

**APPLICATION FOR MODIFICATION OF CONSTRUCTION PERMIT
KMGH-DT, DENVER, COLORADO
CH 17 1000 KW(DA) 295 METERS**

Environmental Considerations

The television tower proposed to be constructed is adjacent to the location of a taller existing television tower which is to be removed. In addition, three other tall towers will be removed, reducing the visual impact of the complex of towers on Lookout Mountain. A study performed by Dynamic Environmental Associates, Inc., of Lake Worth, Florida, performed on behalf of the Lake Cedar Group, LLC, (copy attached) details the environmental improvements to be achieved and shows the absence of impact on historical features of the Lookout Mountain area. The study shows further that the construction will not impinge on any designated wildlife preserve or Indian religious sites, or affect adversely any other environmental aspects requiring consideration. A further study, prepared by Dr. Randall Musselman, shows that RF exposure levels on Lookout Mountain will be reduced if the changes are made as proposed herein and by other members of the Cedar Lake Group.

As shown in Exhibit 39, the maximum relative field of the antenna over a range of depression angles from 15 to 90 degrees is 0.077. Using that relative field, the maximum RF exposure at two meters above ground anywhere in the vicinity of the tower would be no greater than $11.5 \mu\text{W}/\text{cm}^2$ calculated as specified in Supplement A of OET Bulletin 65.

That exposure is 3.5 percent of the maximum permissible exposure of $327 \mu\text{W}/\text{cm}^2$ allowed for channel 17 for the general population/uncontrolled environment.

Workers who may have to perform construction or maintenance on the tower and its attachments will be protected from exposure in excess of that allowed for the workplace environment by an agreement among all users of the tower. RF exposure levels will be evaluated for all tower locations. Stations will reduce power or cease transmissions as necessary to assure the avoidance of exposure in excess of permissible levels.


**NEPA- FCC
Special Resources
Assessment
Lookout Mountain Site
Jefferson County, CO
DEA Project No. 20201016**

July 8, 2002

PREPARED FOR:

**Lake Cedar Group, LLC
c/o The Grinnell Group
225 42nd Street
Des Moines, IA 50312**

PREPARED BY:


Michael C. Abraham, REA
Project Manager



DYNAMIC ENVIRONMENTAL ASSOCIATES, INC.

P.O. Box 7058, Lake Worth, Florida 33466-7058 (561) 968-4787

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1. INTRODUCTION

1.1 Scope of Services

Pursuant to authorization issued by The Grinnell Group, on behalf of Lake Cedar Group, LLC, a NEPA-FCC Special Resources Screening was performed for the Lookout Mountain Site located east of Cedar Lake Road in Golden, Jefferson County, Colorado. This report presents the findings of our investigation.

The work performed and the preparation of this report were conducted by Michael C. Abrahm, Registered Environmental Assessor.

1.2 Project Location/Description

Lake Cedar Group, LLC, comprised of the licensees of KCNC-TV, Channel 4; KRMA-TV, Channel 6; KMGH-TV, Channel 7; KUSA-TV, Channel 9; and KTVD, Channel 20, proposes to construct a 730 foot guyed tower designed to be used for radio and television broadcasting, along with possible other ancillary uses. The proposed tower will be located slightly east of and at a lower elevation than an existing 833 foot Channel 4 tower which will be removed along with the adjacent Channel 4 transmitter building. In addition, the three existing tall towers serving Channels 6, 7 and 9 will be removed from the Antennae Farm. In addition to the consolidation of four existing tall towers into a single tower which will be shorter than the closest tower being replaced, it will be located further down the eastern face of Lookout Mountain in order to further reduce the visual impact. The removal of existing tower locations includes the removal of adjacent and related transmitter buildings, restoring these tracts to their natural state.

The project area is currently undeveloped and is located down the eastern face of Lookout Mountain considerably below residential development in the vicinity. The area is generally residential to the north, south and west, with the east being the east face of Lookout Mountain overlooking Golden. The closest surface water body is Golden Reservoir, which lies approximately 200 feet west of the eastern boundary of the primary development area. No bodies of water, including intermittent and perennial streams, exist within the proposed construction area.

The proposed project site is located in the southwest quarter of Section 4, Township 4 South, Range 70 West, at Latitude N39-43-50.63, Longitude W105-

13-55.62. The subject site location along with the characteristics of the subject site's surrounding area are shown on a portion of the "Morrison CO" 7.5-minute topographic quadrangle, enclosed.

Please refer to *Figure 1*, attached hereto and incorporated herein in Appendix I, for a general location map.

2. SCREENING SUMMARY TABLE

The following Table illustrates the results of the NEPA screening that was conducted on the Site and surrounding area:

NEPA-FCC Land Use Screening Checklist Summary				
	Raw Land		Rooftop or Co-Locate	
SPECIAL INTEREST SCREENING	Yes	No	Yes	No
1. Is the proposed facility located in an officially designated wilderness area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the proposed facility located in an officially designated wildlife preserve?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed facility likely affect threatened or endangered species or designated critical habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed facility affect districts, Sites, buildings structures or objects significant in American history, architecture, archeology, engineering or culture that are listed or potentially eligible for listing in the National Register of Historic Places?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the facility affect Indian religious Sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed facility located in a flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Will construction of the proposed facility involve significant change in surface features (i.e.: wetlands, deforestation or water diversion)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Is the proposed facility located in a residential neighborhood and required to be equipped with high intensity white lights?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the antenna structure equal or exceed total power output limitations set forth in 47 CFR, Chapter 1, Subpart I, § 1.1307, Table 1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. NEPA EVALUATION SUMMARY

3.1 Designated Wilderness Areas

Is the Site located in an officially designated wilderness area? No.

Based on a review of U.S.G.S. Topographic Maps ("Morrison, CO Quadrangle", 1994) and DeLorme Street Atlas, Version 7.0, the Site is not located in a designated wilderness area.

3.2 Designated Wildlife Preserves

Is the Site located in an officially designated wildlife preserve? No.

Based on a review of U.S.G.S. Topographic Maps ("Morrison, CO Quadrangle", 1994) and DeLorme Street Atlas, Version 7.0, the Site is not located in a designated wildlife preserve.

3.3 Threatened & Endangered Species and Habitat

Will the proposed facility likely affect threatened or endangered (T&E) species or designated critical habitats? No.

The Site is located on a steep mountain side which is currently undeveloped. Native vegetation consists primarily of ponderosa pine, Rocky Mountain juniper, Arizona fescue, mountain muhly and Parry oatgrass. There was no wildlife noted during two field inspections, but elk, deer, squirrels, raccoons, foxes and an occasional bear could be expected to be present in the area.

We have examined the most recent list of Threatened and Endangered Species provided by the U. S. Fish & Wildlife Service (updated February 7, 2001) on its website, along with a combination Federal and State of Colorado T & E Species list available from the Colorado Division of Wildlife. Also available through the Colorado Division of Wildlife is the Natural Diversity Information Source (NDIS), a comprehensive study of animals and plants found in Colorado, compiled by numerous agencies and universities within the state. The NDIS study lists the species that are present in Jefferson County: We also reviewed "designated critical habitat" for the State of Colorado as defined in 50 CFR and confirmed that no designated or proposed critical habitats exist in the site area.

Table 1 (attached) presents state and federal listed and candidate T&E species known to exist in the county, based on research conducted through the NDIS studies. The table compares habitat and/or range requirements of each species with the existing site (action area) and surrounding area conditions to serve as rationale for a "no impact" determination. No vegetation or soil present at the site indicated the presence of wetland habitat. Since water bodies or wetlands are not located on or immediately adjacent to the site, fish and obligate wetland vegetation were excluded from further consideration.

No currently-listed state or federal listed or candidate T & E species were observed during the field inspection.

Conclusions: Based on visual observations, various maps, and publicly available information it is DEA's opinion that:

- 1) The above designated facility is not located in an officially designated wilderness area.
- 2) The Site is not designated as "Critical Habitat" as defined in 50 CFR..
- 3) The facility will not be located in an officially designated wildlife preserve.
- 4) This facility will not likely effect listed threatened or endangered species or designated critical habitats.
- 5) The facility is not likely to jeopardize the continued existence of any proposed endangered or threatened species or to result in the destruction of, or adverse modification of proposed critical habitats.

3.4 Historical & Cultural Concerns

Will the proposed project affect districts, Sites, buildings structures or objects significant in American history, architecture, archeology, engineering or culture that are listed or potentially eligible for listing in the National Register of Historic Places? No.

A field survey was conducted to evaluate and inspect the project site area and to identify sites listed on the National Register of Historic Places (NRHP), potentially eligible properties, state and county historic sites, and archaeological sites in the vicinity of the proposed project. Our research indicates that two major listed historic attractions, the William Cody (Buffalo Bill) Grave and Museum and the Boettcher Mansion are located on Lookout Mountain within a mile of the proposed new construction. The Cody site is a part of Denver's Mountain Parks System with Cody's burial occurring in 1917. In 1921, the Pahaska Teepee was added, with the current museum erected in 1979. The

Boettcher Mansion (sometimes referred to as the Lorraine Lodge) dates from approximately 1917. Both of these attractions have been in close proximity to existing towers for many years, with each location benefitting from the proposed new consolidation plan by the removal of towers in the immediate vicinity.

Section 106 correspondence was submitted to the State of Colorado Historical Society (SHPO) requesting concurrence that the proposed project would have "No Effect" on historical or cultural resources in the area. The SHPO review included meetings with concerned neighborhood groups and a meeting with representatives of Lake Cedar Group, LLC prior to reaching its decision. In addition, information was requested concerning RF radiation emissions, as explained in Section 3.10 below. By letter dated May 30, 2002, the SHPO concurred. Correspondence is included in the appendix.

3.5 Indian Religious Sites

Will the proposed project affect Indian religious Sites? No.

Research to determine Native American tribes having a potential religious or cultural interest in the proposed project was conducted through the Native American Consultation Database (NACD), a website maintained by the National Park Service, through the Department of the Interior, located at <http://www.cast.uark.edu/other/nps/nacd/>. The NACD provides information pertaining to identifying consultation contacts for each Indian tribe, Alaska Native corporation, and Native Hawaiian organization. A query directed to the website for Jefferson County, Colorado resulted in a finding of the following potentially interested tribes:

Cheyenne & Arapaho Tribes of Oklahoma
Northern Cheyenne Tribal Council
Arapaho Tribe of the Wild River Reservation

Based on these findings, written invitations to comment on this proposed project, dated February 8, 2002, were directed to the above listed tribes. No objections or comments have been received from the tribal officials since that time. Therefore, it is our opinion that no Indian religious sites will be affected

3.6 Floodplains

Is the Site located in a flood plain? No.

According to information provided by UPF Incorporated, 2017 W Northwest Boulevard, Spokane, WA., Federal Emergency Management Agency (FEMA) Community Map #080087 0255B, dated August 5, 1986, the Site is located in a flood zone designated as "C", and does not lie within a 100 year flood plain.

3.7 Significant Change in Surface Features

Will the proposed project involve significant change in surface features (i.e.: wetlands, deforestation or water diversion)? No.

No wetland areas or associated wetland vegetation or hydric soils were observed in the vicinity of the Site.

No water bodies are located on or in immediate proximity to the Site.

While the construction will require the removal of several trees in the construction area, this is not considered "deforestation". Access to the tower site will be by construction of an access road running in an easterly direction down the mountain from existing public roads. Removal of trees will not be required.

3.8 National Scenic Trails

Is the existing facility located within one mile of a National Scenic Trail? No.

We have reviewed the Scenic Trail information at [http:// www.nps.gov/ carto/ TRAILMAP.html](http://www.nps.gov/carto/TRAILMAP.html). Based on a review of the information contained on this web site, the Site is not within one mile of any existing National Scenic Trail.

3.9 High Intensity White Lights

Is the proposed facility located in a residential neighborhood and required to be equipped with high intensity white lights? No.

The proposed tower is expected to be equipped with lighting in accordance with FCC and FAA requirements. To the best of our knowledge it will not be equipped with High Intensity White Lights.

3.10 Radio Frequency Radiation

Will the proposed project potentially cause exposure of workers or the general public to levels of radio frequency radiation in excess of the standards set by ANSI/IEEE? No.

It is assumed that Lake Cedar Group, LLC will ensure that the tower meets all regulatory requirements for "maximum permissible exposure" of RF Radiation. Lake Cedar Group, LLC has performed numerous tests measuring existing RF radiation caused by the current configuration of existing towers with a comparison of expected emissions under the proposed construction plan. Results have indicated lower emissions at all impacted areas. All current and expected emissions were found to be well below FCC maximum permissible standards. At the request of the Colorado SHPO, specific information pertaining to comparative emissions at the Buffalo Bill Museum and the Boettcher Mansion, was provided in a separate report, a copy of which is attached to this report and potential RF emissions for all impacted areas

4. LIMITATIONS

This report is based upon a visual inspection of the Site, information provided by the Client and documentation obtained through research conducted by DEA. The activities described, and the results, findings, and recommendations included herein are based on information gathered during an investigation which was limited in scope. A more comprehensive investigation, which may be done later, may produce different results. The information contained herein was prepared for the exclusive use of The Grinnell Group, on behalf of Lake Cedar Group, LLC, and its counsel, solely in conjunction with the subject investigation. The findings and recommendations set forth herein are based on the conditions encountered at the subject Site, and the evidence which was available at the time the Site investigation was conducted. Future investigations and findings could change the contents of this report. This work and the report preparation were conducted in accordance with generally-accepted environmental consulting practices. No other expressed or implied warranty is made. This report is not a legal opinion which can only be provided by individuals licensed to practice law.



**COLORADO
HISTORICAL
SOCIETY**

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

May 30, 2002

Michael C. Abraham
Project Manager
Dynamic Environmental Associates, Inc.
P.O. Box 3698
Evergreen, CO 80437

RE: Lake Cedar Group, LLC Communications Site, 21079 Cedar Lake Road, Golden

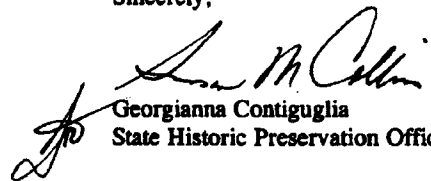
Dear Mr. Abraham:

Thank you for your correspondence dated February 8, 2002, and additional information provided April 25 and May 13 and 24, 2002, concerning the above project having Federal Communications Commission (FCC) involvement. We have also reviewed information provided by the Canyon Area Residents for the Environment (CARE) and the Jefferson County Historical Commission.

It is our understanding that the new tower will have single-directional antennas. Based upon consideration of all the above information, it is our opinion that the consolidation of telecommunications towers at the proposed new tower location will not adversely affect the qualities of significance of historic properties in the vicinity of the site. However, we request documentation of the fencing material to be used around the tower, a copy of the final Jefferson County Official Development Plan, and any documentation submitted by Lake Cedar Group to the FCC, for our records.

In the event that subsurface archaeological resources are encountered during ground disturbing activities, it will be necessary to halt the work until such resources can be evaluated in consultation with our office. If we may be of further assistance, please contact Kaaren Hardy, our Intergovernmental Services Director, at 303/866-3398.

Sincerely,


Georgianna Contiguglia
State Historic Preservation Officer

Cc: Deb Carney, CARE
Rita Peterson, Jefferson County Historical Commission

**DYNAMIC
ENVIRONMENTAL
ASSOCIATES, INC.**

A PROFESSIONAL ENVIRONMENTAL CONSULTING FIRM

February 8, 2002

Mr. Anthony Addison
Arapaho Tribe of the Wind River Reservation
Northern Arapaho Business Council
P. O. Box 396
Fort Washakie, WY 82514

Re: Invitation to comment on a proposed telecommunications tower
Lake Cedar Group, LLC Communications Site
21079 Cedar Lake Road
Golden, Jefferson County, Colorado
DEA: 20201016

Dear Mr. Addison:

Dynamic Environmental Associates, Inc. (DEA), representing Lake Cedar Group, LLC, on behalf of the Federal Communications Commission, invites your comments on the referenced proposed telecommunications project in compliance with Section 301(d)(6)(B) of the National Historic Preservation Act. Lake Cedar Group intends to construct a telecommunications tower to be located within the Lookout Mountain Antennae Farm.

Lake Cedar Group, comprised of the licensees of KCNC-TV, Channel 4; KRMA-TV, Channel 6; KMGH-TV, Channel 7; KUSA-TV, Channel 9; and KTVD, Channel 20, proposes to construct a 730 foot guyed tower designed to be used for radio and television broadcasting, along with ancillary uses as set forth in detail in the attached Communications Site Official Development Plan which will be filed shortly with Jefferson County by Lake Cedar as part of its rezoning application. The proposed tower will be located slightly east of and at a lower elevation than the existing 833 foot Channel 4 tower which will be removed along with the adjacent Channel 4 transmitter building. In addition, the three existing towers serving Channels 6, 7 and 9 will be removed from the Antennae Farm. In addition to the consolidation of four existing towers into a single tower which will be shorter than the closest tower being replaced, its location further down the eastern face of Lookout Mountain will greatly reduce the visual impact.

The proposed project site is located in the southwest quarter of Section 4, Township 4 South, Range 70 West, at Latitude N39-43-50.63, Longitude W105-13-55.62. The subject site location along with the characteristics of the subject site's surrounding area are shown on a portion of the "Morrison CO" 7.5-minute topographic quadrangle, enclosed.

If your tribe attaches any religious or cultural significance to the location shown on the enclosed map,

Mr. Anthony Addison

-2-

February 8, 2002

please notify the undersigned so that you can be considered a party in the consulting process as described in Section 106 Part CFR800.2(c)(3) of the National Historic Preservation Act.

Thank you for your assistance in the is matter. Please contact me if you have any questions or require additional information.

Very truly yours,
**Dynamic Environmental
Associates, Inc.**

Michael C Abrahm
Michael C. Abrahm
Project Manager

enc.: Color Photographs
Site Location Maps
USGS Quadrangle Map

_____The Arapaho Tribe of the Wind River Reservation has determined that the proposed undertaking will not affect objects, sites, or locations of traditional religious or cultural significance to the tribe.

_____The Arapaho Tribe of the Wind River Reservation has determined that the proposed undertaking will affect objects, sites, or locations of traditional religious or cultural significance to the tribe. Further consultations with the Arapaho Tribe of the Wind River Reservation should be undertaken in order to evaluate, consider or avoid such locations.

Arapaho Tribe of the Wind River Reservation

Date _____

**DYNAMIC
ENVIRONMENTAL
ASSOCIATES, INC.**

A PROFESSIONAL ENVIRONMENTAL CONSULTING FIRM

February 8, 2002

Mr. Joe Walks Along Sr.
Northern Cheyenne Tribal Council
P. O. Box 128
Lame Deer, MT 59043

Re: Invitation to comment on a proposed telecommunications tower
Lake Cedar Group, LLC Communications Site
21079 Cedar Lake Road
Golden, Jefferson County, Colorado
DEA: 20201016

Dear Mr. Walks Along:

Dynamic Environmental Associates, Inc. (DEA), representing Lake Cedar Group, LLC, on behalf of the Federal Communications Commission, invites your comments on the referenced proposed telecommunications project in compliance with Section 301(d)(6)(B) of the National Historic Preservation Act. Lake Cedar Group intends to construct a telecommunications tower to be located within the Lookout Mountain Antennae Farm.

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If your tribe attaches any religious or cultural significance to the location shown on the enclosed map, please notify the undersigned so that you can be considered a party in the consulting process as

described in Section 106 Part CFR800.2(c)(3) of the National Historic Preservation Act.

Thank you for your assistance in the is matter. Please contact me if you have any questions or require additional information.

Very truly yours,
Dynamic Environmental
Associates, Inc.

Michael C. Abraham
Michael C. Abraham
Project Manager

enc.: Color Photographs
Site Location Maps
USGS Quadrangle Map

_____ The Northern Cheyenne Tribe has determined that the proposed undertaking will not affect objects, sites, or locations of traditional religious or cultural significance to the tribe.

_____ The Northern Cheyenne Tribe has determined that the proposed undertaking will affect objects, sites, or locations of traditional religious or cultural significance to the tribe. Further consultations with the Northern Cheyenne Tribe should be undertaken in order to evaluate, consider or avoid such locations.

Northern Cheyenne Tribe

Date _____



Photo 1 - Proposed location of new building and tower east of and below the existing 830+ foot Channel 4 tower.



Photo 2 - View from the existing Channel 4 tower to the east.

**DYNAMIC
ENVIRONMENTAL
ASSOCIATES, INC.**

A PROFESSIONAL ENVIRONMENTAL CONSULTING FIRM

February 8, 2002

Mr. Gordon L. Yellowman Sr.
Cheyenne and Arapaho Tribes of Oklahoma
P. O. Box 38
100 Red Moon Circle
Concho, OK 73022

Re: Invitation to comment on a proposed telecommunications tower
Lake Cedar Group, LLC Communications Site
21079 Cedar Lake Road
Golden, Jefferson County, Colorado
DEA: 20201016

Dear Mr. Yellowman:

Dynamic Environmental Associates, Inc. (DEA), representing Lake Cedar Group, LLC, on behalf of the Federal Communications Commission, invites your comments on the referenced proposed telecommunications project in compliance with Section 301(d)(6)(B) of the National Historic Preservation Act. Lake Cedar Group intends to construct a telecommunications tower to be located within the Lookout Mountain Antennae Farm.

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If your tribe attaches any religious or cultural significance to the location shown on the enclosed map.

Mr. Gordon L. Yellowman Sr.

-2-

February 8, 2002

please notify the undersigned so that you can be considered a party in the consulting process as described in Section 106 Part CFR800.2(c)(3) of the National Historic Preservation Act.

Thank you for your assistance in the is matter. Please contact me if you have any questions or require additional information.

Very truly yours,
**Dynamic Environmental
Associates, Inc.**

Michael C. Abraham
Michael C. Abraham
Project Manager

enc.: Color Photographs
Site Location Maps
USGS Quadrangle Map

_____The Cheyenne and Arapaho Tribes of Oklahoma have determined that the proposed undertaking will not affect objects, sites, or locations of traditional religious or cultural significance to the tribe.

_____The Cheyenne and Arapaho Tribes of Oklahoma have determined that the proposed undertaking will affect objects, sites, or locations of traditional religious or cultural significance to the tribe. Further consultations with the Cheyenne and Arapaho Tribes of Oklahoma should be undertaken in order to evaluate, consider or avoid such locations.

Cheyenne and Arapaho Tribes of Oklahoma

Date _____