures for cell tower developers and their subcontractors. If you do not have a copy of the procedures - most recently updated on 14 January 2008 - please contact us, as you must follow these procedures to consult with us on cell tower projects. Call us at 918-542-2441 or fax

Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT P...

us at 918-542-9915. It is the tower builder's responsibility to make sure that you have our most recent consultation procedures.

PLEASE DO NOT SEND US INFORMATION, QUERIES, OR COMMENTS ELECTRONICALLY. SINCE 1 DECEMBER 2005, WE HAVE NOT HANDLED ANY CELL TOWER CONSULTATION, INQUIRIES, OR CORRESPONDENCE VIA E-MAIL.

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 TEPO, 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.

5. Environmental Review Coordinator Renee Gledhill Earley - NC State Historic Preservation Office - Raleigh, NC - electronic mail
6. Deputy SHPO David Brook - Historic Preservation Office - Raleigh, NC - electronic mail
7. Manager - Office of Review & Compliance Ethel R Eaton PhD - Department of Historic Resources - Richmond, VA - electronic mail
8. Deputy SHPO Susan Pierce - West Virginia Division of Culture & History, Historic Preservation Office - Charleston, WV - electronic mail
9. Director Julie Langan - Virginia Department of Historic Resources - Richmond, VA - electronic mail

[Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT P...

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: 10/09/2009
Notification ID: 56906
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largent
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargent@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 9.1 sec N
Longitude: 80 deg 2 min 31.7 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 326.4 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 444.7 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

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Subject: [Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2321059]

From: JJ Largen <jlargen@wheelerbroadcasting.com>

Date: Fri, 16 Oct 2009 09:13:11 -0400

To: Josh Arritt <jarritt@vt.edu>

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

Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2321059

Date: Fri, 16 Oct 2009 03:00:45 -0400 (EDT)

From: towernotifyinfo@fcc.gov

To: jlargen@wheelerbroadcasting.com

CC: kim.pristello@fcc.gov, diane.dupert@fcc.gov

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).

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1. Chief Leo R Henry - Tuscarora Nation - Via: Lewiston, NY - regular mail
Details: If the Applicant/tower builder receives no response from the Tuscarora Nation within 30 days after notification through TCNS, the Tuscarora Nation has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Tuscarora Nation in the event

archaeological properties or human remains are discovered during construction.

2. Policy Analyst Richard L Allen - Cherokee Nation - Tahlequah, OK - electronic mail
Details: The TCNS Details do not provide me enough information to conduct a proper assessment of the projects on behalf of the Cherokee Nation. Therefore, I request that I be sent a brief summary of the Phase I findings [please try to limit the summary to between 1-10 pages], a topo of the area, and relevant photos. Please send these by email to rallen@cherokee.org. Please treat this request for additional material as a routine supplement to the TCNS Details Notification for each of your projects that fall within our Tribe's areas of geographic interest. Consequently, if you do not receive a response from me within 30 days from the date on which you e-mailed the supplemental items to me, you may move forward with the 20-Day Letter procedures pursuant to the FCC's guidelines. Thank you. -- Dr. Richard L. Allen

3. Administrative Assistant Jo Ann Beckham - Eastern Shawnee Tribe of Oklahoma - Seneca, MO - electronic mail
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4. THPO Kim Jumper - Shawnee Tribe - Miami, OK - regular mail
Details: THIS IS YOUR OFFICIAL NOTICE THAT THE SHAWNEE TRIBE IS INTERESTED IN CONSULTING ON ALL PROJECTS BUILT IN OUR AREAS OF GEOGRAPHIC INTEREST.

ATTENTION, NEW INFORMATION: Our procedures were updated on 14 January 2008. Please call Kim Jumper, THPO, at 918-542-2441, so that she can send you a copy.

If your tower is a co-location, please fax us this information to let us know. We cannot always tell from the TCNS web site that a tower is a co-location. We require a written response from you to let us know that it is a co-location. If a co-location project includes some new ground disturbance (such as from an expanded compound or access road, or construction of an ancillary structure), the Shawnee Tribe treats such a project the same as any other non co-location project. Our correct mailing/physical address is: 29 South Highway 69A. Our correct phone number is (918-542-2441) and our historic preservation fax line is (918-542-9915). THPO Kim Jumper manages all cell tower consultation.

As of 26 June 2006, all of the faxed responses of our final comments on a tower site will contain an original Shawnee Tribe signature. Each final comment fax is signed individually. Copies may be compared, for authentication, against the original in our files. If a final comment fax does not contain a signature, it is not valid. ALL FINAL COMMENTS FROM THE SHAWNEE TRIBE ARE WRITTEN; FINAL COMMENTS ARE NEVER PROVIDED VERBALLY. IF THE SHAWNEE TRIBE IS CREDITED WITH HAVING GIVEN A VERRAL RESPONSE, THAT RESPONSE IS NOT VALID.

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Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT P...

us at 918-542-9915. It is the tower builder's responsibility to make sure that you have our most recent consultation procedures.

PLEASE DO NOT SEND US INFORMATION, QUERIES, OR COMMENTS ELECTRONICALLY. SINCE 1 DECEMBER 2005, WE HAVE NOT HANDLED ANY CELL TOWER CONSULTATION, INQUIRIES, OR CORRESPONDENCE VIA E-MAIL.

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 IRPO, 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.E). 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.

5. Environmental Review Coordinator Renee GledhillEarley - NC State Historic Preservation Office - Raleigh, NC - electronic mail

6. Deputy SHPO David Brook - Historic Preservation Office - Raleigh, NC - electronic mail

7. Manager - Office of Review & Compliance Ethel R Eaton PhD - Department of Historic Resources - Richmond, VA - electronic mail

8. Deputy SHPO Susan Pierce - West Virginia Division of Culture & History, Historic Preservation Office - Charleston, WV - electronic mail

9. Director Julie Langan - Virginia Department of Historic Resources - Richmond, VA - electronic mail

Fwd: NOTICE OF ORGANIZATION(S) WHICH WERE SENT P...

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: 10/09/2009
Notification ID: 56905
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargen@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 15.7 sec N
Longitude: 80 deg 2 min 27.2 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 335.3 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 453.6 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

Please think before you print this e-mail.

The information contained in this e-mail message, including any attachments, is intended only for use of the individual or entity named above (addressee). This e-mail may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, any disclosure, dissemination, distribution, copying or other use of the communication or its substance is prohibited. If you have received this e-mail in error, please reply to this e-mail indicating you are not the intended recipient and immediately destroy all copies of this e-mail. Receipt by anyone other than the intended recipient is not a waiver of any privileged information.

Subject: [Fwd: Reply to Proposed Tower Structure (Notification ID: 56906) - Email ID #2329150]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Fri, 23 Oct 2009 09:02:04 -0400
To: Josh Arritt <jarritt@vt.edu>

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

Subject: Reply to Proposed Tower Structure (Notification ID: 56906) - Email ID #2329150
Date: Thu, 22 Oct 2009 17:37:44 -0400 (EDT)
From: lowernotifyinfo@fcc.gov
To: jlargen@wheelerbroadcasting.com
CC: tcns.fccarchive@fcc.gov

Dear J J Largen,

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 Kim Jumper of the Shawnee Tribe in reference to Notification ID #56906:

WE HAVE UPDATED OUR PROCEDURES FOR 2008 (EFFECTIVE 1-14-08). PLEASE MAKE SURE THAT YOU HAVE RECEIVED AND READ A COPY OF OUR UPDATED PROCEDURES .
Please use only the following address when sending materials to us:

Please use this fax number to contact us: 918-542-9915. Please do not contact us via e-mail.

SHAWNEE TRIBE
ATT: KIM JUMPER
HISTORIC PRESERVATION DEPT.
29 SOUTH HIGHWAY 69A
MIAMI, OK 74354

The Shawnee Tribe is interested in consulting on this tower, as we are in all towers in this geographic area. Ms. Kim Jumper is our manager for cell tower consultation. Please contact Kim Jumper, Asst. THPO, at 918-542-2441 if you have any questions on this or any other TCNS project.

For this particular tower to which we are responding, please follow our consultation procedures. If this tower is a CO-LOCATION, please fax us and let us know. We cannot always reliably tell from the TCNS web site when a tower is a co-location.

PLEASE, when you are mailing us regarding a cell tower, be sure to put Kim Jumper's name and Historic Preservation Department in the address. If you send any mailing just generally to the Shawnee Tribe, without including the name and department, several days or more may pass before the mailing is properly directed. In the event that you are building another tower in this state and you did not receive a response from us through the TCNS, it is because the project was omitted from the TCNS web site, as we respond to ALL towers listed in our geographic areas on that web site. We take this opportunity to remind you that, even if a tower has been omitted from the TCNS web site, as occasionally happens, we are still interested in consulting on it.

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

Notification Received: 10/09/2009
Notification ID: 56906
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largen
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargen@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 9.1 sec N
Longitude: 80 deg 2 min 31.7 sec W
Location Description: 1002 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 326.4 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 444.7 meters above mean sea level

Fwd: Reply to Proposed Tower Structure (Notification ID: 56905) - ...

Subject: [Fwd: Reply to Proposed Tower Structure (Notification ID: 56905) - Email ID #2329151]
From: JJ Largen <jlargen@wheelerbroadcasting.com>
Date: Fri, 23 Oct 2009 09:02:59 -0400
To: Josh Arritt <jarritt@vt.edu>

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

Subject: Reply to Proposed Tower Structure (Notification ID: 56905) - Email ID #2329151
Date: Thu, 22 Oct 2009 17:37:44 -0400 (EDT)
From: towernotifyinfo@fcc.gov
To: jjlargen@wheelerbroadcasting.com
CC: tcns.fccarchive@fcc.gov

Dear J J Largen,

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 Kim Jumper of the Shawnee Tribe in reference to Notification ID #56905:

WE HAVE UPDATED OUR PROCEDURES FOR 2008 (EFFECTIVE 1-14-08). PLEASE MAKE SURE THAT YOU HAVE RECEIVED AND READ A COPY OF OUR UPDATED PROCEDURES . Please use only the following address when sending materials to us:

Please use this fax number to contact us: 918-542-9915. Please do not contact us via e-mail.

SHAWNEE TRIBE
ATT: KIM JUMPER
HISTORIC PRESERVATION DEPT.
29 SOUTH HIGHWAY 69A
MIRMI, OK 74354

The Shawnee Tribe is interested in consulting on this tower, as we are in all towers in this geographic area. Ms. Kim Jumper is our manager for cell tower consultation. Please contact Kim Jumper, Asst. THPO, at 918-542-2441 if you have any questions on this or any other TCNS project.

For this particular tower to which we are responding, please follow our consultation procedures. If this tower is a CO-LOCATION, please fax us and let us know. We cannot always reliably tell from the TCNS web site when a tower is a co-location.

PLEASE, when you are mailing us regarding a cell tower, be sure to put Kim Jumper's name and Historic Preservation Department in the address. If you send any mailing just generally to the Shawnee Tribe, without including the name and department, several days or more may pass before the mailing is properly directed. In the event that you are building another tower in this state and you did not receive a response from us through the TCNS, it is because the project was omitted from the TCNS web site, as we respond to ALL towers listed in our geographic areas on that web site. We take this opportunity to remind you that, even if a tower has been omitted from the TCNS web site, as occasionally happens, we are still interested in consulting on it.

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

Notification Received: 10/09/2009
Notification ID: 56905
Tower Owner Individual or Entity Name: Mel Wheeler Inc.
Consultant Name: J J Largent
Street Address: 3934 Electric Road S. W.
City: Roanoke
State: VIRGINIA
Zip Code: 24018
Phone: 540-774-9200
Email: jlargent@wheelerbroadcasting.com

Structure Type: GTOWER - Guyed Tower
Latitude: 37 deg 18 min 15.7 sec N
Longitude: 80 deg 2 min 27.2 sec W
Location Description: 1302 Newman Drive
City: Salem
State: VIRGINIA
County: SALEM CITY
Ground Elevation: 335.3 meters
Support Structure: 118.3 meters above ground level
Overall Structure: 118.3 meters above ground level
Overall Height AMSL: 453.6 meters above mean sea level

'E: TCNS 56905, 56906 WVBE(AM) Salem VA

Subject: RE: TCNS 56905, 56906 WVBE(AM) Salem VA

From: Richard Allen <Richard-Allen@cherokee.org>

Date: Mon, 16 Nov 2009 09:57:53 -0600

To: "Joshua M. Arritt" <jarritt@vt.edu>

The Cherokee Nation has no knowledge of any historic, cultural or sacred sites within the affected area. Should any ground disturbance reveal an archaeological site or human remains, we ask that the all activity cease immediately and the Cherokee Nation and other appropriate agencies be contacted immediately.

Thank you,

Dr. Richard L. Allen
Policy Analyst
Cherokee Nation
P.O. Box 948
Tahlequah, Oklahoma 74465
(918) 453-5466 (office)
(918) 822-2707 (cell)
(918) 458-5898 (fax)

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

From: Joshua M. Arritt [<mailto:jarritt@vt.edu>]

Sent: Friday, November 06, 2009 12:49 PM

To: Richard Allen

Subject: TCNS 56905, 56906 WVBE(AM) Salem VA

Dr. Allen,

Please find attached the additional information you requested in response to our TCNS postings (ID: 56905, 56906). These towers are co-located on the same site, and this packet shows information pertaining to both -- one tower is a move/replacement of an existing tower. The other is a new tower. Please let me know if I can provide further assistance in your evaluation.

Respectfully,

- Josh Arritt
RF Systems Engineer, Mel Wheeler Inc.



SHAWNEE TRIBE
 HISTORIC PRESERVATION DEPARTMENT
 29 SOUTH HIGHWAY 69A
 MIAMI, OKLAHOMA 74354
 918 ^ 542 ^ 2441 PHONE 918 ^ 542 ^ 9915 FAX

FACSIMILE COVER PAGE

To: Lisa FROM: Kim Jumper
 FIRM/AGENCY: Stokes Enviro. DATE/TIME: 1/06/10
 FAX NUMBER: 757-623-2785 NO. OF PAGES, INCLUDING COVER: 1
 PHONE NUMBER: _____ MEMO: 56905, 56906

Message: The Shawnee Tribe's Tribal Historic Preservation Officer concurs that no known historic properties will be negatively impacted by construction of this tower site (see memo line above for TCNS number/s). The Shawnee Tribe's archives do not reveal any issues of concern at this tower location. In the event that archaeological materials are encountered later during construction, use, or maintenance of this tower location, please re-notify us at that time as we would like to resume consultation under such a circumstance.

The Shawnee Tribe's Environmental and Natural Resources Department takes this opportunity to express its concerns that telecommunication towers can have a potentially destructive impact on bats and migratory birds, particularly those that migrate at night, including species listed as threatened and endangered by both states and the federal government, as well as other species. The Shawnee Tribe suggests that this tower be constructed in accordance with the guidelines available from the US Fish and Wildlife Service to reduce the adverse effects of telecommunications towers on migratory birds; these guidelines may be found at: www.fws.gov/migratorybirds/issues/towers/commtow.html.

The Shawnee Tribe's Environmental and Natural Resources Department is further concerned that the proliferation of cell towers may play a role in honey bee Colony Collapse Disorder. We acknowledge that cell phone technology may not be to blame, especially by itself, as other potential causative factors for the decline have been noted, such as insecticides, tracheal and varroa mites (an immunosuppressant), other parasites, pesticides used on hives to eliminate parasites, genetically modified plants, *Nosema* fungus, Israeli Acute Paralysis Virus (IAPV) perhaps introduced from Australia in 2004, Kashmir Bee Virus (KBV), climate change, and drought.

Finally, the Shawnee Tribe's Environmental and Natural Resources Department requests that cell tower sites, whenever remotely feasible, be restored to native vegetation. In all cases, habitat restoration can protect a variety of species even in small project areas. The large number of cell tower sites provides an as yet unrealized opportunity for region-wide habitat restoration. The Tribe urges the cell phone industry to provide a model for native habitat restoration for other industries.

Please do not hesitate to call us for additional comment.
