Tower Construction Notification System

What Is It?

The Tower Construction Notification System (TCNS)
is an on-line, password-protected system that notifies federally recognized American
Indian Tribes and Alaska Native Villages (collectively, “Tribes”), Native Hawaiian
Organizations (NHOs), and State Historic Preservation Officers (SHPOs) of
proposed communications tower constructions in areas of interest designated by
the recipients.

The TCNS also provides a means for Tribes, NHOs, and SHPOs to respond
directly to the companies as to whether they have concerns about the proposed
tower construction.

GOAL

The TCNS is intended to advance the goal of the
National Historic Preservation Act (NHPA) to protect
historic properties, including tribal religious and
cultural sites, in an efficient and convenient manner
that promotes the interests of both Tribes and the
communications industry. Tribes indicate their geo-
graphic areas of interest by specifying the states or
counties where they wish to hear about
proposed construction.

What Can I Do?

Voluntarily Submit a Notification

The TCNS allows Tower Notifiers (tower builders, or entities representing tower
builders, such as consultants) to voluntarily submit a notification to the Commission
of a proposed tower construction.

The Commission will subsequently provide this information to Tribes, NHOs and
SHPOs that express an interest in the relevant geographic area.

Submit a New Notification:

Tower Notifiers can submit a new notification through the TCNS. Files such as
photos or maps may be attached as part of the new notification. Upon submitting a
new notification, the tower notifier will receive a confirmation screen assigning an ID
number to the notification. An automated e-mail will also be sent to the Tower
Notifier within a few days, advising it of the names of the Tribes, NHOs, and SHPOs
who were sent the new tower notification, the name and contact information of their
designated contact person, the location of the seat of the tribal governments of the
Tribes and NHOs who were sent the new tower notification, and the form in which
the notification was sent (e-mail and/or letter).
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Why Should I Use It?

The TCNS may be used to help fulfill a prospective tower constructor’s obligations with respect to Tribes and NHOs under the National Historic Preservation Act (NHPA). On March 7, 2005, a Nationwide Programmatic Agreement (NPA) went into effect streamlining procedures for review of certain Commission undertakings for communications facilities under Section 106 of the NHPA. The NPA requires applicants to make reasonable and good faith efforts to identify and to ensure that contact is made with Tribes and NHOs that may attach religious and cultural significance to historic properties that may be affected by an undertaking. Where a Tribe or NHO has voluntarily provided information to the TCNS regarding the geographic areas in which such historic properties may be located, reference to the TCNS constitutes a reasonable and good faith effort at identification with respect to that Tribe or NHO, and initial contact with Tribes and NHOs may be made through the TCNS. On October 6, 2005, the FCC released a Declaratory Ruling clarifying procedures to be followed when a Tribe or NHO does not timely respond to reasonable and good faith efforts at contact. See http://wireless.fcc.gov/siting

We emphasize to system users that the TCNS is a tool to facilitate Section 106 Consultation. The Commission recognizes its responsibility to carry out consultation with any Indian tribe or NHO regarding historic properties. The system is NOT to be used as a substitute for Section 106 Consultation. The information provided to and conveyed through the system does not necessarily reflect legal title and is not intended to be used to establish title to any lands described therein.

To view the “Tribal Participation” Segment of the FCC’s Interactive Training Unit on the Nationwide Programmatic Agreement (NPA), go to: http://wireless.fcc.gov/siting/npa/npa.html

How Do I Get Help?

For additional information or assistance, you may visit the Web at http://wireless.fcc.gov/outreach/notification or call the FCC Support Center at (877) 480-3201 (TTY 202-414-1255) and select Option #2.

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