

**EXHIBIT 44**  
**ENVIRONMENTAL STATEMENT**  
**KLSR-DT 88 KW (MAX-DA) 372 M HAAT CH. 31**  
**EUGENE, OREGON**

The applicant, California Oregon Broadcasting, Inc., requests authority to modify its outstanding construction permit for digital television (DTV) station KLSR-DT, Channel 31, Eugene, Oregon, BPCDT-19991101AEZ, for a change in location and antenna type and a reduction in radiation center height and effective radiated power (ERP). The construction permit modifications specified in this application reflect the current STA facility with 11.7 dB more power, BDSTA-20021011ABY. The KLSR-DT facility authorization as modified remains categorically excluded from environmental processing by Section 1.1306 of the Commission's rules since the station does not involve a site location as described in Section 1.1307(a) and does not exceed the safety standards for human exposure to radio-frequency (RF) energy in Section 1.1307(b) as described below. Therefore, the KLSR-DT facility is deemed not to have a significant effect on the quality of the human environment under Section 1.1307 and does not require an environmental assessment.

The Channel 31 facility of KLSR-DT will not result in RF contributions exceeding the *RF Radiation Exposure Limits* specified in Section 1.1310 of the Commission's rules. The constructed facility will involve a directional, horizontally polarized, UHF antenna and a maximum effective radiated power (ERP) of 88 kW. The maximum permissible exposure (MPE) limits for Channel 31, at the bottom frequency of 572 MHz, are 381.33  $\mu\text{W}/\text{cm}^2$  for general (uncontrolled) exposure and 1,906.67  $\mu\text{W}/\text{cm}^2$  for occupational (controlled) exposure. Compliance with these limits was established based on a "worst case" estimation of ground level power density using the EPA prediction method adopted by the Commission.

The “worst case” power density level accessible at two meters above ground as a result of the KLSR-DT facility modification is calculated to be  $5.47 \mu\text{W}/\text{cm}^2$ . In reference to the manufacturer’s elevation pattern provided in this application as Exhibit - Attachment No 41, the antenna relative field does not exceed 0.25 at any angle greater than  $10^\circ$  below the horizontal. Therefore, an antenna relative field value of 0.1 was assumed in determining the above worst case scenario. Since the estimated contribution resulting from the KLSR-DT facility as modified is less than 5% of both the uncontrolled and controlled MPE guidelines, the applicant is not required to further evaluate the antenna location with respect other RF contributors.

It has been demonstrated that the proposal complies with the occupational exposure guideline at any ground-level location. At higher elevations on the antenna structure, however, workers will be protected from excessive exposure to RF fields in accordance with the methods recommended in *OET Bulletin No. 65, Version 97-01*. The applicant has adopted a work policy designed in coordination with other users at the site to avoid harmful exposure when work is being done at higher elevations on the tower. Preventive steps to avoid excessive exposure shall include a work schedule for planned durations of reduced power operation or when the facility is shut down.

Respectfully submitted,

**LOHNES AND CULVER**

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