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Governor

ARIZONA STATE PARKS & TRAILS

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Executive Director



September 7, 2023

Ms. Ellen SaintOnge, Federal Preservation Officer
Christine Heacock, Deputy Federal Preservation Officer
Competition and Infrastructure Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Pima County; A844-100 TUC CAMPBELL Cellular Tower Collocation at 2565 East Camino Juan Paisano, Tucson, AZ; Continuing Section 106 Consultation; Federal Communications Commission (FCC); SHPO-2023-1121(171157)

Dear Mss. SaintOnge and Heacock:

Thank you for speaking with our office on August 18, 2023 regarding a recent collocation at an existing communications tower (A844-100 TUC CAMPBELL). The tower is located on private land at 2565 East Camino Juan Paisano, in an unincorporated area of Pima County. Our office was notified of the recent collocation by a concerned owner of a National Register of Historic Places (NRHP) listed property. The Pima County Office of Sustainability and Conservation also contacted our office with concerns as the tower is located within a Pima County-designated scenic corridor along Campbell Avenue.

As we discussed in our call, our office is of the opinion that recent collocations at the referenced tower have created an adverse effect to the viewshed of historic properties located within the tower's area of potential effects (APE). Although our office reviewed the original tower in 2001 and again in 2016 with findings of "no historic properties affected" and "no adverse effect," the most recent collocations were not reviewed by the State Historic Preservation Office (SHPO). Furthermore, the Pima County Office of Sustainability and Conservation, a Certified Local Government, property owners or Tribes with ancestral association to the area were not consulted, nor did public notification as required by 36 CFR Part 800 and the 2001 National Programmatic Agreement (NPA) for the Collocation of Wireless Antennas, as amended, occur.

Background

The A844-100 TUC CAMPBELL tower was originally reviewed by our office in 2001 (new construction) [SHPO-2001-584] and for a pole replacement in 2016 [SHPO-2016-0915]. SHPO concurred with findings of "no historic properties affected" and "no adverse effects," respectively. As can be ascertained from the change in findings from "no historic properties affected" to "no adverse effect" between the 2001 and 2016 consultations, this is an area of Tucson that has been increasingly the focus of preservation; five properties within the viewshed

of the tower have been listed in the National Register of Historic Places (NRHP) since 2001. These listed properties include:

- Caldwell, Erskine P., House (NR 10000747, listed 9/9/2010)
- Corcoran, John P. and Helena S., House (NR 11000569, listed 8/30/2011)
- Gabel House (NR 10000742, listed 9/9/2010)
- Jacobson House (NR 100007931, listed 7/24/2022)
- Ramada House (NR 6000832, listed 9/24/2006)

On June 28, 2023, our office was sent an inquiry from the owner of the Jacobson House, which is located directly west of the A844-100 TUC CAMPBELL tower. The inquiry was accompanied by a photograph of the new collocation as viewed from the historic property. SHPO reviewed aerial images available on Google Earth and Google Streetview photographs for the last 20 years to trace the evolution of the tower's appearance. In 2011, under the original construction, the tower is a single pole with no antenna arrays. In 2022, following the tower replacement, the pole was a similar height with a small, tight array of antennas at the top of the pole. The 2023 photograph from the Jacobson House documents a wider antenna array with more antennas loosely grouped around the pole. The wider array results in a more substantial intrusion on the viewshed of the historic property.

It is our understanding that the collocation occurred under a "self-reported" exemption to Section 106 under Section IV of the 2001 NPA. Under Section IV, collocations of antennas on towers constructed after March 16, 2001 that have been previously reviewed under Section 106 are exempt from additional review unless the new antenna will result in a substantial increase to the size of the tower (Subsection 2); if the tower as built or proposed has been determined by the FCC to have an effect on one or more historic properties, unless that effect is "no adverse effect" or "adverse effects" have been resolved (Subsection 3); or the collocation licensee or the owner of the tower has received written or electronic notification that the FCC is in receipt of a written complaint from a member of the public, a SHPO, or the Advisory Council on Historic Preservation (ACHP) that the collocation has an adverse effect on one or more historic properties (Subsection 4). The collocation licensee and the owner of the tower likely assumed that the previous Section 106 review was sufficient and did not complete additional review to identify additional historic properties that may have been listed, or determined eligible for listing, in the NRHP after the 2016 tower replacement.

It is our opinion that the combined multiple collocations and the most recent prominent antenna collocations has created an adverse effect to the viewshed of historic properties, many of which have design elements and viewshed siting as character-defining features. For example, the tower is in direct line of site of the Jacobson House, which was designed and built by Judith Chafee, a prominent architect in Arizona, and was listed on the NRHP in 2022. According to the Jacobson House's National Register nomination form:

"The primary character-defining feature of the Jacobson Residence is the material and geometric design. The house is constructed of cast exposed concrete structural beams

supported on walls of painted reinforced concrete block, punctuated by aluminum frame glass windows, sliding glass doors that serve as windows walls, and clearstory ribbon windows that allow diffused light to enter the space. The physical orientation and idiosyncratic design was a response to the desert environment, climate, views, natural setting, and the seasonal location of the sun. The house is designed with an explicit indoor-outdoor relationship and spatial arrangement that creates a floor plan with a series of courtyards that act as outdoor rooms.”

At this time, the State Historic Preservation Office is filing a complaint with the FCC to dispute the exemption of this collocation from Section 106 review. We request an investigation to determine if the stipulations of the NPA were properly adhered to, and recommend that the applicant work with our office, the adjacent property owners and Pima County to take steps to resolve the adverse effect that has been created by this collocation.

We appreciate your input and assistance with this matter. Please contact me at 602.542.4009 or via email at kleonard@azstateparks.gov if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Leonard". The signature is fluid and cursive, with the first name "Kathryn" being larger and more prominent than the last name "Leonard".

Kathryn Leonard, M.A.
State Historic Preservation Officer

Ecc: Linda Mayro, Director, Office of Sustainability and Conservation, Pima County,
Linda.Mayro@pima.gov
Demion Clinco, property owner, demionclinco@gmail.com