



PUBLIC NOTICE

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DA 20-759

Released: July 20, 2020

WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES EXECUTION OF SECOND AMENDMENT TO THE NATIONWIDE PROGRAMMATIC AGREEMENT FOR THE COLLOCATION OF WIRELESS ANTENNAS

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) announces that on July 10, 2020, the Commission, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) executed the attached *Second Amendment to the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas* (Collocation NPA).¹ The amendment facilitates the collocation of wireless facilities on existing towers by eliminating review under Section 106 of the National Historic Preservation Act² for certain collocations that involve a limited expansion beyond the boundaries of a tower site.

The Collocation NPA, which was executed in 2001³ and first amended in 2016,⁴ provides that a collocation on an existing tower is excluded from Section 106 review unless it involves one of the enumerated circumstances, which include a substantial increase in the size of the tower.⁵ Prior to the amendment, a “substantial increase in the size of the tower” was defined to include, among other factors, any excavation outside the current tower site.⁶ In contrast, the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (Wireless Facilities NPA) – executed by the FCC, ACHP, and NCSHPO in 2004, subsequent to the Collocation NPA – excludes from Section 106 review the replacement of a tower that involves deployment and excavation by no more than 30 feet in any direction outside the boundaries of an existing tower site.⁷

¹ *Nationwide Programmatic Agreement for the Collocation of Wireless Antennas*, 47 CFR Part 1, App. B (Collocation NPA).

² 54 U.S.C. § 300101 *et seq.*

³ *Wireless Telecommunications Bureau Announces Execution of Programmatic Agreement with Respect to Collocating Wireless Antennas on Existing Structures*, Public Notice, 16 FCC Rcd 5574 (WTB 2001).

⁴ *Wireless Telecommunications Bureau Announces Execution of First Amendment to the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas*, WT Docket No. 15-180, Public Notice, 31 FCC Rcd 8824 (WTB 2016).

⁵ Collocation NPA at §§ III.A, IV.A. A substantial increase in the size of the tower is referenced as a factor in Sections III.A.1 and IV.A.2.

⁶ Collocation NPA at § I.E.4 (defining a substantial increase in the size of the tower to include “[t]he mounting of the proposed antenna [that] would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site”).

⁷ *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process*, 47 CFR Part 1, App. C, at § III.B (Wireless Facilities NPA).

The FCC, ACHP, and NCSHPO have agreed to amend the Collocation NPA to eliminate this inconsistency between the Wireless Facilities NPA and the Collocation NPA. Specifically, under this amendment, a collocation would be excluded from Section 106 review if it would not “expand the boundaries of the current tower site by more than 30 feet in any direction or involve excavation outside these expanded boundaries,”⁸ provided that the collocation complies with other criteria for exclusion specified in the Collocation NPA. This amendment will be effective upon publication in the Federal Register.⁹

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⁸ See attachment at § I.E.4.

⁹ The publication in the Federal Register will announce an update to Appendix B of Part 1 of the Commission’s rules to reflect this amendment to the Collocation NPA. See 47 CFR Part 1, App. B.