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**Reserved for  
Exhibit # 5**

**CROWN CASTLE USA  
FCC / NEPA ENVIRONMENTAL COMPLIANCE CHECKLIST**

**Site Name:** Madison **Contact Person:** Julie Akers  
**BU#:** 7260-4133 **Contact Number:** 518-433-6214

- | <u>YES</u>                          | <u>NO</u>                           |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1. A site inspection has been performed specifically for the information required in items 2-8 and 11. –  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 2. Will the facility be located in an officially designated wilderness area?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 3. Will the facility be located in an officially designated wildlife preserve?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 4. Will the facility affect federally listed, threatened or endangered species or designated critical habitats or is the facility likely to jeopardize the continued existence of any federally proposed endangered or threatened species or likely to result in the destruction or adverse modification of federally proposed critical habitats? |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 5. Will the facility affect districts, sites, buildings, structures, objects or other cultural resources listed, or eligible for listing, in the National Register of Historic Places?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6. Will the facility affect Indian religious sites?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 7. Will the facility be located in a 100-year flood plain?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 8. Will the construction of the facility involve a significant change in the surface features (e.g., wetland fill, deforestation, or water diversion)?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 9. Will the antenna tower and/or supporting structure be equipped with high intensity white lights and be located in a residential neighborhood, as defined by local zoning laws?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 10. Will the proposed facility fall outside the categorical exclusions contained in Table 1 of 47 CFR Section 1.1307(b) (1)?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 11. Will the proposed facility be constructed within one (1) mile of the centerline of a National Scenic Trail and has the Trail Management Office indicated that the proposed construction will have a significant adverse effect?   |

**A COPY OF A COMPLETED CROWN CASTLE INTERNATIONAL CORPORATION FCC ENVIRONMENTAL COMPLIANCE SURVEY DOCUMENTING THE PROCESS USED IN ARRIVING AT THE ABOVE ANSWERS MUST BE ATTACHED TO THIS FORM. IF ALL OF THE QUESTIONS ABOVE WERE ANSWERED "NO", NO FURTHER ACTION IS REQUIRED FOR FCC ENVIRONMENTAL PURPOSES. IF ANY OF THE QUESTIONS WERE ANSWERED "YES" WITH THE EXCEPTION OF #1, AN ENVIRONMENTAL ASSESSMENT MUST BE PREPARED AND FILED WITH THE FCC. IN ACCORDANCE WITH APPLICABLE CROWN PROCEDURES. NO CONSTRUCTION MAY BEGIN UNTIL THE FCC HAS REVIEWED THE ASSESSMENT AND APPROVED THE PROPOSAL.**



\_\_\_\_\_  
 Name  
PES LLC  
 Company Name

8-28-07  
 Date

**Crown Castle USA**  
**FCC Environmental Compliance Survey**

Site Name: **Madison**

Location: **Ridge Rd, Madison, CT**

Business Unit Number: **7260-4133**

This Survey will identify whether a proposed facility will require the preparation and filing of an FCC Environmental Assessment. In completing the survey, the consultant may analyze accurate, up-to-date information obtained from a commercial service in conjunction with consultation with the appropriate agencies and sources listed below. Unless otherwise specified, the consultant is not required to consult each of the listed agencies. A site inspection must be performed in all cases. This Survey supports the completion of the FCC/NEPA Environmental Compliance Checklist and shall be attached as an addendum to the Checklist.

Answer "yes/no" questions only after completing the enumerated steps.

**Yes**   **No**

   1.    **A site inspection has been performed specifically for the information required in items 2-8 and 11. – Completed 7-11-07**

   2.    **Based upon information provided by a commercial service or consultation with the National Park Service (Department of Interior), U.S. Fish and Wildlife Service (Department of Interior), Bureau of Land Management (Department of Interior) and the U.S. Forest Service (Department of Agriculture), as appropriate, will the facility be located in an officially designated wilderness area? None listed in database**

2(a)    Contact National Park Service.  
National Park Service Contact Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Comments: \_\_\_\_\_

2(b)    Contact U.S. Fish and Wildlife Service.  
U.S. Fish and Wildlife Service Contact Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Comments: \_\_\_\_\_

- 2(c) Contact U.S. Forest Service.  
 U.S. Forest Service Contact Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_
- 2(d) Contact Bureau of Land Management.  
 Bureau of Land Management Contact Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_  
 Comments: \_\_\_\_\_
- 2(e) If contact with National Park Service reveals a wilderness area in a National Park, contact specific National Park Superintendent.  
 National Park Superintendent Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_  
 Comments: \_\_\_\_\_
- 2(f) If contact with the U.S. Fish and Wildlife Service reveals a wilderness area in a National Wildlife Refuge, contact specific Wildlife Refuge Manager.  
 Wildlife Refuge Manager Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_  
 Comments: \_\_\_\_\_
- 2(g) If contact with the U.S. Forest Service reveals a wilderness in a National Forest, contact National Forest Director.  
 National Forest Director Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_  
 Comments: \_\_\_\_\_

If the yes/no answer was based in whole or in part upon information provided by a commercial service, specify the name of the service, the contact person, the dates of contact, and provide all correspondence to/from the service.

Commercial Service: **InfoMap Technologies**  
 Contact Name: **Kevin**  
 Date(s): **7-9-07**  
 Comments: **No listings noted near site (1.0 miles)**

3. **Based upon information provided by a commercial service, or consultation with the U.S. Fish and Wildlife Service (Department of Interior) and state and local wildlife preservation agencies, will the facility be located in an officially designated wildlife preserve? None listed in database**

3(a) Contact U.S. Fish and Wildlife Service and consult the Division of Realty's National Refuge System list.

U.S. Fish and Wildlife Service Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Date(s): \_\_\_\_\_

Comments: \_\_\_\_\_

3(b) If contact with U.S. Fish and Wildlife Service reveals a National Wildlife Refuge, contact specific Wildlife Refuge Manager.

Date(s): \_\_\_\_\_

Comments: \_\_\_\_\_

3(c) Contact state and local government wildlife preservation offices.

Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Date(s): \_\_\_\_\_

Comments: \_\_\_\_\_

If the yes/no answer was based in whole or in part upon information provided by a commercial service, specify the name of the service, the contact person, the dates of contact, and provide all correspondence to/from the service.

Commercial Service: **InfoMap Technologies**

Contact Name: **Kevin**

Date(s): **7-9-07**

Comments: **No listings noted near site (1.0 miles)**

4. **Will the facility affect listed or proposed threatened or endangered species (collectively, "Protected Species") or designated critical habitats? The following species were noted for general site area – Indiana Bat, Bald Eagle, Roseate Tern and Piping Plover. These species were note observed during the PES site visit and no suspected to occur at the site. The F&W offices in New England no longer respond to Cell Tower requests, The tower consultants are required to clear the site.**

4(a) Review the US Fish and Wildlife Service ("USFWS") and the applicable state environmental agency listings of Protected Species and critical habitats located within the county where the site is located. Attach a copy of any listing for the county in question.

4(b) If review of the USFWS and state agency listings of Protected Species and critical habitats indicates a listed or proposed species or habitat may be present, a biologist must perform a site inspection and provide an informal biological assessment report including a determination as to whether the Protected Species or critical habitat is present at the site and whether it will be affected by the project.

5. **Based upon consultation with the State Historic Preservation Office (“SHPO”) in accordance with the PA, and taking into consideration the views of interested persons, will the facility affect districts, sites, buildings, structures or objects significant in American history, architecture, archeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places? If the SHPO issues a “no effect” or “no adverse effect” letter, this question can be answered “yes.” If the SHPO issues an “adverse effect” finding, this question must be answered “yes.” The SHPO no effect attached.**

6. **Based upon consultation with the Tribal Historical Preservation Officer (“THPO”) or other official representatives of federally recognized tribes, will the proposed construction affect places or properties of significance to such tribes, including Indian religious sites? PES filed on the TCNS system #29014 on 7-9-07, the FCC issued letters to the following tribes on 7-13-07.**

Mashnatucket – no interest email attached

Narragansett – no interest email attached

6(a) If the proposed facility is NOT located on tribal land or an Indian reservation:

i. Determine whether any federally recognized Indian tribe or Native Hawaiian Organization (NHO) with ancestral ties to the immediate area of the proposed project wishes to participate in the Section 106 consultation process for the proposed project.

A. Enter information about the proposed construction into the FCC’s Tower Construction Notification System (TCNS) in order to contact the appropriate Tribes and attach FCC Form 620 or Form 621. Provide the CCUSA Regulatory Department ([regulatory.department@crowncastle.com](mailto:regulatory.department@crowncastle.com)) with the TCNS filing number. Please put “TCNS” in the “RE” line.

B. After thirty (30) days have passed, by either email or letter (template located in Appendix D), contact any Tribes that have not responded.

After an additional ten (10) days with no response, notify Crown Castle’s corporate Regulatory Department ([regulatory.department@crowncastle.com](mailto:regulatory.department@crowncastle.com)). Email all evidence of attempts to contact the non-responsive Tribes, including a PDF of all TCNS emails, copies of the associated letters and Forms 620 or 621.

- C. The CCUSA regulatory department will provide notice to the FCC of any tribal non-response. The FCC will initiate contact with the Tribe. If the subject Tribe does not respond within twenty (20) days of the FCC's communication, no further due diligence is required for that particular Tribe.
- D. This section number 6 may be answered "no" only after each subject Tribe either, (i) concurs with Crown Castle's proposed project, or (ii) all of the above steps are completed.

**6(b) If the proposed facility IS located on tribal land or reservation:**

- i. Consult the Advisory Council on Historic Preservation, the Bureau of Indian Affairs, or the National Park Service to determine the name of the THPO or tribal representative.

Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Date(s): \_\_\_\_\_  
 Comments: \_\_\_\_\_

- ii. Begin consultation with the THPO or tribal representative in writing in accordance with 6(a) (1)-(6) above.

Provide copies of all correspondence from all parties contacted.



**7. Based upon FEMA's Flood Insurance Rate Map ("FIRM") will the facility be located in a 100-year flood plain? If FIRMs are not available for the community where the site is located, consult other sources in accordance with FEMA guidelines. In Zone X – FIRM# 0900790010C**

7(a) Review FEMA's FIRM.

Attach relevant portion of map.

7(b) If a review of the map indicates that the site is on a border of a 100- year floodplain and the site's precise location cannot be reasonably determined using the map, consult with FEMA or its local delegate to determine whether the facility will be located within the 100-year floodplain.

In the event that a written statement is obtained from FEMA or the local agency delegated authority to implement the National Flood Insurance Program, stating that the area is no longer within the 100-year floodplain, the facility will not be considered to be within the 100-year floodplain for the purpose of the Checklist (attach correspondence, if applicable).

8. **Based upon consultation with the appropriate agency, will construction of the facility involve a significant change in surface features (e.g. wetland fill, deforestation, or water diversion)? No listed wetlands in database.**
- 8(a) Review the National Wetlands Inventory or obtain information from a commercial service to determine if a wetland is identified on the property. None listed
- 8(b) Perform a site inspection to identify evidence of wetland conditions on the property. None observed
- 8(c) Review the Soil Conservation Service County maps to determine soil type, vegetation type and hydrology of the property. None listed
- 8(d) If a wetland is identified or water diversion will occur on the property, consult the Army Corps of Engineers (“ACOE”) regarding the effect of wetland fill or water diversion.  
Date(s): \_\_\_\_\_  
Comments: \_\_\_\_\_
- 8(e) If forests will be cleared, consult with U.S. Forest Service regarding effect of deforestation.  
Date(s): \_\_\_\_\_  
Comments: \_\_\_\_\_
9. **Will the antenna tower and/or supporting structure be equipped with high intensity white lights and be located in a residential neighborhood, as defined by applicable zoning laws? No issues as per Crown Castle**
- 9(a) Contact the CCUSA representative to determine whether the site must have high intensity white lights. (Towers under 500 feet will not require high intensity lighting.)
- 9(b) If the tower is greater than 500 feet, contact the local zoning authority to determine the zoning of the proposed site.
10. **Based upon the power, frequency and description of antenna provided by the carrier to the CCUSA representative, will the proposed facility fall outside the categorical exclusions contained in Table 1 of 47 CFR Section 1.1307(b) (1)? No issues as per Crown Castle**



11. **Based upon review of the National Park Service database at <http://www.nps.gov/carto/TRAILMAP.html>, and information provided by a commercial service, will the tower be constructed within one (1) mile of the centerline of a National Scenic Trail? No trails Noted on National database**

11(a) If the proposed tower is located within one (1) mile of the centerline of a National Scenic Trail, the applicable trail management organization must be notified using the CCUSA template letter no later than five (5) days after the first zoning or permit application is filed. If zoning approval is not required, the notification must be made at least 45 days before any planned construction.

11(b) Once notified, the trail management organization has fifteen (15) days to provide its determination as to whether there will be a significant adverse effect.

11(c) If the trail management organization indicates that the proposed construction will have a significant adverse effect, CCUSA must consult with the trail management organization to evaluate possible mitigation. The minimum consultation period is fifteen (15) days.

11(d) If agreement is reached, the trail management organization will provide a certification letter to CCUSA. If no agreement is reached, the trail management organization cannot block the construction of the tower. However, the trail management organization could request that the FCC require CCUSA to submit an Environmental Assessment.

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**If you have answered yes to any of the yes/no questions, an FCC Environmental Assessment (EA) must be filed with the FCC and a Finding of No Significant Impact granted per the applicable CCUSA Regulatory Procedures prior to proceeding with any construction.**



\_\_\_\_\_  
Signature

8-28-07  
Date

\_\_\_\_\_  
President

\_\_\_\_\_  
Title

\_\_\_\_\_  
PES LLC

\_\_\_\_\_  
Company