ENNIS CITY COMMISSION AGENDA
TUESDAY, APRIL 15, 2025
6:00 PM

CITY OF ENNIS CITY HALL
COMMISSION CHAMBERS
107 N. SHERMAN
ENNIS, TEXAS 75119
(972) 875-1234

As authorized by Texas Government Code Section 551.071 - this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.
The City of Ennis reserves the right to re-align, recess, or reconvene the Regular Session or called Executive Session or order of business at any time prior to adjournment.
ENNIS CITY COMMISSION MEETINGS ARE NOW LIVESTREAMED AT:
www.ennistx.gov/citycommissionlivestream

A. CALL TO ORDER
- Roll Call
- Invocation
- Pledge of Allegiance

B. PRESENTATIONS

B.1. Employee of the Month
- Lonnie Berrett Blanton, Reference Librarian

B.2. Employee Retiree Recognition

B.3. New Employee Recognition

B.4. FY 2024 City of Ennis Annual Audit Presentation by Forvis, LLP

C. CITIZENS PUBLIC COMMENT PERIOD

The City Commission invites citizens to address the Commission on any topic not already scheduled for a Public Hearing. Citizens wishing to speak should complete a "Citizen Comment Period" form and present it to the City Secretary prior to the meeting. Speakers are limited to 3 minutes. In accordance with the Texas Open Meetings Act, the City Commission cannot take action on items not listed on the agenda. However, your concerns may be addressed by City Staff, placed on a future agenda, or responded to by some other course.

D. COMMISSIONER UPDATES

Pursuant to Texas Government Code Section 551.0415 the Mayor and Commission may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Commission events; (5) information about community events; (6) announcements involving imminent threat to public health and safety.

E. CONSENT ITEMS

E.1. Approval of the Minutes for the April 1, 2025 Ennis City Commission Regular Meeting.
CC Minutes - 04.01.25

E.2. Approval of the Minutes for the April 5, 2025 Ennis City Commission Special Meeting.

CC Minutes - 04.04.25

E.3. Approval of the Minutes for the April 4, 2025 Ennis City Commission Special Meeting.

CC Minutes 04.05.25

E.4. Approval of a Resolution awarding Bid No. ITB 25-108-16 to Evolve Unlimited Solutions, LLC, for the mowing of properties that have been determined to be unkempt by the City Code Enforcement personnel.

Mowing Abatement Bid Award - Evolve Unlimited Solutions

F. PUBLIC HEARING

F.1. Conduct a Public Hearing and discuss and consider an Ordinance amending the Zoning and Zoning Map of the City of Ennis, Texas, from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC) for a 13.43 acre-lot, tract, or parcel generally located in the 1200 block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432.

Zoning Change R10 to CC - 1200 block N Sonoma Trail ROW

F.2. Conduct a Public Hearing and discuss and consider an Ordinance approving a Specific Use Permit (SUP) for a 115' telecommunications tower on an approximate 0.053 acre tract of land zoned Corridor Commercial district (CC) located on Lot 1, Block A in the Brendan John Addition in the City of Ennis, Ellis County, Texas, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45.

SUP Telecommunications Tower

G. ITEMS FOR DISCUSSION AND INDIVIDUAL CONSIDERATION

G.1. Discuss and consider approving the business plan for Project F41, the Airport Layout Plan for the Ennis Municipal Airport.

Airport Layout Plan

G.2. Discuss and consider approval of a Resolution ratifying the purchase of emergency repair services of the FreshPet Lift Station located at 4900 Sterilite Drive from Global Pump Solutions in a sum of Seventy-One Thousand Six Hundred Thirty-Three Dollars and Seventy-Two Cents ($71,633.72).

Emergency Repair Services FreshPet Lift station

G.3. Discuss and consider approval of an Ordinance amending Chapter 10 "Licenses, Permits, and Business Regulations" to add Article XI "Special Events and Parades," providing for permitting, fees, and penalties; providing a severability clause; and providing for publication and establishing an effective date.

Special Events and Parades

G.4. Discussion regarding Public Communications and City Spokesman Guidelines

H. EXECUTIVE SESSION

The City Commission will recess into closed Executive Session pursuant to Texas Government Code:

H.1. Section 551.071 (1) and (2) Seek the advice of the Attorney regarding pending or contemplated litigation or a settlement offer and to consult with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts

with the Texas Open Meetings Act:

- 204 Avenue E
- 208 Avenue E

H.2. Section 551.074 - Personnel
Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

- City Manager
- Municipal Judge

I. ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION

J. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Ennis City Hall, a place convenient and readily accessible to the general public, as well as to the City's website at www.ennistx.gov and said Notice was posted prior to the following date and time: ***Friday, April 11, 2025 at 5:00 P.M.*** and remained posted for at least two hours after said meeting was convened.



_____
ANGIE WADE, TRMC, CMC
City Secretary

City of Ennis City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (972) 875-1234 or write to: PO Box 220, Ennis, TX 75120, at least 48 hours in advance of the meeting.

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Approval of the Minutes for the April 1, 2025 Ennis City Commission Regular Meeting.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	City Secretary
Staff Contact:	Angie Wade, City Secretary

BACKGROUND INFORMATION:

Minutes for the City Commission meeting held on April 1, 2025 are submitted for the Commission's review and approval.

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Approval of the Minutes for the April 5, 2025 Ennis City Commission Special Meeting.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	City Secretary
Staff Contact:	Angie Wade, City Secretary

BACKGROUND INFORMATION:

Minutes for the City Commission Special meeting held on April 5, 2025 are submitted for the Commission's review and approval.

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Approval of the Minutes for the April 4, 2025 Ennis City Commission Special Meeting.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	City Secretary
Staff Contact:	Angie Wade, City Secretary

BACKGROUND INFORMATION:

Minutes for the City Commission Special meeting held on April 4, 2025 are submitted for the Commission's review and approval.

AGENDA SUMMARY FORM

To: City Commission

Subject: Approval of a Resolution awarding Bid No. ITB 25-108-16 to Evolve Unlimited Solutions, LLC, for the mowing of properties that have been determined to be unkempt by the City Code Enforcement personnel.

Meeting: ENNIS CITY COMMISSION - 15 Apr 2025

Department: Health & Inspections

Staff Contact: Kevin Howard, Health Director

BACKGROUND INFORMATION:

The City of Ennis, issued Invitation to Bid No. ITB 25-108-16 seeking a contractor to provide mowing services for properties deemed unkempt by City Code Enforcement personnel.

FINANCIAL IMPACT:

Funds for this contract are allocated in the Code Enforcement budget for FY 2025. The mowing services will be paid on a per-property basis, as outlined in the awarded bid.

POLICY IMPLICATIONS:

Awarding this bid supports the City's property maintenance and public safety objectives and ensures compliance with local codes by addressing overgrown and unkempt properties in a timely manner.

RECOMMENDATION:

Staff recommends approval of the resolution awarding Bid No. ITB 25-108-16 to Evolve Unlimited Solutions, LLC and authorizing the Mayor to execute the necessary documents.

ATTACHMENTS:

RESOLUTION NO.-A resolution awarding Bid _ ITB 25-108-16 Mowing Abatement to Evolve Unlimited Solutions. - Pdf
Executive Summary (23)
mowing_abatement-2025-04-07-20-10-07

RESOLUTION NO.

A RESOLUTION AWARDING BID NO. ITB 25-108-16 TO EVOLVE UNLIMITED SOLUTIONS, LLC, FOR THE MOWING OF PROPERTIES THAT HAVE BEEN DETERMINED TO BE UNKEMPT BY THE CITY CODE ENFORCEMENT PERSONNEL; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS

WHEREAS, the City of Ennis, Texas, issued Invitation to Bid (ITB) No. 25-108-16 for the mowing of properties that have been determined to be unkempt by City Code Enforcement personnel during the fiscal year 2025, beginning in May; and

WHEREAS, the City Commission finds that the mowing of properties that have been determined to be unkempt by City Code Enforcement personnel is necessary to protect public health and safety, preserve neighborhood aesthetics, prevent the spread of pests and vermin, and ensure compliance with local property maintenance codes; and

WHEREAS, in response to the ITB, 4 bids were received, evaluated, and ranked according to established criteria; and

WHEREAS, staff has determined that Evolve Unlimited Solutions, LLC submitted the most responsive and responsible bid meeting all specifications outlined in ITB 25-108-16; and

WHEREAS, staff finds that it is in the best interest of the City to award the contract to Evolve Unlimited Solutions, LLC for the mowing of unkempt properties in accordance with the terms and conditions of the bid;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TX:

SECTION 1: The award of ITB No. 25-108-16 for the mowing of properties that have been determined to be unkempt by City Code Enforcement personnel to Evolve Unlimited Solutions, LLC is hereby approved, subject to the terms and conditions of the contract.

SECTION 2: The Mayor is hereby authorized to execute any necessary documents related to the award of this contract, including agreements and purchase orders.

SECTION 3: This Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 15th day of April, 2025.

_____
KAMERON RABURN, Mayor

ATTEST:

_____
ANGIE WADE, City Secretary

City of Ennis
Finance
Stanley Muli, Finance Director
107 N. Sherman St, Ennis, TX 75119

EXECUTIVE SUMMARY

ITB No. 25-108-16

Mowing Abatement

RESPONSE DEADLINE: March 28, 2025 at 1:00 pm

Report Generated: Monday, April 7, 2025

SOLICITATION OVERVIEW

Project Title	Mowing Abatement
Project ID	25-108-16
Project Type	Invitation For Bid
Release Date	March 2, 2025
Due Date	March 28, 2025
Procurement Agent	Katrinia Roberson
Project Description	The City of Ennis is requesting bids for Mowing Abatement. See ITB 25-108-16 on the City's OpenGov portal, bids are due before 1:00 pm on Friday, March 28, 2025.

Advertisement

The City of Ennis (City) will receive bids for 25-108-16 Mowing Abatement.

Specifications can be found at https://procurement.opengov.com/portal/ennistx.

Bids will be received until 1:00 pm Friday, March 28, 2025.

Sealed proposals/bids shall be submitted online at https://procurement.opengov.com/portal/ennistx.

All questions shall be fielded online at https://procurement.opengov.com/portal/ennistx.

Hard copy submissions will not be accepted

Bids will be opened at 107 N Sherman St., Ennis, TX 75119, Friday, March 28, 2025 1:00 pm.

City of Ennis

By: Katrinia Roberson

Title: Purchasing Manager

Bid Release Date:	March 2, 2025
Deadline for Submittal of Questions:	March 21, 2025, 5:00pm
Sealed Bids Due to the City:	March 28, 2025, 1:00pm
Publication Date 1:	03/02/2025
Publication Date 2:	03/09/2025

SOLICITATION STATUS HISTORY

Date	Changed To	Changed By
Feb 24, 2025 9:37 AM	Draft	Katrinia Roberson
Feb 24, 2025 4:52 PM	Review	Katrinia Roberson
Feb 27, 2025 11:25 AM	Final	Katrinia Roberson
Feb 27, 2025 11:25 AM	Post Pending	Katrinia Roberson
Mar 2, 2025 12:00 AM	Open	OpenGov Bot
Mar 28, 2025 1:00 PM	Pending	OpenGov Bot
Mar 28, 2025 1:06 PM	Evaluation	Katrinia Roberson

PROPOSALS RECEIVED

Status	Vendor	Contact Info	Submission Date
Submitted	AW&D Construction and Maintenance Services LLC	Willie Larry Jr awdconstructionllc@gmail.com (713) 882-2663	Mar 24, 2025 5:56 PM
Submitted	Earthworks Landscape and Maintenance LLC	Garret Ashton amandas@earthworkstexas.com (936) 648-5593	Mar 28, 2025 8:57 AM
Submitted	Evolve Unlimited Solutions LLC	Crystal Wilder info@evolveunlimitedsolutions.com	Mar 28, 2025 10:25 AM
Submitted	RDZ Construction	Amalia Gonzalez rdzconstruction60@gmail.com (430) 236-2152	Mar 27, 2025 8:57 PM

PRICING RESPONSES

TABLE 1

				AW&D Construction and Maintenance Services LLC		Earthworks Landscape and Maintenance LLC		Evolve Unlimited Solutions LLC		RDZ Construction	
Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Small Lot (Under 5,000 sq. ft.)	1	EA	$50.00	$50.00	$150.00	$150.00	$75.00	$75.00	$350.00	$350.00
2	Medium Lot (5,000 sq. ft. to 1 acre)	1	EA	$95.00	$95.00	$500.00	$500.00	$120.00	$120.00	$700.00	$700.00
3	Large Lot (1 acre to 5 acres)	1	EA	$350.00	$350.00	$1,250.00	$1,250.00	$250.00	$250.00	$950.00	$950.00
4	Extra Large Lot (over 5 acres)	1	EA	$450.00	$450.00	$2,500.00	$2,500.00	$425.00	$425.00	$1,100.00	$1,100.00
Additional Fees											
1	Debris Removal Fee	1	EA	$175.00	$175.00	$300.00	$300.00	$75.00	$75.00	$500.00	$500.00
2	24 Hour Turnaround Fee	1	EA	$500.00	$500.00	$300.00	$300.00	$35.00	$35.00	$200.00	$200.00
3	Additional Fee Not Mentioned Above	1	EA	$0.00	$0.00	$0.00	$0.00	$25.00	$25.00	$0.00	$0.00
Total					$1,620.00		$5,000.00		$1,005.00		$3,800.00

QUESTIONS AND ANSWERS

No Questions Received.

ADDENDA & NOTICES

ADDENDA ISSUED:

No Addenda issued.

NOTICES ISSUED:

No Notices issued.

EVALUATION

SELECTED VENDOR TOTALS

Vendor	Total
Evolve Unlimited Solutions LLC	$1,005.00
AW&D Construction and Maintenance Services LLC	$1,620.00
RDZ Construction	$3,800.00
Earthworks Landscape and Maintenance LLC	$5,000.00

TABLE 1

					AW&D Construction and Maintenance Services LLC		Earthworks Landscape and Maintenance LLC		Evolve Unlimited Solutions LLC		RDZ Construction	
Selected	Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
X	1	Small Lot (Under 5,000 sq. ft.)	1	EA	$50.00	$50.00	$150.00	$150.00	$75.00	$75.00	$350.00	$350.00
X	2	Medium Lot (5,000 sq. ft. to 1 acre)	1	EA	$95.00	$95.00	$500.00	$500.00	$120.00	$120.00	$700.00	$700.00
X	3	Large Lot (1 acre to 5 acres)	1	EA	$350.00	$350.00	$1,250.00	$1,250.00	$250.00	$250.00	$950.00	$950.00
X	4	Extra Large Lot (over 5 acres)	1	EA	$450.00	$450.00	$2,500.00	$2,500.00	$425.00	$425.00	$1,100.00	$1,100.00
Additional Fees												
X	1	Debris Removal Fee	1	EA	$175.00	$175.00	$300.00	$300.00	$75.00	$75.00	$500.00	$500.00
X	2	24 Hour Turnaround Fee	1	EA	$500.00	$500.00	$300.00	$300.00	$35.00	$35.00	$200.00	$200.00
X	3	Additional Fee Not Mentioned Above	1	EA	$0.00	$0.00	$0.00	$0.00	$25.00	$25.00	$0.00	$0.00
Total						$1,620.00		$5,000.00		$1,005.00		$3,800.00

CITY OF ENNIS

Invitation to Bid

Proposal Reference Number: 25-108-16

Project Title: MOWING ABATEMENT

Proposal Closing Date: 1:00 pm, March 28, 2025

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Invitation To Bid

Standard Terms & Conditions

Special Conditions

Pricing

Proposal

Advertisement

The City of Ennis (City) will receive bids for 25-108-16 Mowing Abatement.
Specifications can be found at https://procurement.opengov.com/portal/ennistx.
Bids will be received until 1:00 pm Friday, March 28, 2025.
Sealed proposals/bids shall be submitted online at https://procurement.opengov.com/portal/ennistx.
All questions shall be fielded online at https://procurement.opengov.com/portal/ennistx.
Hard copy submissions will not be accepted
Bids will be opened at 107 N Sherman St., Ennis, TX 75119, Friday, March 28, 2025 1:00 pm.

City of Ennis
By: Katrinia Roberson
Title: Purchasing Manager

Bid Release Date:	March 2, 2025
Deadline for Submittal of Questions:	March 21, 2025, 5:00pm
Sealed Bids Due to the City:	March 28, 2025, 1:00pm
Publication Date 1:	03/02/2025
Publication Date 2:	03/09/2025

Scope

Scope of Services

SCOPE AND INTENT

The City of Ennis is requesting bids for the mowing of properties that have been determined to be unkempt by City Code Enforcement personnel in fiscal year of 2025, beginning in May of 2025. When a property is identified for abatement, the City will **notify the contractor**, placing them on notice that a response is required **within 48 hours**. Once all pertinent paperwork is issued the City will provide approval to proceed. The contractor must **complete mowing services within 24 hours**.

The scheduled mowing times will be left to the discretion of the Contractor; however, should not be done prior to 6:00 a.m. or after 9:00 p.m.

Mowing heights shall be agreed upon and adhered to as recommended by the contract administrator or his/her designee. The contractor shall also remove all trash, litter and debris from the entire site including parking lot areas, sidewalks, curb and turf areas. The contractor shall properly dispose of all trash and litter. Any debris scattered by the mowing process shall be cleaned up by the contractor prior to leaving site. (Paper, Styrofoam, etc.) All median and right-of- way structures, trees, poles, signs, fences and shrub beds must be given special care to not inflict damage. Fees may be assessed for any damage to these structures or plant material.

Removal of cut grass from the turf area where growth occurred will not be required unless the cuttings are clumped. Cut grass and debris which falls or is thrown upon the pavement, streets, sidewalks, driveways or adjacent properties shall be removed from the area prior to leaving the work site but shall not be blown into the streets or into storm drains.

The contractor is responsible for any damage caused to the property, including but not limited to:

- **Sprinkler & irrigation systems** (must be repaired at contractor's expense).
- **Signage, poles, fencing, or trees** (City may assess repair fees).
- **Private property damage** due to negligence (contractor must reimburse the property owner or City for repair costs).

If damage is discovered after work is completed, the contractor must notify the City within **12 hours**. Failure to report damages may result in contract termination.

The successful proposer/vendor shall forward to the Department of Health Services a work record summary detailing the dates, times and locations of the work that has been completed on a weekly basis. This summary will become the documentation supporting payments to the Contractor. Payment cannot be made until a work record summary is received and reviewed by Health Department personnel and forwarded to Finance.

Failure on the part of the contractor to maintain required production shall be a sufficient reason for the City to have the work in question completed by others. If others are required to complete the work, any additional cost may be deducted from the contractor's next payment.

The City reserves the right to inspect, either announced or unannounced, the work performed by the Contractor. Upon determination of any violation of the specifications and/or a contract, the inspector shall record all pertinent information for the City and contractor review. The Contractor shall correct any deficiencies in work within two (2) business days of written or verbal notification by the City. Should the contractor fail to correct the default to the satisfaction of the City within this period, the City reserves the right to withhold payment and/or to terminate, in whole or in part, this contract.

If not corrected within this timeframe, the City may:

- Withhold payment until deficiencies are resolved.
- Assign work to another contractor at the vendor's expense.
- Terminate the contract for repeated infractions.

If inclement weather prevents mowing (as determined by the City), the contractor must complete the work within 24 hours of suitable weather conditions returning. Failure to do so may result in reassignment of

the work at the contractor's expense**.**
The contractor must comply with all OSHA safety standards, including:

- Providing and wearing appropriate **Personal Protective Equipment (PPE)**.
- Ensuring all mowing equipment is in safe working condition.
- Following all applicable **City ordinances** and **state regulations** for mowing operations.

2.2. General Definitions

Edging: Shall refer to the physical removal (do not use chemicals) of all plant material, which encroaches over or onto sidewalk (both sides), curbs, steps, driveways and pavements. Edge cut shall be a minimum vertical depth of one inch. The edging groove shall not exceed 2 inches width.
Inclement Weather: Shall mean icy, wet or rainy weather when the condition of the soil is such that the rutting of property will not allow cutting of grass to be accomplished satisfactorily. This determination shall be made at the sole discretion of the City.
Inspector: Shall mean a designated representative of the City of Ennis who shall monitor the contractor's performance. The inspector shall inspect the project area no later than 24 hours after work has been completed.
Project Area: The project area shall refer to the geographic area(s) of the City designated to receive specific grounds maintenance services.
Right-of Ways (ROW's): Shall mean the area extending from the right or left of the center line of the road bed or paved surface to the nearest property line; including, but not limited to, curbs, sidewalks, walkways, drainage ditches, burrow ditches and any other areas owned, dedicated, used or reserved for public use. (Normally telephone/electric poles define ROW's)
Scalping: Shall refer to any action that results in the mowing of any turf area down to and including the soil.
Trash and Litter: Shall mean any debris within the mowing area such as paper, cans, bottles, limbs not larger than 3 inches in diameter, trash bags, rocks, etc., which is not intended to be a part of the landscape. Removal of debris includes sweeping or blowing away grass clippings from all hard surfaces such as sidewalks, curbs and the noses of medians; however, it shall not be blown into the street or into storm drains.
Trimming: Shall refer to the cutting or removal of all plant material immediately adjacent to or under structures, poles, trees, signs, fences, planting beds, rocks or other man-made or natural above ground objects. Trimming also includes the removal of all plant material from expansion joint and any other cracks in curbs, sidewalks (both sides), driveways and any other concrete/ asphalt surface within the mowing area.

Key Events Schedule

Bid Release Date:	March 2, 2025
Deadline for Submittal of Questions:	March 21, 2025, 5:00pm
Sealed Bids Due to the City:	March 28, 2025, 1:00pm
Publication Date 1:	03/02/2025
Publication Date 2:	03/09/2025

*No Pre-Bid Meeting will take place. However, it is strongly encouraged that potential proposers should familiarize themselves with the locations and proposal requirements prior to submission of a bid.

Invitation To Bid

Introduction

A. Project Overview: The City of Ennis is requesting Bids with the intent of awarding a contract for the purchase of goods and services contained in Scope of Services.
B. Contract parties: The City of Ennis, may herein be referred to as "the City." The person or company responding to the solicitation may herein be referred to as the "Proposer."
C. Questions: Following are contacts for questions as identified.
    i. ITB Clarifications/Questions/Inquiries: All questions related to requirements or processes of this ITB should be submitted through the Question & Answers section of OpenGov.
    ii. Replies: Responses to inquiries which directly affect an interpretation or effect a change to this ITB will be issued in writing by addendum posted to City's OpenGov portal. All such addenda issued by City prior to the submittal deadline shall be considered part of the ITB. The City shall not be bound by any reply to an inquiry unless such reply is made by such formal written addendum.
    iii. Acknowledgment of Addenda: The Proposer shall acknowledge all addenda as part of their Proposal.
D. Notification of Errors or Omissions: Proposers shall promptly notify the City of any omissions, ambiguity, inconsistency or error that they may discover upon examination of this ITB. The City shall not be responsible or liable for any errors and/or misrepresentation that result from the solicitations which are inadvertently incomplete, ambiguous, inconsistent or obviously erroneous.
E. Conflict of Interest Questionnaire (Form CIQ): A person or business, and their agents, who seek to contract or enter into an agreement with the City, are required by Texas Local Government Code, Chapter 176, to file a conflict of interest questionnaire (FORM CIQ). The form must be filed with the City no later than seven (7) days after the date the person or business begins contract discussions or negotiations with the City, or submits an application, response to a request for proposals or bids, correspondence, or other writing related to any potential agreement with the City.
F. Form 1295 Certificate of Interested Parties: In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least $1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016. Please go to the Texas Ethics Commission web page (www.ethics.state.tx.us) for full instructions and to complete the required steps for creation of Form 1295. Once the form is completed online, printed and notarized please return the form with your proposal submission.

General Information

A. Tax Exempt Status: City purchases are exempt from State Sales Tax and Federal Excise Tax. Do not include tax in the Proposal. City will furnish Excise Tax Exemption Certificate upon request.
B. Public Inspection of Proposals: The City strictly adheres to the Texas Public Information Act (Texas Government Code Chapter 552.001, et seq.) and all other governing statutes, regulations, and laws regarding the disclosure of ITB information. Proposals are not available for public inspection until after the contract award. If the Proposer has notified the City, in writing, that the Proposal contains trade secrets or confidential information, the City will generally take

reasonable steps to prevent disclosure of such information, in accordance with the Public Information Act. This is a statement of general policy only, and in no event shall the City be liable for disclosure of such information by the City in response to a request, regardless of the City's failure to take any such reasonable steps, even if the City is negligent in failing to do so.

ITB Withdrawals and/or Amendments

A. ITB Withdrawal: The City reserves the right to withdraw this ITB for any reason.
B. ITB Amendments: The City reserves the right to amend any aspect of this ITB by formal written Addendum prior to the Proposal submittal deadline and will endeavor to notify all potential Proposers that have registered with the City, but failure to notify shall impose no obligation or liability on the City.

Proposal Submittal Requirements

A. Submittal Packet – Required Content: All bids must be electronically submitted through OpenGov.
B. Submittal Deadline: The deadline for submittal of bids shall be as identified in the timeline for this project. It is the Proposer's responsibility to submit their Bid before 1:00 pm on Friday, March 28, 2025. No extensions will be granted and no late submissions will be accepted.
C. Alterations or Withdrawals of Bid Document: Any submitted Bid may be withdrawn or a revised bid substituted prior to the submittal deadline. Bid documents cannot be altered, amended or withdrawn by the Proposer after the submittal deadline.
D. Validity Period: Once the submittal deadline has passed, any Bid Document shall constitute an irrevocable bid to provide the commodities and/or services set forth in the Scope of Services at the price(s) shown in the Bid Document. Such bid shall be irrevocable until the earlier of the expiration of ninety (90) days from the submittal deadline, or until a contract has been awarded by the City.

Contract Terms and Conditions

Term of Contract and Option to Extend

Any contract resulting from this ITB shall be effective for **one (1) year**, with the option to renew for up to **three (3) additional years** from the date of award. Contract renewal will be subject to the **availability of funds** and at the **sole discretion of the City**, on an annual basis.

Delivery of Products and/or Services

A. Warranty of Products and Services: All products furnished under this contract shall be warranted to be merchantable and good quality and fit for the purposes intended as described in this Proposal, to the satisfaction of City and in accordance with the specifications, terms, and conditions of the Scope of Services, and all services performed shall be warranted to be of a good and workmanlike quality, in addition to, and not in lieu of, any other express written warranties provided.
B. Late Delivery or Performance: If Proposer fails to deliver acceptable goods or services within the timeframes established in the Project Schedule, the City shall be authorized to purchase the goods or services from another source and assess any increase in costs to the defaulting Proposer, who agrees to pay such costs within ten days of invoice.
C. Title to Goods and Risk of Loss: For goods to be provided by Proposers hereunder, if any, the title and risk of loss of the goods shall not pass to City until City actually receives, takes possession, and accepts the goods and the installation of such goods, has tested the system, and determined that it is in good and acceptable working order.

Miscellaneous

A. Independent Contractor: Proposer agrees that Proposer and Proposer's employees and agents

have no employer- employee relationship with City. Proposer agrees that if Proposer is selected and awarded a contract, City shall not be responsible for the Federal Insurance Contribution Act (FICA) payments, Federal or State unemployment taxes, income tax withholding, Workers Compensation Insurance payments, or any other insurance payments, nor will City furnish any medical or retirement benefits or any paid vacation or sick leave.

B. Assignments: The rights and duties awarded the successful Proposer shall not be assigned to another without the written consent of the Purchasing Manager. Such consent shall not relieve the assigner of liability in the event of default by the assignee.
C. Liens: Proposer shall indemnify and save harmless the City against any and all liens and encumbrances for all labor, goods, and services which may be provided to the City by Proposer or Proposer's vendor(s), and if the City requests, a proper release of all liens or satisfactory evidence of freedom from liens shall be delivered to the City.
D. Gratuities / Bribes: Proposer certifies that no bribes in the form of entertainment, gifts, or otherwise, were offered or given by the successful Proposer, or its agent or representative, to any City officer, employee or elected representative, with respect to this ITB or any contract with the City, and that if any such bribe is found to have been made this shall be grounds for voiding of the contract
E. Financial Participation: Proposer certifies that it has not received compensation from the City to participate in preparing the specifications or scope on which the Bid is based and acknowledges that this contract may be terminated and/or payment withheld if this certification is inaccurate.
F. Required Licenses: Proposer certifies that he holds all licenses required by the State of Texas for a provider of the goods and/or services described by the Scope of Services herein.
G. Authority to Submit Bid and Enter Contract: The person signing on behalf of Proposer certifies that the signer has authority to submit the Bid on behalf of the Proposer and to bind the Proposer to any resulting contract.
H. Compliance with Applicable Law: Proposer agrees that the contract will be subject to, and Proposer will strictly comply with, all applicable federal, state, and local laws, ordinances, rules, and regulations.

Financial Responsibility Provisions

A. Insurance: The Proposer, consistent with its status as an independent contractor, shall carry, and shall require any of its subcontractors to carry, at least the following insurance in such form, with such companies, and in such amounts (unless otherwise specified) as City may require:
    i. Worker's Compensation and Employer's Liability insurance, including All States Endorsement, to the extent required by federal law and complying with the laws of the State of Texas;
    ii. Commercial General Liability insurance, including Blanket Contractual Liability, Broad Form Property Damage, Personal Injury, Completed Operations/Products Liability, Premises Liability, Medical Payments, Interest of Employees as additional insureds, and Broad Form General Liability Endorsements, for at least One Million Dollars ($1,000,000) Combined Single Limit Bodily Injury and Property Damage on an occurrence basis;
    iii. Comprehensive Automobile Liability insurance covering all owned, non-owned or hired automobiles to be used by the Contractor, with coverage for at least One Million Dollars ($1,000,000) Combined Single Limit Bodily Injury and Property Damage.
B. **Indemnification: Proposer agrees to defend, indemnify and hold harmless the City, all of its officers, Commission members, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages and liabilities, including reasonable attorneys' fees, court costs and related expenses, arising out of, connected with, or resulting from any acts or omissions of Proposer or any agent, employee, subcontractor, or supplier of Proposer in the execution or performance of this contract without regard to whether such**

persons are under the direction of City agents or employees.

Proposal Evaluation and Contract Award

A. Bid Evaluation and Contract Award Process: An award of a contract to provide the goods or services specified herein will be made using competitive sealed bids, in accordance with Chapter 252 of the Texas Local Government Code and with the City's purchasing policy. The City will evaluate all bids to determine which Bid provides the goods or services at the best value for the municipality. In determining best value, the municipality may weigh and consider the purchase price option, the reputation of the Proposer and of the Proposer's goods or services; the quality and design of the Proposer's goods or service, the extent to which the goods and service meet the municipality's needs; the past relationship with the municipality, the total long-term cost to the municipality to acquire the Proposer's goods or services, and in addition, each additional factor identified in the Scope of Services for this contract, if any. Should the City award this contract, it shall award it to the responsible Proposer whose bid is determined to be the most advantageous to the municipality considering the relative importance of price and the other evaluation factors included in the ITB.
B. Completeness: If the Bid is incomplete or otherwise fails to conform to the requirements of the ITB, City alone will determine whether the variance is so significant as to render the Bid non-responsive, or whether the variance may be cured by the Proposer or waived by the City, such that the Bid may be considered for award.
C. Ambiguity: Any ambiguity in the Bid as a result of omission, error, lack of clarity or non-compliance by the Proposer with specifications, instructions and all conditions shall be construed in the favor of the City. In the event of a conflict between these standard ITB requirements and details provided in the "Scope of Services" or "Proposal" sections of this ITB, the ITB Section shall prevail.
D. Unit Prices and Extensions: If unit prices and their extensions do not coincide, the City may accept the price most beneficial to the City, and the Proposer will be bound thereby.
E. Additional Information: City may request any other information necessary to determine Proposer's ability to meet the minimum standards required by this ITB.
F. Partial Contract Award: City reserves the right to award one or more contracts for some or all the requirements bid or award multiple contracts for various portions of the requirements to different Proposers based on the unit prices proposed in response to this ITB, or to reject any and all Bids and re-solicit for Bids, as deemed to be in the best interest of City.
G. Terminate for Cause: The occurrence of any one or more of the following events will justify termination of the contract by the City of Ennis for cause:
    i. The successful Proposer fails to perform in accordance with the provisions of these specifications; or
    ii. The successful Proposer violates any of the provisions of these specifications; or
    iii. The successful Proposer disregards laws or regulations of any public body having jurisdiction; or
    iv. The successful Proposer transfers, assigns, or conveys any or all of its obligations or duties under the contract to another without written consent of the City.
    v. If one or more of the events identified in Subparagraphs G. i) through iv) occurs, the City of Ennis may terminate the contract by giving the successful Proposer seven (7) days written notice. In such case, the successful Proposer shall only be entitled to receive payment for goods and services provided before the effective date of termination. The successful Proposer shall not receive any payment on account of loss of anticipated profits or revenue or other economic loss resulting from such termination.
    vi. When the contract has been so terminated by the City of Ennis, such termination shall not affect any rights or remedies of the City then existing or which may thereafter accrue.

H. Terminate for Convenience: This contract may be cancelled or terminated at any time by giving the successful Proposer thirty (30) days written notice. The successful Proposer may be entitled to payment for services actually performed; to the extent said services are satisfactory.

Standard Terms & Conditions

Funding

Funds for payment have been provided through the City budget approved by the Ennis City Commission. Any anticipated orders or other obligations that may arise past the end of the current City fiscal year will be subjected to budget approval.

Altering Bids

Bids shall not be altered or amended after the time of opening. Any alterations made before opening occurs must be initialed by the Proposer or his/her authorized agent. No bid may be withdrawn after opening without approval and based upon the submission of a written and acceptable reason.

Contract

This Bid, when properly accepted by the City, along with the City's standard terms and conditions shall constitute a binding contract between the successful Proposer and the City. The City may delay acceptance of bids for thirty (30) days from the date of opening. No additional terms will apply or become a part of this Contract except for Change Orders that are approved by the City.

Change Orders

No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the Contract. All Change Orders must be approved in writing by the City.

Prices

Bid prices must be firm for the duration of the contract. The City is exempt by law from payment of Texas Sales Tax and Federal Excise Tax; do not include tax in the Bid. Unit price should reflect all charges, including transportation or freight costs. Proposer shall bid Unit Price on quantity specified, extend, and show total. In case of errors in extension, UNIT prices shall govern. Proposals subject to unlimited price increases will not be considered. Successful proposers shall be required to provide a W-9 Taxpayer Identification Number and Certification.

Reduced Prices

If during the term of the Contract, the successful Proposer's net prices to other customers for services provided hereunder are reduced below the contracted price, the successful Proposer understands and agrees that the price reduction shall be extended to the City. The City shall not be required to request the price reduction.

Delivery

All delivery charges are to be included in the Bid Price.

Ethics

The Proposer shall not offer/accept gifts or anything of value, nor enter into any business arrangement with any employee, official, or agent of the City.

Exceptions/Substitutions

Exceptions and substitutions to the specifications shall not be considered.

Laws

Bids must comply with all federal, state, and local laws concerning types of products specified.

Materials

The design, strength, and quality of materials must conform to the highest standards of manufacturing practice.

Minimum Standards for Responsible Proposres

A prospective proposer must affirmatively demonstrate responsibility and must meet the following requirements:

a. Have adequate financial resources, or the ability to obtain resources required;
b. Have the ability to comply with the required or proposed delivery schedule;
c. Have a satisfactory record of performance;
d. Have a satisfactory record of integrity and ethics; and
e. Have the eligibility and qualifications to receive an award.

The City may request clarification or other information sufficient to determine proposer's ability to meet these minimum standards listed above. Failure to respond to such requests shall be cause for removal from consideration.

Documentation

Proposer shall provide with this bid, all documentation required by this Specification. Failure to provide information specifically requested may result in rejection of the bid. If items being proposed are of a vehicle or equipment nature, the Vendor shall complete all title paperwork and provide a complete set of repair manuals for each different type of vehicle or equipment.

Term of Contract

This Contract shall remain in effect until the end of the term of the Contract, until acceptance of performance or services ordered or until terminated by either party with thirty (30) days written notice to the other party. However, the successful Proposer must state the reasons for such termination.

Default

The City reserves the right to enforce the performance of this Contract in any manner prescribed by law or deemed to be in the best interest of the City in the event the successful Proposer defaults on this Contract. Default includes:

1. Inability to meet schedules or requested delivery times;
2. Defaults in the payment of any fees; or
3. Failure to otherwise perform in accordance with these terms, conditions, or specifications of the Contract.

No party shall be in default under the Contract until notice of the alleged failure of the party to perform has been given in writing and until the party has been given a reasonable time to cure the alleged failure (such reasonable time to be determined based on the alleged nature of the alleged failure, but in no event more than 30 days after written notice of the alleged failure has been given). If the successful Proposer fails to cure the alleged failure to perform with the time indicated in the written notice from the City, then the City may terminate the Contract.

Notice

Any notice required by this Contract (or required by law at the address so provided) to be given to any party shall be deemed to have been received when personally delivered or 72 hours after such written notice has been deposited in the mail in Ennis, Texas by Registered or by Certified Mail with sufficient

postage affixed thereto, addressed to the party at the address so provided.

Purchase Order

A purchase order shall be generated by the City to the successful Proposer. The purchase order number must appear on all itemized invoices. The City will not be held responsible for any orders placed/delivered without a valid current purchase order number.

Each Invoice

Each Invoice shall be numbered and shall show

a. name and address of the successful Proposer,
b. name and address of receiving department and/or delivery location,
c. the City Purchase Order Number, and
d. descriptive information as to the services delivered.

Payment

Payment will be made upon receipt and acceptance by the City of the item(s) ordered and receipt of a valid invoice. The City's standard payment terms are net 30, i.e. payment is due in thirty (30) days.

Items

Items, if any, supplied under this Contract shall be subject to the City's approval. Items found defective or not meeting specifications shall be picked up and replaced by the successful Proposer at the next service date, at no expense to the City. If the item(s) is not picked up within one (1) week after notification, the item(s) may be removed at the Owner's expense at the discretion of the City.

Services and Supplies

Services and supplies under this Contract shall be subject to the City's approval. Services or supplies found defective or not meeting specifications shall be promptly corrected at no expense to the City.

Supporting Information

The successful Bidder shall warrant that all items/services shall conform to the Specifications. When requested by the City, proposers are required to provide technical brochures or pre-published literature sufficient to verify that your products and/or services meet or exceed these Specifications. Failure to include supporting information specifically requested may be cause for rejection of the Bid.

a. **Warranty** – Include warranty information with the Bid. Warranties may be a consideration of Bid Evaluation. Only standard pre-published warranties will be considered.
b. **Technical Literature** – Include pre-published drawings, brochures, or engineering data sufficient to ensure that the product meets or exceeds minimum specifications.

Applicable Law and Venue

This Agreement will be governed and construed according to the Laws of the State of Texas. This Agreement is performable in Ennis, Texas. Venue for actions arising under this Agreement in federal courts shall lie exclusively in the Northern District of Texas, Dallas Division, and for State courts shall lie exclusively in Ellis County, Texas.

Equal Employment Opportunity

The successful Proposer shall comply with all applicable provisions of regulations of the U.S. Department of Commerce (Part A of Subtitle 15 or the Code of Federal Regulations) issued pursuant to the Civil Rights Act of 1964, in regard to nondiscrimination in employment because of race, religion, color, sex,

handicap, or national origin. The Proposer shall comply with all applicable Federal, State, and local laws, rules, and regulations concerning equal opportunity employment.

Assignment

The successful Proposer shall not sell, assign, transfer, or convey this Contract, in whole or in part.

Silence of Specification

The apparent silence of specifications, terms, and conditions to any detail, or to the apparent omission of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. Interpretations of these specifications shall be made on the basis of this Statement.

Proposal Bond

Required when stated in ITB.

Performance Bond

Required when stated in ITB.

Proprietary Information

The responders to any inquiry or bid request shall state any restrictions on the use of data contained in their responses. Proprietary information will be handled in accordance with applicable state and federal laws, regulations, and policy of this jurisdiction.

Nonresident Proposers

Texas State Law requires that the City give preference to Texas Resident Proposers at an amount that a Texas Resident Proposer would be required to underbid a Nonresident Proposer in order to obtain a comparable contract in the State in which the Nonresident's principal place of business is located. Preferences may or may not apply, but will be enforced as prescribed in Texas Government Code Chapter 2252, Subchapter A. Proposers must certify that they are resident or nonresident in order to meet specifications. Failure to do so on the provided response forms will disqualify that Proposer. Certification is included in the Proposal Affidavit to follow.

Subcontracting

The awarded vendor shall not subcontract without the written approval of the City.

Independent Contractor

The successful Proposer is and shall be deemed an independent contractor of the City. The Contract shall not be deemed as creating a joint venture between the parties.

Inclement Weather

The following is only valid in Invitations to Bid where in-person submittal or hard copies will be considered for this ITB.
In case of inclement weather or any other unforeseen event causing the City to close for business on the date a bid/proposal submission deadline, the bid closing will automatically be postponed until the next business day the City is open. If inclement weather conditions or any other unforeseen event causes delays in carrier service operations, the City may issue an addendum to all known vendors interested in the project to extend the deadline. It will be the responsibility of the vendor to notify the City of their interest in the project if these conditions are impacting their ability to turn in a submission within the stated deadline. The City reserves the right to make the final judgement call to extend the deadline.

Interlocal Agreements and Piggybacking

The City acknowledges the existence of interlocal agreements with other government entities and is committed to fostering collaborative efforts to streamline procurement processes. The City recognizes the benefits of piggybacking on contracts that have been competitively solicited and awarded by other jurisdictions. In accordance with applicable laws and regulations, The City of Ennis hereby provides explicit consent to piggyback on existing contracts with your company, subject to the terms and conditions outlined in the respective interlocal agreements and with the written approval of your organization as the vendor.

Special Conditions

The following special conditions shall prevail over areas of conflict in previous pages:

- NONE

Pricing

Pricing shall reflect the full Scope of Services defined herein, inclusive of all associated cost for delivery, labor, insurance, taxes, overhead, and profit.
Proposer shall quote unit pricing in accordance with the itemized listing of products or contract segments stated in the Scope of Services and using the following format:

Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total
1	Small Lot (Under 5,000 sq. ft.)	1	EA		
2	Medium Lot (5,000 sq. ft. to 1 acre)	1	EA		
3	Large Lot (1 acre to 5 acres)	1	EA		
4	Extra Large Lot (over 5 acres)	1	EA		
Additional Fees					
1	Debris Removal Fee	1	EA		
2	24 Hour Turnaround Fee	1	EA		
3	Additional Fee Not Mentioned Above	1	EA		
TOTAL					

Proposal

References*
Proposer shall provide **four (4)** references where Proposer has performed similar to or the same types of services as described within this RFP. Proposer shall include the following with each individual reference:

- Client/Company Name
- Contact Name at Client/Company
- Title of Contact
- Phone Number of Contact
- Email Address of Contact
- Date of Work/Service(s) Provided
- Scope of Work/Service(s) Provided

*Response required

Contract Release*
In the past 5 years have you ever been released from a contract with or without cause? If so please provide the company's name, project name and a good contact number for the project lead.
*Response required

Texas Resident Certification*
In accordance with Texas Government Code Chapter 2252, Subchapter A, the City of [Your City Name] is required to give preference to Texas Resident Proposers. This preference applies to the extent that a Texas Resident Proposer would need to underbid a Nonresident Proposer to obtain a comparable contract in the state where the Nonresident's principal place of business is located.
To comply with this requirement, all Proposers must certify whether they are a Texas Resident Proposer or a Nonresident Proposer. Failure to provide this certification on the provided response forms will result in disqualification of the Proposal.
☐ The Proposer certifies that their principal place of business is located within the State of Texas.
☐ The Proposer certifies that their principal place of business is located outside the State of Texas.
*Response required

VERIFICATION REGARDING ENERGY COMPANY BOYCOTTS*
To the extent this Agreement constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code, as amended, Consultant hereby verifies that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, do not boycott energy companies and, will not boycott energy companies during the term of this Contract. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott energy companies" shall have the meaning assigned to the term "boycott energy company" in Section 809.001, Texas Government Code. Consultant understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Underwriter and exists to make a profit.
☐ Please confirm

*Response required

VERIFICATION REGARDING DISCRIMINATION AGAINST FIREARM ENTITY OR TRADE ASSOCIATION*
To the extent this Agreement constitutes a contract for the purchase of goods or services having a value of

at least $100,000 that is paid wholly or partly from public funds for which a written verification is required under Section 2274.002, Texas Government Code, as amended, Consultant hereby verifies that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any,

1. do not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and
2. will not discriminate during the term of this Agreement against a firearm entity or firearm trade association.

The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" shall have the meaning assigned to such term in Section 2274.001(3), Texas Government Code. Consultant understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Underwriter and exists to make a profit.
☐ Please confirm

*Response required

CERTIFICATIONS REGARDING TERRORIST ORGANIZATIONS AND BOYCOTT OF ISRAEL*
To the extent this Agreement constitutes a contract for goods or services for which a written verification is required under Sections 2252.151-.154 Texas Government Code, Consultant hereby certifies that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, is not a company identified on the Texas Comptroller's list of companies known to have contracts with, or provide supplies or services to, a foreign organization designated as a Foreign Terrorist Organization by the U.S. Secretary of State under federal law.

To the extent this Agreement constitutes a contract for goods or services for which a written verification is required under Sections 2271.001-002 Texas Government Code, Consultant and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, further certifies and verifies that it does not boycott Israel, and agrees that it will not boycott Israel during the term of this Contract. For purposes of this Contract, the term "boycott" shall mean and include terminating business activities or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory. (Tex. Gov't Code §§ 2270.001-.002, 808.001-.006, .051-.057, .101-.102)

The foregoing certification is made solely to comply with Chapter 2271, Texas Government Code, as amended, to the extent the applicable provision in Chapter 2271.001, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott Israel" shall have the meaning assigned to such term in Section 808.001(1), Texas Government Code. Consultant understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Underwriter and exists to make a profit.
☐ Please confirm

*Response required

CERTIFICATION REGARDING CRITICAL INFRASTRUCTURE*
Consultant hereby certifies that it will not be granted direct or remote access to, or control of, critical infrastructure, as defined by Section 2275.0101(2), Texas Government Code, in this State, excluding access specifically allowed by the governmental entity for product warranty and support purposes; and is not owned by or the majority of stocks or other ownership interest of the company is held or controlled

by: (i) individuals who are citizens of China, Iran, North Korea, Russia or a designated country; or (ii) a company or other entity, including a government entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia or a designated country; or headquartered in China, Iran, North Korea, Russia or a designated country. Regardless of whether the company's or its parent company's securities are publicly traded; or the company or its parent company is listed on the New York Stock Exchange as: a Chinese, Iranian, North Korean or Russian company; or a company of a designated country. "Cybersecurity" means" the measures taken to protect a computer, computer network, computer system, or other technology infrastructure against unauthorized use or access, as defined in Section 2275.010(3).

The foregoing certification is made solely to comply with Chapter 2275, Texas Government Code, as amended.
☐ Please confirm

*Response required

Form CIQ*
Please download the below documents, complete, and upload.
- Form_CIQ.pdf

*Response required

Form 1295 Certification*
Please provide documentation showing that you have submitted Form 1295 with the Texas Ethics Commission.
*Response required

Proposer Authorization*
Proposer confirms their authority (and has uploaded necessary documentation proving such) to execute this Proposal in its entirety as submitted and enter into a contract on behalf of the Company Name stated in said Proposal.
☐ Please confirm

*Response required

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Conduct a Public Hearing and discuss and consider an Ordinance amending the Zoning and Zoning Map of the City of Ennis, Texas, from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC) for a 13.43 acre-lot, tract, or parcel generally located in the 1200 block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	Building Official
Staff Contact:	Jorge Barake, Planner

BACKGROUND INFORMATION:

On March 24, 2025, the Planning and Zoning Commission held a public hearing and considered a zoning change for an approximately 13.43 acre-lot, tract or parcel of land located in the 1200 block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432.

The Planning and Zoning Commission voted against (7-0) the zoning change.

FINANCIAL IMPACT:

N/A

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

The Planning and Zoning Commission does not recommend approval.

ALTERNATIVES:

None

ATTACHMENTS:

ZAXA-25-2_Narrative
ZAXA-25-2_Zoning Exhibit
ZAXA-25-2_Memorandum Buffer
ZAXA-25-2_SPO Responses
ZAXA-25-2_PPT Slides

F.1.

ORDINANCE NO.-Conduct a Public Hearing to discuss and consider a request for ZONING CHANGE from “R-10” Single Family Residential 10 to “CC” Corridor C - Pdf

WE ARE ENNIS

Ennis Independent School District
303 W. Knox Street | P. O. Box 1420
Ennis, TX 75120

Telephone: 972-872-7000
Facsimile: 972-875-8667
www.ennis.k12.tx.us

November 12, 2024

City of Ennis Planning & Zoning Commission
107 N. Sherman
Ennis, TX 75119

Commissioners,

Ennis ISD currently owns 13.2670 acres of property on the east side of I-45. The Property ID is 185432 and was purchased from TBW Land & Cattle Company LLC on January 29, 2001. The property is currently zoned as residential.

It is our understanding that the tracts to the north and the east of the Ennis ISD tract have been purchased by housing developers, while the property to the south has been secured by a commercial developer.

Given the location and safety concerns over traffic flow through the area, the Ennis ISD Board of Trustees do not feel the property is a suitable location for a campus in the future.

It is the request of the Ennis ISD Board of Trustees that the Planning & Zoning Commission, along with the Ennis City Commission grant the change in zoning from "Residential" to "Commercial." This change to commercial will allow Ennis ISD to maximize the investment of the property that was purchased 23 years ago.

As all of us strive to be responsible stewards of taxpayer money, we believe this is certainly in the best interest of the school district and the City of Ennis. While Ennis ISD has no plans to construct a campus on this property, the revenue from the sale of this property will allow the district to seek and purchase other property in the area for a future campus. This zoning change will hopefully allow other property to be purchased without having to use current district funds or affect the tax rate.

This property is currently listed as "Residential" in the City Comprehensive Plan. However, the Comprehensive Plan is a living document and has changed many times and will continue to be adjusted as needed to best serve our community.

We thank you for your time and consideration in this matter.

Bramlet Beard, President

Bill Chapman, Vice-President

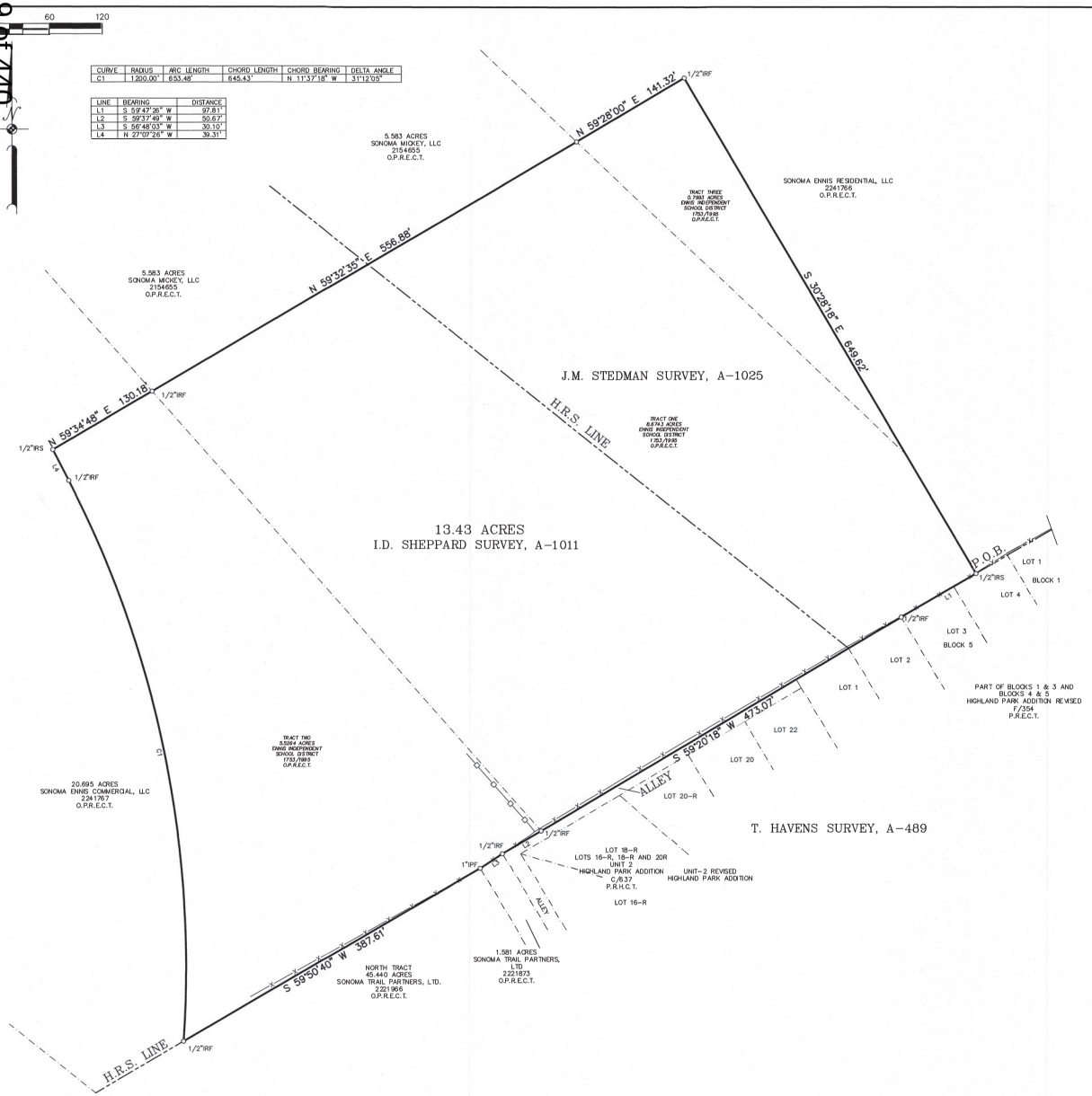
Tommy Aguilar, Secretary

Dr. Lindsey Clark-Fass, Member

John Erisman, Member

Wayne Leaks, Member

Kelly McManus, Member



LEGEND

PROPERTY CORNER	WATER VALVE	TELE. PEDESTAL	MAILBOX	WIRE FENCE	GAS
POWER POLE	FIRE HYDRANT	FIBER OPTIC MARKER	HVAC	CHAINLINK FENCE	WATER
GUY WIRE	GAS METER	CABLE TV PEDESTAL	TRAFFIC SIGN	WOOD FENCE	FIBER OPTIC
ELEC. TRANS.	GAS LINE MARKER	CLEANOUT	SAN. SEWER MANHOLE	IRON FENCE	SANITARY SEWER
ELECTRIC METER	GAS VALVE	SEPTIC	STORM SEWER MANHOLE	ELECTRIC	STORM SEWER
WATER METER	PIPELINE MARKER	AEROBIC	LIGHT POLE	UNDERGROUND ELEC.	

LEGAL DESCRIPTION

BEING a tract or parcel of land situated in Ellis County, Texas, being a part of the I.D. Sheppard Survey, Abstract No. 1011 and part of the J.M. Stedman Survey, Abstract No. 1025, being all of an 8.6743 (Tract One) acre tract of land, all of a 5.5264 (Tract Two) acre tract of land and all of a 0.7993 (Tract Three) acre tract of land as described in a Warranty Deed from TBW Land & Cattle, LLC to Ennis Independent School District as recorded in Volume 1753 at Page 1995 of the Official Public Records of Ellis County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod set for a corner at the easternmost corner of said 8.6743 acre tract;
THENCE S 59°47'26" W along a fence and the southeast line of said 8.6743 acre tract, a distance of 97.81 feet to a 1/2 inch iron rod found for a corner;
THENCE S 59°20'18" W along the southeast line of said 8.6743 acre tract, a distance of 473.07 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 8.6743 acre tract and the easternmost corner of said 5.5264 acre tract in an alley;
THENCE S 59°37'49" W along the southeast line of said 5.5264 acre tract and an alley, a distance of 50.67 feet to a 1/2 inch iron rod found for a corner;
THENCE S 56°48'03" W along a fence and the southeast line of said 5.5264 acre tract, a distance of 30.10 feet to a 1 inch pipe found for a corner;
THENCE S 59°50'40" W along the southeast line of said 5.5264 acre tract, a distance of 387.61 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 5.5264 acre tract, said corner being in the beginning of a curve to the left; having a central angle of 31°12'05", a radius of 1200.00 with a chord bearing of N 11°37'18" W and a chord distance of 645.43 feet,
THENCE in the Northwesterly direction, along said curve to the left and the southwest line of said 5.5264 acre tract, an arc length of 653.48 feet to a 1/2 inch iron rod found for a corner;
THENCE N 27°07'26" W along the southwest line of said 5.5264 acre tract, a distance of 39.31 feet to a 1/2 inch iron rod set for a corner at the westernmost corner of said 5.5264 acre tract;
THENCE N 59°34'48" E along the northwest line of said 5.5264 acre tract, a distance of 130.18 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 5.5264 acre tract and the westernmost corner of said 8.6743 acre tract;
THENCE N 59°32'35" E along the northwest line of said 8.6743 acre tract, a distance of 556.88 feet to a 1/2 inch iron rod set for a corner at the northernmost corner of said 8.6743 acre tract and the westernmost corner of said 0.7993 acre tract;
THENCE N 59°28'00" E along the northwest line of said 0.7993 acre tract, a distance of 141.32 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 0.7993 acre tract;
THENCE S 30°28'18" E a distance of 649.62 feet returning to the Point of Beginning and containing 13.43 acres of land.

SURVEYOR'S CERTIFICATE

I, Donald S. Holder, Registered Professional Land Surveyor, State of Texas, hereby certify that the plat hereon was made from measurements performed on the ground, the lines, and dimensions of said property being indicated by the plat, the corner monuments shown hereon were set or found as described and is a true survey to the best of my knowledge and belief.

Donald S. Holder R.P.L.S. No. 5266

STATE OF TEXAS
REGISTERED
DONALD S. HOLDER
5266
PROFESSIONAL
LAND SURVEYOR

NOTES:

1. Bearings are based on North Central Texas State Plane 4202 NAD83.
2. According to the Flood Insurance Rate Map No. 48139C0380F dated June 3, 2013 published by the Federal Emergency Management Agency, the subject property lies within Flood Zone "X" and is not shown to be within a special flood hazard area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Eyncon ENGINEERING & SURVEYING p.o. box 1025•GREENVILLE, TX 75403 www.eyncon.com • (903) 450-9837	DATE: SEPT. 11, 2024	JOB NO.: 20824053
	DRAWN BY: S. HOLDER	DWG: BOUNDARY
	SCALE: 1" = 60'	FIRM REG. CERT. #10022400

ENNIS
TEXAS
The bluebonnet spirit of Texas

PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM

DATE: **APRIL 15, 2025**

TO: **CITY MANAGER**
CITY COMMISSION

FROM: **PLANNING DEPARTMENT STAFF**

RE: **ZONING CHANGE – PLANNING CASE NO. ZAXA-25-2**

Notification to Property Owners:

Out of **TWENTY-TWO (22)** property owner notifications, **TWO (2)** were filed with an **"IN FAVOR OF"** vote and **SEVEN (7) "IN PROTEST AGAINST"** vote filed.

In accordance with the Ennis Unified Development Ordinance, Article 3, Sec. 3.3.1 (8) and Texas Local Government Code, Chapter 211, Sec. 211.006 (d), when protests contain the signature of the owner or the owners of 20% or more of: (1) of the total area of the land included within the boundaries of the proposed change, or (2) of the total area of land outside the boundaries of the proposed change but immediately adjoining and within 200 feet of any point of the land proposed to be changed; then a three-fourths (3/4) favorable vote of all City Commission members will be required for approval.

The total area of land **(319,132.07 square feet)** of those against the proposed zoning change reaches **41.71%** and therefore, this case **REQUIRES** a three-fourths (3/4) favorable vote of all City Commission members in order to be approved.

Erica Stubbs
Erica Stubbs | Senior Planner

City of Ennis
Inspection Services
Received
MAR 19 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 185432

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

✓ IN FAVOR OF	_____ IN PROTEST AGAINST
Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Print Name Signature Print Name Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

ENNIS ISD
PO BOX 1420
ENNIS TX 75120-1420

City of Ennis
Inspection Services
Received
MAR 11 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 160761

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

✓ IN FAVOR OF	_____ IN PROTEST AGAINST
Signature: Gregory Ray Tammi Ray	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. _____ Print Name _____ Signature _____ Print Name _____ Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

RAY GREGORY & TAMMI
408 Highland Dr
Ennis TX 75119-3510

City of Ennis
Inspection Services
Received
MAR 13 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 228006

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	✓ IN PROTEST AGAINST
_____ Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Pam Woods Print Name Pam Woods Signature Bill Woods Print Name Bill Woods Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

WOODS A & PAMELA S ETAL
3505 W 194TH ST
STILLWELL KS 66085

City of Ennis
Inspection Services
Received
MAR 18 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 201113

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	X IN PROTEST AGAINST
_____ Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Michael Starcher Print Name _____ Signature _____ Print Name _____ Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

Note!
Sonoma Ennis Residential, LLC is also Against

SONOMA MICKEY LLC
2121 N Akard St Ste 250
Dallas TX 75201-2218

City of Ennis
Inspection Services
Received
MAR 13 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 276831

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	_X_ IN PROTEST AGAINST
_____ Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Michael Starcher Print Name _____ Signature _____ Print Name _____ Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

SONOMA ENNIS COMMERCIAL LLC
2121 N Akard St Ste 250
Dallas TX 75201-2218

City of Ennis
Inspection Services
Received
MAR 17 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 160760

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	✓ IN PROTEST AGAINST
_____ Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. RONALD J. SLOVAK Print Name Ronald Signature Susan K Slovak Print Name Susan K Slovak Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

SLOVAK RONALD
503 KIM AVE
ENNIS TX 75119-3513

City of Ennis
Inspection Services
Received
MAR 18 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 228007

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	X IN PROTEST AGAINST
Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Print Name: Patsy North Signature: Patsy North Print Name Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

NORTH PATSY L
PO Box 219
Ennis TX 75120-0219

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

City of Ennis
Inspection Services
Received
MAR 24 2025

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 160758

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	✓ IN PROTEST AGAINST
Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. SUSAN SCROGGINS Print Name Signature Print Name Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

SCROGGINS SUSAN M
504 KIM AVE
ENNIS TX 75119-3514

City of Ennis
Inspection Services
Received
MAR 26 2025

CITY OF ENNIS, TEXAS
PLANNING, DEVELOPMENT AND INSPECTION SERVICES DEPARTMENT

COMMENT SOLICITATION SHEET FOR PLANNING & ZONING CASE No. ZAXA-25-2

PID No. 227999

The Planning and Zoning Commission of the City of Ennis will hold a Public Hearing for the above referenced planning case on **Monday, March 24, 2025 at 6:00 PM** and the City Commission on **Tuesday, April 15, 2025 at 6:00 PM** in The City of Ennis City Hall, Commission Chambers, located at 107 N Sherman St. in the City of Ennis, Texas.

During the Public Hearings, the following request(s) will be considered:

Conduct a public hearing to discuss and consider a request for ZONING CHANGE from Single Family Residential 10 (R-10) to Corridor Commercial (CC) for an approximately 13.43-acre tract of land situated in the I D Sheppard Survey, Abstract No. 1011, and the J M Stedman Survey, Abstract No.1025, City of Ennis, Ellis County, Texas. Generally located in the 1200-block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition. PID 185432. Requested by Ennis ISD. P&Z Case No. ZAXA-25-2

Please be advised that the deadline to return this comment sheet in order to have your vote counted is **12:00 Noon on March 19, 2025**.

In accordance with Texas Local Government Code 211.007(c), as the owner of the subject tract or as an owner of real property located within a radius of two hundred (200) feet of the perimeter of the subject tract, you are eligible to return your written comments whether in favor of or in protest against this zoning case. When the protests received by the deadline date as stated above contain the signatures of the owner(s) of at least 20% of either: (1) the area of the lots or land covered by the proposed changes; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, then the favorable vote of the City Commission shall change to a three-fourths (3/4) majority of the commissioners. Please complete and sign only the appropriate box below to indicate whether you are "In Favor Of" or "In Protest Against."

COMMENTS (attach additional sheets if necessary):

_____ IN FAVOR OF	✓ IN PROTEST AGAINST
_____ Signature	I/we, verify that being the undersigned owner/s of real property affected by the proposed action, which is the subject of the above numbered P&Z case, do/does hereby desire to formally protest such proposed action. Austin Estes Print Name Austin Estes 3/17/2025 Signature _____ Print Name _____ Signature

PLEASE MAIL OR DELIVER TO:

CITY OF ENNIS PLANNING AND DEVELOPMENT
108 W KNOX ST
ENNIS, TEXAS 75119

OR

E-MAIL TO

estubbs@ennistx.gov
jbarake@ennistx.gov

ESTES AUSTIN T
407 CENTENNIAL AVE
ENNIS TX 75119

City Commission – Regular Session

Public Hearings - F

- **F.___** - Conduct a Public Hearing and discuss and consider an Ordinance amending the Zoning and Zoning Map of the City of Ennis, Texas, from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC) for a 13.43 acre-lot, tract, or parcel generally located in the 1200 block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432.

Case No. ZAXA-25-2

1

P&Z Case # ZAXA-25-2

Overview:

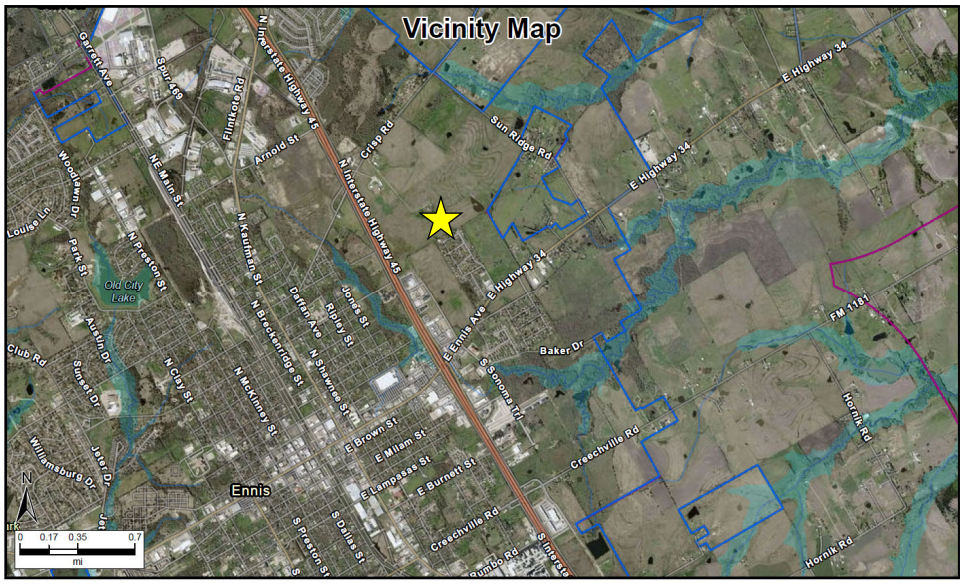
- Location: Ward 1
- Requested by: Ennis ISD
- From: "R-10" Single Family Residential-10
- To: "CC" Corridor Commercial
- For: 13.43 Acres
- Use: Future Commercial Use
- Notices: 22 Surrounding Property Owners Notified
  - 2 Voted "In Favor"
  - 7 Voted "In Protest"

Requires a Super Majority Vote of City Commission

- Case heard by P&Z Commission on 3/24/25
- P&Z Commission Denied the Request

2

P&Z Case # ZAXA-25-2



3

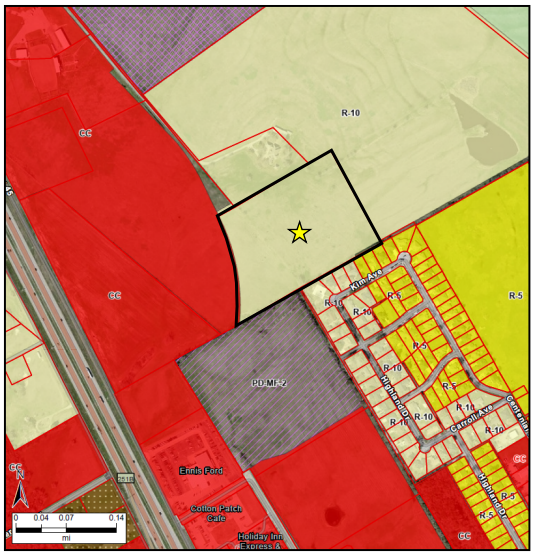
P&Z Case # ZAXA-25-2



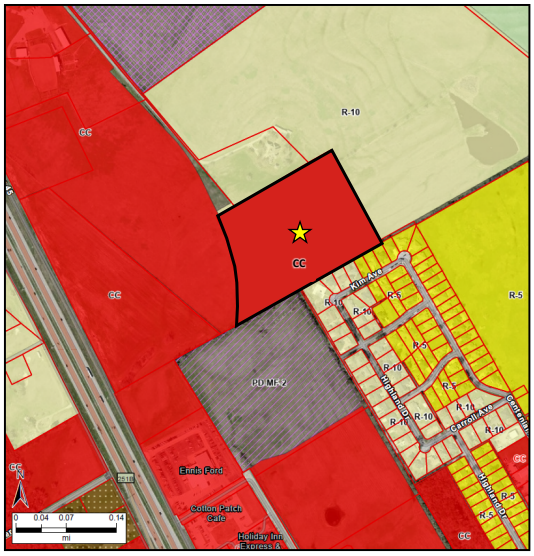
4

P&Z Case # ZAXA-25-2

Current Zoning

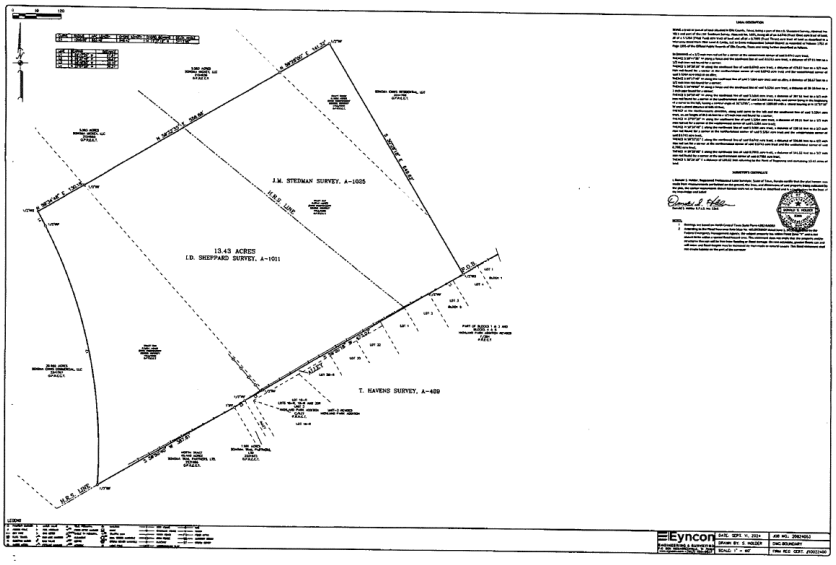


Proposed Zoning



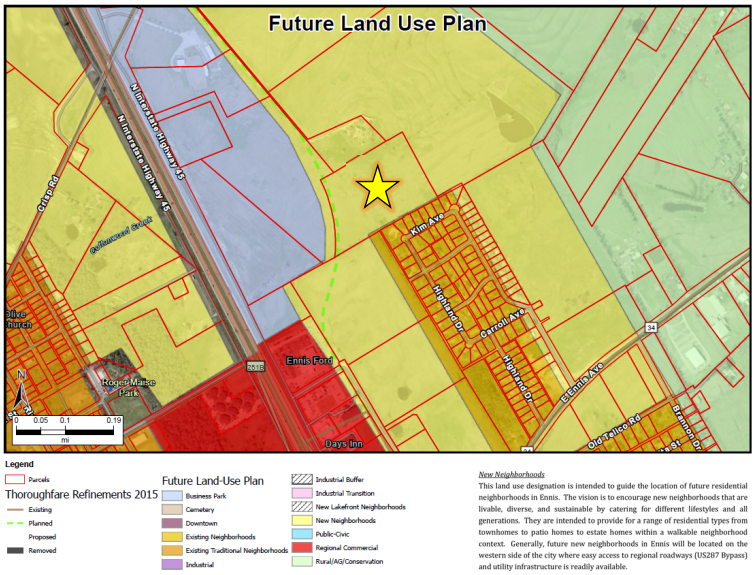
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P&Z Case # ZAXA-25-2



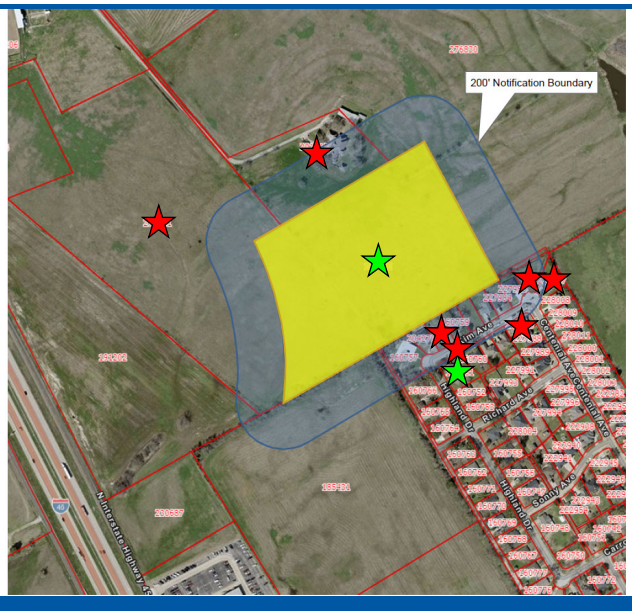
6

P&Z Case # ZAXA-25-2



7

P&Z Case # ZAXA-25-2



8

P&Z Case # ZAXA-25-2

Overview:

- Location: Ward 1
- Requested by: Ennis ISD
- From: "R-10" Single Family Residential-10
- To: "CC" Corridor Commercial
- For: 13.43 Acres
- Use: Future Commercial Use
- Notices: 22 Surrounding Property Owners Notified
  - 2 Voted "In Favor"
  - 7 Voted "In Protest"

Requires a Super Majority Vote of City Commission

- Case heard by P&Z Commission on 3/24/25
- P&Z Commission Denied the Request

P&Z Commission Does Not Recommend Approval

9

City Commission – Regular Session

Public Hearings - F

- **F.__** - Conduct a Public Hearing and discuss and consider an Ordinance amending the Zoning and Zoning Map of the City of Ennis, Texas, from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC) for a 13.43 acre-lot, tract, or parcel generally located in the 1200 block of the future N Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432.

Open the Public Hearing
Public Comment
Close the Public Hearing

Motion, Second, Discussion & Vote

10

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF ENNIS TO AMEND THE ZONING CLASSIFICATION ON AN APPROXIMATE 13.43 ACRE TRACT OF LAND FROM SINGLE FAMILY RESIDENTIAL 10 DISTRICT (R-10) TO CORRIDOR COMMERCIAL DISTRICT (CC), IN THE I.D. SHEPPARD SURVEY, ABSTRACT NO. 1011 AND THE J.M. STEDMAN SURVEY, ABSTRACT NO. 1025, GENERALLY LOCATED IN THE 1200 BLOCK OF THE FUTURE N. SONOMA TRAIL RIGHT-OF-WAY AND IMMEDIATELY ADJACENT TO THE ENNIS GATEWAY ADDITION AND HIGHLAND PARK NO. 2 ADDITION IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ELLIS CAD ID 185432; PROVIDING FOR THE INCORPORATION OF FINDINGS; PROVIDING A ZONING MAP AMENDMENT; PROVIDING A SAVINGS/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) PER DAY FOR EACH OFFENSE, AND EACH AND EVERY DAY ANY SUCH VIOLATION SHALL OCCUR OR CONTINUE SHALL BE A SEPARATE OFFENSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Brad Koskelin ("Applicant"), acting as authorized representative for the landowner, Ennis Independent School District, has requested to change the zoning classification from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC) on an approximate 13.43-acre tract of land, in the I.D. Sheppard Survey, Abstract No.1011 and the J.M. Stedman Survey, Abstract No. 1025, generally located in the 1200 block of the future N. Sonoma Trail right-of-way and immediately adjacent to the Ennis Gateway Addition and Highland Park No. 2 Addition in the City of Ennis, Ellis County, Texas, Ellis CAD ID 185432, and more particularly described and depicted in Exhibit A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, after public notices were given in compliance with Texas law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City (the "Planning and Zoning Commission") has recommended to the City Commission to deny the

change in zoning district classification on the Property and to deny the amendment of the official zoning map of the City (the "Zoning Map") to reflect the CC zoning classification; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Commission at which it considered the recommendation of the Planning and Zoning Commission and, among other things, the character of the land and its suitability for particular uses, and compatibility with surrounding uses, with a view of encouraging the most appropriate use of land in the City, and the City Commission does hereby find that the requested zoning accomplishes such objectives,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment. The Unified Development Ordinance of the City of Ennis is hereby amended to change the zoning classification on the Property from Single Family Residential 10 District (R-10) to Corridor Commercial District (CC). The Property shall be developed and used in accordance with all applicable City, state, and federal laws, as they exist or may be in the future be amended, including but not limited to building codes, fire codes, and all accessibility standards as required by law.

SECTION 3. Zoning Map Amendment. The Official Zoning Map is hereby amended to reflect the change in zoning classification as set forth in thisOrdinance.

SECTION 4. Savings/Repealing Clause. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Ennis hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6. Penalty Clause. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two

thousand dollars ($2,000.00) for each offense, and a separate offense shall be deemed committed upon each day or on which a violation occurs or continues.

SECTION 7. Publication and Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases require.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 15th day of April 2025.

_____
KAMERON RABURN, Mayor

ATTEST:

_____
ANGIE WADE, City Secretary

EXHIBIT "A"
LEGAL DESCRIPTION

F1.

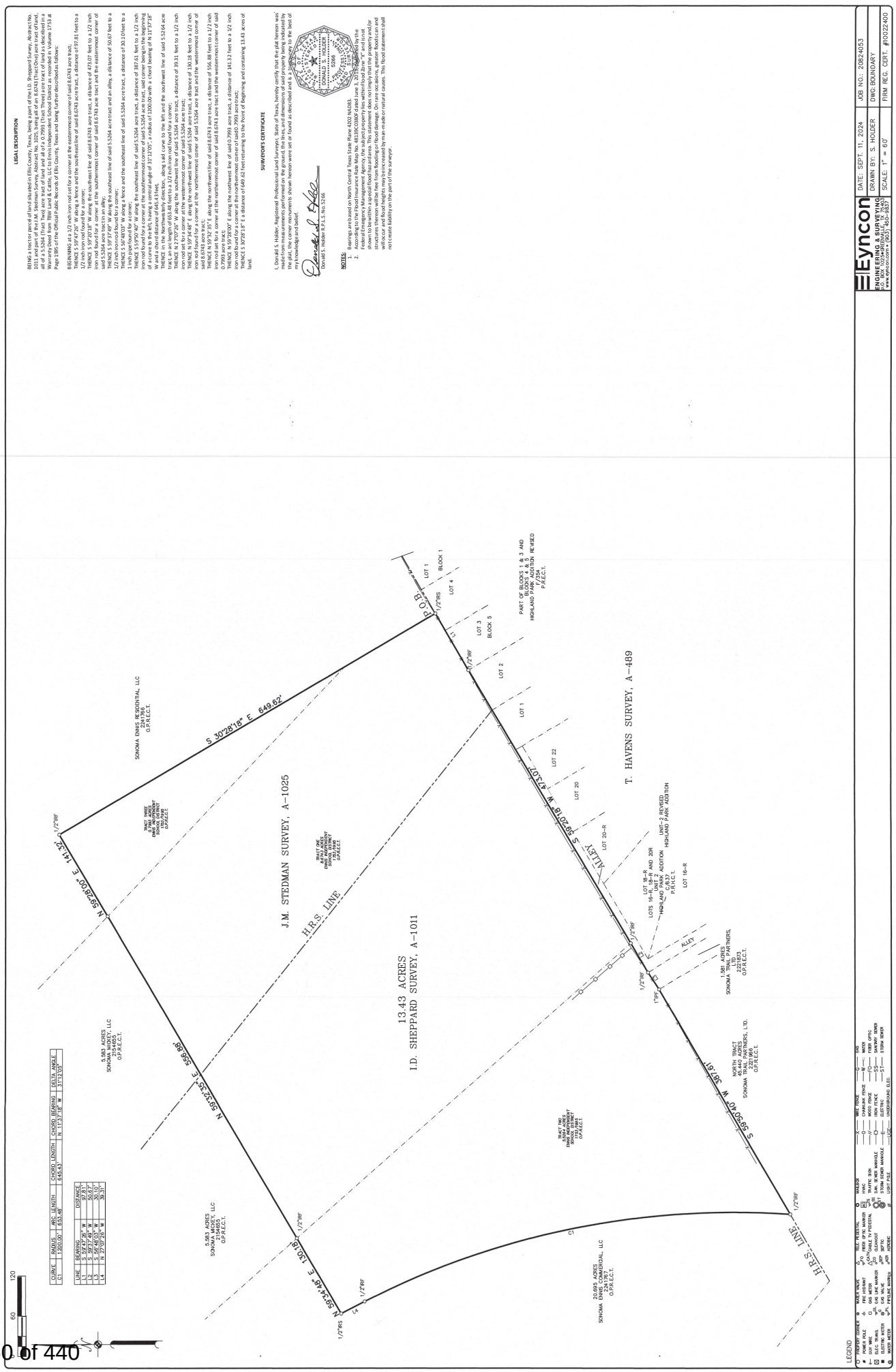
ZONING DESCRIPTION
13.43 ACRES
I.D. SHEPPARD SURVEY, ABSTRACT NO. 1011,
J.M. STEDMAN SURVEY, ABSTRACT NO. 1025,
CITY OF ENNIS, ELLIS COUNTY, TEXAS

BEING a tract or parcel of land situated in Ellis County, Texas, being a part of the I.D. Sheppard Survey, Abstract No. 1011 and part of the J.M. Stedman Survey, Abstract No. 1025, being all of an 8.6743 (Tract One) acre tract of land, all of a 5.5264 (Tract Two) acre tract of land and all of a 0.7993 (Tract Three) acre tract of land as described in a Warranty Deed from TBW Land & Cattle, LLC to Ennis Independent School District as recorded in Volume 1753 at Page 1995 of the Official Public Records of Ellis County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod set for a corner at the easternmost corner of said 8.6743 acre tract;
THENCE S 59°47'26" W along a fence and the southeast line of said 8.6743 acre tract, a distance of 97.81 feet to a 1/2 inch iron rod found for a corner;
THENCE S 59°20'18" W along the southeast line of said 8.6743 acre tract, a distance of 473.07 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 8.6743 acre tract and the easternmost corner of said 5.5264 acre tract in an alley;
THENCE S 59°37'49" W along the southeast line of said 5.5264 acre tract and an alley, a distance of 50.67 feet to a 1/2 inch iron rod found for a corner;
THENCE S 56°48'03" W along a fence and the southeast line of said 5.5264 acre tract, a distance of 30.10 feet to a 1 inch pipe found for a corner;
THENCE S 59°50'40" W along the southeast line of said 5.5264 acre tract, a distance of 387.61 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 5.5264 acre tract, said corner being in the beginning of a curve to the left, having a central angle of 31°12'05", a radius of 1200.00 with a chord bearing of N 11°37'18" W and a chord distance of 645.43 feet,
THENCE in the Northwesterly direction, along said curve to the left and the southwest line of said 5.5264 acre tract, an arc length of 653.48 feet to a 1/2 inch iron rod found for a corner;
THENCE N 27°07'26" W along the southwest line of said 5.5264 acre tract, a distance of 39.31 feet to a 1/2 inch iron rod set for a corner at the westernmost corner of said 5.5264 acre tract;
THENCE N 59°34'48" E along the northwest line of said 5.5264 acre tract, a distance of 130.18 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 5.5264 acre tract and the westernmost corner of said 8.6743 acre tract;
THENCE N 59°32'35" E along the northwest line of said 8.6743 acre tract, a distance of 556.88 feet to a 1/2 inch iron rod set for a corner at the northernmost corner of said 8.6743 acre tract and the westernmost corner of said 0.7993 acre tract;
THENCE N 59°28'00" E along the northwest line of said 0.7993 acre tract, a distance of 141.32 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 0.7993 acre tract;
THENCE S 30°28'18" E a distance of 649.62 feet returning to the Point of Beginning and containing 13.43 acres of land.

Eyncon
ENGINEERING & SURVEYING
P.O. BOX 1025•GREENVILLE, TX 75403
www.eyncon.com • (903) 450-9837

DATE: X X, 20	JOB NO.: 20
DRAWN BY: S. HOLDER	DWG: ZONING LEGAL
SCALE: 1" = 100'	FIRM REG. CERT. #10022400


LEGAL DESCRIPTION
BEING a tract or parcel of land situated in Ellis County, Texas, being a part of the I.D. Sheppard Survey, Abstract No. 1011 and part of the J.M. Stedman Survey, Abstract No. 1025, being all of an 8.6743 (Tract One) acre tract of land, all of a 5.5264 (Tract Two) acre tract of land and all of a 0.7993 (Tract Three) acre tract of land as described in a Warranty Deed from BMV Land & Cattle, LLC to Ennis Independent School District as recorded in Volume 1733 at Page 2367 of the Official Public Records of Ellis County, Texas and being more particularly described as follows:
BEGINNING at a 1/2 inch iron rod set for a corner at the easternmost corner of said 8.6743 acre tract;
THENCS 59°20'18" W along the southeast line of said 8.6743 acre tract, a distance of 97.81 feet to a 1/2 inch iron rod found for a corner;
THENCS 59°20'18" W along the southeast line of said 8.6743 acre tract, a distance of 473.07 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 8.6743 acre tract and the easternmost corner of said 5.5264 acre tract in an alley;
THENCS 59°37'49" W along the southeast line of said 5.5264 acre tract and an alley, a distance of 50.67 feet to a 1/2 inch iron rod found for a corner;
THENCS 59°37'49" W along the southeast line of said 5.5264 acre tract, a distance of 30.10 feet to a 1 inch pipe found for a corner;
THENCS 59°50'40" W along the southeast line of said 5.5264 acre tract, a distance of 387.61 feet to a 1/2 inch iron rod found for a corner at the southernmost corner of said 5.5264 acre tract and the northeast line of a curve to the left having a central angle of 31°12'05", a radius of 1200.00 with a chord bearing of N 11°37'18" W and a chord distance of 645.43 feet;
THENCE with the northeast line of said curve to the left and along said curve to the left and the southwest line of said 5.5264 acre tract, an arc length of 653.48 feet to a 1/2 inch iron rod found for a corner;
THENCS N 27°07'26" W along the southwest line of said 5.5264 acre tract, a distance of 39.31 feet to a 1/2 inch iron rod set for a corner at the westernmost corner of said 5.5264 acre tract;
THENCS N 59°37'49" E along the northwest line of said 5.5264 acre tract, a distance of 130.18 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 5.5264 acre tract and the westernmost corner of said 8.6743 acre tract;
THENCS N 59°37'49" E along the northwest line of said 8.6743 acre tract, a distance of 556.88 feet to a 1/2 inch iron rod set for a corner at the northernmost corner of said 8.6743 acre tract and the westernmost corner of said 0.7993 acre tract;
THENCS N 59°37'49" E along the northwest line of said 0.7993 acre tract, a distance of 141.37 feet to a 1/2 inch iron rod found for a corner at the northernmost corner of said 0.7993 acre tract;
THENCS S 30°28'18" E a distance of 649.62 feet returning to the Point of Beginning and containing 13.43 acres of land.
SURVEYOR'S CERTIFICATE
I, Donald S. Holder, Registered Professional Land Surveyor, State of Texas, hereby certify that the plat hereon was made from measurements performed on the ground, the lines, and dimensions of said property being indicated by the plat, the corner monuments shown hereon were set or found as described and is a correct survey to the best of my knowledge and belief.
DONALD S. HOLDER
5281
REGISTERED PROFESSIONAL LAND SURVEYOR
Donald S. Holder, R.P.L.S. No. 5256
NOTES:
1. Bearings are based on North Central Texas State Plane 4202 NAD83.
2. According to the Flood Insurance Rate Map No. 48139C0380F dated June 3, 2013 issued by the Federal Emergency Management Agency, the subject property lies within Zone X (unshaded) which is shown to be within a special flood hazard area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
CURVE TABLE
CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE
C1 | 1,200.00' | 653.48' | 645.43' | N 11°37'18" W | 31°12'05"
LINE TABLE
LINE | BEARING | DISTANCE
L1 | S 59°47'49" W | 97.81'
L2 | S 59°37'49" W | 50.67'
L3 | S 59°37'49" W | 30.10'
L4 | N 27°07'26" W | 39.31'
S 30°28'18" E 649.62'
N 59°37'49" E 556.88'
N 59°37'49" E 141.37'
S 59°37'49" W 130.18'
S 59°20'18" W 473.07'
S 59°50'40" W 387.61'
N 59°37'49" E 50.67'
N 59°37'49" E 30.10'
N 27°07'26" W 39.31'
J.M. STEDMAN SURVEY, A-1025
I.D. SHEPPARD SURVEY, A-1011
T. HAVENS SURVEY, A-489
H.R.S. LINE
13.43 ACRES
SONOMA DINES RESIDENTIAL, LLC O.P.R.E.C.T.
5.583 ACRES SONOMA MIDKEY, LLC 20,695 O.P.R.E.C.T.
20.695 ACRES SONOMA COMMERCIAL, LLC 234787 O.P.R.E.C.T.
TRACT ONE 8.6743 ACRES ENNIS INDEPENDENT SCHOOL DISTRICT 1733/2367 O.P.R.E.C.T.
TRACT TWO 5.5264 ACRES ENNIS INDEPENDENT SCHOOL DISTRICT 1733/2367 O.P.R.E.C.T.
TRACT THREE 0.7993 ACRES ENNIS INDEPENDENT SCHOOL DISTRICT 1733/2367 O.P.R.E.C.T.
PART OF BLOCKS 1 & 3 AND ALLEY HIGHLAND PARK ADDITION REVISED F/354 P.R.E.C.T.
LOTS 16-R THRU 24-R UNIT-2 AND 20R HIGHLAND PARK ADDITION P.R.E.C.T.
UNIT-2 REVISED HIGHLAND PARK ADDITION
LOT 16-R
LOT 20-R
LOT 1 BLOCK 1
LOT 4
LOT 3 BLOCK 5
LOT 2
LOT 1
LOT 22
LOT 20
ALLEY
1/2"RF
1/2"RS
1"RF
P.O.B.
C1
L1
L2
L3
L4
1.981 ACRES SONOMA TRAIL PARTNERS, LTD. 221873 O.P.R.E.C.T.
NORTH TRACT 45.440 ACRES SONOMA TRAIL PARTNERS, LTD. 221965 O.P.R.E.C.T.
H.R.S. LINE
120
60
0
LEGEND
TRAFFIC SIGNAL
POWER POLE
LIGHT POLE
ELEC. TRANS.
ELECTRIC METER
WATER METER
GAS METER
FIRE HYDRANT
WATER VALVE
GAS VALVE
SPRINKLER VALVE
GAS MARKER
WATER MARKER
SPRINKLER MARKER
TELE. PEDESTAL
FIBER OPTIC MARKER
TELEPHONE MARKER
CLEANOUT
SEPTIC
SEPTIC MARKER
MAILBOX
TRAFFIC SIGN
SAN. SEWER MANHOLE
STORM SEWER MANHOLE
LIGHT POLE
WIRE FENCE
CHAIN LINK FENCE
WOOD FENCE
IRON FENCE
ELECTRIC
UNDERGROUND ELEC.
GAS
WATER
FIBER OPTIC
SANITARY SEWER
STORM SEWER
Eyncon
ENGINEERING & SURVEYING
P.O. BOX 1023 • REDWALL, TX 76365
www.eyncon.com • (903) 487-8855
DATE: SEPT. 11, 2024
DRAWN BY: S. HOLDER
SCALE: 1" = 60'
JOB NO.: 20824053
DWG: BOUNDARY
FIRM REG. CERT. #10022400

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Conduct a Public Hearing and discuss and consider an Ordinance approving a Specific Use Permit (SUP) for a 115’ telecommunications tower on an approximate 0.053 acre tract of land zoned Corridor Commercial district (CC) located on Lot 1, Block A in the Brendan John Addition in the City of Ennis, Ellis County, Texas, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	Building Official
Staff Contact:	Erica Stubbs, Senior Planner

BACKGROUND INFORMATION:

On March 24, 2025, the Planning and Zoning Commission held a public hearing and considered a Specific Use Permit (SUP) for a 115' telecommunications tower on an approximate 0.053 acre tract of land zoned Corridor Commercial district (CC) located on Lot 1, Block A in the Brendan John Addition in the City of Ennis, Ellis County, Texas, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45.

The Planning and Zoning Commission voted unanimously in favor of granting the Specific Use Permit.

FINANCIAL IMPACT:

N/A

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Planning and Zoning Commission recommends approval.

ALTERNATIVES:

None

ATTACHMENTS:

DEV-24-12_Letter of Intent
DEV-24-12_Lease Area Survey
DEV-24-12_Plans
DEV-24-12_FAA Determination
DEV-24-12_FCC Registration
DEV-24-12_NEPA Screen

F.2.

DEV-24-12_PPT Slides
ORDINANCE NO.-Conduct a Public Hearing and discuss and consider an Ordinance approving a Specific Use Permit (SUP) for a 115’ telecommunications tower - Pdf

HEMPHILL
SEMINARY

January 26, 2025

City of Ennis
Planning and Zoning

To Whom It May Concern:

Based on our meeting with the City Development Department on June 26, 2024, we are requesting approval for the construction of a 115' monopole telecommunications tower on a portion of the property at 400 I-45 Service Road. The monopole tower has been designed to accommodate three cellular providers.

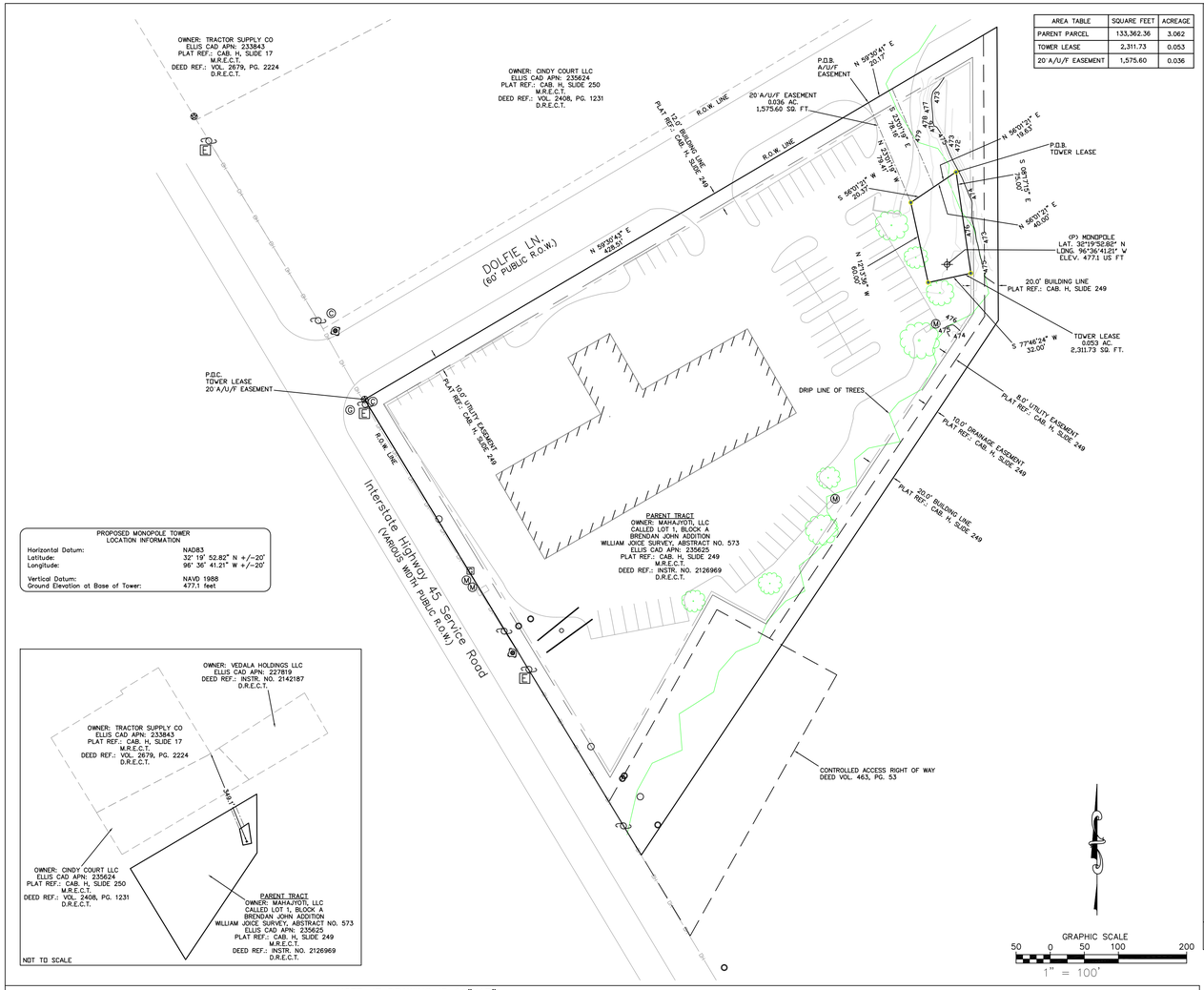
This site is located in a commercial area and is 349 feet from an undeveloped residential zoned property behind Tractor Supply and Bubba's Barbeque.

We have obtained a survey of the lease area, performed a geotechnical survey, FAA/FCC approval, Environmental compliance (including NEPA and SHPO approval), a foundation and tower engineer sealed designs.

We look forward to working with the city to obtain the necessary approvals for this new communications tower.

Sincerely

David Draper
817-307-1504
Member
Hemphill Seminary LLC



AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036

PROPOSED MONOPOLE TOWER LOCATION INFORMATION	
Horizontal Datum:	NAD83
Latitude:	32° 19' 52.82" N +/-20'
Longitude:	96° 36' 41.21" W +/-20'
Vertical Datum:	NAVD 1988
Ground Elevation at Base of Tower:	477.1 feet

SITE PLAN SCALE: 1" = 50'

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

LEGAL DESCRIPTION

TOWER LEASE (created by this office)

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 56° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

THENCE North 56° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

LEGAL DESCRIPTION

ACCESS/UTILITY/FIBER EASEMENT (created by this office)

BEING a 0.036 acre (1,575.60 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for the POINT OF BEGINNING;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE South 56° 01' 21" West for a distance of 20.37 feet to a point for corner;

THENCE North 23° 01' 19" West a distance of 79.41 feet to the POINT OF BEGINNING, and containing 0.036 acre (1,575.60 square feet) of land, more or less.

LEGAL DESCRIPTION

PARENT PARCEL (as provided)

LOT 1, BLOCK A, BRENDAN JOHN ADDITION SOUTH, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN CABINET H, SLIDE 249, MAP/PLAT RECORDS, ELLIS COUNTY, TEXAS.

TITLE INSURANCE COMMITMENT NOTE

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY HOLLERBACH & ASSOCIATES, INC, WITH AN ORDER DATE OF AUGUST 9, 2024, ORDER NO. HA324547, CUSTOMER REF NO: T-MOBILE DA06081. CERTIFICATION DATE AUGUST 1, 2024, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B OF SAID COMMITMENT:

SUBJECT TO:
ALL MATTERS SHOWN ON PLAT H/249. DOES AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL. AS SHOWN HEROEN.

ELECTRIC TRANSMISSION EASEMENT 329/251. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC TRANSMISSION EASEMENT 392/161. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND RIGHT OF WAY AND EASEMENT 408/293. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

SEWER AND WATER PIPELINE EASEMENT AND RIGHT OF WAY 411/292. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND EASEMENT 412/123. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 413/90. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

CONTROLLED ACCESS RIGHT OF WAY DEED 463/51. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

CONTROLLED ACCESS RIGHT OF WAY EASEMENT 463/53. DOES NOT AFFECT TOWER LEASE OR A/U/F EASEMENT. DOES AFFECT PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 465/310. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 489/613. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

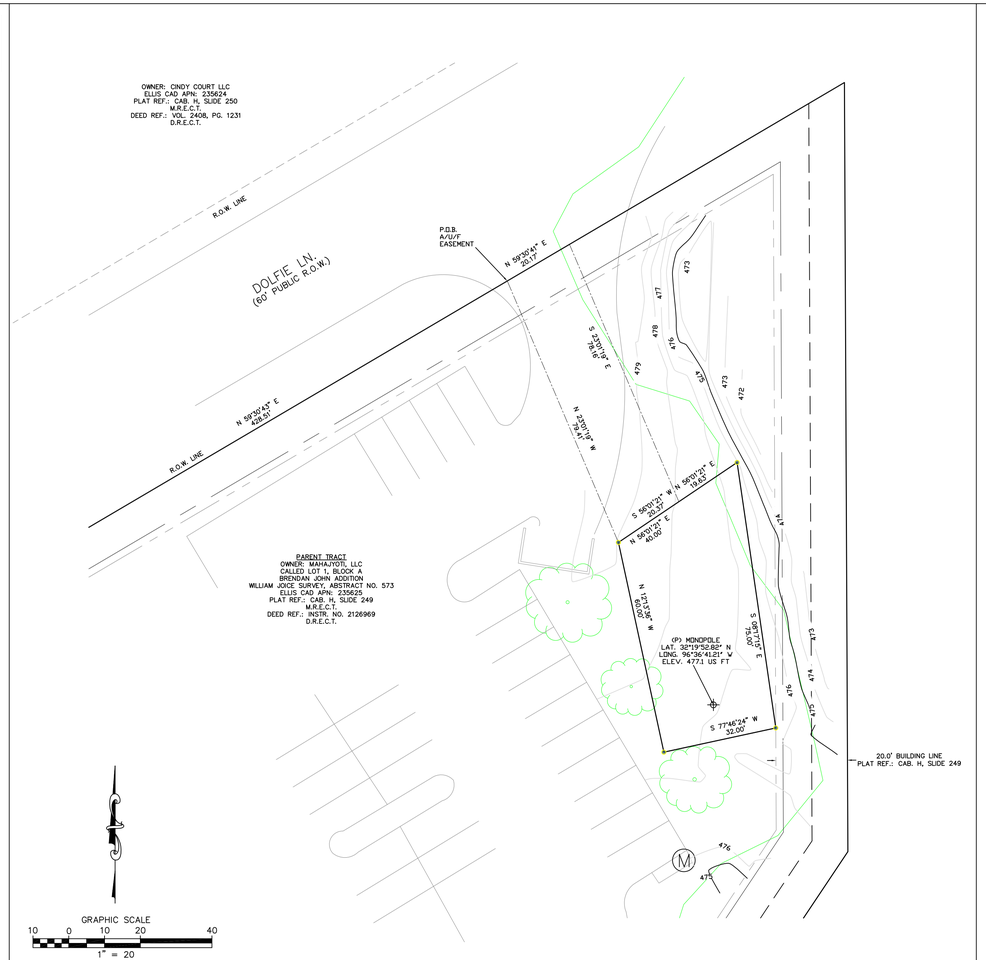
UTILITY EASEMENT 561/287. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL.

SANITARY SEWER LINE EASEMENT 2224/2358. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/835. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/843. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/856. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.



ENLARGED SITE PLAN SCALE: 1" = 20'

PROJECT INFORMATION

SITE NAME:	ENNIS
SITE NUMBER:	DA06081
SITE ADDRESS:	400 S INTERSTATE 45
	ENNIS, TX 75119
	ELLIS COUNTY
LANDLORD'S NAME:	N/A
LANDLORD'S ADDRESS:	
LATITUDE:	32°19'52.82" N
LONGITUDE:	96°36'41.21" W
GROUND ELEVATION:	477.1'
BASIS OF ELEVATIONS:	NAVD 88
BASIS OF BEARINGS:	NAD 83

NOTES:

LATITUDE & LONGITUDE ARE BASED ON NAD 83 COORDINATES ELEVATIONS ARE BASED ON NAVD 88

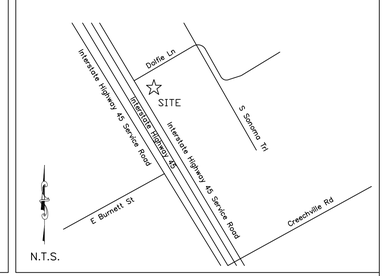
SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT OR TITLE REPORT. THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES AFFECTING THIS TRACT THAT ARE NOT SHOWN HEREON.

ACCORDING TO FLOOD PANEL MAP NO. 48139C0380F, DATED JUNE 3, 2013, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, "BASE FLOOD ELEVATIONS DETERMINED"

LEGEND

●	:SET 1/2" IRON ROD.
○	:FOUND 1/2" IRON ROD.
O	:FOUND TXDOT R.O.W. EASEMENT MARKED WITH A PINK LATHE
⊗	:FOUND R.O.W. MONUMENT.
P.O.B.	:POINT OF BEGINNING.
P.O.C.	:POINT OF COMMENCEMENT.
—o—o—	:FENCE AS NOTED.
—OH—	:OVER HEAD UTILITY LINES.
	:WOOD UTILITY POLE.
E	:ELECTRIC TRANSFORMER.
T	:TELCO PEDESTAL.
C	:CABLE PEDESTAL.
M	:MAN HOLE.
G	:GAS MARKER.
G	:GAS METER.
G	:GAS MARKER.
R.O.W.	:RIGHT-OF-WAY.
A/U/F	:ACCESS/UTILITY/FIBER.
D.R.E.C.T.	:DEED RECORDS ELLIS COUNTY TEXAS
P.R.E.C.T.	:PLAT RECORDS ELLIS COUNTY TEXAS

VICINITY MAP



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

Ronald D. Wimberley, R.P.L.S. No. 6005

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (214) 523-4100

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237 75404
GREENVILLE, TEXAS
PHONE: (903) 450-8100
FAX: (903) 455-2902

SITE SURVEY

ENNIS
DA06081
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

NO.	DATE	DESCRIPTION
1	09/04/24	DESCRIPTION
2		
3		
4		
5		
6		
7		

STATE OF TEXAS
RONALD D. WIMBERLEY
6005
REGISTERED PROFESSIONAL LAND SURVEYOR

DRAWN BY: DJ
CHECKED BY: RW
DATE: 09/03/24
PLOT SCALE: 1" = 50'
DRAWING NAME: 24100

PROJECT INFORMATION

SCOPE OF WORK:	UNMANNED TELECOMMUNICATIONS FACILITY
SITE ADDRESS:	400 S INTERSTATE 45 ENNIS, TX 75119
LATITUDE: LONGITUDE:	32.331339° -96.611447°
JURISDICTION:	CITY OF ENNIS
EXISTING USE: PROPOSED USE:	RETAIL/COMMERCIAL TELECOMMUNICATIONS FACILITY

DRAWING INDEX

		REV
T01	TITLE SHEET	B
A01	SITE PLAN	B
A02	DETAILED SITE PLAN	B
A03	TOWER ELEVATION AND PHOTO SIMULATION SURVEY	B

NOTES

A/E DOCUMENT REVIEW STATUS

1		ACCEPTED – WITH MINOR OR NO COMMENTS, CONSTRUCTION MAY PROCEED
2		NOT ACCEPTED – PLEASE RESOLVE COMMENTS AND RESUBMIT
		ACCEPTANCE DOES NOT CONSTITUTE APPROVAL OF DESIGN DETAILS, CALCULATIONS, ANALYSIS, TEST METHODS OR MATERIALS DEVELOPED OR SELECTED BY SUBCONTRACTOR AND DOES NOT RELIEVE SUBCONTRACTOR FROM FULL COMPLIANCE WITH CONTRACTUAL OBLIGATION.

	ENG.	CONST.			
REVIEWED:					
BY:			DATE:		

REDLINE DRAWING REVIEW

NAME (PRINT) SIGNATURE DATE

GENERAL CONTRACTOR – CONFIRM ACCURACY OF THESE REDLINE DRAWINGS

NAME (PRINT) SIGNATURE DATE

FIELD COORDINATOR – VERIFY INSTALLATION PER REDLINE DRAWINGS

NAME (PRINT) SIGNATURE DATE

ENGINEERING – ACCEPT THESE REDLINE DRAWINGS

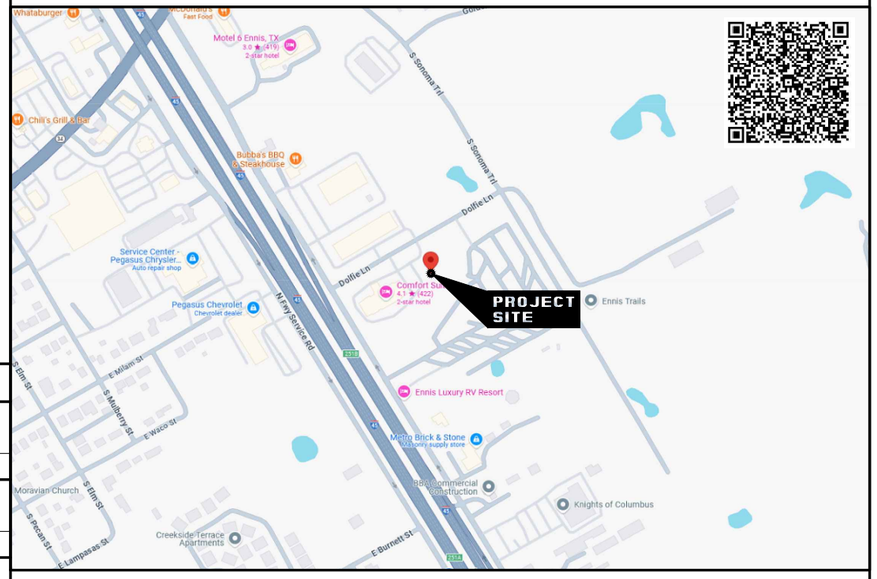
HEMPHILL SEMINARY

SITE NAME
ENNIS

SITE ADDRESS
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

VICINITY MAP

DIRECTIONS: FROM DALLAS, TAKE I-45 SOUTH TO ENNIS AVE/FM 34 (EXIT 251B). TAKE ENNIS AVE EAST (LEFT) 300 YARDS TO S SONOMA TRAIL. TAKE S SONOMA TRAIL SOUTH (RIGHT) 0.35 MI TO DOLFIE LANE. TAKE DOLFIE LANE WEST (RIGHT) 150 YARDS TO SITE ENTRANCE LOCATION ON THE SOUTH (LEFT) SIDE OF THE ROAD.



APPLICABLE BUILDING CODES AND STANDARDS

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE SITE LOCATION, INCLUDING BUILDING CODES, ELECTRICAL CODES AND LIGHTNING PROTECTION CODES. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE CONSTRUCTION.

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS.

AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE

AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION

TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-H, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES:

TIA 607, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM

IEEE 1100 RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS

TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS

ANSI T1.311, FOR TELECOM – DC POWER SYSTEMS – TELECOM, ENVIRONMENTAL PROTECTION

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

Texas 811 Know what's below. Call before you dig.

PROJECT # 24-0005 – SITE NAME: ENNIS

Rushing Design
1116 JOHNSON DRIVE
MELISSA, TEXAS 75454
PH: (214) 240-5555

Environmentex consulting
ENVIRONMENTEX INC
6060 N CENTRAL EXPY SUITE 560
DALLAS, TX 75206
214.793.7317
FIRM #11027

ENNIS
SITE NO. -
400 S INTERSTATE 45
ENNIS, TX 75119

HEMPHILL SEMINARY

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	01/16/25	ISSUED FOR REVIEW	JHR	JHR	BM
A	12/26/24	ISSUED FOR REVIEW	JHR	JHR	BM

SCALE AS SHOWN | DESIGNED BY: JHR | DRAWN BY: JHR

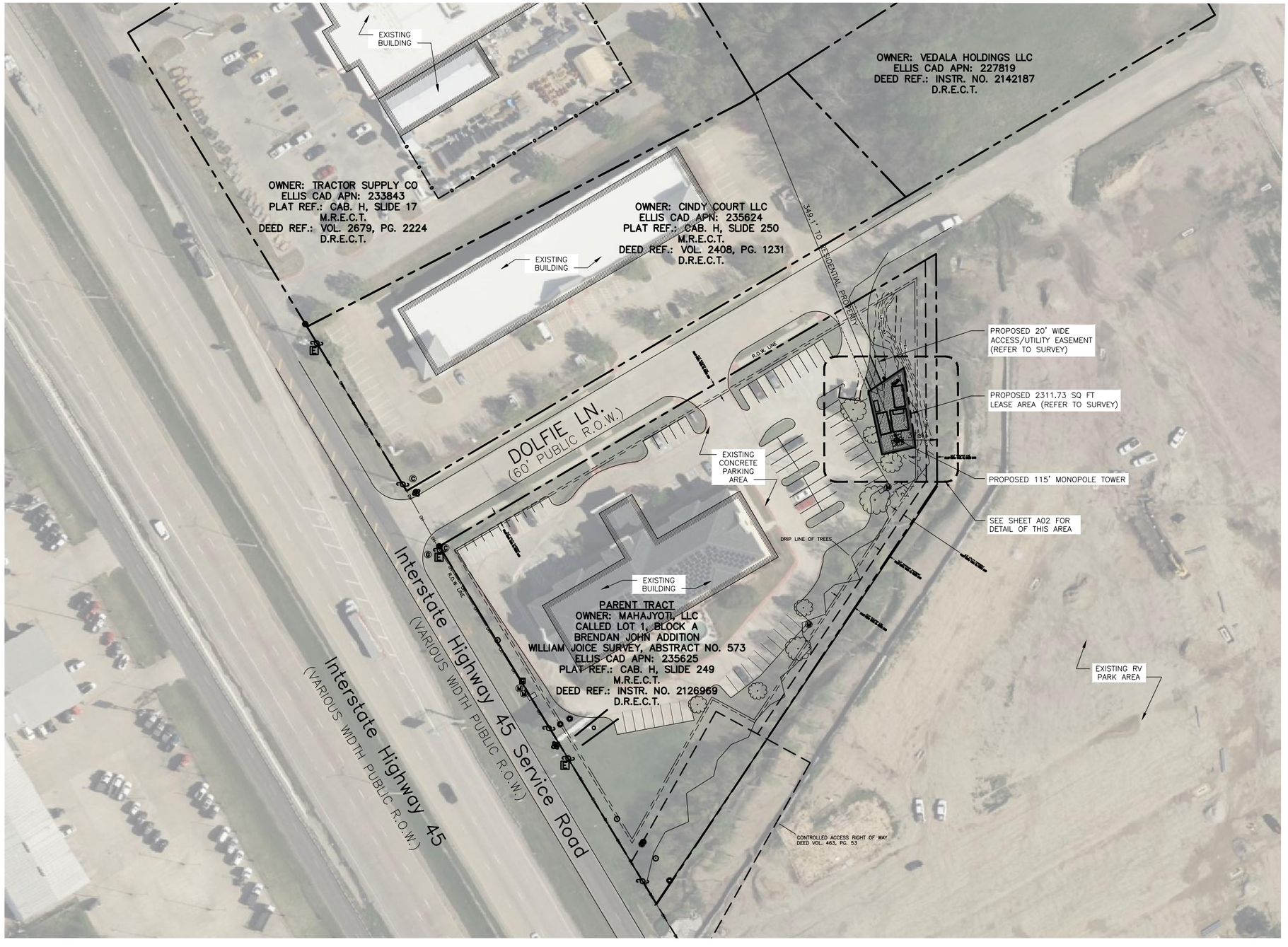
HEMPHILL SEMINARY

TITLE SHEET

SITE NO.	DRAWING NUMBER	REV
–	T01	B

22 x 34 "D" SIZE

F.2.
D
C
B
A
6 5 4 3 2



SITE PLAN

SCALE 1"=10'-0" — 0 5' 10' 20'

PROJECT # 24-0005 — SITE NAME: ENNIS

Rushing Design
1116 JOHNSON DRIVE
MELISSA, TEXAS 75454
PH: (214) 240-5555

Environmentex consulting
ENVIRONMENTEX INC
6060 N CENTRAL EXPY SUITE 560
DALLAS, TX 75206
214.793.7317
FIRM #11027

ENNIS
SITE NO. -
400 S INTERSTATE 45
ENNIS, TX 75119

HEMPHILL SEMINARY

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	01/16/25	ISSUED FOR REVIEW	JHR	JHR	BM
A	12/26/24	ISSUED FOR REVIEW	JHR	JHR	BM

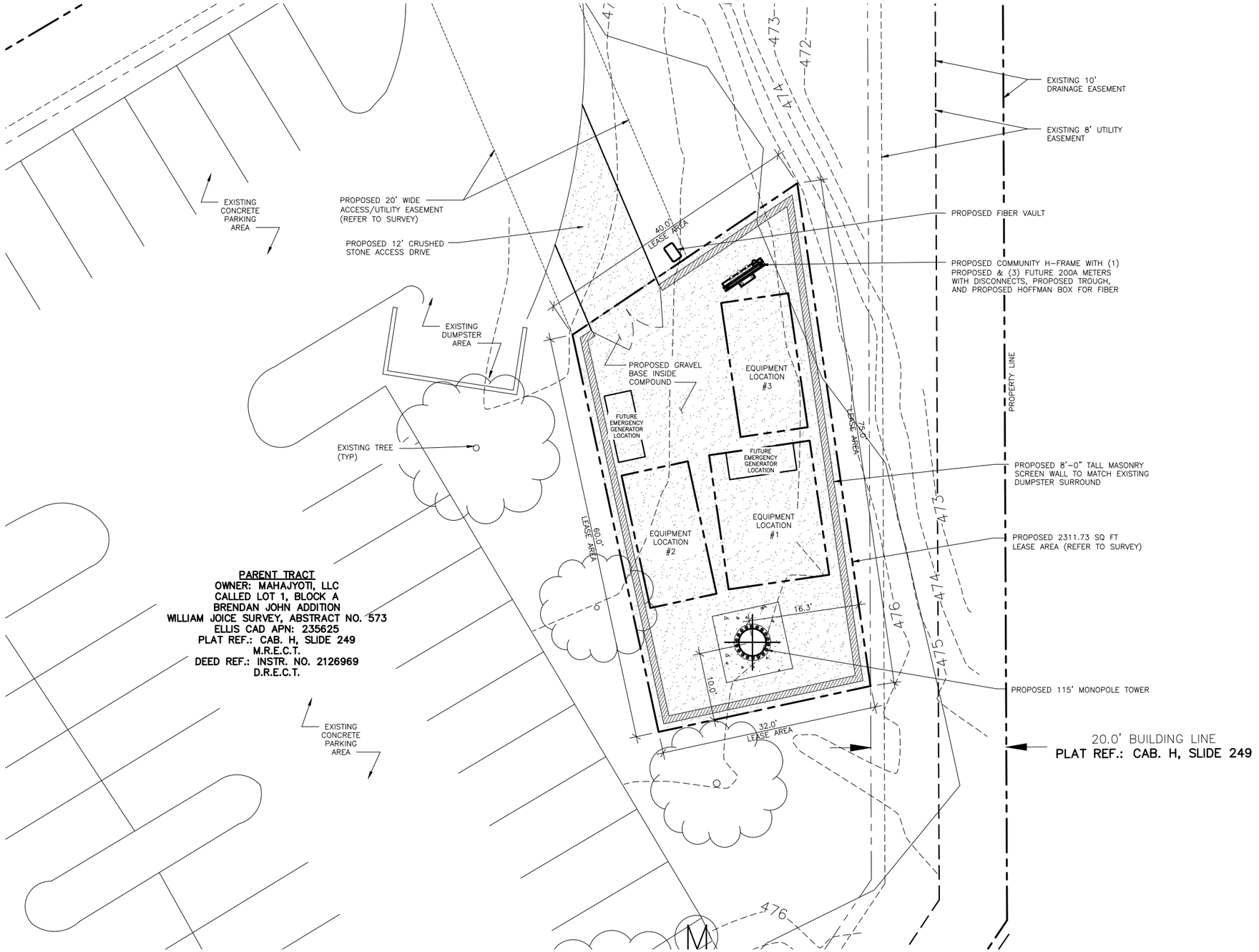
SCALE AS SHOWN | DESIGNED BY: JHR | DRAWN BY: JHR

HEMPHILL SEMINARY
SITE PLANS

SITE NO.	DRAWING NUMBER	REV
–	A01	B

22 x 34 "D" SIZE

F.2.
D
C
B
A
6 5 4 3 2



PARENT TRACT
OWNER: MAHAJYOTI, LLC
CALLED LOT 1, BLOCK A
BRENDAN JOHN ADDITION
WILLIAM JOICE SURVEY, ABSTRACT NO. 573
ELLIS CAD APN: 235625
PLAT REF.: CAB. H, SLIDE 249
M.R.E.C.T.
DEED REF.: INSTR. NO. 2126969
D.R.E.C.T.

N

SITE PLAN

SCALE 1"=10'-0" (0 5' 10' 20')

Rushing Design
1116 JOHNSON DRIVE
MELISSA, TEXAS 75454
PH: (214) 240-5555

Environmentex consulting
ENVIRONMENTEX INC
6060 N CENTRAL EXPY SUITE 560
DALLAS, TX 75206
214.793.7317
FIRM #11027

ENNIS
SITE NO. -
400 S INTERSTATE 45
ENNIS, TX 75119

HEMPHILL SEMINARY

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	01/16/25	ISSUED FOR REVIEW	JHR	JHR	BM
A	12/26/24	ISSUED FOR REVIEW	JHR	JHR	BM

SCALE AS SHOWN | DESIGNED BY: JHR | DRAWN BY: JHR

HEMPHILL SEMINARY

SITE PLANS

SITE NO.	DRAWING NUMBER	REV
–	A02	B

PROJECT # 24-0005 – SITE NAME: ENNIS

6 5 4 3 2

22 x 34 "D" SIZE

D C B A

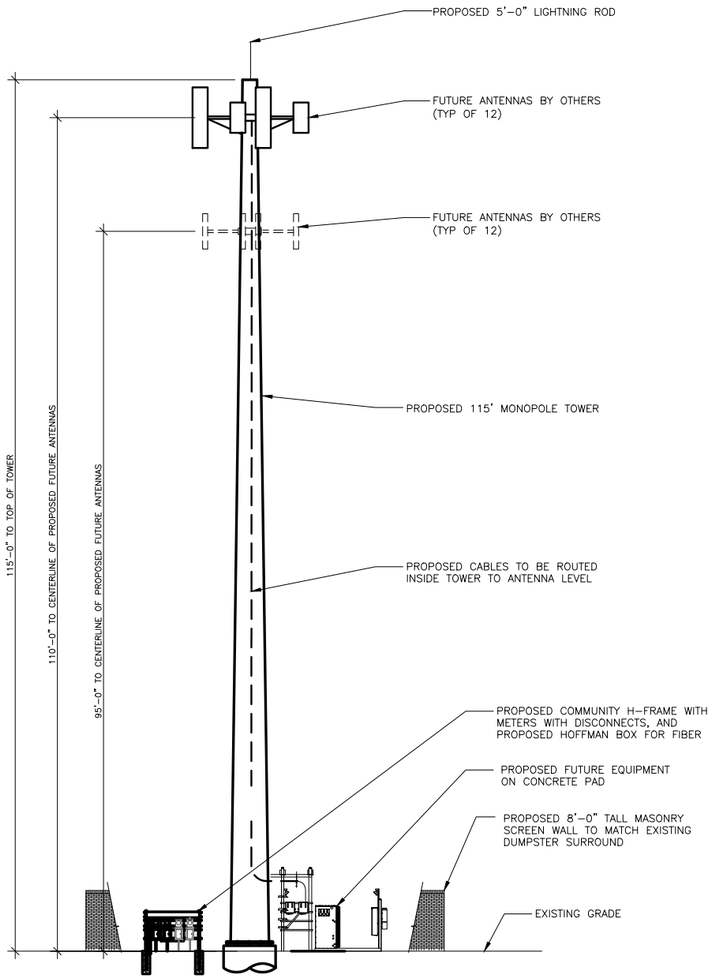




PHOTO LOOKING EAST FROM DOLFIE LANE

THESE PHOTO SIMULATIONS ARE AN ARTIST RENDERING OF THE PROPOSED TOWER. FINAL TOWER MAY VARY.

TOWER ELEVATION

SCALE 1"=10'-0" — 0 5' 10' 20'

PROJECT # 24-0005 – SITE NAME: ENNIS

Rushing Design
1116 JOHNSON DRIVE
MELISSA, TEXAS 75454
PH: (214) 240-5555

Environmentex consulting
ENVIRONMENTEX INC
6060 N CENTRAL EXPY SUITE 560
DALLAS, TX 75206
214.793.7317
FIRM #11027

ENNIS
SITE NO. -
400 S INTERSTATE 45
ENNIS, TX 75119

HEMPHILL SEMINARY

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	01/16/25	ISSUED FOR REVIEW	JHR	JHR	BM
A	12/26/24	ISSUED FOR REVIEW	JHR	JHR	BM

SCALE AS SHOWN | DESIGNED BY: JHR | DRAWN BY: JHR

HEMPHILL SEMINARY

TOWER ELEVATION
AND PHOTO SIMULATION

SITE NO.	DRAWING NUMBER	REV
–	A03	B

22 x 34 "D" SIZE

F.2.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2024-ASW-12704-OE

Issued Date: 11/04/2024

David Draper
Hemphill Seminary, LLC
PO Box 100104
Fort Worth, TX 76185

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Ennis
Location:	Ennis, TX
Latitude:	32-19-52.82N NAD 83
Longitude:	96-36-41.21W
Heights:	477 feet site elevation (SE) 135 feet above ground level (AGL) 612 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 05/04/2026 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

F.2. NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5922, or debbie.cardenas@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-12704-OE.

Signature Control No: 632010636-637917979 (DNE)
Debbie Cardenas
Technician

Attachment(s)
Frequency Data
Map(s)

cc: FCC

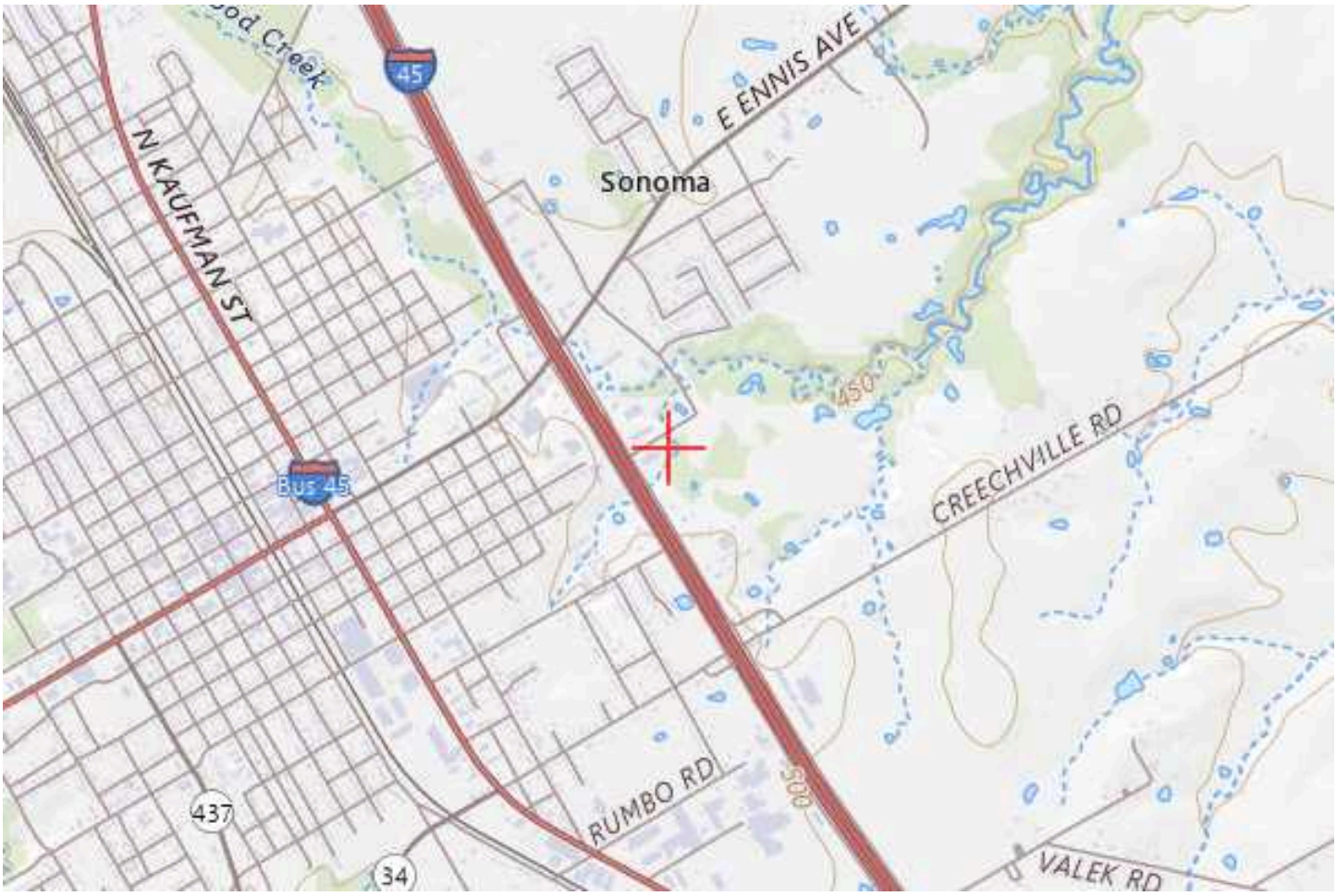
F.2.

Frequency Data for ASN 2024-ASW-12704-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

F.2.

TOPO Map for ASN 2024-ASW-12704-OE



UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
ANTENNA STRUCTURE REGISTRATION

OWNER: Hemphill Seminary LLC

FCC Registration Number (FRN): 0020114161

ATTN: David Draper **Hemphill Seminary LLC** **PO BOX 100104** **PO box 100104**	**Antenna Structure Registration Number** **1329362** **Issue Date** **11/20/2024**
Location of Antenna Structure **400 S I-45** **Ennis, TX 75119** **County: ELLIS**	**Ground Elevation (AMSL)** **145.4 meters** **Overall Height Above Ground (AGL)** **39.6 meters**
Latitude **32- 19- 52.8 N** **Longitude** **096- 36- 41.2 W** **NAD83**	**Overall Height Above Mean Sea Level (AMSL)** **185.0 meters**
Center of Array Coordinates **N/A**	**Type of Structure** **MTOWER** **Monopole**
Painting and Lighting Requirements: **FAA Chapters NONE** **Conditions:**	

This registration is effective upon completion of the described antenna structure and notification to the Commission. **YOU MUST NOTIFY THE COMMISSION WITHIN 5 DAYS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854.** To file electronically, connect to the antenna structure registration system by pointing your web browser to https://www.fcc.gov/antenna-structure-registration. Electronic filing is required. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and *display* your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.

Official Copy

You must comply with all applicable FCC obstruction marking and lighting requirements, as set forth in Part 17 of the Commission's Rules (47 C.F.R. Part 17). These rules include, but are not limited to:

- ***Posting the Registration Number:*** The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Registration Number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure. Exceptions exist for certain historic structures. See 47 C.F.R. 17.4(g)-(h).

- ***Inspecting lights and equipment:*** The obstruction lighting must be observed at least every 24 hours in order to detect any outages or malfunctions. Lighting equipment, indicators, and associated devices must be inspected at least once every three months.

- ***Reporting outages and malfunctions:*** When any top steady-burning light or a flashing light (in any position) burns out or malfunctions, the outage must be reported to the nearest FAA Flight Service Station, unless corrected within 30 minutes. The FAA must again be notified when the light is restored. The owner must also maintain a log of these outages and malfunctions.

- ***Maintaining assigned painting:*** The antenna structure must be repainted as often as necessary to maintain good visibility.

- ***Complying with environmental rules:*** If you certified that grant of this registration would not have a significant environmental impact, you must nevertheless maintain all pertinent records and be ready to provide documentation supporting this certification and compliance with the rules, in the event that such information is requested by the Commission pursuant to 47 C.F.R. 1.1307(d).

- ***Updating information:*** The owner must notify the FCC of proposed modifications to this structure; of any change in ownership; or, within 30 days of dismantlement of the structure.

Copies of the Code of Federal Regulations (which contain the FCC's antenna structure registration rules, 47 C.F.R Part 17) are available from the Government Printing Office (GPO). To purchase CFR volumes, call (202) 512-1800. For GPO Customer Service, call (202) 512-1803. For additional FCC information, consult the Antenna Homepage on the internet at https://www.fcc.gov/antenna-structure-registration or call (877) 480-3201 (TTY 717-338-2824).

Official Copy

NEPA SCREEN

Prepared for:

Hemphill Seminary, LLC

SITE NAME: **DA08061 - ENNIS**
SITE ADDRESS: **400 S I-45, ENNIS, TX 75119**
DATE ISSUED: November 15, 2024
ENVIRONMENTEX PROJECT NUMBER: 24155

Prepared by:

Environmentex, Inc. 6060 N. Central Expy, Ste 500, Dallas, TX 75206
214.793.7317 www.environmentex.com

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APPENDIX A: **Maps & Figures**
Location Maps
Topographic Map
Aerial Photograph
USFWS National Wetlands Inventory Map
FEMA Flood Insurance Rate Map

APPENDIX B: **Informal Biological Assessment (IBA)**

APPENDIX C: **Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning**

APPENDIX D: **Section 106 Review – SHPO Submittal**

Environmentex consulting

FCC NEPA CHECKLIST

Site Name: Ennis	Site #: DA08061	Site Address: 400 S I-45, Ennis, TX 75119	Coordinates: N 32 19 52.8 W 96 36 41.2	
FCC Category	**Source Reference Agencies**	**Summary of positive effects**	**Yes**	**No**
1. Will the facility be located in an officially designated wilderness area?	National Wilderness Preservation System (on-line database), National Park Service			X
2. Will the facility be located in an officially designated wildlife preserve?	US Fish & Wildlife Refuge Locator			X
3. Will the facility affect listed and proposed threatened, or endangered or designated critical habitats?	US Fish & Wildlife Service			X
4. Will the facility affect districts, sites, buildings, structures, or objects listed, or eligible for listing, in the National Register of Historic Places?	State Historic Preservation Office (SHPO)			X
5. Will the facility affect Indian Religious sites?	Tribal Historic Preservation Office (THPO)			X
6. Will the facility be located in the floodplain?	Federal Emergency Management Agency (FEMA)			X
7. Will the facility construction involve significant change in surface features?	USFWS National Wetland Inventory Map			X
8. Will the antenna towers and/or supporting structures be equipped with high intensity white lights?	Hemphill Seminary, LLC			X
9. Will the facility cause human exposure to levels of radiofrequency radiation in excess of Commission-adopted guidelines?	Hemphill Seminary, LLC			X
10. Will the facility be over 450 feet above ground level (AGL)?	Hemphill Seminary, LLC			X

The undersigned has reviewed and approved the completion of the FCC NEPA Checklist for the above-mentioned site.

Signature: _____ Date: November 15, 2024

Printed Name: Brian McCallister Title: Environmental Engineer

INTRODUCTION

Environmentex Inc. (ETX) performed an environmental screening of the Federal Communications Commission (FCC)/National Environmental Policy Act (NEPA) categories as outlined in 47 CFR Section 1.1307 (a)(1) through (9) for the above referenced site. ETX relied on information provided by the client.

In the event that the site affects one of the categories, NEPA requires that an Environmental Assessment (EA) be prepared regarding that particular issue. A summary of the compiled data is presented in Appendix E, NEPA Land Use Screening Checklist.

1.1 Site Location and Description

The proposed tower facility, referenced as Hemphill Seminary, LLC site DA08061, consists of a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, which will incorporate a 130' monopole tower. It should be noted that the area reviewed for this screening included at least a 30' buffer beyond the proposed lease area.

The proposed telecommunications tower and compound is located near 400 S I-45, Ennis, TX 75119. A legal description for the subject property can be found in Appendix A; the latitude/longitude is N 32 19 52.8, W 96 36 41.2. According to a client provided FAA 1-A Survey Certification, the site is located at an approximate elevation of 477.1 feet above mean sea level (MSL).

2.0 WILDERNESS AREAS

Wilderness Areas are protected under the Wilderness Act of 1964. Wilderness Area: Service land designated by Congress to be managed as a unit of the National Wilderness Preservation System, in accordance with the terms of the Wilderness Act of 1964.

Based on a review of the National Parks Service web page at www.nps.gov, the on-line National Wilderness Preservation System web page and the U.S. Geological Survey (USGS) 2019 Ennis East, TX 7.5 minute series topographic map, the site is not located in a designated Wilderness Area. Additionally, no National Forests occur in the project area.

3.0 WILDLIFE PRESERVES

Based on a review of U.S. Geological Survey (USGS) 2019 Ennis East, TX 7.5 minute series topographic map and the National Wildlife Refuge System Homepage, the site is not located in the immediate vicinity of a designated national wildlife refuge.

4.0 NATIONAL SCENIC TRAILS

A resolution between the Cellular Telecommunications Industry Association (CTIA) and other groups requires that if a wireless telecommunications or site management company plans a new or significantly expanded

facility within one mile of a National Scenic Trail, it will notify the non-profit group that supports the trail. Therefore the National Parks Service was researched on-line to determine if the site is located near any national scenic trails. The site is not located within a one mile radius of any scenic trails.

5.0 Wild and Scenic Rivers

Based on a review of the on-line National Parks Service System, the site is not located within a one mile radius of any wild or scenic rivers.

6.0 Threatened and Endangered Species and Critical Habitat

Current habitat information and a list of protected or proposed to be protected species listed under the Federal Endangered Species Act were obtained from the US Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD). An Informal Biological Assessment (IBA) was conducted by reviewing the endangered species and habitat list for the County, and noting habitat features during the site reconnaissance.

A review of the list of identified critical habitats (see 50 CFR 17.95-17.96 and Part 226), indicated the site is not located in a designated critical habitat. Additionally, no listed species were observed on or in the immediate vicinity of the subject site. Based upon a review of the listed species habitat information provided, and site observations, it is our opinion that the proposed project will have "no effect" on habitat that may be used by the listed species. A "No Effect" determination does not require section 7 consultation and no coordination or contact with the Service is necessary (please refer to the USFWS species list letter in Appendix B for more detail). Therefore, it is unlikely that the proposed tower will adversely affect any threatened or endangered species or critical habitat. Based on these considerations, "No" was marked on the checklist.

7.0 Migratory Birds

The project area and tower structure are not located near a known migration route within a flyway . Upon our site investigation, it was determined that the project area is not located in a wetland, waterway, wildlife refuge, national wilderness area, native grassland or forest area, ridge-line, mountain top, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may be found. Therefore, based upon these findings, the probability that migratory birds will be found within the project area is minimal; however, the presence of migratory birds cannot be ruled out.

Additionally, the area surrounding the subject property is characterized by residential and commercial properties. This developed habitat decreases the value of the land to migratory birds and thereby decreases the chances that the area would be utilized by migratory flocks.

In accordance with the guidelines of the Final Programmatic Environmental Assessment for the Antenna Structure Registration Program (FCC PEA), towers over 450' in height require additional environmental review for potential migratory bird concerns. This tower will be 130', which is below the FCC PEA height threshold.

Additionally, the United States Fish & Wildlife Service (USFWS) issued their "Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning" (www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf); these voluntary guidelines are considered to be federal recommendations. For this project, the proposed tower's specifications are required in order to meet coverage area objectives. Furthermore, this tower will be constructed to accept future collocations, thus reducing the need to build additional towers within the immediate project area, and will not be constructed with guy wires.

The findings in the above paragraphs suggest that measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking. Based on the efforts undertaken during this IBA, as well as the project specifications, the current data made available, and the interim FCC PEA, we have concluded that there is minimal potential for the proposed project to have a significant effect on migratory bird species, and that this project adheres to the guidelines set forth in the USFWS's "Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning."

8.0 CULTURAL RESOURCES

8.1 Historic Places/Indian Religious Sites

A Section 106 Review for the proposed tower was conducted in accordance with the National Programmatic Agreement (NPA) effective March 7, 2005. The Review included evaluating the effects the tower facility will have on historic properties as well as visual effects for the vicinity. A completed FCC Form 620 packet for a regulated wireless telecommunications facility undertaking was submitted for comment to the Texas SHPO. A copy of the FCC Form 620 packet is included in the attached reference material, along with a copy of the SHPO "No Historic Properties Affected" response letter.

8.2 Tribal Historic Preservation Office

Notification of the proposed project was provided to Tribal Nations via a Form 620 submission packet through the FCC's E-106 system and in the format requested by each Tribal Nation per their respective preferences (electronic or hard copy) at the time of initiating consultation. Copies of the TCNS notification and responses received along with a table summarizing Tribal consultation correspondence are included in Appendix D, Reference Material. No Native American Religious or Sacred Sites were identified in the project area; however, should archaeological remains or resources be discovered during construction, it is suggested that the client stop construction immediately and notify ETX.

9.0 FLOODPLAIN INFORMATION

The applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) was accessed on the FEMA website. Utilizing this and location information provided by the client, the site is in Zone X, outside the 100-year floodplain. Based on this, no further evaluation is required and "No" was marked on the checklist.

10.0 SURFACE FEATURES

The potential for significant change in surface features (e.g. wetland fill, deforestation, or water diversion) was reviewed. There are no surface water bodies located in the immediate vicinity of the site; therefore, no water bodies will be impacted. The project will not require any "deforestation".

The National Wetlands Inventory maps were reviewed for indications of wetlands on the subject site. Based on National Wetlands Inventory data, the Site is not mapped as wetlands. According to the USDA Ellis County Soil Survey Map, soils found within the proposed project area are Crockett fine sandy loam, 3 to 8 percent slopes, severely eroded, which are not listed as hydric, as indicated by the USDA Hydric Soils List. This review indicated no wetlands are located on the site. No wetlands were visually observed on the subject site or immediately adjacent. Based on these considerations, a "No" was marked on the checklist.

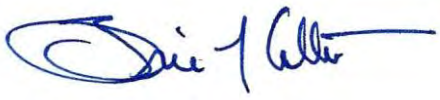
11.0 HIGH INTENSITY WHITE LIGHTS

High intensity white lights are required by FAA for aviation avoidance marking on towers over 499 feet above ground surface. Towers less than 499 feet are not equipped with high intensity white lights. Based on this, "No" was marked on the checklist.

12.0 RADIO FREQUENCY RADIATION

This category applies to FCC licensees and not antenna structure owners. Antenna structures (towers) do not emit radio frequency radiation. FCC licensees transmitting from antennas mounted on antenna structures are required to comply with radio frequency exposure standards.

13.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL



Brian McCallister, PE _____ Date: November 15, 2024

14.0 STANDARD OF CARE

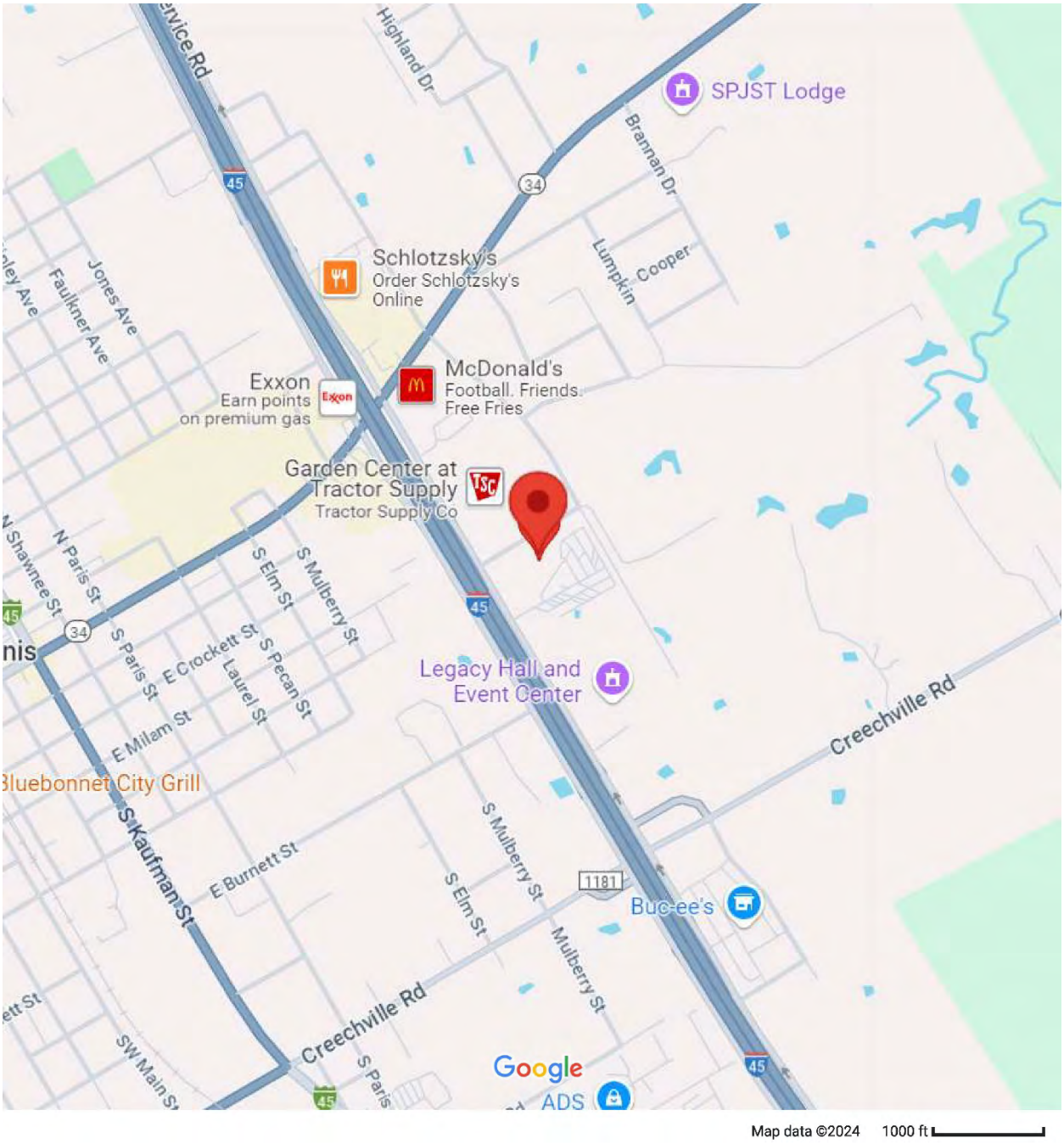
This NEPA Screening was performed by ETX in general accordance with the scope of work presented by the Client.

Services performed by ETX have been conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty, either expressed or implied, is made or intended by our proposal, contract, or reports. Our data, interpretations, and recommendations are based solely on the information available to us. ETX will be responsible for our data, and recommendations, but shall not be responsible for the interpretation of the FCC/NEPA Screening by others.

APPENDIX A

MAPS & IGURES

LOCATION MAPS

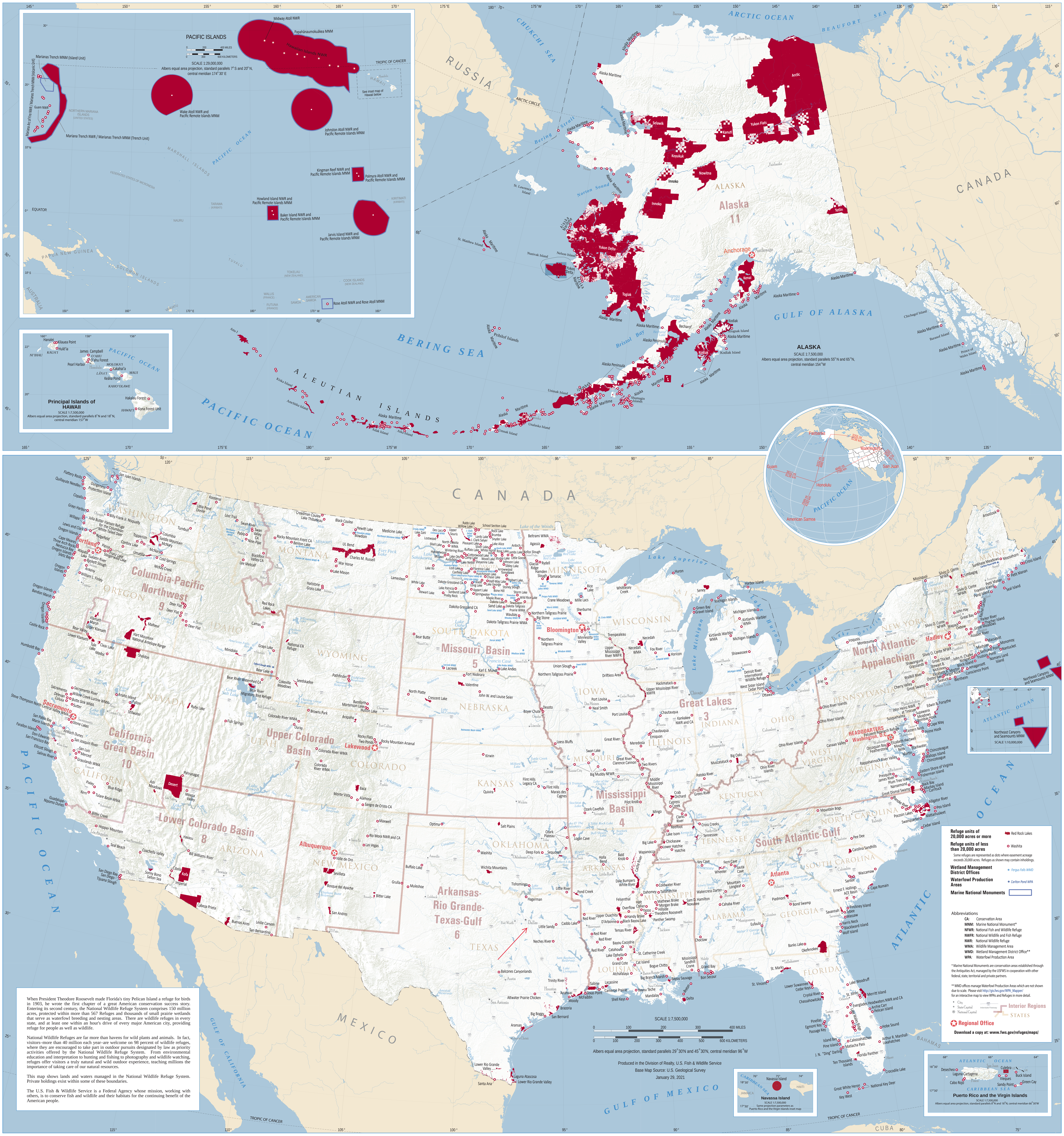


Environmentex consulting	Location Map
	DA08061- Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155

F.2.

U.S. Fish & Wildlife Service

National Wildlife Refuge System



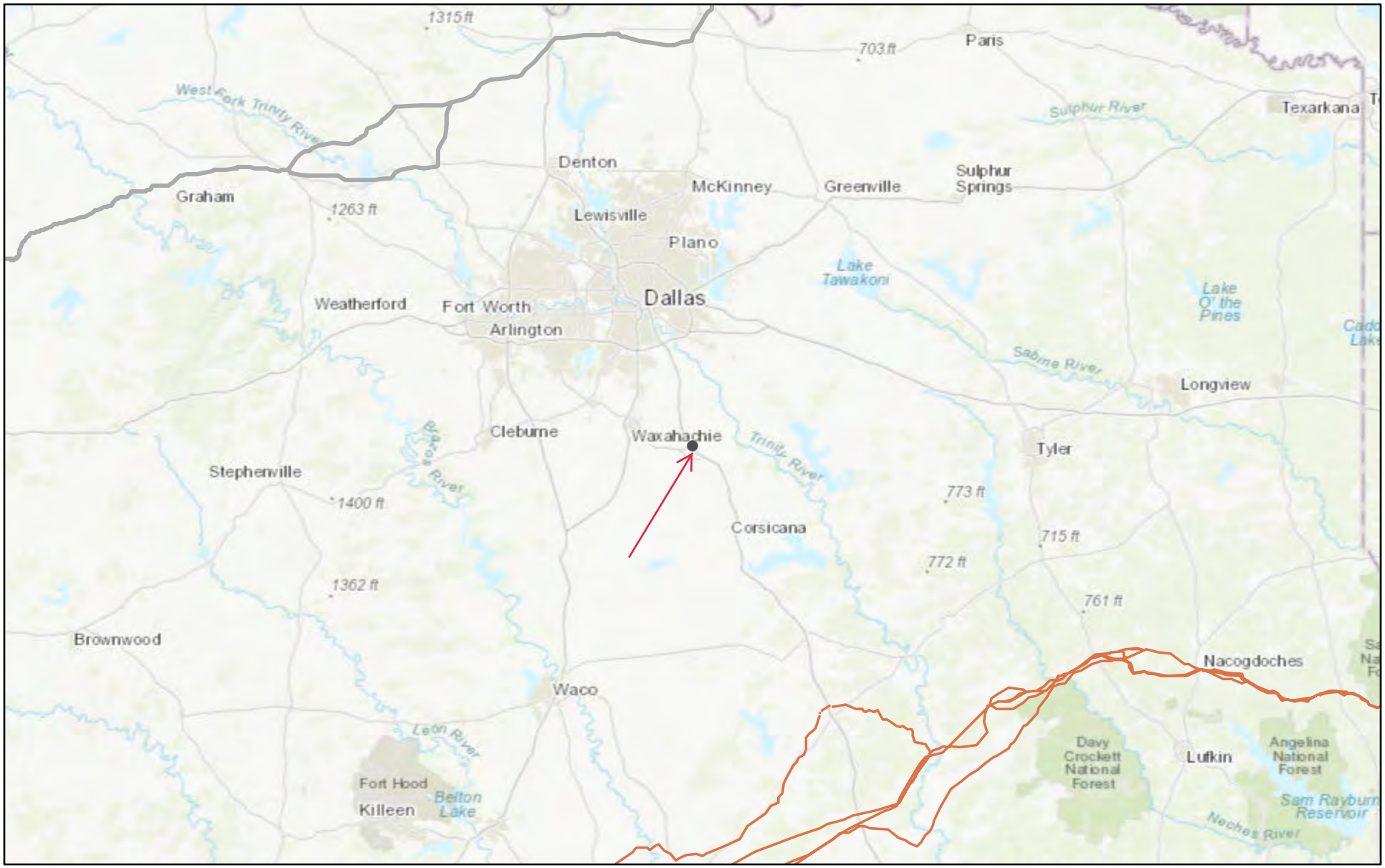
When President Theodore Roosevelt made Florida's tiny Pelican Island a refuge for birds in 1903, he wrote the first chapter of a great American conservation success story. Entering its second century, the National Wildlife Refuge System comprises 150 million acres, protected within more than 567 Refuges and thousands of small prairie wetlands that serve as waterfowl breeding and nesting areas. There are wildlife refuges in every state, and at least one within an hour's drive of every major American city, providing refuge for people as well as wildlife.

National Wildlife Refuges are far more than havens for wild plants and animals. In fact, visitors–more than 40 million each year–are welcome on 98 percent of wildlife refuges, where they are encouraged to take part in outdoor pursuits designated by law as priority activities offered by the National Wildlife Refuge System. From environmental education and interpretation to hunting and fishing to photography and wildlife watching, refuges offer visitors a truly natural and wild outdoor experience, teaching millions the importance of taking care of our natural resources.

This map shows lands and waters managed in the National Wildlife Refuge System. Private holdings exist within some of these boundaries.

The U.S. Fish & Wildlife Service is a Federal Agency whose mission, working with others, is to conserve fish and wildlife and their habitats for the continuing benefit of the American people.

Ennis



11/4/2024, 10:34:12 AM

1:2,311,162

0 15 30 60 mi

0 25 50 100 km

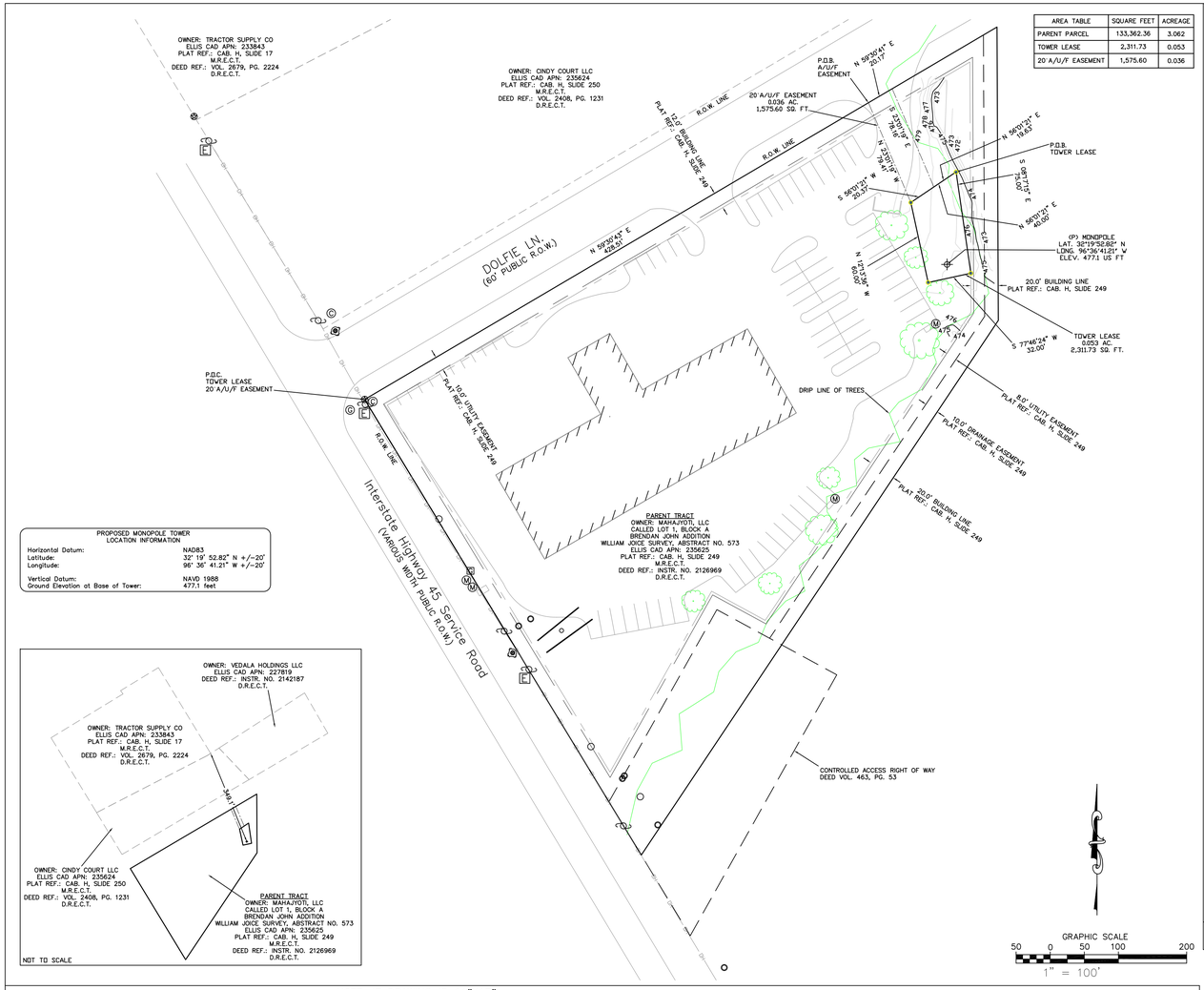
Esri, HERE, Garmin, FAO, USGS, EPA, NPS

Butterfield Overland NHT

El Camino Real de los Tejas NHT

Web AppBuilder for ArcGIS

Esri, HERE, Garmin, FAO, USGS, EPA, NPS | NPS, POHE | Data prepared by US Forest Service Region 1 Trails and Land Status Programs. | Connecticut



AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036

PROPOSED MONOPOLE TOWER
LOCATION INFORMATION

Horizontal Datum:	NAD83
Latitude:	32° 19' 52.82" N +/-20'
Longitude:	96° 36' 41.21" W +/-20'
Vertical Datum:	NAVD 1988
Ground Elevation at Base of Tower:	477.1 feet

SITE PLAN SCALE: 1" = 50'

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

LEGAL DESCRIPTION

TOWER LEASE (created by this office)

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 56° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

THENCE North 56° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

LEGAL DESCRIPTION

ACCESS/UTILITY/FIBER EASEMENT (created by this office)

BEING a 0.036 acre (1,575.60 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for the POINT OF BEGINNING;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE South 56° 01' 21" West for a distance of 20.37 feet to a point for corner;

THENCE North 23° 01' 19" West a distance of 79.41 feet to the POINT OF BEGINNING, and containing 0.036 acre (1,575.60 square feet) of land, more or less.

LEGAL DESCRIPTION

PARENT PARCEL (as provided)

LOT 1, BLOCK A, BRENDAN JOHN ADDITION SOUTH, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN CABINET H, SLIDE 249, MAP/PLAT RECORDS, ELLIS COUNTY, TEXAS.

TITLE INSURANCE COMMITMENT NOTE

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY HOLLERBACH & ASSOCIATES, INC, WITH AN ORDER DATE OF AUGUST 9, 2024, ORDER NO. HA324547, CUSTOMER REF NO: T-MOBILE DA06081. CERTIFICATION DATE AUGUST 1, 2024, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B OF SAID COMMITMENT:

SUBJECT TO:
ALL MATTERS SHOWN ON PLAT H/249. DOES AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL. AS SHOWN HEROEN.

ELECTRIC TRANSMISSION EASEMENT 329/251. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC TRANSMISSION EASEMENT 392/161. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND RIGHT OF WAY AND EASEMENT 408/293. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

SEWER AND WATER PIPELINE EASEMENT AND RIGHT OF WAY 411/292. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND EASEMENT 412/123. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 413/90. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

CONTROLLED ACCESS RIGHT OF WAY DEED 463/51. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

CONTROLLED ACCESS RIGHT OF WAY EASEMENT 463/53. DOES NOT AFFECT TOWER LEASE OR A/U/F EASEMENT. DOES AFFECT PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 465/310. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 489/613. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

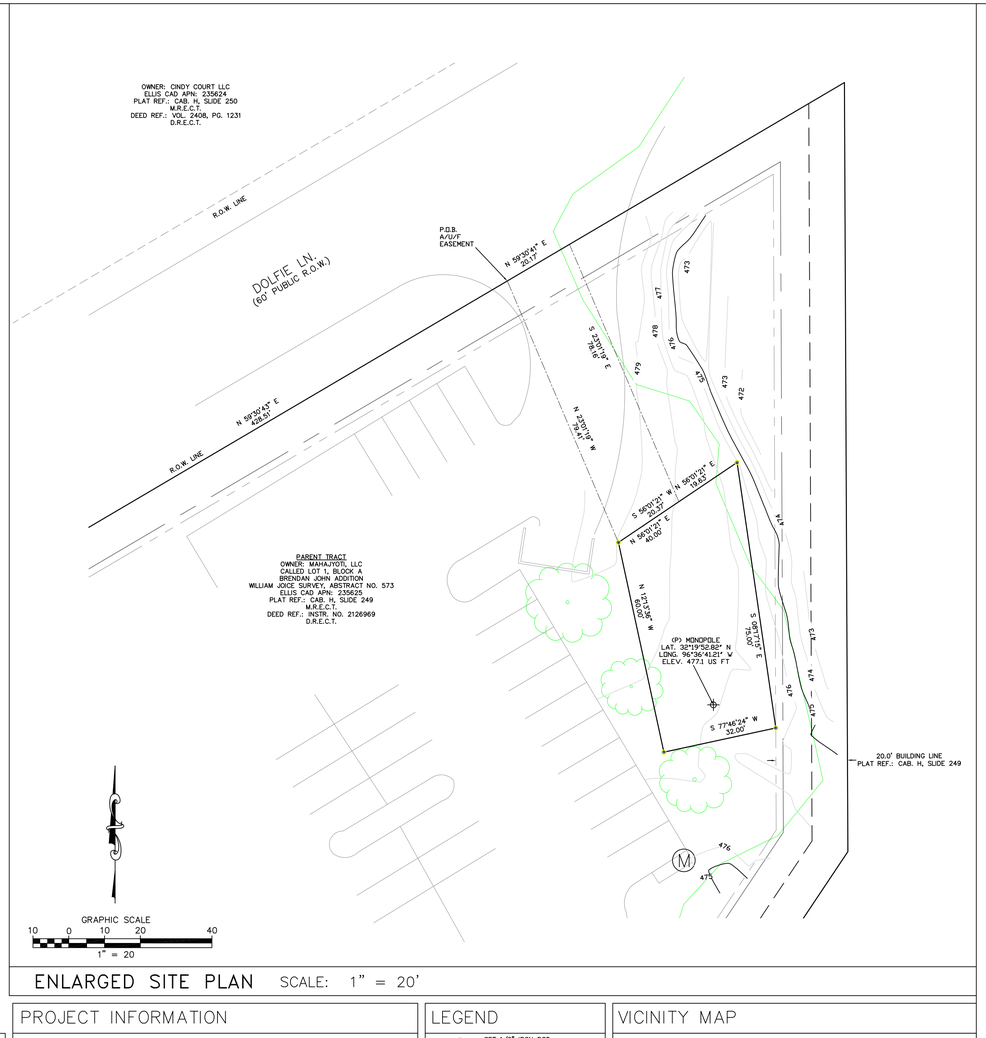
UTILITY EASEMENT 561/287. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL.

SANITARY SEWER LINE EASEMENT 2224/2358. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/835. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/843. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/856. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.



ENLARGED SITE PLAN SCALE: 1" = 20'

PROJECT INFORMATION

SITE NAME:	ENNIS
SITE NUMBER:	DA06081
SITE ADDRESS:	400 S INTERSTATE 45
	ENNIS, TX 75119
	ELLIS COUNTY
LANDLORD'S NAME:	N/A
LANDLORD'S ADDRESS:	
LATITUDE:	32°19'52.82" N
LONGITUDE:	96°36'41.21" W
GROUND ELEVATION:	477.1'
BASIS OF ELEVATIONS:	NAVD 88
BASIS OF BEARINGS:	NAD 83

NOTES:

LATITUDE & LONGITUDE ARE BASED ON NAD 83 COORDINATES ELEVATIONS ARE BASED ON NAVD 88

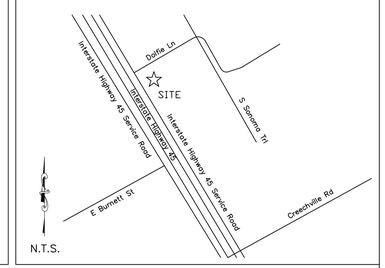
SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT OR TITLE REPORT. THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES AFFECTING THIS TRACT THAT ARE NOT SHOWN HEREON.

ACCORDING TO FLOOD PANEL MAP NO. 48139C0380F, DATED JUNE 3, 2013, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, "BASE FLOOD ELEVATIONS DETERMINED"

LEGEND

●	:SET 1/2" IRON ROD.
○	:FOUND 1/2" IRON ROD.
O	:FOUND TXDOT R.O.W. EASEMENT MARKED WITH A PINK LATHE
⊗	:FOUND R.O.W. MONUMENT.
P.O.B.	:POINT OF BEGINNING.
P.O.C.	:POINT OF COMMENCEMENT.
—o—o—	:FENCE AS NOTED.
—OH—	:OVER HEAD UTILITY LINES.
	:WOOD UTILITY POLE.
E	:ELECTRIC TRANSFORMER.
T	:TELCO PEDESTAL.
C	:CABLE PEDESTAL.
M	:MAN HOLE.
G	:GAS MARKER.
G	:GAS METER.
G	:GAS MARKER.
R.O.W.	:RIGHT-OF-WAY.
A/U/F	:ACCESS/UTILITY/FIBER.
D.R.E.C.T.	:DEED RECORDS ELLIS COUNTY TEXAS
P.R.E.C.T.	:PLAT RECORDS ELLIS COUNTY TEXAS

VICINITY MAP



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

Ronald D. Wimberley, R.P.L.S. No. 6005

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (214) 523-4100

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237 75404
GREENVILLE, TEXAS
PHONE: (903) 450-8100
FAX: (903) 455-2902

SITE SURVEY

ENNIS
DA06081
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

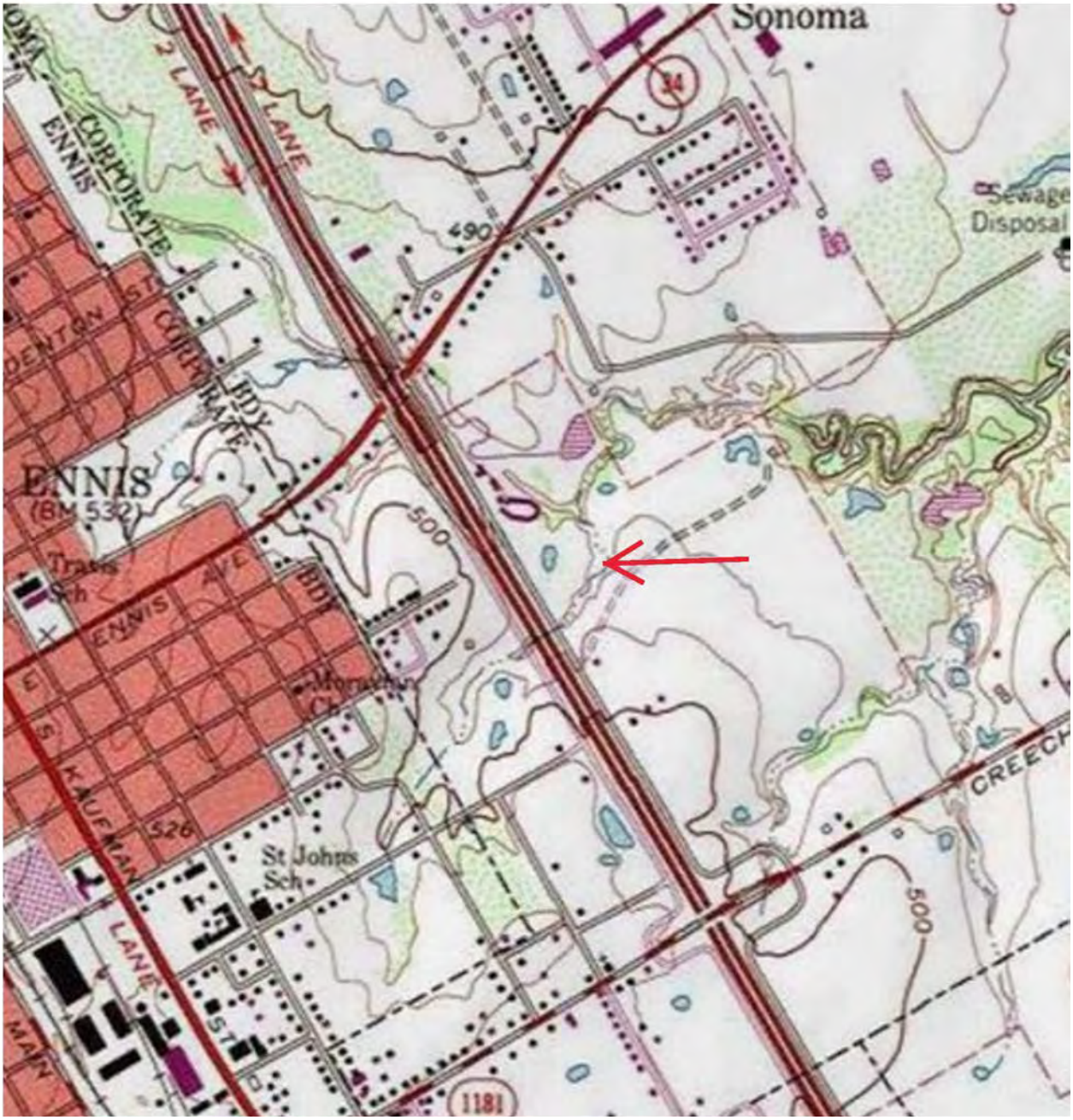
STATE OF TEXAS
RONALD D. WIMBERLEY
6005
REGISTERED PROFESSIONAL LAND SURVEYOR

NO.	DATE	DESCRIPTION
1	09/04/24	DESCRIPTION
2		
3		
4		
5		
6		
7		

DRAWN BY: DJ
CHECKED BY: RW
DATE: 09/03/24
PLOT SCALE: 1" = 50'
DRAWING NAME: 24100

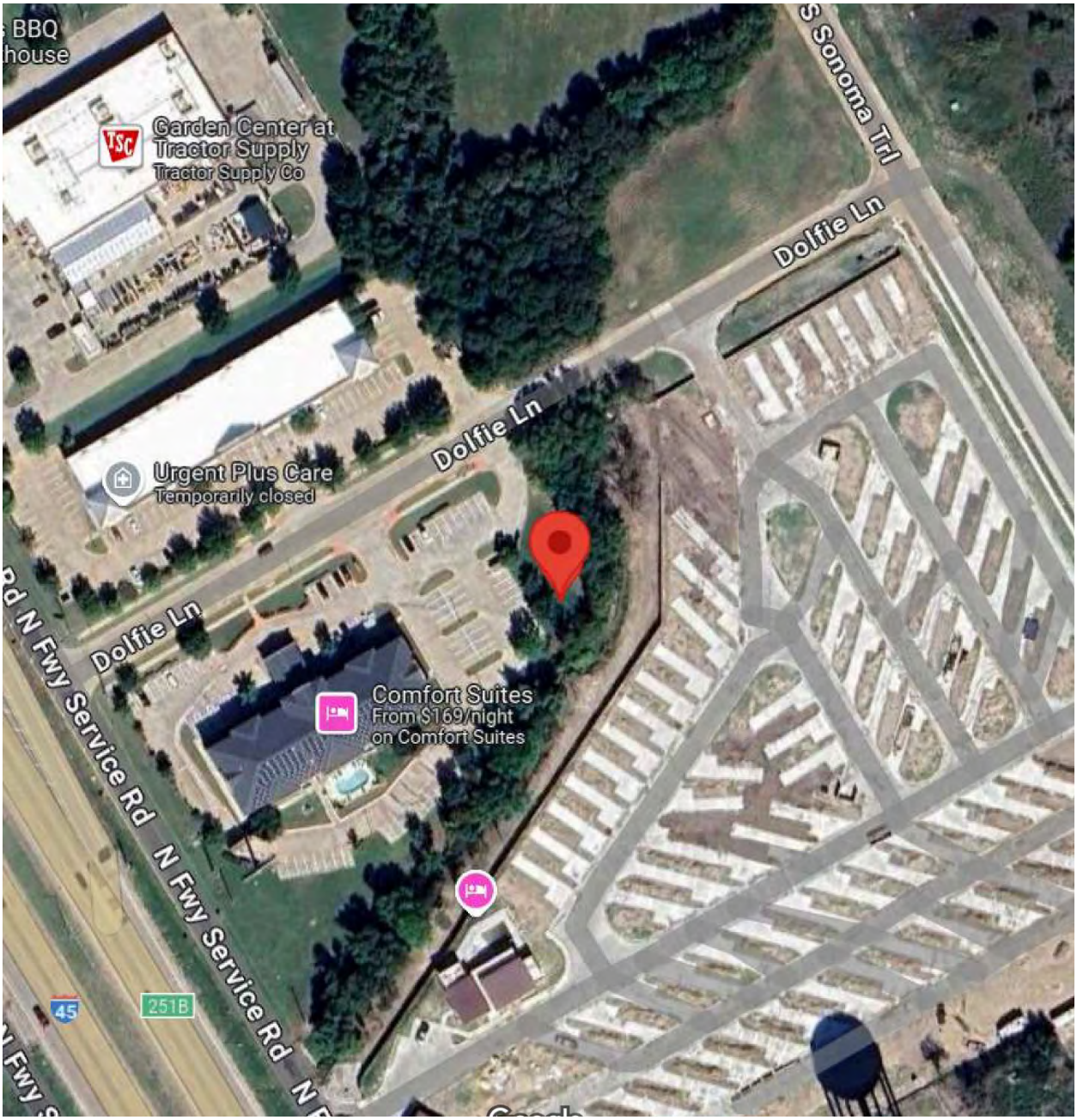
F.2.

TOPOGRAPHIC MAP



	Topographic Map
	DA08061 - Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155

AERIAL PHOTOGRAPHS



Environmentex consulting	2012 Aerial Photograph
	DA08061 - Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155

USFWS NATIONAL WETLANDS INVENTORY MAP

U.S. Fish and Wildlife Service
National Wetlands Inventory

Ennis



September 17, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

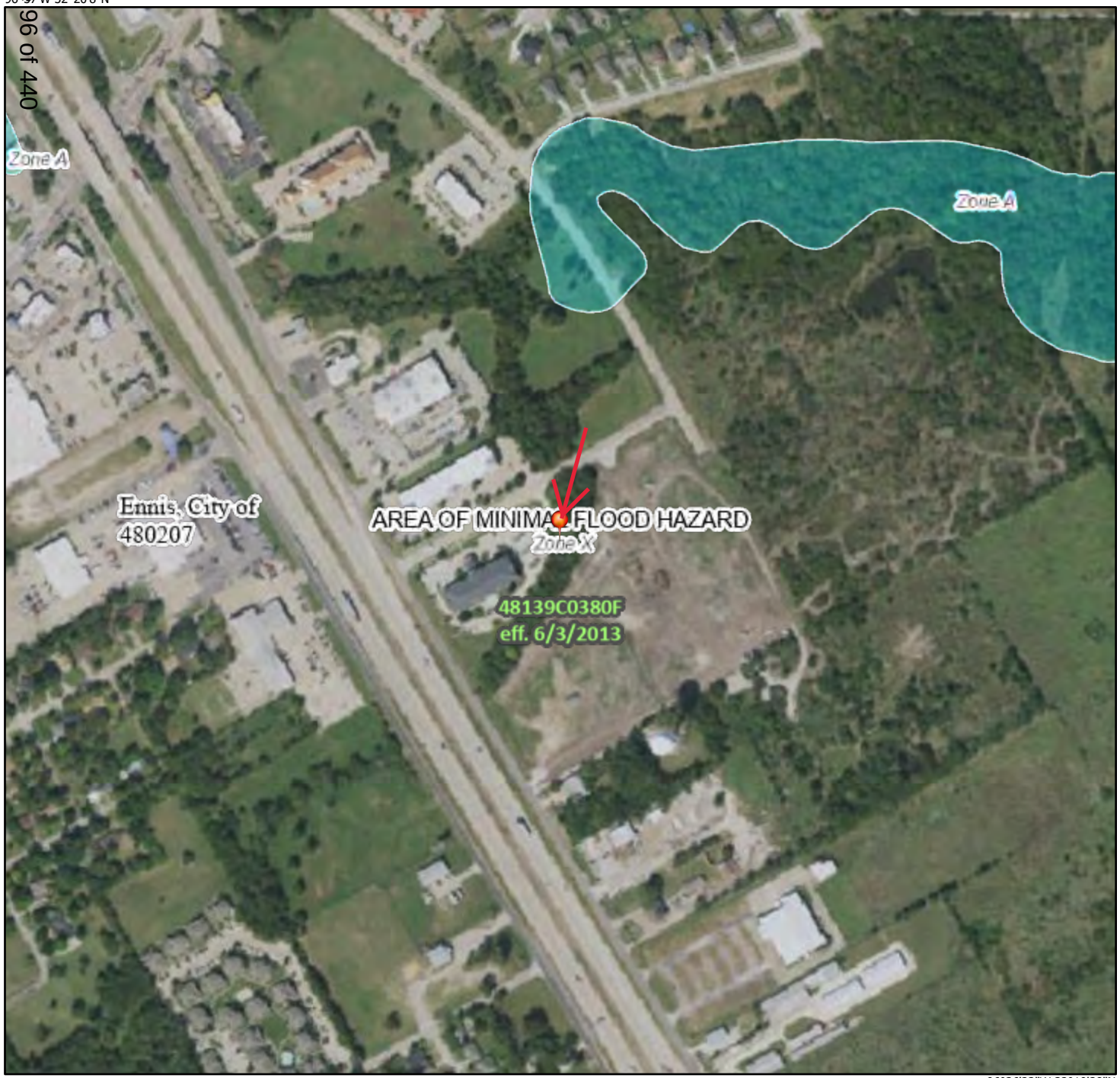
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

FEMA - FLOOD INSURANCE RATE MAP

National Flood Hazard Layer FIRMette

FEMA



0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/17/2024 at 11:17 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX B

Informal Biological Review

INFORMAL BIOLOGICAL ASSESSMENT

Prepared for:

HEMPHILL SEMINARY, LLC

SITE NAME: **DA08061 - ENNIS**
SITE ADDRESS: **400 S I-45,**
ENNIS, TX 75119
DATE ISSUED: November 15, 2024
ENVIRONMENTEX PROJECT NUMBER: 24155

Prepared by:

Environmentex, Inc. 6060 N. Central Expy, Ste 500, Dallas, TX 75206
214.793.7317 www.environmentex.com

Informal Biological Review

Environmentex completed an Informal Biological Assessment (IBA) in accordance with 47 CFR 1.1307 to identify federal and state threatened and endangered species (T&E) and/or critical habitat that may be located at or near the proposed location. Potential impacts to wetlands and migratory birds were also assessed.

Project Description:

The client is proposing to construct a 130' monopole telecommunications tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement on the above referenced vacant tract. As part of this project, 30' in all directions beyond the proposed lease area and associated easements was reviewed.

Project Location:

The proposed tower site is located at 400 S I-45, Ennis, TX 75119; Lat/Long: N 32 19 52.8, W 96 36 41.2. The proposed tower site is located in an area characterized by commercial properties, vacant land and residential development along I-45 in Ennis, Texas.

The address listed in this report and throughout the attachments is the best approximation of this project's address at the time environmental services were ordered. It should be noted that the address may change once the E-911 address is established by the local municipality. Regardless of any change of address that may occur in the future, the position, location, and description of the site assessed during this project are as described herein.

Wetland Discussion:

Based on National Wetlands Inventory data, the Site is not mapped as wetlands. According to the USDA Ellis County Soil Survey Map, soils found within the proposed project area are Crockett fine sandy loam, 3 to 8 percent slopes, severely eroded, which are not listed as hydric, as indicated by the USDA Hydric Soils List. Although a wetland delineation was not within the scope of this assessment, no hydrologic indicators were observed on or within 16 inches of the soil surface on or within 30 ft of the project location. No obvious visual evidence that wetlands are located at the Site or in the immediate area was observed.

Threatened and Endangered Species Discussion:

Current habitat information and the species listed as protected or proposed to be protected under the Federal Endangered Species Act were obtained from the US Fish and Wildlife Service (USFWS) and the Texas Parks & Wildlife Department (TPWD). The information collected from the USFWS also identified critical habitats (see 50 CFR 17.95-17.96 and Part 226). The proposed project is not located in a designated critical habitat.

The attached table lists the state and federally listed threatened and endangered species known to exist in the county. Both the USFWS and state species lists for the area were reviewed. The table compares habitat and/or range requirements of each listed species with the existing site and surrounding area conditions. Based on the information in the table, it is determined that the project will have "no impact" to threatened and endangered species. Fish and amphibian impacts are not applicable to this project.

There were no observations of threatened or endangered species or other wildlife on or adjacent to the proposed site during field visits. Therefore, it is unlikely that the proposed tower will adversely affect any threatened or endangered species or critical habitat.

Migratory Bird Discussion:

This 130' monopole telecommunications tower will be built on a new proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, (collectively known as the project area). The project area and tower structure are not located near a known migration route within a flyway. Upon our site investigation, it was determined that the project area is not located in an NWI mapped wetland, waterway, wildlife refuge, national wilderness area, native grassland or forest area, ridgeline, mountain top, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may be found. In addition, the nearest NWI mapped wetland and body of water is a riverine located approximately 50’ east of the Subject Property. Based upon these findings, the probability that migratory birds will be found within the project area is minimal; however, the presence of migratory birds cannot be ruled out.

Per the guidelines of the FCC Programmatic Environmental Assessment of the Antenna Structure Registration Program (FCC PEA), implemented on June 18, 2012, towers over 450ft in height require additional environmental review for potential migratory bird concerns. This tower will be 130' feet, which is below the FCC PEA height threshold. The Subject Property is located in an area that is characterized by commercial properties, vacant land and residential development. If the tower is required to be lit, to the extent FAA regulations allow, American Tower will use the most preferred lighting system possible outlined in the FCC PEA. Furthermore, this tower will be constructed to accept future collocations, thus reducing the need to build additional towers within the immediate project area and will not be constructed

with guy wires. The findings in the above paragraphs suggest that measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking.

Based on the efforts undertaken during this IBA, as well as the project specifications, the current data made available, and the interim FCC PEA, we have concluded that there is minimal potential for the proposed project to have a significant effect on migratory bird species.

Conclusions:

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

1. The above designated Site 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 Site is not located in an officially designated wildlife preserve.
4. This project will not likely affect listed T&E species or designated critical habitats.
5. The project is not likely to jeopardize the continued existence of any proposed T&E species or result in the destruction of, or adverse modification of proposed critical habitats.
6. No NWI wetlands or surface water bodies are mapped or were observed on the Site.
7. Measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking.

IBA Appendix A:

Photos



SUBJECT PROPERTY, LOOKING NORTH



SUBJECT PROPERTY, LOOKING EAST



SUBJECT PROPERTY, LOOKING SOUTH



SUBJECT PROPERTY, LOOKING WEST



LOOKING SOUTH ALONG PROPOSED UTILITIES EASEMENT



VIEW OF TRASH DUMPSTER OBSERVED ON PARENT TRACT



VIEW OF DEBRIS OBSERVED ON SUBJECT PROPERTY



OVERVIEW OF SUBJECT PROPERTY, LOOKING EAST

IBA Appendix B:

NWI Maps

U.S. Fish and Wildlife Service
National Wetlands Inventory

Ennis



September 17, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

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United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Ellis County, Texas



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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Soil Map.....8
Soil Map.....9
Legend.....10
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Map Unit Descriptions.....11
Ellis County, Texas.....13
CrD3—Crockett fine sandy loam, 3 to 8 percent slopes, severely eroded..13
References.....15

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:293 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 4 8 16 24

Feet: 0 10 20 40 60

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ellis County, Texas
Survey Area Data: Version 19, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 3, 2022—Apr 7, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CrD3	Crockett fine sandy loam, 3 to 8 percent slopes, severely eroded	0.1	100.0%
Totals for Area of Interest		**0.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Ellis County, Texas

CrD3—Crockett fine sandy loam, 3 to 8 percent slopes, severely eroded

Map Unit Setting

National map unit symbol: 2t0rz
Elevation: 260 to 610 feet
Mean annual precipitation: 35 to 42 inches
Mean annual air temperature: 65 to 68 degrees F
Frost-free period: 240 to 270 days
Farmland classification: Not prime farmland

Map Unit Composition

Crockett, severely eroded, and similar soils: 89 percent
Minor components: 11 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Crockett, Severely Eroded

Setting

Landform: Ridges
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy residuum weathered from shale of cretaceous age

Typical profile

A - 0 to 3 inches: fine sandy loam
Btss - 3 to 25 inches: clay
Btkss - 25 to 45 inches: clay
BCk - 45 to 53 inches: clay
Cdk - 53 to 72 inches: clay loam

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: 43 to 60 inches to densic bedrock
Drainage class: Moderately well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Gypsum, maximum content: 2 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 10.0
Available water supply, 0 to 60 inches: Moderate (about 8.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: C
Ecological site: R086AY004TX - Southern Claypan Prairie

Hydric soil rating: No

Minor Components

Ferris, moderately eroded

Percent of map unit: 10 percent
Landform: Ridges
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Microfeatures of landform position: Linear gilgai
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: R086AY009TX - Southern Eroded Blackland
Hydric soil rating: No

Lamar

Percent of map unit: 1 percent
Landform: Ridges
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: R086AY007TX - Southern Clay Loam
Hydric soil rating: No

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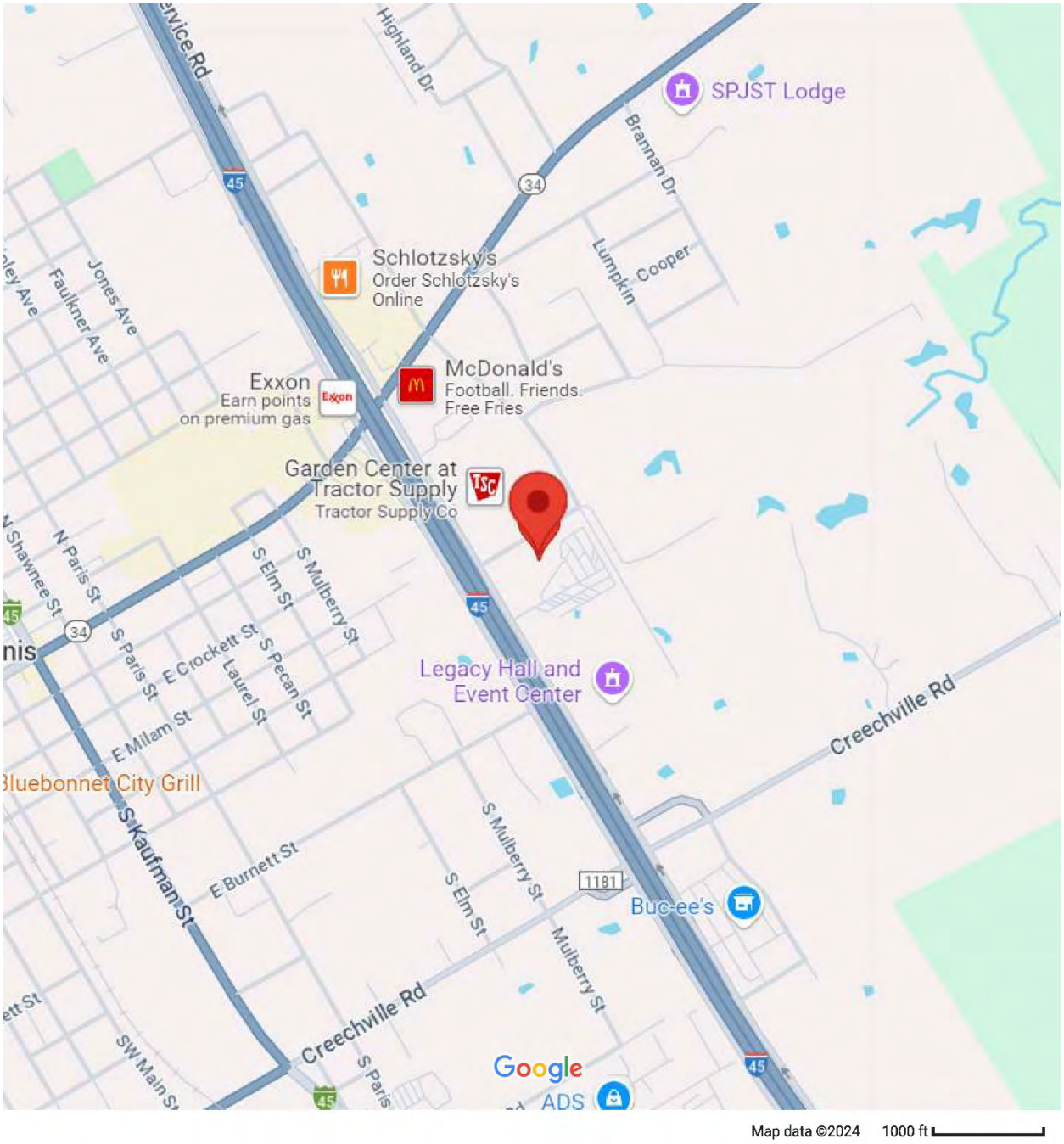
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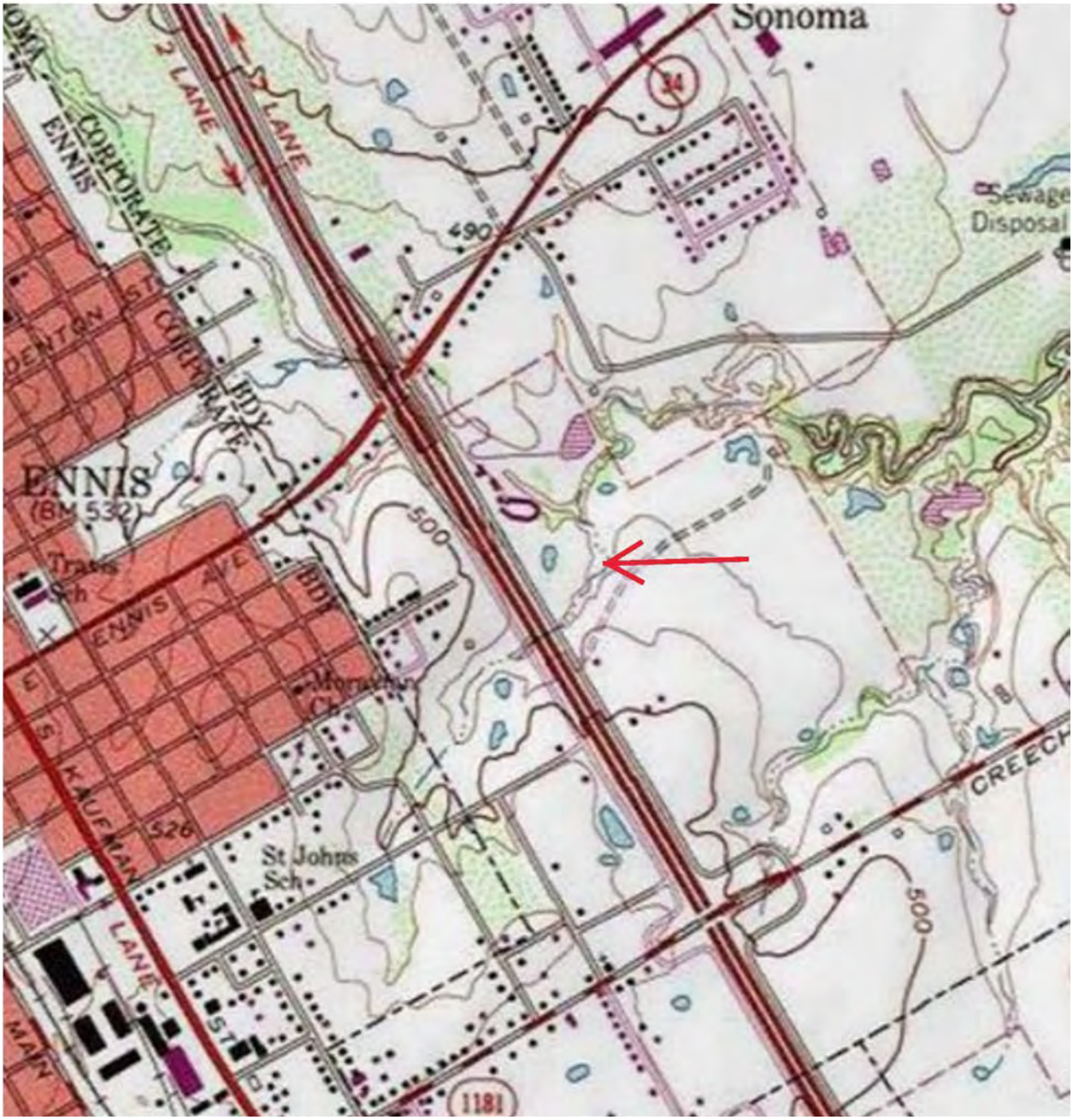
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IBA Appendix C:

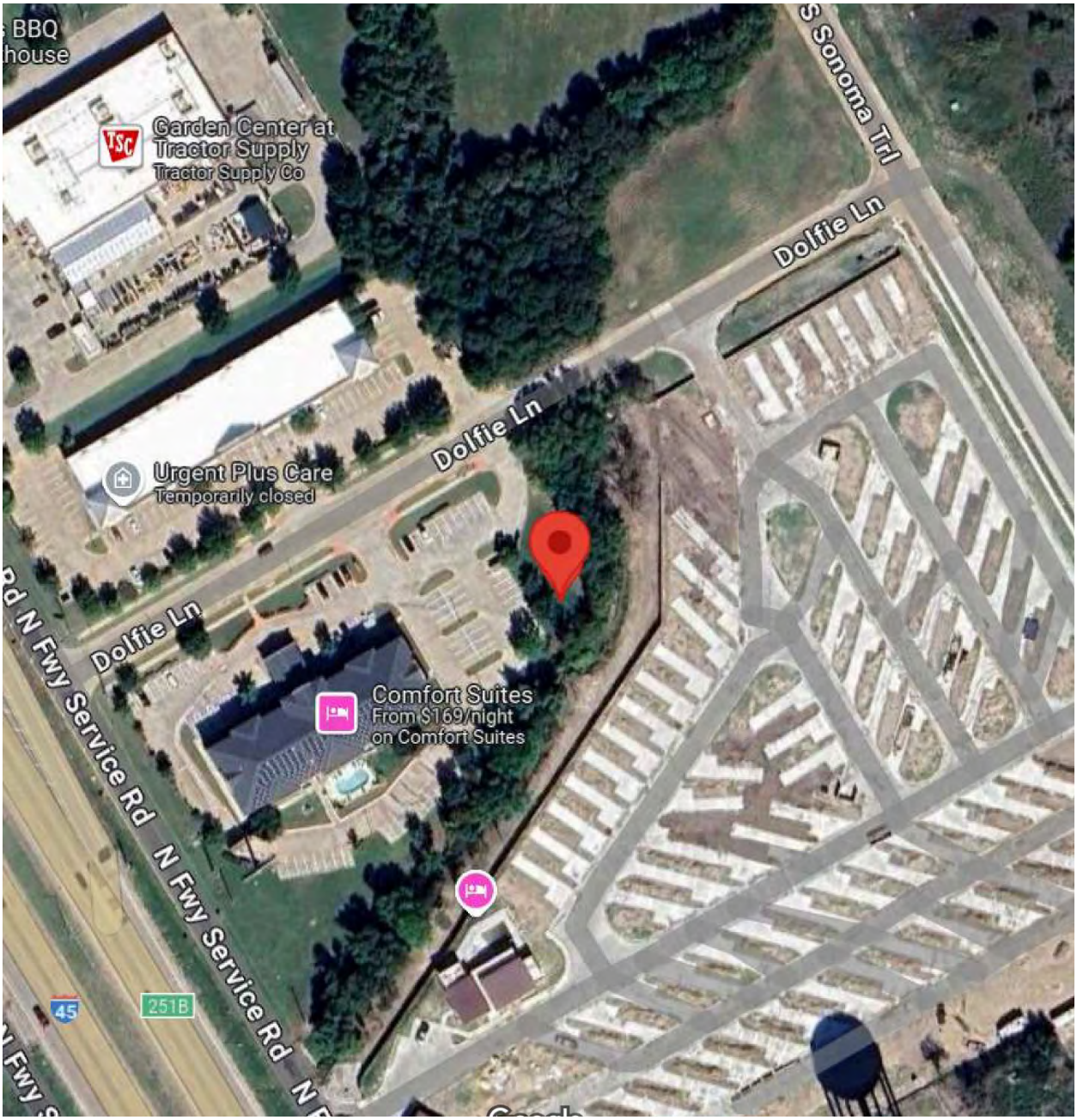
Site Location Maps



Environmentex consulting	Location Map
	DA08061- Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155



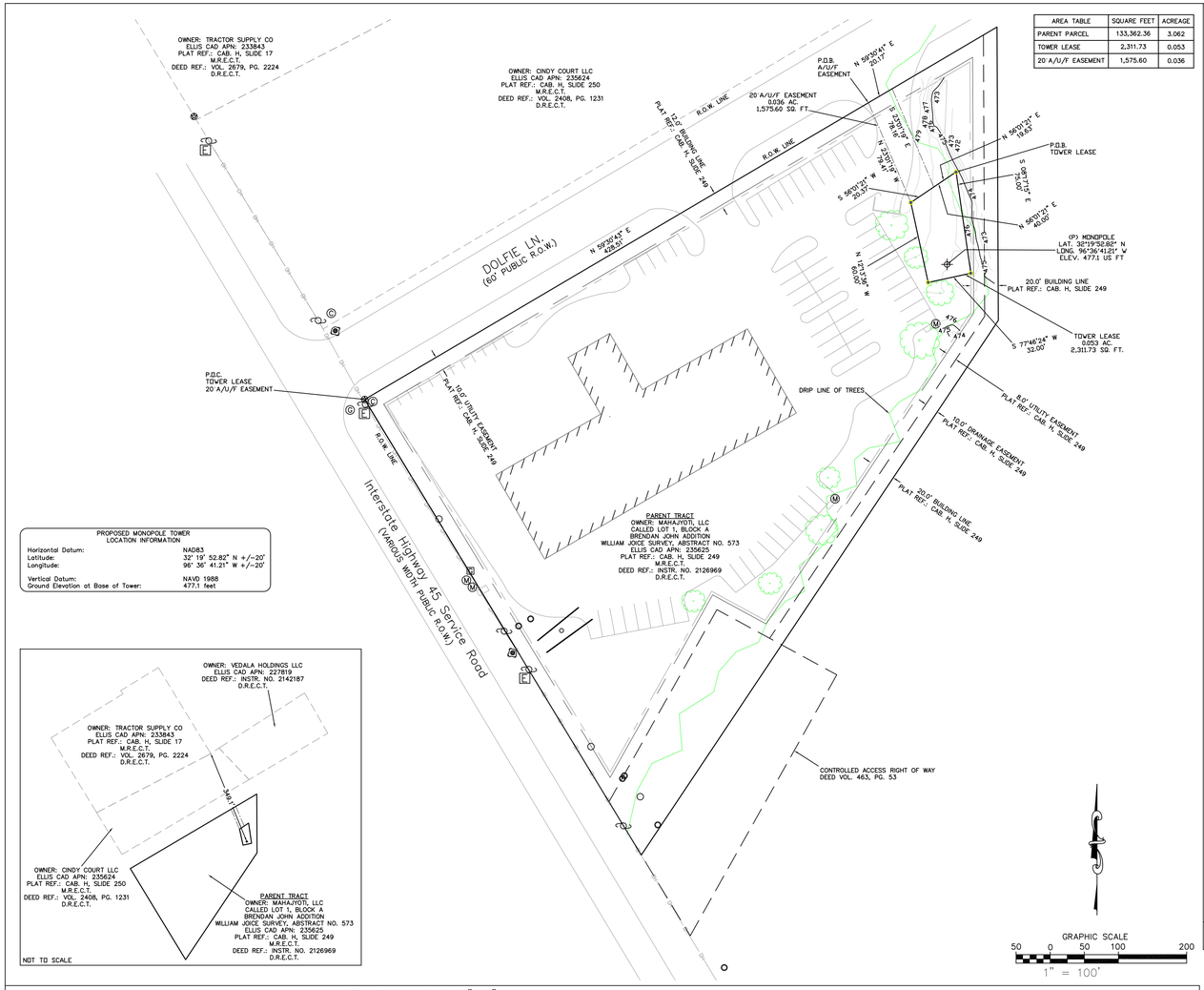
Environmentex consulting	Topographic Map
	DA08061 - Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155



Environmentex consulting	2012 Aerial Photograph
	DA08061 - Ennis
	Tel 214.793.7317 Fax 214.367.3861, www.environmentex.com
	October 1, 2024 ETX Project No.: 24155

IBA Appendix D:

Site Plan

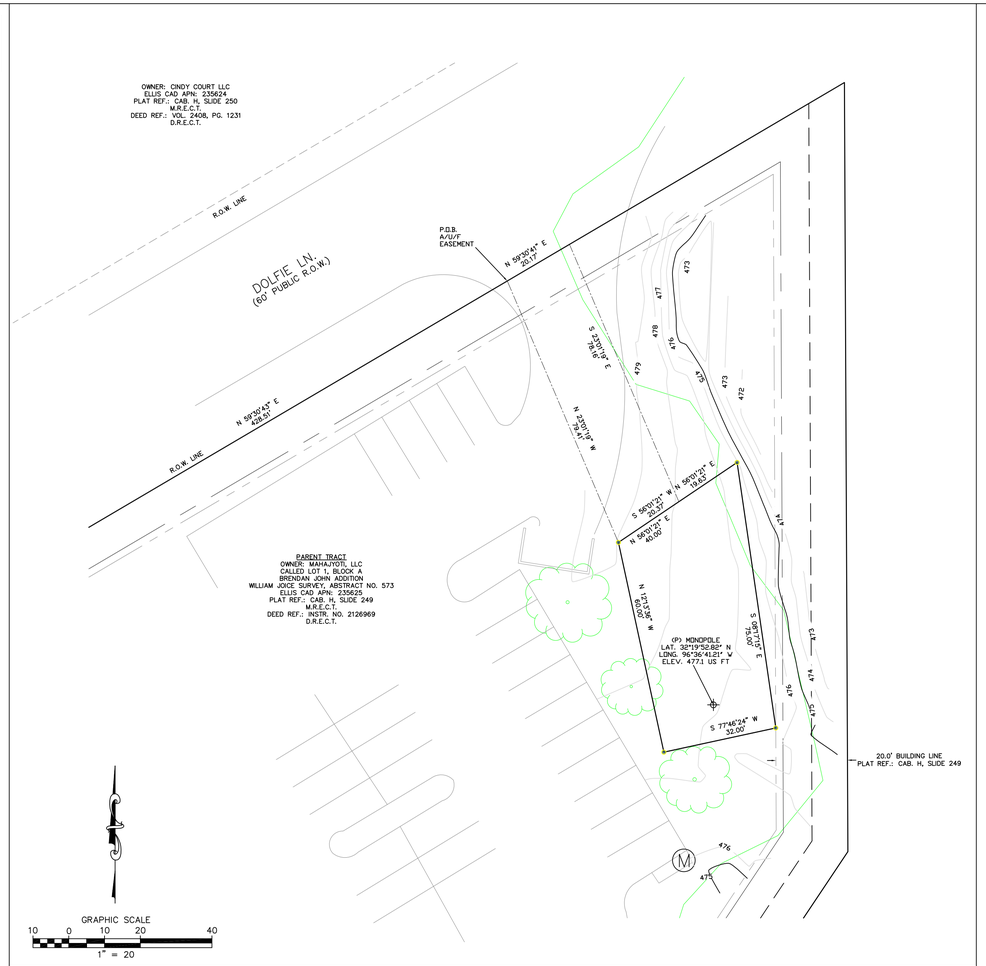


AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036

PROPOSED MONOPOLE TOWER LOCATION INFORMATION	
Horizontal Datum:	NAD83
Latitude:	32° 19' 52.82" N +/-20'
Longitude:	96° 36' 41.21" W +/-20'
Vertical Datum:	NAVD 1988
Ground Elevation at Base of Tower:	477.1 feet

SITE PLAN SCALE: 1" = 50'

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.



ENLARGED SITE PLAN SCALE: 1" = 20'

LEGAL DESCRIPTION

TOWER LEASE (created by this office)

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 56° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

THENCE North 56° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

LEGAL DESCRIPTION

ACCESS/UTILITY/FIBER EASEMENT (created by this office)

BEING a 0.036 acre (1,575.60 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for the POINT OF BEGINNING;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE South 56° 01' 21" West for a distance of 20.37 feet to a point for corner;

THENCE North 23° 01' 19" West a distance of 79.41 feet to the POINT OF BEGINNING, and containing 0.036 acre (1,575.60 square feet) of land, more or less.

LEGAL DESCRIPTION

PARENT PARCEL (as provided)

LOT 1, BLOCK A, BRENDAN JOHN ADDITION SOUTH, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN CABINET H, SLIDE 249, MAP/PLAT RECORDS, ELLIS COUNTY, TEXAS.

TITLE INSURANCE COMMITMENT NOTE

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY HOLLERBACH & ASSOCIATES, INC, WITH AN ORDER DATE OF AUGUST 9, 2024, ORDER NO. HA324547, CUSTOMER REF NO: T-MOBILE DA06081. CERTIFICATION DATE AUGUST 1, 2024, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B OF SAID COMMITMENT:

SUBJECT TO:
ALL MATTERS SHOWN ON PLAT H/249. DOES AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL. AS SHOWN HEROEN.

ELECTRIC TRANSMISSION EASEMENT 329/251. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC TRANSMISSION EASEMENT 392/161. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND RIGHT OF WAY AND EASEMENT 408/293. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

SEWER AND WATER PIPELINE EASEMENT AND RIGHT OF WAY 411/292. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND EASEMENT 412/123. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 413/90. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

CONTROLLED ACCESS RIGHT OF WAY DEED 463/51. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

CONTROLLED ACCESS RIGHT OF WAY EASEMENT 463/53. DOES NOT AFFECT TOWER LEASE OR A/U/F EASEMENT. DOES AFFECT PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 465/310. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 489/613. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UTILITY EASEMENT 561/287. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL.

SANITARY SEWER LINE EASEMENT 2224/2358. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/835. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/843. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/856. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

PROJECT INFORMATION

SITE NAME:	ENNIS
SITE NUMBER:	DA06081
SITE ADDRESS:	400 S INTERSTATE 45
	ENNIS, TX 75119
	ELLIS COUNTY
LANDLORD'S NAME:	N/A
LANDLORD'S ADDRESS:	
LATITUDE:	32°19'52.82" N
LONGITUDE:	96°36'41.21" W
GROUND ELEVATION:	477.1'
BASIS OF ELEVATIONS:	NAVD 88
BASIS OF BEARINGS:	NAD 83

NOTES:

LATITUDE & LONGITUDE ARE BASED ON NAD 83 COORDINATES ELEVATIONS ARE BASED ON NAVD 88

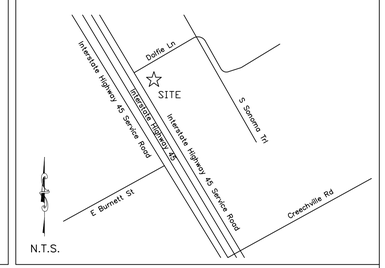
SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT OR TITLE REPORT. THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES AFFECTING THIS TRACT THAT ARE NOT SHOWN HEREON.

ACCORDING TO FLOOD PANEL MAP NO. 48139C0380F, DATED JUNE 3, 2013, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, "BASE FLOOD ELEVATIONS DETERMINED"

LEGEND

●	:SET 1/2" IRON ROD.
○	:FOUND 1/2" IRON ROD.
O	:FOUND TXDOT R.O.W. EASEMENT MARKED WITH A PINK LATHE
✠	:FOUND R.O.W. MONUMENT.
P.O.B.	:POINT OF BEGINNING.
P.O.C.	:POINT OF COMMENCEMENT.
—o—o—	:FENCE AS NOTED.
—OH—	:OVER HEAD UTILITY LINES.
	:WOOD UTILITY POLE.
E	:ELECTRIC TRANSFORMER.
T	:TELCO PEDESTAL.
C	:CABLE PEDESTAL.
M	:MAN HOLE.
G	:GAS MARKER.
G	:GAS METER.
G	:GAS MARKER.
R.O.W.	:RIGHT-OF-WAY.
A/U/F	:ACCESS/UTILITY/FIBER.
D.R.E.C.T.	:DEED RECORDS ELLIS COUNTY TEXAS
P.R.E.C.T.	:PLAT RECORDS ELLIS COUNTY TEXAS

VICINITY MAP



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

Ronald D. Wimberley, R.P.L.S. No. 6005

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (214) 523-4100

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237 75404
GREENVILLE, TEXAS
PHONE: (903) 450-8100
FAX: (903) 455-2902

SITE SURVEY

ENNIS
DA06081
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

NO.	DATE	DESCRIPTION
1	09/04/24	DESCRIPTION
2		
3		
4		
5		
6		
7		

STATE OF TEXAS
RONALD D. WIMBERLEY
6005
REGISTERED PROFESSIONAL LAND SURVEYOR

DRAWN BY: DJ
CHECKED BY: RW
DATE: 09/03/24
PLOT SCALE: 1" = 50'
DRAWING NAME: 24100

IBA Appendix E:

Resources

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arlington Ecological Services Field Office
17629 El Camino Real, Suite 211
Houston, TX 77058-3051
Phone: (817) 277-1100 Fax: (817) 277-1129
Email Address: arles@fws.gov

In Reply Refer To: 09/17/2024 15:29:32 UTC
Project Code: 2024-0145021
Project Name: Ennis Tower 400 S I-45

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, which may occur within the boundary of your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under section 7(a)(1) of the Act, Federal agencies are directed to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Under and 7(a)(2) and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether their actions may affect threatened and endangered species and/or designated critical habitat. A Federal action is an activity or program authorized, funded, or carried out, in whole or in part, by a Federal agency (50 CFR 402.02).

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For Federal actions other than major construction activities, the Service suggests that a biological evaluation (similar to a Biological Assessment) be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

After evaluating the potential effects of a proposed action on federally listed species, one of the following determinations should be made by the Federal agency:

1. *No effect* - the appropriate determination when a project, as proposed, is anticipated to have no effects to listed species or critical habitat. A "no effect" determination does not require section 7 consultation and no coordination or contact with the Service is necessary. However, the action agency should maintain a complete record of their evaluation, including the steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information.
2. *May affect, but is not likely to adversely affect* - the appropriate determination when a proposed action’s anticipated effects to listed species or critical habitat are insignificant, discountable, or completely beneficial. Insignificant effects relate to the size of the impact and should never reach the scale where "take" of a listed species occurs. Discountable effects are those extremely unlikely to occur. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects, or expect discountable effects to occur. This determination requires written concurrence from the Service. A biological evaluation or other supporting information justifying this determination should be submitted with a request for written concurrence.
3. *May affect, is likely to adversely affect* - the appropriate determination if any adverse effect to listed species or critical habitat may occur as a consequence of the proposed action, and

the effect is not discountable or insignificant. This determination requires formal section 7 consultation.

The Service has performed up-front analysis for certain project types and species in your project area. These analyses have been compiled into *determination keys*, which allows an action agency, or its designated non-federal representative, to initiate a streamlined process for determining a proposed project's potential effects on federally listed species. The determination keys can be accessed through IPaC.

The Service recommends that candidate species, proposed species, and proposed critical habitat be addressed should consultation be necessary. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found at: https://www.fws.gov/service/section-7-consultations

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (https://www.fws.gov/library/collections/bald-and-golden-eagle-management). Additionally, wind energy projects should follow the wind energy guidelines (https://www.fws.gov/media/land-based-wind-energy-guidelines) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation. The Federal Aviation Administration (FAA) released specifications for and made mandatory flashing L-810 lights on new towers 150-350 feet AGL, and the elimination of L-810 steady-burning side lights on towers above 350 feet AGL. While the FAA made these changes to reduce the number of migratory bird collisions (by as much as 70%), extinguishing steady-burning side lights also reduces maintenance costs to tower owners. For additional information concerning migratory birds and eagle conservation plans, please contact the Service's Migratory Bird Office at 505-248-7882.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in

the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arlington Ecological Services Field Office
17629 El Camino Real, Suite 211
Houston, TX 77058-3051
(817) 277-1100

PROJECT SUMMARY

Project Code: 2024-0145021
Project Name: Ennis Tower 400 S I-45
Project Type: Communication Tower New Construction
Project Description: Proposed telecommunications tower and associated lease area
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@32.331495700000005,-96.61147780846568,14z



Counties: Ellis County, Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Piping Plover *Charadrius melodus* Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is **final** critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot *Calidris canutus rufa* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane *Grus americana* Population: Wherever found, except where listed as an experimental population There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

REPTILES

NAME	STATUS
Alligator Snapping Turtle *Macrochelys temminckii* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4658	Proposed Threatened

CLAMS

NAME	STATUS
Texas Fawnsfoot *Truncilla macrodon* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8965	Threatened
Texas Heelsplitter *Potamilus amphichaenus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/299	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

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1. The Bald and Golden Eagle Protection Act of 1940.
2. The Migratory Birds Treaty Act of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

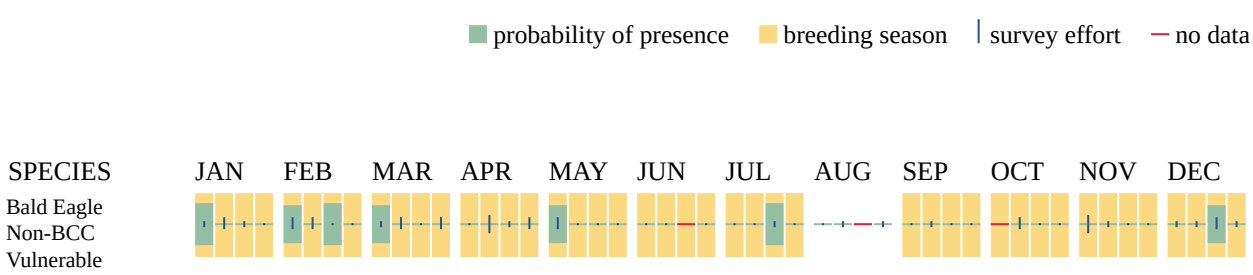
Probability of Presence (▪)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (▪)
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (–)
A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31
Chimney Swift *Chaetura pelagica* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

NAME	BREEDING SEASON
Little Blue Heron *Egretta caerulea* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9477	Breeds Mar 10 to Oct 15
Long-billed Curlew *Numenius americanus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5511	Breeds elsewhere
Prairie Loggerhead Shrike *Lanius ludovicianus excubitorides* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8833	Breeds Feb 1 to Jul 31
Prothonotary Warbler *Protonotaria citrea* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker *Melanerpes erythrocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

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Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
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- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Environmentex Inc
Name: Brian McCallister
Address: 6060 N Central Expwy
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75206
Email brian@environmentex.com
Phone: 2147937317

Last Update: 8/22/2024

ELLIS COUNTY

AMPHIBIANS

southern crawfish frog *Lithobates areolatus areolatus*

Terrestrial and aquatic: The terrestial habitat is primarily grassland and can vary from pasture to intact prairie; it can also include small prairies in the middle of large forested areas. Aquatic habitat is any body of water but preferred habitat is ephemeral wetlands.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4T4	State Rank: S3

Strecker's chorus frog *Pseudacris streckeri*

Terrestrial and aquatic: Wooded floodplains and flats, prairies, cultivated fields and marshes. Likes sandy substrates.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

Woodhouse's toad *Anaxyrus woodhousii*

Terrestrial and aquatic: A wide variety of terrestrial habitats are used by this species, including forests, grasslands, and barrier island sand dunes. Aquatic habitats are equally varied.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

BIRDS

bald eagle *Haliaeetus leucocephalus*

Found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

Federal Status: DL	State Status:	SGCN: N
Endemic: N	Global Rank: G5	State Rank: S3B,S3N

Bank Swallow *Riparia riparia*

Bank Swallows live in low areas along rivers, streams, ocean coasts, and reservoirs. Their territories usually include vertical cliffs or banks where they nest in colonies of 10 to 2,000 nests. Though in the past Bank Swallows were most commonly found around natural bluffs or eroding streamside banks, they now often nest in human-made sites, such as sand and gravel quarries or road cuts. They forage in open areas and avoid places with tree cover.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2B,S4N

black rail *Laterallus jamaicensis*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia

Federal Status: T	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

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ELLIS COUNTY

BIRDS

Brewer's Blackbird *Euphagus cyanocephalus*

Shrubby and bushy areas (especially near water), riparian woodland, aspen parklands, cultivated lands, marshes, and around human habitation; in migration and winter also in pastures and fields (AOU 1983).

Federal Status: | State Status: | SGCN: Y

Endemic: N | Global Rank: G5 | State Rank: S5

chestnut-collared longspur *Calcarius ornatus*

Occurs in open shortgrass settings especially in patches with some bare ground. Also occurs in grain sorghum fields and Conservation Reserve Program lands

Federal Status: | State Status: | SGCN: Y

Endemic: N | Global Rank: G5 | State Rank: S3

Common Grackle *Quiscalus quiscula*

Common Grackles do well in human landscapes, using scattered trees for nesting and open ground for foraging. Typical natural habitats include open woodland, forest edge, grassland, meadows, swamps, marshes, and palmetto hammocks. They are also very common near agricultural fields and feedlots, suburbs, city parks, cemeteries, pine plantations, and hedgerows. Unbroken tracts of forest are the only places where you are unlikely to find Common Grackles.

Federal Status: | State Status: | SGCN: Y

Endemic: N | Global Rank: G5 | State Rank: S5B

Common Nighthawk *Chordeiles minor*

Common Nighthawks nest in both rural and urban habitats including coastal sand dunes and beaches, logged forest, recently burned forest, woodland clearings, prairies, plains, sagebrush, grasslands, open forests, and rock outcrops. They also nest on flat gravel rooftops, though less often as gravel roofs are being replaced by smooth, rubberized roofs that provide an unsuitable surface.

Federal Status: | State Status: | SGCN: Y

Endemic: N | Global Rank: G5 | State Rank: S4B

Franklin's gull *Leucophaeus pipixcan*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. This species is only a spring and fall migrant throughout Texas. It does not breed in or near Texas. Winter records are unusual consisting of one or a few individuals at a given site (especially along the Gulf coastline). During migration, these gulls fly during daylight hours but often come down to wetlands, lake shore, or islands to roost for the night.

Federal Status: | State Status: | SGCN: Y

Endemic: N | Global Rank: G5 | State Rank: S2N

interior least tern *Sternula antillarum athalassos*

Sand beaches, flats, bays, inlets, lagoons, islands. Subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

Federal Status: DL | State Status: E | SGCN: N

Endemic: N | Global Rank: G4T3Q | State Rank: S1B

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ELLIS COUNTY

BIRDS

Least Tern *Sternula antillarum*

Sand beaches, flats, bays, inlets, lagoons, islands, river sandbars and flat gravel rooftops in urban areas.

Federal Status: DL | State Status: | SGCN: Y
Endemic: N | Global Rank: G4 | State Rank: S2B

Loggerhead Shrike *Lanius ludovicianus*

Loggerhead Shrikes inhabit open country with short vegetation and well-spaced shrubs or low trees, particularly those with spines or thorns. They frequent agricultural fields, pastures, old orchards, riparian areas, desert scrublands, savannas, prairies, golf courses, and cemeteries. Loggerhead Shrikes are often seen along mowed roadsides with access to fence lines and utility poles.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G4 | State Rank: S4B

Mottled Duck *Anas fulvigula*

Estuaries, ponds, lakes, secondary bays.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G4 | State Rank: S4B

Northern Bobwhite *Colinus virginianus*

Inhabits a wide variety of vegetation types, particularly early successional stages. Occurs in croplands, grasslands, pastures, fallow fields, grass-brush rangelands, open pinelands, open mixed pine-hardwood forests, and habitat mosaics (Brennan 1999).

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G4G5 | State Rank: S4B

piping plover *Charadrius melodus*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Beaches, sandflats, and dunes along Gulf Coast beaches and adjacent offshore islands. Also spoil islands in the Intracoastal Waterway. Based on the November 30, 1992 Section 6 Job No. 9.1, Piping Plover and Snowy Plover Winter Habitat Status Survey, algal flats appear to be the highest quality habitat. Some of the most important aspects of algal flats are their relative inaccessibility and their continuous availability throughout all tidal conditions. Sand flats often appear to be preferred over algal flats when both are available, but large portions of sand flats along the Texas coast are available only during low-very low tides and are often completely unavailable during extreme high tides or strong north winds. Beaches appear to serve as a secondary habitat to the flats associated with the primary bays, lagoons, and inter-island passes. Beaches are rarely used on the southern Texas coast, where bayside habitat is always available, and are abandoned as bayside habitats become available on the central and northern coast. However, beaches are probably a vital habitat along the central and northern coast (i.e. north of Padre Island) during periods of extreme high tides that cover the flats. Optimal site characteristics appear to be large in area, sparsely vegetated, continuously available or in close proximity to secondary habitat, and with limited human disturbance.

Federal Status: T | State Status: T | SGCN: Y
Endemic: N | Global Rank: G3 | State Rank: S2N

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ELLIS COUNTY

BIRDS

rufa red knot *Calidris canutus rufa*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat: Primarily seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore. Bolivar Flats in Galveston County, sandy beaches Mustang Island, few on outer coastal and barrier beaches, tidal mudflats and salt marshes.

Federal Status: T | State Status: T | SGCN: Y
Endemic: N | Global Rank: G4T2 | State Rank: S2N

Sanderling *Calidris alba*

Nonbreeding: primarily sandy beaches, less frequently on mud flats and shores of lakes or rivers (AOU 1983) also on exposed reefs (Pratt et al. 1987). Sleeps/loafs on upper beach or on salt pond dike.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S5

Snowy Plover *Charadrius nivosus*

Algal flats appear to be the highest quality habitat. Some of the most important aspects of algal flats are their relative inaccessibility and their continuous availability throughout all tidal conditions. An optimal site characteristic would be large in size. The size of populations appear to be roughly proportional to the total area of suitable habitat used. Formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G3 | State Rank: S3B

Sprague's pipit *Anthus spragueii*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat during migration and in winter consists of pastures and weedy fields (AOU 1983), including grasslands with dense herbaceous vegetation or grassy agricultural fields.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G3G4 | State Rank: S3N

western burrowing owl *Athene cunicularia hypugaea*

Open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

Federal Status: | State Status: | SGCN: N
Endemic: N | Global Rank: G4T4 | State Rank: S2

white-faced ibis *Plegadis chihi*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; currently confined to near-coastal rookeries in so-called hog-wallow prairies. Nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.

Federal Status: | State Status: T | SGCN: N
Endemic: N | Global Rank: G5 | State Rank: S4B

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ELLIS COUNTY

BIRDS

whooping crane *Grus americana*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Small ponds, marshes, and flooded grain fields for both roosting and foraging. Potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties.

Federal Status: E	State Status: E	SGCN: Y
Endemic: N	Global Rank: G1	State Rank: S1S2N

Willet *Tringa semipalmata*

Marshes, tidal mudflats, beaches, lake margins, mangroves, tidal channels, river mouths, coastal lagoons, sandy or rocky shores, and, less frequently, open grassland (AOU 1983, Stiles and Skutch 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5B

Wilson's Warbler *Cardellina pusilla*

Wilson’s warblers key in on forests and scrubby areas along streams to fatten up during migration. During the nonbreeding season they use many types of habitats from lowland thickets near streams to high-elevation cloud forests in Mexico and Central America.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4

wood stork *Mycteria americana*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Prefers to nest in large tracts of baldcypress (Taxodium distichum) or red mangrove (Rhizophora mangle); forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: SHB,S3N

Yellow Rail *Coturnicops noveboracensis*

BREEDING: Emergent wetlands, grass or sedge marshes and wet meadows in freshwater situations. Some breeding territories in these wet meadows contain firm footing and only a few remnant pools of water (Berkey 1991). These areas can range from damp to 38 cm (15 inches) of water but the average depth used for nesting is 8 to 15 cm (3 to 6 inches) (Savaloja 1981). NON-BREEDING: Grain fields in winter and when migrating. Winters in both freshwater and brackish marshes, as well as in dense, deep grass. During fall migration, will use many open habitats, from rice paddies to dry hayfields.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3N

yellow-billed cuckoo *Coccyzus americanus*

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ELLIS COUNTY

BIRDS

In Texas, the populations of concern are found breeding in riparian areas in the Trans Pecos (know as part of the Western Distinct Population Segment). It is the Western DPS that is on the U.S. ESA threatened list and includes the Texas counties Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio. Riparian woodlands below 6,000' in elevation consisting of cottonwoods and willows are prime habitat. This species is a long-distant migrant that summers in Texas, but winters mainly in South America. Breeding birds of the Trans Pecos populations typically arrive on their breeding grounds possibly in late April but the peak arrival time is in May. Threats to preferred habitat include hydrologic changes that don't promote the regeneration of cottonwoods and willows, plus livestock browsing and trampling of sapling trees in sensitive riparian areas.

Federal Status: T	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4S5B

FISH

spotted sucker *Minytrema melanops*

Found primarily in east Texas streams from the Red to the Brazos river basins. An isolated, disjunct population occurs in the Llano River near Junction downstream to about Mason; this may be an introduced population. Typically in clear creeks with firm substrates.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

INSECTS

American bumblebee *Bombus pensylvanicus*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic:	Global Rank: G3G4	State Rank: SNR

MAMMALS

cave myotis bat *Myotis velifer*

Colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (Hirundo pyrrhonota) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S2S3

eastern spotted skunk *Spilogale putorius*

Generalist; open fields prairies, croplands, fence rows, farmyards, forest edges & woodlands. Prefer wooded, brushy areas & tallgrass prairies. S.p. ssp. interrupta found in wooded areas and tallgrass prairies, preferring rocky canyons and outcrops when such sites are available.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1S3

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ELLIS COUNTY

MAMMALS

hoary bat *Lasiurus cinereus*

Hoary bats are highly migratory, high-flying bats that have been noted throughout the state. Females are known to migrate to Mexico in the winter, males tend to remain further north and may stay in Texas year-round. Commonly associated with forests (foliage roosting species) but are found in unforested parts of the state and lowland deserts. Tend to be captured over water and large, open flyways.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S3

mountain lion *Puma concolor*

Generalist; found in a wide range of habitats statewide. Found most frequently in rugged mountains & riparian zones.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2S3

plains spotted skunk *Spilogale interrupta*

Generalist; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1S3

Seminole bat *Lasiurus seminolus*

Pine-oak and long-leaf pine in east Texas. Habitats include pine, mixed pine-hardwood, and hardwood forests of uplands and bottomlands, particularly pine-dominated forests, including mature pine and pine-hardwood corridors in managed pine forest landscapes (Menzel et al. 1998, 1999, 2000; Carter et al. 2004; Marks and Marks 2006; Perry and Thill 2007; Perry et al. 2007; Hein et al. 2008; Ammerman et al. 2012).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

southeastern myotis bat *Myotis austroriparius*

Caves are rare in Texas portion of range; buildings, hollow trees are probably important. Historically, lowland pine and hardwood forests with large hollow trees; associated with ecological communities near water. Roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3?

tricolored bat *Perimyotis subflavus*

Forest, woodland and riparian areas are important. Caves are very important to this species.

Federal Status: PE	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

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ELLIS COUNTY

MOLLUSKS

Louisiana pigtoe *Pleurobema riddellii*

Occurs in small streams to large rivers in slow to moderate currents in substrates of clay, mud, sand, and gravel. Not known from impoundments (Howells 2010f; Randklev et al. 2013b; Troia et al. 2015). [Mussels of Texas 2019]

Federal Status: PT | State Status: T | SGCN: Y
Endemic: N | Global Rank: G1G2 | State Rank: S1

Mapleleaf *Quadrula quadrula*

Reported from streams to rivers, lakes, and reservoirs. In riverine habitats, it may be found in main-channel habitats such as riffles or runs in sand, gravel, and cobble substrates with moderate to swift currents. May also be found in nearshore habitats such as banks and backwaters to include pools in sand or mud substrates with little to no flow. (Williams et al. 2008; Howells 2016; Haag and Cicerello 2016).

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S3

sandbank pocketbook *Lampsilis satura*

Occurs in small streams to large rivers in slow to moderate current in sandy mud to sand and gravel substrate. Can occur in a variety of habitats but most common in littoral habitats such as banks or backwaters or in protected areas along point bars (Randklev et al. 2013b; Randklev et al. 2014a; Troia et al. 2015). [Mussels of Texas 2019]

Federal Status: | State Status: T | SGCN: Y
Endemic: N | Global Rank: G2? | State Rank: S1

Texas heelsplitter *Potamilus amphichaenus*

Occurs in small streams to large rivers in standing to slow-flowing water; most common in banks, backwaters and quiet pools; adapts to some reservoirs. Often found in soft substrates such as mud, silt or sand (Howells et al. 1996; Randklev et al. 2017a). [Mussels of Texas 2019]

Federal Status: PE | State Status: T | SGCN: Y
Endemic: N | Global Rank: G1G3 | State Rank: S1

Trinity pigtoe *Fusconaia chunii*

Found in a variety of habitats but most common in riffles. Inhabits various substrates though most often sand, gravel, and cobble (species was recently split from Texas Pigtoe and occurs in similar habitats; Howells 2010a; Randklev et al. 2013b; Randklev et al. 2014a; Troia et al 2015). [Mussels of Texas 2020]

Federal Status: | State Status: T | SGCN: Y
Endemic: Y | Global Rank: GNR | State Rank: S1

REPTILES

alligator snapping turtle *Macrochelys temminckii*

Aquatic: Perennial water bodies; rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near running water; sometimes enters brackish coastal waters. Females emerge to lay eggs close to the waters edge.

Federal Status: PT | State Status: T | SGCN: Y
Endemic: N | Global Rank: G3 | State Rank: S2

DISCLAIMER

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ELLIS COUNTY

REPTILES

American alligator *Alligator mississippiensis*

Aquatic: Coastal marshes; inland natural rivers, swamps and marshes; manmade impoundments.

Federal Status: SAT | State Status: | SGCN: N
Endemic: N | Global Rank: G5 | State Rank: S4

common garter snake *Thamnophis sirtalis*

Terrestrial and aquatic: Habitats used include the grasslands and modified open areas in the vicinity of aquatic features, such as ponds, streams or marshes. Damp soils and debris for cover are thought to be critical.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S2

eastern box turtle *Terrapene carolina*

Terrestrial: Eastern box turtles inhabit forests, fields, forest-brush, and forest-field ecotones. In some areas they move seasonally from fields in spring to forest in summer. They commonly enters pools of shallow water in summer. For shelter, they burrow into loose soil, debris, mud, old stump holes, or under leaf litter. They can successfully hibernate in sites that may experience subfreezing temperatures.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S3

prairie skink *Plestiodon septentrionalis*

The prairie skink can occur in any native grassland habitat across the Rolling Plains, Blackland Prairie, Post Oak Savanna and Pineywoods ecoregions.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S2

slender glass lizard *Ophisaurus attenuatus*

Terrestrial: Habitats include open grassland, prairie, woodland edge, open woodland, oak savannas, longleaf pine flatwoods, scrubby areas, fallow fields, and areas near streams and ponds, often in habitats with sandy soil.

Federal Status: | State Status: | SGCN: Y
Endemic: N | Global Rank: G5 | State Rank: S3

Texas horned lizard *Phrynosoma cornutum*

Terrestrial: Open habitats with sparse vegetation, including grass, prairie, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive. Occurs to 6000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area.

Federal Status: | State Status: T | SGCN: Y
Endemic: N | Global Rank: G4G5 | State Rank: S3

western box turtle *Terrapene ornata*

Terrestrial: Ornate or western box trutles inhabit prairie grassland, pasture, fields, sandhills, and open woodland. They are essentially terrestrial but sometimes enter slow, shallow streams and creek pools. For shelter, they burrow into soil (e.g., under plants such as yucca) (Converse et al. 2002) or enter burrows made by other species.

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ELLIS COUNTY

REPTILES

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

western chicken turtle *Deirochelys reticularia miaria*

Aquatic and terrestrial: This species uses aquatic habitats in the late winter, spring and early summer and then terrestrial habitats the remainder of the year. Preferred aquatic habitats seem to be highly vegetated shallow wetlands with gentle slopes. Specific terrestrial habitats are not well known.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5T5	State Rank: S2S3

PLANTS

green hawthorn *Crataegus viridis var. glabriuscula*

In mesic soils of woods or on edge of woods, treeline/fenceline, or thicket. Above\near creeks and draws, in river bottoms. Flowering Mar-Apr; fruiting May-Oct.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5T3T4	State Rank: S3

Hall's prairie clover *Dalea hallii*

In grasslands on eroded limestone or chalk and in oak scrub on rocky hillsides; Perennial; Flowering May-Sept; Fruiting June-Sept

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S2

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Species Name	Federal Species Status	State Species Status	Species Habitat Requirement	Species Effect	Rationale
BIRDS					
Black Rail (Laterallus jamaicensis)	Federal Threatened	State Threatened	Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia	1 - No Effect	No suitable habitat (salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Interior Least Tern (Sterna antillarum athalassos)	Federal Endangered	State Endangered	subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony the species level; see subspecies for habitat.	1 - No Effect	No suitable habitat (sand and gravel bars within braided streams, rivers) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Piping Plover (Charadrius melodus)	Federal Threatened	State Threatened	wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats	1 - No Effect	No suitable habitat (beaches and bayside mud or salt flats) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Rufa Red Knot (Calidris canutus rufa)	Federal Threatened	State Threatened	Primarily found on seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore	1 - No Effect	No suitable habitat seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
White-faced Ibis (Plegadis chihi)		State Threatened	swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto	1 - No Effect	No suitable habitat (swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Whooping Crane (Grus americana)	Federal Endangered	State Endangered	potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties	1 - No Effect	No suitable habitat (coastal marshes) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Wood Stork (Mycteria americana)		State Threatened	forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960	1 - No Effect	No suitable habitat (prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Yellow-billed cuckoo (Coccyzus americanus)	Federal Threatened		mainly among the canopies of deciduous trees; look for them in woodland patches with gaps and clearings	1 - No Effect	No suitable habitat (canopies of deciduous trees; woodland patches with gaps and clearings) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
MAMMALS					

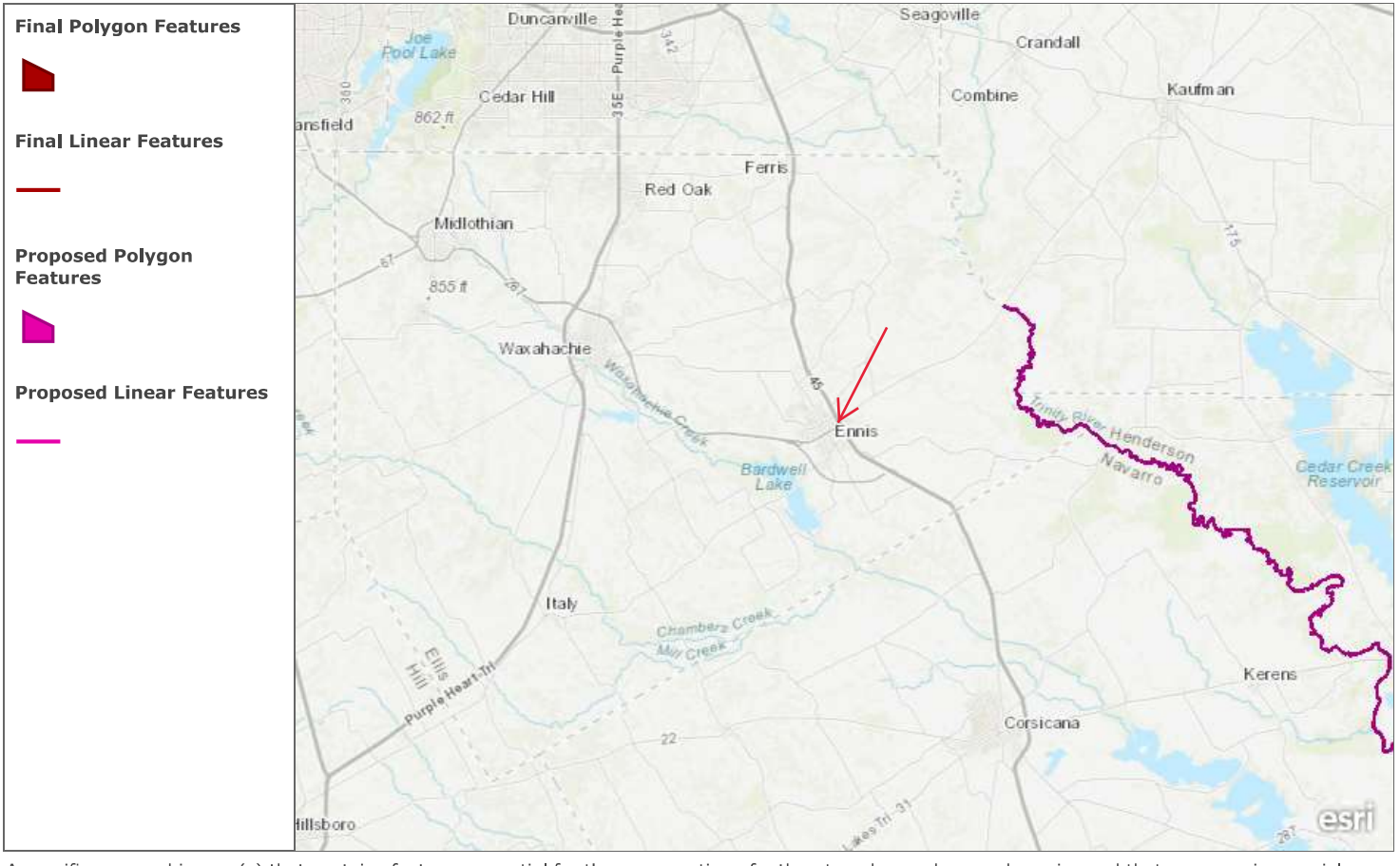
Tricolored Bat (Perimyotis sublavus)	Proposed Endangered		appear to inhabit landscapes that are partly open, with large trees and plentiful woodland edges. They are found in a variety of terrestrial habitats, including grasslands, old fields, suburban areas, orchards, urban areas and woodlands, especially hardwood woodlands; found in caves, mines, and tunnels	1 - No Effect	No suitable habitat (landscapes that are partly open, with large trees and plentiful woodland edges; caves, mines, and tunnels) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
INSECTS					
Monarch Butterfly (Danau plexippus)	Candidate		found in open fields and meadows with milkweek	1 - No Effect	No suitable habitat (open fields and meadows with milkweek) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
REPTILES					
Alligator Snapping Turtle (Macrochelys temminckii)	Proposed Threatened	State Threatened	primarily open waters with only nesting females venturing onto open land	1 - No Effect	No suitable habitat (open waters) for the species is present in the action area. No evidence of this species was observed and onsite occurrence is unlikely.
Texas horned lizard (Phrynosoma cornutum)		State Threatened	open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September	1 - No Effect	No evidence of this species was observed (no food sources (red harvester ant mounds) observed); due to the relatively small footprint of this project, it is unlikely to effect the species.

IBA Appendix F:

Critical Habitat Map

F.2.

Critical Habitat for Threatened & Endangered Species [USFWS]



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

IBA Appendix G:

Other Resources


Waterfowl
Central Flyway
Mississippi Flyway
Pacific Flyway
Atlantic Flyway

WILLIAM E. BAILEY

Work Experience

1996-2000 Arkansas Highway and Transportation Department
Beautification Coordinator

- Enforced the Federal Highway Beautification Act
- Managed 17 counties for billboard structures and logo signing

2000-2011 Arkansas Highway and Transportation Department
Environmental Analyst I & II

- Coordinate with U.S. Army Corp of Engineers to comply with Section 404 regulations / Delineate wetlands and streams / apply for and obtain Section 404 Permits
- Coordinate with the U.S. Fish and Wildlife Service to comply with Section 7 and Section 10 Endangered Species regulations / conduct Endangered Species surveys
- Coordinate mitigation bank sites (wetlands/streams)
- Write /Prepare various sections in NEPA documents
- GPS/GIS field experience

2011-Present Arkansas Highway and Transportation Department
Environmental Scientist I

- Job responsibilities of Environmental Analyst II
- Help train new employees
- Wetland/Stream/Conservation mitigation site selection, purchase, planning, set-up, and credit calculations
- Preparing/Developing the jurisdictional determination, prospectus, and mitigation banking instrument for proposed mitigation bank sites
- Coordination with consultants and review of consultant documents prepared for various AHTD projects
- Write new Special Provisions for Threatened/Endangered Species

2007-Present Wetland Consultant

- U.S. Army Corp of Engineers coordination and preparation of jurisdictional determinations, prospectus, and mitigation banking instruments
- Wetland delineations and stream assessments
- U.S. Army Corps of Engineer Section 404 Permit Applications
- Determining wetland/stream mitigation credit calculations

- Endangered Species Studies
- Coordinate with the U.S. Fish and Wildlife Service to comply with Endangered Species regulations

Examples of work…completed Environmental Assessment for the Army National Guard at Camp Robinson, multiple wetland/stream mitigation banks, multiple jurisdictional determinations thru various U.S. Army Corps Districts, multiple American Burying Beetle surveys in Arkansas and Oklahoma

Education

University of Arkansas at Little Rock; Little Rock, Arkansas

- Bachelor of Science – Environmental Science, 1999
- Minor – Biology

Henderson State University; Arkadelphia, Arkansas

- Biology Major, 1992-1996
- Chemistry Minor

Qualifications

- U.S. Army Corps of Engineer Certified Wetland Delineator
- U.S. Fish and Wildlife Service Endangered Species Permit (American Burying Beetle)

APPENDIX C

Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning

Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning

Migratory Bird Program
U. S. Fish and Wildlife Service
Falls Church, Virginia
April 2018

NOTE: These recommendations replace all previous recommendations for communication tower construction and operation. These recommendations have been modified and updated from previous versions to incorporate the state of the science and the 2015 Federal Aviation Administration Obstruction Marking and Lighting Advisory Circular AC 70/7460-1L.

Communication towers are some of the tallest structures across the landscape and birds are regularly found dead around these towers (Longcore et al. 2012a). It is not definitively understood why this mortality occurs, but evidence suggests that night-migrating songbirds are either attracted to or disoriented by tower obstruction warning lighting systems, especially during overcast (i.e., low cloud ceiling), foggy, or other low visibility conditions (Cochran and Graber 1958, Avery et al. 1976, Ball et al. 1995, Erickson et al. 2005, Evans et al. 2007, Manville 2014, Gehring et al. 2009 and 2011, Longcore et al. 2012a). Birds aggregate in larger numbers at towers with non-flashing lights compared to those with flashing lights, although birds aggregate at flashing lights during the "on" phase, they disperse during the "off" phase (Larkin and Frase 1988; Gauthreaux and Belser 1999, 2006; Evans et al. 2007; Poot et al. 2008). Additionally, birds moving across the landscape at night (e.g., owls and seabirds) can collide with communication tower wires when they are placed in high movement areas.

Given the height, structural engineering needs (i.e., guy wires), and obstruction lighting requirements, communication towers may cause direct and indirect bird mortality through:

1. Collisions - Birds that are attracted to tower lights and aggregate in the lighting zone, circle the tower and collide with the tower, guy wires, other birds, or fall to the ground from exhaustion (Longcore et al. 2012b, Gauthreaux and Belser 2006, Erickson et al. 2005).
2. Construction, operation, and maintenance activities - Adults, eggs, or nestlings can experience direct mortality through:
    a. Trauma or death during vegetation removal;
    b. Trauma or death during tower maintenance; and
    c. Death of eggs or nestlings when actions or activities cause adults to abandon nests.
3. Significant loss of fat reserves in adults due to the energy expenditure of circling towers, leading to reduced survival during long migrations (Norris and Taylor 2006, Gehring and Walker 2012).

The following avoidance and minimization measures, when used comprehensively, reduce the risk of bird mortality at communication towers:

SITING AND CONSTRUCTION OF NEW TOWERS

1. Contact with USFWS Field Office. Communicate project plans to nearest USFWS Field Office. www.fws.gov/offices/index.html
2. Co-location. Co-locate communications equipment on existing communication towers or other structures (e.g., billboard, water and transmission tower, distribution pole, or building mounts). This recommendation is intended to reduce the number of towers across the landscape.

3. Placement. All new towers should be sited to minimize environmental impacts to the maximum extent practicable.
   a. Place new towers within existing "antenna farms" (i.e., clusters of towers) when possible;
   b. Select already degraded areas for tower placement;
   c. Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or federal refuges, staging areas, rookeries, and Important Bird Areas), or in known migratory bird movement routes, daily movement flyways, areas of breeding concentration, in habitat of threatened or endangered species, key habitats for Birds of Conservation Concern, or near the breeding areas ("leks") of prairie grouse;
   d. Towers should avoid ridgelines, coastal areas, wetlands or other known bird concentration areas; and
   e. Towers and associated facilities should be designed, sited, and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint". In addition, several shorter, un-guyed towers may be preferable to one, tall guyed, lit tower.
4. Construction. During construction, the following considerations can reduce the risk of take of birds:
   a. Schedule all vegetation removal and maintenance (e.g., general landscaping activities, trimming, grubbing) activities outside of the peak bird breeding season to reduce the risk of bird take. Breeding seasons can be determined using online tools (e.g., Avian Knowledge Network [AKN], Information for Planning and Conservation system [IPaC], Birds of North America Online) or by contacting qualified experts (e.g., local Audubon or birding groups);
   b. When vegetation removal activities cannot avoid the bird breeding season, conduct nest clearance surveys:
      i. Surveys should be conducted no more than five days prior to the scheduled activity to ensure recently constructed nests are identified;
      ii. Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance; and
      iii. If active nests are identified within or in the vicinity of the project site, avoid the site until nestlings have fledged or the nest fails. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged. The dimension of the buffer zone will depend on the proposed activity, habitat type, and species present. The buffer should be a distance that does not elicit a flight response by the adult birds and can be 0.5 – 1 mile for hawks and eagles.
   c. Prevent the introduction of invasive plants during construction to minimize vegetation community degradation by:
      i. Use only native and local (when possible) seed stock for all temporary and permanent vegetation establishment; and
      ii. Use vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.
5. Tower Design. Tower design should consider the following attributes:
   a. Tower Height. It is recommended that new towers should be not more than 199 ft. above ground level (AGL). This height increases the mean free airspace between the top of the tower and average bird flight height, even in weather conditions with reduced cloud ceiling;

b. Guy Wires. We recommend using free standing towers such as lattice towers or monopole structures. If guy wires are required for tower design:
   i. The minimum number of guy wires necessary should be used; and
   ii. Guy wired towers that are proposed to be located in known raptor or waterbird concentrations areas, daily movement routes, major daytime migratory bird movement routes, staging areas, or stopover sites should have daytime visual markers or bird flight diverters installed on the guy wires to attempt to prevent daytime collisions.

c. Lighting System. Lights are a primary source of bird aggregation around towers, thus minimizing all light is recommended:
   i. No tower lighting is the preferred option if Federal Aviation Administration (FAA) regulations and lighting standards (FAA 2015, Patterson 2012) permit.
   ii. For some towers, the FAA can permit an Aircraft Detection Lighting System (ADLS), which maintains a communication tower of any height to be unlit until the ADLS radars detect nearby aircraft, at which time the tower lighting system is triggered to illuminate until the aircraft is out of radar range.
   iii. If taller (> 199 ft. AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white or red flashing lights should be used at night, and these should follow FAA obstruction and marking standards with regards to the minimum number of lights, minimum intensity (< 2,000 candela), and minimum number of flashes per minute (i.e., longest duration between flashes and "dark phase"). Avoid using non-flashing warning lights at night (FAA 2015, Patterson 2012). Owners of existing towers lit with lighting systems that include non-flashing lights should submit plans to the FAA explaining how and when they will transition to the new standards.
   iv. Security lighting for on-ground facilities, equipment, and infrastructure should be motion- or heat-sensitive, down-shielded, and of a minimum intensity to reduce nighttime bird attraction and eliminate constant nighttime illumination while still allowing safe nighttime access to the site.

OPERATION AND MAINTENANCE OF ALL TOWERS

1. Existing Tower Lighting. We recommend that towers be unlit, when allowed by FAA regulations. Light impacts can be minimized by:
   a. Extinguishing L-810 non-flashing red lights (USFWS 2007, 2011) on towers >350 ft. AGL or reconfiguring L-810 non-flashing red lights to flash at 30 FPM (+/- 3 FPM) in synchrony with other flashing obstruction lights on towers 150-350 ft. AGL (FAA 2015);
   b. Extinguishing L-810 red lights and reprogramming LED L-810 lights; this can be done from the tower transmission building or remotely and does not require climbing the tower (FCC 2015).

A “lighting deviation” can be used to extinguish or eliminate L-810 steady-burning side lights from an existing registered tower taller than 350 ft. AGL and to reprogram L-810 steady-burning side lights to flash on registered towers 150-350 ft. AGL.[1] The following steps are necessary: [2]
1. File a Marking and Lighting study electronically with the FAA (https://oeaaa.faa.gov/oeaaa/external/portal.jsp) requesting the elimination or omission of steady-

burning lights (L-810) or requesting that steady-burning lights flash with Form 7460-1, Notice of Proposed Construction or Alteration. Designate structure type: "Deviation from Red Obstruction Light Standards."

2. Once the FAA has approved the request and assigned a FAA Study Number, file Form 854 with the FCC via the Antenna Registration System (ASR). Please select "MD – Modification" and choose the appropriate FAA Lighting Style.[3] The FCC typically will approve the application and modify the registration within 24 hours.

3. Once the lighting change for a tower has been granted by the FCC via ASR, the L-810 steady-burning side lights can be extinguished on towers taller than 350 ft. AGL and reprogramed to flash in concert with L-864 lights on towers 150-350 ft. AGL. Extinguishing L-810 lights and reprogramming lights are typically accomplished in the tower transmission building and do not ordinarily require climbing the tower. Per the FAA requirements, flashing red lights should flash at 30 FPM (+/- 3 FPM).

2. Infrastructure Lighting. We recommend that existing infrastructure be unlit. If associated buildings require security or operational lighting, minimize light trespass using motion sensors and down-shielding with minimum intensity light (USFWS 2011; Poot et al. 2008; Manville 2013; FCC 2014).
3. Vegetation Management. When management of facility infrastructure is required:
    a. Schedule all vegetation removal and maintenance (e.g., general landscaping activities, trimming, grubbing, etc.) activities outside of the peak bird breeding season to reduce the risk of bird take. Breeding seasons can be determined using online tools (e.g., Avian Knowledge Network [AKN], Information for Planning and Conservation system [IPaC], Birds of North America Online) or by contacting qualified experts (e.g., local Audubon or birding groups);
    b. When vegetation removal activities cannot avoid the bird breeding season, conduct nest clearance surveys:
        i. Surveys should be conducted no more than five days prior to the scheduled activity to ensure recently constructed nests are identified;
        ii. Timing and dimensions of the area to be surveyed should depend on the nature of the project, location, and expected level of vegetation disturbance; and
        iii. If active nests are identified within or in the vicinity of the project site, the site should be avoided until nestlings have fledged or the nest fails. If the activity must occur, a buffer zone should be established around the nest and no activities should occur within that zone until nestlings have fledged. The dimension of the buffer zone depends on the proposed activity, habitat type, and species present. The buffer should be a distance that does not elicit a flight response by the adult birds and can be 0.5 – 1 mile for hawks and eagles.
4. Birds Nesting on Towers: If birds are nesting on communication towers that require maintenance activities, contact the state natural resource protection agency and/or the USFWS for permits, recommendations, and requirements. Schedule construction and maintenance activities around the nesting and activity schedule of protected birds. Minimize excess wires and securely attach wires to the tower structure to reduce the likelihood of birds becoming entangled on the tower. Consider installing a bird nest exclusion device on the towers where birds frequently nest.
5. Tower Access: Representatives from the USFWS or researchers should be allowed access to the site to evaluate bird use, conduct dead-bird searches, and conduct other research, as necessary.

DECOMMISSIONING

Tower Removal. Towers no longer in use, not re-licensed by the FCC for use, or determined to be obsolete should be removed from the site within 12 months of cessation of use, preferably sooner.

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U.S. Fish and Wildlife Service. 2007. Comments of the U.S. Fish and Wildlife Service Submitted Electronically to the FCC on 47 CFR Parts 1 and 17, WT Docket No. 03-187, FCC 06-164, Notice of Proposed Rulemaking, "Effects of Communication Towers on Migratory Birds." February 2, 2007. 32 pp.

U.S. Fish and Wildlife Service. 2011. Comments of the U.S. Fish and Wildlife Service's Division of Migratory Bird Management Filed Electronically on WT Docket NO. 08-61 and WT Docket No. 03-187, Regarding the Environmental Effects of the Federal Communication Commission's Antenna Structure Registration Program. January 14, 2011. 12 pp.

APPENDIX D

Section 106 Review – SHPO Submittal

Outlook

DA08061 Ennis

From noreply@thc.state.tx.us <noreply@thc.state.tx.us>
Date Mon 10/21/2024 10:27 AM
To brian environmentex.com <brian@environmentex.com>; reviews@thc.state.tx.us <reviews@thc.state.tx.us>

TEXAS HISTORICAL COMMISSION
real places telling real stories

Re: Project Review under Section 106 of the National Historic Preservation Act
THC Tracking #202500596
Date: 10/21/2024
DA08061 Ennis
400 S I-45
Ennis,TX 75119

Description: proposed 130' monopole tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, incl 30' buffer

Dear Brian McCallister:
Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act.

The review staff, led by Charles Peveto and Rebecca Shelton, has completed its review and has made the following determinations based on the information submitted for review:

Above-Ground Resources

- No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: charles.peveto@thc.texas.gov, rebecca.shelton@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit http://thc.texas.gov/etrac-system.

Sincerely,



for Joseph Bell, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.

environmentex
consulting

September 20, 2024

Mark Wolfe, Executive Director
State Historic Preservation Office (SHPO)
Texas Historical Commission
PO Box 12276
Austin, Texas 78711-2276

Re: FCC-regulated wireless telecommunications facility undertaking submitted for comment to the Texas SHPO, in respect to Section 106 of the National Historic Preservation Act of 1966 and the Nationwide Programmatic Agreement. Proposed telecommunications tower and associated compound located at 400 S I-45, Ennis, TX 75119 (Lat/Long: N 32 19 52.8, W 96 36 41.2). Hemphill Seminary, LLC Site: DA08061 Ennis. ETX# 24155

Dear Mr. Wolfe:

The client is proposing to construct a 130' monopole tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, on the above referenced vacant tract. A legal description and survey of the subject property can be found in the attachments. Enclosed is the NT Submission Packet, FCC Form 620 and supporting documentation.

A records check for the visual APE of 1/2 mile identified two (2) NRHP-listed historic resources (House at 802 E. Ennis Avenue and House at 708 E. Brown Street) and one (1) historic cemetery (Brooks Family Cemetery) within the visual APE. The direct APE consists of the proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement. No evidence of any Historic Properties was identified in the direct APE and at least 30' beyond the lease area in all directions.

Based on the records review, visual assessment and observation of the subject site and surrounding vicinities, and through interviews with local, knowledgeable people, there are no Historic Properties in the direct APE. None of the three historic resources listed setting as a character-defining feature of eligibility in its NRHP nomination; therefore, it is ETX opinion that the proposed tower will not alter their visual setting and thereby have “no effect” on the historic properties. I would like to request that you review our assessment of historical information located within the APE of the above referenced site.

Please send me a written response within 30 days of receipt of this letter stating your opinion of our findings. Thank you for your help and please call if you have any comments or questions.

Regards,



Brian McCallister

Attached: NT Submission Packet, FCC Form 620

SECTION 106 REVIEW

Prepared for:

HEMPHILL SEMINARY, LLC

SITE NAME: **DA08061 - ENNIS**
SITE ADDRESS: **400 S I-45,**
ENNIS, TX 75119
DATE ISSUED: SEPTEMBER 20, 2024
ENVIRONMENTEX PROJECT NUMBER: 24155

Prepared by:

Environmentex, Inc. 6060 N. Central Expy, Ste 560, Dallas, TX 75206
214.793.7317 www.environmentex.com

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FCC Form 620

Attachment 1.	**Resumes**
Attachment 2.	**Additional Site Information**
Attachment 3.	**Tribal and NHO Involvement**
Attachment 4.	**Local Government**
Attachment 5.	**Public Involvement**
Attachment 6.	**Additional Consulting Parties**
Attachment 7.	**Areas of Potential Effects**
Attachment 8.	**Historic Properties Identified in the APE for Visual Effects**
Attachment 9.	**Historic Properties Identified in the APE for Direct Effects**
Attachment 10.	**Effects on Identified Properties**
Attachment 11.	**Photographs**
Attachment 12.	**Maps**

FCC Form 620

Notification Date: **7AM EST 09/23/2024**
File Number: **0011250770**

FCC Wireless Telecommunications Bureau
New Tower ("NT") Submission Packet

Approved by OMB
3060 – 1039
See instructions for
public burden estimates

General Information

1) (Select only one) **(NE)** **NE** – New **UA** – Update of Application **WD** – Withdrawal of Application	
2) If this application is for an Update or Withdrawal, enter the file number of the pending application currently on file.	File Number:

Applicant Information

3) FCC Registration Number (FRN): **0020114161**
4) Name: **Hemphill Seminary LLC**

Contact Name

5) First Name: **David**	6) MI:	7) Last Name: **Draper**	8) Suffix:
9) Title:			

Contact Information

10) P.O. Box: **100104**	**And /Or**	11) Street Address:		
12) City: **Fort Worth**			13) State: **TX**	14) Zip Code: **76185**
15) Telephone Number: **(817)307-1504**		16) Fax Number:		
17) E-mail Address: **brian@environmentex.com**				

Consultant Information

18) FCC Registration Number (FRN): **0018101022**
19) Name: **Environmentex Inc**

Principal Investigator

20) First Name: **Brian**	21) MI:	22) Last Name: **McCallister**	23) Suffix:
24) Title: **Environmental Engineer**			

Principal Investigator Contact Information

25) P.O. Box:	**And /Or**	26) Street Address: **6060 N. Central Expressway #500**		
27) City: **Dallas**			28) State: **TX**	29) Zip Code: **75206**
30) Telephone Number: **(214)793-7317**		31) Fax Number:		
32) E-mail Address: **brian@environmentex.com**				

F.2.

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	( ) Yes (X) No

34) Areas of Professional Qualification:

( ) Archaeologist

( ) Architectural Historian

( ) Historian

( ) Architect

(X) Other (Specify) **Environmental Engineer**

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(X) Yes ( ) No

If "YES," complete the following:

36) First Name: **Natalie**	37) MI:	38) Last Name: **Graves**	39) Suffix:

40) Title:

41) Areas of Professional Qualification:

(X) Archaeologist

( ) Architectural Historian

( ) Historian

( ) Architect

( ) Other (Specify) _____

Site Information

Tower Construction Notification System

1) TCNS Notification Number: **285316**

Site Information

2) Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: ( ) Yes (X) No

3) Site Name: **DA08061, Ennis. ETX# 24155**

4) Site Address: **400 S I-45**

5) Detailed Description of Project:

proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer

6) City: **Ennis**	7) State: **TX**	8) Zip Code: **75119**

9) County/Borough/Parish: **ELLIS**

10) Nearest Crossroads: **I-45 and Dolfie Lane**

11) **NAD 83** Latitude (DD-MM-SS.S): **32-19-52.8** (X) N or ( ) S

12) **NAD 83** Longitude (DD-MM-SS.S): **096-36-41.2** ( ) E or (X) W

Tower Information

13) Tower height above ground level (include top-mounted attachments such as lightning rods): **39.6** ( ) Feet (X) Meters

14) Tower Type (Select One):

( ) Guyed lattice tower

( ) Self-supporting lattice

(X) Monopole

( ) Other (Describe):

Project Status

15) Current Project Status (Select One):

(X) Construction has not yet commenced

( ) Construction has commenced, but is not completed Construction commenced on: _____

( ) Construction has been completed Construction commenced on: _____

Construction completed on: _____

F.2.

Determination of Effect

14) Direct Effects (Select One): (**X**) No Historic Properties in Area of Potential Effects (APE) ( ) No Effect on Historic Properties in APE ( ) No Adverse Effect on Historic Properties in APE ( ) Adverse Effect on one or more Historic Properties in APE
15) Visual Effects (Select One): ( ) No Historic Properties in Area of Potential Effects (APE) (**X**) No Effect on Historic Properties in APE ( ) No Adverse Effect on Historic Properties in APE ( ) Adverse Effect on one or more Historic Properties in APE

F.2.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Alabama Quassarte Tribal Town**

Contact Name

5) First Name: **Brina**	6) MI:	7) Last Name: **Williams**	8) Suffix:

9) Title: **THPO**

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Apache Tribe of Oklahoma**

Contact Name

5) First Name: **Darrin**	6) MI:	7) Last Name: **Cisco**	8) Suffix:

9) Title:

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

F.2.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Comanche Nation**

Contact Name

5) First Name: **Kelly**	6) MI:	7) Last Name: **Banderas**	8) Suffix:

9) Title: **THPO Assistant**

Dates & Response

10) Date Contacted **09/19/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Coushatta Indian Tribe**

Contact Name

5) First Name: **Dakota**	6) MI:	7) Last Name: **John**	8) Suffix:

9) Title: **THPO**

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Eastern Shoshone Tribe**

Contact Name

5) First Name: **Josh**	6) MI:	7) Last Name: **Mann**	8) Suffix:
9) Title: **THPO**			

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Kiowa Indian Tribe THPO**

Contact Name

5) First Name: **Amanda**	6) MI:	7) Last Name: **Hill**	8) Suffix:
9) Title: **THPO**			

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Mescalero Apache Tribe**

Contact Name

5) First Name: **Holly**	6) MI: **B**	7) Last Name: **Houghten**	8) Suffix:

9) Title: **Tribal Historic Preservation Officer**

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Northern Arapaho**

Contact Name

5) First Name: **Crystal**	6) MI:	7) Last Name: **C'Bearing**	8) Suffix:

9) Title: **THPO**

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied **09/18/2024**

( ) No Reply

(**X**) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Northern Cheyenne Tribe**

Contact Name

5) First Name: **Gary**	6) MI:	7) Last Name: **LaFranier**	8) Suffix:
9) Title: **FCC Specialist**			

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Tonkawa Tribe**

Contact Name

5) First Name: **Joshua**	6) MI:	7) Last Name: **Waffle**	8) Suffix:
9) Title: **TCNS Administrator**			

Dates & Response

10) Date Contacted **09/18/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

F.2.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(**X**) **Y**es ( ) **N**o

2a) Tribes/NHOs contacted through TCNS Notification Number: **285316** Number of Tribes/NHOs: **11**

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: **0**

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:

4) Tribe/NHO Name: **Wichita and Affiliated Tribes**

Contact Name

5) First Name: **Mary**	6) MI: **M**	7) Last Name: **Botone**	8) Suffix:

9) Title: **Cell Tower Administrator**

Dates & Response

10) Date Contacted **09/19/2024** 11) Date Replied

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

F.2.

Other Tribes/NHOs Contacted

Tribe/NHO Information

1) FCC Registration Number (FRN):
2) Name:

Contact Name

3) First Name:	4) MI:	5) Last Name:	6) Suffix:
7) Title:			

Contact Information

8) P.O. Box:	**And /Or**	9) Street Address:		
10) City:			11) State:	12) Zip Code:
13) Telephone Number:		14) Fax Number:		
15) E-mail Address:				
16) Preferred means of communication: ( ) E-mail ( ) Letter ( ) Both				

Dates & Response

17) Date Contacted _____ 18) Date Replied _____

( ) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	(**X**) Yes ( ) No
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	( ) Yes (**X**) No
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	( ) Yes (**X**) No

Historic Property

4) Property Name: **House at 802 E. Ennis Avenue**
5) SHPO Site Number:

Property Address

6) Street Address: **802 E. Ennis Avenue**		
7) City: **Ennis**	8) State: **TX**	9) Zip Code: **75119**
10) County/Borough/Parish: **ELLIS**		

Status & Eligibility

11) Is this property listed on the National Register? Source: **NRHP**	(**X**) Yes ( ) No
12) Is this property eligible for listing on the National Register? Source:	( ) Yes (**X**) No
13) Is this property a National Historic Landmark?	( ) Yes (**X**) No

14) Direct Effects (Select One):

(**X**) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

15) Visual Effects (Select One):

(**X**) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	(**X**) Yes ( ) No
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	( ) Yes (**X**) No
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	( ) Yes (**X**) No

Historic Property

4) Property Name: **House at 708 E. Brown Street**
5) SHPO Site Number:

Property Address

6) Street Address: **708 E. Brown Street**		
7) City: **Ennis**	8) State: **TX**	9) Zip Code: **75119**
10) County/Borough/Parish: **ELLIS**		

Status & Eligibility

11) Is this property listed on the National Register? Source: **NRHP**	(**X**) Yes ( ) No
12) Is this property eligible for listing on the National Register? Source:	( ) Yes (**X**) No
13) Is this property a National Historic Landmark?	( ) Yes (**X**) No

14) Direct Effects (Select One):

(**X**) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

15) Visual Effects (Select One):

(**X**) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	(X) Yes ( ) No
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	( ) Yes (X) No
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	( ) Yes (X) No

Historic Property

4) Property Name: **Brooks Family Cemetery**
5) SHPO Site Number:

Property Address

6) Street Address: **700 South Interstate Highway 45**		
7) City: **Ennis**	8) State: **TX**	9) Zip Code: **75119**
10) County/Borough/Parish: **ELLIS**		

Status & Eligibility

11) Is this property listed on the National Register? Source: _____	( ) Yes (X) No
12) Is this property eligible for listing on the National Register? Source: _____	( ) Yes (X) No
13) Is this property a National Historic Landmark?	( ) Yes (X) No

14) Direct Effects (Select One):

(X) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

15) Visual Effects (Select One):

(X) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: **City of Ennis**

Contact Name

3) First Name: **Planning,**	4) MI:	5) Last Name: **Development**	6) Suffix:
7) Title:			

Contact Information

8) P.O. Box:	**And /Or**	9) Street Address: **108 W. Knox Street**		
10) City: **Ennis**			11) State: **TX**	12) Zip Code: **75119**
13) Telephone Number: **(972)875-6442**		14) Fax Number:		
15) E-mail Address: **planning@ennistx.gov**				
16) Preferred means of communication: ( ) E-mail (**X**) Letter ( ) Both				

Dates & Response

17) Date Contacted **09/20/2024** 18) Date Replied _____

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Additional Information

19) Information on local government's role or interest (optional):

F.2.

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	(**X**) **Y**es ( ) **N**o

Consulting Party

2) FCC Registration Number (FRN):
3) Name: **Ellis County Historical Commission**

Contact Name

4) First Name: **David**	5) MI:	6) Last Name: **Sacha**	7) Suffix:
8) Title: **Chairman**			

Contact Information

9) P.O. Box:	**And /Or**	10) Street Address: **605 Preston Street**		
11) City: **Ennis**			12) State: **TX**	13) Zip Code: **75119**
14) Telephone Number: **(214)418-6510**		15) Fax Number:		
16) E-mail Address: **David.Sacha@perkinswill.com**				
17) Preferred means of communication: ( ) E-mail (**X**) Letter ( ) Both				

Dates & Response

18) Date Contacted **09/20/2024** 19) Date Replied _____

(**X**) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other

Additional Information

20) Information on other consulting parties' role or interest (optional):

Designation of SHPO/THPO

1) Designate the Lead State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) based on the location of the tower.

SHPO/THPO

Name: **Texas Historical Commission**

2) You may also designate up to three additional SHPOs/THPOs if the APEs include multiple states. If the APEs include other countries, enter the name of the National Historic Preservation Agency and any state and provincial Historic Preservation Agency.

SHPO/THPO Name: _____

SHPO/THPO Name: _____

SHPO/THPO Name: _____

Certification

I certify that all representations on this FCC Form 620 Submission Packet and the accompanying attachments are true, correct, and complete.

Party Authorized to Sign

First Name: **Brian**	MI:	Last Name: **McCallister**	Suffix:

Signature: **Brian McCallister** Date: **09/20/2024**

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

Attachments :

Type	Description	Date Entered
Resumes/Vitae	resume	09/20/2024
Map Documents	maps	09/20/2024
Area of Potential Effects	APE	09/20/2024
Tribal/NHO Involvement	TCNS ongoing	09/20/2024
Local Government Involvement	local govt notice	09/20/2024
Public Involvement	public notice ongoing	09/20/2024
Historic Properties for Visual Effects	visual APE	09/20/2024
Historic Properties for Direct Effects	direct APE	09/20/2024
Photographs	photos	09/20/2024
Additional Site Information	additional site info	09/20/2024
Other	SHPO cover letter	09/20/2024
Other	cultural resources report	09/20/2024

ATTACHMENT 1 - RESUMES

Provide a current copy of the résumé or curriculum vitae for the Principal Investigator and any researcher or other person who contributed to, reviewed, or provided significant input into the research, analysis, writing or conclusions presented in the Submission Packet for this proposed facility. SEE ATTACHED CULTURAL RESOURCES SURVEY.

ATTACHMENT 2 - ADDITIONAL SITE INFORMATION

ATTACHMENT 2

ADDITIONAL SITE INFORMATION

Describe any additional structures, access roads, utility lines, fences, easements, or other construction planned for the site in conjunction with the proposed facility.

The proposed Site will consist of a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, to contain a fenced tower compound of approximately the same size. Within the tower compound will be a 130' tall monopole tower and associated communications equipment to be mounted by the Applicant. The tower compound and tower will include space to accommodate the collocation of additional antennae and ground mounted equipment. For the purposes of this Section 106 Review, the assessment area was defined as the proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, and at least 30' beyond the lease area in all directions.

ATTACHMENT 3 - TRIBAL AND NHO INVOLVEMENT

ATTACHMENT 3

TRIBAL AND NHO INVOLVMENT

At an early stage in the planning process, the Nationwide Agreement requires the Applicant to gather information from appropriate Indian Tribes or Native Hawaiian Organizations ("NHOs") to assist in the identification of historic properties of religious and cultural significance to them. Describe measures taken to identify Indian tribes and NHOs that may attach religious and cultural significance to historic properties that may be affected by the undertaking within the Areas of Potential Effects ("APE") for direct and visual effects. If such Indian tribes or NHOs were identified, list them and provide a summary of contacts by either the FCC, the Applicant, or the Applicant's representative. Provide copies of relevant documents, including correspondence. If no such Indian tribes or NHOs were identified, please explain.

In Accordance with the Nationwide Programmatic Agreement (NPA), Environmentex, on behalf of Hemphill Seminary, LLC, has provided notification of the proposed project via the Tower Construction Notification System (TCNS).

Gmail Brian McCallister <tcnsinfo@gmail.com>

NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #8980671

towernotifyinfo@fcc.gov <towernotifyinfo@fcc.gov> Fri, Sep 20, 2024 at 2:02 AM
To: tcnsinfo@gmail.com
Cc: tcnsweekly@fcc.gov

Dear Applicant:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the notification that you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter). We note that the review period for all parties begins upon receipt of the Submission Packet pursuant to Section VII.A of the NPA and notifications that do not provide this serve as information only.

Persons who have received the notification that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribal Nations"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribal Nations and NHOs and in making further contacts, the City and State of the Seat of Government for each Tribal Nation and NHO, as well as the designated contact person, is included in the listing below. We note that Tribal Nations may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribal Nations and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribal Nation or NHO. (NPA, Section IV.F.4).

The notification that you provided was forwarded to the following Tribal Nations and NHOs. A Tribal Nation or NHO may not respond until a full Submission Packet is provided. If, upon receipt, the Tribal Nation or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribal Nation or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event a Tribal Nation or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribal Nation or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Second Report and Order released on March 30, 2018 (FCC 18-30).

1. THPO Assistant Kelly Banderas - Comanche Nation - (PO Box: 908) Lawton, OK - kelly.banderas@comanchenation.com - 580-595-9960 - regular mail
Exclusions: EFFECTIVE MONDAY, JANUARY 18 2021, THE DEPARTMENT WILL BE MOVING TO A FOUR DAY WEEK, MONDAY - THURSDAY, 7:30AM - 6:00PM AND WILL CLOSE EVERY FRIDAY.

The Comanche Nation Historic Preservation Office does not need to review the following types of projects- those that have already been evaluated by the Comanche Nation involving pre-existing above ground feature additions or modification (unless there isan increase in height), and those that have already been evaluated by the Comanche Nation within the city limits on a previously disturbed site.

If the proposed project does not meet one of the aforementioned conditions, the Comanche Nation Historic Preservation Office requires the following items; photographs taken of all 4 directions (north, south, east, and west) from the center of projection site (where possible), legal description of the proposed site (i.e. section, range, township, etc.) and anyexisting archeological or environmental reports or surveys relating to the site. We do not require, butrequest that you provide us with an aerial view of the proposed site, if possible.
Please, send all materials, such as the 620 Forms for Section 106Review via US Mail to the Comanche Nation Historic Preservation Office, in care of Kelly Banderas, 6 SWD Avenue, Suite C, Lawton, OK 73501. When sending request via regular mail, please include the TCNC Number and Project Name. Due to the heavy volumeof requests, we can no longer accept email requests. The Tribal Review period for US Mail is Thirty Five (35) Days and the Comanche Nation will no longer process a review within the Seven (7) day turn around.

If you are in need of additional information,you may contact the Comanche Nation Historic Preservation Office at (580) 595-9960 or 9618 or email martinac@comanchenation.com for clarification. In addition, this message serves as the Official Notice from the Comanche Nation Historic Preservation Office and may be printed for your records, if necessary.

Note. The Comanche Nation must be notified immediately if archaeological properties or human remains are discovered during construction. If the Comanche Nation Office of Historic Preservation has commented previously on the project under requested review, inform us of the date in the body of the review request.

Sincerely,

Martina Callahan
Comanche Nation, Tribal Historical Preservation Officer (THPO)

2. THPO Amanda Hill - Kiowa Indian Tribe THPO - (PO Box: 369) Carnegie, OK - thpo@kiowatribe.org; ahill@kiowatribe.org - 580-654-2300 - electronic mail

3. Cell Tower Administrator Mary M Botone - Wichita and Affiliated Tribes - (PO Box: 729) Anadarko, OK - Mary.Botone@wichitatribe.com - 405-247-8667 - electronic mail and regular mail

4. TCNS Administrator Joshua Waffle - Tonkawa Tribe - 1 Rush Buffalo Road Tonkawa, OK - JWaffle@TonkawaTribe.com - 580-628-2561 - electronic mail

5. Darrin Cisco - Apache Tribe of Oklahoma - 510 E Colorado Drive (PO Box: 1330) Anadarko, OK - Apacheculture510@yahoo.com - 405-247-7494 (ext: 103) - electronic mail

6. THPO Josh Mann - Eastern Shoshone Tribe - (PO Box: 538) Fort Washakie, WY - jmann@easternshoshone.org - 307-335-2081 - electronic mail
Exclusions: Thank you for the recent submittal regarding your TCNS project. Based on the location of your proposed project, the Eastern Shoshone Tribe does have an

interest in this project as required by the mandatesexpressed in 36 CFR 800, EO 13175, and the FCC Programmatic Agreement as Traditionally Associated
Peoples (TAPs) and a sovereign nation legal responsibility for heritage preservation on ancestral homelands. Please utilize our ESTHPO website for online
submittals. Our website address is: http://www.esthpo.com. Please navigate to our Services page. On the services page there will be a Submittal button
under the Section 106 Consultation literature. The submittal button will navigate you to the upload page where can submit relevant project files for our
consultation review.

Your submission should include:
Appropriate SHPO determination or response letter
Cultural Resource Report and or Archaeological Survey Report
Photographic project site documentation
Topographic or Quadrangle Maps
Site Plans/Construction Drawings
FCC Forms 620 and 621
Lat/Long Coordinates for the proposed project.
Project Coordinator Contact Information

Our 30-day review period will commence once all project details havebeen submitted into our online database. If you have any questions, please feel free to
contact the Eastern Shoshone THPO: Joshua Mann, jmann@easternshoshone.org or by phone at: (307) 335-2081 or Shaylynn Durgin,
sdurgin@easternshoshone.org or by phoneat: (307) 335-2081. Thank you for consulting with the Eastern Shoshone Tribe.

The ancestors of the Eastern Shoshone Tribe lived a long and storied history across several states on their westward journey from the Western area to present-day Wyoming. This journey, confirmed by tribal oral history, ethnographies, and archaeological evidence, took place over multiple generations and through the present-day states of North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Montana, Idaho, Washington, Oregon, California, Utah, Nevada, Arizona, NewMexico and Texas. Significant historical resources throughout this region include major sacred sites including burial sites, occupation areas, medicinal plant and resource collection areas, and other significant traditional cultural properties (TCPs). Therefore, based on the location of your proposed project, the Eastern Shoshone Tribe does have an interest in this proposed project and are requesting to be consulted on this proposed project as required bythe mandates expressed in 36 CFR 800, EO 13175,and the FCC National Programmatic Agreement as traditionally associated peoples (TAPs) and a sovereign nation with legal responsibility for heritage preservation on ancestral homelands.

7. THPO Crystal C'Bearing - Northern Arapaho - 1010 Railroad Ave (PO Box: 67) St. Stephens, WY - tcns.thpo@northernarapaho.com; crystal.cbearing@northernarapaho.com - 307-856-1628 - electronic mail
Exclusions: PLEASE SEND AN ARCHAEOLOGICAL SURVEY OR SITE INVENTORY/MAP FOR THE AREA WITHIN 1 MILE OF THE APE FOR PRE-CONSTRUCTION, COLLOCATION PROJECTS AND PTC POLES. The request gives the tribe an opportunity to comment on past projects that are now proposed as collocation projects.

Email reports to: archtech.nathpo@gmail.com

Please include the TCNS number on all correspondence, reports, maps.

ANY QUESTIONS CALL OR EMAIL:

Benjamin Ridgley
3078561628
benjamin.ridgley@northernarapaho.com

Crystal C'Bearing
crystal.cbearing@northernarapaho.com

8. THPO Dakota John - Coushatta Indian Tribe - 1940 C.C Bel Road Elton, LA - dakotajohn@coushatta.org; kdawsey@coushatta.org - 337-584-1401 - electronic mail

9. THPO Brina Williams - Alabama Quassarte Tribal Town - (PO Box: 218) Wetumka, OK - Brina.Williams@alabama-quassarte.org - 405-452-3987 - electronic mail
Exclusions: The Alabama Quassarte Tribal Town is unaware of any cultural or sacred sites located within the immediate project area. The AQTT's Historic Preservation Department concurs that there should be no adverse effect to any known historic properties and that work should proceed as planned. However, as the project is located in an area that is general historic interest to the Tribe, we request that work be stopped and our office contacted immediately if any Native American cultural materials or human remains are encountered.

If you have any questions, please contact our office at the number below.

Respectfully,

Alabama Quassarte Tribal Town
P.O. Box 187
Wetumka,Ok 74883
(P) 405-452-3881
(F) 405-452-3889

10. Tribal Historic Preservation Officer Holly B Houghten - Mescalero Apache Tribe - Mescalero Apache Tribal Historic Preservation Office 101 Central Ave (PO Box: 227) Mescalero, NM - holly@mathpo.org - 575-464-3005 - electronic mail

11. FCC Specialist Gary LaFranier - Northern Cheyenne Tribe - (PO Box: 128) Lame Deer, MT - gary.lafranier@cheyennenation.com - 406-477-8114 - electronic mail
Exclusions: The Northern Cheyenne Tribe requirement for consultation is digitally through our departmental website. Our website is http://cms.cheyennenation.com

We do not accept mailed paper or emailed digital submissions of project material. To speed up our response time and to be in compliance with our environmental practices we do not accept paper submissions. All proposed projects must be processed through our website. Multiple people in our department need access to the project files and department notes to be able to do their work on the project. For organization, documentation, and financial regulation, all Section 106 project compliance work.

Just as the majority of State Historic Preservation Offices elect to have companies submit their proposedproject directly to them in the format they require, as a sovereign nation, we have the right to ask for the same courtesy.

We require that you submit Form 620 or 621, complete with all of its attachments to our website.

It would expedite the process of getting your project into compliance if you would wait and submit your proposed project to our department when Form 620/621 and all of its attachments are ready - particularly the complete cultural resource report. We waste quite a bit of time contacting companies and searching for the Form 620/621 if the proposed project is submitted to us with only a dot on the map.

If you have any questions or need more information please contact FCC specialist Gary LaFranier at

gary.lafranier@cheyennenation.com and 406-477-8114, or THPO Teanna Limpy at teanna.limpy@cheyennenation.com and 406-477-4839.

The notification that you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA unless the project is excluded from SHPO review under Section III D or E of the NPA.

12. SHPO Cathie Matthews - Department of Arkansas Heritage - 323 Center Street Suite 1500 Little Rock, AR - cathiem@arkansasheritage.org - 501-324-9150 - electronic mail

13. Deputy SHPO Ken Grunewald - Department of Arkansas Heritage - 323 Center Street Suite 1500 Little Rock, AR - keng@arkansasheritage.org - 501-324-9357 - electronic mail

14. SHPO Trait Thompson - Oklahoma Historical Society - Oklahoma History Center 800 Nazih Zuhdi Drive Oklahoma City, OK - trait.thompson@history.ok.gov - 405-522-5201 - electronic mail

15. Historian Sarah K Forbes - Texas Historical Commission - (PO Box: 12276) Austin, TX - TexFcc@thc.state.tx.us - 512-936-7403 - electronic mail

TCNS automatically forwards all notifications to all Tribal Nations and SHPOs that have an expressed interest in the geographic area of a proposal. However, if a proposal for PTC wayside poles falls within a designated exclusion, you need not expect any response and need not pursue any additional process with that Tribal Nation or SHPO. In addition, a particular Tribal Nation or SHPO may also set forth policies or procedures within its details box that exclude from review certain facilities (for example, a statement that it does not review collocations with no ground disturbance; or that indicates that no response within 30 days indicates no interest in participating in pre-construction review).

Please be advised that the FCC cannot guarantee that the contact(s) listed above have opened and reviewed an electronic or regular mail notification. If you learn that any of the above contact information is no longer valid, please contact the FCC by emailing tcnshelp@fcc.gov. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 09/14/2024
Notification ID: 285316
Excluded from SHPO Review: No
Tower Owner Individual or Entity Name: Hemphill Seminary LLC
Consultant Name: Brian McCallister
Street Address: 6060 N. Central Expressway
#500
City: Dallas
State: TEXAS
Zip Code: 75206
Phone: 214-793-7317
Email: tcnsinfo@gmail.com

Structure Type: MTOWER - Monopole
Latitude: 32 deg 19 min 52.8 sec N

Longitude: 96 deg 36 min 41.2 sec W
Location Description: 400 S I-45
City: Ennis
State: TEXAS
County: ELLIS
Detailed Description of Project: proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer
Ground Elevation: 145.4 meters
Support Structure: 39.6 meters above ground level
Overall Structure: 39.6 meters above ground level
Overall Height AMSL: 185.0 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic Help Request form located on the FCC's website at:

https://www.fcc.gov/wireless/available-support-services

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8:00 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

ATTACHMENT 4 - LOCAL GOVERNMENT

ATTACHMENT 4
LOCAL GOVERNMENT

a. *Has any local government agency been contacted and invited to become a consulting party pursuant to Section V.A. of the Nationwide Agreement? If so, list the local government agencies contacted. Provide a summary of contacts and copies of any relevant documents (e.g., correspondence or notices).*

Notification letters were submitted to the following entities in order to provide them an opportunity to participate in the Section 106 Review process: **City of Ennis**. Copies of all correspondence are included in this Attachment. As of the date of this report, no response has been received. Any future comments of significance will be forwarded to the state SHPO immediately upon receipt.

b. *If a local government agency will be contacted but has not been to date, explain why and when such contact will take place.*

Not applicable.

September 20, 2024

City of Ennis
Attn: Planning, Development and Inspections (972-875-6442)
108 W. Knox Street
Ennis, TX 75119

Re: FCC-regulated wireless telecommunications facility undertaking submitted for comment to the local government in respect to Section 106 of the National Historic Preservation Act of 1966 and the Nationwide Programmatic Agreement. Proposed telecommunications tower and associated compound located at 400 S I-45, Ennis, TX 75119 (Lat/Long: N 32 19 52.8, W 96 36 41.2). Hemphill Seminary, LLC Site: DA08061, Ennis. ETX# 24155

Dear Sir/Madam:

Environmentex is conducting a Section 106 Review to assess potential effects of the proposed project on Historic Properties, i.e. properties that are listed or eligible for listing in the National Register of Historic Places. As part of this Section 106 Review, we are inquiring if you or your office has any knowledge of Historic Properties that may be affected by this project or wishes to comment on the potential effects of the proposed project on Historic Properties.

The client is proposing to construct a 130' monopole tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement. As part of this project, 30' in all directions beyond the proposed lease area and associated easements was reviewed.

This notice is an effort to gather comments on the potential effects of the proposed facility on Historic properties. If you have any comments or questions **regarding potential effects on Historic Properties,** please send within 15 days to Environmentex by mail, email, or phone to Brian McCallister, Environmentex, 6060 N. Central Expressway, Suite 560, Dallas, TX 75206, 214.793.7317, brian@environmentex.com. **Please note that any required submissions related to building permits or zoning approval is being conducted by others.**

Regards,

Brian McCallister

ATTACHMENT 5 - PUBLIC INVOLVEMENT

ATTACHMENT 5
PUBLIC INVOLVEMENT

Describe measures taken to obtain public involvement in this project (e.g., notices, letters, or public meetings). Provide copies of relevant documentation.

The following Public Notice will be published in a local newspaper of record. Any future comments of significance will be forwarded to the state SHPO immediately upon receipt.

\

Newspaper ad text for project: DA08061 Ennis

Hemphill Seminary LLC is proposing to construct a 130’ monopole telecommunications tower and associated compound at 400 S I-45, Ennis, Ellis County, TX 75119. Any interested party may file comments with Environmentex at 6060 N. Central Expwy #500, Dallas, TX 75206 or fax 214.367.3861 or email to tcnsinfo@gmail.com on the impact of the proposed action on any districts, sites, buildings, structures or objects significant in American history, archaeology, engineering or culture that are listed or determined eligible for listing in the National Register of Historic Places under National Historic Preservation Act Section 106.

Interested persons may review the project application pending with the Federal Communications Commission (FCC) at www.fcc.gov/asr/applications by entering Form 854 File No. A1299531. Interested persons may comment or raise environmental impact concerns about the proposed action by filing a Request for Environmental Review with the FCC. The FCC strongly encourages all interested parties to make such filings online, following the instructions found at www.fcc.gov/asr/environmentalrequest. Paper filings can be sent to: FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554. All comments or filings regarding environmental impact concerns must be received on or before 10/30/24.

THE ENNIS NEWS
SINCE 1891

PO Box 100
Ennis, Texas 75120

215 N. Dallas St. Suite D
Ennis, Texas 75119

Phone: (972) 875-3801 • *www.ennisdailynews.com*

AFFIDAVIT

THE STATE OF TEXAS

County of Ellis

On this, the 30 day of September 2024, personally, appeared before me, the undersigned, a Notary in and for said county and state, Lisa Cohan, General Manager of **The Ennis News**, a newspaper published at Ennis, County of Ellis, State of Texas, who, being by me duly sworn, on oath, states that the attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in 1 issues thereof on the following dates: September 29, 2024.

Lisa Cohan, General Manager

Subscribed and sworn before me, this the 30 day of September 2024.

Notary Public, Ellis County, Texas

LISA D ZIMMERMAN
Notary ID # 739860-2
My Commission Expires
02/11/2026

LEGALS

LEGAL NOTICE

Hemphill Seminary LLC is proposing to construct a 130' monopole telecommunications tower and associated compound at 400 S I-45, Ennis, Ellis County, TX 75119. Any interested party may file comments with Environmentex at 6060 N. Central Expwy #500, Dallas, TX 75206 or fax 214.367.3861 or email to tcnsinfo@gmail.com on the impact of the proposed action on any districts, sites, buildings, structures or objects significant in American history, archaeology, engineering or culture that are listed or determined eligible for listing in the National Register of Historic Places under National Historic Preservation Act Section 106. Interested persons may review the project application pending with the Federal Communications Commission (FCC) at www.fcc.gov/asr/applications by entering Form 854 File No. A1299531. Interested persons may comment or raise environmental impact concerns about the proposed action by filing a Request for Environmental Review with the FCC. The FCC strongly encourages all interested parties to make such filings online, following the instructions found at www.fcc.gov/asr/environmentalrequest. Paper filings can be sent to: FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554. All comments or filings regarding environmental impact concerns must be received on or before 10/30/24.

ATTACHMENT 6

ADDITIONAL CONSULTING PARTIES

ATTACHMENT 6

ADDITIONAL CONSULTING PARTIES

List additional consulting parties that were invited to participate by the Applicant, or independently requested to participate. Provide any relevant correspondence or other documents.

Environmentex, on behalf of Hemphill Seminary, LLC, has made a reasonable effort to identify additional consulting parties that may possibly have an interest in participating in the Section 106 Review process for this proposed project. Notification of the proposed project was provided to: **Ellis County Historical Commission**. Copies of all correspondence are included in this Attachment. As of the date of this report, no response has been received. Any future comments of significance will be forwarded to the state SHPO immediately upon receipt.

September 20, 2024

Ellis County Historical Commission
Attn: David Sacha, Chairman (214-418-6510)
605 Preston Street
Ennis, TX 75119
Email: David.Sacha@perkinswill.com

Re: FCC-regulated wireless telecommunications facility undertaking submitted for comment in respect to Section 106 of the National Historic Preservation Act of 1966 and the Nationwide Programmatic Agreement. Proposed telecommunications tower and associated compound located at 400 S I-45, Ennis, TX 75119 (Lat/Long: N 32 19 52.8, W 96 36 41.2). Hemphill Seminary, LLC Site: DA08061, Ennis. ETX# 24155

Dear Mr. Sacha:

Environmentex is conducting a Section 106 Review to assess potential effects of the proposed project on Historic Properties, i.e. properties that are listed or eligible for listing in the National Register of Historic Places. As part of this Section 106 Review, we are inquiring if you or your office has any knowledge of Historic Properties that may be affected by this project or wishes to comment on the potential effects of the proposed project on Historic Properties.

The client is proposing to construct a 130' monopole tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement. As part of this project, 30' in all directions beyond the proposed lease area and associated easements was reviewed.

This notice is an effort to gather comments on the potential effects of the proposed facility on Historic properties. If you have any comments or questions **regarding potential effects on Historic Properties,** please send within 15 days to Environmentex by mail, email, or phone to Brian McCallister, Environmentex, 6060 N. Central Expressway, Suite 560, Dallas, TX 75206, 214.793.7317, brian@environmentex.com. **Please note that any required submissions related to building permits or zoning approval is being conducted by others.**

Regards,

Brian McCallister

ATTACHMENT 7

AREAS OF POTENTIAL EFFECTS (APE)

ATTACHMENT 7
AREAS OF POTENTIAL EFFECTS

a. *Describe the APE for direct effects and explain how this APE was determined.*

The proposed Site will consist of a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, to contain a fenced tower compound of approximately the same size. Within the tower compound will be a 130' tall monopole tower and associated communications equipment to be mounted by the Applicant. The tower compound and tower will include space to accommodate the collocation of additional antennae and ground mounted equipment. For the purposes of this Section 106 Review, the assessment area was defined as the proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, and at least 30' beyond the lease area in all directions.

b. *Describe the APE for visual effects and explain how this APE was determined.*

As per the NPA, based on the height of the tower the APE for visual effects is 0.5 miles.

ATTACHMENT 8

HISTORIC PROPERTIES IDENTIFIED IN THE APE FOR VISUAL EFFECTS

ATTACHMENT 8

HISTORIC PROPERTIES (HP's) IDENTIFIED IN THE APE FOR VISUAL EFFECTS

a. *Provide the name and address (including U.S. Postal Service ZIP Code) of each property in the APE for visual effects that is listed in the National Register, has been formally determined eligible for listing by the Keeper of the National Register, or is identified as considered eligible for listing in the records of the SHPO/THPO, pursuant to Section VI.D.1.a. of the Nationwide Agreement.*[7]

A review of the Texas Historical Sites Atlas identified two (2) NRHP-listed historic resources (House at 802 E. Ennis Avenue, Ennis, TX and House at 708 E. Brown Street, Ennis, TX) and one (1) historic cemetery (Brooks Family Cemetery) within the visual APE for visual effects.

b. *Provide the name and address (including U.S. Postal Service ZIP Code) of each Historic Property in the APE for visual effects, not listed in Attachment 8a, identified through the comments of Indian Tribes, NHOs, local governments, or members of the public. Identify each individual or group whose comments led to the inclusion of a Historic Property in this attachment. For each such property, describe how it satisfies the criteria of eligibility (36 C.F.R. Part 63).*

Not applicable.

c. *For any properties listed on Attachment 8a that the Applicant considers no longer eligible for inclusion in the National Register, explain the basis for this recommendation.*

Not applicable.

_____

7 Section VI.D.1.a. of the Nationwide Agreement requires the Applicant to review publicly available records to identify within the APE for visual effects: i) properties listed in the National Register; ii) properties formally determined eligible for listing by the Keeper of the National Register; iii) properties that the SHPO/THPO certifies are in the process of being nominated to the National Register; iv) properties previously determined eligible as part of a consensus determination of eligibility between the SHPO/THPO and a Federal Agency or local government representing the Department of Housing and Urban Development (HUD); and, v) properties listed in the SHPO/THPO Inventory that the SHPO/THPO has previously evaluated and found to meet the National Register criteria, and that are identified accordingly in the SHPO/THPO Inventory.

ATTACHMENT 9

HISTORIC PROPERTIES IDENTIFIED IN THE APE FOR DIRECT EFFECTS

ATTACHMENT 9

HISTORIC PROPERTIES (HP's) IDENTIFIED IN THE APE FOR DIRECT EFFECTS

a. *List all properties identified in Attachment 8a or 8b that are within the APE for direct effects.*

A review of the Texas Archeological Sites Atlas did not reveal any Historic Properties associated with the APE for direct effects.

b. *Provide the name and address (including U.S. Postal Service ZIP Code) of each property in the APE for direct effects, not listed in Attachment 9a, that the Applicant considers to be eligible for listing in the National Register as a result of the Applicant's research. For each such property, describe how it satisfies the criteria of eligibility (36 C.F.R. Part 63). For each property that was specifically considered and determined not to be eligible, describe why it does not satisfy the criteria of eligibility.*

Not applicable.

c. *Describe the techniques and the methodology, including any field survey, used to identify historic properties within the APE for direct effects.8 If no archeological field survey was performed, provide a report substantiating that: i) the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least 2 feet; or, ii) geomorphological evidence indicates that cultural resource-bearing soils do not occur within the project area or may occur but at depths that exceed 2 feet below the proposed construction depth.9*

Not applicable.

---

8 Pursuant to Section VI.D.2.a. of the Nationwide Agreement, Applicants shall make a reasonable and good faith effort to identify above ground and archeological historic properties, including buildings, structures, and historic districts, that lie within the APE for direct effects. Such reasonable and good faith efforts may include a field survey where appropriate.9 Under Section VI.D.2.d. of the Nationwide Agreement, an archeological field survey is required even if one of these conditions applies, if an Indian tribe or NHO provides evidence that supports a high probability of the presence of intact archeological Historic Properties within the APE for direct effects.

ATTACHMENT 10

EFFECTS ON IDENTIFIED PROPERTIES

ATTACHMENT 10
EFFECTS ON IDENTIFIED PROPERTIES

For each property identified as a Historic Property in Attachments 8 and 9:

a. *Indicate whether the Applicant believes the proposed undertaking would have a) no effect; b) no adverse effect; or, c) an adverse effect. Explain how each such assessment was made. Provide supporting documentation where necessary.*

Historic Properties were identified; however, none of the historic resources listed setting as a character-defining feature of eligibility in its NRHP nomination; therefore, it is Environmentex's opinion that the proposed tower will not alter their visual setting and thereby have "no effect" on the historic properties.

b. *Provide copies of any correspondence and summaries of any oral communications with the SHPO/THPO.*

Not applicable.

c. *Describe any alternatives that have been considered that might avoid, minimize, or mitigate any adverse effects. Explain the Applicant's conclusion regarding the feasibility of each alternative.*

Environmentex believes no alternatives are required to avoid, minimize, or mitigate any adverse effects.

ATTACHMENT 11 - PHOTOGRAPHS

ATTACHMENT 11
PHOTOGRAPHS

Except in cases where no Historic Properties were identified within the Areas of Potential Effects, submit photographs as described below. Photographs should be in color, marked so as to identify the project, keyed to the relevant map (see Item 12 below) or text, and dated; the focal length of the lens should be noted. The source of any photograph included but not taken by the Applicant or its consultant (including copies of historic images) should be identified on the photograph.

a. *Photographs taken from the tower site showing views from the proposed location in all directions. The direction (e.g., north, south, etc.) should be indicated on each photograph, and, as a group, the photographs should present a complete (360 degree) view of the area around the proposed tower.*

Historic Properties were identified in the APE; photographs are included in the attached cultural resources assessment.

b. *Photographs of all listed and eligible properties within the Areas of Potential Effects.*

See attached cultural resources assessment.

c. *If any listed or eligible properties are visible from the proposed tower site, photographs looking at the tower site from each historic property. The approximate distance in feet (meters) between the site and the historic property should be included.*

There are no listed or eligible properties within the Visual APE that are visible from the tower site.

d. *Aerial photos of the APE for visual effects, if available.*

See attached cultural resources assessment.

ATTACHMENT 12 - MAPS

ATTACHMENT 12
MAPS

Include one or more 7.5-minute quad USGS topographical maps that:

a. *Identify the Areas of Potential Effects for both direct and visual effects. If a map is copied from the original, include a key with name of quad and date.*

Maps with the direct and visual APE identified are attached.

b. *Show the location of the proposed tower site and any new access roads or other easements including excavations.*

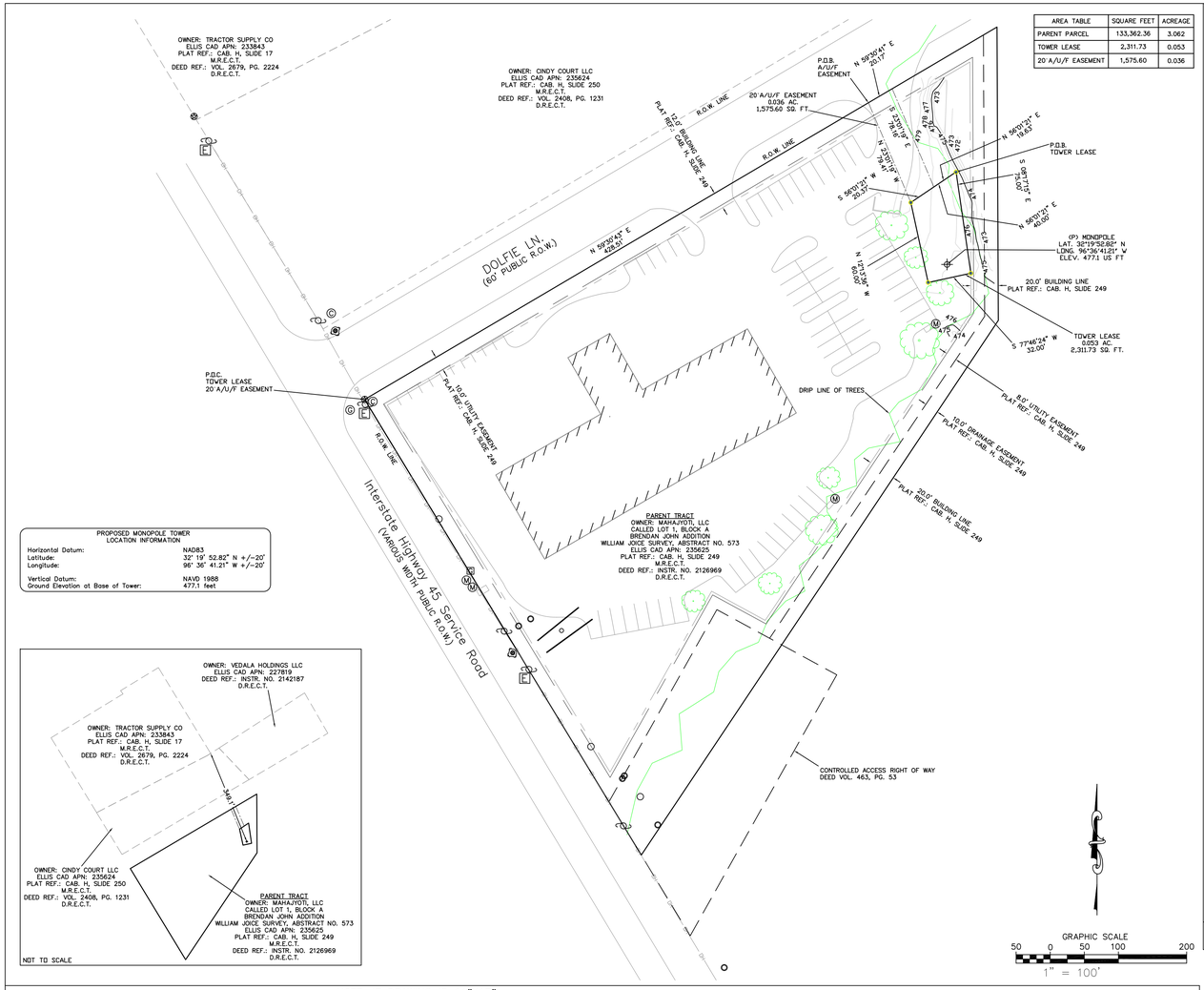
Location maps are attached.

c. *Show the locations of each property listed in Attachments 8 and 9.*

Not applicable.

d. *Include keys for any symbols, colors, or other identifiers.*

Not applicable.



AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036

PROPOSED MONOPOLE TOWER LOCATION INFORMATION	
Horizontal Datum:	NAD83
Latitude:	32° 19' 52.82" N +/-20'
Longitude:	96° 36' 41.21" W +/-20'
Vertical Datum:	NAVD 1988
Ground Elevation at Base of Tower:	477.1 feet

SITE PLAN SCALE: 1" = 50'

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

LEGAL DESCRIPTION

TOWER LEASE (created by this office)

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 56° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

THENCE North 56° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

LEGAL DESCRIPTION

ACCESS/UTILITY/FIBER EASEMENT (created by this office)

BEING a 0.036 acre (1,575.60 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for the POINT OF BEGINNING;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE South 56° 01' 21" West for a distance of 20.37 feet to a point for corner;

THENCE North 23° 01' 19" West a distance of 79.41 feet to the POINT OF BEGINNING, and containing 0.036 acre (1,575.60 square feet) of land, more or less.

LEGAL DESCRIPTION

PARENT PARCEL (as provided)

LOT 1, BLOCK A, BRENDAN JOHN ADDITION SOUTH, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN CABINET H, SLIDE 249, MAP/PLAT RECORDS, ELLIS COUNTY, TEXAS.

TITLE INSURANCE COMMITMENT NOTE

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY HOLLERBACH & ASSOCIATES, INC, WITH AN ORDER DATE OF AUGUST 9, 2024, ORDER NO. HA324547, CUSTOMER REF NO: T-MOBILE DA06081. CERTIFICATION DATE AUGUST 1, 2024, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B OF SAID COMMITMENT:

SUBJECT TO:
ALL MATTERS SHOWN ON PLAT H/249. DOES AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL. AS SHOWN HEROEN.

ELECTRIC TRANSMISSION EASEMENT 329/251. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC TRANSMISSION EASEMENT 392/161. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND RIGHT OF WAY AND EASEMENT 408/293. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

SEWER AND WATER PIPELINE EASEMENT AND RIGHT OF WAY 411/292. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND EASEMENT 412/123. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 413/90. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

CONTROLLED ACCESS RIGHT OF WAY DEED 463/51. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

CONTROLLED ACCESS RIGHT OF WAY EASEMENT 463/53. DOES NOT AFFECT TOWER LEASE OR A/U/F EASEMENT. DOES AFFECT PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 465/310. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 489/613. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

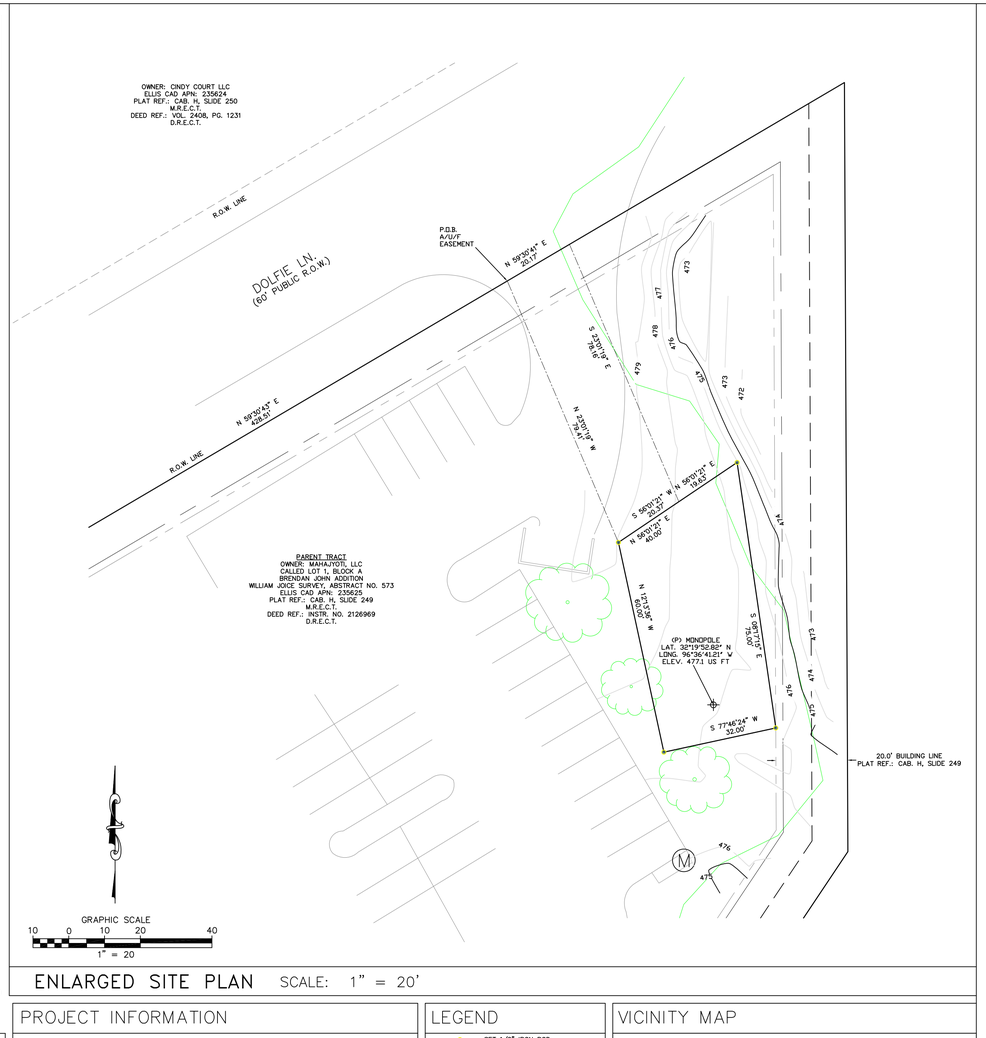
UTILITY EASEMENT 561/287. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL.

SANITARY SEWER LINE EASEMENT 2224/2358. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/835. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/843. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/856. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.



ENLARGED SITE PLAN SCALE: 1" = 20'

PROJECT INFORMATION

SITE NAME:	ENNIS
SITE NUMBER:	DA06081
SITE ADDRESS:	400 S INTERSTATE 45
	ENNIS, TX 75119
	ELLIS COUNTY
LANDLORD'S NAME:	N/A
LANDLORD'S ADDRESS:	
LATITUDE:	32°19'52.82" N
LONGITUDE:	96°36'41.21" W
GROUND ELEVATION:	477.1'
BASIS OF ELEVATIONS:	NAVD 88
BASIS OF BEARINGS:	NAD 83

NOTES:

LATITUDE & LONGITUDE ARE BASED ON NAD 83 COORDINATES ELEVATIONS ARE BASED ON NAVD 88

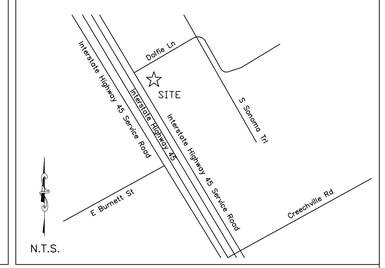
SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT OR TITLE REPORT. THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES AFFECTING THIS TRACT THAT ARE NOT SHOWN HEREON.

ACCORDING TO FLOOD PANEL MAP NO. 48139C0380F, DATED JUNE 3, 2013, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, "BASE FLOOD ELEVATIONS DETERMINED"

LEGEND

●	:SET 1/2" IRON ROD.
○	:FOUND 1/2" IRON ROD.
O	:FOUND TXDOT R.O.W. EASEMENT MARKED WITH A PINK LATHE
✿	:FOUND R.O.W. MONUMENT.
P.O.B.	:POINT OF BEGINNING.
P.O.C.	:POINT OF COMMENCEMENT.
—o—o—	:FENCE AS NOTED.
—OH—	:OVER HEAD UTILITY LINES.
	:WOOD UTILITY POLE.
E	:ELECTRIC TRANSFORMER.
T	:TELCO PEDESTAL.
C	:CABLE PEDESTAL.
M	:MAN HOLE.
G	:GAS MARKER.
G	:GAS METER.
G	:GAS MARKER.
R.O.W.	:RIGHT-OF-WAY.
A/U/F	:ACCESS/UTILITY/FIBER.
D.R.E.C.T.	:DEED RECORDS ELLIS COUNTY TEXAS
P.R.E.C.T.	:PLAT RECORDS ELLIS COUNTY TEXAS

VICINITY MAP



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

Ronald D. Wimberley, R.P.L.S. No. 6005

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (214) 523-4100

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237 75404
GREENVILLE, TEXAS
PHONE: (903) 450-8100
FAX: (903) 455-2902

SITE SURVEY

ENNIS
DA06081
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

STATE OF TEXAS
RONALD D. WIMBERLEY
6005
REGISTERED PROFESSIONAL LAND SURVEYOR

NO.	DATE	DESCRIPTION
1	09/04/24	DESCRIPTION
2		
3		
4		
5		
6		
7		

DRAWN BY: DJ
CHECKED BY: RW
DATE: 09/03/24
PLOT SCALE: 1" = 50'
DRAWING NAME: 24100

REFERENCES

- U.S. Geological Survey. 7.5 Minute Topographic Map

- Texas Historic Sites Atlas

- Texas Archeological Sites Atlas

- National Register of Historic Places

-Intensive Cultural Resource Investigation Negative Findings T-Mobile Ennis Tower Project Site Number #DA06081 Ellis County, Texas.

Intensive Cultural Resource Investigation

Negative Findings

T-Mobile
Ennis Tower Project
Site Number #DA06081
Ellis County, Texas

Author:

Natalie J. Graves, M.A.
GRAVitate LLC.
Owner/Principal Investigator

For:
Environmentex, Inc.
6060 N Central Expy Suite 560
Dallas, TX 75206

September 20, 2024

FOR OFFICIAL USE ONLY: DISCLOSURE OF SITE LOCATIONS PROHIBITED (43 CFR 7.18).



Natalie Graves, M.A.
Principal Investigator – RPA #16255

This investigation was carried out in accordance with policies and regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665). The cultural resource inventory was undertaken to locate, identify, and document cultural resources that might be affected within the APE of the proposed undertaking, and to provide recommendations of eligibility to the National Register of Historic Places (NRHP) as specified in Title 36 of Codes of Federal Regulations (36 CFR 60.4). NRHP eligibility is evaluated in terms of the integrity of the resource, and: (a) its association with significant events, or patterns in history or prehistory; (b) its association with the specific contributions of individuals significant in our past; (c) its engineering, artistic, or architectural values; or (d) its information potential for important research questions in history or prehistory (National Park Service 1998). The implementing regulations of Section 106 state that, "The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties" (36 CFR 800.1b). Therefore, the management recommendations made by GRAVitate LLC. archaeologists focus primarily on the potential of the undertaking to pose an adverse effect to historic properties, as defined in 36 CFR 800.5.

As required by the Federal Communications Commission, Natalie Graves, meets the Secretary of the Interior standards as a qualified archaeologist to conduct archeological work for National Environmental Policy Act projects, including all phases of fieldwork, evaluation of significance of all archeological sites, and can make recommendations of effects to all cultural resources. As is required by the Federal Communications Commission, Natalie Graves meets the Secretary of the Interior standards as a qualified historian and architectural historian and can be involved in historic structures evaluation for projects regulated by the Federal Communications Commission, including all phases of fieldwork, evaluation of significance of all archeological sites, and make recommendations of effects to all historic structures and/or features.

T-Mobile - DA06081
Ennis Tower Project
Ellis County, Texas

Prepared for:
Environmentex, Inc.
6060 N Central Expy Suite 560
Dallas, TX 75206

Prepared by:
GRAVitate, LLC.
7474 Rendon New Hope Road
Fort Worth, TX 76140
Tel 307.217.0548

Our Ref.:
G24-33

Authors:
Natalie J. Graves

Date:
September 20, 2024

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I. Abstract

A. Purpose of Investigation

Environmentex, Inc. contracted GRAVitate, LLC. (GRAVitate) to conduct an intensive cultural resource survey and prepare a report for the T-Mobile proposed 130-feet high communications tower at the Ennis Tower site in Ellis County, Texas. T-Mobile plans to construct a 130-feet total height monopole tower within a 3,887-square feet lease area on lands privately owned by Mahajyoti, LLC.

B. Permitting Agency

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of federal undertakings on historic properties. The Federal Communications Commission (FCC) considers the construction of certain communications towers using FCC-licensed spectrum a federal undertaking and all licensees and registrants are required to take appropriate measures to protect environmental and historic resources to meets its obligations under the National Environmental Policy Act (NEPA). NEPA applies to all federal agencies to consider the potential environmental impact of its actions, as well as under other environmental statutes such as the NHPA. In defining the Area of Potential Effect (APE) of the current undertaking, the potential direct physical effects and indirect visual effects to properties within a ½-mile radius (Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the FCC, September 2004, Part VI.C.4.a.) must be assessed.

C. Investigation Type

GRAVitate conducted the intensive pedestrian survey on September 15, 2024, covering a total of 0.20 acres (3,887 square feet or 0.10 acres tower compound + 30-feet buffer).

D. Summary of Results

No new archeological sites or cultural resources of the built environment were recorded during this investigation. No artifacts were discovered or collected during the survey. The field survey revealed the Ennis Tower Project is planned at the Comfort Suites Hotel with native soil and vegetation displaced and/or removed entirely during previous construction activities. No cultural materials were observed, and current ground conditions suggest there is limited potential for undiscovered buried archeological deposits within the project area.

The project site is not situated within a historic district and no historic properties are located at the proposed tower site. The cultural resources records review revealed two NRHP-listed historic resources (House at 802 E. Ennis Avenue, House at 708 E. Brown Street) and one historic cemetery (Brooks Family Cemetery) located within the ½ mile APE surrounding the proposed project site. None of these three historic resources listed setting as a character-defining feature of eligibility in its NRHP nomination, therefore the proposed Tower will not alter their visual setting.

Given these inventory results, GRAVitate recommends a finding of no historic properties in the direct APE; and no effect to the House at 802 E. Ennis Avenue, House at 708 E. Brown Street, and Brooks Family Cemetery, located within the indirect APE for the proposed T-Mobile Ennis Tower Project in Ellis County, Texas.

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II. Introduction

A. Purpose of Report

In order to facilitate the FCC's requirements of considering the effects of this federal undertaking on historic properties, Environmentex, Inc. contracted GRAVitate to conduct an intensive cultural resource investigation and prepare a report of its findings for the proposed T-Mobile Ennis Tower Project site (Tower) in Ellis County, Texas.

B. Project Personnel

Natalie J. Graves was the principal investigator, conducted the fieldwork, and is the report author of this intensive cultural investigation. Ms. Graves has an M.A. in anthropology and over 20 years of experience recording and documenting cultural resources of all periods across the United States. The Nationwide Programmatic Agreement between the FCC and state SHPO offices stipulates that a U.S. Secretary of the Interior (SOI) qualified architectural historian be involved in all projects where historic resources may be impacted. Likewise, archeological investigations must be conducted by a SOI qualified archaeologist. Ms. Graves satisfies the SOI's requirements for professional qualifications as a qualified archaeologist and architectural historian (36 CFR 61).

C. Scope of Work

GRAVitate conducted an intensive cultural resource investigation of the proposed project area to inspect the APE (direct and indirect) and to locate all cultural resources that might be impacted during proposed construction and subsequent upgrades to the Tower site. Section 106 of the NHPA establishes a procedure for the protection of archeological sites through review and comment by the Advisory Council on Historic Preservation for federal undertakings that affect sites included in or eligible for inclusion in the National Register of Historic Places (NRHP); also known as "historic properties" (Title 36 CFR 60, Title 36 CFR 61, Title 36 CFR 800, Title 36 CFR 63). Title 36 CFR 800, "Protection of Historic and Cultural Properties," provides the regulations for implementation of Section 106. The FCC considers the construction of certain communications towers using FCC-licensed spectrum a federal undertaking prompting all licensees and registrants take appropriate measures to protect environmental and historic resources to meet agency meets obligations under NEPA and the NHPA.

1. Federal Communications Commission Tower Construction Notification System

As is required by the FCC, Environmentex, Inc. entered all project information into the Tower Construction Notification System (TCNS). According to FCC procedures, Environmentex, Inc. will conduct contact with all pertinent Native American Tribes, all Native Hawaiian Organizations, and local governments. Additionally, Environmentex, Inc. will distribute public notices as needed to address any potential issues.

D. Area of Potential Effects (APE)

According to 36 CFR 800.16(d), the APE is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The APE is influenced by the geographic area, the scale and nature of the undertaking, and the effects (physical, visual, auditory, atmospheric). In defining the APE of the current undertaking, the potential direct physical effects and indirect visual effects to properties within a ½-mile radius (*Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the FCC*, September 2004, Part VI.C.4.a.) of the proposed Ennis Tower Project must be evaluated. The direct effects of the proposed project equate to the roughly 3,887.33-square feet area (0.10 acres) within which development, operation, and maintenance of the proposed undertaking may impact cultural resources. While no specific indirect effects are known for the area, the FCC identifies a ½-mile APE for cell towers below 200-feet in overall height. The overall height of the Ennis Tower is 130-feet above ground level; therefore, the final APE is approximately ½-mile or 502 acres, which includes all potential direct physical effects and potential indirect visual effects.

Understanding that the APE is dynamic, the FCC, in consultation with the Texas State Historic Preservation Office (SHPO), will establish the final APE in the event minor changes are made to the project, alternate historic routes or Traditional Cultural Property areas are discovered, socio-cultural effects are re-considered, effects on culturally sensitive natural resources emerge, or indirect or secondary effects (erosion, public use) are determined. GRAVitate has defined the APE described above based on the best information available regarding proposed impacts of the Ennis Tower Project, and the best available data for archeological and historic property locations at the time of the writing of this report.

E. Project Description

1. Project Location

The project is in the Texas Blackland Prairies physiographic region in Ellis County, Texas. The proposed Tower center point is 470 feet east of Dolfie Lane and N. FWY Service Road intersection, in the town of Ennis. The Tower site can be accessed from U.S. Interstate 45 heading north and exiting at FM-1181 and then travelling 0.75 miles north to Dolfie Lane and travelling 0.10 miles east to the driveway leading south into the Comfort Suites Hotel parking lot and directly to the Tower site. The Ennis Tower Project is located on the Ennis East (1962) USGS 7.5' topographic quadrangle **(Figure 1)**. The tower center point coordinates are Latitude: 32.331339 and Longitude: -96.611447.

2. Type of Project

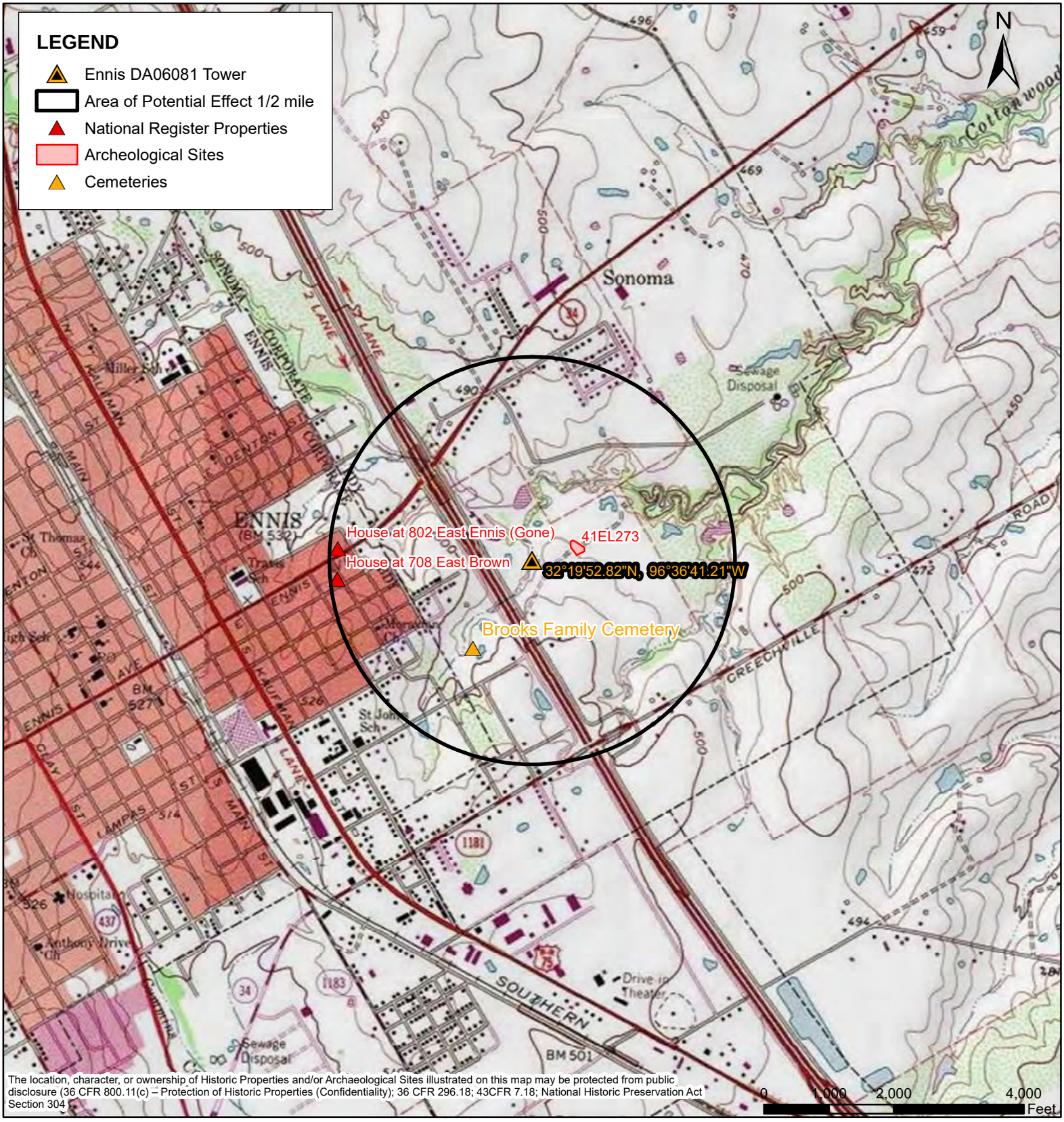
GRAVitate conducted an intensive cultural resource survey and prepared a report for the proposed Ennis Tower site. The intensive survey included a systematic detailed field inspection of the direct APE to locate all cultural resources that might be impacted by proposed construction and subsequent upgrades. GRAVitate conducted the intensive survey on September 15, 2024, covering a total of 0.20 acres (3,887 square feet or 0.10 acres tower compound + 30-feet buffer).

3. Ennis Tower Project

The Ennis Tower Project includes constructing a 130-feet tall, monopole tower (130-feet total height) to transmit radio frequency signals for telecommunication purposes. The Tower site is planned at a privately-owned Comfort Suites Hotel **(Figure 2)**. T-Mobile plans to construct the monopole tower within a 2,311.73 square feet lease area (40-feet X 75-feet X 32-feet X 60-feet = 2,311.73 square feet or 0.053 acres) *(see attached drawings)*. The lease area will be topped with a new gravel base. The proposed utilities easement extends 80 feet southeast from Dolfie Lane to the tower lease area (80-feet X 20-feet wide = 1,575.60 square feet or 0.036 acres) *(see attached drawings)*. Proposed access to the Tower will be using the existing driveway from Dolfie Lane leading into the parking lot *(see attached drawings)*. T-Mobile plans on tying into existing utilities in place at the site. Construction access will be from Dolfie Lane leading directly to the Tower site.

T-Mobile
Ennis DA06081 Tower
130-FT Overall Height Monopole

FIGURE
1



32°19'52.82"N, 96°36'41.21"W
ELLIS COUNTY, TEXAS

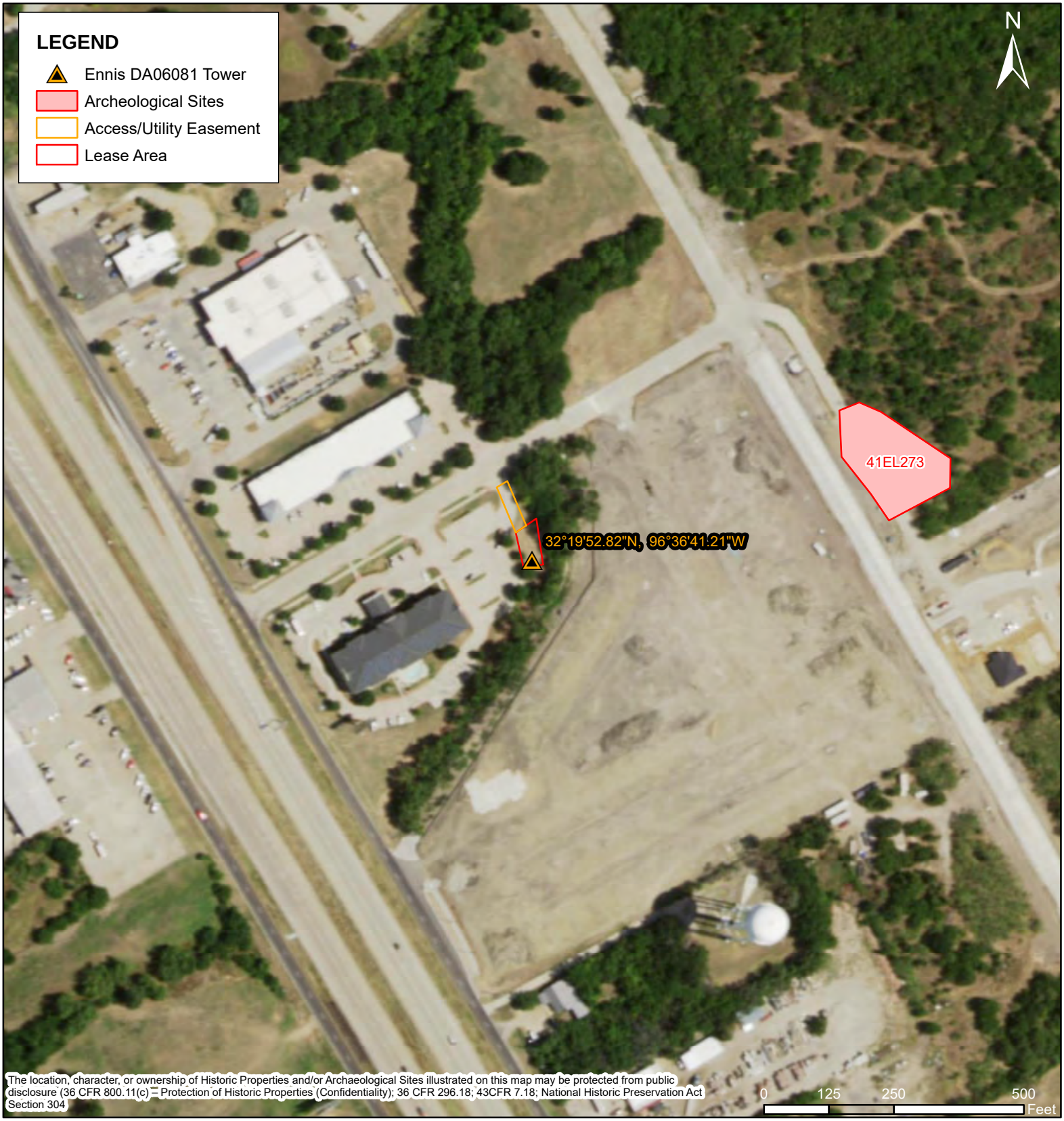
SCALE: 1:24,000

PREPARED BY K. COLE FOR GRAVitate
ON: September 19, 2024

ENNIS EAST QUADRANGLE
TEXAS - ELLIS COUNTY
7.5-MINUTE SERIES

T-Mobile
Ennis DA06081 Tower
130-FT Overall Height Monopole

FIGURE
2



32°19'52.82"N, 96°36'41.21"W
ELLIS COUNTY, TEXAS

SCALE: 1:3,000

NAIP Imagery

PREPARED BY K. COLE FOR GRAVitate
ON: September 19, 2024

III. Environmental Setting

A. Physiographic Region

The project is located in the Northern Blackland Prairie subregion of the Blackland Prairies physiographic region in Ellis County, Texas (Griffith et al. 2007). The Texas Blackland Prairie is comprised of three sub-provinces that include the Northern Blackland Prairie, South Blackland/Fayette Prairie, and the Flood Plains and Low Terraces (Griffith et al. 2004). The Texas Blackland Prairies form a disjunct ecological region that is distinguished from surrounding regions by fine-textured, clayey soils and predominantly prairie potential natural vegetation (Griffith et al. 2004). Vertisols are common in this area because of soil formation in Cretaceous shale, chalk, and marl parent materials (Griffith et al. 2004). These vertisol soils support primarily grasses such as little bluestem, big bluestem, yellow Indiangrass, and switchgrass (Griffith et al. 2004). More recently, this region supports a higher percentage of cropland than adjacent regions with pasture and forage production for livestock common but large areas are being converted to urban and industrial uses (Griffith et al. 2004).

The rolling to nearly level plains of the Northern Blackland Prairie ecoregion stretch over 300 miles from Sherman, Texas, south to San Antonio, Texas (Griffith et al. 2004). The Northern Blackland Prairie ecoregion is underlain by interbedded Cretaceous age chalks, marls, limestones, and shales (Griffith et al. 2004). Soils in this region are primarily fine-textured, dark, calcareous, and productive Vertisols (Griffith et al. 2004). Historically, native vegetation in this region was dominated by little bluestem, big bluestem, yellow Indiangrass, and tall dropseed, with the lowlands and more mesic sites dominated by eastern gamagrass and switchgrass (Griffith et al. 2004). The northeastern portions of this region included grass communities of Silveanus dropseed, Mead's sedge, bluestems, and long-spike tridens, due to the loamy Alfisols soils found there (Griffith et al. 2004). Common forbs located throughout this region included asters, prairie bluet, prairie clovers, and black-eyed susan (Griffith et al. 2004). Stream bottoms are often wooded with bur oak, Shumard oak, sugar hackberry, elm, ash, eastern cottonwood, and pecan trees (Griffith et al. 2004). More recently, most of the native prairies of this region has been converted to cropland, non-native pasture, and the ever-expanding urban uses around Dallas, Waco, Austin, and San Antonio (Griffith et al. 2004).

B. Climate

Climate change can play a significant role in the alteration of settlement and subsistence patterns. The aridity or warm-dry climates of the Altithermal evolved to today's modern climate that is warmer and drier than that of the Pleistocene. During the Altithermal, the Plains prairies expanded east while precipitation changes caused increased erosion in the uplands, affecting streams and rivers that formed new and unstable floodplains (Adair 2003:285). Paleo-environmental and geomorphologic information suggests the early and middle Holocene were times of major bioclimatic change on the Plains (Adair 2003:285). In general, the Plains climate can be characterized by low precipitation, irregular and uncertain amounts of moisture, pronounced diurnal and seasonal temperature changes, relatively low humidity, high rates of evaporation, frequent droughts, an abundance of sunshine, and persistent winds of high velocity (Wedel 1959:15). The modern environments of the Plains regions evolved at least 5,000 years ago (Davis 1987; Wendland et al. 1987). However, late Holocene biotas were not static, having had areas of sympatry that are not always analogous with modern environments (Davis 1987:118).

C. Environmental History

The Late Pleistocene geologic period spanning from about 14,000 to 6,400 years ago created a natural setting that has been described as a marshy environment surrounded by intermittent moist, low meadows with dry, upland prairies and some wooded or brushy areas (Davis 1987:108). The onset of the Holocene geologic period that began about 6,400 years ago marked the start of environmental processes, which have continued up to the present. During the first half of the Holocene, soil–plant associations responded to climatic warming by changing their extent and distribution. About 8,500 years ago, the climate of North America began to change into what is called the Hypsithermal episode of the Holocene period (Kay 1998). Kay (1998:25) describes that "Grassland-range extensions, lake-level changes, and reduced precipitation document a time-transgressive trend of increasingly warmer and drier…conditions."

D. Regional Environmental Setting of Project Area

1. Land Use Class

The general land cover use trend for the project area is commercial development. The project site is mostly developed as the location of the Comfort Suites Hotel and its associated infrastructure such as driveways, parking lots, and utilities occurring throughout much of the property.

2. Regional Flora and Fauna

Historically, this region supported bison, pronghorn antelope, mountain lion, bobcat, ocelot, black bear, collared peccary, deer, coyote, fox, badger, and river otter among others (Diggs et al 1999; Schmidley 2002). Modern game species include mourning dove and northern bobwhite on uplands and eastern fox squirrel along stream bottomlands (Griffith et al. 2007). Most of the Texas Blackland Prairies native forests have been converted to cropland and pasture but there are fragments of riverine forest that continue to provide habitat for deer, squirrels, raccoons, foxes, opossums, and a variety of birds (Griffith et al. 2007). The existing, now protected, remnant prairies contain imperiled plant communities and provide habit for many bird species and other fauna. Current restoration activities in these protected prairies include prescribed burning, haying, and bison grazing (Griffith et al. 2007). The Colorado River watershed which begins in New Mexico flows across Texas for 600 miles before eventually reaching Matagorda Bay (Griffith et al. 2007). Increased farming, urban, and industrial uses have affected water availability and instream flows are a concern for both wildlife needs and human uses (Griffith et al. 2007).

Texas Blackland Prairies vegetation was dominated by grasses but more recently contains a high percentage of croplands which includes pasture and forage production for livestock. The Northern Blackland Prairie ecoregion once supported healthy prairies of little bluestem *(Schizachyrium scoparium)*, big bluestem *(Andropogon gerardii)*, yellow Indiangrass *(Sorghastrum nutans)*, and tall dropseed *(Sporobolus asper)* (Griffith et al. 2007). Lowland setting and more mesic sites in this region are comprised of clayey Vertisol soils which once supported eastern gamagrass *(Tripsacum dactyloides)* and switchgrass *(Panicum virgatum)* (Griffith et al. 2007). The loamy Alfisols supported grass communities dominated by Silveanus dropseed *(Sporobolus silveanus)*, Mead's sedge *(Carex meadii)*, bluestems, and longspike tridens *(Tridens strictus)*. Common forbs found throughout the ecoregion are asters *(Aster spp.)*, prairie bluet *(Hedyotis nigricans)*, prairie clovers *(Dalea spp.)*, and coneflowers *(Rudbeckia spp.)* (Griffith et al. 2007). A few

forested areas do remain in the ecoregion, located primarily near riparian areas in the north where the Austin Chalk escarpment occurs (Bezanson 2000). Stream bottoms are often wooded with primarily bur oak *(Quercus macrocarpa)*, Shumard oak *(Q. shumardii)*, sugar hackberry *(Celtis laevigata)*, elm *(Ulmus spp.)*, ash *(Fraxinus spp.)*, eastern cottonwood *(Populus deltoides)*, and pecan *(Caryaillinoinensis)* (Griffith et al. 2007).

E. Project Area

1. Project Setting

The Ennis Tower Project is planned in a privately-owned commercially developed lot with proposed work occurring in a sod grass covered area between a parking lot and Cottonwood Creek **(Figure 2)**. The lot includes existing hotel facilities such as the main hotel building, roads, parking lots, utilities; and flood control/erosion control riprap occurring along Cottonwood Creek.

1. Vegetation

Vegetation types historically supported in the project were dominated by prairie grasses but more recently these grasslands have been converted to cropland, pasture, and urban development. According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) (2015), soil types identified in the project area primarily support agricultural fields of cotton, grain sorghums, and small grain, with more than half the acreage now used as pasture. Typical native vegetation is prairie grasses such as bluestems, indiangrass, switchgrass, and gramas, with scattered elm, hackberry, and mesquite trees (USDA NRCS 2015).

2. Soils

The predominance of Vertisols in the Texas Blackland Prairies is related to how soils formed in the Cretaceous age shale, chalk, and marl parent materials (Griffith et al. 2007). The USDA NRCS soil series mapped within the project area are Crockett fine sandy loam deposits (USDA NRCS 2015). Crockett series soils are deep, moderately well drained, very slowly permeable, sediments overlying Cretaceous age weathered shale. These soils have a slope ranging from zero to 12 percent slope mapped on broad ridges of dissected plains (USDA NRCS 2015). The parent material of Crockett fine sandy loam is loamy residuum weathered from Cretaceous age shale.

3. Project Area Drainage Patterns

The Tower is planned in a Comfort Suites Hotel located within the Cottonwood Creek watershed. Surface drainage at the Tower site trends generally east towards Cottonwood Creek. Cottonwood Creek heads east joining Village Creek eventually draining into the Trinity River which is located roughly ten miles to the east.

IV. Background Research

A. Literature and Data Searches

As per the 2004 National Programmatic Agreement (NPA) issued by the FCC, cellular communications towers below 200-feet in overall height require a ½-mile indirect APE assessment. Listed as a stipulation of the NPA, only structures that are NRHP-listed or NRHP-eligible require an assessment for indirect visual effects. Prior to initiation of field investigations, Natalie Graves, Principal Investigator of GRAVitate, conducted background research to identify if any recorded NRHP-listed or NRHP-eligible historic properties were indicated within ½-mile of the proposed Tower. Maps of the project area were created based on these investigations and used as a guide in the field.

Background research consisted of literature and data searches, including a files search conducted through the Historic Sites Atlas (unrestricted), THC Archeological Sites Atlas (restricted) databases, and the National Park Service (NPS) NRHP database.

The Atlas restricted database contains spatial and qualitative data for archeological sites and previous archeological survey projects available only to qualified cultural resources professionals. The Atlas unrestricted database contains spatial and qualitative data from historic resource survey projects and neighborhood-level surveys of Texas historic resources, official Texas Historical Markers, Historic Landmarks, NRHP historic properties (excluding archeological sites), and National Historic Landmarks (excluding archeological sites) available to both qualified cultural resources professionals and the public. Atlas also encompasses specific datasets for cemeteries that include designated Historic Texas Cemeteries, cemeteries identified from historic topographic maps, and areas regarded as cemetery vicinities, in cases where only approximate cemetery or burial locations are known.

According to the records review, no previously recorded historic districts, State Antiquities Landmarks, historic trails, or historic highways, are located at the project site or within the ½-mile indirect APE (study area) surrounding the project site. Two historic properties (House at 802 E. Ennis Avenue, House at 708 E. Brown Street) are located within the study area **(Figure 1; Table 1)**. Atlas delineated one historic cemetery (Brooks Family Cemetery) within the study area **(Figure1; Table 1)**.

Table 1: Historic Properties Located in Study Area

Reference Number	Resource	NRHP Status	Effects
86002429	House at 802 E. Ennis Avenue	NRHP-Listed RAZED	0.45 miles West of project area Razed = No Effect
86002368	House at 708 E. Brown Street	NRHP-Listed Criteria C – Architecture	0.48 miles West of project area Setting is not a character-defining feature of eligibility in its NRHP nomination = No Effect
EL-CO82	Brooks Family Cemetery	HTC Designated 2018	0.25 miles SW of project area Setting is not a character-defining feature of eligibility in its NRHP nomination = No Effect

Atlas delineated one archeological site located within the study area, no previously recorded archeological sites have been recorded in the project area **(Figures 1, 2; Table 2)**.

Table 2: Known Archeological Sites in Study Area

Site Number	NRHP Status	Description	Potential Effects
41EL273	NRHP-Ineligible	Historic Artifact Scatter	500 East of Tower Ineligible = No Effect

Atlas had no listings for previous archeological surveys covering the project area. Atlas delineated two previous archeological surveys covering projects located within the study area **(Table 3)**. Atlas delineated one historic resource survey covering all of Ellis County. No architectural surveys have occurred within the study area.

Table 3: Previous Survey Projects in Study Area

Atlas Number	Project Type	Investigating Firm	Date	Did Survey Cover Proposed Project?
8500079853	Survey	Partner Engineering and Science, Inc.	2016	No
8400006305	Survey	No Data	No Data	No
6600000135	Historic Resources Survey of Ellis County, Texas	HHM, Inc	1990	Yes

B. Additional Sources

A search of both aerial maps and project location maps provided by T-Mobile revealed that the Ennis Tower Project is planned at a Comfort Suites Hotel. Aerial maps show ground disturbance has occurred in the project area but there is potential for undiscovered cultural resources. No individuals were contacted and interviewed during this investigation and in-depth archival research was impractical for this undertaking.

C. Summary

Based on the background research, GRAVitate anticipated limited potential for discovering cultural resources during the field investigation because the project is proposed in a landscaped grassy medium at a Comfort Suites Hotel. Nonetheless, the site does occur in the uplands along Cottonwood Creek in a setting historically and prehistorically utilized. These physical settings would only host an archeological site if people happened to occupy it, so it's important to understand that landscape processes provide little to no direct insight into past human behaviors and is mostly useful for project management decision purposes.

V. Current Archeological Investigation

A. Extent of Survey Coverage

GRAVitate completed an intensive survey on September 15, 2024, covering a total of 0.20 acres (3,887 square feet or 0.10 acres tower compound + 30-feet buffer). Following THC guidelines, maximum survey transect spacing should not exceed 30 meters apart, with shovel testing necessary whenever there is less than 30 percent ground surface visibility. No shovel testing occurred at the project site because the sparse ground cover revealed disturbed fill sediment was used to build up this area of the lot for sod landscaping and as erosion control along Cottonwood Creek which bounds the eastern and southern property boundaries of the Comfort Suites Hotel. The Ennis Tower Project area was inventoried using pedestrian transects spaced at a maximum of five-meter intervals, gridded east to west covering the entire project area. The project area exhibited excellent ground visibility due to sparse vegetation, disturbance, and erosion. Special attention was given to areas of enhanced visibility, which included disturbed areas and eroded areas observed across the entire project area. No cultural resources, or evidence for buried cultural resources, such as artifacts, stained soil, burned rock, foundations, depressions, or mounds, were observed during the pedestrian survey of the project area.

B. Architectural Field Methods

As a part of this intensive cultural inventory, areas with proposed new disturbance were examined for built historic resources. No visible historic standing structures are located within or immediately adjacent to the proposed project area. No structures or evidence for historic occupations such as artifacts, foundation remnants, mounds or depressions, were observed during the pedestrian survey of the project area. No historic properties are located within the direct or indirect APE that required a visual setting effects assessment from Tower construction.

C. Collection Strategy

No artifacts were collected during this study.

D. Site Mapping

No artifacts or features were encountered that required archeological site mapping methods. Project maps were drafted in ArcMap using templates, online data, and USGS 7.5’ base maps.

E. Photography

Project overview photographs were taken at the Tower site in the cardinal directions using a digital camera. Ground conditions, environmental features, disturbed areas, and other important attributes were photographed as needed.

F. Testing Strategy

Limited evaluative testing was not conducted at the project site because the sparse ground cover revealed disturbed fill sediment was used to build up this area of the lot for sod landscaping and as erosion control along Cottonwood Creek which bounds the eastern and southern property boundaries of the Comfort Suites Hotel. Ground conditions suggest there is little potential for significant undiscovered subsurface archeological resources within the project area.

G. Weather and Ground Conditions

The Ennis Tower Project includes constructing a 130-feet tall, monopole tower (130-feet total height) to transmit radio frequency signals for telecommunication purposes. The Tower site is planned at a privately-owned Comfort Suites Hotel **(Figure 2; Photos 1-15)**. T-Mobile plans to construct the monopole tower within their lease compound covering a 2,311.73 square feet lease area **(Photos 2-5)**. The proposed utilities easement (20-feet wide) extends 80 feet southeast from Dolfie Lane to the tower lease area **(Photos 6, 7)**. Proposed access to the Tower will be using the existing driveway from Dolfie Lane leading into the parking lot **(Photo 14)**. T-Mobile plans on tying into existing utilities in place at the site. Construction access will be from Dolfie Lane leading directly to the Tower site **(Photo 15)**.

The weather conditions were hot, sunny, and clear. The field investigation determined the Ennis Tower is planned in a grassy medium situated between the Comfort Suites Hotel parking lot and Cottonwood Creek **(Photos 1-8)**. Bare ground visibility was excellent (>75%) with sparse vegetation and erosion observed across the survey area. Sparse ground cover revealed fill sediment was used to build up this area of the lot for sod landscaping and as erosion control along Cottonwood Creek which was observed across the lease area **(Photos 9-11, 13)**. Rip-rap and fill dirt with construction materials such as cement, tile, and gravel, has been placed along the eastern lease boundary and west bank of Cottonwood Creek for erosion control **(Photos 11-3)**. The pedestrian survey of the project area did not reveal evidence for cultural resources such as foundations, mounds or depressions, artifacts, stained soil, charcoal, or burned rock, suggesting there is little potential for significant undiscovered archeological deposits within the project area. Ground conditions revealed disturbed sandy clay intermixed with gravel, plastic, tile, and glass was used as fill dirt to level out surface for sod landscaping and reinforce the bank of Cottonwood Creek **(Photos 9-11)**. Native soils and vegetation have been displaced and/or removed entirely during previous construction activities.

H. Project Overview Photographs



Photo 1. **Overview of Ennis Tower Project center point.**



Photo 2. **Overview of Ennis Tower Project center point (staked), facing east. Cottonwood Creek in background.**



Photo 3. **Overview of Ennis Tower Project center point (staked), facing south. Cottonwood Creek in background.**



Photo 4. **Overview of Ennis Tower Project center point (staked), facing west. Hotel and Hotel parking lot in background.**



Photo 5. **Overview of Ennis Tower Project center point (staked), facing north. Utilities easement in background.**



Photo 6. **Overview of Ennis Tower Project from utilities easement, facing southeast across Tower compound.**



Photo 7. **Overview of Ennis Tower Project from NE corner of lease area, facing south towards Tower compound.**



Photo 8. **Overview of Ennis Tower Project from southern lease area, facing northwest. Hotel parking lot and dumpster storage in background.**



Photo 9. **Overview of Project ground conditions, plastic in fill dirt used for landscaping and erosion control along Cottonwood Creek, 3-feet south of center point.**



Photo 10. **Overview of Project ground conditions, plastic and glass in fill dirt used for landscaping.**



Photo 11. **Overview of Project ground conditions, modern plant pot pieces in fill dirt used for landscaping and erosion control eroding out along Cottonwood Creek, 20-feet east of center point, facing northeast. Rip-rap observed along the bank.**



Photo 12. **Overview of Project ground conditions, rip-rap and modern ceramic tile pieces observed along the bank used for erosion control along Cottonwood Creek at NE lease corner.**



Photo 13. **Overview of Project ground conditions, pieces of concrete, construction gravel, and modern ceramic tile pieces observed eroding from fill dirt along the west bank of Cottonwood Creek.**



Photo 14. **Overview of access to Ennis Tower Project using Hotel driveway from Dolfie Lane, facing southeast.**



Photo 15. Overview of access to Ennis Tower Project using Dolfie Lane, facing west southwest. Interstate 45 is in the background.

VI. Inventory Results

A. Cultural Resource Findings

The total area examined during the intensive investigation of the proposed Ennis Tower Project measured approximately 0.20 acres. This intensive cultural investigation determined the project is planned at a Comfort Suites Hotel in an area that was mechanically disturbed during construction activities associated with previous building facilities, utilities, and roads and parking lot construction activities. No prehistoric artifacts or evidence for prehistoric occupations such as artifacts, burned rocks, or charcoal, were observed during the pedestrian survey at the project site. No structures or evidence for historic occupations such as artifacts, foundation remnants, mounds or depressions, were observed during the pedestrian survey at the project site.

B. Historic Properties Evaluated Within ½ Mile Indirect APE

The cultural resources records review revealed no historic properties are located at the proposed project site but listed two historic properties (House at 802 E. Ennis Avenue, House at 708 E. Brown Street) and one historic cemetery (Brooks Family Cemetery) within the study area **(Figure 1)**.

Of note, there is no public access road to the Brooks Family Cemetery which is located on private-owned lands so the location of this cemetery could not be confirmed during this investigation. The Brooks Family

Cemetery is a designated Historic Texas Cemetery but has not been evaluated for listing to the NRHP, therefore no further work is necessary regarding his historic resource.

Concerning the House at 802 E. Ennis Avenue, this house has been razed and therefore no further work is necessary regarding this historic resource.

Regarding the seven aspects of integrity that include location, design, setting, materials, workmanship, feeling, and association, the proposed Tower would only affect the setting (i.e. indirect effect) of historic properties located within the ½ mile APE surrounding the proposed project site. According to the Nationwide Programmatic Agreement between the FCC and state SHPO offices, visual effects occur when the communications tower has potential to introduce visual elements that diminish or alter the setting, including the landscape, where the setting is a character-defining feature of a Historic Property that makes it eligible for listing on the National Register. After reviewing site records and nomination forms for the House at 708 E. Brown Street, this house is NRHP-listed under Criteria C for architecture and setting was not listed as a character-defining feature of eligibility in its nomination, therefore no further work is necessary regarding this historic resource.

VII. Results of Archeological Investigation

A. Summary of Cultural Resource Inventory

No cultural resources were observed during the pedestrian survey and the physical conditions revealed there is little potential for significant undiscovered subsurface archeological deposits within the project area. The pedestrian survey included an on-ground inspection of all portions of the proposed project areas. This intensive investigation was based on methodologies that provide for consistency and quality control to identify all cultural resources that might be impacted during proposed construction and subsequent upgrades to the Tower site.

The field survey revealed the Ennis Tower Project is planned in a grass landscaped area of a Comfort Suites Hotel that has been mechanically altered with native soils and vegetation displaced and/or removed during previous construction activities, which included using fill dirt to build up this area of the Hotel's lot. The pedestrian survey revealed fill dirt at the surface across the project area along with erosion control riprap and construction debris used for erosion control, these factors, along with good bare ground visibility, provided many opportunities to observe ground conditions and suggests there is limited potential for undiscovered buried archeological deposits at this site.

GRAVitate is confident that the objectives of the Ennis Tower Project cultural resource inventory were met and has established there is little potential for undiscovered subsurface cultural resources in the project area. This conclusion is based on field conditions, knowledgeable crew, background research, and current inventory results.

B. Further Work

Ground conditions did not indicate potential for archeological deposits deeper than 80-cmbs, thus GRAVitate does not recommend deep testing of these areas, such as backhoe trenching. No further work such as monitoring construction activities is recommended for this project.

C. Data Recovery

Data recovery is not appropriate or necessary for this undertaking due to the absence of cultural materials.

D. Cumulative Effects

The NHPA requires consideration of cumulative effects to historic properties. Cumulative effects are defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such actions (40 CFR Section 1508.7). Cumulative effects are part of the overall environmental analysis that allows decision makers, regulatory agencies, to look not only at the impacts of an individual proposed project, but the overall impacts on a specific resource, ecosystem, or human community over time from several different projects. Although the construction of cellular communications facilities constitutes a successive addition to the landscape, it is our opinion that the proposed project will not alter the existing visual setting of known historic properties located within the indirect APE surrounding the proposed Tower site, and no historic properties are in the direct APE, thus the proposed project will not cause cumulative direct or indirect effects to historic properties.

E. Summary

No historic properties are located at the project site or located within the indirect APE surrounding the project site. No new archeological sites or cultural resources of the built environment were recorded during this investigation. The field survey revealed the Ennis Tower Project is planned in a grassy medium of the Comfort Suites Hotel topped with fill dirt composed of sandy clay intermixed with gravel, plastic, tile, and glass, used to level out the surface for sod landscaping and reinforce the bank of Cottonwood Creek. Native soils and vegetation have been displaced and/or removed entirely during previous construction activities. No cultural materials were observed, and current ground conditions suggest there is limited potential for undiscovered archeological deposits within the project area.

The cultural resources records review revealed two NRHP-listed historic resources (House at 802 E. Ennis Avenue, House at 708 E. Brown Street) and one historic cemetery (Brooks Family Cemetery) located within the ½ mile APE surrounding the proposed project site. None of these three historic resources listed setting as a character-defining feature of eligibility in its NRHP nomination, therefore the proposed Tower will not alter their visual setting. Of note, the House at 802 E. Ennis Avenue has been razed.

Given these inventory results, GRAVitate recommends a finding of no historic properties in the direct APE; and no effect to the House at 802 E. Ennis Avenue, House at 708 E. Brown Street, and

Brooks Family Cemetery, located within the indirect APE for the proposed T-Mobile Ennis Tower Project in Ellis County, Texas.

Pursuant to 36 CFR 800.4, it is our opinion that no cultural resources or historic properties will be affected, and the proposed project is recommended to proceed as planned. In the event that cultural resources and/or human remains are encountered during construction activities, work should be halted immediately, and the THC should be notified and consulted before construction continues. All field notes, photographs, and other project documents are on file at the GRAVitate office.

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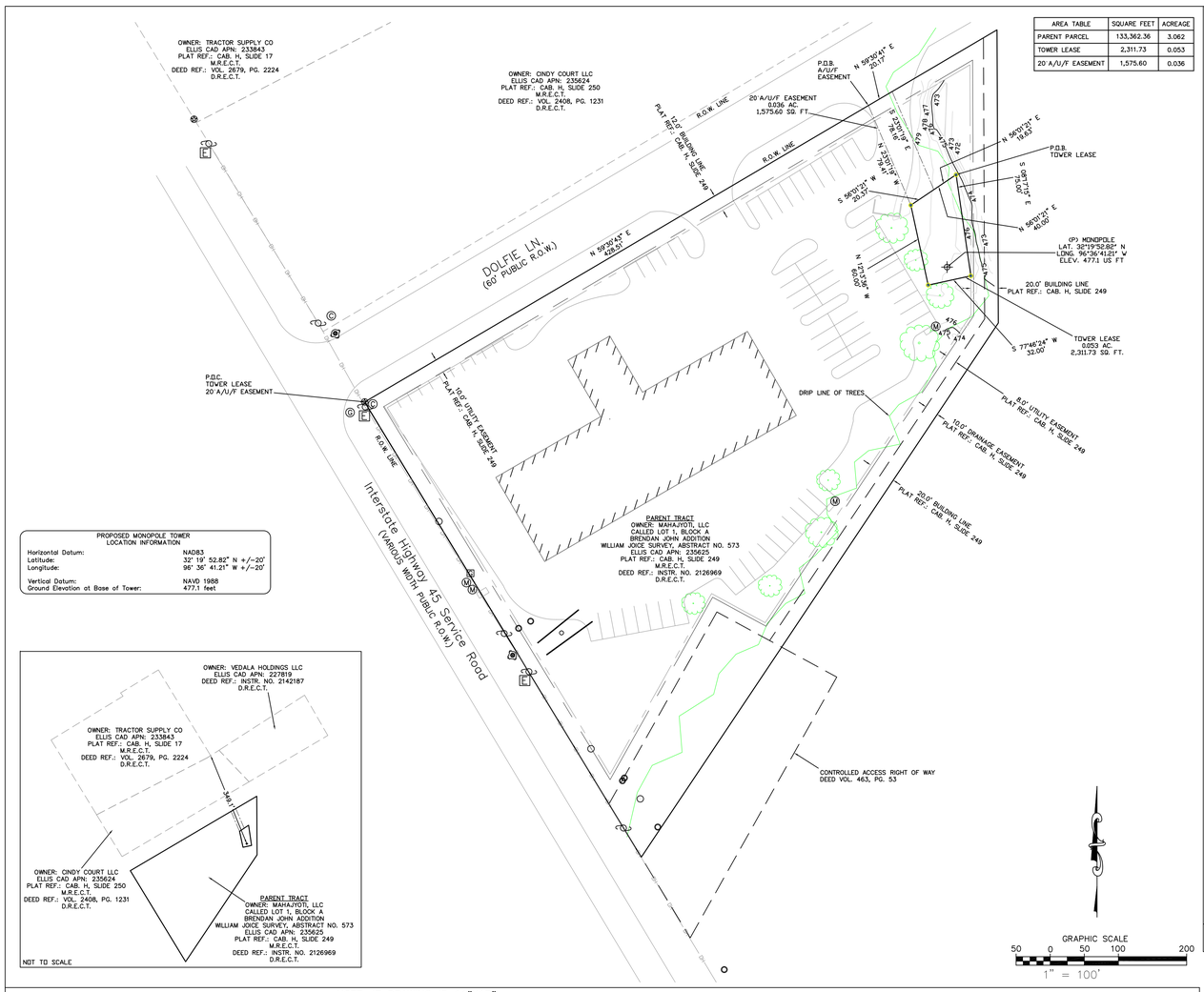
Wendland, Wayne M., Ann Benn, and Holmes A. Semken, Jr.

1987 Evaluation of Climatic Changes on the North American Great Plains Determined from Faunal Evidence. In *Late Quaternary Mammalian Biogeography and Environments of the Great Plains and Prairies*, edited by Russell W. Graham, Holmes A. Semken, Jr., and Mary Ann Graham, pp. 460-472. Scientific Papers, Vol. XXII, Illinois State Museum, Springfield.

Attachments

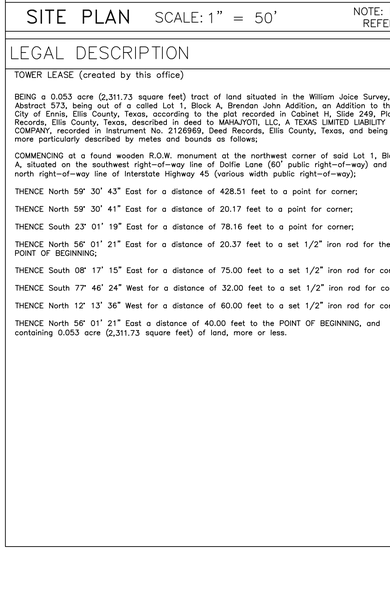
Engineer Drawings

Resumés



AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036

PROPOSED MONOPOLE TOWER LOCATION INFORMATION	
Horizontal Datum:	NAD83
Latitude:	32° 19' 52.82" N +/-20'
Longitude:	96° 36' 41.21" W +/-20'
Vertical Datum:	NAVD 1988
Ground Elevation at Base of Tower:	477.1 feet



SITE PLAN SCALE: 1" = 50'

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

LEGAL DESCRIPTION

TOWER LEASE (created by this office)

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 58° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

THENCE North 58° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

LEGAL DESCRIPTION

ACCESS/UTILITY/FIBER EASEMENT (created by this office)

BEING a 0.036 acre (1,575.60 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for the POINT OF BEGINNING;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE South 56° 01' 21" West for a distance of 20.37 feet to a point for corner;

THENCE North 23° 01' 19" West a distance of 79.41 feet to the POINT OF BEGINNING, and containing 0.036 acre (1,575.60 square feet) of land, more or less.

LEGAL DESCRIPTION

PARENT PARCEL (as provided)

LOT 1, BLOCK A, BRENDAN JOHN ADDITION SOUTH, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN CABINET H, SLIDE 249, MAP/PLAT RECORDS, ELLIS COUNTY, TEXAS.

TITLE INSURANCE COMMITMENT NOTE

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY HOLLERBACH & ASSOCIATES, INC, WITH AN ORDER DATE OF AUGUST 9, 2024, ORDER NO. HA324547, CUSTOMER REF NO: T-MOBILE DA06081. CERTIFICATION DATE AUGUST 1, 2024, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B OF SAID COMMITMENT:

SUBJECT TO:
ALL MATTERS SHOWN ON PLAT H/249. DOES AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL. AS SHOWN HEROEN.

ELECTRIC TRANSMISSION EASEMENT 329/251. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC TRANSMISSION EASEMENT 392/161. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND RIGHT OF WAY AND EASEMENT 408/293. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

SEWER AND WATER PIPELINE EASEMENT AND RIGHT OF WAY 411/292. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

UNDERGROUND EASEMENT 412/123. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 413/90. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

CONTROLLED ACCESS RIGHT OF WAY DEED 463/51. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

CONTROLLED ACCESS RIGHT OF WAY EASEMENT 463/53. DOES NOT AFFECT TOWER LEASE OR A/U/F EASEMENT. DOES AFFECT PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 465/310. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

ELECTRIC EASEMENT AND RIGHT OF WAY 489/613. NO SPECIFIC LOCATIVE INFORMATION GIVEN.

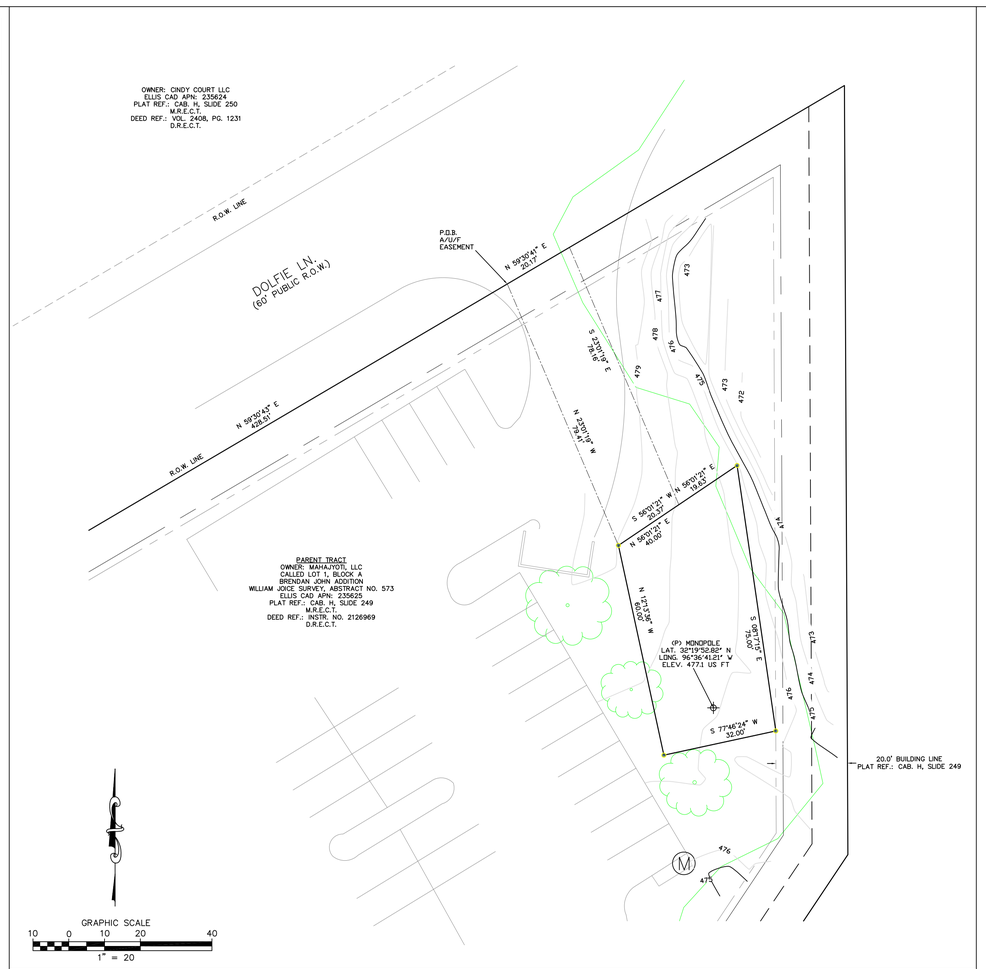
UTILITY EASEMENT 561/287. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, AND PARENT PARCEL.

SANITARY SEWER LINE EASEMENT 2224/2358. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/835. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/843. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.

ELECTRIC EASEMENT AND RIGHT OF WAY 2281/856. DOES NOT AFFECT TOWER LEASE, A/U/F EASEMENT, OR PARENT PARCEL.



ENLARGED SITE PLAN SCALE: 1" = 20'

PROJECT INFORMATION

SITE NAME:	ENNIS
SITE NUMBER:	DA06081
SITE ADDRESS:	400 S INTERSTATE 45
	ENNIS, TX 75119
	ELLIS COUNTY
LANDLORD'S NAME:	N/A
LANDLORD'S ADDRESS:	
LATITUDE:	32°19'52.82" N
LONGITUDE:	96°36'41.21" W
GROUND ELEVATION:	477.1'
BASIS OF ELEVATIONS:	NAVD 88
BASIS OF BEARINGS:	NAD 83

NOTES:

LATITUDE & LONGITUDE ARE BASED ON NAD 83 COORDINATES ELEVATIONS ARE BASED ON NAVD 88

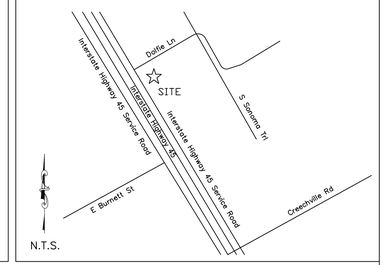
SURVEY WAS PREPARED WITH BENEFIT OF TITLE COMMITMENT OR TITLE REPORT. THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES AFFECTING THIS TRACT THAT ARE NOT SHOWN HEREON.

ACCORDING TO FLOOD PANEL MAP NO. 48139C0380F, DATED JUNE 3, 2013, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, "BASE FLOOD ELEVATIONS DETERMINED"

LEGEND

●	:SET 1/2" IRON ROD.
○	:FOUND 1/2" IRON ROD.
O	:FOUND TXDOT R.O.W. EASEMENT MARKED WITH A PINK LATHE
⊗	:FOUND R.O.W. MONUMENT.
P.O.B.	:POINT OF BEGINNING.
P.O.C.	:POINT OF COMMENCEMENT.
—o—o—	:FENCE AS NOTED.
—OH—	:OVER HEAD UTILITY LINES.
	:WOOD UTILITY POLE.
E	:ELECTRIC TRANSFORMER.
T	:TELCO PEDESTAL.
C	:CABLE PEDESTAL.
M	:MAN HOLE.
G	:GAS MARKER.
G	:GAS METER.
G	:GAS MARKER.
R.O.W.	:RIGHT-OF-WAY.
A/U/F	:ACCESS/UTILITY/FIBER.
D.R.E.C.T.	:DEED RECORDS ELLIS COUNTY TEXAS
P.R.E.C.T.	:PLAT RECORDS ELLIS COUNTY TEXAS

VICINITY MAP



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

Ronald D. Wimberley, R.P.L.S. No. 6005

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (214) 523-4100

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237 75404
GREENVILLE, TEXAS
PHONE: (903) 450-8100
FAX: (903) 455-2902

SITE SURVEY
ENNIS
DA06081
400 S INTERSTATE 45
ENNIS, TX 75119
ELLIS COUNTY

STATE OF TEXAS
RONALD D. WIMBERLEY
6005
REGISTERED PROFESSIONAL LAND SURVEYOR

NO.	DATE	DESCRIPTION
1	09/04/24	DESCRIPTION
2		
3		
4		
5		
6		
7		

DRAWN BY: DJ
CHECKED BY: RW
DATE: 09/03/24
PLOT SCALE: 1" = 50'
DRAWING NAME: 24100

CURRICULUM VITAE
Natalie J. Graves
GRAVitate LLC.
7474 Rendon New Hope Road
Fort Worth, Texas 76140
307-217-0548
ngraves@gravitate-us.com

I. SUMMARY

Principal Owner of GRAVitate, LLC. a Cultural Resource Management company located in Fort Worth, Texas. Ms. Graves is highly skilled archaeologist, historian, and architectural historian, with an M.A. in anthropology and over 20 years' experience as a Secretary of Interior qualified professional across the United States. Ms. Graves received her M.A. in anthropology from the University of Oklahoma (2006) and is permitted in multiple states and regions to conduct Section 106 investigations. With over 20 years of experience in project management, cultural resources management, and environmental permitting and planning, Ms. Graves is knowledgeable of state and regional antiquities codes, familiar with the National Historic Preservation Act, and is versed in the requirements of federal regulatory agencies such as the BLM, USFS, BoR, FCC, FERC, USACE, DOE, DOD, and the EPA. Ms. Graves has substantial experience with NEPA and implementing associated permitting for cultural resources management and historic property effects assessments.

- Registered Professional Archeologist #16255
- Ms. Graves has completed intensive investigations for cultural resource management projects across the United States.
- Ms. Graves routinely completes historic setting and viewshed evaluations on proposed construction projects that have the potential to impact National Register of Historic Places (NRHP)-listed or NRHP-eligible historic properties across the United States.
- Ms. Graves has completed NRHP nomination forms to list to the Register significant historic properties and architectural historic surveys of facilities to produce Historic American Engineering Records documents for individual buildings submitted to the National Park Service and Library of Congress.
- Ms. Graves is the Lead Architectural Historian for the historic restoration of an Apollo period (1960s) guardhouse at the National Aeronautics and Space Administration (NASA) Lyndon B. Johnson Space Center (JSC), Houston, Texas. The architectural restoration of Guardhouse 1 is in response to an MOA as the mitigation for the larger undertaking of demolishing and replacing existing guardhouse at JSC. The project includes historic documents archival research, examination of historic photographs, personal interviews, on-site digital photography, and interior and exterior architectural restoration (2019-2024).
- Ms. Graves developed an Integrated Cultural Resources Management Plan, with the directive of defining appropriate agency actions for historic preservation of architectural features, covering 454 historic buildings or structures at NASA JSC, Houston, Texas, in cooperation with NASA, the Texas Historic Commission, the Advisory Council on Historic Preservation, and the National Park Service (final draft in review 2020).
- Ms. Graves developed a Programmatic Agreement with the directive of defining appropriate Center actions for the historic preservation of architectural features, covering 454 historic buildings or structures at NASA JSC, Houston, Texas, in cooperation with NASA, the Texas Historic Commission, the Advisory Council on Historic Preservation, and the National Park Service (final draft in review 2020).
- GRAVitate was the Lead Historic Preservation Experts for the historic restoration of the Apollo Mission Control Room, NASA JSC, Houston, Texas (2017-2019). GRAVitate's historians received numerous accolades and awards

for the very successful historically accurate restoration of the Apollo Mission Control Room, including its individual architectural features and artifacts, which has been shared professionally and publicly to the nation and the world via interviews, documentaries, newspaper and journal articles, and professional lectures.

- Paper given at the National Trust Meeting, Denver (2019)
- Paper given at the Texas Historical Commission Real Places Conference, Austin (2019)
- NASA Public Affair Press Releases of the Restoration Project (2019-2019)
- Houston, We Have a Podcast Series produced by NASA.gov

- GRAVitate was selected as an on-demand firm by the Oklahoma Transportation Department for their EC-1901 – On-Demand Environmental Services for Local Government Projects contract (2018).

- Ms. Graves was the Lead Historic Preservation Expert for the environmental assessment and mitigation of cumulative effects to the setting for historic properties at Randolph Air Force Base, San Antonio, Texas (2018).
  - NRHP-Historic Architectural Resources included 77 NRHP eligible properties, a National Historic Landmark District, 75 contributing properties dating from 1930 to 1945, and two individually eligible properties dating to Cold War period.
  - The architectural historic survey included historic documents archival research, examination of historic photographs, and on-site digital photography.
  - Recommended appropriate agency actions for the historic preservation of significant historic architectural features, structures, and buildings.

- Ms. Graves conducted an architectural historic survey of 454 buildings and structures at NASA JSC, Houston, Texas (2013-2017).
  - Nominated the Lyndon B. Johnson Space Center to the NRHP as a Historic District.
  - Included two National Historic Landmarks, 452 buildings and structures, and two prehistoric archeological sites, of which 78 assets are NRHP-eligible and Historic District contributing resources.
  - The architectural historic survey included historic documents archival research, examination of historic photographs, personal interviews, and on-site digital photography.
  - Recommended appropriate agency actions for the historic preservation of significant historic architectural features, structures, and buildings.
  - Completed numerous consultation letters for the Texas Historic Commission, National Park Service, and other interested parties.

- Ms. Graves was the onsite Historian during the demolition of the historic ASARCO El Paso Smelter 828' Stack, El Paso County, Texas. Duties included historic documents archival research, examination of historic photographs, personal interviews, and on-site digital photography (2013).

- Ms. Graves was the onsite Historian during the demolition of the historic West Plant Smelter, Arizona. Duties included historic documents archival research, examination of historic photographs, and on-site digital photography (2011).

- Ms. Graves was the onsite Historian during the demolition of the historic ASARCO East Helena Smelter Stack, Lewis and Clark County, Montana. Duties included historic documents archival research, examination of historic photographs, personal interviews, and on-site digital photography (2008-2009).

- Ms. Graves completed architectural bridge feature recordation for the Reevaluation of Spans of Time and archaeological surveys for bridge and road projects across the state of Oklahoma for the Oklahoma Department of Transportation, Norman, Oklahoma (2002-2006).

- Chisholm Trail Museum - Ms. Graves was part of a student team that designed and built an educational exhibit representing 10,000 years of human history on the Southern Plains using artifacts donated to the museum in Kingfisher County, Oklahoma. Included archival research of historic documents to date and describe artifacts, artifact cleaning and storage, and producing informational descriptions for display (1999).

II. PROFESSIONAL AWARDS

2020 Texas Historical Commission Governor's Award for Historic Preservation
National Aeronautics and Space Administration Lyndon B. Johnson Space Center, Houston, Texas – Apollo Mission Control Restoration. This award recognizes an individual's or organization's highest achievement in the preservation of Texas' prehistoric and historic heritage.

2019 National Trust for Historic Preservation President's Award for National Leadership
National Aeronautics and Space Administration Lyndon B. Johnson Space Center, Houston, Texas – Apollo Mission Control Restoration. This award recognizes the preservation of a place of national importance and pride to the American people.

2019 Advisory Council on Historic Preservation Chairman's Award for Historic Preservation
National Aeronautics and Space Administration Lyndon B. Johnson Space Center, Houston, Texas – Apollo Mission Control Restoration. This award recognizes projects, programs, or policies that make significant contributions to historic preservation in conjunction with a federal entity or property.

III. EDUCATION

2006	M.A.	University of Oklahoma, Norman Anthropology Thesis title, *Specialized Subsistence Economy at the Crandall Site (14RC420), A Little River Focus Site in Rice County, Kansas (Protohistoric)* Specific course work included Museum Studies/Historic Preservation, Public Archeology, Economic Anthropology, Ceramics, Faunal Analysis, Advanced Fieldwork, and Archeological Method and Theory
1999	B.A.	Boise State University, Boise, Idaho Anthropology & Native American Studies Specific course work included Art History, History of Western Civilization I and II, History of Ancient Rome, Colloquium on American History, Survey of British Literature, Humanities III and IV, Physical Anthropology, Physical and Historical Geology, Seminars in Archeology, North American Prehistory, European Prehistory African Prehistory, Japanese Prehistory, Indian Peoples of Idaho

IV. PROFESSIONAL EXPERIENCE

10/2015 to Present
GRAVitate LLC. Fort Worth, Texas – Principal Owner & Principal Investigator
GRAVitate, LLC. is an NCTRCA certified Women Business Enterprise Cultural Resource Management company located in Fort Worth, Texas.

10/2019 to Present
Geosyntec Consultants, Inc., Austin, Texas - Principal Investigator
Principal Investigator conducting as-needed consulting for an international company working closely with clients and project managers, conducting cultural resources background research, survey, reviewing contractors' reports, and authoring all required documentation.

9/09/2006 to 10/25/2013
ARCADIS U.S., Inc. Buffalo, Wyoming
Served as U.S. Cultural Resources Department Task Manager and Principal Investigator for an international company with more than 18,000 employees and more than $3 billion in gross revenue. While with ARCADIS, Ms. Graves was the Principal Investigator for Wyoming, the Rocky Mountain Region, and Plains Region, developing diplomatic and management skills working closely with clients, project managers, and other staff archaeologists to prepare proposals and

cost estimates, expedite required background research, complete project tasks, author and produce all required documentation, while completing all aspects of intensive investigations for historic and prehistoric resources.

10/2002 to 1/2006
Oklahoma Department of Transportation, Oklahoma Archeological Survey, Norman, Oklahoma
Served as a Field Director for ODOT completing archaeological surveys for bridge and road projects across the state of Oklahoma. Ms. Graves was responsible for completing archaeological surveys and submitting field notes and photographs for technical reports; determining cultural resource potential effect at project locations; pre-field coordination; records check; site testing; lab analysis; management recommendations; and quality assurance.

10/2000 to 08/2001
University of Oklahoma, Archeological Survey, Norman, Oklahoma
Laboratory Assistant at the Oklahoma Archeological Survey archeological repository. Tasks included identifying, cataloging, and curating archaeological materials excavated from archaeological sites located across the state of Oklahoma.

6/2000 to 8/2002
University of Oklahoma. Oklahoma Archeological Survey, Norman, Oklahoma
Community Assistance Program for the Oklahoma State Archaeologist
Served as a Field Director, Crew Chief, or Field Technician. Ms. Graves was responsible for completing archaeological surveys and associated reports for projects located across the state of Oklahoma; determining cultural resource potential effect at project locations submitted to the State Archaeologist for Section 106 review; organizing and filing topographic maps, site forms, reports, journals, and books; mail and package delivery; entering site data into the Oklahoma Archeology Site File Repository; greeting visitors; and answering phones and delivering messages.

1/2000 to 9/2006
Cojeen Archaeological Services, Norman, Oklahoma
Served as a Field Director, Crew Chief, or Field Technician completing archaeological surveys and associated reports for projects across the states of Oklahoma and Texas. Ms. Graves was responsible for completing archaeological surveys and submitting field descriptions for technical reports; determining cultural resource potential effect at project locations; pre-field coordination; records check; site testing; lab analysis; management recommendations; and quality assurance.

A. Technical Experience: Cultural Resource Management

Alabama

3/2017 to present	GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf; Environmentex) Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Alabama. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance. Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts.

Arkansas

1/2017 to present	GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf) Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Arkansas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance. Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; prehistoric isolated finds.

Colorado

6/2017 to present	GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf) Principal Investigator. Coordinating and completing intensive cultural inventories. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.

	Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts. Jefferson, Douglas, Weld, Lincoln, Adams, Denver, Park, Douglas, and Arapaho Counties, Colorado
7/2016 to 11/2017	GRAVitate, LLC. Riverside Reservoir Wells (Bill Barrett) Principal Investigator. Coordinated and completed an intensive cultural inventory. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance. Cultural resources encountered: historic linear resources (canals). Weld County, Colorado
2016	GRAVitate, LLC. Class I Anschutz Equus Farms 4-62-20_21 NWNW Pad Access (Bill Barrett) Principal investigator, co-authored Class I report overview of cultural resource and paleontological resources for the proposed Anschutz Equus Farms 4-62-20_21 NWNW Pad Access project. Tasks included records check, report preparation (Principal Author), and management recommendations. Cultural resources encountered: none. Weld County, Colorado
2013	ARCADIS U.S., Inc. Savery 3-D Seismic Survey (Tesla Exploration) Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance. Cultural resources encountered: none. Moffat County, Colorado
2013	ARCADIS U.S., Inc Cellular Communication Towers (Union Wireless Company) Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance. Cultural resources encountered: none. Routt County, Colorado
2012	ARCADIS U.S., Inc. 70 Ranch 5-63-22-58H (Bill Barrett Corporation) Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance. Cultural resources encountered: none. Weld County, Paradox Basin, Colorado
2011-2013	ARCADIS U.S., Inc. Western States Cell Towers (Union Telephone Company) Principal investigator for proposed 1-acre cell towers and associated corridor (access/power) averaging 2 miles long. Tasks include archaeological field surveys, tribal consultations, completion of FCC forms E620/621, visual and setting assessments, artifact analyses, GIS, final reporting (author), management recommendations, NRHP evaluations, follow-up, and quality assurance for cultural resource investigations in Wyoming (all counties), Colorado (Grand County), and Montana (Custer County).
2009-2010	ARCADIS U.S., Inc. Doe Canyon East Federal Wells (Bill Barrett Corporation) Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance. Cultural resources encountered: unknown prehistoric. San Miguel County, Paradox Basin, Colorado
2009-2010	ARCADIS U.S., Inc. Medinah Federal Wells (Bill Barrett Corporation)

Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric.
San Miguel County, Paradox Basin, Colorado

2009-2010 ARCADIS U.S., Inc. Torrey Pines Federal Wells (Bill Barrett Corporation)
Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric.
San Miguel County, Paradox Basin, Colorado

2009 ARCADIS U.S., Inc. Grand Junction Airport Loop Pipeline (Public Service Company)
Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic isolated finds.
Mesa County, Colorado

2008-2009 ARCADIS U.S., Inc. Doe Canyon 3D Seismic (Bill Barrett Corporation)
Principal investigator. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Early Archaic San Pedro Middle Archaic, San Jose Middle Archaic, Late Archaic, Late Prehistoric, Basketmaker III, Pueblo II and III.
Dolores County, Paradox Basin, Colorado

Idaho

10/2010 to 12/2010 ARCADIS U.S. Inc., Antelope to Goshen Transmission Line Maintenance
(Rocky Mountain Power)
Field Director, supervising one crew member surveying 74 structures covering 7.02 acres.
Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic transportation routes, unknown prehistoric lithic scatters.
Bingham and Butte Counties, Upper Snake River Canyon, Idaho

5/2010 to 7/2010 ARCADIS U.S. Inc., Wallace Yard Site (Union Pacific Railroad Company)
Field Supervisor, supervising one crew member surveying and recording 10 structures covering 73 acres. Tasks included consultation with Coeur D'Alene Tribe, pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance. Cultural resources encountered: Historic period mines and associated camps.
Shoshone County, Columbia Plateau, Idaho

2/2009 to 10/2013 ARCADIS U.S., Inc. St. Maries Creosote Site Remediation (B.J. Carney and Co)
Principal Investigator. Tasks included consultation with Coeur D'Alene Tribe, records check, historic research, survey, management recommendations, and quality assurance. Cultural resources encountered: prehistoric village period and historic period.
Benewah County, Columbia Plateau, Idaho

10/2009 to 1/2010 ARCADIS U.S., Inc. Agrium Drilling (Agrium Conda Phosphate Ops)
Crew Chief, coordinating crews (5 people), for approximately 3,800 acres of drilling development. Tasks included pre-field coordination, records check, survey, and quality assurance. Cultural resources encountered: two historic debris sites and two isolated finds.
Caribou County, Snake River Canyon, Idaho

Iowa

3/2023 to present — GRAVitate, LLC. Communication Towers (GSS Inc.)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Iowa. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic farmsteads; NRHP-Eligible and/or NRHP-Listed Structures and Residential Districts.

Kansas

1/2019 to present — GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Kansas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic farmsteads, NRHP-Eligible and/or NRHP-Listed Structures and Districts.

5/2011 to 8/2011 — ARCADIS U.S., Inc. Ironwood Wind Power (Duke Energy Corporation)
Field Director, supervising three crew members surveying 73 turbine locations, 48.8 miles of collector lines, 18 miles of access road, and 8.7 miles of crane path. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: prehistoric isolated finds.
Ford County, Arkansas River Lowlands, Kansas

6/2011 to 10/2011 — ARCADIS U.S., Inc. Cimarron II Wind Energy (Duke Energy Corporation)
Field Director, supervising three crew members surveying 57 turbines, 48.8 miles of collector lines, and 18 miles of access road. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic debris.
Gray County, Arkansas River Lowlands, Kansas

Louisiana

2/2019 to 4/2019 — GRAVitate, LLC. Transmission Line (Geosyntec)
Principal Investigator. Coordinated and completed an intensive cultural inventory for three miles of transmission line in Calcasieu Parish, Louisiana. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.

2017 to present — GRAVitate, LLC. Communication Towers (GSS Inc.)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Louisiana. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; 19th Century plantations, Antebellum period plantations; prehistoric isolated finds.

Mississippi

7/2023 to present — GRAVitate, LLC. Communication Towers (Trileaf)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Mississippi. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.

Cultural resources encountered: American Civil War Siege of Vicksburg Core Study Area; Vicksburg Military Park National Register District; NRHP-Eligible and/or NRHP-Listed Structures and Residential Districts.

Missouri

6/2023 to 11/2023 — GRAVitate, LLC. Madison Cobalt Mining, Madison Mine Tailings Basins Project (Geosyntec)
Principal Investigator. Coordinated and completed an intensive cultural inventory and report for 260 acres in Madison County, Missouri. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic structures, features, and artifact scatters.

4/2023 — GRAVitate, LLC. Missouri American Water Company, Meramec River Sout Intake Replacement Project (Geosyntec)
Principal Investigator. Coordinated an intensive cultural inventory and report for 0.55 acres in St. Louis County, Missouri. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic structures, features, and artifact scatters.

5/2019 to present — GRAVitate, LLC. Communication Towers (GSS Inc.)
Coordinating and completing intensive cultural inventories across the state of Missouri. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; historic farmsteads; prehistoric isolated finds.

12/2018 to 12/2019 — GRAVitate, LLC. Marathon Pipe Line Project (Geosyntec)
Principal Investigator. Coordinated and completed an intensive cultural inventory, report, and subsequent construction monitoring for a pipeline in St. Charles and St. Louis Counties, Missouri. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.

Montana

5/2023 to present — GRAVitate, LLC. Communication Towers (Trileaf)
Coordinating and completing intensive cultural inventories across the state of Montana. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; historic farmsteads; prehistoric isolated finds.

1/2013 to 5/2013 — ARCADIS U.S., Inc. Cellular Communication Towers (Union Telephone Company)
Principal Investigator, coordinating survey for two Cellular Towers. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.
Carter County, Montana

9/2012 to 10/2013 — ARCADIS U.S., Inc. Thunderbird Phase III Pipeline, Alzada Station to Hulett Station (Belle Fourche Pipeline Company)
Field Director for survey of approximately 400 acres. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: 3 prehistoric isolated resources.
Carter County, Montana.

7/2011 to 9/2011 — ARCADIS U.S., Inc. Yellowstone Horizontal Directional Drilling Project (Exxon)
Field Director for survey of approximately 18 acres. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Yellowstone County, Clarks Fork Bottom, Montana.

5/2009 to 6/2009 — ARCADIS U.S., Inc. Cottonwood 3D Seismic (NFR Energy)
Field Supervisor for approximately 10 miles of linear seismic exploration. Tasks included pre-field coordination, records check, report preparation, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric stone circles.
Hill County, Montana

1/2008 to 12/2009 — ARCADIS U.S., Inc. East Helena Smelter Demolition (ASARCO)
Field Supervisor for historic photo-documentation. Tasks included records check, historic research, report preparation, management recommendations, and quality assurance.
Cultural resources encountered: historic period structure.
Lewis and Clark County, Montana

Nebraska

7/2019 to 9/2019 — GRAVitate, LLC. Communication Towers (GSS Inc.)
Principal Investigator. Coordinating and completing intensive cultural inventories with historic property assessments to determine direct and indirect effects for Communications Towers. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.
Howard, Clay, and Fillmore Counties, Nebraska

10/2010 to 5/2011 — ARCADIS U.S., Inc. Marsland Uranium Mine (Cameco Resources)
Principal Investigator and Field Director coordinating and supervising crew (3-6 people) for survey of approximately 4,500 acres. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic farmsteads.
Dawes County, High Plains, Nebraska

Oklahoma (Selected Projects)

1/2017 to present — GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf; Environmentex; Tower Documents)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Oklahoma. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; prehistoric artifact scatters; historic farmsteads.

10/2017 to 2/2019 — GRAVitate, LLC. ODOT (CP&Y Inc.)
Principal Investigator. On-demand firm by the Oklahoma Transportation Department for their EC-1901 – On-Demand Environmental Services for Local Government Projects contract. Coordinating and completing intensive cultural inventories across the state of Oklahoma. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: prehistoric artifact scatters; historic structures and objects.

3/2010 to 10/2013 — ARCADIS U.S., Inc. Goodwell Wind Farm (Duke Energy)
Principal Investigator, Due Diligence Phase I, development of transmission line and wind turbines project. Tasks included records check, report preparation (Contributing Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.

Texas County, Oklahoma
Hansford and Sherman Counties, Texas

9/2007 to 12/2009 — ARCADIS U.S., Inc. Taloga Wind Farm (Edison Mission)
Principal Investigator, coordinating crews (10 people) for survey of approximately 766 acres of wind farm development. Tasks included pre-field coordination, records check, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric, historic farmsteads.
Dewey County, Oklahoma

11/2007 — ARCADIS U.S., Inc. Foss Reservoir 3-D Seismic (Global Geophysical Services)
Principal Investigator, coordinating crews (10 people), for linear survey of approximately 7,000 acres of seismic project. Tasks included pre-field coordination, records check, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric, historic dugouts.
Custer County, Oklahoma

2/2006 to 6/2006 — Cojeen Archaeological Services, 3-D Seismic Survey (Samson)
Crew Chief supervising 14 other archaeologists for 25 square miles project. Planned logistics for 100% survey and shovel testing, completed site forms, report preparation (Contributing Author), and management recommendations.
Cultural resources encountered: Middle and Late Archaic, Woodland, and Late Prehistoric Complexes; historic homesteads/farmsteads.
Roger Mills County, Oklahoma

3/2005 to 4/2005 — Gonzalez, Tate, and Iruegas, Inc., Camp Gruber (US Department of Defense)
Crew Chief supervising three crew members for Phase II testing of multiple prehistoric and historic sites at Camp Gruber to assess their significance for National Register status.
Cultural resources encountered: Woodland and Late Prehistoric camp sites; historic homesteads/farmsteads.
Muskogee County, Oklahoma

9/2003 to 10/2003 — University of Oklahoma. Phase II Testing at Four Sites in Harper County
Graduate Assistant. Excavated features, collected samples, prepared site maps, and analyzed results.
Cultural resources encountered: two Archaic camp sites, one Woodland camp site, and one Plains Village Complex site.
Harper County, Oklahoma

6/2003 to 7/2003 — University of Oklahoma. Jake Bluff and Certain Sites
Field Technician. Excavated features, collected samples, prepared site map, and analyzed results.
Cultural resources encountered: Archaic, Folsom and Clovis Complexes.
Harper and Beckham Counties, Oklahoma

Texas (Selected Projects)

6/2023 to 8/2023 — Geosyntec, Liquide Air Products, LLC., Texas City HyCO Project
Principal Investigator. Coordinated and completed an intensive cultural inventory and report for 5.6 miles of pipeline in Galveston County, Texas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic-age structures and artifact scatters.

3/2023 — GRAVitate, LLC. Waste Management of Texas, Mesquite Creek Landfill Facility Expansion Project (Geosyntec)
Principal Investigator. Coordinated and completed an intensive cultural inventory and report for 192 acres in Comal and Guadalupe Counties, Texas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.

Cultural resources encountered: historic structures.

7/2022 — GRAVitate, LLC. NASA Johnson Space Center Determination of Historic Eligibility for Three Buildings at Ellington Field
Principal Investigator. The project included performing a historic and architecture resource survey of three facilities at the National Aeronautics and Space Administration's Johnson Space Center in Houston, Texas. Tasks include evaluating the significance of three facilities in terms of the criteria of eligibility for listing in the National Register of Historic Places.
Harris County, Texas

6/2022 — GRAVitate, LLC. NuStar Monitoring of Cutbow Operation Preliminary ML Route (Geosyntec)
Principal Investigator. Oversight for construction monitoring for the Cutbow Operation Preliminary ML Route. Tasks included monitoring construction across an NRHP-Eligible/State Archeological Landmark Potentially Eligible archeological site.
Cultural resources encountered: displaced burned rock.
High Plains physiographic region, Martin County, Texas

2/2022 to 6/2022 — Geosyntec, Lacy Lakeview Recycling & Disposal Facility Expansion
Principal Investigator. Coordinated and oversight of intensive cultural inventory of 67 acres. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic farmstead.
McLennan County, Texas

10/2020 to Present — GRAVitate, LLC. Pipeline and Water Impoundment Projects for Chesapeake Energy (Geosyntec)
Includes survey for energy development projects located in the Southern Texas Plains, East Central Texas Plains, Central Great Plains, Texas Blackland Prairies, and Edwards Plateau regions.
Cultural resources encountered: Paleoindian period to Late Prehistoric period campsites/lithic workshops, Archaic period to Late Prehistoric period burned rock sites/hearth sites, Unknown Prehistoric campsites/lithic workshops, and prehistoric and historic isolated finds.
Burleson, Milam, Lee, Bastrop, Robertson, Travis, Dimmit, La Salle, McMullen, and Webb Counties, Texas

7/2020 to 12/2020 — GRAVitate, LLC. Air Liquide (Geosyntec)
Principal Investigator. Coordinated and oversight of intensive cultural inventories. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), NRHP evaluations, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.
Western Gulf Coastal Plain physiographic region, San Patricio and Harris Counties, Texas

5/2020 to 2/2021 — GRAVitate, LLC. Telecommunications Tower Projects (Environmentex)
Principal Investigator. Coordinating and completing intensive cultural inventories across central and northern Texas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts.
Texas Blackland Prairies, Cross Timbers, and Central Great Plains regions

7/2019 to 12/2019 — GRAVitate, LLC. MultiFuels Bluebonnet Pipe Line (Geosyntec)
Principal Investigator. Coordinated and completed an intensive cultural inventory and report for a pipeline. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: none.
Bastrop County, Texas

11/2016 to — GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf; Tower Documents)

present — Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Texas. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: NRHP-Eligible and/or NRHP-Listed Structures and Districts; prehistoric artifact scatters; historic structures; isolated finds.

10/2015 to 7/2017 — GRAVitate, LLC. NASA Johnson Space Center 50 Year Historic Evaluations
Field Director. The project included performing a historic and architecture resource survey of facilities and structures at the National Aeronautics and Space Administration's Johnson Space Center in Houston, Texas. Tasks include evaluating the significance of nearly 455 facilities in terms of the criteria of eligibility for listing in the National Register of Historic Places.
Harris County, Texas

Wyoming (Selected Projects)

4/2020 to present — GRAVitate, LLC. Communication Towers (GSS Inc.; Trileaf; Environmentex)
Principal Investigator. Coordinating and completing intensive cultural inventories across the state of Wyoming. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), historic properties assessments to determine direct and indirect effects from Communications Towers, management recommendations, follow-up, and quality assurance.
Cultural resources encountered: historic transportation corridors, historic canals, isolated finds.
Goshen, Platte, Albany, Carbon, Sweetwater, Sublette, Natrona, Teton, and Fremont Counties, Wyoming

5/2013 to 10/2013 — ARCADIS U.S., Inc. Savery 3-D Seismic Survey (Tesla Exploration)
Principal Investigator, for survey of approximately 4,000 acres. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Prehistoric and Historic sites and isolated finds that included Middle Archaic to the Late Prehistoric period rock features and camps and historic period cairns and stock herder camps.
Carbon County, Wyoming

9/2011 to 10/2013 — ARCADIS U.S., Inc. Federal Oil Wells (Chesapeake Operating Inc.)
Principal Investigator, coordinating crew persons for 20+ Federal Wells. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Historic Period homesteads, trails, debris scatters and cairns; General Archaic to Late Prehistoric stone circle sites, cairns, and lithic scatters.
Converse, Natrona, and Niobrara Counties, Powder River Basin, Wyoming

4/2011 — ARCADIS U.S., Inc. Dave Johnston to Rock Springs Maintenance (Rocky Mountain Power)
Principal Investigator, coordinating and supervising crew (1 person), for approximately 101.5 acres of combination block and linear survey. Tasks included pre-field coordination, records check, survey, testing, lab analysis, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: unknown prehistoric sites and isolated finds, Washakie Basin Prehistoric Lithic Procurement Archaeological Landscape; Historic Properties Setting Assessment of 48SW1226 (Overland Trail), 48SW3985 (Table Rock Railroad Station), and 48SW802 (Point of Rocks Stage Station).
Green River Basin, Sweetwater County, Wyoming

8/2010 to 10/2013 — ARCADIS U.S., Inc. Thunder Basin Scoria Mine (Thunder Basin Coal Company)
Principal Investigator, coordinating crews (3 to 5 people), supervising crews for approximately 3,000 acres of scoria mine project. Tasks included pre-field coordination, records check, survey, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.

Cultural resources encountered: Historic Period cairns, inscriptions, homestead and Late Archaic to Late Prehistoric stone circle sites, cairns, and lithic scatters.
Campbell County, Powder River Basin, Wyoming

9/2009 to 10/2013 — ARCADIS U.S., Inc. Rock Springs Road Transmission Line (PacifiCorp)
Principal Investigator, coordinating and supervising crews (5 people), for approximately 60 miles of transmission line right-of-way. Tasks included pre-field coordination, records check, survey, testing, lab analysis, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Expansion Period Historic (trails, debris), Late Prehistoric, Archaic.
Sweetwater and Fremont Counties, Wyoming Basin, Wyoming

4/2009 to 10/2013 — ARCADIS U.S., Inc. Jonah 3D Seismic (Global Geophysical Services)
Principal Investigator, coordinating and supervising crews (5 to 10 people), for approximately 14,400 acres of seismic exploration. Tasks included pre-field coordination, records check, survey, lab analysis, report preparation (Contributing Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Expansion Period Historic, Late Prehistoric, Archaic, Late Paleoindian.
Sublette County, Upper Green River Basin, Wyoming

3/2009 to 10/2013 — ARCADIS U.S., Inc. Pumpkin Buttes I POD (Williams Production RMT Co LLC)
Principal Investigator, coordinating and supervising crews (3 to 7 people), for approximately 2,560 acres of coal bed methane plan of development. Tasks included pre-field coordination, records check, survey, testing, lab analysis, report preparation (Contributing Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Expansion Period Historic, Late Prehistoric, Late Archaic, Paleoindian.
Campbell County, Powder River Basin, Wyoming

3/2008 to 9/2008 — ARCADIS U.S., Inc. 12 Mile Ranch Wind Farm (PacifiCorp)
Crew Chief, for approximately 60 acres of wind farm development. Tasks included records check, report preparation, and quality assurance.
Cultural resources encountered: Expansion Period Historic, unknown prehistoric.
Albany County, Northern Laramie Structural Basin, Wyoming

8/2007 to 6/2008 — ARCADIS U.S., Inc. JAB Uranium Exploration (Uranium One)
Crew Chief for cultural resource survey and testing for uranium development. Tasks included pre-field coordination, records check, laboratory analysis, report preparation (Contributing Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Paleoindian, Late Archaic, Late Prehistoric.
Sweetwater County, Great Divide Basin, Wyoming

5/2007 to 6/2007 — ARCADIS U.S., Inc. Red Point 3D Seismic (Bill Barrett Company)
Crew Chief, coordinating and supervising crews (6 people), for approximately 3,127 acres of seismic exploration. Tasks included pre-field coordination, records check, survey, testing, lab analysis, report preparation (Principal Author), management recommendations, follow-up, and quality assurance.
Cultural resources encountered: Prehistoric Paleoindian Goshen, unknown prehistoric cairns, Expansion Period Historic sites.
Park County, Bighorn Basin, Wyoming

1/2007 to 9/2008 — ARCADIS U.S., Inc. Pappy Draw Testing (EnCana)
Crew Chief for evaluative testing of seven sites along a pipeline. Tasks included laboratory analysis, report preparation (Contributing Author), management recommendations, and quality assurance.
Cultural resources encountered: Middle Archaic to Late Prehistoric house-pits, thermal features, cultural deposits, and activity areas.
Fremont County, Wind River Basin, Wyoming

9/2006 to 5/2007 — ARCADIS U.S., Inc. Dry Willow III POD (Anadarko Petroleum Corporation)
Field Technician for natural gas well pads, pipelines, and access roads (12 section block survey). Tasks included survey, testing, and lab analysis.
Cultural resources encountered to date: Expansion Period Historic, Late Prehistoric, Late Archaic, Middle Archaic, Early Archaic, Late Paleoindian.
Campbell County, Powder River Basin, Wyoming.

V. PUBLICATIONS

2008 Protohistoric Bison Hunting in the Central Plains: A Study of Faunal Remains from the Crandall Site (14RC420). Plains Anthropologist Memoir 40 208 (53):531-550.

VI. PAPERS/POSTERS PRESENTED

2012 Geophysical Testing at 48CA2227. Presented at the 70th Plains Anthropological Conference, October 3-6, 2012 Saskatoon, Saskatchewan, Canada.

2007 Unique Late Paleoindian sites in the Powder River Basin, Wyoming. Poster presented at the 64th Plains Anthropological Conference, October 10, 2007, Rapid City, South Dakota.

2006 Specialized Subsistence at the Crandall Site. A Little River Focus Site in Rice County, Kansas. Presented at the 63rd Plains Anthropological Conference, November 9, 2006, Topeka, Kansas.

2004 Protohistoric Bison Procurement Strategies at the Crandall Site, Kansas. Presented at the 62nd Plains Anthropological Conference, October 15, 2004, Billings, Montana.

2001 Co-Author, The Jake Bluff Bison antiquus Processing Feature and Adjacent Arroyo. Presented at the 59th Plains Anthropological Conference, November 2, 2001, Lincoln, Nebraska.

2001 Co-Author, The Prehistory of Kingfisher County: The Chisholm Trail Museum Make-over. Presented at the 43rd Caddo Conference and 23rd Flint Hills Conference, March 16, 2001, Norman, Oklahoma.

2000 Comparing Late Prehistoric Subsistence Strategies in the Oklahoma Panhandle. Presented at the Joint Midwest Archaeological and Plains Anthropological Conference, November 12, 2000, St. Paul, Minnesota.

VII. TEACHING

6/2005 to 7/2005 — University of Oklahoma. Jake Bluff site
Graduate Assistant (under Dr. Leland Bement). Tasks included working with undergraduate students, teaching field tasks, and completing student progress evaluations. Excavated features, collected samples, prepared site map, and analyzed results. Cultural resources encountered: Folsom Complex.
Harper County, Oklahoma

6/2004 to 7/2004 — University of Oklahoma. Certain Site
Graduate Assistant (under Dr. Leland Bement). Tasks included working with undergraduate students, teaching field tasks, and completing student progress evaluations. Excavated features, collected samples, prepared site map, and analyzed results. Cultural resources encountered: Middle and Late Archaic Complexes.
Beckham County, Oklahoma

7/2003 — University of Oklahoma. Jake Bluff site and Certain site
Graduate Assistant (under Dr. Leland Bement). Tasks included working with undergraduate students, teaching field tasks, and completing student progress evaluations. Excavated features, collected samples, prepared site map, and supervised fieldwork. Cultural resources encountered: Archaic, Folsom, and Clovis Complexes.
Harper and Beckham Counties, Oklahoma

6/2002 to 7/2002	University of Oklahoma. Jake Bluff site Graduate Assistant (under Dr. Leland Bement). Tasks included working with undergraduate students, teaching field tasks, and completing student progress evaluations. Excavated features, collected samples, prepared site map, and analyzed results. Cultural resources encountered: Folsom Complex. Harper County, Oklahoma
5/2002	University of Oklahoma. Hale Site Graduate Assistant (under Dr. Leland Bement). Tasks included working with undergraduate students, teaching field tasks, and completing student progress evaluations. Excavated features, collected samples, and prepared site map. Cultural resources encountered: Historic buffalo trader's camp. Harper County, Oklahoma

environmentex consulting

TCNS Summary for TCNS# 285316 DA08061 Ennis

tribe/SHPO	automated reply		other correspondence	2nd notice	referral method
Comanche Nation		referral rcvd - clears 11/15	9/21 mail 620 info	3-Oct	29-Oct
Kiowa Indian Tribe of Oklahoma		referral rcvd - clears 11/15	9/21 email 620 info	3-Oct	24-Oct
Wichita and Affiliated Tribes		referral rcvd - clears 11/15	9/21 mail 620 info; 9/21 email 620 info	3-Oct	24-Oct
Tonkawa Tribe		referral rcvd - clears 11/15	9/21 email 620 info	3-Oct	24-Oct
Apache Tribe of Oklahoma		referral rcvd - clears 11/15	9/21 email 620 info	3-Oct	24-Oct
Eastern Shoshone Tribe		referral rcvd - clears 11/15	9/21 email 620 info, 9/21 u/l to portal	3-Oct	24-Oct
The Northern Arapaho Tribe		9/18 email	9/21 email 620 info	NA	NA
Coushatta Indian Tribe		referral rcvd - clears 11/15	9/21 email 620 info	3-Oct	24-Oct
Alabama Quassarte Tribal Town		NOO - no properties	NA	NA	NA
Mescalero Apache Tribe		referral rcvd - clears 11/15	9/21 email 620 info	3-Oct	24-Oct
Northern Cheyenne Tribe	9/23 interest	10/17 email	9/21 u/l to portal	3-Oct	NA

e106 notificaton date	23-Sep
hard copies mailed	
hard copies deliverd	
Referral in TCNS	24-Oct
FCC referral (next Thursday)	31-Oct
FCC referral end	15-Nov

Tribal Responses

Gmail Brian McCallister <tcnsinfo@gmail.com>

Reply to Proposed Tower Structure (Notification ID: 285316) - Email ID #8984109

towernotifyinfo@fcc.gov <towernotifyinfo@fcc.gov> Wed, Sep 18, 2024 at 10:04 AM
To: tcnsinfo@gmail.com
Cc: tcns.fccarchive@fcc.gov, tcns.thpo@northernarapaho.com, crystal.cbearing@northernarapaho.com

Dear Brian McCallister,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Crystal C'Bearing of the Northern Arapaho in reference to Notification ID #285316:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

The Northern Arapaho THPO has reviewed your Consultation Request under the National Environmental Protection Act & National Historic Preservation Act, Section 106 process, regarding the proposed project & offers the following response:

No Historic Properties in the Direct or Visual APE

Our office has come to this determination by drawing conclusions from the report, ethnography, previous survey search from SHPO and maps depicting province of sites in regards to Direct and Visual APE. There are no cultural resources and no eligible historic properties within the APE. Currently, there are no properties of religious and cultural significance to the Northern Arapaho within the area of potential effect. However, if traditional cultural properties, rock features, or human remains are found during excavation with any new ground disturbance, we request to be contacted and a report provided.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/14/2024
Notification ID: 285316
Tower Owner Individual or Entity Name: Hemphill Seminary LLC
Consultant Name: Brian McCallister
Street Address: 6060 N. Central Expressway
#500
City: Dallas
State: TEXAS
Zip Code: 75206
Phone: 214-793-7317
Email: tcnsinfo@gmail.com

Structure Type: MTOWER - Monopole
Latitude: 32 deg 19 min 52.8 sec N
Longitude: 96 deg 36 min 41.2 sec W
Location Description: 400 S I-45
City: Ennis
State: TEXAS
County: ELLIS

Detailed Description of Project: proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer
Ground Elevation: 145.4 meters

F.2.

Support Structure: 39.6 meters above ground level
Overall Structure: 39.6 meters above ground level
Overall Height AMSL: 185.0 meters above mean sea level

Outlook

2 Projects

From gary.lafranier@cheyennenation.com <gary.lafranier@cheyennenation.com>
Date Thu 10/17/2024 5:27 PM
To brian environmentex.com <brian@environmentex.com>

Good Afternoon,

TCNS #284475 will have a determination of No Effect. Project may proceed as planned.

TCNS #285316 will have a determination of No Effect. Project may proceed as planned.

Thank You,

Gary LaFranier
FCC/ Section 106 Coordinator
(406) 477-8114
Lame Deer, MT. 59043

Documentation of Contact Attempts

Gmail Brian McCallister <tcnsinfo@gmail.com>

NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #8980671

towernotifyinfo@fcc.gov <towernotifyinfo@fcc.gov> Fri, Sep 20, 2024 at 2:02 AM
To: tcnsinfo@gmail.com
Cc: tcnsweekly@fcc.gov

Dear Applicant:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the notification that you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter). We note that the review period for all parties begins upon receipt of the Submission Packet pursuant to Section VII.A of the NPA and notifications that do not provide this serve as information only.

Persons who have received the notification that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribal Nations"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribal Nations and NHOs and in making further contacts, the City and State of the Seat of Government for each Tribal Nation and NHO, as well as the designated contact person, is included in the listing below. We note that Tribal Nations may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribal Nations and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribal Nation or NHO. (NPA, Section IV.F.4).

The notification that you provided was forwarded to the following Tribal Nations and NHOs. A Tribal Nation or NHO may not respond until a full Submission Packet is provided. If, upon receipt, the Tribal Nation or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribal Nation or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event a Tribal Nation or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribal Nation or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Second Report and Order released on March 30, 2018 (FCC 18-30).

1. THPO Assistant Kelly Banderas - Comanche Nation - (PO Box: 908) Lawton, OK - kelly.banderas@comanchenation.com - 580-595-9960 - regular mail
Exclusions: EFFECTIVE MONDAY, JANUARY 18 2021, THE DEPARTMENT WILL BE MOVING TO A FOUR DAY WEEK, MONDAY - THURSDAY, 7:30AM - 6:00PM AND WILL CLOSE EVERY FRIDAY.

The Comanche Nation Historic Preservation Office does not need to review the following types of projects- those that have already been evaluated by the Comanche Nation involving pre-existing above ground feature additions or modification (unless there isan increase in height), and those that have already been evaluated by the Comanche Nation within the city limits on a previously disturbed site.

If the proposed project does not meet one of the aforementioned conditions, the Comanche Nation Historic Preservation Office requires the following items; photographs taken of all 4 directions (north, south, east, and west) from the center of projection site (where possible), legal description of the proposed site (i.e. section, range, township, etc.) and anyexisting archeological or environmental reports or surveys relating to the site. We do not require, butrequest that you provide us with an aerial view of the proposed site, if possible.
Please, send all materials, such as the 620 Forms for Section 106Review via US Mail to the Comanche Nation Historic Preservation Office, in care of Kelly Banderas, 6 SWD Avenue, Suite C, Lawton, OK 73501. When sending request via regular mail, please include the TCNC Number and Project Name. Due to the heavy volumeof requests, we can no longer accept email requests. The Tribal Review period for US Mail is Thirty Five (35) Days and the Comanche Nation will no longer process a review within the Seven (7) day turn around.

If you are in need of additional information,you may contact the Comanche Nation Historic Preservation Office at (580) 595-9960 or 9618 or email martinac@comanchenation.com for clarification. In addition, this message serves as the Official Notice from the Comanche Nation Historic Preservation Office and may be printed for your records, if necessary.

Note. The Comanche Nation must be notified immediately if archaeological properties or human remains are discovered during construction. If the Comanche Nation Office of Historic Preservation has commented previously on the project under requested review, inform us of the date in the body of the review request.

Sincerely,

Martina Callahan
Comanche Nation, Tribal Historical Preservation Officer (THPO)

2. THPO Amanda Hill - Kiowa Indian Tribe THPO - (PO Box: 369) Carnegie, OK - thpo@kiowatribe.org; ahill@kiowatribe.org - 580-654-2300 - electronic mail

3. Cell Tower Administrator Mary M Botone - Wichita and Affiliated Tribes - (PO Box: 729) Anadarko, OK - Mary.Botone@wichitatribe.com - 405-247-8667 - electronic mail and regular mail

4. TCNS Administrator Joshua Waffle - Tonkawa Tribe - 1 Rush Buffalo Road Tonkawa, OK - JWaffle@TonkawaTribe.com - 580-628-2561 - electronic mail

5. Darrin Cisco - Apache Tribe of Oklahoma - 510 E Colorado Drive (PO Box: 1330) Anadarko, OK - Apacheculture510@yahoo.com - 405-247-7494 (ext: 103) - electronic mail

6. THPO Josh Mann - Eastern Shoshone Tribe - (PO Box: 538) Fort Washakie, WY - jmann@easternshoshone.org - 307-335-2081 - electronic mail
Exclusions: Thank you for the recent submittal regarding your TCNS project. Based on the location of your proposed project, the Eastern Shoshone Tribe does have an

interest in this project as required by the mandatesexpressed in 36 CFR 800, EO 13175, and the FCC Programmatic Agreement as Traditionally Associated
Peoples (TAPs) and a sovereign nation legal responsibility for heritage preservation on ancestral homelands. Please utilize our ESTHPO website for online
submittals. Our website address is: http://www.esthpo.com. Please navigate to our Services page. On the services page there will be a Submittal button
under the Section 106 Consultation literature. The submittal button will navigate you to the upload page where can submit relevant project files for our
consultation review.

Your submission should include:
Appropriate SHPO determination or response letter
Cultural Resource Report and or Archaeological Survey Report
Photographic project site documentation
Topographic or Quadrangle Maps
Site Plans/Construction Drawings
FCC Forms 620 and 621
Lat/Long Coordinates for the proposed project.
Project Coordinator Contact Information

Our 30-day review period will commence once all project details havebeen submitted into our online database. If you have any questions, please feel free to
contact the Eastern Shoshone THPO: Joshua Mann, jmann@easternshoshone.org or by phone at: (307) 335-2081 or Shaylynn Durgin,
sdurgin@easternshoshone.org or by phoneat: (307) 335-2081. Thank you for consulting with the Eastern Shoshone Tribe.

The ancestors of the Eastern Shoshone Tribe lived a long and storied history across several states on their westward journey from the Western area to present-day Wyoming. This journey, confirmed by tribal oral history, ethnographies, and archaeological evidence, took place over multiple generations and through the present-day states of North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Montana, Idaho, Washington, Oregon, California, Utah, Nevada, Arizona, NewMexico and Texas. Significant historical resources throughout this region include major sacred sites including burial sites, occupation areas, medicinal plant and resource collection areas, and other significant traditional cultural properties (TCPs). Therefore, based on the location of your proposed project, the Eastern Shoshone Tribe does have an interest in this proposed project and are requesting to be consulted on this proposed project as required bythe mandates expressed in 36 CFR 800, EO 13175,and the FCC National Programmatic Agreement as traditionally associated peoples (TAPs) and a sovereign nation with legal responsibility for heritage preservation on ancestral homelands.

7. THPO Crystal C'Bearing - Northern Arapaho - 1010 Railroad Ave (PO Box: 67) St. Stephens, WY - tcns.thpo@northernarapaho.com; crystal.cbearing@northernarapaho.com - 307-856-1628 - electronic mail
Exclusions: PLEASE SEND AN ARCHAEOLOGICAL SURVEY OR SITE INVENTORY/MAP FOR THE AREA WITHIN 1 MILE OF THE APE FOR PRE-CONSTRUCTION, COLLOCATION PROJECTS AND PTC POLES. The request gives the tribe an opportunity to comment on past projects that are now proposed as collocation projects.

Email reports to: archtech.nathpo@gmail.com

Please include the TCNS number on all correspondence, reports, maps.

ANY QUESTIONS CALL OR EMAIL:

Benjamin Ridgley
3078561628
benjamin.ridgley@northernarapaho.com

Crystal C'Bearing
crystal.cbearing@northernarapaho.com

8. THPO Dakota John - Coushatta Indian Tribe - 1940 C.C Bel Road Elton, LA - dakotajohn@coushatta.org; kdawsey@coushatta.org - 337-584-1401 - electronic mail

9. THPO Brina Williams - Alabama Quassarte Tribal Town - (PO Box: 218) Wetumka, OK - Brina.Williams@alabama-quassarte.org - 405-452-3987 - electronic mail
Exclusions: The Alabama Quassarte Tribal Town is unaware of any cultural or sacred sites located within the immediate project area. The AQTT's Historic Preservation Department concurs that there should be no adverse effect to any known historic properties and that work should proceed as planned. However, as the project is located in an area that is general historic interest to the Tribe, we request that work be stopped and our office contacted immediately if any Native American cultural materials or human remains are encountered.

If you have any questions, please contact our office at the number below.

Respectfully,

Alabama Quassarte Tribal Town
P.O. Box 187
Wetumka,Ok 74883
(P) 405-452-3881
(F) 405-452-3889

10. Tribal Historic Preservation Officer Holly B Houghten - Mescalero Apache Tribe - Mescalero Apache Tribal Historic Preservation Office 101 Central Ave (PO Box: 227) Mescalero, NM - holly@mathpo.org - 575-464-3005 - electronic mail

11. FCC Specialist Gary LaFranier - Northern Cheyenne Tribe - (PO Box: 128) Lame Deer, MT - gary.lafranier@cheyennenation.com - 406-477-8114 - electronic mail
Exclusions: The Northern Cheyenne Tribe requirement for consultation is digitally through our departmental website. Our website is http://cms.cheyennenation.com

We do not accept mailed paper or emailed digital submissions of project material. To speed up our response time and to be in compliance with our environmental practices we do not accept paper submissions. All proposed projects must be processed through our website. Multiple people in our department need access to the project files and department notes to be able to do their work on the project. For organization, documentation, and financial regulation, all Section 106 project compliance work.

Just as the majority of State Historic Preservation Offices elect to have companies submit their proposedproject directly to them in the format they require, as a sovereign nation, we have the right to ask for the same courtesy.

We require that you submit Form 620 or 621, complete with all of its attachments to our website.

It would expedite the process of getting your project into compliance if you would wait and submit your proposed project to our department when Form 620/621 and all of its attachments are ready - particularly the complete cultural resource report. We waste quite a bit of time contacting companies and searching for the Form 620/621 if the proposed project is submitted to us with only a dot on the map.

If you have any questions or need more information please contact FCC specialist Gary LaFranier at

gary.lafranier@cheyennenation.com and 406-477-8114, or THPO Teanna Limpy at teanna.limpy@cheyennenation.com and 406-477-4839.

The notification that you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA unless the project is excluded from SHPO review under Section III D or E of the NPA.

12. SHPO Cathie Matthews - Department of Arkansas Heritage - 323 Center Street Suite 1500 Little Rock, AR - cathiem@arkansasheritage.org - 501-324-9150 - electronic mail

13. Deputy SHPO Ken Grunewald - Department of Arkansas Heritage - 323 Center Street Suite 1500 Little Rock, AR - keng@arkansasheritage.org - 501-324-9357 - electronic mail

14. SHPO Trait Thompson - Oklahoma Historical Society - Oklahoma History Center 800 Nazih Zuhdi Drive Oklahoma City, OK - trait.thompson@history.ok.gov - 405-522-5201 - electronic mail

15. Historian Sarah K Forbes - Texas Historical Commission - (PO Box: 12276) Austin, TX - TexFcc@thc.state.tx.us - 512-936-7403 - electronic mail

TCNS automatically forwards all notifications to all Tribal Nations and SHPOs that have an expressed interest in the geographic area of a proposal. However, if a proposal for PTC wayside poles falls within a designated exclusion, you need not expect any response and need not pursue any additional process with that Tribal Nation or SHPO. In addition, a particular Tribal Nation or SHPO may also set forth policies or procedures within its details box that exclude from review certain facilities (for example, a statement that it does not review collocations with no ground disturbance; or that indicates that no response within 30 days indicates no interest in participating in pre-construction review).

Please be advised that the FCC cannot guarantee that the contact(s) listed above have opened and reviewed an electronic or regular mail notification. If you learn that any of the above contact information is no longer valid, please contact the FCC by emailing tcnshelp@fcc.gov. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 09/14/2024
Notification ID: 285316
Excluded from SHPO Review: No
Tower Owner Individual or Entity Name: Hemphill Seminary LLC
Consultant Name: Brian McCallister
Street Address: 6060 N. Central Expressway
#500
City: Dallas
State: TEXAS
Zip Code: 75206
Phone: 214-793-7317
Email: tcnsinfo@gmail.com

Structure Type: MTOWER - Monopole
Latitude: 32 deg 19 min 52.8 sec N

Longitude: 96 deg 36 min 41.2 sec W
Location Description: 400 S I-45
City: Ennis
State: TEXAS
County: ELLIS
Detailed Description of Project: proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer
Ground Elevation: 145.4 meters
Support Structure: 39.6 meters above ground level
Overall Structure: 39.6 meters above ground level
Overall Height AMSL: 185.0 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic Help Request form located on the FCC's website at:

https://www.fcc.gov/wireless/available-support-services

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8:00 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

F.2.

Not secure | cms.cheyennenati...

cms.cheyennenation.com says

Thank You! Your submission was accepted.

OK

City

Da

Sta

TX

Zip

75206

Phone number

2147937317

*Email

tcnsinfo@gmail.com

I have a TCNS Number

TCNS Number

285316

Project is Positive Train Control (PTC) NO

Number of Non Exempt Towers

1

Number of Exempt Towers

Project Name

DA08061 Ennis

Land Ownership

Private

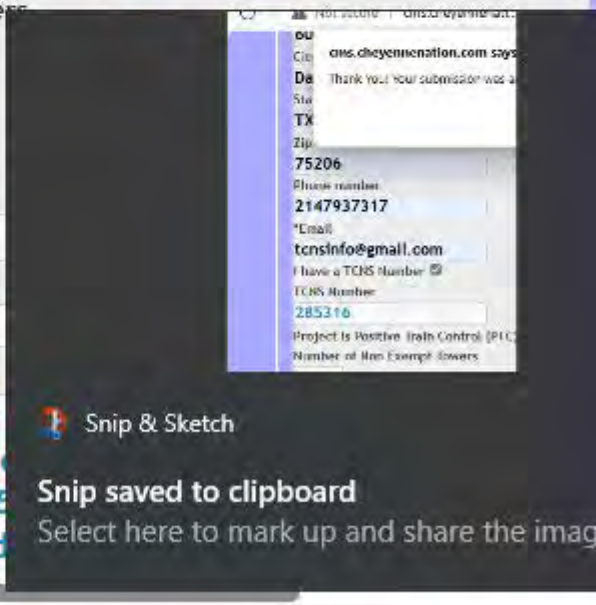
Project Description

proposing to construct

and associated equipm

x 60' x 32' x 75' (0.05

with associated 20' wid



90°F

11:40 AM

9/21/2024

F.2.

130' monopole tower and associated equipment within a proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along

PROJECT TYPE

tower

GOVT. DEPARTMENT

Blank

LETTER

Yes

OVERVIEW

Yes

CULTURAL REVIEW

Yes

START DATE

09/20/2024

CONSULTATION LETTER (PLEASE UPLOAD)

Select One

PROJECT OVERVIEW (PLEASE UPLOAD)

Yes

CULTURAL RESOURCES INVENTORY (PLEASE UPLOAD)

Yes

FCC FORM 620 (PLEASE UPLOAD)

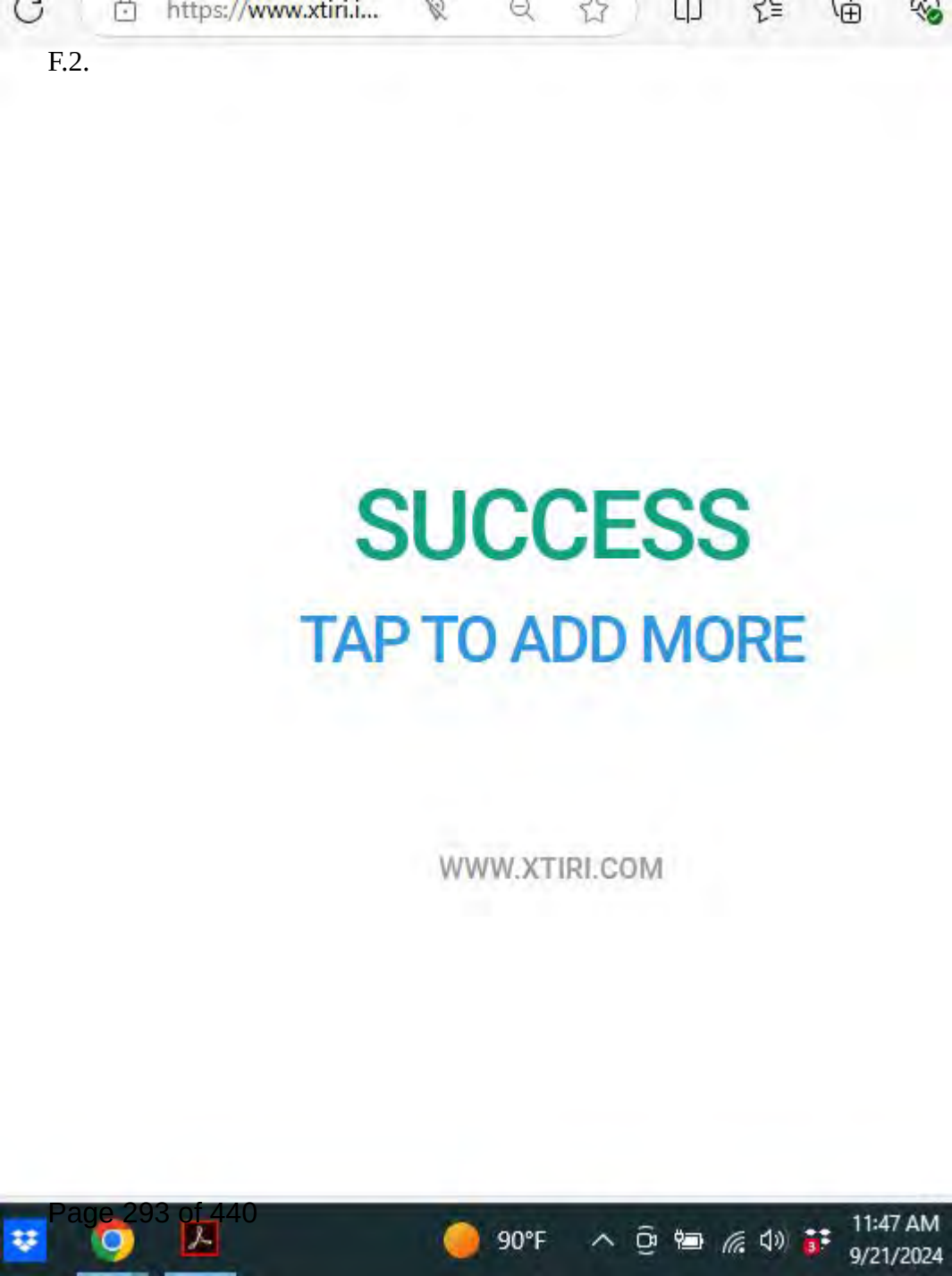
Yes

TCNS NUMBER

285316

90°F 11:47 AM 9/21/2024

F.2.



90°F
11:47 AM
9/21/2024

TO: THPO – Comanche Nation

FROM: Environmentex, Inc.

Re: TCNS number: 285316

DATE: September 23, 2024

Please find enclosed information associated with the above referenced TCNS number. Please note that this information was also previously submitted via the FCC e106 system for which you should have been notified of via the FCC e106 system and is therefore duplicative in that regard. Please let me know if you have any questions or require anything further. **Please note that Environmentex, Inc. is unable to pay review fees for this or any other projects initiated after 7/2/18.**

Please send a response as soon as possible. If you prefer, you may contact us via the above mailing address, by telephone 2147937317, fax 2143673831 or email at brian@environmentex.com

Regards,



Brian McCallister

enclosures

6060 N. Central Expressway, Suite 560, Dallas, TX 75206
214.793.7317 www.environmentex.com

TO: THPO – Wichita and Affiliated Tribes

FROM: Environmentex, Inc.

Re: TCNS number: 285316

DATE: September 23, 2024

Please find enclosed information associated with the above referenced TCNS number. Please note that this information was also previously submitted via the FCC e106 system for which you should have been notified of via the FCC e106 system and is therefore duplicative in that regard. Please let me know if you have any questions or require anything further. **Please note that Environmentex, Inc. is unable to pay review fees for this or any other projects initiated after 7/2/18.**

Please send a response as soon as possible. If you prefer, you may contact us via the above mailing address, by telephone 2147937317, fax 2143673831 or email at brian@environmentex.com

Regards,



Brian McCallister

enclosures

6060 N. Central Expressway, Suite 560, Dallas, TX 75206
214.793.7317 www.environmentex.com

Gmail Brian McCallister <tcnsinfo@gmail.com>

TCNS 285316 - DA08061 Ennis

Brian McCallister <tcnsinfo@gmail.com> Thu, Oct 3, 2024 at 10:44 AM
To: thpo@kiowatribe.org, mary.botone@wichitatribe.com, jwaffle@tonkawatribe.com, Apacheculture510@yahoo.com, jmann@easternshoshone.org, dakotajohn@coushatta.org, Holly Houghten <holly@mathpo.org>
Cc: ahill@kiowatribe.org, kdawsey@coushatta.org, kelly.banderas@comanchenation.com, gary.lafranier@cheyennenation.com

Hello,

Please let me know if you have any questions or comments regarding the previously provided information associated with this TCNS#.

Respectfully,

On Sat, Sep 21, 2024 at 11:36 AM Brian McCallister <tcnsinfo@gmail.com> wrote:

> Hello,
>
> ETX has been retained to complete a review of the above referenced telecommunications project in accordance with FCC NEPA procedures. Please find enclosed/attached a complete copy of the information associated with the above referenced TCNS number. Please note that this information was also previously submitted via the FCC e106 system for which you should have been notified of via the FCC e106 system. This information satisfies the requirements set forth by the Federal Communications Commission's (FCC) Second Report and Order dated May 3, 2018. ETX is seeking the view of the Tribe to fulfill the agency's legal obligation to consult under the FCC's rules.
>
> Additionally, per the Second Report and Order, applicants (our client) are not required to pay the upfront fee requested by a Tribe for providing its views. Please note that we have not been authorized by our client to pay such fees. Environmentex, Inc. will not be entering into a contract or paying a fee on behalf of our client regarding any TCNS reviews, please do not invoice us for any reviews.
>
> Please send any comments regarding this TCNS number as soon as possible via the below mailing address, by telephone 2147937317, fax 2143673831 or email at tcnsinfo@gmail.com.
>
> Respectfully,
> Brian McCallister

Gmail Brian McCallister <tcnsinfo@gmail.com>

Proposed Construction of Communications Facilities Notification of Final Contacts - Email ID #36943

towernotifyinfo@fcc.gov <towernotifyinfo@fcc.gov> Thu, Oct 31, 2024 at 8:01 AM
To: tcnsinfo@gmail.com
Cc: tcnsweekly@fcc.gov

Hemphill Seminary LLC
Brian McCallister
6060 N. Central Expressway
#500
Dallas, TX 75206

Dear Applicant:

This letter addresses the proposed communications facilities listed below that you have referred to the Federal Communications Commission (Commission) for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages (collectively Indian Tribes), and Native Hawaiian Organizations (NHOs), as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). Consistent with the procedures outlined in the Commission's Wireless Infrastructure Second Report and Order (1), we have contacted the Indian Tribes or NHOs identified in the attached Table for the projects listed in the attached Table. You referred these projects to us between 10/24/2024 and 10/31/2024. Our contact with these Tribal Nations or NHOs was sent on 10/31/2024.

Thus, as described in the Wireless Infrastructure Second Report and Order (2), if you or Commission staff do not receive a statement of interest regarding a particular project from any Tribe or NHO within 15 calendar days of 10/31/2024, your obligations under Section IV of the NPA with respect to these Tribal Nations or NHOs are complete. If a Tribal Nation or NHO responds that it has concerns about a historic property of traditional religious and cultural significance that may be affected by the proposed construction within the 15 calendar day period, the Applicant must involve it in the review as set forth in the NPA, and may not begin construction until the process set forth in the NPA is completed.

You are reminded that Section IX of the NPA imposes independent obligations on an Applicant when a previously unidentified site that may be a historic property, including an archeological property, is discovered during construction or after the completion of review. In such instances, the Applicant must cease construction and promptly notify, among others, any potentially affected Tribal Nation or NHO. A Tribal Nation's or NHO's failure to express interest in participating in pre-construction review of an undertaking does not necessarily mean it is not interested in archeological properties or human remains that may inadvertently be discovered during construction. Hence, an Applicant is still required to notify any potentially affected Tribal Nation or NHO of any such finds pursuant to Section IX or other applicable law.

Sincerely,
Jill Springer
Federal Preservation Officer
Federal Communications Commission
jill.springer@fcc.gov

_____

1) See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Deployment, Second Report and Order, FCC 18-30 (Mar. 30, 2018) (Wireless Infrastructure Second Report and Order).
2) See id. at paras. 111-112.

LIST OF PROPOSED COMMUNICATIONS TOWERS

TCNS# 285316 Referred Date: 10/29/2024 Location: 400 S I-45, Ennis, TX
Detailed Description of Project: proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer
Tribe Name: Comanche Nation

TCNS# 284475 Referred Date: 10/24/2024 Location: 101 Royal Pines Drive, Bastrop, TX
Detailed Description of Project: proposed 75' x 75' lease area, along with a 30' wide access/utility easement, including 30'

F.2.

buffer

Tribe Name: Comanche Nation

TCNS# 285316 Referred Date: 10/24/2024 Location: 400 S I-45, Ennis, TX

Detailed Description of Project: proposed 40' x 60' x 32' x 75' (0.053 acre) lease area, along with associated 20' wide access/utility easement, including 30' buffer

Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Coushatta Indian Tribe
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Tonkawa Tribe
Tribe Name: Wichita and Affiliated Tribes

LEGEND:
* - Notification numbers are assigned by the Commission staff for sites where initial contact was not made through TCNS.

City Commission – Regular Session

Public Hearings - F

- **F.__** - Conduct a Public Hearing and discuss and consider an Ordinance approving a Specific Use Permit (SUP) for a 115' telecommunications tower on an approximate 0.053 acre tract of land zoned Corridor Commercial district (CC) located on Lot 1, Block A in the Brendan John Addition, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45.

Case No. DEV-24-12

11

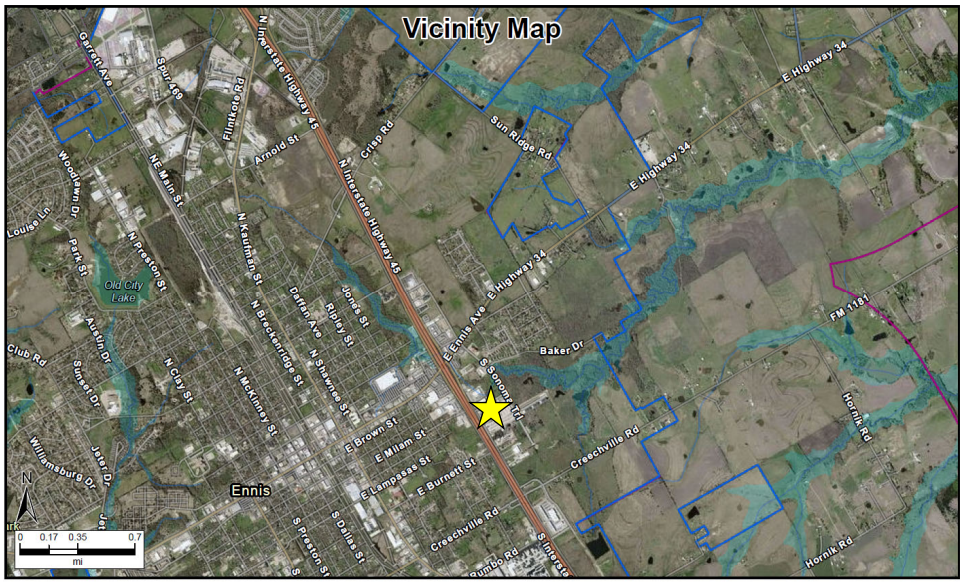
P&Z Case # DEV-24-12

Overview:

- Location: Ward 1
- Requested by: Hemphill Seminary LLC
- For: 0.053 Acres, Portion of Lot 1, Blk A, Brendan Johnson Add. (Comfort Suites)
- Specific Use Permit: Telecommunications Tower in CC District
- Notices: 4 Surrounding Property Owners Notified
  - 0 Voted "In Favor"
  - 0 Voted "In Protest"
- Case heard by P&Z Commission on 3/24/25
- P&Z Commission Approved the Request

12

P&Z Case # DEV-24-12



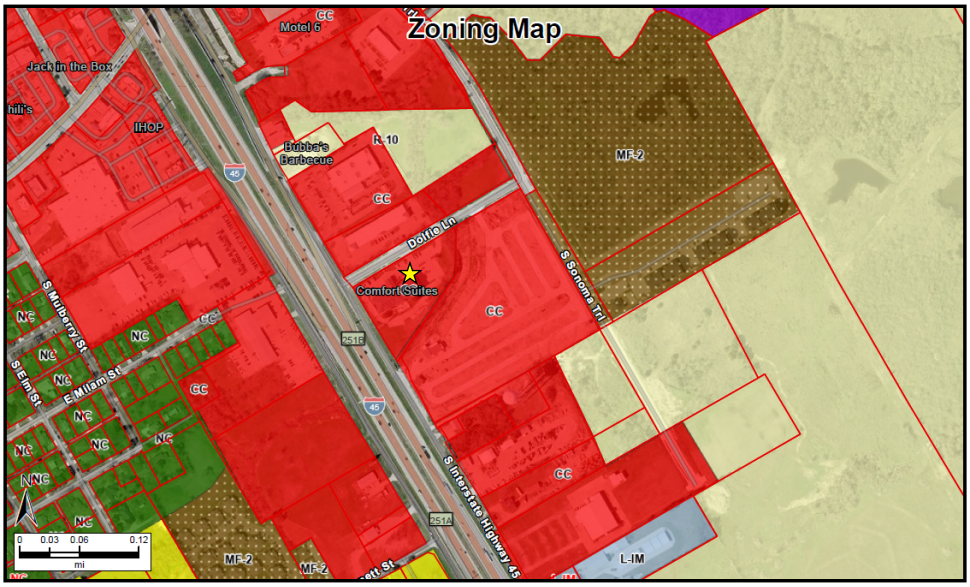
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P&Z Case # DEV-24-12



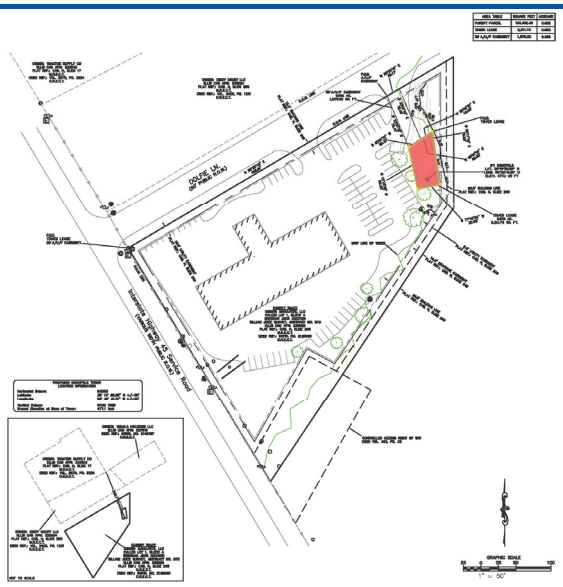
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P&Z Case # DEV-24-12



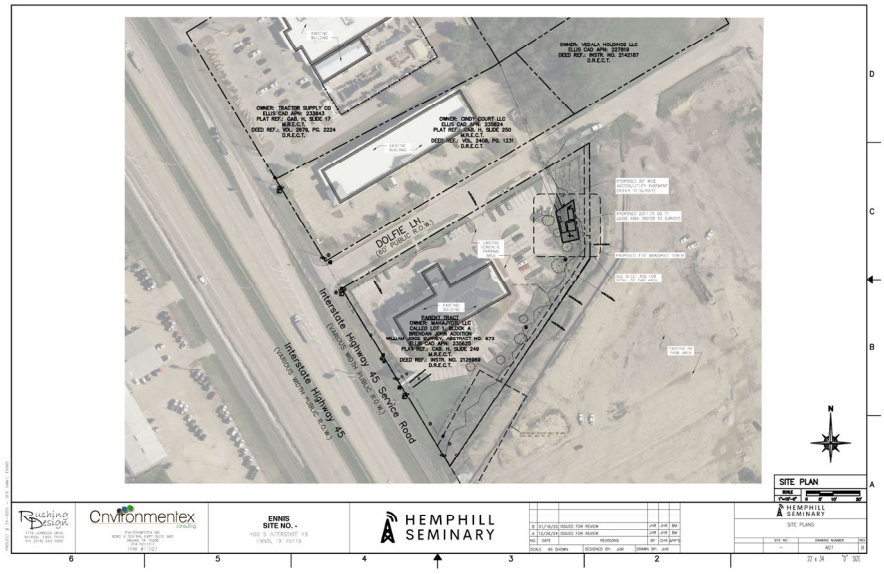
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P&Z Case # DEV-24-12



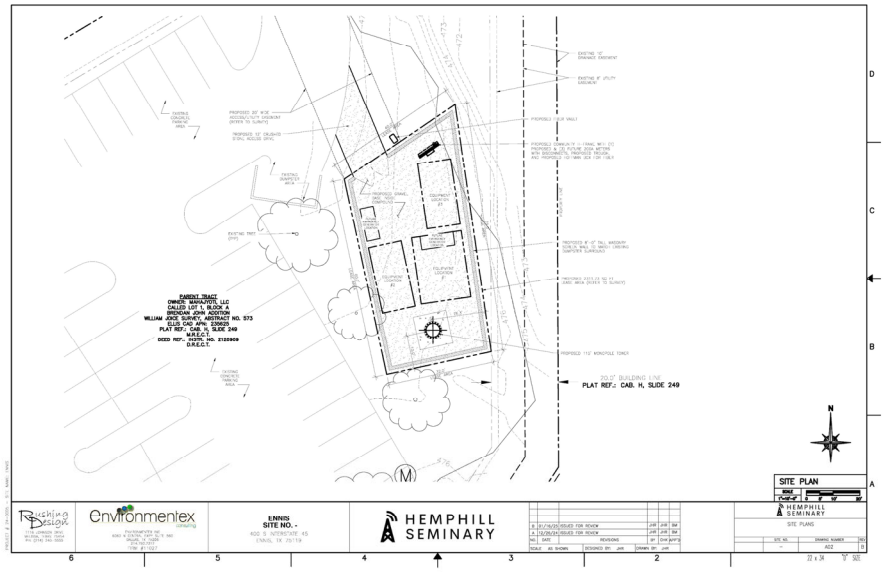
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P&Z Case # DEV-24-12



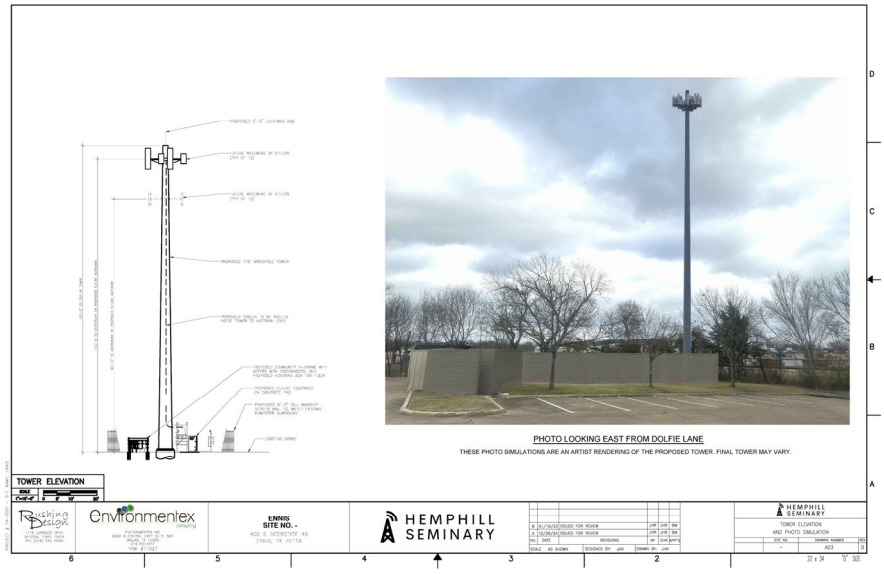
17

P&Z Case # DEV-24-12



18

P&Z Case # DEV-24-12



19

P&Z Case # DEV-24-12

UDO – Art. V, Sec. 5.2.5(6)
Additional Use Standards Applicable to Telecommunications Towers

(6) Telecommunications Towers:

(a) Structural Standards: Guyed telecommunications towers shall be designed and located such that if the structure should fall it will avoid habitable structures and publicstreets.

(b) Co-location:

i. Towers shall be designed and built to accommodate a minimum of two wireless providers, if over 75 feet in height. The owner of the tower must certify in writing to the city that the tower is available for use by other telecommunications service providers on a reasonable and nondiscriminatory basis.

ii. Applicants seeking to erect a tower greater than 75 feet in height within 3,000 feet of any tower greater than 75 feet in height, shall provide evidence that reasonable efforts were made to lease space on an existing or planned tower or that no existing tower will satisfy the applicant's technological needs.

(c) Tower Height:

i. The height of a tower, whether freestanding or building- mounted, shall be measured from the base of the tower to the highest point of the tower, including any installed antennae and appurtenances.

ii. The maximum height for towers is 75 feet plus 25 feet for each co-located installation, or as approved by Specific Use Permit in accordance with *Table 5.1-5*.

(d) Security Fencing and Building Materials:

i. Security fencing, if installed, shall be by a wrought iron with masonry columns expressed at intervals no greater than fifty (50) feet on center and with evergreen hedge, or a masonry wall, each not less than six feet in height. The exterior of equipment buildings and/or metal equipment cabinets visible from residential areas or public rights-of-way must have a neutral finish or be painted to reflect the color and character of adjoining structures or blend with adjacent landscaping and other surroundings.

(e) Location:

i. All telecommunication towers, as well as guys and guy anchors, shall be located within the buildable area of the lot and not within the front, rear, or side setbacks. New telecommunication towers in excess of 200 feet in height shall be set back a minimum of 1,300 feet from the right-of-way of all controlled access federal and state roadways designated as freeways to provide unobstructed flight paths for helicopters.

ii. All telecommunications towers, including stealth towers, equal to or over 75 feet in height, are not allowed in any residential zoning district and must be a minimum of a three-to-one distance to height ratio from a single-family residential district and one-to-one distance to height ratio from a transition zone of a Special District.

iii. Any new telecommunications tower in excess of 180 feet in height shall be located a minimum of one mile from any existing tower in excess of 180 feet in height.

(f) Signage:

i. Except as otherwise permitted in this Ordinance, no signage, lettering, symbols, images, or trademarks in excess of 2 sq. ft. shall be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable law.

(g) Lighting:

i. Except as otherwise permitted in this Ordinance, no signals, lights, or illumination of any kind shall be permitted on or directed toward any tower unless required by the FCC, the FAA, or other appropriate public authority.

(h) Stealth Towers:

i. Stealth telecommunication towers and antennae must be similar in color, scale, and character to adjoining buildings or structures or blend with the landscaping and other surroundings immediately adjacent to them so as to generally avoid the creation of unique visual objects that stand out in theenvironment.

ii. Each design for a proposed stealth tower or antenna shall be reviewed by the Administrator. An applicant of a stealth tower or antenna design shall provide the Administrator with evidence in the form of construction drawings, photographs, renderings, or other data sufficient for the Administrator to determine whether the design effectively conceals the tower or antenna. The Administrator shall forward the request to the Planning and Zoning Commission and City Commission after determining the completeness of the application.

(i) Antenna Mounting Standards:

i. The purpose of this section is to promote public safety and maintain order and harmony within the city's business, cultural, and residential districts by restricting the size and location of telecommunication antennas. The objective is to avoid the creation of visual distractions, prevent obstructions to the view of pedestrians and motorists on public thoroughfares, and to insure the integrity of supporting structures.

(j) Whip and Panel Antenna Mounting Standards:

i. Telecommunications antennas, including mounting structures, are allowed on existing electric utility poles, light standards, and telecommunication towers in excess of 40 feet in height, provided that the total length of any antenna does not exceed 15 percent of the height of the existing structure. The height of a telecommunications tower is determined by the highest point of any and all components of the structure, including antennas.

ii. Telecommunications antennas and arrays are allowed by right on existing electric transmission towers.

iii. Existing conforming building element structures (excluding towers) in excess of 50 feet in height may, as a matter of right, be rebuilt, if necessary, to support or contain a new antenna, provided that the new structure is the same height and substantially the same in appearance as the structure it replaces.

iv. Panel antennas, which do not extend above the structure, or whip antennas 15 feet or less in height, are permitted on conforming billboardstructures.

v. Building-mounted panel antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts; provided that they are mounted flush with the exterior of the building and that they do not project above the roof line or more than 30 inches from the surface of the building to which they are attached. The antenna's appearance shall be such that its color blends with the surrounding surface of the building.

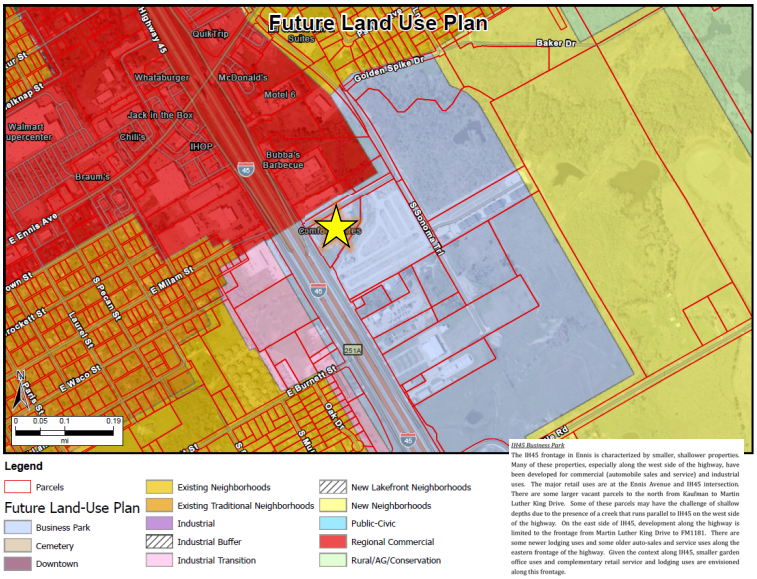
vi. Whip antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts, provided that the total length of said whip antennas, regardless of mounting method or location, does not exceed 15 percent of the existing height of the building.

vii. Only one building/roof mounted antenna support structure, less than 100 square feet in area, is permitted per 5,000 square feet of building floorarea.

(k) Prior to the installation of any building/roof mounted telecommunications antenna, antenna array or support structure the Administrator may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.

20

P&Z Case # DEV-24-12



21

P&Z Case # DEV-24-12



(4) Letters Sent
(0) Approvals
(0) Protests

22

P&Z Case # DEV-24-12

Overview:

- Location: Ward 1
- Requested by: Hemphill Seminary LLC
- For: 0.053 Acres, Portion of Lot 1, Blk A, Brendan Johnson Add. (Comfort Suites)
- Specific Use Permit: Telecommunications Tower in CC District
- Notices: 4 Surrounding Property Owners Notified
  - 0 Voted "In Favor"
  - 0 Voted "In Protest"
- Case heard by P&Z Commission on 3/24/25
- P&Z Commission Approved the Request

P&Z Commission Recommends Approval

23

City Commission – Regular Session

Public Hearings - F

- **F.__** - Conduct a Public Hearing and discuss and consider an Ordinance approving a Specific Use Permit (SUP) for a 115' telecommunications tower on an approximate 0.053 acre tract of land zoned Corridor Commercial district (CC) located on Lot 1, Block A in the Brendan John Addition, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45.

Open the Public Hearing
Public Comment
Close the Public Hearing

Motion, Second, Discussion & Vote

24

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF ENNIS TO GRANT A SPECIFIC USE PERMIT FOR A 115' TELECOMMUNICATIONS TOWER ON AN APPROXIMATE 0.053 ACRE TRACT OF LAND, ZONED CORRIDOR COMMERCIAL DISTRICT (CC), AND LOCATED ON LOT 1, BLOCK A IN THE BRENDAN JOHN ADDITION, PORTION OF ELLIS CAD ID 235625, 400 S INTERSTATE HIGHWAY 45; PROVIDING FOR THE INCORPORATION OF FINDINGS; PROVIDING FOR THE AMENDMENT AND CONDITIONS OF APPROVAL; PROVIDING FOR AN OFFICIAL ZONING MAP AMENDMENT; PROVIDING FOR LAND USE REGULATIONS; PROVIDING A SAVINGS/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUME OF TWO THOUSAND DOLLARS ($2,000) PENALTY CLAUSE FOR EACH OFFENSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Hemphill Seminary LLC has requested an amendment to the Unified Development Ordinance of the City of Ennis to grant a Specific Use Permit (SUP) for a 115' telecommunications tower to be located on an approximately 0.053 acre tract of land located on Lot 1, Block A in the Brendan John Addition, portion of Ellis CAD ID 235625, 400 S Interstate Highway 45, and more particularly described in Exhibit A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, after public notices were given in compliance with Texas law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City (the "Planning and Zoning Commission") has recommended to the City Commission approval of the SUP; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Commission at which it considered the recommendation of the Planning and Zoning Commission and, among other things, the review criteria in Section 3.3.3(9)(c) of the Unified Development Ordinance and concluded the Unified Development Ordinance should be amended to grant the SUP subject to the conditions set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment. The Unified Development Ordinance of the City of Ennis is hereby amended to grant a Specific Use Permit (SUP) for a 115' telecommunications tower on the Property, subject to the following conditions:

1. If the use for which the SUP granted has not commenced within one (1) year of the date of this Ordinance, then the SUP shall expire, unless an extension is approved by the City Commission;

2. In the event the building, premises, or land use under this Ordinance is voluntarily vacated for a period in excess of 180 days, the SUP shall expire unless a new separate Specific Use Permit is granted for continuation of the same;

3. Masonry screening 8 feet in height must be installed and maintained around the perimeter of the Property, and;

4. If the SUP expires, the Property shall be completely cleared of all equipment related to the approved use under the SUP granted by this Ordinance.

SECTION 3. Zoning Map Amendment. The Official Zoning Map shall be amended to denote the Specific Use Permit granted by this Ordinance.

SECTION 4. Land Use Regulations. The regulations contained in the Unified Development Ordinance, as amended, shall control, except as expressly modified by this Ordinance.

SECTION 5. Savings/Repealing Clause. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 6. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. City of Ennis hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7. Penalty. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two thousand dollars ($2,000) for each offense, and a separate offense shall be deemed to be committed upon each day or on which a violation occurs or continues.

SECTION 8. Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases require.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 15th day of April, 2025.

_____
KAMERON RABURN, Mayor

ATTEST:

_____
ANGIE WADE, City Secretary

EXHIBIT “A”
LEGAL DESCRIPTION

TOWER LEASE

BEING a 0.053 acre (2,311.73 square feet) tract of land situated in the William Joice Survey, Abstract 573, being out of a called Lot 1, Block A, Brendan John Addition, an Addition to the City of Ennis, Ellis County, Texas, according to the plat recorded in Cabinet H, Slide 249, Plat Records, Ellis County, Texas, described in deed to MAHAJYOTI, LLC, A TEXAS LIMITED LIABILITY COMPANY, recorded in Instrument No. 2126969, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a found wooden R.O.W. monument at the northwest corner of said Lot 1, Block A, situated on the southwest right-of-way line of Dolfie Lane (60' public right-of-way) and the north right-of-way line of Interstate Highway 45 (various width public right-of-way);

THENCE North 59° 30' 43" East for a distance of 428.51 feet to a point for corner;

THENCE North 59° 30' 41" East for a distance of 20.17 feet to a point for corner;

THENCE South 23° 01' 19" East for a distance of 78.16 feet to a point for corner;

THENCE North 56° 01' 21" East for a distance of 20.37 feet to a set 1/2" iron rod for the POINT OF BEGINNING;

THENCE South 08° 17' 15" East for a distance of 75.00 feet to a set 1/2" iron rod for corner;

THENCE South 77° 46' 24" West for a distance of 32.00 feet to a set 1/2" iron rod for corner;

THENCE North 12° 13' 36" West for a distance of 60.00 feet to a set 1/2" iron rod for corner;

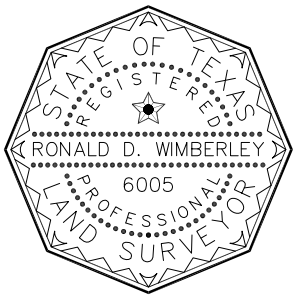
THENCE North 56° 01' 21" East a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.053 acre (2,311.73 square feet) of land, more or less.

I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do certify that the field notes hereon are a true, correct and accurate representation of the property as determined by an on the ground survey conducted on August 30, 2024, under my supervision.

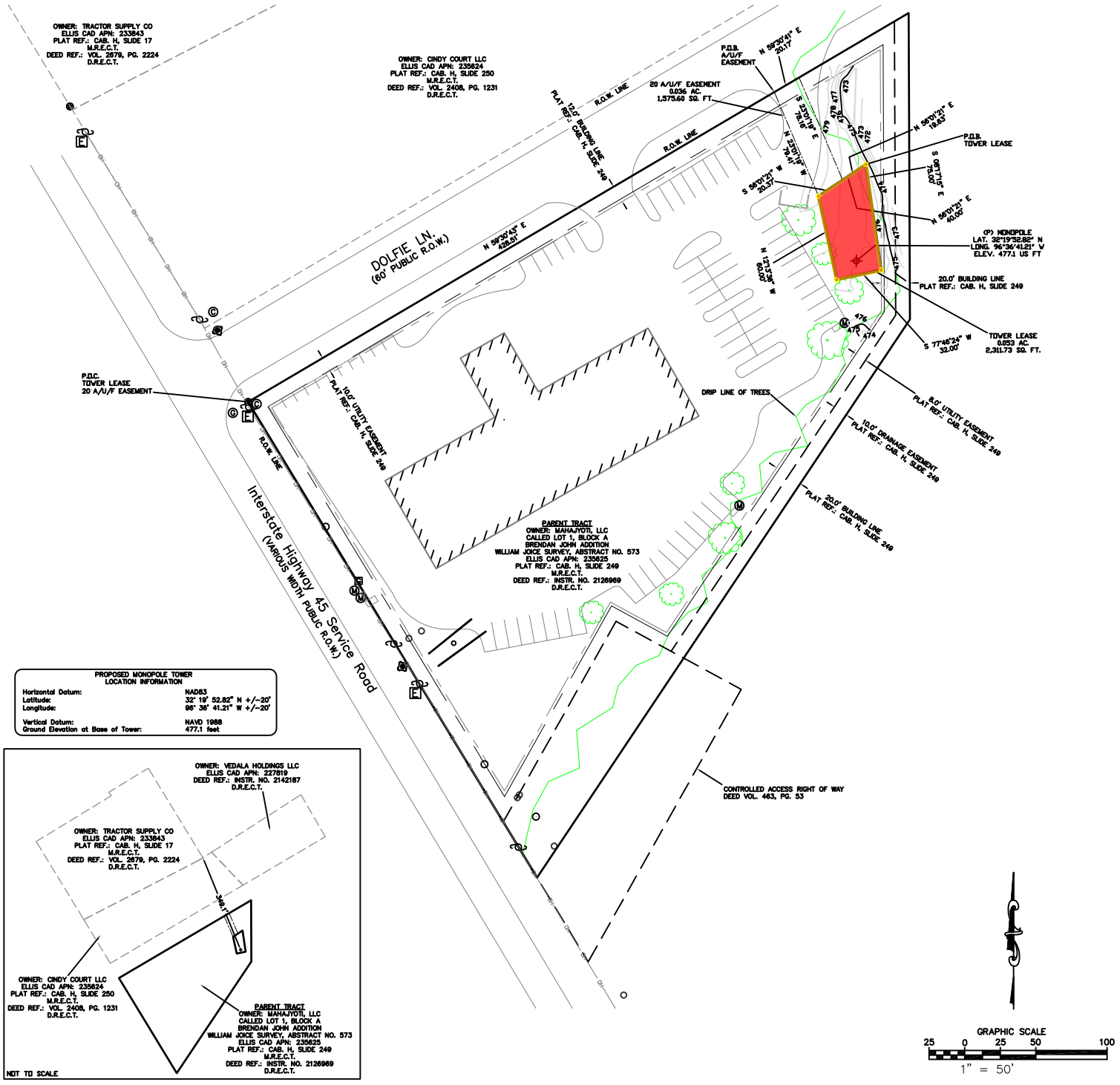
Ronald D. Wimberley, R.P.L.S. No. 6005

DATE: September 3, 2024
JOB NO. 24100
REVISION DATE: September 4, 2024

WIMBERLEY SURVEYING PROFESSIONALS
P.O. BOX 9237
GREENVILLE, TEXAS 75404
903-450-8100



AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	133,362.36	3.062
TOWER LEASE	2,311.73	0.053
20' A/U/F EASEMENT	1,575.60	0.036



I, Ronald D. Wimberley, Registered Professional Land Surveyor, State of Texas, do hereby certify that this survey was made on the ground on August 30, 2024, of the property described hereon and there are no visible encroachments, protrusions, overlapping on improvements or easements except as shown.

WIMBERLEY SURVEYING PROFESSIONALS
PO BOX 9237
GREENVILLE, TEXAS 75404
PHONE: (903) 450-8100
FAX: (903) 455-2902

STATE OF TEXAS
REGISTERED
RONALD D. WIMBERLEY
6005
PROFESSIONAL
LAND SURVEYOR

Ronald D. Wimberley, R.P.L.S. No. 6005

DATE: August 30, 2024
JOB NO. September 3, 2024
REVISION DATE: February 4, 2025

PAGE 1 OF 1

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Discuss and consider approving the business plan for Project F41, the Airport Layout Plan for the Ennis Municipal Airport.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	Economic Development
Staff Contact:	Rhonda Winters, Economic Development Admin Assistant

BACKGROUND INFORMATION:

This project was created to re-develop the Ennis Municipal Airport. The business plan was produced by Woolpert, the consulting firm hired to oversee the project. This is a $10m project between the City and TxDot.

RECOMMENDATION:

The Airport Board and staff recommend approval.

ATTACHMENTS:

032525 FINAL Business Plan - Ennis Municipal Airport
101724 F41-ALP-FUTURE-Overview



Ennis Municipal Airport

AIRPORT BUSINESS PLAN

2024 Final Technical Report

R.A. Wiedemann & Associates, Inc.
AVIATION CONSULTANTS

WOOLPERT

Photo Attributions
Front Cover: Photo of Ennis Municipal Airport. Photo by Volkan Yuksel. Source: Google Maps, accessed August 17, 2024, https://www.google.com/maps/place/Ennis+Municipal+Airport-F41

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SECTION 1

Introduction





SECTION 1: INTRODUCTION

1.1. Understanding and Background

Ennis Municipal Airport has a complex history marked by significant efforts to relocate the airport, a plan that was ultimately not realized. Instead, the City of Ennis has decided to optimize the existing airport facilities, specifically focusing on how best to utilize the current 4,011-foot runway at its present location. This Business Plan is a strategic component of that effort, working in tandem with an ongoing Airport Layout Plan with Narrative. Both planning efforts are being integrated with continuous communication between the principals leading each work effort to ensure that each plan informs and supports the other.

The purpose of the Business Plan is to identify actionable strategies that will maximize the Airport's operational and financial performance within the constraints of its current infrastructure. The City has a number of options, ranging from a hands-off posture to a City-owned Fixed Base Operation. The Business Plan explores these options and presents the financial consequences of each. Overall, the goal is to recommend options that enhance revenue generation, optimize airport management, and strengthen Ennis Municipal Airport's market position within the Dallas metroplex.

The structure of the Business Plan beyond this introduction includes the following sections:

- Airport Management Options and Core Documents
- Overview and Market Position within Service Area
- Revenue Enhancement Options and Proformas
- Airport Business Plan Recommendations and Implementation Timeframe
- Appendices:
  - Appendix A: Job Description for Airport Manager
  - Appendix B: Ennis Municipal Airport Rules and Regulations
  - Appendix C: Ennis Municipal Airport Minimum Standards for Commercial Aeronautical Activities
  - Appendix D: Ennis Municipal Airport Lease Policy
    - Appendix D-1: Solicitation Selection Criteria Framework
    - Appendix D-2: Hangar Waiting List Policy and Form

SECTION 2

Airport Management Options and Core Documents



SECTION 2: AIRPORT MANAGEMENT OPTIONS AND CORE DOCUMENTS

2.1. Introduction

The Ennis Municipal Airport is currently managed by an FBO, Hammock Aviation, which handles aircraft maintenance and other daily operations. As the City of Ennis plans for future growth and seeks to maximize operational efficiency, it is essential to analyze the current FBO management model in comparison to a proposed full-time airport manager model. This section provides a comparison of these two management models, focusing on operational efficiency, financial implications, and future growth issues.

In addition, this section provides recommended core document drafts including Airport Minimum Standards for Commercial Aeronautical Activities, Airport Rules and Regulations, and Airport Lease Policy. These documents provide the foundation for operation, management, and financial production at Ennis Municipal Airport.

2.2. Current Management Structure – Part Time FBO Manager Model

Hammock Aviation functions as the airport manager, overseeing the Airport's operations. As mentioned, this includes aircraft maintenance, fuel sales, and general oversight of airport activities. As an on-airport business, the FBO handles customer service, tenant relations, and coordination with City officials and regulatory bodies.

Under this arrangement, Hammock Aviation does not receive a management fee but collects $0.30 per gallon on fuel sold (both Avgas and Jet-A). This model uses the specialized expertise of the FBO in aircraft maintenance and offers operational flexibility. However, it also has limitations, particularly in terms of City control and strategic oversight, which can impact long-term planning and growth.

2.3. Proposed Full-Time Airport Manager Model

The proposed management model involves hiring a full-time airport manager employed by the City of Ennis. This individual would be responsible for the management of Airport operations, aviation fuel sales, regulatory responsibilities, and tenant relations. In addition, the airport manager would implement the City's strategic goals for the Airport.

The airport manager's specific roles and responsibilities would include overall supervision of airport operations, financial management, fuel sales, coordination of maintenance and development projects, compliance with federal, state, and local regulations, stakeholder engagement, and marketing and business development initiatives. The airport manager would report directly to the City Department of Economic Development (or other City Department as determined by the City) ensuring a direct line of communication and accountability. For a detailed job description for the Ennis Municipal Airport Manager, see Appendix A: Job Description for Airport Manager.

Financially, the budgeted salary for the airport manager is $80,000, with additional costs for benefits, taxes, and other expenses totaling $130,854 in the first year. It is believed that the Airport Manager would be hired the year before significant development occurred on the Airport.

2.4. Comparison of Management Models

Part-Time FBO Management

The part-time FBO management model provides specialized expertise in aircraft maintenance and operational flexibility. However, it poses challenges related to limited control over daily operations and potential conflicts



of interest. The service quality under this model depends on the FBO's performance, which may not always align with the City's strategic goals. In summary:

- **Pros:**
  - Cost savings, specialized expertise, and operational flexibility.
- **Cons:**
  - Limited City control, potential conflicts of interest, and less strategic oversight.
  - Part-time attention due to the FBO's other full-time business work.
  - Beneficial for immediate operational needs but may not support long-term strategic goals effectively.

City Management

The full-time airport manager model offers direct accountability, improved operational oversight, and strategic alignment with City goals. This model can enhance service quality and ensure that operations are managed on a full-time basis. For the future, attracting based aircraft tenants will require a full-time airport manager. Also, on-airport businesses could be solicited even if they competed in some way with Hammock Aviation Services – no vested interest in keeping them out. The initial adjustment period and the need for additional training and support are potential challenges, but the long-term benefits of increased control and strategic alignment are significant.

- **Pros:**
  - Increased control, direct accountability, and potential for strategic development.
  - Improved financial oversight and enhanced service quality.
  - Growth of the tenant base requires a full-time manager that can respond to daily issues and attract new businesses.
- **Cons:**
  - Higher upfront costs and may require additional support staff. These costs must be weighed against long-term benefits and potential Airport growth.

2.5. Preliminary Observations

Based on the comparison of the two management models, it is believed that by hiring a full-time airport manager, the City's strategic goals and plans for Airport expansion can be better implemented. This option also offers improved financial oversight and operational efficiency. While the initial costs are higher, the potential for increased revenue and enhanced service quality present a risk/reward scenario to the City. Later in this Business Plan, a direct comparison of revenues and expenses will be made for each management option.

The City has already taken some steps to transition to a City management model. A full list of these steps includes the following:

1. Develop a detailed job description for the airport manager, including educational requirements, job experience, and key responsibilities (see Appendix A: Job Description for Airport Manager).
2. Initiate the recruitment process, ensuring a thorough selection to find a candidate who aligns with the City's strategic vision.
3. Plan for the onboarding and training of the new airport manager, including an introduction to current operations and key stakeholders.
4. Revise existing contracts and agreements where needed with the FBO to reflect the new management structure.
5. Establish a monitoring and evaluation plan to assess the effectiveness of the new management model and adjust as needed.



Selecting the right management model should help the future growth and success of Ennis Municipal Airport. The full-time airport manager model offers significant advantages as described above. The Business Plan will show timelines and budget information later in this report.

2.6. Airport Core Documents

This subsection of the Ennis Municipal Airport Business Plan provides an overview of three key documents that are foundational to the Airport's operations, management, and development. These documents establish the framework for airport governance, commercial activities, and facility management, ensuring that the Airport meets regulatory standards while fostering a safe and efficient operational environment. The full documents are presented in Appendices B, C, and D of this Business Plan for detailed reference.

Ennis Municipal Airport Rules and Regulations

The Ennis Municipal Airport Rules and Regulations document serves as the primary guideline for all operations, conduct, and activities within the Airport premises (see Appendix B: Ennis Municipal Airport Rules and Regulations). It establishes a framework that ensures safety, security, and efficient use of the Airport's facilities by all users, including tenants, commercial operators, general aviation pilots, and visitors.

Key Points:

- **Purpose:** The regulations aim to safeguard Airport infrastructure, and ensure compliance with federal, state, and local laws.
- **General Rules:** It includes specific guidelines for aircraft operations, vehicular traffic, noise abatement, and facility use.
- **Compliance:** The document outlines the responsibilities of various stakeholders, including operators, pilots, commercial entities, and tenants, emphasizing the importance of adhering to established rules to maintain a safe and secure airport environment.
- **Amendments and Waivers:** Provisions for amendments, temporary waivers, and enforcement procedures ensure that the regulations remain relevant and are effectively enforced.

Ennis Municipal Airport Minimum Standards for Commercial Aeronautical Activities

The Minimum Standards for Commercial Aeronautical Activities document sets forth the criteria and requirements for aeronautical businesses and service providers operating at Ennis Municipal Airport (see Appendix C: Ennis Municipal Airport Minimum Standards for Commercial Aeronautical Activities). These standards ensure that all commercial activities meet high levels of safety, efficiency, and regulatory compliance.

Key Points:

- **Purpose:** The document supports the Airport's operational and developmental goals by providing clear guidelines for current and prospective service providers, ensuring consistency and quality in service delivery.
- **Scope:** It covers a broad range of commercial aeronautical activities, including Fixed Base Operations (FBOs), aircraft maintenance, flight training, hangar leasing, and Specialized Aviation Service Operations (SASOs).
- **Regulatory Framework:** The standards are aligned with federal, state, and local regulations, including FAA oversight, state aviation laws, and local ordinances.
- **Compliance and Enforcement:** The document outlines the processes for obtaining operational approval, maintaining compliance, and enforcing standards through applications, inspections, corrective actions, and, if necessary, revocation of operational privileges.



Ennis Municipal Airport Lease Policy

The Airport Lease Policy document for Ennis Municipal Airport provides a framework for leasing airport property to tenants (see Appendix D: Ennis Municipal Airport Lease Policy). It outlines the terms, conditions, and responsibilities associated with leasing agreements, ensuring that Airport property is utilized effectively and in alignment with the Airport's strategic objectives.

Key Points:

- **Lease Agreement Standards:** The policy sets out the requirements for lease agreements, including fair market value, compliance with local and federal regulations, and operational restrictions to maintain safety and efficiency.
- **Facility Development and Maintenance:** It includes guidelines for the construction and maintenance of leased facilities, emphasizing maximization of City assets, financial production, safety, transparency, and alignment with the Airport's Layout Plan and overall aesthetic character.
- **Enforcement and Compliance:** The document details the enforcement mechanisms for non-compliance, including penalties, lease termination, dispute resolution, and an appeals process for tenants.
- **Proprietary Rights to Sell Fuel:** The document declares the City's proprietary right to sell fuel. The City also has the right to license third party fuel sellers if desired.
- **Solicitation Selection Criteria:** The Lease Policy includes a framework for solicitation and selection of Airport tenant business proposals.
- **Hangar Waiting List:** The document lists the policy guidelines for establishing a hangar waiting list and presents an application form for prospective tenants.

These core documents are needed for the effective management of Ennis Municipal Airport, providing a structured approach to governance, commercial operations, and facility management.

SECTION 3

Overview and Market Position Within Service Area



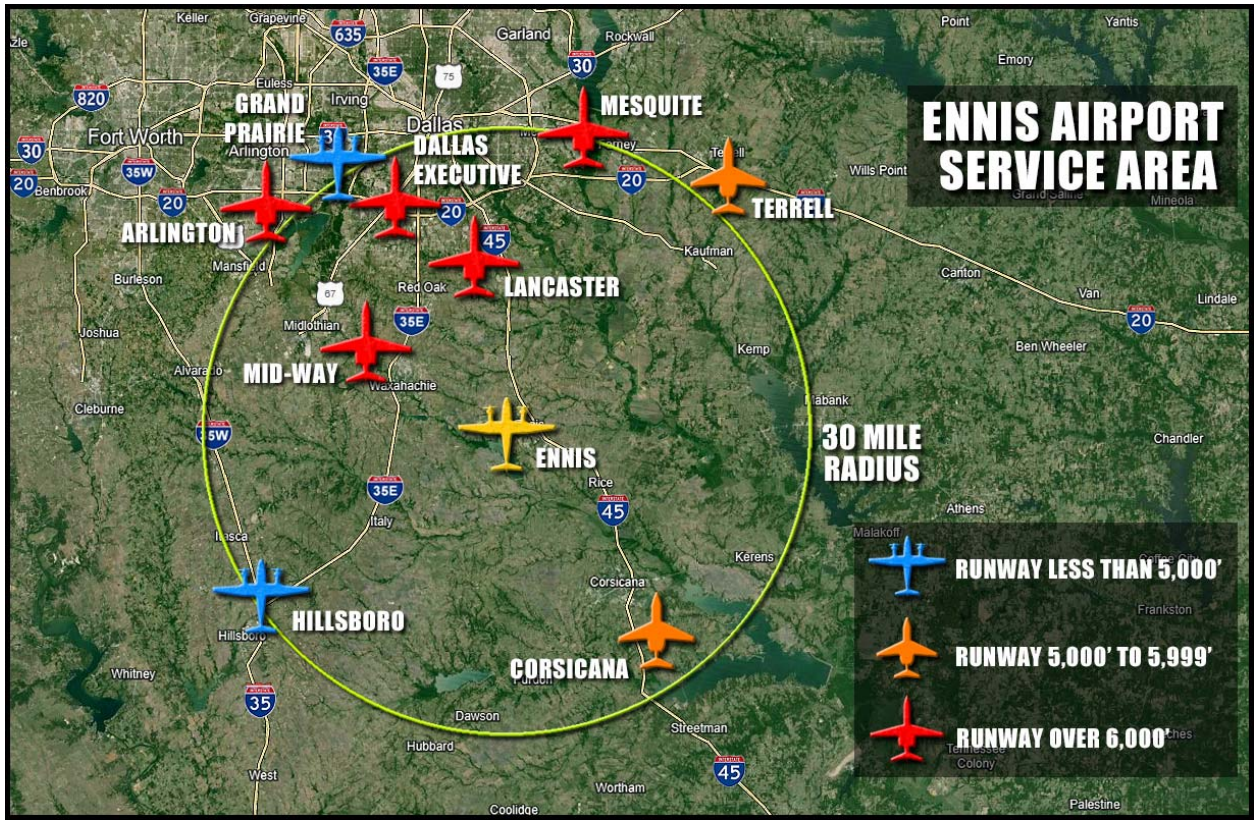
SECTION 3: OVERVIEW AND MARKET POSITION WITHIN SERVICE AREA

From a business standpoint, there are many factors beyond the physical attributes of an airport that play a role in the airport's ability to generate revenue. This section examines the competitive market position of Ennis Municipal Airport relative to its service area in the Dallas metroplex.

3.1. Airport Location and Role in its Service Area

Located approximately 30 miles south of the Dallas central business district (CBD), Ennis Municipal Airport (F41) is situated along Texas State Highway 287, west of Interstate 45 (Figure 1). The Airport is bordered by Lake Clark and serves several communities in and around Ellis County. The Airport features a single 4,011-foot x 50-foot runway. Hammock Aviation Services serves as the fixed base operator (FBO) providing pilot amenities, fueling services, and aircraft maintenance. As a small general aviation facility, the Airport accommodates light single-engine and twin-engine propeller aircraft, with occasional access by helicopters, light jets, and float planes.

Figure 1: Ennis Airport Service Area



The Airport service area for Ennis Municipal was assumed to extend to a 30-mile radius surrounding the Airport, which is consistent with the North Central Texas Council of Governments (NCTCOG) regional aviation system plan metrics. This area encompasses much of the central Dallas Metroplex to areas south, southeast, and slightly to the southwest. The Ennis Municipal service area includes ten airports shown in Table 1 listed below.



- Ennis Municipal Airport
- Arlington Municipal Airport
- Mid-Way Regional Airport
- Lancaster Regional Airport
- Corsicana Regional Airport
- Dallas Executive Airport
- Grand Prairie Municipal Airport
- Hillsboro Municipal Airport
- Terrell Municipal Airport
- Mesquite Metro Airport

Some of these facilities are just outside the 30-mile radius but were included to expand the comparative database.

It is well known that traffic patterns and drive times in the Dallas Metroplex can vary significantly depending upon day of the week, time of day, events, and other factors. Monday through Friday, northbound morning traffic on Interstate 45 tends to be more congested and slower as traffic heads into Dallas for the workday, while southbound traffic remains relatively unencumbered. In the late afternoon, the opposite is true as workers are heading out of Dallas to go home.

This particular characteristic of traffic patterns can work to the advantage of Ennis Municipal. Most single engine piston aircraft pilots prefer daylight hours and good weather for their aviation activities. Those residing nearer Dallas would be able to take advantage of less congested traffic patterns.

3.2. The Financial Challenges of General Aviation

Most general aviation airports face financial challenges due to limited revenue streams which are typically based on fuel sales, user fees for aircraft parking and storage, property rentals, ground and facility leases, and occasionally landing fees. An indirect financial advantage often involves proximity to large population centers. GA facilities in or near these destinations benefit from increased activity/operations levels, a larger population base from which to draw active pilots, maintenance personnel, aspiring flight school students, etc. A rare few general aviation airports in Texas are fortunate to have oil and natural gas leases or other non-aviation related revenue streams. Beyond these, most public GA airports in Texas rely on State/FAA and local grants and local operational subsidies to fund and maintain facilities and operations. Our consulting experience in airport business planning shows that less than 10 percent of general aviation airports are financially self-supporting.

3.3. The Significance of Runway Length

The heart of every airport is its airfield runway and taxiway system. Typically, the larger and faster the aircraft, the longer and wider the runway must be to service those aircraft adequately and safely. Typically, corporate jet aircraft require a minimum 5,000-foot runway length due to insurance and operational requirements. There are exceptions for the small to very light jet end of the spectrum, but the majority of corporate/private jet aircraft require at least 5,000 feet of runway.

Another factor that affects necessary runway length is the effect of density altitude. Simply put, as air temperature rises, air expands, providing fewer molecules for an aircraft propeller, turbine, rotor, or wing to push or pull against. This results in slower acceleration, reduced lift, longer take-off and stopping distances. This in turn requires additional runway length.

Hot days occur regularly several months of the year in north central Texas. Airports with longer runways have a distinct advantage in attracting the more profitable jet powered clientele. Table 1 shows service area airports in descending order of primary runway length.

Table 1: Ennis Municipal Airport Service Area Airports (35 Mile Radius)

ID	Airport	Miles	Primary Runway	Land (Acres)	Annual Operations
RBD	Dallas Executive	27 NW	7,136 x 100	1,070	93,192
JWY	Mid-Way Regional	17 NW	6,500 x 100	243	49,700
LNC	Lancaster Regional	18 N	6,500 x 100	548	67,100
GKY	Arlington Municipal	35 NE	6,080 x 100	500	88,222
HQZ	Mesquite Metro	30 NE	6,000 x 100	448	103,642
TRL	Terrell Municipal	35 NE	5,006 x 75	400	33,650
CRS	Corsicana Municipal	26 SE	5,004 x 75	166	25,200
F41	Ennis Municipal	0	4,011 x 50	30	9,420
GPM	Grand Prairie Municipal	33 NW	4,001 x 75	162	101,991
INJ	Hillsboro Municipal	30 SW	3,998 x 60	130	10,800

Several observations can be made from this list.

- Dallas Executive is equipped with a 7,100-foot runway.
  - This facilitates use for even the largest corporate jet aircraft (Gulfstream G700s and Boeing Business Jets) under most weather and temperature conditions.
- Mid-Way and Lancaster feature 6,500-foot runways.
  - This permits use for medium and certain large corporate jet aircraft under most conditions.
- Mesquite and Arlington offer 6,000-foot runways.
  - This permits use for small to medium corporate jet aircraft under most conditions and use by larger corporate jet aircraft under ideal conditions.
- Corsicana and Terrell each have 5,000-foot runways.
  - This permits use for small to medium corporate jet aircraft under good conditions.
- Ennis, Grand Prairie, and Hillsboro feature 4,000-foot runways.
  - These airports are best suited for small piston/propeller aircraft to certain larger business turboprop aircraft, very light jets, and helicopters.

Although Ennis Municipal is in the lower service tier due to its shorter runway and limited expansion possibilities, it is noteworthy to point out that Grand Prairie with a similar sized runway, generates nearly 11 times the number of annual operations and has the second most based aircraft of the ten airports in the service area. These are hopeful signs for the future potential of Ennis Municipal.

3.4. Grand Prairie Model

Grand Prairie serves as a benchmark/model for efforts at Ennis Municipal, setting a standard to replicate in their operations. In this regard, Grand Prairie has an active flight school, significant maintenance operations, and close proximity to the central Dallas Metroplex. While Ennis cannot change its geography, it can create a base of operations for other aviation business and activity by constructing and permitting the construction of new hangars. All of this activity will equate to fuel sales, an increased tenant base, and other improvements to the overall revenue stream. It reveals that limited runway length is not necessarily a negative.



3.5. Ennis Municipal Aviation Activity

In terms of operations and number of based aircraft, Ennis Municipal recorded approximately 9,500 flight operations in 2022 with 9 based aircraft on the Airport (see Table 2). This places the Airport at the bottom of these rankings among the other larger airports.

Table 2: Ennis Municipal Airport Service Area Based Aircraft

FAA	AIRPORT	BASED AIRCRAFT						
		SINGLE	MULTI	JET	HELI	OTHER	TOTAL	OPERATIONS
RBD	Dallas Executive	242	47	52	15	2	358	93,192
JWY	Mid-Way Regional	73	14	1	0	5	93	49,700
LNC	Lancaster Regional	52	10	1	4	1	68	67,100
GKY	Arlington Municipal	163	14	14	8	1	200	88,222
HQZ	Mesquite Metro	155	21	10	0	0	186	103,642
TRL	Terrell Municipal	74	9	0	0	0	83	33,650
CRS	Corsicana Municipal	55	4	0	1	0	60	25,200
F41	Ennis Municipal	9	0	0	0	0	9	9,420
GPM	Grand Prairie Municipal	275	13	1	0	0	289	101,991
INJ	Hillsboro Municipal	17	2	1	0	0	20	10,800

Table 3: Ennis Municipal Airport Service Area Rates and Charges

Service Area Airports	Tie-Down	Conventional Hangars		T-Hangars		Fuel Price / Gallon			
	$ Month	$ Month	Avail	$ Month	Avail	100LL SS	100LL FS	Jet A SS	Jet A FS
Ennis Municipal			0		0	$4.75	--	$4.84	--
Corsicana Municipal	$5 Day	$250-$500	0	$135-$216	0	$5.21	--	$4.33	--
Hillsboro Municipal	$30	$.15 SFYR	0	$150	0	$5.20	--	$4.30	--
Grand Prairie Municipal	$30-$55	$550-$2,640	0	$234-$684	0	$5.39	$5.76	$4.73	$5.34
Terrell Municipal	$35	N/A	0	$173-$483	0	--	$4.90	--	$4.50
Mid-Way Regional	$50	$935-$1,700	0	$308-$470	0	$5.80	$6.20	--	$6.00
Lancaster Regional	$60	$368-$700	0	$240-$408	0	$4.70	$5.70	$5.05	$5.25
Dallas Executive	$100	$.55 SFYR	0	$400-$600	0	$5.99	--	--	$5.59
Mesquite Metro	$85-$150+	$540-$1,590	0	$450-$550	0	$6.16	$6.16	$4.90	$5.40
Arlington Municipal	$55	$.42-$.50 SFYR	0	$240-$340	0	$5.80	--	--	$6.25

Source: Fuel Prices from Airnav.com, accessed 5/29/2024. Hangar prices from interviews with airport managers during June/July 2024.

3.6. Airport Lease Rates

As shown in Table 2, the prices for monthly tie-down spaces range from $30 at Hillsboro Municipal to $150+ per month at Mesquite Municipal. For Ennis Municipal Airport, adopting a competitive pricing strategy for tie-down spaces, possibly in the range of $50 to $75 per month, could attract more general aviation traffic while remaining affordable compared to other service area airports. Many airports waive the daily tie-down fee when fuel is purchased.

Conventional hangar space includes box hangars, community hangars, and larger clear-span hangars. The monthly rates for conventional hangars vary significantly, with Corsicana Municipal listing rates from $250 to $500, Grand Prairie Municipal from $550 to $2,640, Mid-Way Regional from $935 to $1,700 per month. Arlington Municipal, Dallas Executive, and Hillsboro Municipal lease land for hangar development. These lease rates are from $0.42 to $0.50 per square foot per year at Arlington Municipal. Dallas Executive has ground leases for conventional hangars at $0.55 per square foot per year, while Hillsboro has ground leases at $0.15 per square foot per year.

Despite the range of prices, all conventional hangar spaces in the service area are currently occupied, indicating a strong demand. Section 4.4 of this report presents pricing strategies for Ennis Municipal Airport for its hangars. These depend on whether the City develops the hangars or if a third party is used.

T-Hangars, which are a popular choice for smaller aircraft, also show a range of prices. Monthly rates for T-Hangars range from $135 to $216 at Corsicana Municipal, $234 to $684 at Grand Prairie Municipal, $308 to $470 at Mid-Way Regional, and $400 to $600 at Dallas Executive. Arlington Municipal lists its T-Hangars at $240 to $340 per month. Similar to conventional hangars, none of the airports currently have T-Hangars available for rent, which reflects a high demand and potential opportunity for Ennis Municipal Airport.

3.7. Fuel Prices

It is important to note that fuel prices can fluctuate frequently. Table 3 provides a snapshot of the fuel prices at the time the data was compiled (May 29, 2024). Information regarding fuel prices was sourced from www.airnav.com.

Self-serve Avgas (100 LL SS) is available at four of the airports within the service area. The highest per gallon price was $5.80 at Mid-Way Regional, while the lowest was $4.70 at Lancaster Municipal. Full-serve Avgas (100 LL FS) is available at four airports, where prices ranged from $6.20 per gallon at Mid-Way Regional to $5.70 at Lancaster Municipal. Dallas Executive and Arlington Municipal both offer full-serve Avgas which was priced at $5.99 and $5.80 per gallon, respectively.

Jet A fuel prices also varied across the service area. Self-serve Jet A (Jet A SS) is available at six of the nine airports in the service area. The highest per gallon price was $5.05 at Lancaster Regional, while Hillsboro Municipal had the lowest price at $4.30 per gallon. Ennis Municipal ranked third out of six at $4.84 per gallon.

Full-serve Jet A (Jet A FS) is available at six of the nine airports, including three of the airports which did not have self-service Jet-A fuel. Prices for full-service Jet-A ranged from $4.50 per gallon at Terrell Municipal to $6.25 at Arlington Municipal. Mid-Way Regional listed its full-serve Jet A at $6.00 per gallon, and Dallas Executive offered it at $5.59 per gallon.

Overall, the fuel prices at the service area airports showed a range of options for both self-serve and full-serve fuel, reflecting the varying costs associated with fuel supply and demand across different locations. Ennis Municipal Airport fuel pricing is $0.90 per gallon above the delivered price for 100LL and $1.20 above the delivered price for Jet-A. Currently, the Airport only has self-service fueling capabilities, so the pricing method



is fairly simple under the existing conditions. However, if the City were to offer full service fueling, the pricing model would have to change.

3.8. The Airport Brand

An airport's brand is the image it stirs in the minds of its customers, both current and potential. It is directly related to the airport's competitive market position. Beyond logos, signage, and taglines, it is the sum of the entire customer experience from infrastructure quality and availability of essential services. A strong brand is built on consistent, gratifying customer experiences.

Ennis Municipal faces certain limitations, but none can prevent the Airport from building a quality brand, attracting and retaining clientele, and stimulating growth. Implementation of the Airport Layout Plan will initiate key upgrades to improve/correct paved infrastructure, move structures, and allow for the development of new hangars and facilities. As such, now is an ideal time to reexamine and adjust the Airport brand for the future.

3.9. Branding Actions

As shown previously, the service area includes a variety of public-use airports with very good facilities. Ennis Municipal Airport has the potential to carve a niche within its service area. This will require time, development of new hangar space and other facilities, branding and marketing, and determination. It is believed that the City could develop the branding program using its own resources.

The following branding actions can help the Airport to reach its potential.

Niche Market Focus:

- Specialized Services: Suggested additional services to attract to the Airport include flight training schools, seaplane operators, drone operations, and aerial photography.
- Recreational Aviation: Promote the Airport as a hub for recreational pilots and flying clubs (including seaplanes) and leverage its scenic location by Lake Clark.

Facility and Service Enhancements:

- Hangar and Tie-Down Expansion: Increase hangar space and tie-downs to attract more based aircraft.
- Fuel Services: Offer competitive fuel pricing and consider full-service options to attract additional business including more Jet-A users.

Community Engagement and Events:

- Aviation Events: Host regular aviation events such as air shows and fly-ins to raise the Airport's profile.
- Educational Programs: Implement community outreach programs, such as aviation camps and school partnerships, to foster interest in aviation.

Marketing and Branding:

- Targeted Campaigns: Develop marketing campaigns highlighting the Airport's unique advantages, such as proximity to Dallas, open airspace, competitive rates, and a relaxed atmosphere.
- Online Presence: Enhance the Airport's online presence through an updated website and social media engagement.



Collaborations and Partnerships:

- Assist Larger Airports in Solving Their Capacity Problems: Most larger GA facilities are seeking the increased fuel sales and larger hangar footprint (increase revenues) made possible by attracting corporate aircraft. As aging T-hangars and patio hangars are replaced by larger more profitable conventional hangars serving these corporate tenants, it is possible that Ennis Municipal could pick up a few new tenants (most likely single-engine propeller aircraft owners) that are looking for more open airspace and reasonable hangar rates.

Customer Experience:

- Pilot and Passenger Amenities: Improve amenities such as lounges, shower facilities, food or vending options, Wi-Fi, and courtesy transportation.

By considering these strategies, and working to become the best version of itself, Ennis Municipal Airport can improve its position and attract more customers, enhancing its role within the regional aviation system.

SECTION 4

Revenue Enhancement Options and Proformas



SECTION 4: REVENUE ENHANCEMENT OPTIONS AND PROFORMAS

4.1. Introduction

This section identifies historical revenues and expenses at Ennis Municipal Airport (F41) and projects those revenues and expenses to year 2043. There are two projections of financial performance documented in this section. They include a Baseline Forecast and a Revenue Enhancement Forecast.

The Baseline projection of financial performance is designed to answer the question, "How will the improvements recommended in the Layout Plan impact the current growth of Airport revenues and expenses?" The Revenue Enhancement projection incorporates proactive recommendations from this Airport Business Plan and shows the financial production possibilities associated with significant expansion of the based aircraft population over and above the Airport Layout Plan forecasts. To address these projections, this section is organized as follows:

- Historical Revenues and Expenses
- Baseline Forecast of Revenues and Expenses
- Revenue Enhancement Options

4.2. Historical Revenues and Expenses

F41 is owned and operated by the City of Ennis and is managed through the City's Economic Development Corporation. The FBO functions as the on-airport management arm of the Economic Development Corporation for day-to-day operations. The City desires financial self-sufficiency, but also recognizes the need to balance that policy with economic growth and job creation. Revenues generated from use are dedicated by federal grant assurances to fund F41's operations, maintenance, and capital costs. All airports that are recipients of federal grant funding (including those in Block Grant states such as Texas) are obligated to establish a fee and rental structure that makes them as financially self-sufficient as possible under airport specific circumstances.

Information concerning historical revenues and expenses for F41 was provided for FY2020 through budget year FY2024. For purposes of this analysis, this most recent five-year data history was used because it represents the relevant historical financial performance of F41. In addition, these data are most applicable for financial forecasting because they give some indication of the recent trends. Table 3 shows the historical revenue as documented in the income and revenue spreadsheets provided. Components of the revenue and expense categories include:

Revenues

- **Fuel Sales:** These revenues are derived from the City-operated self-serve fuel tanks and include Jet A and 100LL Avgas.
- **Leased Property:** This includes hangar rent and ground leases.

Expenses

- **Fuel Supplies:** These expenses include the wholesale costs of fuel for both Jet A and 100 LL Avgas.
- **Repair and Maintenance:** These costs are the normal costs of upkeep for buildings and machinery. They also include tools and equipment.
- **Services:** This category of expenses includes contracts and consultants, utilities, insurance, and other services.
- **Miscellaneous:** This small category of expenses was only used in 2020 and is not shown in more recent years.



Table 3: Historical Revenues and Expenses

	2020	2021	2022	2023	2024
Operating Revenues					Budget
Airport Fuel	$87,723	$152,702	$195,322	$198,947	$195,322
Leased Property	$10,291	$9,149	$10,125	$10,457	$10,125
Grand Total Revenues	$98,014	$161,851	$205,447	$209,404	$205,447
Operating Expenses					
Fuel Supplies	$66,350	$140,723	$184,385	$167,998	$165,000
Repair and Maintenance					
Building & Structural	$1,364	$165	$474	$53,819	$20,000
Machinery, Tools, Equipment	$12,037	$5,226	$8,235	$9,203	$10,000
Subtotal Repair and Maintenance	$13,401	$5,391	$8,709	$63,022	$30,000
Services					
Contract Services & Consultants		$18,540	$7,738	$1,850	$5,000
Electric	$2,671	$2,782	$2,468	$2,703	$2,900
Other Services	$11,259	$4,079	$5,062	$5,372	$5,000
Insurance	$3,166	$5,258	$7,577	$9,408	$12,619
Subtotal Services	$17,096	$30,659	$22,845	$19,333	$25,519
Miscellaneous	$867				
Grand Total Expenses	$97,714	$176,773	$215,939	$250,353	$220,519
Net Operating Revenues	$300	($14,922)	($10,492)	($40,949)	($15,072)
RAMP Grant (non-operating expenses)	$240	$23,016	$50,000	$50,000	$50,000

Table 3 also shows the non-operating expenses associated with F41. These expenses include Routine Airport Maintenance Program (RAMP) contributions to TxDOT for their annual matching grant program. It should be noted that non-operating revenues and costs are just that – they are not generated from Airport operations. In order to determine what F41 itself is generating, the analysis focuses on operating revenues compared with operating expenses.

It should also be noted that Depreciation is not included in the Operating Expenses because it is a non-cash expense. Depreciation is used to account for the loss of useful life value in capital investments. As such, depreciation is a good indicator on the balance sheet of asset value loss. Operational Expenses, therefore, are inclusive of actual cash expenses and not depreciation expenses.

For this Business Plan, the ability of F41 to generate revenues and cover operating costs is of primary concern. In this regard, surplus operating revenues (if any) can be used to pay the local share of capital development or

other non-operating costs. Even if increases to the revenue base can be made, which offset all operating expenses, there still may be forecast shortfalls for capital improvement needs. Therefore, it is important for the Business Plan to anticipate the scope of financial need and present that to the City as far in advance as possible.

As shown in Table 3, the Airport operates at a slight deficit from year to year. The sale of aviation fuel is the primary source of revenue. Without employees at the Airport, the City has minimized their costs. However, they have not been able to grow the revenue base because of a lack of facilities and adequate infrastructure.

It is against this historical backdrop that the Forecast of Revenues and Expenses for F41 was developed. As mentioned previously, most public-use general aviation airports in the United States do not cover expenses with revenues and must be subsidized by their owners/sponsors.

4.3. Baseline Forecast of Operating Revenues & Expenses

The Baseline Forecast presents a look at revenues and expenses, influenced primarily by the Airport Layout Plan forecasts. The projection does not consider all of the potential changes at F41 that might occur through the implementation of the new Business Plan recommendations. To determine the historical trend, the percent increase or decrease from FY2020 to FY2024 was examined to determine the most reasonable growth rates. If there was no clear trend, an average of the historical rates was used.

Revenues

The following assumptions were used in developing the revenue portion of the forecast:

- **Fuel Sales:** For the future, the forecast of fuel consumption used the high Layout Plan forecast of aircraft operational demand growth to project revenues. This growth shows aircraft operations growing from 9,420 to 15,910 by the year 2043 – a 2.65 percent compound annual growth rate. This real growth rate was combined with an assumed inflation rate of 3 percent annually, resulting in a compound growth rate of 5.7 percent. The result of this total growth rate is an **average annual increase** in fuel revenues of $18,700 over the planning period. It should be noted that growth is limited by the number of based aircraft at F41, which is a function of the hangar space available. With 100 percent hangar occupancy, growth in fuel sales can only be generated by transient customers.
- **Lease Revenues:** Baseline revenues from Airport leases are expected to grow at the rate of inflation (measured by the Consumer Price Index - CPI) and increase with the addition of several new based aircraft over the planning period. Although the lease revenues will almost triple, growing from $10,457 in 2023 to $29,500 by 2043, the fact that they are so low to begin with means they will not significantly impact overall revenues.

Expenses

The following assumptions were used in developing the expense portion of the forecast:

- **Fuel Expense:** The fuel expense category is expected to follow along the same growth levels as fuel revenues. Fuel expenses have averaged 87.5 percent of revenues over the historical period. This involved self-service fueling and the payment to Hammock Aviation Services of $0.30 per gallon to oversee and manage the on-airport process. With the addition of a new airport manager in 2025, the City can recoup that cost and increase the margin from $0.60 to $0.90 per gallon for the future. This would require the airport manager to oversee the fueling operation (taking deliveries, checking fuel filters, etc.) as one of his duties.
- **Rate of Inflation/Consumer Price Index (CPI):** Historically, the rate of inflation/CPI has been used to escalate prices when making forecasts of revenues and expenses. Although the annual rate of inflation has averaged 4.4 percent from January 2020 through December of 2023, projections of a potential



recession or economic downturn in 2025 have reduced the forecasts of CPI growth significantly. For this forecast, a rate of 3 percent per year was used to forecast Services along with Repair and Maintenance under the Airport Layout Plan forecast scenario. The projected addition of an airport manager in 2025 adds a Salaries and Wages category of expenses to the Airport's profile that was not included in the financial history. In this regard, a slightly lower rate of 2 percent was used to forecast Salaries and Wages, which reflects the historically lower rate of wage inflation.

Baseline Forecast Summary

Drawing on these assumptions for both revenues and expenses, and taking a conservative approach to Airport financial performance, a Baseline forecast was developed. These projections of revenues and expenses are separate from the Business Plan development scenario which includes significant new hangar facility development. Again, the purpose of this Baseline projection is to provide a benchmark to show the impacts of the Layout Plan recommendations.

The Baseline projection of revenues and expenses is presented in Table 4. As shown, operating revenues are anticipated to grow from $209,400 in FY2023 to $598,900 by FY 2043 - an overall growth of 186 percent for the period. Baseline operating expenses are expected to increase from $250,400 in FY 2023 to $728,500 in FY 2043 - an overall growth of 191 percent. Table 4 presents the summary of operating revenues and expenses generated by F41 under this constrained (baseline) scenario.

As shown, net revenues for the baseline forecast scenario show deficits over the twenty-year period that hold fairly constant around $125,000 - $130,000 level. This amount is roughly equal to the salaries and wages associated with the addition of an airport manager. In the following section, revenue enhancement options are examined to determine the difference in financial position to be gained by offering full service fueling and developing significant numbers of new hangars.

Table 4: Baseline Forecast of Revenues and Expenses: 2043

Year	2023	2025	2026	2027	2028	2033	2043
Operational Revenues	(actual)						
Airport Fuel	$198,947	$201,182	$207,217	$213,434	$244,019	$339,179	$569,422
Leased Property	$10,457	$10,429	$10,742	$11,064	$12,649	$17,582	$29,517
Grand Total Revenues	**$209,404**	**$211,610**	**$217,959**	**$224,497**	**$256,668**	**$356,761**	**$598,939**
Operational Expenses							
Fuel Supplies	**$167,998**	**$164,969**	**$169,918**	**$175,016**	**$200,095**	**$278,126**	**$466,926**
Salaries and Wages							
Salaries	$0	$0	$80,000	$81,600	$83,232	$91,895	$112,019
Benefits, Taxes, and Overhead	$0	$0	$50,854	$51,871	$52,909	$58,415	$71,208
Subtotal Salaries and Wages	**$0**	**$0**	**$130,854**	**$133,471**	**$136,141**	**$150,310**	**$183,227**
Repair and Maintenance							
Building & Structural	$53,819	$4,500	$4,635	$4,774	$4,917	$5,700	$7,661
Machinery, Tools, Equipment	$9,203	$8,940	$9,208	$9,484	$9,769	$11,325	$15,220
Subtotal Repair and Maintenance	**$63,022**	**$13,440**	**$13,843**	**$14,258**	**$14,686**	**$17,025**	**$22,881**
Services							



Year	2023	2025	2026	2027	2028	2033	2043
Consultants, Contract Services	$1,850	$8,300	$8,549	$8,805	$9,070	$10,514	$14,130
Electric	$2,703	$3,000	$3,090	$3,183	$3,278	$3,800	$5,107
Other Services	$5,372	$6,400	$6,592	$6,790	$6,993	$8,107	$10,896
Insurance	$9,408	$12,700	$13,081	$13,473	$13,878	$16,088	$21,621
Subtotal Services	**$19,333**	**$30,400**	**$31,312**	**$32,251**	**$33,219**	**$38,510**	**$51,754**
Grand Total Expenses	**$250,353**	**$208,809**	**$345,927**	**$354,997**	**$384,141**	**$483,972**	**$724,788**
Net Revenues	($40,949)	$2,801	($127,969)	($130,499)	($127,473)	($127,211)	($125,849)

4.4. Revenue Enhancement Options

Given the high upside potential of Ennis Municipal Airport to accommodate significant numbers of based aircraft, this financial scenario examines the risk/reward strategy of stimulated Airport expansion through a number of revenue enhancement options over and above the baseline scenario. These include:

- Hangar Development Options
- New Flight School
- Full Service Fueling
- Additional Special Aviation Service Operators (SASOs)

It is noted that the Airport already has aircraft maintenance services, aircraft painting facilities, and a skydiving operation. Additional revenue production for the Airport from these services would occur as they grow, or as new competitors enter the market.

Hangar Development

Prior to describing hangar development options, it is important to state the Business Plan assumptions for based aircraft growth. In this regard, the Business Plan examined a much larger potential growth scenario than the Airport Layout Plan. Given the Layout Plan preferred forecast of 12 based aircraft by the year 2043, there would be little need for new hangar development.

The Business Plan takes the approach that proactive hangar development will stimulate demand, attracting significant numbers of based aircraft from the Dallas Metroplex. The Airport Layout Plan has shown space to develop roughly 125 hangars on the Airport landside area. If the Business Plan used an average of the high forecast from the Master Plan (15 based aircraft) and the practical maximum hangar development area (accommodating 125 based aircraft), a midrange estimate of 70 based aircraft could be assumed for proforma development purposes. This gives the City a goal to aim for, while also providing a set of financial milestones to measure success.

There are three primary options for hangar development at Ennis Municipal Airport. These include:

- City Development of Hangars
- Land Lease for Third Party Hangar Development
- Combination Option – City and Third-Party Development

No practical ceiling exists that would suggest one option only. Thus, it is likely that the Combination Option would be the path forward. That said, this subsection of the Business Plan examines the financial metrics of

City Development of Hangars relative to the Land Lease Option. Hypothetical development options are examined to see which one has the highest potential return for the City.

City Development of Hangars

Under this option, the City (possibly through its economic development corporation) would use available capital to develop a pilot project set of hangars. The Layout Plan shows T-hangar layouts of 6- and 11-unit buildings. For ease of analysis and comparison, a 10-unit T-hangar will be compared with a similar sized lease area for third party hangar development.

Here are some sample inputs assumptions for a breakeven T-Hangar development:

- Hangar Type (Conventional/T-Hangar): T-Hangar
- Hangar Cost: $1,500,000
- Number of units: 10 units
- Hangar Size: 10,000 square feet (SF)
- Ground Lease footprint of hangar: 15,000 SF
- Lease Period: 20 years
- Lease Price Per Unit/per Month: $820
- Hangar Lease Rate per square foot per year: $9.80
- Ground Lease Rate per square foot per year: $0.50
- Maintenance Costs, if any: $2,000 annually (10-units)
- Inflation Rate: 3% annually
- Percent Financed by Loan: 100%
- Loan Interest Rate: 5.0%
- Loan Length (years): 20 years
- Hangar Occupancy Rate: 100 percent

These inputs represent the 20-year breakeven point of comparison with a ground lease for a 10-unit T-hangar space using a third-party hangar developer. Different inputs would result in different bottom line outcomes. However, to show the lowest hangar rent that compares favorably with the land lease option, these numbers (including a 100 percent occupancy rate) were used. Table 5, presented later, shows the year-by-year cash flow associated with the City hangar development option.

Ground Lease for Third-Party Hangar Development

Under this option, the City would advertise Airport property for long term lease to hangar developers. This lease rate would begin at $0.50 per square foot and would be escalated by CPI each year through the 20-year period. Note that the leased area is at least 1.5 times larger than the hangar building itself. That is to account for parking, hangar apron, and other access requirements. Table 5 shows the cash flows associated with this option, along with a comparison to the City hangar development option.

The overall comparison shows a slight edge ($2,187) for City Hangar Development at the lease prices shown. Figure 2 shows the dynamic process in graphical format.

Table 5: Cash Flow Comparison of City Hangar Development vs Ground Lease Options

Period	Conventional Revenue	Maintenance Expense	Debt Service	Cash Flow	Accumulated	Ground Lease	Accumulated
1	$98,000.00	$2,000.00	$118,792.03	-$22,792.03	-$22,792.03	$7,500.00	$7,500.00
2	$100,940.00	$2,060.00	$118,792.03	-$19,912.03	-$42,704.07	$7,725.00	$15,225.00

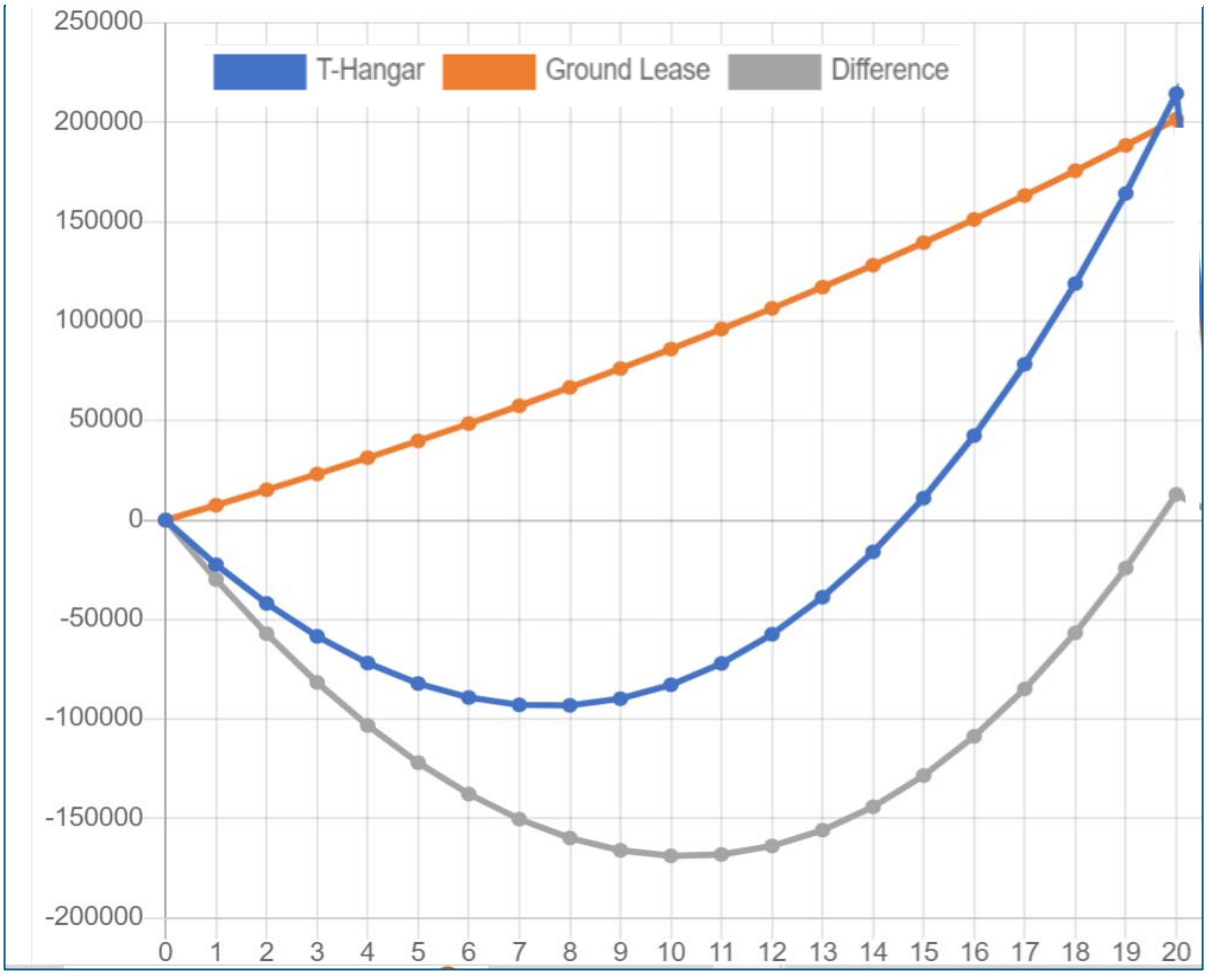


Period	Conventional Revenue	Maintenance Expense	Debt Service	Cash Flow	Accumulated	Ground Lease	Accumulated
3	$103,968.20	$2,121.80	$118,792.03	-$16,945.63	-$59,649.70	$7,956.75	$23,181.75
4	$107,087.25	$2,185.45	$118,792.03	-$13,890.24	-$73,539.94	$8,195.45	$31,377.20
5	$110,299.86	$2,251.02	$118,792.03	-$10,743.19	-$84,283.13	$8,441.32	$39,818.52
6	$113,608.86	$2,318.55	$118,792.03	-$7,501.72	-$91,784.85	$8,694.56	$48,513.07
7	$117,017.13	$2,388.10	$118,792.03	-$4,163.01	-$95,947.86	$8,955.39	$57,468.47
8	$120,527.64	$2,459.75	$118,792.03	-$724.14	-$96,672.00	$9,224.05	$66,692.52
9	$124,143.47	$2,533.54	$118,792.03	$2,817.89	-$93,854.11	$9,500.78	$76,193.30
10	$127,867.77	$2,609.55	$118,792.03	$6,466.19	-$87,387.92	$9,785.80	$85,979.09
11	$131,703.81	$2,687.83	$118,792.03	$10,223.94	-$77,163.98	$10,079.37	$96,058.47
12	$135,654.92	$2,768.47	$118,792.03	$14,094.42	-$63,069.56	$10,381.75	$106,440.22
13	$139,724.57	$2,851.52	$118,792.03	$18,081.01	-$44,988.55	$10,693.21	$117,133.43
14	$143,916.30	$2,937.07	$118,792.03	$22,187.20	-$22,801.34	$11,014.00	$128,147.43
15	$148,233.79	$3,025.18	$118,792.03	$26,416.58	$3,615.24	$11,344.42	$139,491.85
16	$152,680.81	$3,115.93	$118,792.03	$30,772.84	$34,388.08	$11,684.76	$151,176.61
17	$157,261.23	$3,209.41	$118,792.03	$35,259.79	$69,647.86	$12,035.30	$163,211.91
18	$161,979.07	$3,305.70	$118,792.03	$39,881.34	$109,529.20	$12,396.36	$175,608.27
19	$166,838.44	$3,404.87	$118,792.03	$44,641.54	$154,170.74	$12,768.25	$188,376.51
20	$171,843.59	$3,507.01	$118,792.03	$49,544.55	$203,715.29	$13,151.30	$201,527.81
	$2,633,296.70	**$53,740.75**	**$2,375,840.66**	**$203,715.29**		**$201,527.81**	

Running the model for several permutations on these inputs produced the following results:

- **Raising the Ground Lease to $1.00 per Square Foot:** increases the accumulated lease revenue to $403,100. For the City Hangar Development option to match this, rental rates would have to increase to $880 per month.
- **If Hangars Cost $2 million instead of $1.5 million:** Breakeven hangar rates would have to be raised to $1,063 per month.
- **If Conventional Hangars Are Developed:** The basic financial principles of the model that apply to T-Hangars would also apply to Conventional Hangars. However, it can be shown that higher rates can be charged and achieved for conventional hangar rents relative to T-Hangar rates. This would allow for higher costs of construction for Conventional Hangars.

Figure 2: City Hangar Development and 3rd Party Ground Lease Cash Flows



Combination Option

Under the Combination Option, the City would invest in hangar development as its funding would permit. Other hangar development would be left to third parties either with a set price on ground lease property or through a competitive bidding process. Thus, a set rate, such as $0.50 per square foot could be used with a set term (say 20 years). Or this process could be put to competitive bidding, where the hangar developers are allowed to specify the rates and terms of the land leases. If no bids are received above a predetermined minimum level, then the process would revert to the set rate and term. When the time comes to develop hangars, we (RAWA) can run the interactive model for the City to determine optimum rates and terms.

In Section 5:, a financial proforma for a combination option is developed that examines the demand of 70 based aircraft. This option assumes the City would develop up to 20 new hangars and that third party hangar developers would construct the remaining 40 or so hangars.

Flight School

A flight school is interested in relocating to Ennis Airport, bringing 20 aircraft. For planning purposes, it is estimated that one aircraft can serve seven students. Thus, the flight school would have roughly 140 student pilots. This move is contingent upon the Airport expanding its runway width from 50 feet to 60 feet to meet



FAA standards. The addition of the flight school would significantly increase Airport activity and revenue through:

- Increased Aircraft Operations
- Increased Fuel Sales
- Hangar and Tie-Down Rentals
- Maintenance and Service Demands

Increased Aircraft Operations

While many flight schools differ on the utilization of their aircraft, it can be estimated that a range of between 700 and 1,000 hours per aircraft per year is reasonable. This would put a minimum of 2,000 operations on each aircraft per year, given cross-country and touch-and-go training. An upper range could assume 3,000 operations per aircraft per year. That means Ennis Municipal Airport could gain between 40,000 and 60,000 operations from the addition of this particular flight school.

If there are a high number of touch-and-go operations, the fuel consumption rate per operation would be lower than non-training aircraft. However, this activity would still increase fuel sales significantly. Whether the aircraft are new or older the fuel burn rate is only marginally different. Fuel usage can be estimated at 6 to 12 gallons per hour, depending on the make and model aircraft (Cessna 150, Cirrus SR20, Cessna 182).

If the lowest hours and lowest fuel burn rates are used, it can be estimated that the flight school would use a minimum of 84,000 gallons of AvGas per year. If the self-service fuel margin for the Airport is $0.90 per gallon, the additional fuel sales could produce $75,600 in net revenue.

Hangar and Tie-Down Rentals

With 20 aircraft, it is likely that the flight school would prefer to construct their own conventional hangar facilities. This would require roughly 20,000 square feet, which would provide for both storage and aircraft maintenance space. In a flight school operation like this, more hangar ramp is needed for tie down space and maneuvering. Therefore, an additional 20,000 square feet would be included in the ground lease, totaling roughly 40,000 square feet. Depending on the negotiated deal with the fight school, the lease rate could range from $0.25 to $0.50 per square foot per year. Overall, this would produce between $10,000 and $20,000 per year for the Airport.

Maintenance and Service Demands

Typically, large flight schools have their own in-house maintenance because they can keep mechanics busy. While this may not bring additional revenue to the Airport, it could produce some overflow work to the existing aircraft maintenance operator in the Airport. If the flight school contracted its maintenance, then additional employment would be generated at the Airport.

Full-Service Fueling

Currently, Ennis Municipal Airport offers only self-serve fueling. Introducing full-service fueling would require the purchase of fuel trucks and the hiring of line staff. This transition should be considered when fuel sales reach a level that supports the additional operational costs. Full-service fueling can enhance customer satisfaction and attract more business aviation traffic. The entry level for full-service fueling operations typically requires:



- A minimum annual fuel sales volume of 100,000 gallons to break even
- Significant upfront investment in equipment and staffing
- Analysis of regional market demand and competitive pricing strategies

The good news about full-service fueling is that the margins are much better than self-service fueling. The financial benefits of offering full-service fueling as compared to self-service fueling are summarized below.

Business Plan Assumptions

It was stated earlier that the Business Plan would develop financial proformas for a based aircraft demand level of 70. This milestone could serve as a goal for City branding, marketing, and development of the Airport. With this level of demand, the following assumptions would apply to full-service fueling:

- Flight School Aircraft: 20 aircraft, all using self-service fueling.
- Additional Aircraft: 50 aircraft – 45 single engine, 3 turboprop twins, and 2 very light business jets. Assume 75 percent use full-service fueling (including all of the Jet-A users).
- Self-Service Fuel Margin: $0.90 per gallon for AvGas (100LL).
- Full-Service Fuel Margin: $1.80 per gallon for 100LL.
- Full-Service Jet-A Fuel Margin: $2.40 per gallon.
- Annual Fuel Consumption:
  - Flight School Aircraft: 4,200 gallons per aircraft.
  - Non-Flight School Aircraft: 500 gallons per aircraft.
  - Turboprop/Light Jets: 5 aircraft, consuming 10,000 gallons of Jet-A per year each.
  - Total Annual Fuel Sales: 106,500 AvGas plus 50,000 Jet-A = 156,500 total gallons.

Flight School Fuel Revenue

- Total annual fuel consumption for flight school aircraft: 20 aircraft × 4,200 gallons/aircraft= =84,000 gallons/year
- Revenue from self-service fueling: 84,000 gallons × $0.90/gallon =$75,600

Additional Aircraft Fuel Revenue

- Total annual 100LL fuel consumption for additional aircraft: 45 aircraft × 500 gallons/aircraft= =22,500 gallons/year
- Number of aircraft using full-service fueling: 45 × 75% = 33.75 aircraft
- Annual fuel consumption by full-service 100LL fueling aircraft: 33.75 aircraft × 500 gallons/aircraft = 16,875 gallons/year
- Revenue from full-service fueling (AvGas): 16,875 gallons × $1.80/gallon =$30,375
- Revenue from self-service fueling for remaining aircraft: 22,500 gallons−16,875 gallons = 5,625 gallons/year; 5,625 gallons × $0.90/gallon = $5,063

Turboprop/Light Jet Revenue from Fueling

- Total annual Jet-A fuel consumption for turboprops and light jets: 5 aircraft × 10,000 gallons/aircraft = 50,000 gallons/year
- Revenue from full-service fueling (Jet-A): 50,000 gallons × $2.40/gallon =$120,000

Total Revenue

- Total revenue from flight school aircraft (self-service): $75,600



- Total revenue from additional aircraft: $30,375 (full-service AvGas) + $5,063 (self-service AvGas) = $35,438
- Total revenue from light jets: $120,000
- **Total annual revenue from full-service and self-service fueling:** $75,600 + $35,438 + $120,000 = $231,038

This total can be compared to the projected self-service margin (assuming status quo of $0.60 per gallon AvGas and $0.90 per gallon Jet-A), of $81,900, which is $149,138 less than the full-service fueling option. This difference may pay for two full-time or four part-time line service personnel but would not completely cover the cost of labor and equipment needed to provide a full-service operation.

Even so, there are a number of potential benefits for implementing full-service fueling at Ennis Municipal. These include increased Jet-A fuel sales for aircraft that would not use self-service fueling; higher Airport revenue by offering premium services at a higher margin; and convenience for pilots. With faster and more efficient fueling services, aircraft turnaround times are reduced, allowing for increased airport fueling capacity and utilization. Finally, full-service fueling can create opportunities for additional revenue streams from related services and upselling, such as oil top-ups, aircraft cleaning, and minor maintenance.

Specialized Aviation Service Operators (SASO)

Ennis Airport can explore the addition and expansion of Specialized Aviation Service Operators (SASO) to enhance revenue. These include:

- **Maintenance Services:** The current FBO already provides aircraft maintenance. Increased Airport activity would likely boost demand for these services.
- **Paint Services:** Similarly, paint services provided by the existing FBO would benefit from the growth in Airport operations.
- **Avionics Services:** There are no avionics shops currently at Ennis Airport. Establishing an avionics shop could attract more aircraft, particularly if combined with other maintenance services.
- **Skydive Operation:** The existing skydive operation at the Airport may experience growth due to the overall increase in Airport activity.
- **Seaplane Base Operations:** There is a potential to attract a small number of seaplanes that could use Lake Clark to access the Airport. This would be a minor revenue source via fuel sales and potential maintenance service.
- **Other Services:** Additional SASO services such as upholstery, propeller services, and interior refurbishments could be considered based on demand. Included in Other Services could be the development of a 5,400 square foot restaurant connected to the rebuilt terminal building.

Revenues from these operations would be based on lease agreements for space at the Airport. In addition to creating Airport revenue, the additional jobs would generate economic impacts and tax revenue to the community. Business Plan assumptions for this revenue source include the lease of up to 20,000 square feet of space for SASO operations and a restaurant prior to the end of the intermediate planning timeframe.

Revenue Enhancement Forecasts

The Revenue Enhancement option incorporates 70 based aircraft by the year 2043. Assumptions contained in this forecast include hangar development, ground leases, flight school operations, full-service fueling, line staffing, SASO leasing of property, and City investment in hangar facilities as described above. Table 6 presents a summary of the proforma, showing the initial five years, followed by year 10 and year 20. Business planning is typically more accurate in the first phase of development because the variances and changes in economic conditions are much more difficult to predict after five years.



The forecast shows the baseline estimates along with additional revenue and expense line items. This breakout permits an examination of individual revenue enhancement initiatives and what their marginal contribution to the bottom line might be.

Table 6: Revenue and Expense Forecasts – Revenue Enhancement Options

Year	2023	2025	2026	2027	2028	2033	2043
Operational Revenues							
Airport Fuel	$198,947	$201,182	$207,217	$213,434	$244,019	$339,179	$569,422
Additional Fuel Revenues		$0	$0	$143,430	$258,090	$350,658	$621,390
Leased Property	$10,457	$10,429	$10,742	$11,064	$12,649	$17,582	$29,517
Additional Leased Property Revenues		$0	$0	$0	$11,255	$38,383	$85,481
Grand Total Revenues	**$209,404**	**$211,610**	**$217,959**	**$367,927**	**$526,013**	**$745,802**	**$1,305,810**
Expenses							
Fuel Supplies	$167,998	**$164,969**	**$169,918**	**$175,016**	**$200,095**	**$278,126**	**$466,926**
Salaries and Wages							
Salaries	$0	$0	$80,000	$81,600	$83,232	$91,895	$112,019
Benefits, Taxes, and Overhead	$0	$0	$50,854	$51,871	$52,909	$58,415	$71,208
Additional Staffing Costs	$0	$0	$0	$65,500	$66,810	$144,616	$176,286
Subtotal Salaries and Wages	**$0**	**$0**	**$130,854**	**$198,971**	**$202,951**	**$294,926**	**$359,513**
Repair and Maintenance							
Building & Structural	$53,819	$4,500	$4,635	$4,774	$4,917	$5,700	$7,661
Machinery, Tools, Equipment	$9,203	$8,940	$9,208	$9,484	$9,769	$11,325	$15,220
Additional Repair & Maintenance	$0	$0	$0	$2,000	$4,120	$6,993	$14,567
Subtotal Repair and Maintenance	**$63,022**	**$13,440**	**$13,843**	**$16,258**	**$18,806**	**$24,019**	**$37,448**
Services							
Consultants, Contract Services	$1,850	$8,300	$8,549	$8,805	$9,070	$10,514	$14,130
Electric	$2,703	$3,000	$3,090	$3,183	$3,278	$3,800	$5,107
Other Services	$5,372	$6,400	$6,592	$6,790	$6,993	$8,107	$10,896
Insurance	$9,408	$12,700	$13,081	$13,473	$13,878	$16,088	$21,621
Subtotal Services	**$19,333**	$30,400	$31,626	$32,904	$34,238	$41,818	$62,810
Equipment Rental/Purchase	**$0**	**$0**	**$0**	**$6,400**	**$6,400**	**$6,400**	**$0**
Grand Total Expenses	**$250,353**	**$208,809**	**$346,241**	**$522,182**	**$638,976**	**$884,540**	**$1,352,880**
Net Revenues	($40,949)	$2,801	($128,283)	($154,254)	($112,963)	($138,738)	($47,069)

It should be noted that the cumulative net revenues for the Revenue Enhancement Options result in a deficit of -$1,886,000 over the 20-year period, which is $454,100 less than the cumulative Baseline financial



performance (-$2,340,100). In addition to saving more than $450,000, the strategic benefits of pursuing Revenue Enhancement Options far exceed those of the Baseline scenario.

One key advantage not shown in the proforma is the eventual elimination of T-hangar debt service after 20 years, which would enable the City to collect market-rate rents for its hangars. Instead of breaking even each year on the T-hangar rents, the City-owned hangars could generate more than $175,000 annually in the post 20-year period. Additionally, the Revenue Enhancement options provide significant economic benefits, including job creation within the FBO and SASO operations, as well as broader economic impacts from secondary sources.

SECTION 5

Airport Business Plan Recommendations and Implementation Timeframe





SECTION 5: AIRPORT BUSINESS PLAN RECOMMENDATIONS AND IMPLEMENTATION TIMEFRAME

This section presents a summary of the Airport Business Plan Recommendations, along with a timeframe for implementation. The following topics are discussed:

- Airport Management
- Airport Core Documents
- Full-Service Fueling
- Hangar Development
- Facility Improvements
- Airport Branding
- General Recommendations
- Summary Proforma for Recommendations

5.1. Airport Management Recommendations

The City of Ennis has two options for airport management: continue the existing arrangement with Hammock Aviation to oversee the day-to-day airport operations; or hire a City employee to manage the Airport. Our analysis agrees with the City's decision to hire a full-time airport manager. Therefore, it is recommended that:

Recommendation 1: Hire a Full-Time Airport Manager

It is recommended that the City of Ennis hire a full-time Airport Manager to oversee the operations, financial management, fuel sales, and strategic development of the Airport.

This individual will ensure that Airport activities align with the City's broader economic and developmental goals, enhance tenant relations, and improve service quality. A full-time airport manager will provide the necessary oversight to implement long-term growth strategies and respond promptly to daily operational challenges.

Rationale:

- **Increased Control and Accountability:** A full-time Airport Manager would report directly to the City's Economic Development Department, providing greater control over Airport operations and ensuring alignment with the City's strategic objectives.
- **Enhanced Service Quality:** Direct management by a dedicated professional is likely to improve service standards and tenant satisfaction, making the Airport more attractive to businesses and general aviation users.
- **Strategic Development:** The manager would be responsible for implementing development projects, managing fuel sales, improving financial oversight, and ensuring compliance with all regulatory requirements. This role will help the Airport's growth and work toward maximizing its economic potential.

5.2. Airport Core Documents

To establish a strong governance framework and provide a foundation for all airport activities, it is recommended that the City of Ennis formally adopt and implement three core airport documents: the Ennis Municipal Airport Rules and Regulations, the Ennis Municipal Airport Minimum Standards for Commercial Aeronautical Activities, and the Ennis Municipal Airport Lease Policy. These documents are important for



guiding the Airport's operations, ensuring regulatory compliance, and promoting a safe, efficient, and commercially viable environment at the Airport. It is recommended that:

Recommendation 2: Adopt Core Airport Documents

The City of Ennis should adopt the "Ennis Municipal Airport Rules and Regulations," the "Minimum Standards for Commercial Aeronautical Activities," and the "Lease Policy" in the near term.

Rationale:

- **Regulatory Compliance:** These documents provide the necessary framework to ensure that all Airport activities comply with federal, state, and local regulations.
- **Operational Efficiency:** By defining clear rules, standards, and policies, these documents will help streamline Airport operations, reduce ambiguities, and minimize conflicts between stakeholders.
- **Commercial Viability:** The adoption of these documents will create a structured environment for commercial activities, attracting more businesses to the Airport and ensuring that all operations meet high standards of safety, quality, and service.

Secondary Recommendations:

- **2.1: Document Review and Approval:** The City should review, comment, revise, and approve these documents by the end of 2024 to ensure they are comprehensive and aligned with the Airport's strategic goals.
- **2.2: Stakeholder Engagement:** Engage with key stakeholders, including current tenants, prospective businesses, and regulatory agencies, to gather feedback on the documents and ensure broad support for their implementation.
- **2.3: Training and Implementation:** Provide training for Airport staff and tenants on any new rules, standards, and policies to ensure smooth implementation and compliance starting in late 2024/early 2025.

5.3. Full-Service Fueling Recommendations

The City of Ennis should exercise its proprietary exclusive right to sell fuel at the Airport by offering full-service fueling once demand reaches a point where such an operation can be supported. Therefore, it is recommended that:

Recommendation 3: Implement Full-Service Fueling to Enhance Customer Satisfaction and Increase Revenue

It is recommended that the City of Ennis introduce full-service fueling (100LL and Jet A) at the Airport to meet the needs of general aviation and business aviation users and to increase revenue through higher-margin fuel sales. This service would cater to the growing number of business and high-value aircraft that prefer full-service options.

Rationale:

- **Attracting High-Value Customers:** Full-service fueling is an attractive option for business and corporate aircraft, which often require faster turnaround times and higher levels of service. By offering full-service fueling, the Airport can attract more of these high-value customers, increasing both traffic and fuel sales.
- **Increased Revenue Margins:** Full-service fueling typically commands higher margins compared to self-service fueling. This increase in revenue can help offset the initial investment in equipment and staffing required to provide the service.



- **Enhanced Airport Reputation:** Offering full-service fueling improves the overall perception of the Airport, positioning it as a more professional and customer-focused facility. This can lead to increased tenant and customer satisfaction and a stronger competitive position within the regional market.
- **Supporting Growth:** As the Airport grows and attracts more based aircraft and transient users, the ability to provide full-service fueling will become increasingly important. This service will support the Airport's long-term growth and development goals.

Secondary Recommendations:

- **3.1: Equipment and Staffing Investment:** Invest in the necessary equipment, such as fuel trucks, and hire and train two full-time or four part-time line staff to provide full-service fueling. This phase should also include training on safety procedures and customer service standards.
- **3.2: Market Introduction:** When the time is appropriate (possibly after the first set of T-hangars are constructed), launch the full-service fueling option with a targeted marketing campaign aimed at attracting corporate and business aviation customers. Highlight the convenience and professional service offered by the Airport.
- **3.3: Ongoing Evaluation:** Continuously monitor the performance of the full-service fueling operation, adjusting pricing and service levels as needed to maximize revenue and customer satisfaction.

5.4. Hangar Development Recommendations

From the earlier analysis it was shown that the City could attract new based aircraft by constructing hangars at the Airport. Because the potential demand for hangar space is high in the area, both City investment and third-party hangar developers would be needed. Therefore, it is recommended that:

Recommendation 4: Invest in Hangar Development to Accommodate Increased Aircraft Demand

It is recommended that the City of Ennis undertake proactive hangar development to meet the growing demand for aircraft storage and to attract more based aircraft to the Airport. This development could include both T-hangars and larger conventional hangars to accommodate a range of aircraft sizes and types.

Rationale:

- **Stimulating Demand:** Proactive hangar development is expected to stimulate demand by attracting aircraft owners from the broader region, given that this and other airports have no hangar space vacancies. This increased demand at Ennis Municipal will, in turn, drive additional revenue through fuel sales, maintenance services, and other airport-related activities.
- **Revenue Generation:** The development of hangars provides a steady revenue stream through lease agreements. Whether the City develops the hangars directly or leases land to third-party developers, this investment is projected to enhance the Airport's financial performance over the long term.
- **Market Positioning:** By increasing the number and variety of hangars, the Airport can position itself as a more competitive option within the region, particularly for high value aircraft and flight schools that require secure, quality storage facilities.
- **Flexibility in Development Options:** The City can choose between direct investment in hangar construction or leasing land to third-party developers, or a combination of both. This flexibility allows the City to optimize financial returns while managing risk.



Secondary Recommendations:

- **4.1: Initial Hangar Construction:** The City should begin with the construction of a pilot project consisting of a 10-unit T-hangar. This initial project will serve as a proof of concept and provide data for future development.
- **4.2**: **Demand-based Development**: Expand hangar facilities based on demand, with the landside space to develop up to 125 hangars, as identified in the Layout Plan. Consider a mix of T-hangars and larger conventional hangars to attract a diverse tenant base. This Business Plan considers a target of 70 new hangar units.
- **4.3: Partnerships:** Explore partnerships with private developers for the construction of additional hangars, including larger conventional hangars that require more significant investment.

These recommendations are based on the analysis of hangar development options, which indicated that increasing hangar capacity is an important component of the Airport's long-term growth strategy.

Recommendation 5: Reserve Landside Property for Future Hangar and SASO Development

It is recommended that the City of Ennis reserve specific landside property for the development of additional hangars and Specialized Aviation Service Operator (SASO) facilities to accommodate future growth and attract new aviation-related businesses.

Rationale:

- **Future Hangar Development:** The Business Plan identifies a potential demand for at least 60,000 square feet of additional hangar space to accommodate new based aircraft over the planning period.
- **SASO Development:** The Business Plan also identifies the potential demand for 20,000 square feet of space for SASO operations, which could include maintenance services, avionics, and other aviation-related activities.
- **Strategic Growth:** Planning for these areas now will ensure the Airport can meet future demand and attract aviation service operators, enhancing the Airport's service offerings and generating additional revenue.

Secondary Recommendations:

- **5.1: Land Reservation:** Reserve approximately 20,000 square feet of landside property for SASO development and at least 60,000 square feet for aircraft storage space. (The current Airport Layout Plan has shown where this development can occur on the Airport.)
- **5.2: Marketing to Developers:** Actively market the reserved landside property to potential SASO operators and hangar developers, offering competitive lease terms to attract investment.

5.5. Facility Recommendations

The Airport Master Plan recommends the expansion of the runway to meet FAA minimum standards of 60 feet in width. While that recommendation is made for safety reasons, the Business Plan supports that recommendation for economic development reasons. For example, a flight school with 20 aircraft is waiting to move to Ennis Municipal Airport until the runway is brought up to FAA standards. Therefore, it is recommended that:

Recommendation 6: Expand Runway Width to 60 Feet to Accommodate Larger Aircraft and Increase Safety



It is recommended that the City of Ennis widen the existing runway from 50 feet to 60 feet to better accommodate a broader range of aircraft, including those operated by flight schools and corporate users. This expansion will enhance safety and allow the airport to meet FAA standards, particularly as aircraft operations increase.

Recommendation 7: Install Security Fencing and Gate Access Cards to Enforce Minimum Standards and Rules and Regulations

It is recommended that the City of Ennis install security fencing and implement a gate access card system to enhance security and enable the enforcement of Airport minimum standards and rules and regulations.

Rationale:

- **Improved Security:** Security fencing will prevent unauthorized access to the airfield, protecting both aircraft and facilities from vandalism and other potential threats.
- **Regulatory Compliance:** The gate access card system will allow for better control over who enters the airfield, ensuring that all users comply with Airport regulations.
- **Tenant and User Confidence:** Enhanced security measures will increase tenant and user confidence, making the Airport a more attractive location for businesses and general aviation users.

Secondary Recommendations:

- **7.1: Security Fencing Installation:** Install security fencing around the Airport's perimeter, ensuring that all access points are secured. This should be done in conjunction with the installation of the necessary infrastructure for the gate access system.
- **7.2: Gate Access System Implementation:** Implement a gate access card system, distributing cards to authorized personnel and users. Establish protocols for monitoring access and enforcing compliance with Airport standards.

5.6. General Recommendation: Reexamine Rates and Charges

As the Airport grows, there will be increased financial demands on the City for facilities and services. As such, the City should reexamine its schedule of rates and charges to ensure that it remains competitive and fulfills its commitment to work toward financial self-sufficiency.

Recommendation 8: Reexamine and Adjust Rates and Charges to Enhance Financial Production

It is recommended that the City of Ennis conduct a review of the Airport's rates and charges, with specific adjustments to land lease rates, fuel pricing, and management responsibilities to enhance revenue and operational efficiency.

Rationale:

- **Land Lease Rates:** The current land lease rates at Ennis Airport should be increased. This adjustment would reflect the growing demand for Airport land and would realign the Airport's competitive position in the region. The increase in land lease rates will generate additional revenue, which can be reinvested into Airport infrastructure and services.
- **Fuel Management and Pricing:** With the hiring of a full-time Airport Manager, the responsibility for overseeing the fueling operation should be transferred from Hammock Aviation to the Airport Manager. Additionally, the future implementation of full-service fueling is projected to double the profit margin for both Jet-A and 100LL fuel, further increasing the Airport's revenue streams.



- **Revenue Optimization:** These adjustments in rates and charges are necessary to ensure that the Airport remains financially sustainable.

Secondary Recommendations:

- **8.1: Increase Land Lease Rates:** Adjust land lease rates for new leases to $0.50 per square foot to reflect current market conditions and the value of Airport property.
- **8.2: Recoup Fueling Operation Costs:** Transfer management of the fueling operation to the new Airport Manager. This change would recoup $0.30 per gallon currently paid to Hammock Aviation (of the total $0.90 per gallon margin collected at the pump) for managing the self-service fueling operation.
- **8.3: Implement Full-Service Fueling:** As part of the Airport's future expansion, introduce full-service fueling with a strategy to double the margin for Jet-A and 100LL fuel.

5.7. Airport Branding Recommendations

With the significant influx of capital development, Ennis Municipal Airport is going to change. These positive changes should be broadcast to stakeholders, users, and the public via a branding program.

Recommendation 9: Develop and Launch a New Airport Brand Aligned with Infrastructure Upgrades

It is recommended that Ennis Municipal Airport initiate a rebranding effort timed to coincide with the completion of key infrastructure projects, particularly the runway expansion. The new brand should emphasize the transformation of the airport from a low-activity recreational facility into a vibrant, modern, FAA-compliant airport.

Secondary Recommendations:

- **9.1: Timing of Branding Efforts:** It is important to delay branding efforts until the necessary infrastructure improvements, such as the runway expansion, have been completed. Launching a rebrand prematurely could lead to increased traffic and heightened expectations, potentially resulting in dissatisfaction if the Airport's facilities are not yet up to the anticipated standard.
- **9.2: Brand Messaging:** The new brand should convey a clear message of transformation, highlighting the Airport's evolution from a quiet, underutilized facility to a dynamic, well-equipped hub for general aviation.
- **9.3: Targeted Marketing Campaign:** A multi-faceted marketing campaign should be developed to support the new brand launch.
  - **9.3.1: Social Media Presence:** Establish a strong social media presence across platforms like Facebook, Instagram, X, and LinkedIn to engage with the aviation community, promote the Airport's new offerings, and build a following. Regular updates, promotional content, and user interaction will be key to maintaining momentum and visibility.
  - **9.3.2: Direct Mail Campaign:** Direct mail could be targeted to a limited number of registered aircraft owners within the region, informing them of the new facilities, services, and the enhanced operational environment at Ennis Municipal. This personalized approach can reach the local aviation community and encourage them to consider relocating to or utilizing Ennis Municipal.
  - **9.3.3: Collaborations with Larger Airports:** Engage in discussions with larger airports in the region that are interested in reallocating small single-engine aircraft to make room for corporate aircraft. Ennis Municipal can position itself as an attractive alternative for these aircraft owners, offering competitive rates and a less congested environment.



Brand Identity and Online Presence:

- **9.4: Logo and Colors:** The Airport's new brand should align with the City of Ennis's logo and colors to maintain a cohesive identity. However, the Airport should also establish its unique identity within this framework, emphasizing its role as a distinct entity within the City's infrastructure.
- **9.5: Dedicated Website:** It is recommended that Ennis Municipal Airport develop its own dedicated website, separate from the City's main website. This website should provide comprehensive information about the Airport's services, facilities, and development plans. The website should also feature interactive elements, such as a tenant portal, event announcements, and links to social media channels. A link to this site should be prominently featured on the City's website, ensuring easy access for those seeking information about the Airport.

Implementation Strategy:

- **9.6: Branding Development:** Begin planning branding process six months before the runway project is completed. This phase includes finalizing the brand message, designing the logo and website, and planning the marketing campaign.
- **9.7: Brand Launch:** Officially launch the new brand upon the completion of the runway project, ensuring that all branding elements are in place and that the Airport is fully prepared to meet the expectations set by the rebranding effort.

5.8. Rates and Charges Recommendations

Overall Recommendation:

It is recommended that the City of Ennis price its airport facilities and services in a manner that remains competitive within its market area, ensuring the Airport's financial sustainability while attracting and retaining tenants, businesses, and aviation users. This approach should be informed by a market survey of competing airports and the financial analysis conducted for the recommended plan.

Specific Recommendations:

1. Fuel Sales:

- Self-Service Fueling:
  - It is recommended that the City maintain the current margins of $0.90 per gallon for 100LL and $1.20 per gallon for Jet A for the self-service tanks. This requires the termination of the existing $0.30 per gallon fee with Hammock Aviation Services, contingent upon the hiring of a full-time Airport Manager. The Airport Manager will oversee the fuel operations and ensure competitive pricing.
- Full-Service Fueling:
  - For full-service fueling, it is recommended that the margins be doubled, resulting in a $1.80 per gallon margin for 100LL and a $2.40 per gallon margin for Jet A. These margins reflect the additional value provided through full-service operations and are designed to enhance the Airport's revenue while remaining competitive. Two fuel trucks are needed to implement full-service fueling and their costs have been included in the proformas.

2. Ground Leases:

- New Ground Leases:
  - It is recommended that new ground leases be set at $0.50 per square foot, with annual adjustments based on the Consumer Price Index (CPI). This rate is designed to reflect current market conditions

and ensure that the Airport's land assets generate revenue in support of its operational and capital needs.

3. Hangar Rates:

- City-Developed T-Hangars:
  - The financial analysis indicates that the recommended minimum monthly rate for the City-developed T-hangars is $820 per unit. However, it is important to note that this rate may be subject to adjustment based on the financing terms of the hangar construction.

Table 7: Proposed Rates and Charges

Service/Facility	Rate	Additional Notes
Fuel Sales		
Self-Service 100LL	$0.90 per gallon	Maintain current margin; terminate agreement with Hammock Aviation Services.
Self-Service Jet A	$1.20 per gallon	Maintain current margin; terminate agreement with Hammock Aviation Services.
Full-Service 100LL	$1.80 per gallon	Doubling the margin for full-service.
Full-Service Jet A	$2.40 per gallon	Doubling the margin for full-service.
Ground Leases		
New Ground Leases	$0.50 per square foot	Annually adjusted by CPI.
Hangar Rates		
City-Developed T-Hangars	Minimum $820 per month per unit	Rate may vary depending on construction financing.

These recommendations are designed to help Ennis Municipal Airport remain financially viable while providing competitive services within the regional market. Regular reviews of these rates are needed to adapt to changing market conditions and to maintain the Airport's attractiveness to tenants and users.

5.9. Financial Proforma for Recommendations

This Business Plan used the Revenue Enhancement forecast of operating revenues and expenses. These financial projections are presented in Table 8 and outline a trend of decreasing operating deficits over the forecast period. Despite incremental increases in net operating revenues year over year, the Airport is expected to experience a shortfall between revenues and expenses, resulting in negative net operating income throughout the planning period.

In 2025 the City anticipates hiring a full-time airport manager. This strategic move is vital to the growth of the Airport but comes at a cost. Deficits will initially grow until 2027, and then fluctuate until 2034. This reflects the period of major capital expenditures and infrastructure projects. From 2034 forward, the deficits are predicted to decrease, as based aircraft and operational activity increase on the Airport. Even with projected increases in



revenues due to hangar development, SASO activities, and other strategic investments, the Airport's expenses are projected to outpace revenues. By 2043, the deficit narrows to $50,700, indicating significant long-term improvement, but not enough to close the gap entirely.

The projections indicate that while the recommended investments and developments are likely to increase revenue streams, they will also introduce higher operational costs that result in ongoing financial deficits. However, the financial production under the Enhanced Revenue Options is still much better than the Baseline status quo scenario.

What is not shown are the proforma results after the 20-year hangar loan payments are completed. At that point, the revenues from hangar rentals will go straight to the bottom line. Using the 10-unit T-hangar example, this would mean an influx of roughly $175,000 or more in revenues to the City (beginning in 2047). This alone could mitigate the net revenue deficits from the Airport. Prior to that time, potential strategies to mitigate deficits could include further adjustments to rates and charges, seeking additional revenue streams, exploring public-private partnerships, or pursuing grants and other funding sources to offset capital expenditures.

Table 8: Summary of Net Operating Revenues

Year	Operating Revenues	Operating Expenses	Net Operating Revenues
2023	$209,404	$250,353	($40,949)
Forecast			
2025	$211,610	$339,663	($128,053)
2026	$217,959	$348,858	($130,900)
2027	$367,927	$524,851	($156,924)
2028	$526,013	$641,699	($115,686)
2029	$534,051	$653,258	($119,207)
2030	$542,330	$665,140	($122,810)
2031	$705,378	$853,446	($148,068)
2032	$727,659	$868,030	($140,371)
2033	$745,802	$887,546	($141,744)
2034	$757,656	$903,575	($145,919)
2034	$919,022	$1,024,583	($105,561)
2036	$942,369	$1,048,177	($105,808)
2037	$956,684	$1,059,938	($103,254)
2038	$1,118,073	$1,183,083	($65,010)
2039	$1,147,122	$1,211,195	($64,073)
2040	$1,164,144	$1,231,753	($67,610)
2041	$1,181,676	$1,252,893	($71,216)
2042	$1,199,735	$1,274,630	($74,896)
2043	$1,305,810	$1,356,544	($50,734)

5.10. Summary of Recommendation Implementation Timelines



This section provides a consolidated timeline for implementing the recommendations outlined in the Business Plan. The recommendations are grouped by category, with each item addressed by its title and associated timeline for clarity and consistency.

Management and Policy Actions

Adopt Core Airport Documents

Timeline: 2024/2025

- It is recommended that the City of Ennis formally adopt the Ennis Municipal Airport Rules and Regulations, Minimum Standards for Commercial Aeronautical Activities, and Lease Policy by the end of **2024 or early 2025**.

Hire a Full-Time Airport Manager

Timeline: 2025

- The City of Ennis should hire a full-time Airport Manager in **2025** to oversee operations, financial management, fuel sales, and strategic development.

Reexamine and Adjust Rates and Charges

Timeline: 2026

- A comprehensive review of Airport rates and charges is recommended for **2026**, including potential adjustments to land lease rates and fuel pricing strategies.

Facility and Infrastructure Development

Expand Runway Width to 60 Feet

Timeline: 2025-2027

- Planning for the runway expansion should begin in **2025**, with construction slated for **2027**. This timeline ensures that all necessary planning, design, and permitting processes are completed to meet FAA standards and accommodate larger aircraft.

Invest in Hangar Development

Timeline: 2027-2028

- In **2027**, it is recommended that the City develop a set of T-hangars to meet immediate demand and stimulate further development. Third-party developers should begin the first phase of additional hangar development in **2028**, with subsequent phases recommended for **2031**, **2038**, and **2043**.

Reserve Landside Property for Future Hangar and SASO Development

Timeline: 2025-2032

- Landside property should be reserved by **2025** for future hangar and SASO developments. This includes designating 20,000 square feet for SASO operations in anticipation of new arrivals by **2032**.



Install Security Fencing and Gate Access Cards

Timeline: 2027

- Security enhancements, including the installation of fencing and gate access systems, should be implemented by **2027** in concert with the runway expansion project.

Other Revenue Enhancement

Implement Full-Service Fueling

Timeline: 2027 (Initial Phase), 2031 (Additional Staff)

- Full-service fueling operations should begin in **2027** with 2 part-time staff under the Airport Manager's oversight. As demand increases, additional staffing should be added by **2031**, either as one full-time or two additional part-time employees.

Branding and Marketing

Collaborate with FBOs and Service Providers

Timeline: Ongoing from 2025

- Ongoing collaboration with FBOs and service providers should begin in 2025 with the hiring of the Airport Manager. This collaboration should ensure that all service providers align with the new brand and service standards, supporting the airport's growth strategy.

Develop and Launch a New Airport Brand

Timeline: 2026 (Planning), 2027 (Launch)

- The branding process should commence in **2026**, with the development of a new logo, website, and marketing strategy. The official brand launch is recommended to coincide with the completion of the runway expansion and the start of full-service fueling in **2027**.

Engage in Strategic Marketing and Outreach

Timeline: 2027

- Marketing plans should align with the brand development process, beginning in **2027**. The campaign should target potential tenants and users within the region, following the brand launch and runway expansion.

Below is Section 5.10 presented in a table format, organizing the recommendations by topic, providing a brief description, and including the timeline and key milestones:

Table 9: Summary of Recommendation Implementation Timelines

Topic	Description	Timeline and Milestones
Management and Policy Actions		
Adopt Core Airport Documents	Adoption of the Ennis Municipal Airport Rules and Regulations,	**2024**: Document review, approval, and stakeholder engagement.



Topic	Description	Timeline and Milestones
	Minimum Standards for Commercial Aeronautical Activities, and Lease Policy.	
Hire a Full-Time Airport Manager	Hire a manager to oversee Airport operations, financial management, fuel sales, and strategic development.	**2025**: Recruitment and onboarding.
Reexamine and Adjust Rates and Charges	Conduct a review of Airport rates and charges, including land lease rates and fuel pricing strategies.	**2026**: Comprehensive review and implementation.
Facility and Infrastructure Development		
Expand Runway Width to 60 Feet	Expand the runway to meet FAA standards and accommodate larger aircraft.	**2025-2027**: Planning and construction phases.
Invest in Hangar Development	Develop T-hangars to meet demand, followed by third-party hangar development.	**2027-2028**: City-led T-hangar development, third-party phases in 2028, 2031, 2038, 2043.
Reserve Landside Property for Future Hangar and SASO Development	Reserve property for future hangar and SASO development, including 20,000 sq. ft. for SASO operations.	**2025-2032**: Land reservation, SASO arrival in 2032.
Install Security Fencing and Gate Access Cards	Implement security measures, including fencing and gate access cards, to enhance airport security.	**2027**: Installation concurrent with runway expansion.
Other Revenue Enhancement		
Implement Full-Service Fueling	Introduce full-service fueling with phased staffing increases as demand grows.	**2027**: Initial phase, **2031**: Additional staffing.
Branding and Marketing		
Collaborate with FBOs and Service Providers	Ensure FBOs and service providers align with the new brand and standards.	**Ongoing from 2025**: Begin collaboration with new Airport Manager.
Develop and Launch a New Airport Brand	Rebrand the airport to align with infrastructure upgrades, emphasizing the transformation to a modern facility.	**2026**: Planning, **2027**: Brand launch.
Engage in Strategic Marketing and Outreach	Implement a targeted marketing campaign following the brand launch and runway expansion.	**2027**: Launch of marketing campaign.



APPENDIX A

Job Description for Airport Manager





APPENDIX A: JOB DESCRIPTION FOR AIRPORT MANAGER

Position Title: Airport Manager

Location: Ennis Municipal Airport, Ennis, TX

Salary: $80,000 per year

Reports To: City Administration (to be determined)

Job Summary: The Airport Manager is responsible for overseeing all operations at Ennis Municipal Airport, ensuring compliance with federal, state, and local regulations, and aligning Airport activities with the City's strategic goals. This role includes operational oversight, financial management, fuel sales, tenant interaction, stakeholder engagement, and business development initiatives.

Key Responsibilities:

- Manage daily airport operations, including maintenance, safety, and customer service.
- Implement the City's Airport policies and procedures.
- Represent and promote the Airport brand to the public.
- Oversee the Self-Service (and future Full-Service) fueling operation, including reordering, maintenance, filter replacement, fuel testing, etc.
- Oversee financial management, including budgeting, financial reporting, and revenue generation.
- Coordinate maintenance and development projects, ensuring compliance with regulations.
- Follow up with tenants on billing issues as needed. Act as the City's representative in engaging other stakeholders, users, and community members.
- Develop and implement marketing and business development strategies to attract new business and increase airport revenue.
- Ensure compliance with all federal, state, and local aviation regulations.

Educational Requirements:

- Bachelor's degree in Aviation Management, Business Administration, or a related field.

Experience:

- Minimum of 5 years of experience in airport management or a related field.
- Proven experience in financial management and budgeting.
- Strong understanding of federal, state, and local aviation regulations.

Skills:

- Excellent leadership and management skills.
- Strong financial and analytical skills.
- Effective communication and interpersonal skills.
- Ability to develop and implement strategic plans.

APPENDIX B

Ennis Municipal Airport Rules and Regulations





APPENDIX B: ENNIS MUNICIPAL AIRPORT RULES AND REGULATIONS

Introduction

The Ennis Municipal Airport Rules and Regulations document serves as the foundational guideline for all operations, conduct, and activities within the premises of the Airport.

Purpose and Scope

The primary purpose of these Rules and Regulations is to establish a uniform and consistent framework for managing Airport operations, ensuring safety and security for all Airport users, including but not limited to tenants, commercial operators, general aviation pilots, and visitors. The regulations aim to:

- **Ensure Safety and Security:** To provide a secure environment for all Airport operations and activities, mitigating risks to personnel, property, and aircraft.
- **Protect Assets and Environment:** To safeguard the Airport's infrastructure and natural surroundings from damage, pollution, and misuse, ensuring sustainable operations.
- **Promote Efficient Use:** To optimize the utilization of Airport facilities, ensuring fair access and minimizing conflicts amongst different Airport users.
- **Compliance with Regulations:** To ensure all operations and activities at the Airport comply with federal, state, and local laws and regulations.

The scope of these rules encompasses all aspects of Airport operations, including aircraft operations, vehicular traffic, commercial activities, leasing, and the conduct of individuals on Airport property. They apply to everyone present on the Airport premises, regardless of the purpose or duration of their visit.

Application to Ennis Municipal Airport

While these Rules and Regulations are designed to be broadly applicable to Ennis Municipal Airport, it is recognized that the Airport has unique characteristics and operational requirements. Ennis Municipal Airport primarily serves general aviation, including private flying, flight training, and aeronautical service operations. Given its specific context, including its single-runway configuration, the planned expansion, and the focus on attracting aviation-related businesses and flight schools, certain regulations are tailored to directly address these unique aspects.

Airport users, tenants, and service providers are encouraged to familiarize themselves with these regulations, ensuring their activities align with the Airport's goals for safety, efficiency, and community integration.

Definitions and Acronyms

To ensure clarity and facilitate the consistent interpretation of the Ennis Municipal Airport Rules and Regulations, this section provides definitions for terms and acronyms frequently used in the aviation industry and in this document. Understanding these definitions is crucial for all Airport users to ensure compliance with the regulations governing operations at Ennis Municipal Airport.

- **Abandon:** To leave or forsake entirely, relinquishing any claim to, right in, or control over property or rights without intention to reclaim or resume ownership or control. Aircraft or property is considered abandoned if the owner fails to pay storage, parking, tie-down, or hangar fees for a 60-day period. Lack of contact or notice of intent to maintain or remove aircraft or property starts the 60-day period.
- **Aeronautical Activity:** Any activity that involves, makes possible, or is required for the flight of aircraft, including but not limited to piloting, aircraft maintenance, flight training, and aircraft rental.



- **Aircraft Operator:** The person or entity having direct control over the operation of aircraft, vehicles, or equipment on airport property.
- **Air Operations Area (AOA):** All airport surfaces used or intended for aircraft takeoff, landing, or surface maneuvering, including runways, taxiways, and apron areas.
- **Airport Management:** Airport operations personnel assigned to oversee operations.
- **Airside:** Areas designated for aircraft taxiing, takeoff, landing, parking, loading, or unloading, including aprons, taxiways, runways, and safety areas.
- **Apron or Ramp:** Designated areas within the AOA for aircraft loading, unloading, servicing, or parking.
- **Based Aircraft:** An aircraft in which the owner or aircraft operator is physically located at Ennis Municipal Airport with a valid lease agreement and with the intent and purpose to remain at the Airport for a period of six (6) months or longer.
- **Commercial Activity:** Any activity conducted on airport premises intended for the exchange, trading, buying, hiring, or selling of commodities, goods, services, or property, including activities generating revenue directly or indirectly.
- **Commercial Vehicle:** Vehicles engaged in business activities on airport premises, including but not limited to delivery trucks, shuttles, ride sharing companies, and taxi services.
- **Drone/UAS (Uncrewed Aircraft System):** Any aircraft operated without the possibility of direct human intervention from within or on the aircraft.
- **FBO (Fixed Base Operator):** A business granted the right by the City of Ennis to operate on the Airport, providing aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, or flight instruction.
- **Flying Club:** A nonprofit entity organized for providing its members with aircraft for personal use, which in some cases can be considered a commercial aviation operator under these standards.
- **Movement Areas:** These are sections of the airport where aircraft taxiing, takeoffs, and landings occur, and include runways and taxiways. Similar to the AOA.
- **Non-Commercial Activity:** Activities not intended for profit, conducted for philanthropic, educational, charitable, or personal purposes without financial gain.
- **Non-Movement Areas:** Non-movement areas are parts of the airport where aircraft may be parked, serviced, or where boarding and deplaning of passengers occur. Non-movement areas include aprons, gates, and maintenance hangars.
- **NOTAM (Notice to Air Missions):** A notice containing essential information for persons involved in flight operations, not permanently published elsewhere.
- **Public Area:** Areas within the airport accessible to the general public without the need for special access or security clearance.
- **Restricted Area:** Portions of the airport designated to prohibit or limit access to authorized personnel only, to ensure safety, security, or efficient operations.
- **SASO (Specialized Aviation Service Operations):** Commercial aeronautical services providing specific support services other than fuel sales.
- **Tenant:** Any person, firm, or corporation leasing property at the Ennis Municipal Airport for aeronautical or non-aeronautical purposes.
- **Transient Aircraft:** Aircraft temporarily at the Airport not based or regularly stationed at the Airport.
- **UNICOM:** A non-government air/ground radio communication station used at non-towered airports for local pilot communication, typically on the Common Traffic Advisory Frequency (CTAF).

Acronyms:

- **AOA:** Air Operations Area
- **ARFF:** Airport Rescue and Fire Fighting
- **CTAF:** Common Traffic Advisory Frequency
- **FAA:** Federal Aviation Administration



- **FAR:** Federal Aviation Regulations
- **FBO:** Fixed Base Operator
- **GA:** General Aviation
- **NOTAM:** Notice to Air Missions
- **SASO:** Specialized Aviation Service Operations
- **UAS:** Uncrewed Aerial System
- **UNICOM:** Universal Communications station

This list of definitions and acronyms is not exhaustive but represents the most commonly used terms within the context of Ennis Municipal Airport operations. Additional terms and acronyms may be defined within specific sections of this document as needed.

General Airport Rules and Regulations

Conduct and Responsibilities

General Conduct: All individuals on the premises of Ennis Municipal Airport, including passengers, employees, tenants, and visitors, are expected to conduct themselves in a manner that ensures the safety, security, and respect for others at all times. This would include compliance with all federal, state, and local laws, in addition to adherence to Airport-specific policies and directives.

Responsibilities:

- **Operators and Pilots:** Must operate aircraft and vehicles responsibly, adhering to all FAA operational guidelines and flight patterns. Safety checks and proper maintenance of aircraft and equipment are their responsibility.
- **Commercial Entities:** Businesses operating within the Airport grounds must comply with all applicable regulations, ensuring their activities do not endanger public safety or disrupt Airport operations.
- **Environmental Stewardship:** All users are responsible for minimizing their environmental impact, including the proper disposal of waste and fuel, and avoidance of actions that could harm local wildlife or ecosystems.

Environmental Policies and Noise Abatement

Environmental Policies:

- **Sustainability:** Efforts should be made to operate in an environmentally sustainable manner, including efficient energy use, minimizing pollution, and participating in recycling programs.
- **Use of Sustainable Aviation Fuels (SAF):** Encouragement is given to aircraft operators to use sustainable aviation fuels that reduce carbon emissions compared to conventional jet fuels, aligning with the aviation industry's goals for reducing environmental impact.
- **Recycling Programs:** The Airport has recycling programs for airport users, tenants, and staff, targeting materials such as paper, plastic, glass, and metals to reduce waste and promote recycling efforts.
- **Waste Reduction Initiatives:** Strategies for minimizing waste include encouraging digital processes over paper-based systems, promoting reusable materials, and managing hazardous waste according to strict environmental standards to prevent contamination.
- **Fuel Disposal:** There is to be no dumping of AvGas or Jet-A into or on unapproved areas from fuel tank sumping or other sources.
- **Wildlife Avoidance:** Airport users are encouraged to avoid flights over Lake Clark when waterfowl are present. This is to prevent bird strikes and promote aviation safety.



Noise Abatement/Fly Friendly Program:

- **Avoidance of Residential Areas:** Pilots are encouraged to fly at altitudes and along flight paths that minimize noise over residential neighborhoods, especially during takeoff and landing phases.
- **Night Operations:** Given that ambient noise levels decrease at night, making aircraft operations potentially more disruptive, pilots are urged to minimize overflight of residential areas between late evening and early morning hours whenever possible.
- **Aircraft Maintenance:** Maintenance activities generating significant noise should be scheduled during daytime hours whenever feasible.

Aircraft Operations

General Operating Procedures

- **Compliance with Regulations:** All aircraft operations must adhere to Federal Aviation Administration (FAA) regulations, including, but not limited to FARs: Part 91, Part 61, Part 67, Part 103, and Part 107 for general operating and flight rules, along with other applicable FARs depending on the specific operations being conducted.
- **Pre-Flight Planning:** Prior to every flight, pilots should conduct thorough pre-flight planning, including checking NOTAMs, weather conditions, and understanding Airport-specific advisories and procedures.
- **Runway and Taxiway Usage:** Aircraft must utilize designated runways and taxiways for all movements on the ground, adhering to posted signage, markings, and UNICOM (if present) instructions. Use of areas not designated for aircraft movement is prohibited without prior written consent.
- **Aircraft Parking:** Parking of aircraft must be done in designated areas only. Prior arrangements for parking, especially for transient aircraft, should be made to ensure space availability and compliance with Airport regulations.

Emergency Procedures

In the event of any aircraft accident or incident on the Ennis Municipal Airport premises, the following procedures must be followed:

- **Immediate Notification:** Call 911 immediately to report any accident, injury, fire, or other emergencies. Provide the dispatcher with the exact location, nature of the emergency, and any other critical information to ensure a prompt response.
- **Notify Airport Management:** After contacting emergency services, notify Airport Management as soon as possible by calling (972) 875-4279. The management will coordinate with emergency responders and take necessary actions to ensure safety and security.
- **Secure the Area:** Ensure the area around the incident is secured to prevent further injury or damage. Only authorized personnel should be allowed near the site of the emergency.
- **Follow-Up and Investigation:** The NTSB, FAA, or Airport Management may conduct a follow-up investigation to determine the cause of the incident and recommend measures to prevent future occurrences. Cooperation with management and any regulatory authorities is required.

Disabled Aircraft Removal and Liability

- **Immediate Notification:** In the event of an aircraft becoming disabled on or near operational surfaces, the pilot or aircraft operator must immediately notify Airport management.
- **Removal Responsibility:** The primary responsibility for removing a disabled aircraft rests with the aircraft owner or operator. Airport Management may assist in coordinating removal efforts but is not responsible for the costs associated with the removal.



- **Liability for Damages:** Aircraft operators are liable for any damage to Airport property or facilities resulting from the incident or the removal process. Operators must ensure their insurance coverage includes liability for such damages.
- **Disclaimer of Liability**: The City of Ennis and Ennis Municipal Airport are not liable for any damages, losses, or injuries to persons or property resulting from any accidents, incidents, or actions occurring on Airport premises. This includes, but is not limited to, damages caused during the removal of disabled aircraft, acts of nature, or any third-party actions. All individuals and entities using the Airport do so at their own risk.

- **Timely Removal:** Disabled aircraft must be removed from operational areas as quickly as possible to minimize disruption to Airport operations. If the owner or operator does not promptly initiate removal actions, the City of Ennis reserves the right to remove the aircraft at the owner's/operator's expense.

Fueling Operations

- **Safety Compliance:** All fueling operations must comply with FAA regulations, National Fire Protection Association (NFPA) standards, and Environmental Protection Agency (EPA) guidelines to ensure safety and environmental protection.
- **Fueling Personnel Training:** Individuals conducting fueling operations must be properly trained in safe fuel handling, emergency response procedures, and spill prevention and containment practices. This includes fuel sump disposal practices.
- **Designated Fueling Areas:** Fueling of aircraft must be performed in designated areas equipped with appropriate safety measures to prevent fires and environmental contamination.
- **Spill Prevention and Response:** Operators must have procedures and equipment in place for immediate response to fuel spills, including containment measures and notification of Airport management.
- **Self-Fueling:** Self-fueling may be permitted under specific conditions set by the City of Ennis, including demonstrating the capability to safely conduct fueling operations and adherence to environmental protection guidelines. Fuel tank locations must be approved by the City for any self-fueling operation.

Maintenance Spaces and Policies

- **Designated Maintenance Areas:** Maintenance and repair of aircraft must be conducted in areas specifically designated by the City of Ennis for such purposes. These areas are equipped to handle a variety of maintenance tasks while adhering to safety and environmental standards.
- **Compliance with Regulations:** All maintenance work must comply with Federal Aviation Administration (FAA) regulations and manufacturer's maintenance procedures to ensure the airworthiness of the aircraft.
- **Environmental and Safety Standards:** Facilities used for maintenance must implement measures for the safe handling and disposal of hazardous materials and waste. Additionally, maintenance operations should employ practices that minimize their environmental impact.
- **Noise Control:** Maintenance activities likely to generate significant noise should be scheduled during times that minimize the impact on surrounding residential areas.

Hangar Use and Aircraft Storage

- **Primary Use:** Hangars at Ennis Municipal Airport are primarily for the storage of aircraft. The City of Ennis encourages the efficient use of hangar space to support aviation activities and the operational needs of the Airport.
- **Lease Compliance:** Tenants must adhere to the terms of their hangar lease agreements, which detail permissible uses of the hangar space, maintenance responsibilities, and compliance with Airport Rules and Regulations.

- **Aircraft Storage Regulations:** Stored aircraft must not obstruct the hangar doorways or impede access to other aircraft or emergency exits within the hangar. The City of Ennis reserves the right to inspect hangars for compliance with safety and storage regulations.

Flight Training and Flying Club Regulations

- **Certification and Compliance:** Flight training providers operating at Ennis Municipal Airport must hold appropriate FAA certification (Part 61 or Part 141) and comply with all relevant FAA regulations. This ensures that training programs meet high safety and quality standards.
- **Operating Guidelines:** Flying clubs and flight training operations should coordinate their activities with Airport management to ensure they do not interfere with other Airport operations.
- **Aircraft and Instructor Standards:** Aircraft used for flight training must be maintained in accordance with FAA regulations, ensuring they are safe for flight. Instructors must possess valid FAA certificates.
- **Club Membership and Insurance:** Flying clubs must maintain a current roster of members and aircraft and provide evidence of adequate insurance coverage. This information must be available to the City upon request. Clubs should operate in a manner that promotes aviation education and safety among their members.

Vehicle Regulations

The City of Ennis has set forth regulations for vehicle operations on Airport premises which apply to all vehicles, including private cars, service vehicles, and commercial transport.

Speed Limits and Traffic Flow

- **Speed Limits:** The Airport has a maximum speed limit of 15 mph to protect pedestrians, Airport staff, and other vehicles. Near hangar areas or aprons, the speed limit is reduced to 10 mph to ensure the safety of all Airport users.
- **Traffic Flow:** Vehicles must follow established traffic patterns, adhering to all directional signs and ground markings. Emergency vehicles and aircraft in motion have the right-of-way.

Vehicle Access to Airport Operations Areas

- **Restricted Areas:** Access to AOA and other designated operational areas is limited to authorized vehicles and tenants of the Airport.
- **Authorization for Access:** Vehicles needing access to operational areas for official purposes should notify Airport management of the need and purpose for access.
- **Safety and Compliance:** Authorized vehicles in operational areas must observe Airport safety regulations, including following designated routes, maintaining UNICOM (if available) communication with management, and not disrupting aircraft operations.

Parking Regulations and Extended Parking Management

- **Short-Term Parking:** Designated areas are provided for short-term parking (up to 3 days) near terminal and general aviation facilities. Vehicles must be parked in marked spaces, adhering to posted time limits to ensure availability for all Airport users.
- **Extended Parking:** For vehicles requiring longer-term parking (more than 3 days), specific zones are designated and may require prior approval from Airport management.



Airport Security

- **Fencing and Gate Card Access:** Plans are in place for the installation of complete perimeter fencing and a controlled access gate system using gate cards to enhance security at Ennis Municipal Airport. Once implemented, all airport users, tenants, and staff will be required to obtain and use gate cards for entry into the AOA. Procedures for obtaining gate cards and rules governing their use will be communicated by Airport Management at that time.
- **Comprehensive Surveillance:** The Airport employs a combination of physical patrols and electronic surveillance to monitor activities on Airport property, enhancing overall security.
- **Incident Response:** A protocol for responding to security incidents is established, ensuring quick and coordinated action by Airport personnel and local law enforcement.
- **Public Awareness:** Airport users and staff are encouraged to report suspicious activities or unattended items immediately to Airport management or security personnel.

Facility Use and Leasing Policies

Hangar Development and Maintenance

- **Development Guidelines:** Any new hangar development at the Airport must align with the Airport's master plan and comply with local building codes and FAA regulations. Developers are required to submit detailed plans for approval by the City of Ennis before construction begins.
- **Maintenance Responsibilities:** Hangar lessees are responsible for the maintenance and upkeep of their leased spaces. This includes routine maintenance, repairs, and ensuring hangars meet safety and environmental standards.

Lease Agreements and Compliance

- **Lease Requirements:** All tenants at Ennis Municipal Airport must enter into a lease agreement with the City of Ennis. These agreements detail the terms of use, including duration, payment terms, and specific use restrictions to ensure operations align with Airport policies.
- **Compliance Monitoring:** The City of Ennis monitors tenant compliance with lease terms. Non-compliance can result in penalties, up to and including termination of the lease. Tenants are encouraged to maintain open communication with Airport management to resolve any issues that may arise.

Commercial and Non-Commercial Use

- **Definition of Uses:** Commercial use encompasses activities generating revenue on Airport premises, including but not limited to aircraft charter, flight training, and aircraft maintenance services. Non-commercial use pertains to activities not intended for revenue generation, such as personal aircraft flying and storage.
- **Approval Process:** Commercial activities require prior approval from the City of Ennis, including a review of the proposed business operations to ensure they align with Airport policies and the available infrastructure.
- **Operational Guidelines:** Both commercial and non-commercial users must adhere to operational guidelines set forth by the City of Ennis, ensuring their activities do not interfere with the safety, security, or efficiency of Airport operations.



Facility Use by Third Parties

- **Third-Party Agreements:** Third parties wishing to use Airport facilities for events, meetings, or other temporary activities must enter into a use agreement with the City of Ennis. These agreements specify the terms of use, including duration, fees, and liability insurance requirements.
- **Compliance with Airport Rules:** All third-party users are required to comply with the Airport's Rules and Regulations, ensuring their activities do not disrupt Airport operations or pose safety risks.

Delinquency and Enforcement Procedures

- **Payment Delinquency:** Lessees and commercial operators are expected to adhere to the payment terms outlined in their lease or service agreements. Delinquency in payments may result in late fees, interest charges, and potential suspension of services or lease termination.
- **Enforcement of Rules:** The City of Ennis is committed to fairly enforcing the Rules and Regulations governing the use of Airport facilities. Non-compliance may lead to corrective actions, including warnings or eviction from the premises.

Appeal Process: Tenants and users have the right to appeal enforcement actions taken by the City of Ennis. The appeal process is designed to provide a fair review of disputes and ensure that all parties have the opportunity to present their case. The appeal process is outlined in Appendix D: Ennis Municipal Airport Lease Policy, and incorporated into this Rules and Regulations document by reference.

Emerging Technologies

The City of Ennis recognizes the rapid advancements in aviation and transportation technologies. The following guidelines are established at Ennis Municipal Airport to embrace these innovations while ensuring they integrate safely and effectively into existing operations.

Drones and Uncrewed Aerial Systems (UAS)

- **FAA Regulations Compliance:** All UAS operations and operators within the vicinity of Ennis Municipal Airport must comply with FAA regulations, including Part 107 rules for commercial drone use and guidelines for recreational flyers. Drone operators must submit a Notice to Air Missions (NOTAM) when their activity meets specific criteria established by the Federal Aviation Administration (FAA).
- **Coordination with Airport Management:** Drone operators should notify and coordinate with Airport management to ensure their operations do not interfere with crewed aircraft operations or Airport activities.

Electric Aircraft and Charging Stations

- **Support Infrastructure:** The City of Ennis is committed to supporting the adoption of electric aircraft by exploring the installation of charging stations at the Airport, pending feasibility studies and funding availability.
- **Operational Guidelines:** Electric aircraft operations must adhere to the same safety and operational guidelines as conventional aircraft, with additional procedures for charging and battery management to ensure safety.

Ridesharing Operations

- **Designated Areas:** Ridesharing vehicles, including those operated by companies such as Uber and Lyft, should use designated pickup and drop-off areas to minimize on the part of passengers and rideshare drivers.



- **Operating Permits:** Ridesharing companies must obtain operating permits from the City of Ennis, adhering to regulations governing commercial transport operations at the Airport.

Autonomous Vehicles, E-scooters, and E-bikes

The City of Ennis welcomes new technology such as autonomous vehicles, E-scooters, and E-bikes as a means of reducing energy consumption and lowering carbon dioxide footprints. If rental outlets for these vehicles are located at the Airport, they would require authorization and coordination with the City of Ennis, ensuring that these services are licensed and have adequate insurance coverage. These vehicles are not permitted on Aircraft Movement Areas.

Amendments, Waivers, and Modifications

The City of Ennis acknowledges the dynamic nature of Airport operations and the aviation industry. To accommodate changes and ensure the continued relevance of regulations and policies at Ennis Municipal Airport, provisions for amendments, waivers, and modifications are established.

Procedure for Amendments

- **Initiation of Amendments:** Amendments to the Airport Rules and Regulations can be proposed by Airport management, tenants, or through recommendations from regulatory bodies to address operational needs, safety concerns, or compliance with new laws.
- **Stakeholder Consultation:** Proposed amendments undergo a consultation process, involving stakeholders such as Airport users, tenants, and the local community, to gather input and assess the impact of proposed changes.
- **Approval and Implementation:** Following review and consultation, amendments require approval by the City Council of Ennis. Approved amendments are then communicated to all stakeholders and implemented as part of the Airport's operational guidelines.

Temporary Waivers and Exceptions

- **Criteria for Waivers:** The City of Ennis may grant temporary, non-precedent setting waivers or exceptions to specific rules and regulations under certain circumstances, such as during emergency operations, for special events, or to facilitate testing of new technologies.
- **Application Process:** Entities seeking a waiver or exception must submit a request to Airport management, outlining the rationale, duration, risks, and any safety measures or mitigations proposed to address potential impacts.
- **Review and Approval:** Waiver requests are reviewed on a case-by-case basis, considering safety, operational impact, and compliance with overarching regulatory requirements. Decisions on waivers are made with the best interest of Airport operations and safety as the priority.

Compliance Monitoring and Enforcement

Inspections

- **Regular Inspections:** Airport management conducts regular inspections of facilities, operations, and equipment to ensure compliance with Airport rules and regulatory standards. These inspections help identify potential issues before they impact Airport safety or efficiency.

Violation Reporting and Penalties



- **Reporting Mechanisms:** Reports of violations of Airport rules can be made by Airport users, staff, and the public anonymously to Airport management for referral to the City of Ennis.
- **Penalties for Non-Compliance:** Potential penalties for non-compliance with Airport regulations may include warnings or termination of lease agreements, depending on the nature and severity of the violation.

Appeals and Dispute Resolution

Appeals Process: Individuals or entities subject to enforcement actions have the right to appeal decisions. This process is described in Appendix D: Ennis Municipal Airport Lease Policy. The appeals process is designed to provide a fair and transparent method for reviewing disputes.

- **Dispute Resolution:** The City of Ennis encourages resolution of disputes through mediation and negotiation, aiming to address concerns amicably while maintaining the integrity of Airport operations.

APPENDIX C

Ennis Municipal Airport Minimum Standards for Commercial Aeronautical Activities



APPENDIX C: ENNIS MUNICIPAL AIRPORT MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES

Introduction and Background

Airport Overview

Ennis Municipal Airport (F41) serves as an asset for the City of Ennis and the broader region it serves. This land-locked Airport, with a 4,011-foot runway, is poised for significant advancements, aiming to bolster its infrastructure and service offerings. Owned and operated by the City of Ennis, the Airport currently has 9 based aircraft and a part-time Fixed Base Operator (FBO) manager.

Recognizing the potential for growth and the need for modernization, Ennis Municipal Airport is undergoing a strategic planning process. In addition to an airport Master Plan, a Business Plan is included to present the best options for management and revenue production. In tandem with these administrative enhancements, physical upgrades to the Airport's infrastructure are planned. Notably, the runway is set to widen from 50 to 60 feet, a change supported by both the Master Plan and secured funding, demonstrating the City's commitment to the Airport's development.

In anticipation of future growth, the City of Ennis envisions the Airport as a hub for aviation education and business. Plans to construct new hangars aim to attract and accommodate a diverse array of aviation-related activities, including a potential flight school. These initiatives reflect the city's strategic vision to leverage the Airport as a catalyst for economic development, educational opportunities, and enhanced services for the local and aviation community.

Purpose of the Document

This document establishes a new set of Minimum Standards for Commercial Aeronautical Activities at Ennis Municipal Airport. It is crafted to support the Airport's operational and developmental goals, ensuring that all commercial aeronautical activities conducted on-site align with high standards of safety, efficiency, and regulatory compliance. The document serves multiple key objectives:

- **Guidance for Current and Prospective Service Providers:** It outlines criteria for businesses wishing to operate at the Airport, ensuring that they meet or exceed established operational, safety, and service quality benchmarks.
- **Framework for Airport Management and Development:** The standards provide a foundational framework that guides the Airport's management practices, facility development, and leasing policies. This framework is designed to support the Airport's growth, enhance its competitiveness, and ensure the efficient use of resources.
- **Regulatory and Safety Compliance:** By defining minimum requirements for commercial aeronautical services, the document helps ensure that the Airport and its tenants comply with federal, state, and local regulations, including safety and environmental standards.
- **Community and Stakeholder Engagement:** The standards reflect the Airport's commitment to its stakeholders, including the local community, aviation businesses, and governmental entities.

This document is intended as a living framework, adaptable to the evolving needs of Ennis Municipal Airport, its users, and the broader community it serves. It underscores the City of Ennis's dedication to developing an airport that not only meets current demands but is also poised for future opportunities.



Legal and Regulatory Framework

- **Federal Oversight:** The Federal Aviation Administration (FAA) provides overarching regulations governing aviation in the United States. These include standards for airport operations, aircraft maintenance, pilot certification, and air traffic management. The Airport adheres to FAA regulations to maintain its operating certificate and ensure compliance with national aviation safety and operational standards.
- **State and Local Regulations:** In addition to federal mandates, the Airport operates under state of Texas aviation laws and local ordinances of the City of Ennis. These regulations may address land use, environmental protection, zoning around the Airport, and local operational guidelines that complement federal requirements.
- **Grant Assurances:** As a recipient of federal Airport improvement funds, Ennis Municipal Airport is bound by specific grant assurances. These assurances commit the Airport to certain operational standards, nondiscriminatory practices in Airport services, and the maintenance of facilities in a condition that is safe for all users.
- **Environmental and Safety Regulations:** The Airport is subject to environmental regulations at both the federal and state levels, including those pertaining to water and air quality, and hazardous materials handling. Compliance with these regulations ensures the Airport's operations minimize their impact on the surrounding environment.

This legal and regulatory framework establishes the baseline upon which the Minimum Standards for Commercial Aeronautical Activities are developed, ensuring that all activities at Ennis Municipal Airport meet or exceed the requisite legal, safety, and operational benchmarks.

Scope and Applicability

These Minimum Standards apply to all entities and individuals engaged in commercial aeronautical services within the Airport's premises. These standards are designed to be comprehensive, covering a broad spectrum of activities including, but not limited to:

- Fixed Base Operations (FBOs)
- Aircraft maintenance and repair services
- Flight training and aviation education programs
- Aircraft rental and charter services
- Specialized aviation service operations (SASO)

The scope of these standards encompasses the operational requirements for conducting commercial aeronautical activities, including qualifications, insurance, safety practices, facility development, and environmental compliance. It also outlines the administrative processes for obtaining approval to operate at the Airport, ensuring that all commercial services are provided in a manner that is consistent with the Airport's strategic goals and operational capacities.

The applicability of these standards extends to current and prospective service providers, aiming to foster a competitive, fair, and transparent environment for all commercial aeronautical activities at the Airport. By adhering to these standards, service providers contribute to the Airport’s reputation as a safe, efficient, and community-oriented facility.

Furthermore, these standards are applicable immediately upon adoption and will be reviewed periodically to ensure they remain aligned with industry best practices, regulatory changes, and the evolving needs of the Airport and its users. This dynamic approach ensures that Ennis Municipal Airport continues to serve as a vital asset to the City of Ennis and the broader aviation community.



Definitions and Acronyms

To ensure clarity and consistent interpretation, this section defines key terms and acronyms relevant to the Minimum Standards for Commercial Aeronautical Activities at Ennis Municipal Airport:

- **Abandon:** To leave or forsake entirely, relinquishing any claim to, right in, or control over property or rights without intention to reclaim or resume ownership or control.
- **Aircraft Operator:** The person or entity having direct control over the operation of aircraft, vehicles, or equipment on Airport property.
- **Air Operations Area (AOA):** All Airport surfaces used or intended for aircraft takeoff, landing, or surface maneuvering, including runways, taxiways, and apron areas.
- **Airport Management:** Airport operations personnel assigned to oversee operations and staff.
- **Airside:** Areas designated for aircraft taxiing, takeoff, landing, parking, loading, or unloading, including aprons, taxiways, runways, and safety areas.
- **Apron or Ramp:** Designated areas within the AOA for aircraft loading, unloading, servicing, or parking.
- **Based Aircraft:** An aircraft in which the owner or aircraft operator is physically located at Ennis Municipal Airport with the intent and purpose to remain there for a period of six (6) months or longer.
- **Commercial Activity:** Any activity conducted on Airport premises intended for the exchange, trading, buying, hiring, or selling of commodities, goods, services, or property, including activities generating revenue directly or indirectly.
- **Commercial Vehicle:** Vehicles engaged in business activities on Airport premises, including but not limited to delivery trucks, shuttles, ride sharing companies, and taxi services.
- **Drone/UAS (Uncrewed Aircraft System):** Any aircraft operated without the possibility of direct human intervention from within or on the aircraft.
- **FBO (Fixed Base Operator):** A business granted the right by the City of Ennis to operate on Airport premises, providing aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, or flight instruction. The City of Ennis has claimed the exclusive right to sell fuel at the Airport, and thus, has the sole option to license other vendors for this purpose.
- **Flying Club:** A nonprofit entity organized for providing its members with aircraft for personal use, which in some cases can be considered a commercial aviation operator under these standards.
- **Leasehold Interest:** The rights granted to a tenant or lessee under the terms of a lease agreement with the City of Ennis for Airport property. This interest provides the tenant the right to use and occupy the leased property for a predetermined period as specified in the lease agreement, without transferring ownership of the property itself. The value of a leasehold interest is often determined by the terms of the lease, including the duration, rent, and rights to renew the lease.
- **Movement Areas:** These are sections of the Airport where aircraft taxiing, takeoffs, and landings occur, and include runways and taxiways. Similar to the AOA.
- **MRO:** A Maintenance, Repair, and Overhaul business for aircraft.
- **Non-Aeronautical Commercial Activity:** Activities that occur at an airport but do not directly involve aircraft operations, such as retail services, car rentals, or office space leasing. These activities are not subject to aeronautical Minimum Standards.
- **Non-Commercial Activity:** Activities not intended for profit, conducted for philanthropic, educational, charitable, or personal purposes without financial gain.
- **Non-Movement Areas:** Non-movement areas are parts of the Airport where aircraft may be parked, serviced, or where boarding and deplaning of passengers occur. Non-movement areas include aprons, gates, and maintenance hangars.
- **NOTAM (Notice to Air Missions):** A notice containing essential information for persons involved in flight operations, not permanently published elsewhere.
- **Part-Time FBO Manager:** An individual who oversees the operations of a Fixed Base Operator on a part-time basis, including customer service, maintenance, and fuel sales activities.



- **Public Area:** Areas within the Airport accessible to the general public without the need for special access or security clearance.
- **Restricted Area:** Portions of the Airport designated to prohibit or limit access to authorized personnel only, to ensure safety, security, or efficient operations.
- **SASO (Specialized Aviation Service Operations):** Commercial aeronautical services providing specific support services other than fuel sales.
- **Stakeholder:** Any individual, group, or organization with a vested interest in the Airport operations, including but not limited to tenants, service providers, neighboring residential areas, and regulatory bodies.
- **Tenant:** Any person, firm, or corporation leasing property at the Ennis Municipal Airport for aeronautical or non-aeronautical purposes.
- **Transient Aircraft:** Aircraft temporarily at the Airport not based or regularly stationed at the Airport.
- **UNICOM:** A non-government air/ground radio communication station used at non-towered Airports for local pilot communication, typically on the Common Traffic Advisory Frequency (CTAF).

Acronyms:

- **AOA:** Air Operations Area
- **CTAF:** Common Traffic Advisory Frequency
- **FAA:** Federal Aviation Administration
- **FAR:** Federal Aviation Regulations
- **FBO:** Fixed Base Operator
- **NOTAM:** Notice to Air Missions
- **SASO:** Specialized Aviation Service Operations
- **UAS:** Uncrewed Aerial System
- **UNICOM:** Universal Communications station

This list is not exhaustive and can be updated as necessary to reflect changes in Airport operations, technology, and regulatory requirements.

Airport Operating Certificate

The Airport Operating Certificate (AOC) ensures that commercial aeronautical service providers adhere to the highest standards of safety, efficiency, and compliance.

Certificate Requirements

To obtain an AOC at Ennis Municipal Airport, service providers must be able to conduct operations in alignment with federal, state, and local regulations, as well as the specific requirements established by the Airport. These requirements include, but are not limited to:

- **Business Licensing and Registration:** Applicants must possess a valid business license from the City of Ennis and be duly registered to operate within the State of Texas, demonstrating legal authorization to conduct business.
- **FAA Compliance:** For operations under the purview of the Federal Aviation Administration, valid FAA certifications or authorizations are required. This ensures adherence to national aviation safety and operational standards.
- **Business Plans:** Applicants need to submit operational plans, including descriptions of intended aeronautical services, operational protocols, and safety measures. In addition, applicants must demonstrate financial stability and capability to sustain operations. This can include submitting financial statements or proof of financial resources.



- **Insurance Coverage:** Proof of adequate insurance coverage must be provided, covering liabilities related to property damage, bodily injury, and, where applicable, environmental damage. Insurance requirements are specified to protect the Airport, its users, and the community from potential operational risks.
- **Facility and Equipment Standards:** Applicants must demonstrate access to, or ownership of, facilities and equipment necessary for the proposed aeronautical activities, ensuring operations can be conducted safely and efficiently.

Compliance and Enforcement

Compliance with the AOC requirements and ongoing adherence to operational standards are monitored as follows:

- **Regular Inspections:** Routine inspections of facilities, equipment, and operations are conducted to verify compliance with the AOC requirements and operational standards.
- **Reporting and Documentation:** Aeronautical service providers are required to submit periodic reports detailing operational activities, safety incidents, and compliance with environmental regulations.
- **Corrective Actions:** In cases of non-compliance, service providers are issued corrective action requests detailing the deficiencies identified and the measures required to address them. Compliance timelines are established based on the nature of the non-compliance.
- **Enforcement Measures:** Persistent non-compliance or serious breaches of the operational standards may result in enforcement actions, including suspension or revocation of the AOC.
- **Appeals Process:** A structured appeals process is in place for service providers to contest compliance decisions or enforcement actions. This process ensures fairness and allows for the review of disputed decisions by an independent panel or adjudicator.

General Operating Standards

Operator Qualifications

Commercial aeronautical service providers at Ennis Municipal Airport are required to demonstrate comprehensive qualifications that affirm their capability to deliver high-quality, safe, and compliant services:

- **Experience and Expertise:** Operators must possess significant experience and expertise in their specific field of aeronautical service, evidenced by a track record of successful operations and positive customer feedback.
- **Certifications and Training:** Operators and their personnel must hold current certifications and licenses applicable to their services, as required by the FAA and other regulatory bodies. This includes pilot licenses, maintenance certifications, and any other specialized qualifications pertinent to their operations.
- **Safety Record:** A strong safety record is essential. Operators should demonstrate adherence to safety protocols and procedures, with documented evidence of compliance with FAA safety regulations and minimal safety incidents or violations.
- **Operational Knowledge:** An understanding of Airport rules, regulations, and procedures is essential to function safely at the Airport.

Insurance Requirements

To mitigate risks and ensure financial responsibility, commercial aeronautical service providers operating at Ennis Municipal Airport must meet the following insurance requirements:



- **General Liability Insurance:** Operators must maintain a comprehensive general liability insurance policy that covers bodily injury, property damage, and personal injury, with coverage limits appropriate to the scale and nature of their operations, as specified by the City of Ennis.
- **Aircraft Liability Insurance:** For operators utilizing aircraft, an aircraft liability insurance policy is required. This policy should cover passenger liability and third-party bodily injury and property damage, with limits that reflect the minimum requirements of the City of Ennis.
- **Workers' Compensation Insurance:** In compliance with state laws, operators must provide workers' compensation insurance for all employees, offering protection against job-related injuries or illnesses.
- **Property Insurance:** For those leasing or owning property at the Airport, property insurance covering the full replacement value of buildings, hangars, and contents against fire, theft, and other risks is required.
- **Environmental Liability Insurance:** Operators engaged in activities that pose a potential environmental risk, such as the handling of fuel, paint, spray chemicals, etc., must carry environmental liability insurance to cover the costs of cleanup and damages resulting from spills, contamination, or other environmental incidents.

Operators are required to submit certificates of insurance to the Airport authority as proof of coverage upon commencement of operations and upon renewal of policies. The Ennis Municipal Airport reserves the right to review and adjust insurance requirements periodically to reflect changes in operational scope, regulatory requirements, and industry best practices.

Environmental Compliance

Ennis Municipal Airport is committed to minimizing the environmental impact of its operations and requires all commercial aeronautical service providers to comply with environmental regulations, including:

- **Waste Management:** Implementing practices for the proper disposal of hazardous and non-hazardous waste, including recycling programs where applicable. Service providers should ensure that waste is managed in a manner that prevents pollution and adheres to local environmental regulations.
- **Spill Prevention and Response:** Operators must have a plan in place for preventing and responding to fuel and chemical spills. This includes training staff on spill response procedures, maintaining spill response equipment, and reporting spills to Airport management promptly.
- **Sustainable Practices:** Operators are encouraged to adopt sustainable practices such as using environmentally friendly products, conserving water and energy, and reducing emissions. Initiatives that contribute to sustainability and environmental stewardship are supported by the City of Ennis.

Noise Reduction and Community Relations

Maintaining positive relations with the surrounding community is a priority for Ennis Municipal Airport. For service providers and commercial tenants with aircraft, they are encouraged to participate in noise abatement/fly-friendly efforts (where applicable) and engage constructively with community concerns. Common sense methods of avoiding residential areas in approach and departure paths, particularly during nighttime, are encouraged in order to maintain good relations with our neighbors and minimize complaints.

Specific Aeronautical Activities

To further ensure the safety, efficiency, and quality of services offered at Ennis Municipal Airport, specific standards and requirements are outlined for various aeronautical activities. These standards address operational, safety, and compliance aspects relevant to each category of service.

Fixed Base Operators (FBOs)



Fixed Base Operators provide essential aeronautical services at airports such as Ennis Municipal. To operate as an FBO, service providers must meet the following criteria:

- **Fuel Sales:** FBOs must offer aircraft fueling and some pilot amenities, at a minimum. FBOs are encouraged to offer any or all of the following: aircraft parking, hangar storage, and aircraft maintenance. The breadth and quality of services offered should be scaled to meet the needs of the Airport's user base.
- **Facility and Equipment Standards:** FBO facilities should be maintained to a high standard of cleanliness and safety. This includes ensuring that all equipment used in the operation is regularly inspected, maintained, and replaced or upgraded as necessary to meet operational and safety requirements.
- **Customer Service:** FBOs are expected to provide exceptional customer service. Staff should be trained in customer service best practices to ensure a positive experience for all visitors and users of the Airport.

Flight Training Schools and Programs

Flight training schools and programs are encouraged so that the next generation of pilots can be educated and trained. Standards for these entities include:

- **Certification:** Flight training providers must be certified by the FAA under Part 141 or Part 61, as applicable. This ensures that the training provided meets federal standards for curriculum, instructor qualifications, and safety.
- **Aircraft and Simulator Standards:** Training aircraft must be maintained in excellent condition, with maintenance records readily available for inspection. The use of flight simulators, where applicable, should comply with FAA certification standards for training devices.
- **Instructor Qualifications:** Instructors must hold valid FAA instructor certificates and possess the knowledge, experience, and skills necessary to deliver high-quality training effectively.
- **Safety Management:** Schools must have a safety management system (SMS) in place that includes regular safety meetings, a process for reporting and analyzing safety incidents, and continuous monitoring of safety trends within their operations.

Aircraft Maintenance Services

Aircraft maintenance services, whether provided by an individual or MRO, are needed to ensure the airworthiness and safety of aircraft operating at Ennis Municipal Airport. Providers of these services must adhere to the following:

- **FAA Certification:** Maintenance facilities and personnel must be certified by the FAA, ensuring compliance with all regulations governing aircraft maintenance and repair work.
- **Quality Assurance:** Maintenance operators must have a quality assurance program that includes such things as regular audits of maintenance practices, documentation of maintenance activities, and adherence to manufacturers' maintenance schedules and recommendations.
- **Training:** Technicians should undergo continuous training in accordance with FAA recurrent training requirements.
- **Facilities and Equipment:** Maintenance facilities should be adequately equipped and maintained to provide a safe environment for conducting repairs and maintenance. This includes ensuring that all tools and equipment are calibrated and certified for use in aircraft maintenance activities.

Hangar Leasing and Development

The leasing and development of hangars at Ennis Municipal Airport are important components in supporting the storage, maintenance, and operation of aircraft, as well as bolstering revenues for the Airport. Standards for hangar leasing and development include:



- **Design and Construction Standards:** Hangar designs must meet local building codes and FAA guidelines, ensuring structures are safe, functional, and aesthetically aligned with the overall Airport environment. Forward-looking considerations for environmental sustainability, energy efficiency, and storm/hail resistance are encouraged.
- **Lease Compliance:** Entities leasing hangar space must comply with the terms of their lease agreements, which outline use restrictions, maintenance responsibilities, and operational guidelines. Lease agreements are designed to ensure that hangar usage supports the overall mission and operational efficiency of the Airport.
- **Operational Flexibility:** Hangars should accommodate a variety of aircraft sizes and types, providing versatility in usage.
- **Security and Access:** Hangar lessees are responsible for securing their leased spaces, controlling access to ensure only authorized personnel can enter.

Specialized Aviation Service Operations (SASO)

Specialized Aviation Service Operations (SASOs) offer niche or specialized aeronautical services that contribute to the diversity of services available at Ennis Municipal Airport. Standards for SASOs include:

- **Specific Operational Approval:** SASOs must obtain specific approval from the City of Ennis, outlining the scope of their operations, ensuring that these specialized services do not conflict with existing services and are in line with the Airport's strategic goals.
- **Safety and Quality Standards:** SASOs are required to maintain high safety and quality standards in their operations, with clear procedures for maintaining operational excellence and compliance with relevant FAA regulations.
- **Environmental Considerations:** SASOs must consider their environmental impact, adopting practices that minimize negative effects on the surrounding environment. This includes spill prevention, waste management, and energy consumption reduction, where practical.

Leasing and Facility Development

This section delineates the standards and guidelines for leasing and developing facilities at Ennis Municipal Airport, ensuring that all infrastructure developments and leasing arrangements align with the Airport's strategic objectives, operational requirements, and aesthetic values.

Lease Agreement Standards

- **Alignment with Airport Objectives:** All lease agreements must support the Airport's broader operational, safety, and community service goals. This includes ensuring that leased activities do not interfere with Airport operations or safety protocols.
- **Fair Market Value and Terms:** Lease rates and terms must reflect the fair market value for similar properties and services within the region, ensuring a fair and competitive environment for all tenants.
- **Compliance Requirements:** Lessees are required to comply with all applicable federal, state, and local regulations, including those related to environmental protection, construction, and aviation operations.
- **Operational Restrictions:** Lease agreements may specify operational restrictions to minimize noise, prevent environmental contamination, and ensure safety in Airport operations.



Development and Construction Guidelines

- **Pre-Approval of Plans:** All development and construction plans must be reviewed and approved by the City of Ennis before commencement. This includes ensuring that plans comply with FAA guidelines and local zoning laws.
- **Safety and Security Measures:** Construction activities must not compromise Airport safety and security. Appropriate measures must be taken to segregate construction activities from operational areas and to secure construction sites.
- **Environmental Impact:** Developments must assess and minimize their environmental impact. This includes considerations for stormwater management, pollution control, and energy efficiency.

Facility Maintenance and Aesthetics

- **Regular Maintenance:** Lessees are responsible for the regular maintenance of leased facilities, including minor structural repairs, painting, and landscaping, to keep them in a state of good repair and operational readiness. These activities should be outlined in lease agreements with tenants and enforcement provisions should be included therein.
- **Aesthetic Standards:** Facilities should adhere to aesthetic standards that reflect the character and values of the Airport and the community it serves. This includes architectural design, signage, and landscaping that are consistent with the Airport's overall aesthetic guidelines.
- **Environmental Best Practices:** Maintenance activities should incorporate environmental best practices, such as the use of environmentally friendly materials and the minimization of waste.

Insurance and Indemnification Requirements

Ensuring comprehensive insurance coverage and clear indemnification obligations is crucial for managing risks associated with aviation and Airport operations. Ennis Municipal Airport establishes stringent insurance and indemnification requirements for all commercial aeronautical service providers and tenants to protect the Airport authority, its users, and the surrounding community.

Insurance Requirements

Commercial aeronautical service providers operating at Ennis Municipal Airport are required to maintain insurance coverage that meets the following minimum standards:

- **General Liability Insurance:** Providers must carry general liability insurance that covers bodily injury, property damage, and personal injury, with minimum coverage limits set by the City of Ennis. This insurance should also cover risks specific to the services offered.
- **Aircraft Liability Insurance:** For operators using aircraft, an aircraft liability policy is required, covering passenger liability and third-party bodily injury and property damage, with limits appropriate to the size and risk profile of the operation.
- **Workers' Compensation Insurance:** In accordance with state law, providers must maintain workers' compensation insurance for all employees, offering coverage for work-related injuries and diseases.
- **Property Insurance:** Tenants and service providers who lease buildings or equipment from the Airport must have property insurance to cover the full replacement value of the leased property and its contents against loss or damage.
- **Environmental Liability Insurance:** For operations with potential environmental impacts, such as fueling services, environmental liability insurance is required to cover cleanup costs and damage resulting from spills or contamination.



Indemnification Requirements

To further protect against liabilities, all commercial aeronautical service providers and tenants at Ennis Municipal Airport must agree to indemnify and hold harmless the City of Ennis, its employees and agents from and against all claims, damages, losses, and expenses, including attorney fees, arising out of their operations, except in cases of gross negligence or willful misconduct by the City or its Airport management personnel. This indemnification includes:

- **Liability Arising from Operations:** Any liability resulting from the service provider's or tenant's operations, including accidents, injuries, and property damage.
- **Compliance with Laws:** Liabilities arising from the failure of the service provider or tenant to comply with applicable laws, regulations, and standards.
- **Environmental Damages:** Costs associated with the cleanup of environmental pollution or contamination caused by the service provider's or tenant's operations.

These insurance and indemnification requirements are designed to ensure that all parties operating within Ennis Municipal Airport are adequately protected and responsible for their actions.

Operational Rules and Conduct

General Conduct and Safety

- **Professionalism:** All personnel should conduct themselves professionally at all times, displaying courtesy and respect towards fellow Airport users, staff, the public, and toward the handling of aircraft.
- **Safety First:** Adherence to all safety protocols and procedures is mandatory, with a proactive approach to identifying and mitigating potential hazards in and around Airport facilities.
- **Security Awareness:** Individuals should remain vigilant and report any suspicious activities or security breaches immediately to Airport authorities.
- **Compliance:** Compliance with all Airport regulations, as well as federal, state, and local laws applicable to Airport operations, is required.

Vehicle and Pedestrian Rules

To minimize the risk of accidents and ensure the smooth flow of traffic around the Airport, specific rules for vehicles and pedestrians are in place:

- **Speed Limits:** Strict adherence to posted speed limits and traffic signs is required to ensure the safety of all Airport users.
- **Right-of-Way:** Aircraft always have the right-of-way over ground vehicles and pedestrians. Vehicles must yield to moving aircraft and follow directions from ground control and signage.
- **Designated Areas:** Vehicles are only permitted in designated areas and must not enter restricted or operational areas without proper authorization. Pedestrians should use marked crosswalks and pathways, remaining clear of operational zones such as runways and taxiways.

Aircraft Operating Procedures

- **Pre-Flight and Post-Flight Procedures:** Pilots are required to conduct thorough pre-flight checks and follow standardized post-flight procedures before and after every flight, ensuring aircraft are safe for operation and securely parked or stored after use.
- **Noise Abatement/Fly-Friendly:** Pilots are encouraged to use common sense, fly-friendly procedures to avoid and minimize the impact of aircraft noise on surrounding residential areas.



- **Communication:** Clear communication with the Airport CTAF (if applicable) and other aircraft is needed, especially during takeoff, landing, and taxiing operations, to maintain situational awareness and prevent conflicts.

Compliance, Violations, and Enforcement

Monitoring and Compliance

- **Regular Inspections:** Scheduled and random inspections of facilities, operations, and equipment are conducted to verify compliance with Airport standards and safety regulations.
- **Surveillance Systems:** Surveillance and monitoring technology is used to oversee activities on the Airport premises and ensure that operations are conducted safely and in accordance with established procedures.
- **Coordination with Regulatory Bodies:** The City collaborates with state, federal, and local regulatory agencies to ensure that all Airport operations comply with applicable laws and regulations.

Reporting and Documentation

- **Incident Reporting:** All accidents, incidents, and safety concerns must be promptly reported to Airport authorities, providing detailed information to facilitate investigation and corrective actions.
- **Operational Records:** Service providers are required to maintain records of their operations, including maintenance logs, training records, and safety assessments, which must be available for review by the City of Ennis.
- **Documentation of Compliance:** If required, entities operating at the Airport must provide documentation demonstrating their compliance with regulatory requirements and Airport standards as part of periodic reviews or upon request.

Penalties and Appeals

- **Penalties for Violations:** Violations may result in penalties ranging from formal warnings to termination of lease agreements, based on the severity and frequency of the violations.
- **Corrective Action Plans:** Entities found in violation may be asked to develop and implement a corrective **action plan, detailing the steps to be taken to address the deficiencies and prevent future violations.**

Appeals Process: An appeals process is in place for entities wishing to contest a penalty or enforcement action (see Appendix D: Ennis Municipal Airport Lease Policy). This process allows for a formal review of the decision, providing an opportunity for the entity to present additional information or clarification.

Amendments, Reviews, and Updates

To ensure that the Minimum Standards for Commercial Aeronautical Activities at Ennis Municipal Airport remain relevant, effective, and aligned with evolving industry practices, regulatory changes, and the strategic goals of the Airport, a structured process for amendments, reviews, and updates is established.

Procedure for Amendments

The City of Ennis recognizes the necessity of adapting and modifying these standards to address new challenges, opportunities, and regulatory requirements. The process for amending the minimum standards includes:

- **Stakeholder Consultation:** Proposed amendments will be subject to consultation with Airport stakeholders, including commercial service providers, Airport users, and possibly community representatives, to gather input and feedback.



- **Regulatory Compliance Review:** All amendments will be reviewed for compliance with federal, state, and local regulations to ensure that the Airport's standards continue to meet all legal requirements.
- **Approval Process:** Following stakeholder consultation and regulatory review, proposed amendments must be approved by the City of Ennis. This approval process ensures that changes are made transparently and with proper oversight.
- **Adaptation Schedule:** Changes to the Minimum Standards will be implemented on a phased basis, allowing affected tenants to make necessary adjustments in their operations, if required. Generally, this schedule can run from six months to five years, depending on the scale of impact to the Airport businesses.

Reviews and Updates

- **Scheduled Reviews:** The City of Ennis will conduct scheduled reviews of the Minimum Standards at regular intervals, at least once every five years or as needed to respond to significant changes in aviation practices, technology, or regulatory environments.
- **Ad Hoc Updates:** In response to urgent needs, technological advancements, or regulatory changes, ad hoc updates to the standards may be undertaken to ensure immediate compliance and adaptation to evolving operational requirements.
- **Documentation and Communication:** Any amendments or updates to the standards will be documented clearly and communicated to all affected parties. This ensures that all stakeholders are informed of changes and understand their responsibilities under the revised standards.

The amendments, reviews, and updates process ensure that Ennis Municipal Airport's Minimum Standards for Commercial Aeronautical Activities remain dynamic, reflecting best practices in Airport management and operations, and adequately serving the needs of the Airport and its user base.

APPENDIX D

Ennis Municipal Airport Lease Policy





APPENDIX D: ENNIS MUNICIPAL AIRPORT LEASE POLICY

Introduction

Ennis Municipal Airport serves as a gateway for general aviation to the City of Ennis and the surrounding region. As a single-runway facility with approximately 4,000 feet in length, it supports local aviation needs, including private flying, flight training, and a range of aeronautical services.

Authority and Governance

Owned and operated by the City of Ennis, the Airport's governance structure is designed to ensure efficient operation, maintenance, and development of the facility in alignment with community interests and aviation safety standards. The City of Ennis has the authority to establish policies, including lease agreements, to manage the use of Airport properties effectively.

Purpose of the Lease Policy

The purpose of this lease policy is to outline the terms, conditions, and processes for leasing land and facilities at Ennis Municipal Airport. It aims to:

- Ensure fair and equitable access to Airport resources for all potential lessees.
- Promote the efficient and sustainable development of Airport properties.
- Support the Airport's operational, financial, and strategic objectives.
- Ensure compliance with Federal Aviation Administration (FAA) guidelines and other applicable regulations.

Applicability to Airport Properties

This policy applies to all landside properties at Ennis Municipal Airport available for lease, including hangar spaces, buildings, service facilities, and undeveloped land. It governs the terms under which these properties may be leased for aeronautical and non-aeronautical uses, ensuring that all activities conducted on leased properties are compatible with Airport operations, safety requirements, FAA grant assurances (where applicable), and the broader goals of the City of Ennis.

Policy Statement

The City of Ennis is committed to managing Ennis Municipal Airport in a manner that ensures safety, efficiency, and fairness for all Airport users and stakeholders. This commitment is reflected in the establishment of a comprehensive lease policy designed to guide the development and use of Airport properties while supporting the Airport's operational and strategic goals.

Compliance with Federal and State Laws

All lease agreements and operations at Ennis Municipal Airport must comply with applicable federal and state laws, including but not limited to Federal Aviation Administration (FAA) regulations. The City of Ennis ensures that leasing practices are in alignment with FAA guidelines and any state regulations governing aviation and Airport operations, maintaining the Airport's eligibility for federal funding and ensuring the safety and security of Airport operations.

Definition of Terms



To ensure clarity and a mutual understanding of terms used within the lease policy and related documents at Ennis Municipal Airport, the following definitions are provided:

- **Aeronautical Use:** Activities that directly involve or support the operation of aircraft or improve safety and efficiency of the Airport, including flying, aircraft maintenance, flight training, aircraft storage, and fueling services.
- **Airport Management:** Refers to the City of Ennis personnel responsible for the operation, maintenance, and administrative tasks associated with the Ennis Municipal Airport.
- **Airside Operations:** Activities and operations taking place in areas where aircraft operate, including runways, taxiways, and aircraft parking areas, requiring special access and adherence to safety protocols.
- **Capital Improvement Plan (CIP):** A plan for capital expenditures to be incurred each year over a fixed period of future years to cover the cost of maintaining, improving, or expanding the Airport's assets, including physical facilities and equipment.
- **Commercial Operator:** Any person or entity engaging in any business offering goods or services to the public from the Airport premises, especially those involving aeronautical services.
- **Fair Market Value:** The price of leased property established through appraisal or competitive bidding processes, reflecting the value agreed upon between a willing buyer and seller in an open and competitive market.
- **Fixed Base Operator (FBO) Agreement:** A contract between the Airport and an FBO, outlining terms and conditions under which the FBO provides services such as fueling, hangaring, aircraft rental, and maintenance.
- **General Aviation (GA):** All civilian flying not conducted by commercial airlines or military aviation, including most forms of private and recreational flying.
- **Grant Assurances:** Obligations an Airport sponsor agrees to when accepting federal grant funds through TxDOT, covering a wide range of operational, financial, and maintenance activities to ensure the Airport's compliance with FAA regulations and policies.
- **Ground Lease:** A lease agreement that permits the lessee to develop a parcel of land for a specified period while the land itself remains the property of the lessor (in this case, the Airport).
- **Improvements:** Any physical additions or changes to the leased property, including buildings, hangars, fences, and pavement, usually at the lessee's expense and subject to approval by Airport Management.
- **Infrastructure Development:** Projects undertaken to enhance or expand Airport facilities and services, including runways, taxiways, terminals, and support buildings.
- **Lease Agreement:** A legal contract between the City of Ennis (as the lessor) and an individual, company, or organization (as the lessee) for the use of Airport property or facilities, specifying terms including but not limited to the duration, rent, use restrictions, and maintenance responsibilities.
- **Minimum Standards:** The qualifications or standards established by the Airport sponsor that must be met by commercial aeronautical service providers as a condition for conducting those services.
- **Non-Aeronautical Use:** Activities conducted on Airport property that do not directly involve or support the operation of aircraft, such as retail services, office space leasing, and other business activities not related to aviation.
- **Non-Aviation Land Use:** Utilization of Airport land for purposes not directly related to aircraft operations or services, such as commercial developments, agricultural use, or recreational facilities, subject to federal, state, and local regulations and the Airport's master plan.
- **Operational Area:** Parts of the Airport used for landing, take off, or surface maneuvering of aircraft, including runways, taxiways, and apron areas.
- **Preferential Use Lease:** A lease agreement that provides the lessee with priority use of certain Airport facilities, such as specific hangars or operational areas, under defined conditions.
- **Rate and Fee Schedule:** A comprehensive listing of charges and fees for the use of Airport facilities and services, including hangar leases, landing fees, fuel flowage fees, and other operational charges.



- **Safety Management System (SMS):** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies, and procedures, as per FAA requirements.
- **Self-Fueling:** The fueling of one's own aircraft by the aircraft owner or operator, typically under specific conditions approved by the Airport sponsor.
- **Sublease:** An agreement in which the original lessee rents out part or all of the leased property to another party, subject to the terms of the original lease and typically requiring the approval of the Airport sponsor.
- **Tenant Improvement Allowance:** An amount provided by the Airport to a lessee to cover part or all of the cost of constructing improvements or alterations to a leased space.
- **Through-the-Fence Operation:** Access to the public Airport from adjacent private property, allowing property owners direct access to the airfield.
- **Transient Aircraft:** Aircraft that are parked at the Airport temporarily and do not have a lease agreement for space at the Airport.

Leasing Principles and Guidelines

The City of Ennis establishes these leasing principles and guidelines to ensure the effective management and utilization of Ennis Municipal Airport properties. These guidelines are designed to support the Airport's strategic objectives, operational needs, and the community it serves.

General Leasing Policy

- **Fair and Equitable Treatment:** All leasing practices at Ennis Municipal Airport are conducted in a manner that ensures fair and equitable treatment for all current and prospective tenants, without unjust discrimination.
- **Maximization of Assets:** The City of Ennis seeks to maximize the utility and financial return of Airport properties through strategic leasing, ensuring resources are utilized efficiently to support Airport operations and development.
- **Safety and Security:** Lease agreements must prioritize the safety and security of Airport operations. Tenants are required to adhere to all safety protocols and security measures as outlined by Airport management and regulatory bodies.

Designation and Classification of Airport Property

- **Aeronautical vs. Non-Aeronautical Use:** Airport properties are designated and classified for either aeronautical or non-aeronautical use based on the Airport master plan and the current and future needs of the Airport.
- **Transparent Process:** The process for classifying and designating Airport properties for lease is transparent, based on objective criteria, and considers the best interests of the Airport and the aviation community.
- **Reevaluation and Adjustment:** The designation of Airport properties may be reevaluated and adjusted as necessary to reflect changes in the Airport's operational requirements, development plans, or community needs.

Compatibility with Airport Master Plan and ALP

- **Alignment with Planning Documents:** All leases and use of Airport properties must be compatible with the Airport Master Plan and the Airport Layout Plan (ALP), ensuring that development and operations support the long-term vision and goals of Ennis Municipal Airport.
- **Review and Approval:** Proposals for new leases or the redevelopment of existing leaseholds are reviewed for consistency with the master plan and ALP. Modifications to these planning documents may be considered to accommodate beneficial development that meets strategic objectives.



- **Stakeholder Consultation:** The City of Ennis engages with stakeholders, including tenants, Airport users, and the local community, in the planning process to ensure that leasing and development activities meet the broad needs and support the sustainability of the Airport.

Land Use Considerations

- **Community Impact:** Proposed land uses are assessed for their potential impact on the surrounding residential areas. Considerations include noise levels, traffic generation, and compatibility with local land use plans to ensure Airport operations harmonize with community interests.
- **Economic Viability:** The economic benefits of proposed land uses, including job creation and revenue generation for the Airport and local community, are important factors in the evaluation process. The City of Ennis seeks to encourage uses that contribute positively to the local economy.
- **Environmental Sensitivity:** Land use proposals are evaluated with an awareness of their environmental impact. The City of Ennis prioritizes sustainable development practices that minimize environmental disruption and promote conservation.

Variance and Exemption Procedures

- **Application Process:** Tenants or developers seeking variances or exemptions from standard leasing terms or land use restrictions must submit a detailed application to the City of Ennis, outlining the rationale and potential impacts of the request.
- **Review Criteria:** Applications for variances or exemptions are reviewed based on criteria such as safety considerations, operational impact, and the proposal's alignment with the Airport master plan and community interests.
- **Approval and Conditions:** Variances or exemptions are granted at the discretion of the City of Ennis on a case-by-case basis and are non-precedent setting. These approvals may be subject to specific conditions to mitigate potential impacts or concerns. Approval processes are transparent and designed to ensure decisions are made in the best interest of the Airport and the broader community.

Lease Application and Selection Process

Statement of Interest Submission

- **Submission Requirements:** Individuals or entities interested in leasing Airport property must submit a Statement of Interest (SOI) to Airport management. The SOI should include information about the applicant, the proposed use of the leased property, and how the proposal aligns with the Airport's operational goals and community benefits.
- **Initial Review:** SOIs are subject to an initial review to ensure completeness and alignment with the Airport's leasing criteria and available properties. This preliminary step helps identify proposals with the potential to contribute positively to Airport operations and development.

Evaluation Criteria and Committee

- **Evaluation Criteria:** Proposals are evaluated based on a set of criteria that may include the applicant's financial stability, the proposed use's compatibility with Airport operations, potential economic benefits to the Airport and local community, and adherence to environmental and safety standards.
- **Selection Committee:** A selection committee, comprised of Airport management, City of Ennis representatives, and potentially other stakeholders, is established to review SOIs. This committee ensures a comprehensive evaluation from different perspectives, focusing on the proposal's overall merit and contribution to the Airport's strategic objectives.

First-Come, First-Served and Competitive Selection Basis



- **First-Come, First-Served Basis:** For certain types of leases where demand does not exceed supply, such as tie-down spaces, the City of Ennis may allocate leases on a first-come, first-served basis, ensuring quick utilization of available resources.
- **Competitive Selection Basis:** When demand for Airport properties exceeds the available supply or when the proposed use involves significant investment or development, a competitive selection process is employed. This process aims to identify the proposal that best meets the Airport's strategic goals, offers the highest community and economic benefit, and aligns with operational and safety standards.

Waiting List Management

- **Establishment of Waiting Lists:** For Airport properties in high demand (such as hangar space), the City of Ennis may establish waiting lists. Applicants are placed on these lists based on the date and time their complete Statement of Interest is received.
- **Transparency and Fairness:** The management of waiting lists is conducted transparently, with clear communication to all applicants regarding their status and expected wait times. Criteria for moving up the list are based strictly on the order of application and the applicant's readiness to proceed with the lease.
- **Review and Update:** Waiting lists are regularly reviewed and updated to ensure accuracy and relevance. Applicants may be required to confirm their continued interest periodically, and adjustments may be made based on changes in availability or Airport development plans.

Terms and Conditions of Leases and Licenses

The City of Ennis establishes specific terms and conditions for leases and licenses at Ennis Municipal Airport to ensure that all agreements meet the operational, safety, and strategic needs of the Airport and the community it serves.

General Lease and License Conditions

- **Duration:** Leases and licenses are granted for fixed terms, typically ranging from short-term (up to 5 years) to long-term (up to 30 years, with renewal options up to a maximum of 40 years for capital-intensive developments), based on the nature of the use and investment. Options for renewal are subject to performance review and alignment with evolving airport strategic goals.
- **Use of Premises:** The lease or license explicitly defines the permitted uses of the property, aligning with the Airport's operational and strategic planning. Unauthorized uses are prohibited, ensuring compatibility with airport operations and safety protocols.
- **Compliance with Regulations:** Lessees and licensees must comply with all applicable federal, state, and local laws, as well as specific Airport rules and regulations. This includes adherence to FAA standards and Airport operational protocols.
- **Maintenance and Improvements:** Lessees are responsible for maintaining the leased property in good condition, adhering to standards set by the City of Ennis. Any alterations or improvements require prior approval and, upon lease termination, may become the property of the City of Ennis, subject to the lease terms.
- **Insurance and Liability:** Adequate insurance coverage, as specified by the City of Ennis, is required to mitigate risks and protect the interests of both parties. Lessees and licensees bear liability for their operations and must indemnify the City of Ennis against claims arising from their activities.
- **Fees and Charges:** Lease and license fees are established based on fair market value, the nature of the use, and the lessee's investment. These fees are subject to periodic CPI adjustments for inflation, along with other potential adjustments to reflect market conditions and the property's valuation.



Specific Provisions for Aeronautical and Non-Aeronautical Leases

- **Aeronautical Leases:**
  - **Priority Use:** Aeronautical leases are prioritized to support the Airport's primary aviation-related functions, including aircraft operations, maintenance, storage, and fueling services.
  - **Operational Restrictions:** Operations must ensure compatibility with air traffic patterns, safety zones, and noise abatement procedures, minimizing impact on airport operations and neighboring residential areas.
  - **Access Rights:** Aeronautical lessees are granted access to runways, taxiways, and other operational areas, under compliance with operational protocols.
- **Non-Aeronautical Leases:**
  - **Development Standards:** Developments must adhere to architectural, environmental, and zoning standards that ensure compatibility with the Airport's character, operational needs, and long-term vision.
  - **FAA Section 163:** Leases will conform to this provision of the FAA Reauthorization Act of 2018 that limits the FAA authority to regulate on-airport land use to only development that affects the airfield and aircraft operations or implicates federal funding. The FAA has updated its approach to determine the ALP approval authority when new development is proposed by an Airport Sponsor. These changes necessitate changes in how the FAA has historically administered oversight of airports.

Both Aeronautical and Non-aeronautical leases are evaluated for their potential to generate revenue for the Airport and contribute to the economic development and well-being of the City of Ennis.

Insurance and Liability Requirements

Minimum Coverage: All lessees and licensees are required to maintain insurance coverage that meets or exceeds minimum levels specified by the City of Ennis. This includes general liability, property damage, and, where applicable, aircraft liability insurance. The City's current minimum coverage levels for lessees at the Airport can be found in Appendix D: Ennis Municipal Airport Lease Policy.

- **Additional Insured:** The City of Ennis must be named as an additional insured on all policies, providing an extra layer of protection against potential claims arising from activities conducted on leased premises.
- **Indemnification:** Lease agreements include indemnification clauses requiring the lessee or licensee to hold harmless the City of Ennis, its officials, employees, and agents from any liabilities, damages, or expenses arising from the use of the leased property.
- **Liability for Damages:** Lessees and licensees are liable for any damages to the leased or licensed premises and third-party claims arising from their operations.
- **Insurance Certificates:** Valid certificates of insurance must be provided to the City of Ennis before the commencement of the lease or license term and upon renewal of the insurance policies.

Construction, Modification, and Maintenance of Facilities

The development and upkeep of airport facilities help ensure operational efficiency, safety, and tenant satisfaction. The policy outlines:

- **Approval for Construction and Modifications:** All construction, modifications, or improvements on leased or licensed properties require prior approval from the City of Ennis. Detailed plans must be submitted for review, ensuring compliance with Airport design standards and regulatory requirements.
- **Compliance with Building Codes and Standards:** Construction and modification activities must adhere to all applicable building codes, safety standards, and environmental regulations. This includes obtaining necessary permits and inspections.



- **Maintenance Obligations:** Lessees and licensees are responsible for the regular maintenance and upkeep of leased facilities to ensure they remain in good condition and comply with operational and safety standards. The City may conduct inspections to ensure compliance.
- **Facility Alterations and Removal:** Upon lease or license termination, lessees and licensees may be required to remove alterations or improvements and restore the premises to their original condition, unless otherwise agreed with the City of Ennis.

Environmental Compliance and Sustainability Considerations

- **Comply with Environmental Regulations:** Adhere to all federal, state, and local environmental regulations, including those related to hazardous materials handling, stormwater management, and wildlife protection.
- **Sustainability Practices:** Incorporate sustainable practices in their operations, construction, and maintenance activities. This may include energy efficiency measures, waste reduction and recycling programs, and sustainable landscaping.
- **Environmental Impact Assessments:** For projects with potential significant environmental impacts, lessees and licensees must conduct environmental impact assessments and obtain necessary environmental permits.
- **Collaboration on Environmental Initiatives:** Work collaboratively with the City of Ennis on initiatives aimed at reducing the environmental footprint of Airport operations, enhancing natural habitats, and promoting the use of renewable energy sources.

Assignment, Subletting, and Sale Provisions

- **Restrictions on Transfer:** Lessees must understand that leases are not freely transferable. Any desire to assign, sublet, or sell the leased premises must be communicated to the City of Ennis through a formal request process, which includes providing detailed information about the prospective assignee, sublessee, or buyer. The City evaluates these requests to ensure the new party possesses the financial stability, operational capability, and commitment to comply with existing lease terms, including use restrictions, maintenance standards, and insurance requirements.
- **Conditions for Approval:** The approval of any assignment, subletting, or sale is contingent upon a review by the City of Ennis, which may include background checks, financial audits, and assessments of operational history. The new party is required to sign an agreement affirming their commitment to adhere to all terms of the original lease, and in some cases, may be required to provide a new or additional security deposit.

Encumbrance Provisions

- **Restrictions on Encumbrances:** The City of Ennis stipulates that leased premises at Ennis Municipal Airport cannot be encumbered with mortgages, liens, or other financial instruments without explicit written consent. This policy ensures that the operational integrity and financial stability of the Airport are maintained, preventing complications related to the lessee's financial obligations that could impact the Airport's assets or operations.
- **Consent and Approval Process:** In instances where encumbrance may be considered, lessees are required to submit documentation about the proposed encumbrance, including the purpose, terms, and involved parties. The City of Ennis evaluates these proposals, considering their impact on Airport operations and long-term development plans. Approval of encumbrances, if granted, includes specific conditions designed to protect the Airport’s interests and operational capabilities.



Performance Bond Requirements

- **Purpose of Performance Bonds:** To ensure lessees fulfill their construction, modification, or development obligations under the lease terms, the City of Ennis may require the posting of a performance bond. This financial guarantee serves to protect the Airport in case the lessee fails to complete agreed-upon improvements or defaults on other critical obligations, ensuring that the Airport is not financially burdened by incomplete projects.
- **Determination of Bond Amount:** The amount of the performance bond is determined based on the scope and cost of the proposed project, calculated to cover the complete cost of construction or modifications, including any potential overruns. Lessees are guided through the process of securing a bond from a reputable bonding company, with terms that align with the lease duration and project timelines.

Relocation of Tenant Improvements

- **Conditions for Relocation:** In certain circumstances, the City of Ennis may require the relocation of tenant improvements or facilities to accommodate Airport development needs or operational adjustments. Such decisions are made with careful consideration of the impact on tenants, and significant effort is made to ensure alternative accommodations meet the tenant's operational requirements.
- **Compensation and Assistance:** When relocation is necessitated by Airport initiatives, tenants are provided with clear communication about the reasons and timelines for relocation. The City of Ennis offers assistance in the relocation process, which may include financial compensation for moving costs, adjustments in lease terms, or direct support in establishing the tenant in a new location. The aim is to minimize disruption to the tenant's operations and maintain a collaborative relationship.

Financial Policies

Rental Rates, Fees, and Charges Structure

- **Competitive and Fair Pricing:** Rental rates, fees, and charges for the use of Airport facilities and services are structured to be competitive, fair, and reflective of the value offered. The City of Ennis conducts regular market assessments to ensure pricing aligns with similar facilities in the region and supports the Airport's operational and financial goals. The CPI will be used to adjust prices annually, in addition to other adjustment mechanisms.
- **Adjustment Mechanism:** Rental rates, fees, and charges are subject to periodic review and adjustment based on factors such as inflation, market trends, and the Airport's financial performance and development needs. Both CPI escalators (annually) and property appraisals (not more than once every five years), can be used. Any changes are communicated well in advance to affected parties, with rationales provided to ensure understanding and transparency.
- **Variable Rate Structures:** Implement variable rate structures based on the property's location, use (aeronautical vs. non-aeronautical), and the level of services and amenities provided. This approach encourages efficient use of airport properties and facilities.
- **Transparency:** The City of Ennis maintains transparency in its pricing structure, providing clear, accessible information to current and prospective tenants and service users.

Financial Self-Sufficiency and Revenue Generation

- **Cost Recovery and Operational Self-Sufficiency:** A key objective for City of Ennis is achieving and maintaining operational self-sufficiency, ensuring that the Airport can cover its operating expenses, maintenance costs, and capital improvement projects through generated revenues, without reliance on City general funds. Therefore, the City of Ennis will set rental rates, fees, and charges with this cost recovery objective in mind.



- **Diverse Revenue Streams:** The City of Ennis pursues the development of diverse revenue streams from both aeronautical and non-aeronautical sources. This includes leasing of Airport properties, charges for services provided by the Airport, and exploring opportunities for commercial development within and adjacent to Airport premises.
- **Reinvestment:** Net revenues generated by the Airport are reinvested into the facility to fund improvements, enhance services, and support the Airport's long-term strategic plan. This approach is required by FAA Grant Assurance 25, titled "Airport Revenues." This helps with the continuous upgrade of Airport infrastructure and services.

Fair Market Value Assessments and Appraisals

Appraisals may be used to determine the Fair Market Value (FMV) of the highest and best use of land and/or facilities the Airport leases. If used, appraisals shall be conducted by State Certified General Appraisers. The City of Ennis shall make the selection of the firm to conduct the work but may endeavor to seek reimbursement from the Lessee or Licensee of the appraised property. Once an appraisal is conducted for land and/or facilities, the City may apply the appraisal on other similar land and/or facilities for up to five (5) years. If five years have lapsed since an appraisal has been conducted, a new appraisal for that category may be conducted if it is determined that the prior appraisal is out of date. In lieu of appraisals the City of Ennis may, at its option, apply airport industry standards for determining the FMV of granting privileges and leasing land and/or facilities for aviation related or Airport support agreements.

Incentive Programs and Periods

- **Promotion of Development and Growth:** The City of Ennis may offer incentive programs designed to promote the development of underutilized Airport properties, attract new businesses, and support the expansion of existing operations. Incentives can include temporary reductions in lease rates, fee waivers, or assistance with infrastructure development.
- **Criteria for Eligibility:** Eligibility for incentive programs is based on criteria such as the potential for job creation, investment size, strategic importance to the Airport, and alignment with the Airport's master plan. These programs are designed to stimulate economic activity while ensuring long-term benefits for the Airport and the community.
- **Evaluation and Approval:** Proposals for incentives are evaluated on a case-by-case basis, with careful consideration of their impact on the Airport's financial health and operational goals. Approval of incentives includes specific terms and conditions, such as performance milestones and timeframes, to ensure that the anticipated benefits are realized.

Lease Duration, Renewal, and Termination

Term Lengths and Limitations

- **Optimize Use:** The City of Ennis establishes term lengths that consider the type of activity, level of investment, and strategic planning goals. Aeronautical leases typically have longer durations to accommodate the substantial investments in infrastructure, while non-aeronautical leases may be more flexible to respond to market demands.
- **Limitations:** Maximum term lengths are set in compliance with FAA guidelines and local regulations, ensuring that long-term commitments do not hinder the Airport's capacity to meet evolving aviation needs and strategic objectives. This policy safeguards the City of Ennis's ability to manage and develop its assets proactively.
- **Standard Lease Term:** The standard lease length for Airport properties is set at a maximum of 30 years. Most leases will be significantly shorter than this. However, a 30-year timeframe maximum will allow for



significant investment by lessees while preserving the City of Ennis's ability to adapt and respond to future strategic and operational changes.

- **Renewal Term Principles:** Renewals may extend the total lease duration up to a maximum of 40 years, particularly for leases involving substantial capital investment. The principle guiding this approach is that the greater the investment made by the lessee in the leased property, the longer the duration they will be granted to recoup that investment. This tiered approach ensures that investments align with the Airport's long-term planning and development goals.

Renewal Processes and Criteria

- **Renewal Considerations:** The renewal of leases is not automatic but is considered based on the tenant's compliance with lease terms, the financial and operational performance of the leased activity, and the continued alignment of the lease with the Airport's strategic goals.
- **Alignment with Master Plan:** Renewal decisions are made in alignment with the current Airport Master Plan and ALP, ensuring that the continued use of the property supports the Airport's long-term physical development plans.
- **Transparent Criteria:** The City of Ennis outlines clear criteria for lease renewal, including but not limited to, the tenant's adherence to operational standards, contribution to the Airport's revenue and activity levels, and engagement in community and Airport development initiatives.
- **Renewal Process:** Tenants seeking lease renewal must submit a request within 120 days before lease expiration, accompanied by documentation supporting their renewal eligibility based on the established criteria. The renewal process involves an evaluation of the tenant's past performance, future plans, and the potential impact of the renewal on Airport operations and development plans, subject to a maximum 40-year cumulative duration.

Commencement of Rent Obligation

- **Start Date Determination:** The obligation to pay rent commences on a date specified in the lease agreement, typically following the lease execution or upon the tenant's occupancy of the premises, whichever occurs first.
- **Prorated Rent:** If the rent commencement occurs mid-month, the first month's rent may be prorated based on the actual commencement date. This ensures fairness and accuracy in billing from the start of the lease term.
- **Notification and Documentation:** Tenants are provided with formal notification of the rent commencement date, along with any necessary documentation to confirm the start of their financial obligations under the lease. This process includes clear instructions for the initial and subsequent rent payments to avoid any confusion.

Termination Conditions

- **Lease-Specific Terms:** Termination conditions are specified within each lease agreement, outlining the circumstances under which a lease may be terminated prior to its natural expiration. This includes voluntary termination by the tenant, termination for breach of lease conditions, and termination due to unforeseen events such as natural disasters.
- **Notice Requirements:** The lease agreements specify the required notice period for termination, allowing both parties adequate time to make alternative arrangements. In the case of termination for breach, the City of Ennis may provide an opportunity for the tenant to remedy the breach within a specified timeframe.
- **Settlement and Clearance:** Upon termination, tenants are required to settle any outstanding obligations, including unpaid rent and fees. The process for returning the leased property to the City of Ennis is outlined, including requirements for the condition of the property upon return.



Reversions Clauses

- **Property Reversion:** Lease agreements include reversion clauses that specify the conditions under which improvements made by the tenant revert to the City of Ennis upon lease termination. This includes buildings, hangars, and other permanent structures developed on the leased property.
- **Removal and Restoration:** If the reversion clause does not apply, tenants may be required to remove any improvements at their expense and restore the leased property to its original condition, ensuring that the site is ready for future use or development by the Airport.
- **Incentive for Investment:** To encourage continued lessee investment, the City of Ennis will conduct inspections six months before lease expiration to assess building conditions. Improvements needed may influence lease renewal negotiations, potentially including discounted rates based on job creation, economic impact, and lessee investment at the City's discretion.
- **Renegotiation and Renewal:** Post-reversion, former lessees desiring to continue occupancy may negotiate new lease terms based on current market rates, with potential discounts for economic contributions and investments. The new lease will reflect a balanced consideration of market value and lessee contributions, ensuring continued economic activity and compliance with FAA mandates against perpetual leases and unjust discrimination.

Extensions and Amendments

- **Extension Requests:** Tenants interested in extending their lease beyond the original term must submit a request for an extension, detailing the reasons for the extension and any proposed changes to the lease terms. The City of Ennis evaluates these requests based on the tenant's compliance history, the proposed use's alignment with the Airport's strategic plans, and the current market conditions. Extensions granting a total lease duration beyond the initial 30 years, up to a maximum of 40 years, will be considered for lessees whose investments in the property significantly enhance its value and utility for Airport operations.
- **Amendment Process:** Amendments to lease terms, including changes in use, expansion of leased area, or adjustments to financial terms, require mutual agreement. Proposed amendments are subject to a review process similar to the initial lease approval, ensuring they meet the Airport's operational standards and strategic objectives.
- **Documentation and Approval:** All extensions and amendments are formalized through written agreements, signed by both parties. The City of Ennis ensures that these modifications are documented accurately and integrated into the overall lease management system.

Timeframe for Site Development Plan (SDP) Approval

- **Submission and Review:** Tenants planning construction or significant alterations on leased premises must submit a Site Development Plan (SDP) for approval. The City of Ennis commits to reviewing submitted plans within a specified timeframe, typically 30 to 60 days, to facilitate timely project planning and initiation.
- **Feedback and Adjustments:** Feedback on the SDP is provided to the tenant, highlighting any required adjustments or additional information needed. Tenants are given an opportunity to revise their plans in response to feedback to meet approval criteria.
- **Final Approval:** Once the SDP meets all requirements and is fully approved, tenants are notified, and the approval timeframe is documented, setting clear expectations for the start of construction activities.



Start and Completion of Construction

- **Commencement Notice:** Tenants must notify the City of Ennis before commencing construction, confirming adherence to the approved SDP and compliance with all regulatory requirements. A notice period, usually 15 days before the start, is required.
- **Construction Timeline:** Lease agreements specify the expected timeline for the completion of construction, including milestones and final completion dates. Typically, construction must begin within 12 months of lease execution. Delays beyond the control of the tenant, such as adverse weather or supply chain disruptions, are considered in adjusting project timelines.
- **Completion and Inspection:** Upon completion, a final inspection by the City of Ennis verifies that the construction conforms to the approved plans and applicable safety and building standards. Successful inspection results in formal acceptance of the improvements, integrating them into the lease agreement's terms.

Dispute Resolution and Appeals

Administrative Appeal Procedures

- **Filing an Appeal:** Tenants or other parties affected by decisions made by Airport management have the right to file an appeal. The appeal must be submitted in writing within a specified period, typically 30 days from the decision date, outlining the basis for the appeal and any supporting documentation.
- **Review Process:** Appeals are reviewed by a designated appeals board or committee within the City of Ennis, which may include representatives from the City government, Airport management, and potentially independent experts. This board conducts a review of the appeal, considering all submitted materials and applicable policies and regulations.
- **Hearing and Decision:** The appellant may be granted a hearing to present their case directly to the appeals board. Following the review and hearing, the board issues a written decision, which may affirm, reverse, or modify the original decision. The decision-making process and timeline are clearly communicated to all parties involved.

Dispute Resolution Mechanisms

Recognizing the importance of resolving disputes amicably and efficiently, the following mechanisms are in place:

- **Mediation:** For disputes arising from lease agreements or other operational issues, the City of Ennis encourages mediation as an initial step. Mediation involves a neutral third-party mediator who helps the disputing parties reach a mutually acceptable resolution. This process is designed to be less formal and more flexible than arbitration or litigation, aiming for a solution that addresses the interests of both parties.
- **Arbitration:** If mediation does not result in a resolution, arbitration may be considered as a binding or non-binding option, depending on the agreement between the parties. Arbitration involves presenting the dispute to an arbitrator or arbitration panel, which makes a decision based on the evidence and arguments provided.
- **Litigation:** As a last resort, disputes may be resolved through litigation in the appropriate court. Litigation is typically pursued only when other dispute resolution mechanisms have been exhausted, and a significant disagreement remains unresolved.



Enforcement and Compliance Measures

- **Monitoring and Enforcement:** The City of Ennis employs a systematic approach to monitoring compliance with lease terms and Airport policies. This includes regular inspections, audits, or reviews to ensure tenants and other Airport users adhere to established guidelines.
- **Corrective Actions:** In cases of non-compliance, the City of Ennis takes appropriate corrective actions, which may include issuing warnings or taking other enforcement measures as outlined in lease agreements and Airport policies. The objective is to address issues proactively, preventing minor infractions from escalating into more significant disputes.
- **Emergency Measures:** In cases where non-compliance poses an immediate threat to safety, security, or airport operations, the City of Ennis reserves the right to take emergency measures, including temporary suspension of operations or access, pending resolution of the issue.

Dispute Resolution Procedures

- **Initial Resolution Efforts:** The City of Ennis encourages direct communication between disputing parties and Airport management as the first step in resolving disagreements. Many disputes can be resolved informally through dialogue and mutual understanding of the issues involved.
- **Formal Dispute Resolution:** For disputes that cannot be resolved through direct communication, formal dispute resolution procedures are initiated within 30 days of the disputed action or decision.
- **Dispute Resolution Panel:** In some cases, a dispute resolution panel may be convened, comprising impartial members selected from Airport management, city officials, and possibly external experts. This panel reviews the dispute, hears arguments from all parties, and makes a recommendation for resolution based on the facts and applicable policies.
- **Binding Resolution:** The findings and recommendations of the dispute resolution panel may be binding or advisory, depending on the terms specified in the lease agreements or governing policies. Parties involved in the dispute are notified of the outcome in writing, along with any next steps or actions required to implement the resolution.

Special Provisions

Exclusive Rights and Non-Discrimination

- **Proprietary Exclusive Right to Fuel Sales:** Acknowledging the role of fuel services in Airport operations and revenue generation, the City of Ennis asserts its proprietary exclusive right to sell aviation fuel at Ennis Municipal Airport. The City also reserves the right to license other third-party fuel sellers through the lease/agreement process.
- **Prohibition of Exclusive Rights to Commercial Entities and Service Providers:** In accordance with federal guidelines and to ensure fair access to airport facilities and services, the City of Ennis prohibits the granting of exclusive rights to any single entity for providing aeronautical services at the Airport. This policy is designed to foster competition, enhance service quality, and ensure reasonable access for all users.
- **Adherence to Non-Discrimination Principles:** The City of Ennis's leasing practices and operational policies are designed to guarantee that no individual or entity is discriminated against based on race, color, national origin, sex, religion, age, or disability. This commitment extends across all aspects of Airport operations, in alignment with federal, state, and local non-discrimination statutes.

Grant Assurances Compliance

- **Compliance with Grant Assurances:** The City of Ennis commits to abiding by the full spectrum of FAA grant assurances. This includes, but is not limited to, maintaining the Airport for public use, ensuring it is



available for all types, kinds, and classes of aeronautical activities, and preserving rights and powers essential for the control and management of Airport operations.

- **Economic Non-Discrimination:** The City of Ennis upholds the principle of economic non-discrimination, ensuring that all commercial entities, service providers, and lessees have fair and equal access to Airport resources, opportunities, and the ability to conduct business at the Airport. This policy mandates that no entity is unjustly excluded or favored in the allocation of Airport services, leasing of properties, or access to facilities based on size, business model, or any other non-merit-based factors. In alignment with FAA grant assurances, the City of Ennis actively takes measures to prevent any practices that could lead to unjust economic discrimination.
- **Operational Safety and Efficiency:** In line with grant assurances, the City of Ennis prioritizes operational safety and efficiency. This includes commitments to maintaining pavement surfaces, lighting, and navigational aids to the highest standards and ensuring that airport layout plans reflect current and future needs for safe aeronautical operations.
- **Financial Obligations:** Recognizing its financial obligations under grant assurances, the City of Ennis ensures that Airport revenues are used exclusively for the capital and operating costs of the airports. This financial stewardship supports the ongoing improvement, maintenance, and operation of airport facilities.
- **Dedication to Operational and Financial Autonomy:** Consistent with the obligations set forth by FAA grant assurances, the City of Ennis is committed to ensuring the financial self-sufficiency of its Airport. This commitment involves prudent financial management practices, strategic development efforts, and the efficient utilization of Airport assets to generate sufficient revenues that cover operational expenses, maintenance requirements, and capital improvement projects. It also impacts the City of Ennis's pricing model to ensure fair market values are charged to its customers. The aim is to reduce reliance on local or state financial subsidies.
- **Engagement in Airport Planning:** The City of Ennis actively engages in airport planning processes, ensuring that developments are consistent with local, state, and federal plans and policies affecting Airport land use.
- **Commitment to Non-Discrimination:** As mentioned, the City of Ennis is committed to ensuring equal opportunity and non-discrimination in the leasing of airport properties and the provision of services.

Emergency and Temporary Leases

- **Provision for Emergencies:** Recognizing the need for flexibility in emergency situations, the City of Ennis allows for the issuance of emergency and temporary leases at Ennis Municipal Airport. These leases can accommodate disaster response efforts, temporary relocations due to construction or repairs, and other urgent needs.
- **Temporary Leases for Special Events:** For special events or activities that require temporary use of airport facilities (e.g., airshows, training exercises, community events), the City of Ennis may issue temporary leases or permits. Such arrangements are made to accommodate unique needs while ensuring minimal impact on ongoing Airport operations and services.
- **Streamlined Approval Process:** Emergency and temporary leases are subject to a streamlined approval process to ensure rapid deployment of necessary services and facilities. While these leases are temporary, all operators must still comply with Airport safety and operational standards.
- **Duration and Terms:** The terms and duration of emergency and temporary leases are determined based on the specific circumstances necessitating the lease. The City of Ennis works closely with tenants and emergency responders to ensure that these arrangements meet the immediate needs while considering the broader operational impact on the Airport.



Compliance with Federal Aviation Regulations

- **Adherence to Regulations:** The City of Ennis mandates that all operations, leases, and activities at Ennis Municipal Airport comply with current Federal Aviation Regulations (FARs). This ensures the highest standards of safety, efficiency, and regulatory compliance are maintained across all aspects of Airport operations.
- **Enforcement Measures:** In cases of non-compliance with federal aviation regulations, the City of Ennis has established enforcement measures that may include corrective actions or termination of lease agreements, ensuring the continued safety and compliance of Airport operations.

Amendments to the Lease Policy

- **Review and Update Process:** Recognizing the dynamic nature of aviation and Airport management, the City of Ennis regularly reviews and, if necessary, amends this lease policy to reflect changes in laws, regulations, market conditions, or the strategic goals of the Airport.
- **Stakeholder Engagement:** Amendments to the lease policy are made with consideration of stakeholder input, including tenants, users, and possibly the community.
- **Notification of Amendments:** All stakeholders are notified of amendments to the lease policy in a timely manner. The City of Ennis provides comprehensive information on the changes, including the rationale and expected impact on Airport operations and lease agreements.

Other Lease Provisions

- **Sustainability Initiatives:** Leases may include provisions encouraging or requiring tenants to adopt sustainability practices, such as energy conservation, pollution reduction, and resource recycling, supporting the Airport's environmental goals.
- **Technology Integration:** Recognizing the importance of technology in modern aviation, lease agreements may contain provisions related to the adoption and integration of new technologies that enhance operational efficiency, safety, or customer service.

While the City of Ennis Lease Policy provides a detailed framework for the leasing of Airport properties, including principles, guidelines, application processes, and specific terms and conditions, it is important to note that this policy does not encompass all provisions that may be found in individual lease agreements.

APPENDIX D-1

Solicitation Selection Criteria Framework





APPENDIX D-1: SOLICITATION SELECTION CRITERIA FRAMEWORK

To ensure transparency and fairness in the selection process for solicitations at Ennis Municipal Airport, the City of Ennis employs a structured framework for evaluating proposals. This framework allows for a comprehensive assessment of each proposal's potential impact and alignment with Airport goals and priorities.

1. Financial Viability and Return (30-50 points)

- **Revenue to the City:** Assesses the direct financial return to the City of Ennis from the proposed lease, including fixed rent payments and percentage of gross revenue arrangements.
- **Investment Value:** Evaluates the lessee's proposed capital investment in the Airport property and its potential to enhance property value and generate long-term revenue streams.
- **Job Creation:** Proposals that show higher job creation are favored over those with fewer jobs, all other factors being equal.
- **Financial Stability:** Reviews the applicant's financial records, creditworthiness, and ability to fulfill financial commitments under the lease.

2. Compatibility with Strategic Goals (20-25 points)

- **Alignment with Master Plan:** Considers how the proposed use aligns with the Airport Master Plan and ALP, supporting the long-term vision for Airport development.
- **Contribution to Airport Development:** Evaluates the proposal's contribution to the overall development and improvement of Airport facilities and services.

3. Operational Efficiency and Safety (15-20 points)

- **Impact on Airport Operations:** Assesses the proposed use's impact on current and future Airport operations, ensuring it enhances or maintains operational efficiency.
- **Safety Standards Compliance:** Evaluates the lessee's plan for complying with all relevant safety standards and regulations to maintain a safe airport environment.

4. Environmental and Community Impact (10-15 points)

- **Sustainability Practices:** Reviews the proposal's incorporation of sustainable practices and their impact on environmental conservation at and around the Airport.
- **Community Benefits:** Considers the proposal's potential benefits to the local community, including job creation, economic growth, and public service enhancements.

5. Innovation and Technology (5-10 points)

- **Adoption of New Technologies:** Assesses the proposal's integration of innovative technologies and practices in airport operations or infrastructure.
- **Future Flexibility:** Evaluates the proposal's capacity to adapt to future technological advancements and market changes, ensuring long-term viability.

This selection criteria framework ensures a balanced and comprehensive evaluation of proposals, supporting the City of Ennis's commitment to developing Ennis Municipal Airport in a manner that is financially sound, strategically focused, operationally efficient, environmentally responsible, and technologically advanced.



6. Evaluation Process:

- **Proposal Submission:** Applicants submit their proposals in accordance with the solicitation requirements outlined by the City of Ennis. Each proposal must address all criteria outlined in the solicitation document to be considered for evaluation.
- **Initial Screening:** Submitted proposals undergo an initial screening to ensure they meet basic eligibility criteria, completeness, and compliance with submission guidelines. Proposals that do not meet these initial criteria are disqualified from further evaluation.
- **Scoring and Ranking:** Eligible proposals are evaluated and scored based on the framework detailed above. Each proposal is reviewed by a selection committee comprising Airport management, City of Ennis officials, and potentially external experts, to ensure a fair and comprehensive assessment. Proposals are ranked according to their total score relative to the total possible score of 100.
- **Recommendation:** The selection committee compiles a report summarizing the evaluation process, scores, and recommendations for the award. The report highlights the strengths and weaknesses of each proposal in relation to the selection criteria.

7. Coordination with Procurement and Legal Review:

- **Procurement Integration:** The evaluation process is coordinated with the City of Ennis's procurement department to ensure compliance with municipal procurement policies and procedures.
- **Legal Review:** Prior to the final award decision, shortlisted proposals undergo a legal review to ensure that all aspects of the proposal, including contracts, financial arrangements, and compliance obligations, are legally sound and in alignment with municipal and aviation regulations.
- **Award Notification:** Following the completion of the evaluation, legal review, and any necessary adjustments based on procurement and legal feedback, the City of Ennis notifies the winning bidder and publicly announces the award decision. Unsuccessful applicants are also notified and provided with feedback upon request.
- **Contract Negotiation and Execution:** The final stage involves negotiating any specific terms and conditions with the winning bidder and formally executing the contract. This includes finalizing lease terms, operational guidelines, and any other contractual obligations.

APPENDIX D-2

Hangar Waiting List Policy and Form





APPENDIX D-2: HANGAR WAITING LIST POLICY AND FORM

To manage the demand for hangar space at Ennis Municipal Airport effectively and fairly, the City of Ennis has established a Hangar Waiting List Policy. This policy outlines the procedures for applying for hangar space, notification of availability, and prioritization of allocations.

1. Introduction

This policy provides guidelines for pilots and aircraft owners seeking to lease hangar space at Ennis Municipal Airport. It ensures transparency in the allocation process and establishes a systematic approach to managing the waiting list.

2. Notification of Available Hangar Space

- **Registration:** Individuals interested in leasing hangar space must register their interest by submitting a Statement of Interest, followed by a completed Hangar Waiting List Form to Airport management.
- **Notification Process:** When hangar space becomes available, individuals on the waiting list will be notified based on their position on the list. Notifications will be sent via email or other preferred contact methods as indicated on the Hangar Waiting List Form.

3. Aircraft Storage Space Definitions

- **Types of Spaces:** The policy differentiates between various types of storage spaces, including tiedowns, small hangars, and large hangars, to accommodate different aircraft sizes and needs.
- **Eligibility:** Eligibility for different types of hangar spaces is based on the aircraft's dimensions and the owner's specific storage requirements, ensuring efficient use of available spaces.

4. Lease Agreement Requirements

- **Agreement Execution:** Within 30 days of being offered hangar space, individuals must execute a Lease Agreement with the City of Ennis, agreeing to the terms and conditions of hangar use.
- **Compliance:** Hangar Lessees are required to comply with all Airport regulations, including insurance requirements, maintenance of the hangar space, and adherence to safety and environmental standards.

5. Emergency Situations

- **Priority Use:** In emergency situations or during times of significant operational need, the City of Ennis reserves the right to prioritize hangar allocations differently, such as for disaster response aircraft or critical maintenance activities.
- **Notification:** Individuals affected by temporary reallocations for emergency use will be notified and provided with an estimated timeline for when normal allocation policies will resume.



HANGAR WAITING LIST APPLICATION

Personal Information

- **Name**: _____
- **Address**: _____
- **City/State/Zip**: _____
- **Phone Number**: _____
- **Email Address**: _____

Aircraft Information (If applicable)

- **Aircraft Make & Model**: _____
- **Aircraft Registration Number**: _____
- **Aircraft Dimensions (Wingspan, Length, Height)**: _____
- **Type of Use** (Personal, Commercial, Instructional): _____

Hangar Preferences

- **Type of Hangar Space Desired**:
  - ☐ T-Hangar
  - ☐ Box Hangar
  - ☐ Shared Hangar Space
  - ☐ Other: _____
- **Intended Use of Hangar**:
  - ☐ Aircraft Storage
  - ☐ Maintenance/Repairs
  - ☐ Manufacturing
  - ☐ Other: _____

Additional Requirements/Comments:



Waitlist Policy Acknowledgment

- I agree to pay a non-refundable registration fee of $_____ to apply to the waiting list for aircraft hangar space.
- I understand that submission of this application places me on the waiting list for hangar space at Ennis Municipal Airport and does not guarantee immediate availability. I acknowledge the waiting list is managed based on the application date and specific hangar availability and preferences.
- I agree to provide updated information if any of the above details change during my time on the waiting list.

Signature: _____ **Date**: _____



Ennis Municipal Airport

www.ennistx.gov/departments/Airport

3000 W Ennis Ave
Ennis, TX 75119
Ph: 972-875-4279

FUTURE HANGAR COUNTS	ON AIRPORT PROPERTY	OFF AIRPORT PROPERTY
T-HANGARS	50	33
50'x50' BOX HANGARS	20	5
100'x80' BOX HANGARS	2	0
SHADE HANGAR SPOTS	6	0

LEGEND	
EXISTING AIRPORT FENCE	x
FUTURE AIRPORT FENCE	x
FUTURE TAXIWAY/TAXILANE	
EXISTING HANGAR/BUILDING	
FUTURE BUILDING	
FUTURE BOX HANGAR	
FUTURE T-HANGAR	
FUTURE SHADE HANGAR	
FUTURE SEAPLANE DOCK	
FUTURE AWOS	
FUTURE AWOS CRITICAL AREA	
FUTURE ROAD/PARKING	
FUTURE PROPERTY TO BE ACQUIRED	
PAVEMENT REMOVAL	

RESTAURANT

FBO/TERMINAL TO BE RENOVATED

MAINTENANCE HANGARS

PROPERTY TO BE ACQUIRED

INCLUDE PROPERTY ACQUISITION

SHADE HANGAR RELOCATED

SEAPLANE DOCK & RAMP

6- & 11-UNIT T-HANGARS

50'x50' BOX HANGARS

11-UNIT T-HANGARS

RUN-UP AREA

17

35

AWOS

AWOS 500' CRITICAL AREA

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DRAFT
FOR DELIBERATIVE PURPOSES ONLY

ENNIS MUNICIPAL AIRPORT (F41)
AIRPORT LAYOUT PLAN

FUTURE ALTERNATIVE
(AIRPORT REFERENCE CODE A/B-I SMALL)

MARCH 2024

150 0 150 300
HORIZ SCALE 1INCH = 300 FT

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Discuss and consider approval of a Resolution ratifying the purchase of emergency repair services of the FreshPet Lift Station located at 4900 Sterilite Drive from Global Pump Solutions in a sum of Seventy-One Thousand Six Hundred Thirty-Three Dollars and Seventy-Two Cents ($71,633.72).
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	Public Works
Staff Contact:	Ed Green, Public Works Director

BACKGROUND INFORMATION:

Public Works received an early morning alert from the SCADA system for a problem sensed at the Fresh Pet Lift Station located at 4900 Sterilite Drive. Utility crews discovered extensive damage to the (two) lift station pumps due to gravel debris introduced from the Fresh Pet facility collection system. The pumps cannot be repaired. After coordination with Fresh Pet management, City utility crews installed an emergency bypass pump provided by Fresh Pet that is currently operational. Replacement pumps have been ordered though Global Pump Solutions purchasing cooperative for the two pumps and there is a four to five week lead time as of March 28th when the order was placed.

FINANCIAL IMPACT:

302-420-43430

ATTACHMENTS:

RESOLUTION NO.-Ratifying purchase of emergency repair services from Global Pump Solutions at the FreshPet Lift Station located at 4900 Sterilite Drive - Pdf
Certification of Emergency Purchase - FreshPet Lift Station

RESOLUTION NO.

A RESOLUTION RATIFYING THE PURCHASE OF EMERGENCY REPAIR SERVICES OF THE FRESHPET LIFT STATION LOCATED AT 4900 STERILITE DRIVE FROM GLOBAL PUMP SOLUTIONS IN A SUM OF SEVENTY-ONE THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS AND SEVENTY-TWO CENTS ($71,633.72).

WHEREAS, the City Commission wishes to construct, maintain, and repair their wastewater collection system infrastructure in compliance with Texas Commission on Environmental Quality (TCEQ) regulations; and

WHEREAS, the City Commission wishes to protect its assets and citizens with these necessary emergency repairs to the water distribution system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS:

SECTION 1: That the foregoing recitals are hereby found to be true and correct legislative findings of the City of Ennis, Texas, and are fully incorporated into the body of this Resolution.

SECTION 2: Authorizes the ratification of the emergency purchase to repair the FreshPet Lift Station located at 4900 Sterilite Drive from Global Pump Solutions in a sum of Seventy-One Thousand Six Hundred Thirty-Three Dollars and Seventy-Two Cents ($71,633.72).

SECTION 3: It is hereby declared to be the intention of the City Commission that the phrases, clauses, sentences, paragraphs and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution, since the same would have been enacted by the City Commission without the incorporation of this Resolution of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4: That this Resolution shall become effective from and after its passage.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, on this 15th day of April 2025.

_____
KAMERON RABURN, Mayor

ATTEST:

_____
ANGIE WADE, City Secretary

ESTIMATE

Global Pump Solutions LLC
4541 J D Mouser Pkwy
Alvarado, TX 76009

accounting@gpspumps.com
+1 (972) 449-5770
www.globalpumpsolutions.net

Ennis, City of

Bill to
City of Ennis
500 W Bardwell Dr.
Ennis, TX 75119 USA

Ship to
City of Ennis
500 W Bardwell Dr.
Ennis, TX 75119 USA

Estimate details
Estimate no.: 5032
Estimate date: 03/27/2025
Expiration date: 04/27/2025

#	Product or service	Description	Qty	Rate	Amount
1.	**AXF3AT3134H1417**	Sulzer XFP155J CB2 PE430/4 460V 49' cable internally cooled quick ship 58HP	2	$35,816.86	$71,633.72
2.		Lead Time 4-5 Weeks ARO			

Total **$71,633.72**

Expiry date 04/27/2025

Note to customer

Pricing does not include shipping unless explicitly stated. Terms are NET 15 unless otherwise negotiated.

Note: Unforeseen problems not listed in scope of work will be addressed at the time of project. Additional charges may be added if project goes beyond time frame or scope of work.

Global Pump Solutions BUYBOARD#672-22

Accepted date **Accepted by**

ENNIS
TEXAS
The bluebonnet spirit of Texas

CERTIFICATION OF EMERGENCY PURCHASE FORM

Section 252.022 of the Texas statutes provides exemptions to the bidding laws for emergencies as follows:

(A)(1). A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.

(A)(2). A procurement necessary to preserve or protect the public health or safety of the municipality's residents.

(A)(3). A procurement necessary because of unforeseen damage to public machinery, equipment or other property.

Complete the section below and forward to Purchasing Division no later than next business day.

Purchase involved was necessary because of (A)(1) ☒ (A)(2) ☒ (A)(3) ☐ ***(indicate one by placing an 'X' in the box)***

Description/Justification of Emergency:

Emergency Pump replacement at Freshpet from Global Pump Solutions. Damages on 3-27-2025 due to rock and debris from Freshpet system.

Emergency Dollar Amount: $71,633.72

Douglas Taylor, Assistant Public Works Director	3-28-2025
Name/Title of official responsible for initiating emergency action.	Date:
Signature of Director:	3/28/2025 Date
Signature of Purchasing Manager/Finance Director:	Date
Signature of City Manager or designee:	Date

ENNIS CITY COMMISSION

AGENDA SUMMARY FORM

To:	City Commission
Subject:	Discuss and consider approval of an Ordinance amending Chapter 10 "Licenses, Permits, and Business Regulations" to add Article XI "Special Events and Parades," providing for permitting, fees, and penalties; providing a severability clause; and providing for publication and establishing an effective date.
Meeting:	ENNIS CITY COMMISSION - 15 Apr 2025
Department:	Health & Inspections
Staff Contact:	Kevin Howard, Health Director

BACKGROUND INFORMATION:

There are an increased number of demands upon City resources and infrastructure from applications to hold outdoor events in the City streets, sidewalks and parks and for large outdoor events on private property. In order to conserve and allocate City resources and to adequately protect the public safety of the event participants, neighboring property owners, residents and businesses, it is necessary to regulate the use of the City's parks, streets and public areas by those desiring to hold outdoor events on public property and to regulate large outdoor events on private property that affect public property.

FINANCIAL IMPACT:

The ordinance enables the City to recover costs for services provided beyond typical daily operations, such as public safety, sanitation, and use of City equipment. Applicants are required to pay an application fee, deposits, and all fees associated with staffing, equipment rental, and cleanup. First Amendment events are exempt from most fees, with exceptions for specific services like street closures. These measures reduce the financial burden on the City while providing clear expectations to event organizers.

POLICY IMPLICATIONS:

This ordinance will ensure a standardized permitting process that increases transparency, ensures fairness, and reinforces accountability for public safety and operational impacts. It aligns municipal regulations with legal standards concerning expressive activities and improves internal coordination across departments including, but not limited to, Police, Fire, Public Works, and Health Services.

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

ORDINANCE NO.-AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 10 TO ADD ARTICLE XI "SPECIAL EVENTS AND PARADES," RE - Pdf

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 10 "LICENSES, PERMITS, AND BUSINESS REGULATIONS" TO ADD ARTICLE XI "SPECIAL EVENTS AND PARADES," REGULATING SPECIAL EVENTS AND PARADES; PROVIDING FOR PERMITTING, FEES, AND PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Ennis recognizes the value of parades, festivals, block parties, and other outdoor gatherings contributing to community life, expression, and entertainment; and

WHEREAS, such events may impose significant demands on City resources and infrastructure, including the need for public safety, sanitation, traffic control, and other services; and

WHEREAS, the City finds it necessary to adopt a standardized process to manage these events in a fair, transparent, and consistent manner while safeguarding public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TX:

SECTION 1: The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: That Chapter 10 "Licenses, Permits, and Business Regulations" of the Code of Ordinances is hereby amended to add Article XI "Special Events and Parades" to read as set forth in Exhibit A, attached hereto and incorporated herein for all purposes.

SECTION 3: This Ordinance shall be cumulative of all ordinances of the City of Ennis, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances.

SECTION 4: Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. City of Ennis hereby declares that it would have passed this Ordinance, and each section,

subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: That this ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this ____ day of _____, 2025.

_____
KAMERON RABURN, Mayor

ATTEST:

_____
ANGIE WADE, City Secretary

EXHIBIT A

CHAPTER 10 – LICENSES, PERMITS, AND BUSINESS REGULATIONS
ARTICLE XI - SPECIAL EVENTS AND PARADES

Sec. 10-362.- Sec. 10-370. Reserved.

Sec. 10-371. – Purpose.

Parades and special events, including outdoor events in the City streets, sidewalks, and parks, and large outdoor events on private property, create significant demands upon City resources and infrastructure. In order to conserve and allocate City resources and to adequately protect the public safety of event participants, neighboring property owners, residents, and businesses, it is necessary to regulate the use of the City's parks, streets, and public areas in connection with parades and special events. The intent of this article is to ensure that the City will have adequate advance notice of outdoor events and the ability to plan and allocate the City services that will be needed while recouping the City's costs associated with outdoor events, such as personnel, utilities, maintenance, and administrative costs, while facilitating expressive and entertainment opportunities for the community.

Sec. 10-372. – Definitions.

Except where the context clearly indicates a different meaning, in this article:

Applicant shall mean the person who has filed a written application for a special event or parade and is responsible for conducting the event, including any responsible organization, corporation, or other group on whose behalf the individual is requesting the permit.

Attendee or *attendance* shall mean participants, spectators, speakers, performers, entertainers, exhibitors, or other persons at the event.

City Manager shall mean the City Manager or his or her designee.

City shall mean the City of Ennis, Texas.

Days shall mean calendar days. In computing any period of time under this article, the day of the act, event, or default after which the period of time begins to run is not included. The last day of the period is included, unless it is a Saturday, Sunday or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday or legal holiday.

Emergency services and fire safety plan shall mean a written proposal providing plans for emergency services and evacuation, including fire prevention and fire suppression on public and private property used for the event, and emergency medical services to attendees.

Event shall mean a special event or parade.

Fire Chief shall mean the Fire Chief or his or her designee.

First Amendment activity shall mean all expressive and associative activity that is protected by the United States and Texas Constitutions, including speech, press, assembly and the right to petition, but not including commercial advertising.

First Amendment parade shall mean a parade, the sole or principal object of which is First Amendment activity.

First Amendment special event shall mean a special event in which the sole or principal object is First Amendment activity.

Parking plan shall mean a written proposal for the operation and regulation of parking on private and public property.

Parade shall mean an organized procession of people, traveling by whatever means, from one location to any other location on a street or other public right-of-way or anywhere else in the City in such a way as to impede the normal flow or regulation of pedestrian or vehicular traffic.

Person shall mean an individual, firm, partnership, corporation, limited liability company, joint venture, organization, contractor, subcontractor, affiliate, agent, representative, association or other legal entity of any kind, any lawful trustee, successor, assignee, transferee, heir or personal representative, but shall not mean the City.

Police Chief shall mean the Police Chief or his or her designee.

Police services plan shall mean a written proposal providing plans for traffic, crowd and parking control, public security and service calls, including not only the street or streets to be closed but any other streets or public areas in the close proximity that may be used for alternative routes or for parking of vehicles of persons attending the event.

Private property shall mean all property that is located within the boundaries of the City, except for property that is owned by the City, public property, as defined herein, or by another governmental entity.

Public property shall mean dedicated or undedicated public land, outdoor park and outdoor recreational facilities, streets, highways, municipal parking lots, parkways or alleys, public spaces and rights-of-way within the City.

Residential street or block shall mean a street in a single-family residence district, two-family and attached single-family residence district, multiple-family district, or multiple-family residence district.

Special event shall mean a single, temporary, organized, outdoor gathering or a temporary celebration or series of related consecutive outdoor gatherings or celebrations, sponsored by a person and located in the City, that:

(a) Is expected to draw 100 or more attendees at any one time held on public property;

(b) Is expected to draw 50 or more attendees and involves any of the following on public property:

(1) The sale or distribution of merchandise, food or beverages;

(2) Installation of a stage, band shell, truck, trailer, van, portable building, booth, grandstand or bleachers to support the event;

(3) Placement of portable restrooms to support the event; or

(c) Is on public or private property that includes one or more of the following:

(1) Partial or full closure of a street;

(2) Obstruction of the flow of traffic upon a street, sidewalk, or other public right-of-way;

(3) Blocking or restricting access to public property; or

(4) Placement of temporary no-parking, directional, oversize or identification signs or banners in or over a public right-of-way, or on private property where otherwise prohibited by ordinance.

Special event coordinator shall mean the city official designated by the City Manager as primarily responsible for managing special events. The City Manager may designate an alternate to the Special event coordinator who can act in that person's absence.

Sidewalk shall mean the portion of a street between the curb lines or lateral lines of the roadway and the adjacent property lines, which area is intended for the use of pedestrians and may or may not be improved with concrete, cement, asphalt or other material.

Street shall have the meaning found in Section 17-1 of this code.

Traffic control plan or *TCP* shall mean a written proposal for the operation and regulation of traffic-control devices used to facilitate vehicular and pedestrian traffic safely and efficiently through a temporary traffic control zone approved by the City.

Sec. 10-373. - Exceptions.

The provisions of this article do not apply to:

(a) Property owned or controlled by the City subject to a facility use agreement, contract, lease, or management or operation agreement with a person in which the agreement addresses events;

(b) Processions of vehicles operated in compliance with ordinary traffic laws;

(c) Processions of vehicles for a funeral operated in compliance with the Texas Transportation Code;

(d) Processions of pedestrians in public parks, along or upon sidewalks, or on private property provided the normal flow of traffic upon a street, sidewalk, or other public right-of-way is not impeded or obstructed;

(e) First Amendment activity conducted entirely on sidewalks, on the non-paved portion of public right-of-way, in public parks or on private property if the normal flow of traffic upon a street, sidewalk or other public right-of-way is not impeded or obstructed and others are not prevented from using the public park; or

(f) Events conducted under the supervision of or with the permission of a

governmental entity on property owned, leased, or operated by a governmental entity other than the City, if the event does not require the closing or rerouting of a street, the entity employs certified peace officers to provide security for the event, and the entity adopts and provides a written plan to the City addressing emergency services, crowd, traffic, and parking control.

Sec. 10-374. – Permit required.

(a) A person commits an offense if he engages in, participates in, aids, or commences an event without making written application for and receiving a permit from the city.

(b) This section shall apply to all aspects of permitting events in the city.

(1) No permit shall be denied nor shall the applicant be given less favorable treatment as to time, manner or place based upon race, color, religion, national origin, gender, or any other protected class under state or federal law, or political affiliation of the applicant and/or the participants of the event.

(2) No permit shall be denied nor shall the applicant be given less favorable treatment as to time, manner, or place based upon the message of the event, nor based on the identity or associational relationships of the applicant and/or participants.

(3) No permit shall be denied nor shall the applicant be given less favorable treatment as to time, manner, or place based upon any assumption or predictions as to the amount of hostility which may be aroused in the public by the content of speech or message conveyed by the event, provided that reasonable accommodation as to time, manner, and place may be required in order for the City to provide the resources necessary for police, fire and emergency services protection.

Sec. 10-375. – Permit application.

(a) *Application requirements.* An application for an event permit must be made to the special event coordinator on the form prescribed by that official. The application must include the following:

(1) The name, address, daytime telephone number, email address, and cellular number, if applicable, of the applicant;

(2) If the event is proposed to be conducted for, on behalf of, or by an organization, the names, addresses and telephone numbers of the headquarters of the organization and of the authorized and responsible heads of such organization;

(3) The name, address, telephone number and email address of the person who will be the event chair, responsible for its conduct, and at the site during the entire event;

(4) The date(s) and times of the event, including set up or assembly and removal;

(5) A projected attendance estimate in compliance with Section 10-376;

(6) An agreement binding the person responsible for the event to pay costs assessed by the City in accordance with this article;

(7) For a parade:

a. The route to be traveled, including the exact street address of the starting point and the termination point of the parade;

b. The location of any assembly areas;

c. The interval of space to be maintained between units of the parade; and

d. A map reflecting the route;

(8) For a special event:

a. A description of the special event, including any historical or promotional information;

b. The location;

c. If amplified sound is to be used, a noise mitigation plan responding to noise impacts on surrounding businesses or residences;

d. Details of how the applicant will clean up the area after the special event;

e. A statement as to whether pyrotechnics will be used;

f. A report on whether alcohol will be sold or distributed, the vendors, and any license or permit required by Texas Alcoholic Beverage Code; and

g. A list of contractors that the applicant will hire to provide necessary street barricading and signs in accordance with the TCP, portable rest rooms, and concession facilities;

(9) A site plan detailing the electrical, street barricade and traffic needs, and the location of tents, generators, stages, booths, utility poles, stands, disbanding areas, signs, banners, vendors, portable restrooms, orientation of amplifiers and loudspeakers, lighting, disability access and viewing stands, as applicable;

(10) An estimate of the number and type of any animals that will participate, and the number and description of vehicles that will be used, and the basis for the estimate;

(11) A statement as to whether the event will occupy all or a portion of:

a. A public park or other public property; or

b. The width of the streets, sidewalks, or other public rights-of-way proposed to be traversed;

(12) A public safety plan in compliance with Section 10-377;

(13) A clean-up plan;

(14) Proof that the applicant possesses or can obtain all licenses and permits required by the City or state law;

(15) Whether admission will be charged and, if so, the price of admission;

(16) Whether the event is a public or private event; and

(17) Any additional information related to health and safety that the City finds reasonably necessary to determine whether a permit should be issued.

(b) *Earliest submission.* No application for an event permit may be made earlier than 365 days prior to the event.

(c) *Filing deadlines.*An application must be filed no later than 30 days before the event, except:

(1) If the expected attendance is in excess of 5,000 people, the application must be filed no later than 60 days before the event;

(2) If the expected attendance is between 501 and 4,999 people, the application must be filed no later than 45 days before the event; or

(3) For a First Amendment parade or First Amendment special event, the application must be filed no later than five days before the event.

Sec. 10-376. - Projected attendance estimate.

Attendance estimates shall be accompanied by an affidavit stating the basis of the estimate. Each estimate shall be based upon all relevant factors known at the time, including but not limited to past attendance at similar functions having the same and similar performers, both in the City and comparable communities, the price of admission, if applicable, and the extent of advertising and promotion planned. The City may accept the applicant's affidavit if it appears to be based on realistic and appropriate information. If the City rejects the attendance estimates, the City shall conduct an independent analysis of estimated attendance, and substitute its estimate for that of the applicant, and the applicant shall be responsible for all attendant costs and requirements associated with the revised estimate. If, for unforeseen reasons, an estimate did not in fact reflect the actual and necessary resources for the event, the City may seek cost recovery from the applicant.

Sec. 10-377. - Public safety plan.

(a) The applicant for an event shall submit a public safety plan with the application. The public safety plan shall contain the following:

(1) Emergency services and fire safety plan;
(2) Parking plan;

(3) Police services plan;
(4) Traffic control plan; and
(5) Plan for water safety if boating and/or swimming is part of the event.

(b) The applicant is required to provide and pay for emergency medical services, in accordance with Subsection (d) and the following schedule:

Type of Emergency Medical Personnel or Vehicle Required	<5,000 attendees	5,001-10,000 attendees	10,001-15,000 attendees	15,001-20,000 attendees	>20,001 attendees
Medic/EMT	0	2	4	6	8
Supervisor	0	0	1	1	1
First Response Vehicle	0	1	1	2	2
MICU Transport Vehicle	0	0	1	1	2

(c) The applicant is required to provide and pay for law enforcement services for security, crowd control, and traffic, in accordance with Subsection (d) and the following schedule:

Number of attendees	Minimum Number of Law Enforcement Officers Required
100 to 200	1
200 to 1,500	2
1,501 to 3,000	4
3,001 to 5,000	6

over 5,000	6 plus 1 law enforcement officer for every 1,000 participants and spectators over 5,000 at the event

(d) The special event coordinator, upon recommendation of the Fire Chief, may require a number of emergency medical personnel and emergency medical vehicles, or upon recommendation of the Police Chief, may require a number of law enforcement officers, in addition to those required in Subsections (b) and (c), if:

(1) Any alcoholic beverage is sold, served or otherwise made available at the event;

(2) Special needs for increased security, crowd control or traffic control are created by:

a. The topography or size of the event location;

b. Weather conditions at the event; or

c. The time of day during which the event is conducted;

(3) The event requires street closures or rerouting of vehicular or pedestrian traffic; or

(4) The history of the event indicates a need for more law enforcement officers or medical personnel to protect the public health, safety, and welfare.

(e) The applicant is required to provide and pay for any law enforcement officers, medic/EMT, lifeguard or other personnel needed for the event. Such payment shall be made directly to the personnel that are not on-duty for the City of Ennis on or before the day of the event.

(f) The special event coordinator, in consultation with the Police, Fire and Public Works Departments, shall be responsible for determining whether to approve, modify, or deny the respective plan. None of the factors set forth in Section 10-374 shall be considered in evaluating plans.

(g) Compliance with the public safety plan and traffic control plan.

(1) If the special event coordinator, Police Chief, or Fire Chief, or their designees, determines that the services provided at the event do not comply with the approved plans, for a first violation, the special event coordinator shall contact

and provide the applicant with one hour in which to bring the services into full compliance with the approved plans. The special event coordinator may allow additional time for compliance provided health and safety is not compromised. As soon as possible after this contact, the special event coordinator shall prepare written detailed documentation of the name of the event contact, the time of the conversation, and the corrective action required.

(2) If the applicant does not comply in a timely manner, the City may either cancel the event or provide the necessary services and will include the full cost of providing these services in a supplemental services fee.

(3) If a violation is the event's second or more violation of its approved plans, the City may either cancel the event or provide the necessary services without giving the applicant an opportunity to take corrective action, and the City will include the full cost of providing these services in a supplemental services fee. As soon as possible after finding the violation, the special event coordinator shall prepare written detailed documentation of the nature of the violation and the corrective action taken by the City.

(4) If the Police Chief or Fire Chief, or their designees, determine that the services provided at the event are insufficient, given the actual circumstances of the event, the applicant shall be notified of such determination. The Police Chief or Fire Chief, or their designees, using their sole judgment regarding the immediacy of the need to have additional emergency services, shall determine whether to allow the applicant to provide additional emergency services or whether to have the City provide those services. As soon as possible after contact with the applicant, the Police Chief or Fire Chief, or their designees, shall prepare written detailed documentation of the name of the event contact, the time of the conversation, the findings of the Police Chief or the Fire Chief, or their designees, regarding the need for additional emergency services, the corrective action required and who will provide the corrective action. This written documentation shall be provided to the special event coordinator within five business days after the conclusion of the event. Where the City provides the additional emergency services, the City will include the full cost of providing these services in a supplemental services fee.

Sec. 10-378. - Notification requirements; response to concerns.

(a) No later than 15 days before the event, the applicant shall provide written notice, at applicant's expense, to all owners of property, as shown by the current tax roll, along all the block faces of the event. Notice shall also be sent to the special event coordinator.

Notice shall include the event hours, location or route, date and street closures. Notice may be provided by U.S. mail, a door hanger or hand delivery.

(b) The applicant shall file an affidavit with the special event coordinator not later than 10 days before the event showing that notice was provided as required above. Submittal of the affidavit to the special event coordinator shall be proof of notification required in this article. The special events coordinator shall not be responsible for verifying the information submitted by the applicant.

(c) For all events, at the request of the special event coordinator, any questions or concerns from residents, business or property owners shall be timely addressed by the applicant.

Sec. 10-379. – Fees and costs.

(a) An application for an event must be accompanied by an application fee set forth in section 2-1 of this code.

(b) The applicant is required to provide and pay for the services required by section 10-377.

(c) The applicant is required to pay for city services for the event in excess of what the city would provide to the general public in the ordinary course of its daily operations. Such costs include costs of set up, clean up, and placement of traffic barriers. The applicant is required to pay a rental fee for city equipment and property, including but not limited to barricades and street fixtures, used by the applicant for the event.

(1) A current list of charges and fees for city services must be maintained in the special events coordinator's office and made available for public inspection during normal business hours.

(2) Not less than 15 days before the event, the special event coordinator shall provide the applicant an estimate of all City costs.

(3) Not less than ten days before the event, the applicant shall pay:

a. The full cost of real property rental, if any; and

b. A security deposit to the City that is equal to one-third of the remainder of the estimated City costs and fees in this subsection.

(4) The applicant shall pay any remaining fees owed the City for the event within 60 days after the event ends. The applicant may, upon written request to the

special event coordinator, obtain a refund of any fee deposited with the special events coordinator for a service that the City did not provide for the special event.

(d) First Amendment parades and First Amendment special events are exempt from the payment of the fees for staff time required by this section, except that an applicant for a First Amendment parade or First Amendment special event shall be required to pay all fees for street closures to conduct specific activities in conjunction with or as part of a First Amendment parade and First Amendment special event. Fees for First Amendment parades and First Amendment special events on public streets shall not be in excess of the City's cost to close the street(s) for traffic control. No security deposit is required for First Amendment parades and First Amendment special events.

(e) An applicant shall be required to pay all fees for permits and licenses required by other City ordinances to conduct specific activities in conjunction with or as part of an event.

Sec. 10-380. – Agreement for use of City property.

(a) The applicant for an event that involves the use of City property shall enter into a user agreement with the City prior to the event, in which the applicant agrees to bear all costs of clean up and restoration of the public property upon the conclusion of the event and to reimburse the City for costs related to any damage or use beyond normal wear and tear on the public property. The agreement shall require the applicant to provide full reimbursement to the City within 60 calendar days of the conclusion of the permitted event. The assessed reimbursement amount shall be subject to the procedures for appeal contained in this article.

(b) The user agreement shall include the following:

(1) *Indemnification.* Applicant shall assume full responsibility and liability for and indemnify, defend, and hold the City harmless against:

a. All liability, claims for damages and suits for or by reason of any injury to any person, including death, and damage to any property for every cause in any way connected with the holding of the event, including the preparation, set-up, teardown and cleanup; and

b. All expenses incurred by the City for public safety, sanitation and transportation personnel and resources required to preserve public order and protect public health, safety and welfare, together with any other expenses or costs that may be incurred by the City as a result of the

event. The applicant shall indemnify the City against all charges, expenses and costs, including the City's legal department services and attorneys' fees incurred on account of or by reason of any such injuries, damages, liability, claims, suits or losses and all damages growing out of the same.

(2) *Insurance.*

a. Insurance must be provided for any special event at which the attendance is estimated at 500 or more.

b. An applicant must provide a certificate of general liability insurance to the special event coordinator in the following amounts:

Type	Amount
Workers' Compensation (If the applicant has no employees, this requirement may be waived by the outdoor events manager upon receipt of an affidavit to that effect.)	Statutory
Employer's Liability	$1,000,000.00
General Liability Including: • Contractual Liability • Injury Liability	Bodily Injury $250,000.00 per occurrence; $500,000.00 aggregate Property Damage $100,000.00 per occurrence; $100,000.00 aggregate
Automobile Liability a. Owned/leased vehicles b. Non-owned vehicles c. Hired vehicles	Bodily Injury $250,000.00 per occurrence; $500,000.00 aggregate Property Damage $100,000.00 per occurrence; $100,000.00 aggregate

c. An applicant for a permit to hold an event where alcohol is to be sold must

provide to the special event coordinator a certificate of insurance in the amount of $1,000,000.00 as liquor liability insurance, in addition to the general liability insurance requirements.

d. An applicant for a permit to hold an event where any fireworks or other special effects are displayed at the event must provide separate, additional general liability insurance for the pyrotechnics company in an amount of not less than $3,000,000.00 for each claim.

e. In addition to the insurance requirements provided herein, the special event coordinator may require additional insurance for an event if such additional insurance is recommended by the Emergency Management Coordinator as being necessary for the protection of the City or the public health, safety, and welfare.

f. At least ten (10) days before the event, the applicant must submit to the special event coordinator certificates or copies of the insurance policy. All required insurance must:

1. Be effective for the entirety of the event;

2. Be issued by a company authorized to conduct business in the state of Texas;

3. Name the City of Ennis, its officers, officials, volunteers and employees as additional named insureds (except for Workers' Compensation Coverage); and

4. Shall not be subject to subrogation under any circumstances against the City of Ennis, its officers, officials, volunteers and employees.

g. Federal, state and local government agencies may submit a statement of self-insurance which shall be acceptable in place of insurance requirements of this section.

(c) Execution of an agreement under this section shall be waived for First Amendment special events that do not involve:

(1) The use of motor vehicles;
(2) Road closures;
(3) Rental of City facilities;

(4) The use of City equipment;
(5) Alcohol; or
(6) Fireworks.

Sec. 10-381. - Permit application review and rules.

(a) The special event coordinator is responsible for the processing and management of all permits. In considering the issuance of a permit, the special event coordinator shall consult with individuals from the following departments or sections:

(1) Police. including emergency management;
(2) Fire;
(3) Public Works; and
(4) Parks and Recreation.

If the event involves food, the special event coordinator shall consult with the Health Department.

(b) After consultation with the affected departments, the special event coordinator shall approve or deny the permit or approve the permit subject to restrictions, conditions or modifications as to time, place, and manner. Restrictions or conditions imposed, and well as modifications, shall be imposed only when, based upon review of the application, compelling reasons exist, based upon public safety, health, or the environment, or to scheduling conflicts with other permitted uses at the time or place requested.

Sec. 10-382. – Permit issuance.

(a) After consideration of the application and other applicable information as may be otherwise required, an event application will be approved and a permit issued if, upon review, the special event coordinator finds that:

(1) The application contains all of the information required by Section 10-375;

(2) The application fee has been paid;

(3) The user agreement has been executed;

(4) The applicant has complied with the requirements of this article;

(5) The event complies with the provisions of this article and all other laws;

(6) The event does not:

a. Conflict with an event for which a prior application for a permit for the same time and place has been received and the permit has been or will be granted, and the applicant did not accept alternative dates, times, and location offered by the special event coordinator;

b. Conflict with previously planned programs conducted by the City at the same time and place as determined by the special event coordinator;

c. Present an unreasonable danger to the health or safety of the applicant, participants, residents or visitors to the City;

d. Interfere with proper fire and police protection or ambulance service to the area contiguous to the event and alternative shall mean of service acceptable to the City are not available;

e. Place such a burden on the police, fire or emergency services that they would be unable to provide normal services to the remainder of the City; or

f. Substantially interrupt the safe and orderly movement of pedestrian and vehicular traffic near the event location or route;

(7) There will be adequate sanitation and other required health facilities made available in or adjacent to the event; and

(8) The event is not being conducted for an unlawful purpose or involve an illegal activity..

(b) For a First Amendment parade or First Amendment special event that is filed within five days of the event, the special event coordinator shall act upon an application within three days after the filing of the application. For all other events, the special event coordinator must act upon the application for an event permit within 10 business days after the filing of the complete application.

(c) The applicant must have the permit, and all other required permits and approvals, if any, present during the entire duration of the event, including but not limited to set-up, teardown and clean up. Failure to abide by this provision may result in the revocation of the event permit.

Sec. 10-383. – Denial, modification, or revocation of the permit.

(a) If the application for a permit is denied or modified, the denial shall state the reasons for the denial of the application. All notices required under this section shall be in writing and sent by certified mail, return receipt requested, through the United States Postal Service, or hand delivered.

(b) The special event coordinator may revoke an event permit if:

(1) The applicant violates the rules set forth in this article after the applicant has received the permit;

(2) The event poses an immediate threat to health or safety;

(3) The applicant has failed to obtain any other permit required by this article, state law or the city code; or

(4) When by reason of disaster, public calamity, riot or other emergency, it is determined that the safety of the public or property requires revocation.

Sec. 10-384. - Appeal of denial or revocation or the imposition of costs, additional restrictions, or conditions.

(a) An applicant or permittee (appellant) may appeal a denial or revocation of a permit or the imposition of costs, additional restrictions, or conditions upon the granting of a special event permit no later than 5 days after the action being appealed. The notice of appeal must be in writing and state the grounds for the appeal and why the determination should be reversed or modified. The notice of appeal must be delivered to the office of the city manager. If no appeal is received by the city manager within 5 days of the decision, the decision shall be deemed final.

(b) If the appellant makes a timely, written request for appeal, then the City Manager shall make a decision on the appeal within ten (10) business days of receipt of the appeal and send written notice of the decision by certified mail to the appellant. The written notice of decision shall advise the respondent of the right to appeal such decision to a court of competent jurisdiction. When making a determination regarding the appeal, the city manager, or his or her designee, shall consider the appeal under the standards provided in this article and sustain or overrule the special event coordinator’s decision.

(c) Any appeal of the decision to a court of competent jurisdiction must be filed within 30 days of the date the City Manager’s decision was postmarked.

(d) If the City Manager finds that no grounds exist for denial or revocation of the permit, the special events coordinator shall issue the permit.

Sec. 10-385. – General conduct of parade or special events.

(a) *Portable restrooms.*

(1) All events that provide portable restrooms must indicate on the special event or parade site plan the exact location where the portable restroom(s) shall be placed.

(2) If the portable restrooms are not placed at the location designated on the event site plan, the special event coordinator or their designee shall give the applicant oral or written notice to move the portable restroom(s) to the proper location. The applicant must have the portable restroom(s) moved immediately, but in no case later than four hours after notice. Should the applicant fail to meet this requirement , the applicant shall be subject to the penalties set forth in this article.

(3) The event site plan shall state the time that the portable restroom(s) shall be removed. In the event that the portable restrooms are not removed by the time set forth in site plan, the applicant shall be subject to the penalties set forth in this article. Where the applicant provides evidence of a good faith effort to have the portable restroom owner remove the portable restrooms in a timely manner, the City shall not subject the applicant to the penalties but shall instead provide written notice to the portable restroom owner requiring removal of the portable restrooms within 24 hours of receiving the City's written notice. Should the owner fail to meet this requirement, the owner shall be subject to the penalties set forth in this article.

(4) If portable restrooms are placed on public property for an event that is not permitted, the special event coordinator or their designee shall require the owner of the portable restrooms to remove the portable restrooms within 24 hours of receiving the written notice. Should the owner fail to meet this requirement , the owner shall be subject to the penalties set forth in this article.

(5) The provisions of Subsection (a) shall not apply to events held entirely on private property, providing placement and use of the portable restrooms are not affecting adjacent property owners or tenants and it meets the

requirements of the City Code.

(b) *Alcohol permit.* No alcohol may be sold at any event unless the applicant receives an alcohol permit as required by the Texas Alcoholic Beverage Commission . If the Texas Alcoholic Beverage Commission otherwise requires a permit, e.g. when alcohol is made available only to paying guests or only to guests who bought a ticket to the event, then no alcohol may be served at the event unless the applicant receives an alcohol permit. Permits must be posted and visible to the public. The applicant shall comply with all applicable requirements of the Texas Alcoholic Beverage Code.

(c) *City permits.* It will be the responsibility of the applicant to contact the appropriate City department to obtain any necessary permits and information, including but not limited to the following:

(1) Health permits related to the proper dispensing and handling procedures for any food that is being provided or served at the event; or

(2) A permit for fireworks or pyrotechnic displays.

(d) *Trash and recycling*

(1) The applicant shall ensure that the event is maintained free from litter and rubbish as otherwise prohibited by the Code of Ordinances.

(2) The applicant shall ensure timely compliance with the approved clean-up plan.

(3) Recycling at events is strongly encouraged but is not mandatory.

(e) *Use of City logo or name.* An applicant may not use or allow its event to use the words "City of Ennis," "The City of Ennis" or the City's logo or a combination thereof in any manner that would imply an official endorsement of the event by the City without written authorization from the City Manager.

(f) *Placement of tents or structures on the non-paved portion of public right-of-way.* No tent or structure may be placed on the non-paved portion of the public right-of-way that is adjacent to private property without the permission of the owner or occupant of the private property.

Sec. 10-386. – Public conduct during parades.

(a) *Interference.* It shall be unlawful for a person to unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person,

vehicle or animal participating or used in a parade or any other permitted activity.

(b) *Driving through parades.* It shall be unlawful for a driver of a vehicle to drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and the parade has been authorized pursuant to this article.

(c) *Parking on parade route.* The Police Chief shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the parade route. The City shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

Sec. 10-387. – Offenses and penalties.

(a) A person commits an offense if he or she commences or conducts an event:

(1) Without a permit;

(2) Knowingly makes a false statement in connection with an application; or

(3) In violation of any provision of a permit, this article or any other City ordinance or applicable law.

(b) Except as otherwise provided in this article, a culpable mental state is not required for the commission of an offense under this article.

(c) Each offense is punishable by a fine not to exceed:

(1) Two thousand dollars ($2,000.00) for a violation of a provision of this article or a requirement of a permit governing fire safety, zoning or public health and sanitation, including dumping or refuse; or

(2) Five hundred dollars ($500.00) for all other violations of this article or requirements of a permit.