



Federal Communications Commission
Washington, D.C. 20554

NOV 29 2010

Charlene Dwin Vaughn, AICP
Assistant Director, Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW, Suite 803
Washington, DC 20004

Re: KPLO-TV Tower at Medicine Butte
Reliance, South Dakota
ASR No. 1035406
Facility ID No. 41964

Dear Ms. Vaughn:

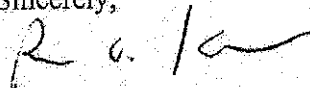
This is in reference to your letter dated November 8, 2010 concerning how the Federal Communications Commission ("FCC") plans to fulfill its responsibilities under the National Historic Preservation Act ("NHPA") with regards to the KPLO-TV, Reliance, South Dakota tower ("KPLO-TV Tower") located at Medicine Butte. We plan to proceed in compliance with Section 106 of the NHPA and in accordance with the terms of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* ("NPA"). Furthermore, the FCC has arranged for Stephen Delsordo, the FCC's Federal Preservation Officer, to travel to Reliance, South Dakota for consultation with the Lower Brule Sioux Tribe, the Rosebud Sioux Tribe, and the KPLO-TV Tower owner, Young Broadcasting, Inc. ("Young Broadcasting") on December 8, 2010. Specifically, the agenda for the December 8, 2010 consultation currently includes the Section 106 process, the effect of the KPLO-TV tower on Medicine Butte, and the proposed mitigation measures.

As you noted in your November 8, 2010 letter, we granted Young Broadcasting's application for special temporary authority ("STA") to operate a temporary tower, pursuant to the temporary tower exclusion of the NPA. In its STA application, Young Broadcasting stated that the temporary KPLO-TV Tower would be placed on the same concrete pier foundation and employ the same guy wire anchor points used by the previous tower, which collapsed last winter during a storm. In granting the STA, we specified that Young Broadcasting may not excavate beyond the excavated boundaries of the original KPLO-TV Tower. Therefore, we have requested photographs from both Young Broadcasting and the Lower Brule Sioux Tribe to help us determine whether the temporary tower was erected within the excavation boundaries of the original KPLO-TV Tower. Additionally, during the December 8, 2010 consultation, Stephen Delsordo will travel to the temporary KPLO-TV Tower site with the Tribes and Young Broadcasting to examine the site.

It is our understanding that Young Broadcasting plans to move the new permanent KPLO-TV Tower approximately 90 feet from the location that the prior permanent tower was located and to proceed with full NHPA consultation. Young Broadcasting, however, has not submitted an application to the FCC, and therefore the proposed location of the new permanent KPLO-TV Tower is still speculative in nature. Stephen Delsordo's December 8, 2010 consultation with the Tribes and Young Broadcasting is intended to help ensure that the new permanent KPLO-TV Tower is fully compliant with Section 106 of the NHPA and that all affected parties, including the Tribes, with an interest in the new permanent KPLO-TV Tower site, have been heard.

If you have any further questions on this matter, please feel free to contact me at (202)418-1600 or Adya Denysyk at (202)418-2651.

Sincerely,



Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc:

Geoffrey Blackwell, Chief, Office of Native Affairs and Policy, FCC
Stephen Delsordo, Federal Preservation Officer, Wireless Bureau, FCC
Clair Green, Tribal Historic Preservation Officer, Lower Brule Sioux Tribe
The Honorable Michael B. Jandreau, Chairman, Lower Brule Sioux Tribe
Jay D. Vogt, South Dakota State Historic Preservation Officer
Young Broadcasting, Inc., c/o Stephen G. Hartzell, Esq.



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The Honorable Michael B. Jandreau
Chairman
Lower Brule Sioux Tribe
187 Oyate Circle
Lower Brule, SD 57548

Re: KPLO-TV Tower at Medicine Butte
Reliance, South Dakota
ASR No. 1035406
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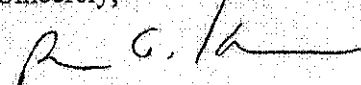
Dear Chairman Jandreau:

The Video Division, Media Bureau of the Federal Communications Commission extends its greetings to you. In response to your request for government-to-government consultation with regard to the KPLO-TV, Reliance, South Dakota television tower at Medicine Butte, Stephen Delsordo, the Federal Communications Commission's Federal Preservation Officer, will travel to the Lower Brule Sioux Reservation to meet with representatives of the Lower Brule Sioux and Rosebud Sioux Tribes. Mr. Delsordo has arranged the visit through Clair Green, the Lower Brule Sioux Tribal Historic Preservation Officer. The owner and licensee of the KPLO-TV tower, Young Broadcasting, Inc., will also be attendance with its consultant from Environmental Resources Management. Specifically, the agenda for the December 8, 2010 consultation currently includes the Section 106 process, the effect of the KPLO-TV tower on Medicine Butte, and proposed mitigation measures.

On delegated authority of the Commission, this matter is being handled by the Video Division of the Media Bureau, and is being coordinated with the Commission's Wireless Telecommunications Bureau, as well as the Commission's Office of Native Affairs and Policy. We recognize the opportunity we have to work with the Lower Brule Sioux Tribe, and we look forward to consulting with you on this important cultural matter.

If you have any further questions on this matter, please feel free to contact me at (202) 418-1600 or Adya Denysyk, of my staff, at (202) 418-2651, Mr. Delsordo at (202) 418-1986, or Geoffrey Blackwell, Chief of the Office of Native Affairs and Policy at (202) 418-3629.

Sincerely,


Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc:

Geoffrey Blackwell, Chief, Office of Native Affairs and Policy, FCC
Stephen Delsordo, Federal Preservation Officer, Wireless Bureau, FCC
Clair Green, Tribal Historic Preservation Officer, Lower Brule Sioux Tribe
Charlene Dwin Vaughn, Assistant Director, OFAP, ACHP
Jay D. Vogt, South Dakota State Historic Preservation Officer
Young Broadcasting, Inc., c/o Stephen G. Hartzell, Esq.