



September 29, 2023

Mr. James Guerassio  
VB BTS II, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, Florida 33487

**RE: FCC NEPA Summary Report for:  
Yucca Valley Site (US-CA-5466)  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284**

Dear Mr. Guerassio,

Lotis Environmental, LLC (Lotis), has completed a Federal Communications Commission (FCC) NEPA investigation relative to the referenced proposed undertaking and issues the following Summary Report. Based on the information presented in this report, no further action is required under 47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319 of the National Environmental Policy Act.

The accuracy of the species list, provided by the Information, Planning, and Conservation (IPaC) website, should be verified every 90 days. This verification can be completed formally or informally as desired. The United States Fish and Wildlife Services (USFWS) 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 initial list. If the list is determined to have been modified to include additional species of concern, an evaluation of those species should be conducted and consultation with the USFWS may have to be re-initiated, depending on the determination of effect or previous response(s) from the USFWS.

The applicant/tower builder must immediately notify all interested consulting parties if archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

Should you have any questions or comments, please do not hesitate to contact our office at (716) 580.7000.

Sincerely,

**Lotis Environmental, LLC**

A handwritten signature in blue ink that reads "David N. Robinson". The signature is written in a cursive style and is positioned above a horizontal line.

**David N. Robinson, P.E.**  
President/CEO  
Robinson@TheLotisGroup.com  
Attachments

# NEPA SUMMARY REPORT



## US-CA-5466 - Yucca Valley

near 56750 Mountain View Trail  
Yucca Valley, California 92284

Prepared for:

**VB BTS II, LLC**

750 Park of Commerce Drive, Suite 200  
Boca Raton, Florida 33487

Prepared by:

**Lotis Environmental, LLC**

Williamsville, New York

September 29, 2023

Reviewed By: David N. Robinson, P.E.  
President/CEO

Prepared By: Miles Walz-Salvador  
Nationwide NEPA/NHPA Manager

# FCC NEPA CHECKLIST

**Applicant Name:** VB BTS II, LLC (VB BTS II)

**Site Number:** US-CA-5466

**Site Name:** Yucca Valley

**Potential Effect**

**LAND USE SCREENING**

Yes    No

1.	Facility will be located in an officially designated wilderness area.		X
2.	Facility will be located in an officially designated wildlife preserve.		X
3.	Facility may affect listed threatened or endangered species or designated critical habitats; or is likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats.		X
4.	Facility may affect districts, sites, buildings, structures or objects significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places.		X
5.	Facility may affect Native American religious site(s).		X
6.	Facility will be located in a floodplain if the facility will not be placed at least one foot above the base flood elevation of the floodplain.  <small>*EA not required under FCC Wireless Telecommunications Docket No. 17-79 effective July 2, 2018, as long as the applicant can show that the facility and/or associated equipment will be installed 1 foot above the determined BFE.</small>		X
7.	Facility construction will involve significant change in surface features (e.g., wetland fill, deforestation, significant tree removal, or water diversion).		X
8.	Facility (antenna tower and/or supporting structures) will be equipped with high intensity white lights which are to be located in residential neighborhoods, as defined by the applicable zoning law.	<b>CLIENT TO DETERMINE</b>	
9.	Facility would cause human exposure to levels of radiofrequency radiation in excess of Commission-adopted guidelines	<b>CLIENT TO DETERMINE</b>	
10.	Facility will be over 450 feet above ground level (AGL)		X



**Prepared By:** Miles Walz-Salvador  
*Nationwide NEPA/NHPA Manager*

## DOCUMENTATION FOR FCC NEPA CHECKLIST RESPONSES 1-9:

### 1. Is the proposed undertaking located in an officially designated wilderness area?

Based on maps published by the Bureau of Land Management (BLM), United States Fish and Wildlife Service (USFWS), United States Forest Service (USFS), and National Park Service (NPS), as compiled in the on-line [nationalatlas.gov](http://nationalatlas.gov) and [wilderness.net](http://wilderness.net) websites, no designated wilderness areas are located at or near the proposed undertaking. A copy of the Wilderness Map is included in Appendix A.

### 2. Is the proposed undertaking located in an officially designated wildlife preserve?

Based on maps published by the USFWS, no wildlife refuges or wildlife preserves are located at or near the proposed undertaking. A copy of the USFWS Wildlife Refuge Map is included in Appendix A.

### 3. Will the proposed undertaking likely affect threatened or endangered species or designated critical habitats; or is likely to jeopardize the continued existence of any proposed endangered or threatened species; or is likely to result in the destruction or adverse modification of proposed critical habitats (as determined by the Endangered Species Act of 1973)?

A Lotis staff biologist conducted an informal biological assessment (IBA) at the site of the proposed undertaking. Based on information reviewed, site reconnaissance, and the proposed scope of work, Lotis has determined that the proposed undertaking will have “*No Effect*” on designated critical habitats or listed federal species of concern. A copy of the USFWS Critical Habitat Map is included in Appendix A.

The accuracy of the species list, provided by the Information, Planning, and Conservation (IPaC) website, should be verified every 90 days. This verification can be completed formally or informally as desired. The USFWS 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 initial list. If the list is determined to have been modified to include additional species of concern, an evaluation of said species should be conducted and consultation under USFWS guidelines may have to be re-initiated, depending on the determination of effect or previous response from the USFWS.

Additionally, Lotis reviewed the California Department of Fish and Wildlife (CDFW) list of species of concern and their corresponding habitats and determined that the proposed undertaking will have “*No Effect*” on state species of concern. The state species list was obtained by using the CDFW’s website. Copies of the Lotis IBA, the state species list (divided by quadrangle) and the IPaC email are included in Appendix B.

Per Section 7 consultation guidelines promulgated by the USFWS, (pursuant to the official USFWS guidance), “*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.*” Due to Lotis’ determination of “*No Effect*” on critical habitat and listed federal species of concern, Section 7 consultation is considered complete, and no further consultation is required. Should the proposed undertaking be revised, Lotis’ previous determination of effect should be considered invalid and be revised to reflect the new proposed undertaking. A copy of the USFWS Section 7 guidance is included in Appendix B.

Additionally, the USFWS has established interim guidelines for recommendations on communication tower siting, construction, operation, and decommissioning as new and existing towers have been determined to significantly impact species which are protected under the Migratory Bird Treaty Act (MBTA), <http://www.fws.gov/laws/lawdigest/migtrea.html>, (16 U.S.C. 703-712). The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the Act has no provision for allowing unauthorized take, it must be recognized that some birds may be killed at structures such as communications towers even if all reasonable measures to avoid it are implemented. While it is not possible under the Act to absolve individuals or companies from liability if they

follow these recommended guidelines, the Division of Law Enforcement and Department of Justice have used enforcement and prosecutorial discretion in the past regarding individuals or companies who have made good faith efforts to avoid the take of migratory birds. A copy of the 2013 U.S. Fish and Wildlife Service (USFWS) Revised Voluntary Guidelines for Communication Tower Design, Siting, Construction, Operation, Retrofitting, and Decommissioning is included in Appendix B.

VB BTS II has taken these recommended interim guidelines into consideration and has mitigated the potential effect on migratory birds by siting the proposed undertaking away from sensitive locations such as critical habitats, wilderness areas, wildlife refuges, and wetlands, where species of concern are more likely to be present. Additionally, VB BTS II proposes a tower height of no more than 199 feet with a tower design to be that of a self-supporting lattice/monopole tower. If lighting is required, VB BTS II will complete request the use of dual medium white or red strobe lights with the minimum number, minimum intensity, and minimum number of flashes per minute allowable by the FAA. Special Note (located in a high developed area with tall structures / located in an antenna farm)

The USFWS also regulates and enforces the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c). *"This Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." "Disturb" means "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment. A violation of the Act can result in a fine of \$100,000 (\$200,000 for organizations), imprisonment for one year, or both, for a first offense. Penalties increase substantially for additional offenses, and a second violation of this Act is a felony."* USFWS: The Bald and Golden Eagle Protection Act, <https://www.fws.gov/northeast/ecologicalservices/pdf/NationalBaldEagleManagementGuidelines.pdf> (accessed January 2023). A copy of the Bald and Golden Eagle Protection Act is included in Appendix B.

The USFWS has recommended voluntary minimization/mitigation as indicated above. These are recommendations and should be treated as such unless issued as a requirement to complete Section 7 consultation. Should failure to abide by these recommendations occur, the applicant is assuming responsibility for its failure to comply with the above-mentioned Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and The Bald and Golden Eagle Protection Act (BGEA). It is ultimately the responsibility of the applicant to prevent the "take" of a species of concern regardless of whether or not it has completed Section 7 consultation. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct. The taking of a listed species of concern (threatened/Endangered), without a federal/state permit, is a severe crime punishable by large fine(s) and confinement.

Lotis did not contact the California Department of Fish and Game (CADFG) because under the California Environmental Quality Act (CEQA), as posted on the CADFG website and as recorded in written responses from various agents of CADFG, federal projects are not subject to CEQA, and informal consultation is not required with the CADFG. Consultation with CADFG is initiated by local lead agencies with jurisdiction over the project area in local government review. Therefore, informal consultation was not completed at the State level.

**4. Will the proposed undertaking affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed (or eligible for listing) in the National Register of Historic Places?**

The Office of Historic Preservation: Department of Parks & Recreation (SHPO) is the lead State Historic Preservation Office (SHPO) for the State of California. Lotis contracted Environmental Assessment Specialists, Inc., on June 9, 2023, to determine the potential effect of the proposed undertaking on historic properties (archaeological sites and eligible/listed historic properties) within the Direct and ½-mile Visual Area of Potential Effect (APE) designated by the Federal Communications Commission (FCC). Environmental Assessment Specialists, Inc.

completed a Cultural Resource Records Search Results and Site Visit and conducted research to identify historic properties using resources specified by the SHPO. Additionally, Environmental Assessment Specialists, Inc. researched the National Register of Historic Places (NRHP) at <http://www.nps.gov/nr/> and did not find any historic properties within the ½-mile radius APE of the proposed undertaking. A copy of Cultural Resource Records Search Results and Site Visit is included in Attachment 3.

Lotis prepared and submitted a new tower submission packet (FCC Form 620) through the FCC's E-106 electronic filing protocol. Section 106 review was initially submitted via E-106 to the California SHPO on August 3, 2023. However, the California SHPO does not participate in E-106 electronic filing and requested that materials be sent via email for review. On August 25, 2023, Lotis forwarded the requested packet via email. Lotis did not receive a response, after 30 days, from the California SHPO, therefore, the following applies *"If the above boxes are blank, there are no historic properties within the direct or indirect project area. Therefore, pursuant to Stipulation VII.B.2 of the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission as quoted below, your Section 106 responsibilities are complete: If the SHPO/THPO does not provide written notice to the Applicant that it agrees or disagrees with the Applicant's determination of No Historic Properties Affected within 30 days following receipt of a complete Submission Packet, it is deemed that no Historic Properties Exist within the APE or the Undertaking will have no effect on Historic Properties. The Section 106 process is then complete, and the Applicant may proceed with the project, unless further processing for reasons other than Section 106 is required."* EAS did not check any of the boxes indicated in the statement above, therefore it is applicable and no further consultation is required. Copies of the SHPO submission cover letter, FCC Form 620, and the SHPO response are included in Appendix C.

In furtherance of Section 106 consultation efforts, Lotis attempted to identify the jurisdiction's Certified Local Government (CLG), by using the National Parks Service's (NPS) website, [http://grantsdev.cr.nps.gov/CLG\\_Review/search.cfm](http://grantsdev.cr.nps.gov/CLG_Review/search.cfm). Unfortunately, the NPS's website did not identify a CLG within the local jurisdiction, therefore, Lotis contacted the local jurisdiction for comment. On August 3, 2023, Lotis invited Mr. Jared Jerome, Associate Planner of Town of Yucca Valley Planning Division, to comment on whether the proposed undertaking would have an effect on historic properties within the general vicinity. To date, Lotis has not received a response from Town of Yucca Valley Planning Division relative to the proposed undertaking. Copies of the submission cover letter, and email submission are included in Attachment 7.

In addition, Lotis submitted an information package to the Morongo Basin Historical Society on August 3, 2023. To date, Lotis has not received a response from the Morongo Basin Historical Society relative to the proposed undertaking.

Finally, Lotis contacted the Hi-Desert Star and published a legal public notice in the classified section on July 12, 2023. The proposed undertaking was detailed in the ad and calls for public concerns regarding potential adverse effect on historic properties in the area were solicited. To date, Lotis has not received any public response from the public notice publication concerning the proposed undertaking's potential effect on historic properties. Copies of the legal public notice text, tear sheet, and Affidavit of Publication, and any responses are included in Attachment 8.

## 5. Will the undertaking affect Indian religious site(s)?

Lotis utilized the FCC's Tower Construction Notification System (TCNS) to identify tribal entities with interest in the proposed undertaking. The initial TCNS filing was submitted on May 30, 2023. The FCC responded via e-mail on June 2, 2023, indicating that fourteen (14) nationally recognized tribes were forwarded information regarding the location of the proposed undertaking via electronic or regular mail. All tribes listed on the June 2, 2023 FCC email required additional information delivered to them. The requested documentation was forwarded to the tribes via registered mail or email on August 7, 2023, and August 3, 2023, respectfully. As of the date of this report, Lotis received clearance from all interested tribes. Copies of the cover letter submissions, proof of submissions, and responses are included in Appendix C.

On July 11, 2023, Lotis submitted a request to the Native American Heritage Commission (NAHC) to review their records for sacred lands and to obtain a contact list for state recognized tribes who could be potentially interested in consulting on the proposed undertaking. On August 10, 2023, Lotis received the sacred lands file search which indicated *"A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in*

any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.” Additionally, the NAHC provided the Native American Contacts List which indicated approximately twenty-three (23) point of contacts who are required to be provided the opportunity to comment on the proposed undertaking. All tribes listed by the NAHC (multiple point of contacts can be listed which is why a tribe may be listed multiple times) required additional information delivered to them and were therefore forwarded information regarding the location of the proposed project, via electronic and regular mail. A copy of the NAHC Sacred Land Search results letter and NAHC contact list are included in Attachment 6. Copies of the cover letter submissions, proof of submission, and response are included in Appendix C.

FCC Wireless Telecommunications Docket No. 17-79 effective July 2, 2018, replaces procedures outlined in the 2005 Declaratory Ruling and establishes a 45-day process for proceeding with construction in cases in which Tribal Nations or NHOs do not respond. Referral can be completed and submitted to the FCC if a correspondence is not received within 30 calendar days (for emailed tribes) and 35 calendar days (for mailed tribes). Upon notice the FCC will communicate by letter or email with the respective tribe(s) giving them 15 days to respond. The FCC’s final 15-day letter was sent September 7, 2023, to the non-responding party(s). According to the FCC Wireless Telecommunications Docket No. 17-79, when no response is received from the tribe(s) within 15 days from the FCC’s contact it is deemed to have no interest in pre-construction review a consultation is considered complete. Documentation of all original submission cover letters, referral(s) to the FCC, and tribal clearances are included in Appendix D of this report. Copies of the Federal Lands Map and Indian Reservations Map are included in Appendix A.

**6. Is the proposed undertaking located within a flood plain (100-year)?**

According to the Flood Insurance Rate Map (FIRM) for the Town of Yucca Valley, California (Map Number 06071C8860H) published by the Federal Emergency Management Agency (FEMA) effective on August 28, 2023 and exported on June 23, 2023, the proposed undertaking is not located within a 100-year floodplain. A copy of the FIRMette (flood plain map) is included in Appendix E.

**7. Will construction of the proposed undertaking involve significant change in surface features (e.g., wetland fill, deforestation or water diversion)?**

According to the online United States Fish and Wildlife Service National Wetlands Inventory Map (NWIM), <http://www.fws.gov/wetlands/Data/Mapper.html>, no mapped wetlands are located at or within close proximity to the proposed undertaking. A copy of the National Wetlands Inventory Map is included in Appendix F.

**8. Is the proposed undertaking located in a residential neighborhood and is it required to be equipped with high intensity white lights (as defined by local zoning law)?**

The proposed undertaking is assumed not to be equipped with high intensity white lights nor located within a zoned residential neighborhood. Should the applicant decide to place high intensity lighting on the proposed undertaking, additional consultation will be recommended.

**9. a.) Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and have antenna located less than 10 meters above ground level?**

An evaluation to determine whether RF emission standards are met was not included as part of this report. Lotis assumes that client representatives will evaluate the project to ensure compliance with applicable RF standards. If the antenna structure equals or exceeds total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and has antenna located less than 10 meters above ground level, further consultation is required for NEPA due diligence.

**b.) Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and have antenna located less than 10 meters above floor level?**

An evaluation to determine whether RF emission standards are met was not included as part of this report. Lotis assumes that client representatives will evaluate the project to ensure compliance with applicable RF standards. If the antenna structure equals or exceeds total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and has antenna located less than 10 meters above floor level, further consultation is required for NEPA due diligence.

**10. Facility will be over 450 feet above ground level (AGL)?**

The proposed undertaking is not above 450 feet AGL.

**National Historic and Scenic Trail Review**

Per the Per the 1999 "Siting of Wireless Telecommunications facilities Near National Scenic Trails Resolution early notification is not necessary if the *"Proposed sites that are more than one mile from a National Scenic Trail are outside the scope of this Resolution. Under certain circumstances, MSTOs and Applicants may find it mutually beneficial to have a cooperative working relationship on proposed sites that are more than one mile but less than four miles from a National Scenic Trail, particularly when constructing new or expanded towers 200 feet or higher above ground level which require lighting. While the signatories to this Resolution strongly encourage the formation of such alliances, the MSTO and the Applicant are not obligated to do so."*

The proposed undertaking is located more than ten (10) miles from the closest national scenic historic trail. Therefore, no additional consultation is required. A copy of the National Historic and Scenic Trail Map is included in Appendix A.

**National Scenic Riverway Review**

Congress enacted the Wild and Scenic Rivers Act (WSRA) in 1968, declaring it the "policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 16 U.S.C. § 1271. As originally enacted, the WSRA named specific rivers or segments of rivers for inclusion in the Wild and Scenic River System ("WSRS"). Id. § 1274(a)(1)-(a)(8).

The proposed undertaking is located more than ten (10) miles from the closest national scenic riverway. Therefore, no additional consultation is required. A copy of the National Scenic Riverway Map is included in Appendix A.

**National Scenic Byway Review**

The National Scenic Byways Program was established under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and is part of the Department of Transportation's (DOT) Federal Highway Administration (FHWA). The program is a grass-roots collaborative effort established to help recognize, preserve, and enhance selected roads throughout the United States. Pursuant to the program, the Secretary of Transportation recognizes certain roads as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, recreational, and scenic qualities.

The proposed undertaking is located more than ten (10) miles from the closest national byway. Therefore, no additional consultation is required. A copy of the National Scenic Byway Map is included in Appendix A.

## **PROPOSED PROJECT SUMMARY**

Site Name: **Yucca Valley**

Site Address: **near 56750 Mountain View Trail  
Yucca Valley, California 92284**

Latitude/Longitude: **34° 6' 32.32" ±N / -116° 25' 32.04" ±W**

County: **San Bernardino County**

UTM: **Zone: 11S East: 552979 North: 3774388**

Legal Description: **Township: 1S, Range: 5E, Section: 2**

Consultant Information: **Company: Lotis Environmental, LLC (Lotis)  
Consultant: Miles Walz-Salvador  
Email: NEPA.NHPA@TheLotisGroup.com  
Address: 8899 Main Street - Suite 107,  
Williamsville, NY 14221  
Phone: (716) 580-7000**

Project Description: **Proposed Construction of a 70' (75' including all appurtenances)' monopine telecommunication tower within a 40' by 60' lease area. A proposed 12' by ~140' access/utility easement will extend east connecting with Grand Avenue. Additionally, a proposed 5' by ~220' utility easement will extend South connecting with Mountain View Trail**

Project Impacts: **Excavation and grade work to install tower foundation, utilities and access easements.**

Project Area: **Square Footage: ~5,180.00 / Acres: ~0.119**

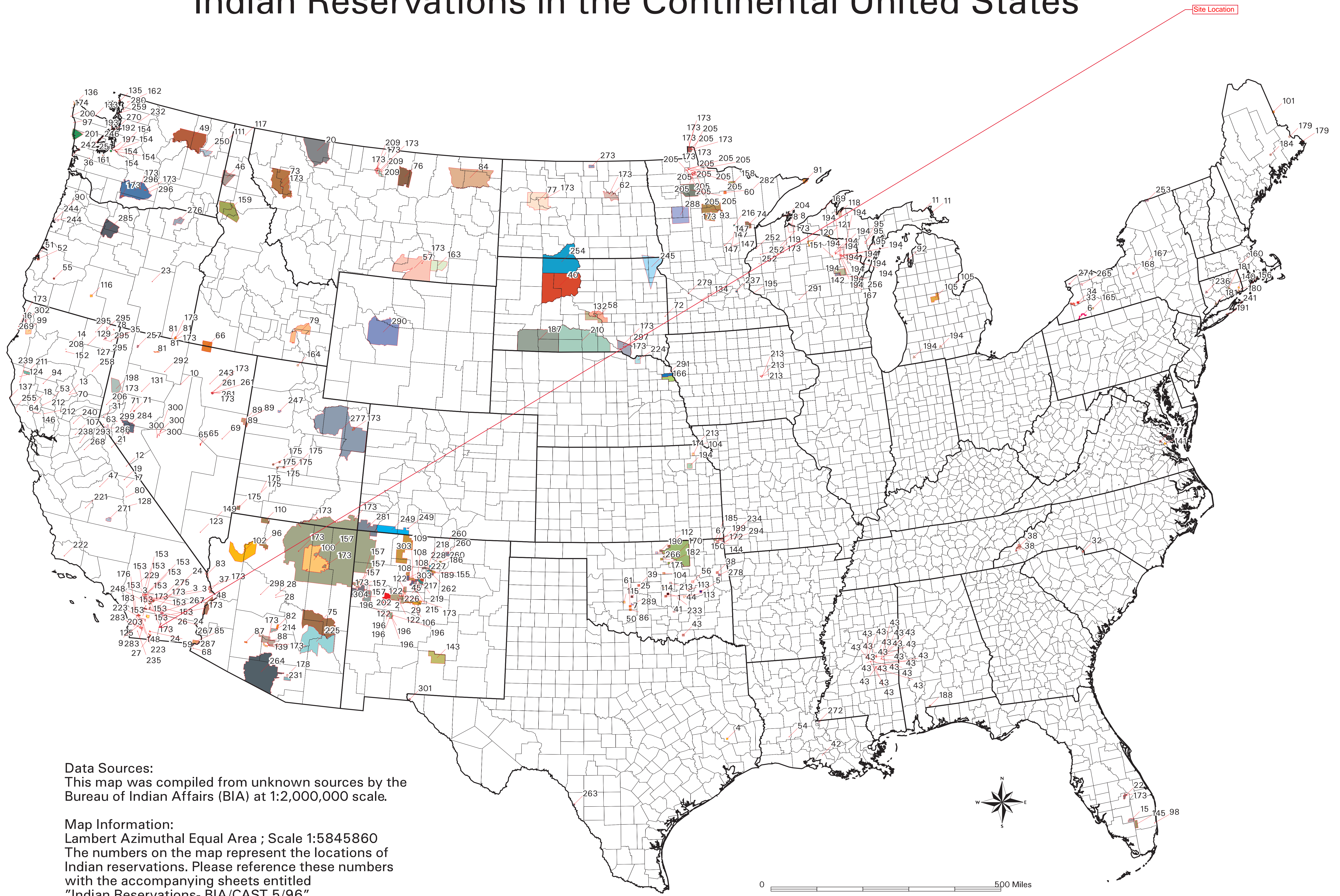
Present Land Use: **Cleared commercial lot**

Past Land Use: **Undeveloped desert lot**

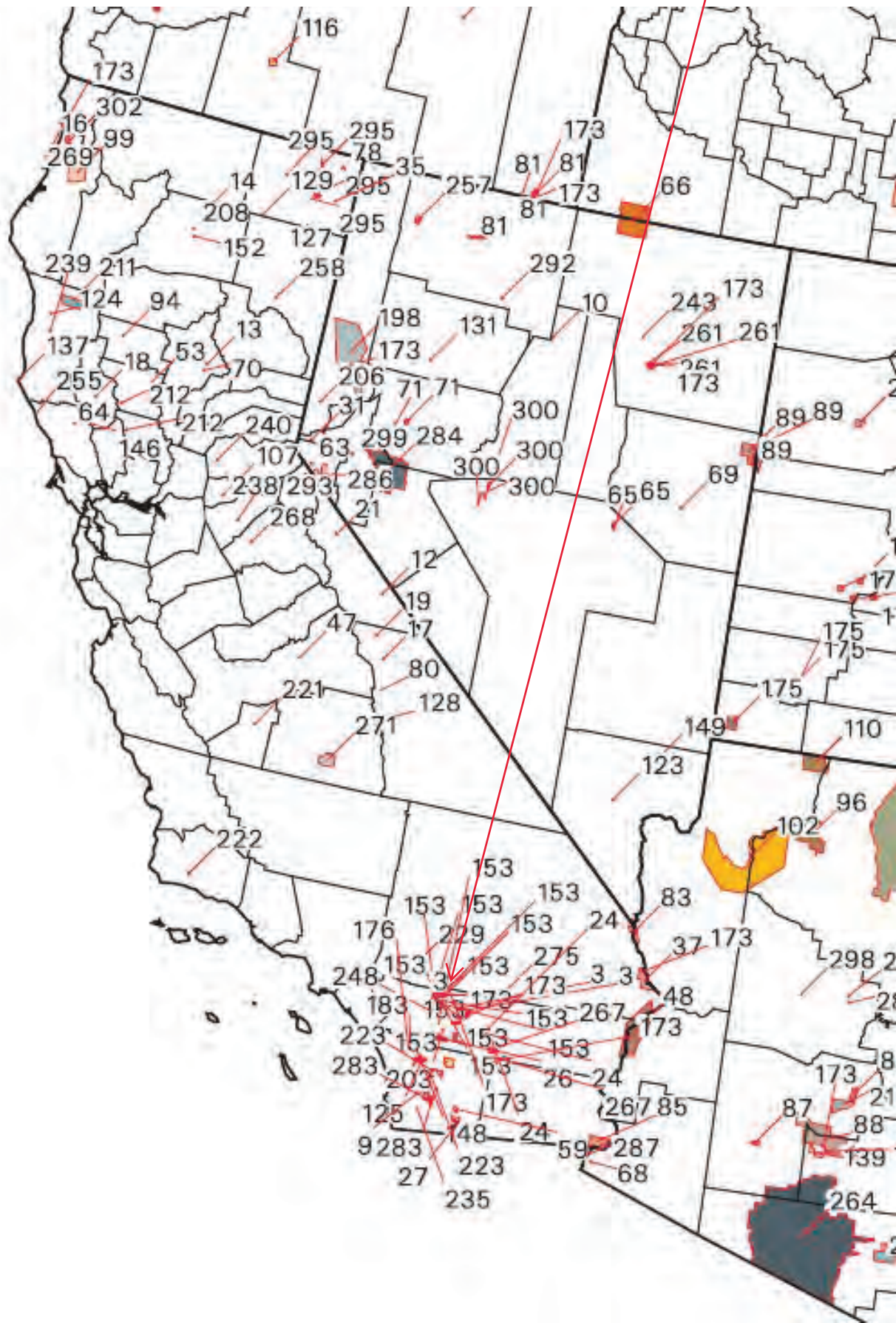
Appendix **A**

*Maps*

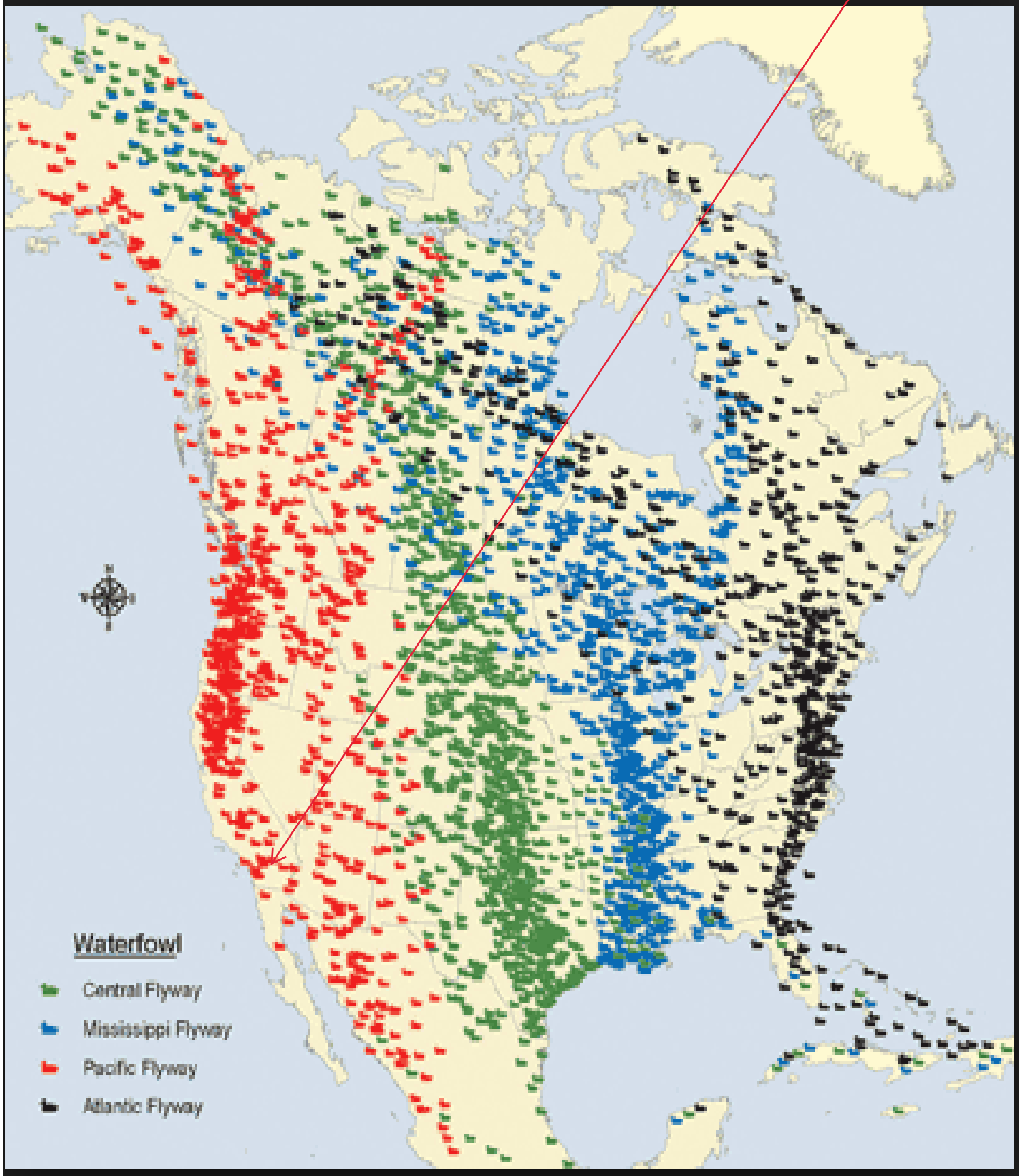
# Indian Reservations in the Continental United States



Site Location



Site Location



Note: Abbreviations at right are for federal lands shown on this map. In many places, exact trail locations have not yet been determined. Portions of the trails indicated on this map may not be accessible for public use. Please check with individual trail clubs and managing offices for the latest available trail locations.

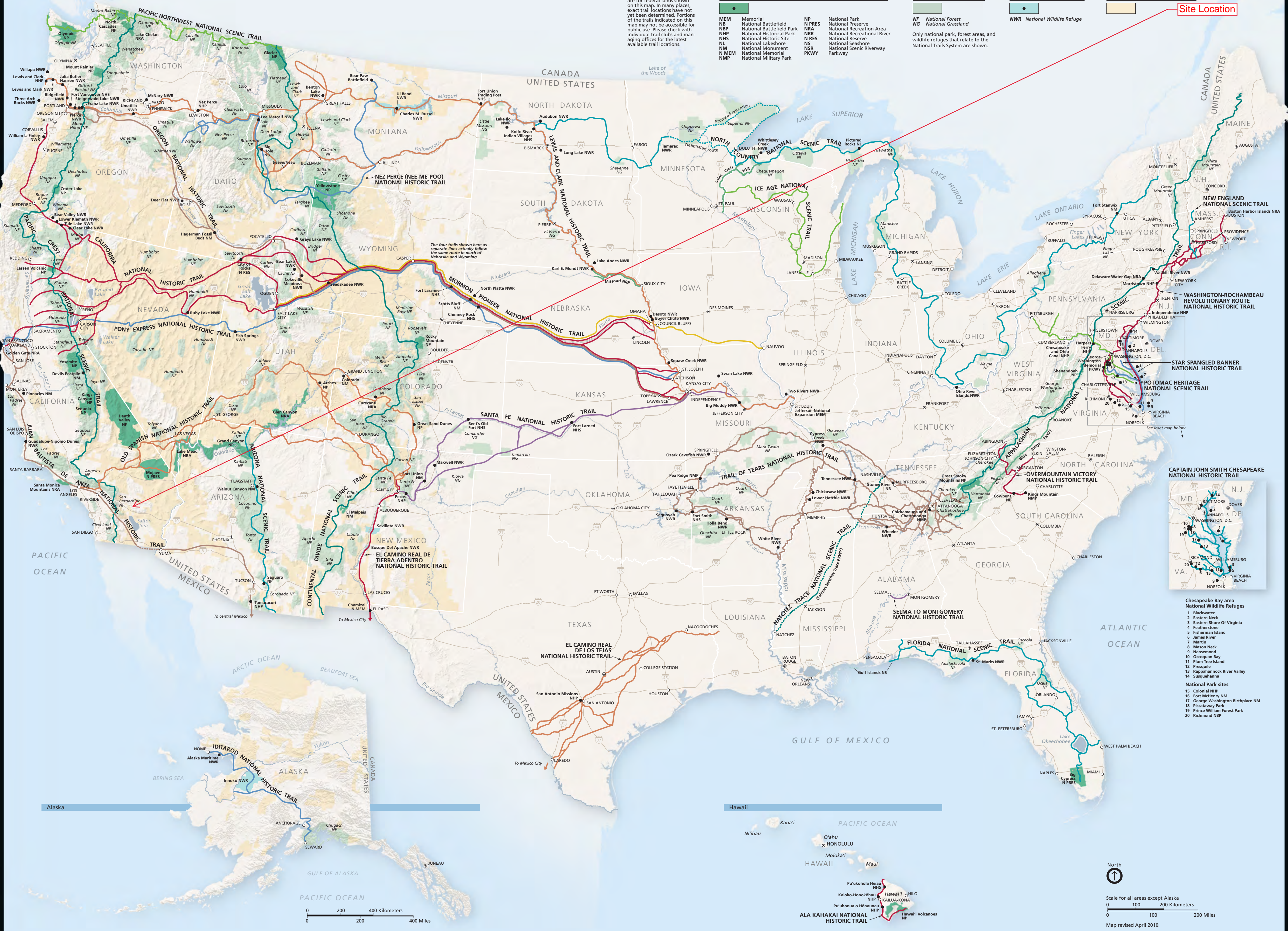
National Park System	
MEM	Memorial
NB	National Battlefield
NHP	National Historical Park
NHS	National Historic Site
NL	National Lakeshore
NM	National Monument
N MEM	National Military Park
NP	National Park
N PRES	National Preserve
NRA	National Recreation Area
NRR	National Recreational River
N RES	National Reserve
NS	National Seashore
NSR	National Scenic Riverway
PKWY	Parkway

National Forest System	
NF	National Forest
NG	National Grassland

Only national park, forest areas, and wildlife refuges that relate to the National Trails System are shown.

Fish and Wildlife Service	
NWR	National Wildlife Refuge

Bureau of Land Management	
	Site Location



- Chesapeake Bay area National Wildlife Refuges**
- 1 Blackwater
  - 2 Eastern Neck
  - 3 Eastern Shore of Virginia
  - 4 Featherstone
  - 5 Fisherman Island
  - 6 James River
  - 7 Martin
  - 8 Mason Neck
  - 9 Nansemond
  - 10 Occoquan Bay
  - 11 Plum Tree Island
  - 12 Presquille
  - 13 Rappahannock River Valley
  - 14 Susquehanna
- National Park sites**
- 15 Colonial NHP
  - 16 Fort Mifflin NM
  - 17 George Washington Birthplace NM
  - 18 Piscataway Park
  - 19 Prince William Forest Park
  - 20 Richmond NHP



Scale for all areas except Alaska  
 0 100 200 Kilometers  
 0 100 200 Miles  
 Map revised April 2010.

Site Location





U.S. Fish & Wildlife Service

# National Wildlife Refuge System



When President Theodore Roosevelt made Florida's Key National Island a refuge for birds in 1909, he wrote the first chapter of a great American conservation success story. Emerging in various guises, the National Wildlife Refuge System comprises 110 million acres, protected wildlife more than 160 Refuges and hundreds of small private preserves that serve as essential breeding and nesting sites. These are wildlife refuges in every sense, 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 the most diverse habitats for wild plants and animals. In fact, twenty-seven state 40 million each year—new welcome to 95 percent of wildlife refuges, when they are accompanied by take part in outdoor programs designed by law as priority activities offered by the National Wildlife Refuge System. From nonconsumptive education and interpretation to hunting and fishing to plant propagation and wildlife research, 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 occur within some of these boundaries.

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

**Refuge units of 20,000 acres or more**

**Refuge units of less than 20,000 acres**

**Waterfowl Production Areas**

**Major National Monuments**

**Abbreviations:**

- CA Conservation Area
- MAN Marine National Monument
- NWR National Park and Wildlife Refuge
- NWRF National Wildlife and Fish Refuge
- WR National Wildlife Refuge
- WMA Wildlife Management Area
- WMA Wildlife Management District Office
- WPA Wildlife Production Area

**Other Symbols:**

- State Capitals
- Regional Office
- Download a copy at [www.fws.gov/refuge/maps](http://www.fws.gov/refuge/maps)



Site Location





# NATIONAL WILD AND SCENIC RIVERS SYSTEM

Designations as of November 2016

Site Location

## The National Wild and Scenic Rivers System

Established by Congress under the Wild and Scenic Rivers Act of 1968, the National Wild and Scenic Rivers System was created to preserve the free-flow, water quality, and outstanding natural, cultural, and recreational values of select rivers for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.

More information about the National Wild and Scenic Rivers System or specific designated rivers can be found at the Interagency Wild & Scenic Rivers Coordinating Council's website, [www.rivers.gov](http://www.rivers.gov), or by contacting one of the federal river administering agencies:



**U.S. Forest Service**  
[www.fs.fed.us](http://www.fs.fed.us)



**National Park Service**  
[www.nps.gov/wsr](http://www.nps.gov/wsr)



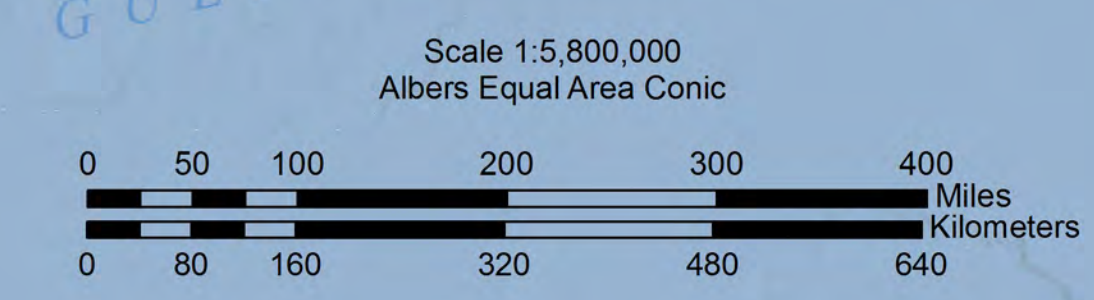
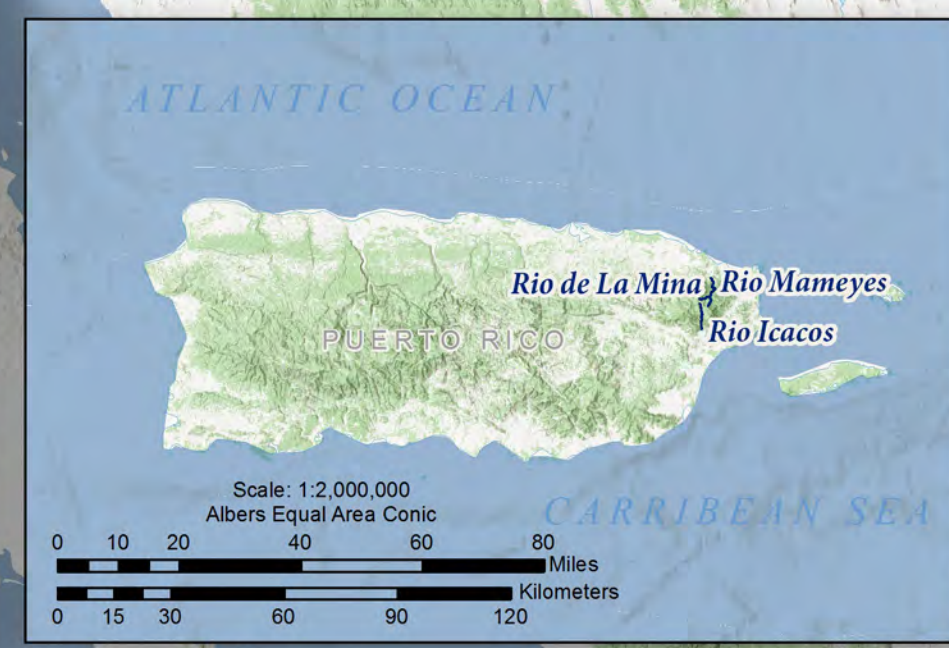
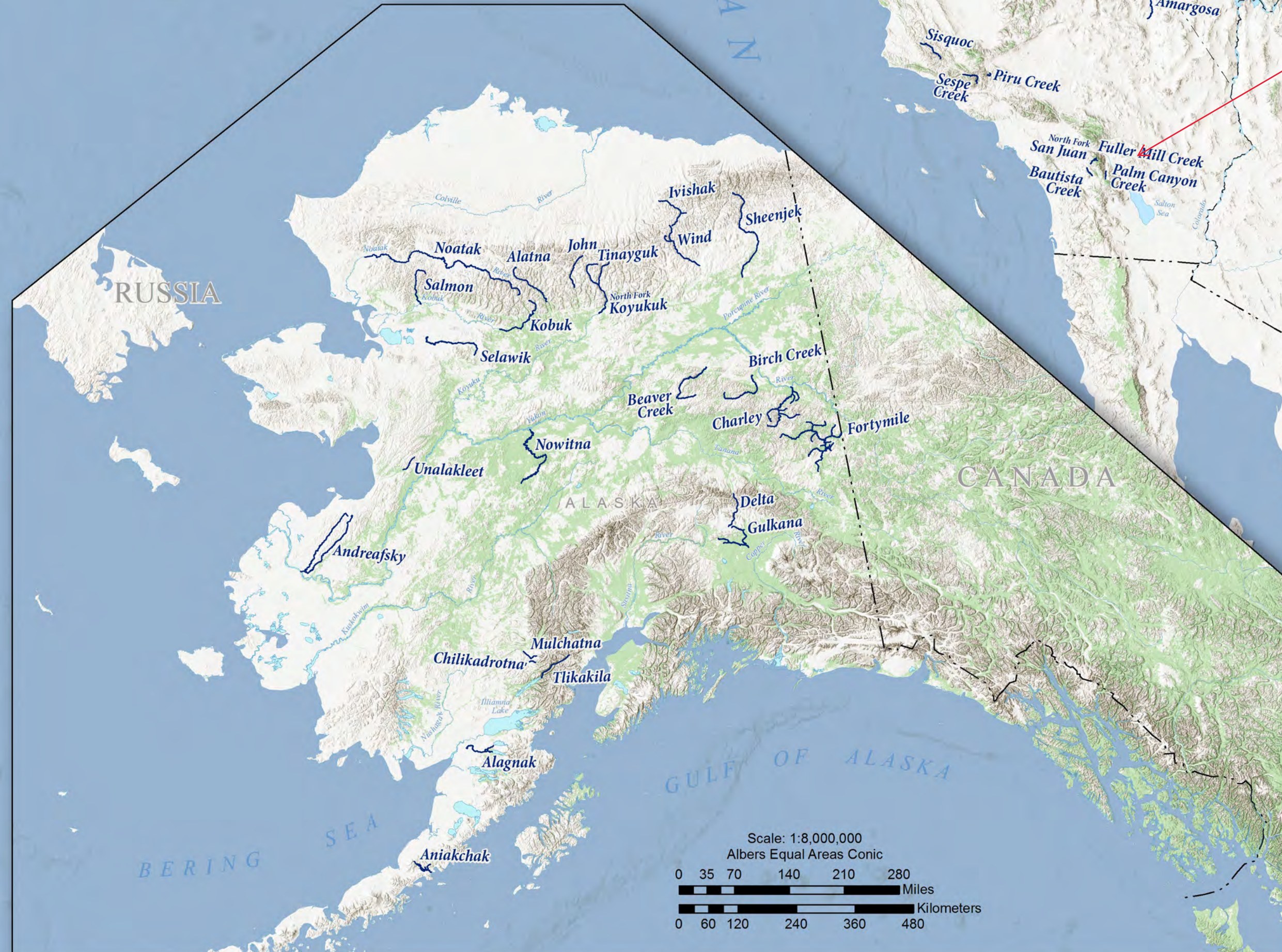
**Bureau of Land Management**  
[www.blm.gov](http://www.blm.gov)



**U.S. Fish and Wildlife Service**  
[www.fws.gov](http://www.fws.gov)

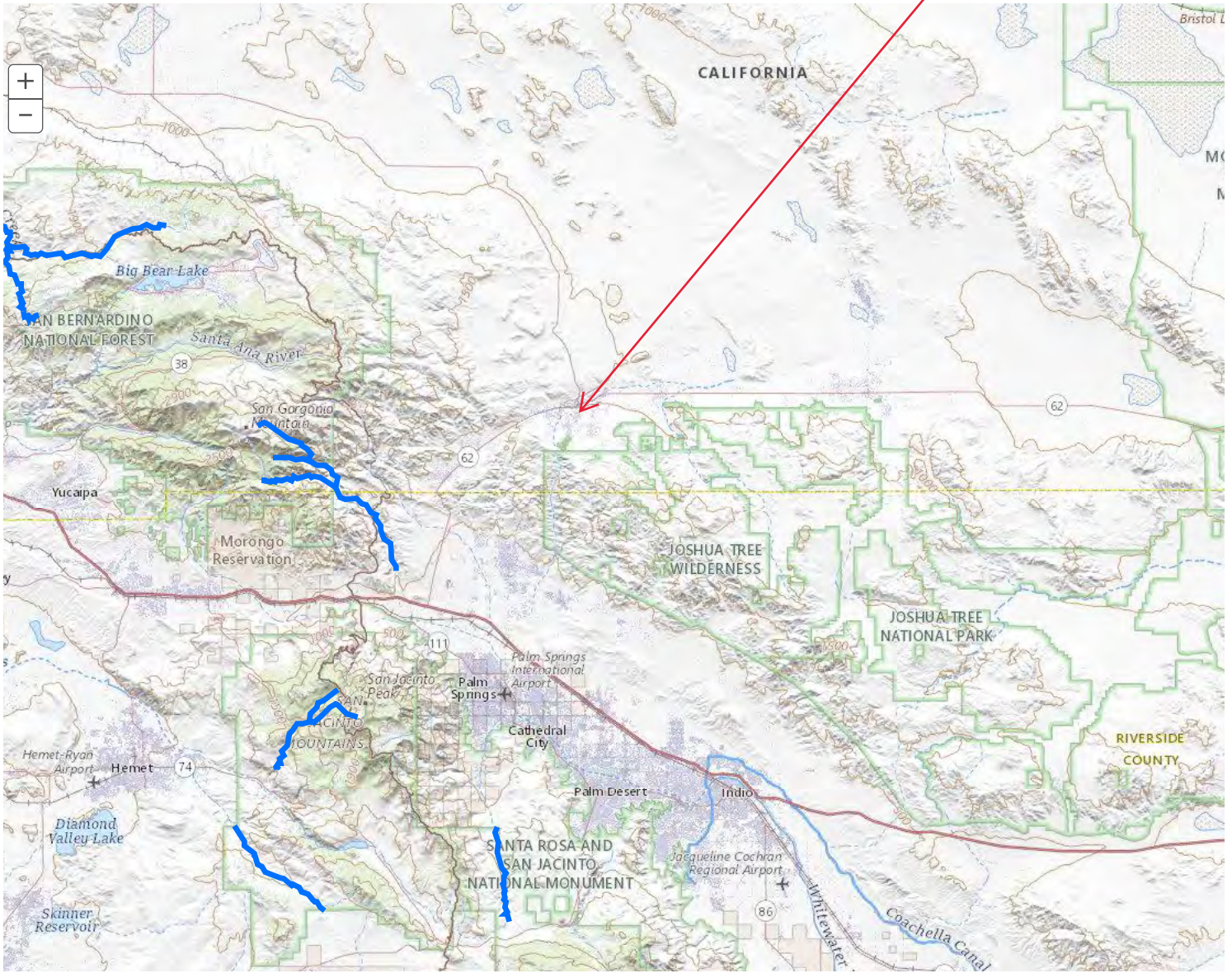
### Names of Numbered Wild and Scenic Rivers

- |                                   |                        |                                      |
|-----------------------------------|------------------------|--------------------------------------|
| 1 Sandy                           | 15 Deschutes           | 30 Donner und Blitzen                |
| 2 Zig Zag                         | 16 North Fork Crooked  | 31 Wildhorse Creek and Kiger Creek   |
| 3 Middle Fork Hood                | 17 Whyhous Creek       | 32 North Fork Owyhee                 |
| 4 East Fork Hood                  | 18 North Fork Smith    | 33 Red Canyon                        |
| 5 Fifteenmile Creek               | 19 River Styx          | 34 South Fork Owyhee                 |
| 6 White                           | 20 Big Marsh           | 35 Battle Creek                      |
| 7 Salmon                          | 21 Crescent Creek      | 36 Deep Creek                        |
| 8 Clackamas                       | 22 Little Deschutes    | 37 Dickshooter Creek                 |
| 9 Collawash                       | 23 Crooked             | 38 Little Jacks Creek                |
| 10 Fish Creek                     | 24 North Fork Crooked  | 39 Big Jacks Creek                   |
| 11 South Fork Clackamas           | 25 South Fork John Day | 40 Duncan Creek and Wickahoney Creek |
| 12 Roaring and South Fork Roaring | 26 North Fork John Day | 41 Cottonwood Creek                  |
| 13 Eagle Creek                    | 27 North Powder        | 42 Sheep Creek                       |
| 14 Melolus                        | 28 Joseph Creek        |                                      |
|                                   | 29 Lostine             |                                      |



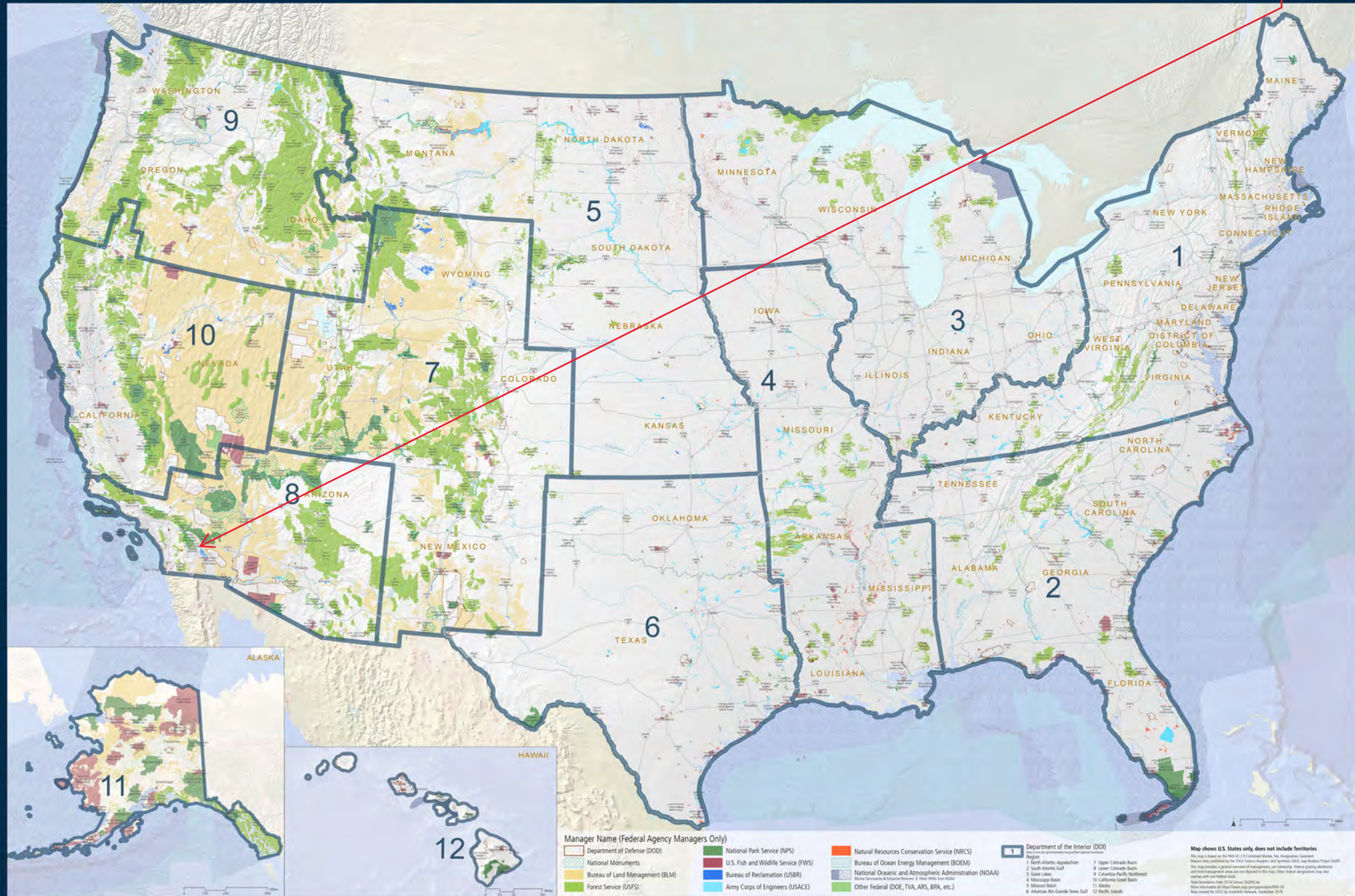
Prepared by the USDA Forest Service Geospatial Service and Technology Center Salt Lake City, UT 2016. The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results.

Site Location



# Protected Areas Database of the U.S. (PAD-US) - Federal Managers

Site Location



Site Location



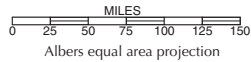
nationalatlas.gov™  
Where We Are

CALIFORNIA

### FEDERAL LANDS AND INDIAN RESERVATIONS

- Bureau of Indian Affairs
- Bureau of Land Management / Wilderness
- Bureau of Reclamation
- Department of Defense (includes Army Corps of Engineers lakes)
- Fish and Wildlife Service / Wilderness
- Forest Service / Wilderness
- National Park Service / Wilderness

Some small sites are not shown, especially in urban areas.



#### Abbreviations

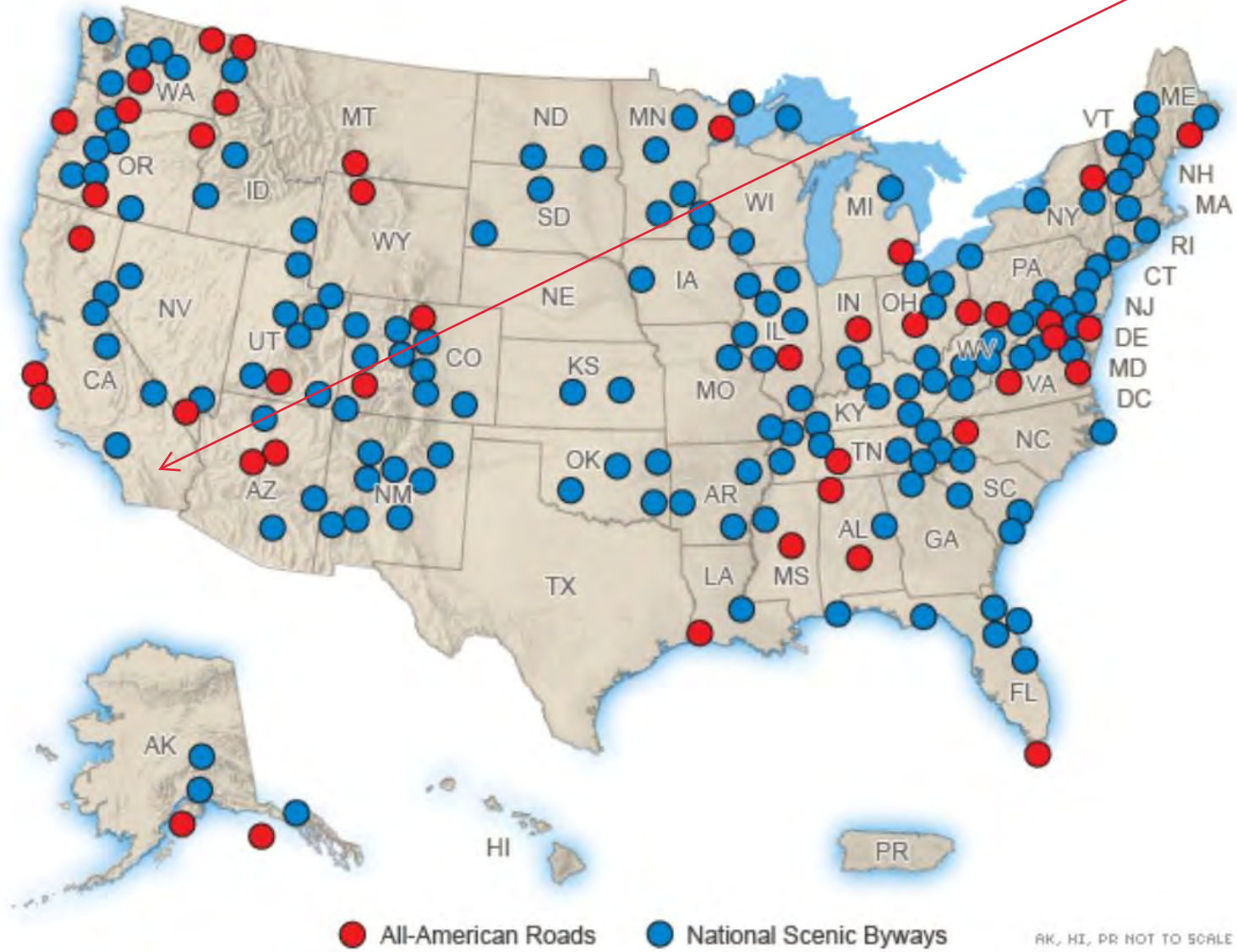
- AFB Air Force Base
- IR Indian Reservation
- MCAS Marine Corps Air Station
- MCB Marine Corps Base
- NAF Naval Air Facility
- NAS Naval Air Station
- NF National Forest
- NHS National Historic Site
- NM National Monument
- NP National Park
- NRA National Recreation Area
- NS Naval Station
- NTC Naval Training Center
- NWR National Wildlife Refuge
- Res Reservoir
- WMA Wildlife Management Area



U.S. Department of the Interior  
U.S. Geological Survey

The National Atlas of the United States of America®

Site Location





Site Location



HOME AMERICA'S BYWAYS ABOUT US

come CLOSER.

### Byways

#### Maps

- All Byways

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- Central Coast Section Map

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- Central Valley Section Map

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- Deserts Section Features Map

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- Gold Country Section Map

---

- High Sierra Section Map

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- Inland Empire Section Map

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- Los Angeles Section Map

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- North Coast Section Map

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- Orange County Section Map

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- San Diego Section Map

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- San Francisco Section Map

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- Shasta Cascade Section Map

# California (CA)



■ Point of Interest	▲ Campground	— Featured Byway	🌊 Water	— State Border
🌲 Park	⛺ Picnic/Rest Area	— America's Byways	🌿 Wildlife Refuge	🏙 Urban Area
⚔ Mountain	🛣 Interstate	— Other Byway	🌲 Wilderness Area	🏠 Tribal Nation
🏙 City	🛣 U.S. Highway	— Other Road	🌲 Other Federal Lands	🏠 Military Base
★ Capital	🛣 State Highway	⋯ Trail	🌲 Other State Lands	

# Critical Habitat for Threatened & Endangered Species [USFWS]

Site Location



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.

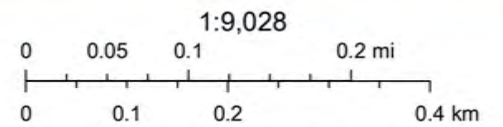
San Bernardino County, Maxar

# Wilderness Map

Site Location



6/23/2023, 7:38:26 PM



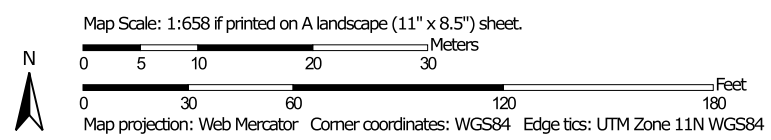
San Bernardino County, Maxar, Esri, HERE, Garmin, iPC

Soil Map—Mojave Desert Area, West Central Part, California

Site Location




Soil Map may not be valid at this scale.




## 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 1:24,000.

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: Mojave Desert Area, West Central Part, California

Survey Area Data: Version 15, Sep 1, 2022

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

Date(s) aerial images were photographed: Feb 27, 2021—May 27, 2021

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
NOTCOM	No Digital Data Available	1.5	100.0%
<b>Totals for Area of Interest</b>		<b>1.5</b>	<b>100.0%</b>



## Mojave Desert Area, West Central Part, California

### NOTCOM—No Digital Data Available

#### Map Unit Composition

*Notcom:* 100 percent

*Estimates are based on observations, descriptions, and transects of  
the mapunit.*

#### Description of Notcom

Properties and qualities

### Data Source Information

Soil Survey Area: Mojave Desert Area, West Central Part, California

Survey Area Data: Version 15, Sep 1, 2022

Appendix **B**

***United States Fish and Wildlife Service (USFWS):  
Carlsbad Fish and Wildlife Office and California  
Department of Fish and Wildlife (CDFW) Consultation***

## ***Lotis' Informal Biological Assessment (IBA)***

## Informal Biological Assessment

Applicant: VB BTS II, LLC

Site Name: "Yucca Valley"; Site Number: "US-CA-5466"; Lotis Task ID: "VBBTS\_204"  
Latitude : 34° 6' 32.32" N ; Longitude : -116° 25' 32.04" W

Lotis was contracted by the applicant to complete an informal biological assessment (IBA) for the proposed undertaking (which includes the tower, associated equipment, lease area, and access/utility/guy wire easements; or a combination of the mentioned). The purpose of this IBA is to assess and document whether the proposed undertaking will potentially affect species of concern, designated critical habitats, wetlands, and migratory birds identified by the United States Fish and Wildlife Services (USFWS) Information for Planning and Conservation (IPaC) tool and the California Department of Fish and Wildlife (CDFW). The proposed undertaking's scope of work (SOW), site photographs, site location maps, the official IPaC species list/Section 7 guidance, and the relevant species listed by the state of California are included in this report.

### The Proposed Undertaking's Scope of Work:

The proposed undertaking is located near 56750 Mountain View Trail, Yucca Valley, California 92284 and consists of a 75-foot tall monopine telecommunication tower and associated equipment contained within a 40-foot by 60-foot lease area at the above property. The undertaking includes a 12-foot wide by 140-foot-long access/utility easement that extends east connecting with Grand Avenue. Additionally, there is a 5-foot wide by 220-foot-long utility easement that extends south then west connecting near Mountain View Trail. In total the proposed undertaking is approximately 5,180.00 square feet. The proposed tower site is approximately 3425.7 feet above mean sea level (AMSL).

### Site and Surrounding Habitat:

The proposed undertaking is currently located in an undeveloped desert lot. Per the scope of work, no trees within the proposed undertaking are identified to be removed/impacted. The surrounding habitats within a 0.5-mile radius of the proposed undertaking consist of commercial and residential properties with associated roadways. To the north, habitat consists of a commercial property with desert scrubland followed by several residential properties with several streets, Onaga Trail, and a large commercial property with some trees. To the east, habitat consists of a disturbed commercial property followed by several residential properties with some trees, Sage Avenue, desert scrubland, a residential property with some trees, Aster Avenue, several residential properties with several roads, and desert scrubland. To the south, habitat consists of a commercial property followed by Mountain View Trail, Grand Avenue, several residential properties with some trees, Joshua Drive, and many residential properties with several roads. To the west, habitat consists of a commercial property followed by a residential property with some trees, Amador Avenue, a long stretch of residential properties with some trees, Palm Avenue, a residential property with some trees, and an area of desert scrubland. Per USFWS Critical Habitat Mapper (<http://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8ddb77>) the current habitat is not mapped as critical habitat, nor does it qualify as preferred habitat for Federal or State listed species.

### Wetlands:

Lotis has reviewed the United States Geological Survey's (USGS) topographic map as well as the USFWS National Wetlands Inventory Map (NWIM) to determine if the lease area and easements would have an impact on any wetlands. Lotis recommends best management practices be incorporated to protect adjacent habitats and wetlands from runoff caused by impervious surfaces. The closest USFWS identified wetland is approximately 0.07 miles west of the tower location.

Lotis identified surface water bodies with the aid of local maps in combination with an area reconnaissance. Lotis has identified wetlands within a 0.50-mile radius and wetlands of significance. Please see the list of identified water bodies below:



Water Body Type	Water Body Name	Direction from Tower	Distance from Tower
Riverine	Unnamed	West	~0.07 miles
Riverine	Unnamed	East	~0.18 miles
Riverine	Unnamed	West	~0.34 miles
Riverine	Unnamed	East	~0.40 mile

\*All directions are from the closest point of contact from the tower location.

**Threatened or Endangered Species:**

Lotis has researched threatened or endangered species and designated critical habitat for the action area. This is exclusive to any such species that have been reported to exist within the area where the proposed undertaking is located. The following list of federally threatened or endangered species was acquired through the USFWS IPaC website.

FEDERAL SPECIES				
Species Name	Status	Preferred Habitat	Habitat Presence	Recommendation of Effect
Desert Tortoise ( <i>Gopherus agassizii</i> )	Threatened	Sandy flats to rocky foothills, including alluvial fans, washes and canyons	Habitat assessment indicated no preferred habitat present.	No effect
Least Bell's Vireo ( <i>Vireo bellii pusillus</i> )	Endangered	Mesquite scrub within arroyos, palm groves, and hedgerows bordering agricultural and residential areas	Habitat assessment indicated no preferred habitat present.	No effect
Monarch Butterfly ( <i>Danaus plexippus</i> )	Candidate	A field, roadside area, open area, wet area, or urban garden	Habitat assessment indicated no preferred habitat present.	No effect
Parish's Daisy ( <i>Erigeron parishii</i> )	Threatened	Pinyon woodlands, pinyon-juniper woodlands, and blackbrush scrub	Habitat assessment indicated no preferred habitat present.	No effect

The following list of state species of concern was acquired through the CDFW website (<https://apps.wildlife.ca.gov/bios6/table.html>).

The list of the remaining potentially present listed species and habitat presence are summarized in the following table:



## STATE SPECIES

Species Name	Status	Preferred Habitat	Habitat Presence	Recommendation of Effect
Crotch Bumble Bee ( <i>Bombus crotchii</i> )	Candidate Endangered	Grassland and scrub areas	Habitat assessment indicated no preferred habitat present.	No effect
Desert Tortoise ( <i>Gopherus agassizii</i> )	Threatened	Sandy flats to rocky foothills, including alluvial fans, washes and canyons	Habitat assessment indicated no preferred habitat present.	No effect
Least Bell's Vireo ( <i>Vireo bellii pusillus</i> )	Endangered	Mesquite scrub within arroyos, palm groves, and hedgerows bordering agricultural and residential areas	Habitat assessment indicated no preferred habitat present.	No effect
Western Joshua Tree ( <i>Yucca brevifolia</i> )	Candidate Threatened	Desert landscape	Habitat assessment indicated no preferred habitat present.	No effect

### Migratory Birds:

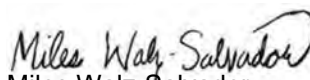
The USFWS has indicated its concern of the impact of towers on migrating bird populations. The proposed undertaking and design process for this undertaking could not conform to all the USFWS recommendations to decrease potential effects on migratory birds. Lotis has assessed the potential habitat for migratory birds and has determined that potential habitat is present at and around the proposed undertaking. This habitat desert scrubland around commercial and residential properties in the surrounding area. The siting of this proposed undertaking has placed it within disturbed habitat. It should also be noted that the proposed undertaking is located within 1.0 miles of an existing 41-foot telecommunication tower to the northeast.

Based upon the efforts during this IBA as well as the current data made available, surrounding habitat has the potential to support migratory birds; however, potential negative effects of the a nearby tower are unknown and addition of another tower may or may not negatively affect migratory birds.

### Conclusions:

In conclusion, no species preferred habitats, identified by the USFWS and the CDFW have been observed at the proposed undertaking's location. Therefore, based on the documents reviewed, and the SOW outlined above, identified threatened/endangered species will not be affected by the proposed undertaking. Lotis' recommends following all preventative recommendations presented by the USFWS and the CDFW.

*It should be noted that this informal biological assessment was conducted in accordance with the Scope of Work and does not constitute a Section 7 Biological Assessment under the Endangered Species Act (50 CFR Part 402.01).*

  
 Miles Walz-Salvador  
 Biologist / Nationwide NEPA Manager  
 Lotis Environmental, LLC



***United States Fish and Wildlife Service (USFWS):  
Carlsbad Fish and Wildlife Office***

***Federal Communications Commission (FCC)  
Designation Letter for FCC licensees, applicants, tower  
companies and their representatives when they request  
informal consultations and/or request species lists  
pursuant to Section 7 of the Endangered Species Act of  
1973, as amended (16 U.S.C. Â§Â§ 1531-1543) (ESA)***



Federal Communications Commission  
Washington, D.C. 20554

July 9, 2003

Mr. Steve Williams, Director  
U.S. Fish and Wildlife Service  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

**BY FIRST CLASS MAIL AND FACSIMILE (202) 208-6965**

Dear Mr. Williams:

We have received requests from various U.S. Fish and Wildlife Service (FWS) field offices for a designation letter from the Federal Communications Commission (FCC) for FCC licensees, applicants, tower companies and their representatives when they request informal consultations and/or request species lists pursuant to Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531-1543) (ESA). Pursuant to 50 C.F.R. § 402.08 and in accordance with FCC rules, this letter formally designates all FCC licensees, applicants, tower companies and their representatives as non-federal representatives for purposes of Section 7 consultation. We recognize that the Commission retains ultimate responsibility for Section 7 obligations. See 47 C.F.R. §§ 1.1308(b), 1.1312(b).

In accordance with the interagency cooperation regulations at 50 C.F.R. § 402.08, non-Federal representatives may be involved in an informal consultation process and may request and receive species lists, prepare the biological assessment, and provide information for a formal consultation. Because the FCC has deregulated the construction of communications facilities, the Commission is not involved in most of its regulatees' planning and construction activities unless they affect certain categories of environmental concerns. (The FCC still does issue construction permits for broadcast facilities.) Thus, the FCC does not individually authorize and does not require notice of most communications towers. The FCC's rules require its licensees, applicants, and tower companies to determine, in the first instance, the environmental effects of their proposed towers. See 47 C.F.R. § 1.1312(a).

In accordance with this policy, the FCC's environmental rules require that all licensees and applicants prepare and file with the FCC an Environmental Assessment (EA) if, among other things, their proposed facilities "may affect" or "are likely to jeopardize" listed or proposed threatened or endangered species or designated critical habitats.<sup>1</sup> In order to

<sup>1</sup> 47 C.F.R. § 1.1307(a)(3) requires the preparation of an EA for facilities that: "(i) May affect listed threatened or endangered species or designated critical habitats; or (ii) are likely to jeopardize the continued

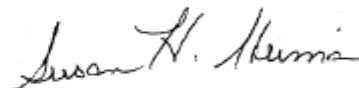
Williams Letter

page 2

determine whether an EA is required, an applicant may need to request information from and informally consult with FWS. Moreover, the Note to Section 1.1307(a)(3) of the FCC's environmental rules<sup>2</sup> specifically authorizes FCC licensees and applicants and their representatives to contact FWS to determine whether their proposed facilities will affect threatened or endangered species or designated critical habitats. We understand that the FWS rules require parties that are engaged in informal consultation to include the information described in 50 C.F.R. § 402.12, which may be different from information required under the National Environmental Policy Act. Once it is established that threatened or endangered species or their critical habitats may be affected, licensees and applicants are required to base their analysis on the "best scientific and commercial data available." See 47 C.F.R. § 1.1311(a)(6).

Accordingly, under the FCC's environmental rules, all FCC licensees, applicants, tower companies and their representatives have a blanket designation and are authorized to contact and work with the FWS to ensure that any effects on threatened and endangered species and their critical habitats are evaluated in siting proposed communications facilities. The FCC intends to post this letter on the FCC website, <http://wireless.fcc.gov/siting>.

Sincerely,



Susan H. Steiman  
Associate General Counsel

Cc: Richard Sayers, Endangered Species Division

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existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973."

<sup>2</sup> 47 C.F.R. § 1.1307(a)(3) Note.

***United States Fish and Wildlife Service (USFWS):  
Carlsbad Fish and Wildlife Office's Information for  
Planning and Conservation (IPaC) Letter(s)***



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Carlsbad Fish And Wildlife Office  
2177 Salk Avenue - Suite 250  
Carlsbad, CA 92008-7385  
Phone: (760) 431-9440 Fax: (760) 431-5901

In Reply Refer To:  
Project Code: 2023-0104468  
Project Name: Yucca Valley US-CA-5466

July 13, 2023

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, that may occur within the boundary of your proposed project and/or may be affected by 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.*).

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 ECOS-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 ECOS-IPaC system by completing the same process used to receive the enclosed list.

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 sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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 projects 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.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found at the Fish and Wildlife Service's Endangered Species Consultation website at:

<https://www.fws.gov/endangered/what-we-do/faq.html>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

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

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Attachment(s):

- Official Species List

## **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:

**Carlsbad Fish And Wildlife Office**

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

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## PROJECT SUMMARY

Project Code: 2023-0104468  
Project Name: Yucca Valley US-CA-5466  
Project Type: Communication Tower New Construction  
Project Description: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.108867599999996,-116.42543031684033,14z>



Counties: San Bernardino County, California

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 4 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, 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.

- 
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.

### BIRDS

NAME	STATUS
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5945">https://ecos.fws.gov/ecp/species/5945</a>	Endangered

### REPTILES

NAME	STATUS
Desert Tortoise <i>Gopherus agassizii</i> Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/4481">https://ecos.fws.gov/ecp/species/4481</a>	Threatened

### INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

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## FLOWERING PLANTS

NAME	STATUS
Parish's Daisy <i>Erigeron parishii</i>	Threatened
There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.	
Species profile: <a href="https://ecos.fws.gov/ecp/species/8446">https://ecos.fws.gov/ecp/species/8446</a>	

## 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.

## **IPAC USER CONTACT INFORMATION**

Agency: Lotis Environmental  
Name: Jordan Braden  
Address: 8899 Main Street  
Address Line 2: Suite 107  
City: Williamsville  
State: NY  
Zip: 14221  
Email: braden@thelotisgroup.com  
Phone: 7165807000

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# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Carlsbad Fish And Wildlife Office  
2177 Salk Avenue - Suite 250  
Carlsbad, CA 92008-7385  
Phone: (760) 431-9440 Fax: (760) 431-5901

In Reply Refer To:  
Project Code: 2023-0104468  
Project Name: Yucca Valley US-CA-5466

September 28, 2023

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, that may occur within the boundary of your proposed project and/or may be affected by 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.*).

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.

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 sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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 projects 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.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found at the Fish and Wildlife Service's Endangered Species Consultation website at:

<https://www.fws.gov/service/esa-section-7-consultation>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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

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Attachment(s):

- Official Species List

## **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:

**Carlsbad Fish And Wildlife Office**

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

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## PROJECT SUMMARY

Project Code: 2023-0104468

Project Name: Yucca Valley US-CA-5466

Project Type: Communication Tower New Construction

Project Description: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.108867599999996,-116.42543031684033,14z>



Counties: San Bernardino County, California

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 4 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, 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.

- 
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.

### BIRDS

NAME	STATUS
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5945">https://ecos.fws.gov/ecp/species/5945</a>	Endangered

### REPTILES

NAME	STATUS
Desert Tortoise <i>Gopherus agassizii</i> Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/4481">https://ecos.fws.gov/ecp/species/4481</a>	Threatened

### INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

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## FLOWERING PLANTS

NAME	STATUS
Parish's Daisy <i>Erigeron parishii</i>	Threatened
There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.	
Species profile: <a href="https://ecos.fws.gov/ecp/species/8446">https://ecos.fws.gov/ecp/species/8446</a>	

## 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.

## **IPAC USER CONTACT INFORMATION**

Agency: Lotis Environmental  
Name: Jordan Braden  
Address: 8899 Main Street  
Address Line 2: Suite 107  
City: Williamsville  
State: NY  
Zip: 14221  
Email: braden@thelotisgroup.com  
Phone: 7165807000

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Communications Commission

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***United States Fish and Wildlife Service (USFWS):  
Carlsbad Fish and Wildlife Office's Clearance***

## Miles Walz-Salvador

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**From:** Snyder, Jonathan <jonathan\_d\_snyder@fws.gov>  
**Sent:** Wednesday, May 24, 2017 12:26 PM  
**To:** Miles Walz-Salvador  
**Subject:** Re: Section 7 Consultation; No Effect Determination Statement for the USFWS: Carlsbad Fish and Wildlife Office

I agree. Thank you for your coordination.

Sincerely,  
Jonathan

On Wed, May 24, 2017 at 11:24 AM, Miles Walz-Salvador <[Walz-Salvador@thelotisgroup.com](mailto:Walz-Salvador@thelotisgroup.com)> wrote:

Dear Mr. Snyder,

Per our phone conversation, you have indicated that if the below statements are true then no section 7 consultation or submission of the proposed undertaking is required by the USFWS: Carlsbad Fish and Wildlife Office.

- The Federal action agency (FCC) of designated non-federal person/entity/consultant has determined the proposed undertaking, will have no direct or indirect effect on federally listed species of concern/threatened/endangered species or critical habitats.
- **And** the proposed undertaking is located within a disturbed area
  - A disturbed area includes manicured lawns; active agricultural fields; and paved, graveled, or otherwise unvegetated areas that do not have trees or natural vegetation.

If you would like to add any caveats to the above statements please let me know and I will draft a new email with your additions to accurately describe your statement on the phone.

Let me know if you have any questions.

Best Regards,

Miles C. Walz-Salvador

*Nationwide NEPA Manager*

*Biologist/Tribal Consultation Coordinator*

*(Please note our new address below)*



The Lotis Engineering Group, P.C.

6465 Transit Road - Suite 23

East Amherst, NY 14051-2232

ph. 716.276.8707 ext. 105

mob. 314.913.0505

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[walz-salvador@thelotisgroup.com](mailto:walz-salvador@thelotisgroup.com)

[www.thelotisgroup.com](http://www.thelotisgroup.com)

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Jonathan Snyder, Division Chief  
U.S. Fish and Wildlife Service  
2177 Salk Avenue, Suite 250  
Carlsbad, CA 92008  
(760) 431-9440 x307  
[jonathan\\_d\\_snyder@fws.gov](mailto:jonathan_d_snyder@fws.gov)

***California Department of Fish and Wildlife (CDFW)***

***California Department of Fish and Wildlife (CDFW)  
Threatened and Endangered Species List***

Element_Type	Scientific_Name	Common_Name	Element_Code	Federal_Status	State_Status	CDFW_Status	CA_Rare_Plant_Rank	Quad_Code	Quad_Name	Data_St
Animals - Birds	Accipiter cooperii	Coopers hawk	ABNKC12040	None	None	WL	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Accipiter striatus	sharp-shinned hawk	ABNKC12020	None	None	WL	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Ardea alba	great egret	ABNGA04040	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Ardea herodias	great blue heron	ABNGA04010	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Botaurus lentiginosus	American bittern	ABNGA01020	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Egretta thula	snowy egret	ABNGA06030	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Piranga rubra	summer tanager	ABPBX45030	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Falco mexicanus	prairie falcon	ABNKD06090	None	None	WL	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Spinus lawrencei	Lawrences goldfinch	ABPBY06100	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Lanius ludovicianus	loggerhead shrike	ABPBR01030	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Toxostoma bendirei	Bendires thrasher	ABPBK06050	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Toxostoma lecontei	Le Contes thrasher	ABPBK06100	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped
Animals - Birds	Setophaga petechia	yellow warbler	ABPBX03010	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Birds	Passerculus sandwichensis rostratus	large-billed savannah sparrow	ABPBX9901D	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce

Animals - Birds	Spizella breweri	Brewers sparrow	ABPBX94040	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Polioptila melanura	black-tailed gnatcatcher	ABPBJ08030	None	None	WL	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Calypte costae	Costas hummingbird	ABNUC47020	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Contopus cooperi	olive-sided flycatcher	ABPAE32010	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Birds	Vireo bellii pusillus	least Bells vireo	ABPBW01114	Endangered	Endangered	-	-	3411614	YUCCA VALLEY SOUTH	Mapped
Animals - Birds	Vireo vicinior	gray vireo	ABPBW01140	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Insects	Bombus crotchii	Crotch bumble bee	IIHYM24480	None	Candidate Endangered	-	-	3411614	YUCCA VALLEY SOUTH	Mapped
Animals - Insects	Paranomada californica	California cuckoo bee	IIHYM82010	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Mapped
Animals - Mammals	Ovis canadensis nelsoni	desert bighorn sheep	AMALE04013	None	None	FP	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Mammals	Chaetodipus fallax pallidus	pallid San Diego pocket mouse	AMAFD05032	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Mammals	Eumops perotis californicus	western mastiff bat	AMACD02011	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Mammals	Antrozous pallidus	pallid bat	AMACC10010	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Mammals	Corynorhinus townsendii	Townsend's big-eared bat	AMACC08010	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Unproce

Animals - Mammals	Lasionycteris noctivagans	silver-haired bat	AMACC02010	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Mammals	Lasiurus xanthinus	western yellow bat	AMACC05070	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Mammals	Myotis ciliolabrum	western small-footed myotis	AMACC01230	None	None	-	-	3411614	YUCCA VALLEY SOUTH	Unproce
Animals - Reptiles	Anniella stebbinsi	Southern California legless lizard	ARACC01060	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped
Animals - Reptiles	Phrynosoma blainvillii	coast horned lizard	ARACF12100	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Reptiles	Gopherus agassizii	desert tortoise	ARAAF01012	Threatened	Threatened	-	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Animals - Reptiles	Crotalus ruber	red-diamond rattlesnake	ARADE02090	None	None	SSC	-	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Plants - Vascular	Yucca brevifolia	western Joshua tree	PMAGA0B071	None	Candidate Threatened	-	CBR	3411614	YUCCA VALLEY SOUTH	Unproce
Plants - Vascular	Erigeron parishii	Parish's daisy	PDAST3M310	Threatened	None	-	1B.1	3411614	YUCCA VALLEY SOUTH	Mapped
Plants - Vascular	Hulsea vestita ssp. parryi	Parrys hulsea	PDAST4Z076	None	None	-	4.3	3411614	YUCCA VALLEY SOUTH	Unproce
Plants - Vascular	Astragalus tricarinatus	triple-ribbed milk-vetch	PDFAB0F920	Endangered	None	-	1B.2	3411614	YUCCA VALLEY SOUTH	Mapped
Plants - Vascular	Cordylanthus eremicus ssp.	desert birds-beak	PDSCR0J042	None	None	-	4.3	3411614	YUCCA VALLEY	Unproce

	eremicus								SOUTH	
Plants - Vascular	Eschscholzia androuxii	Joshua Tree poppy	PDPAP0A0E0	None	None	-	4.3	3411614	YUCCA VALLEY SOUTH	Unproce
Plants - Vascular	Tetracoccus hallii	Halls tetracoccus	PDEUP1C021	None	None	-	4.3	3411614	YUCCA VALLEY SOUTH	Unproce
Plants - Vascular	Linanthus maculatus ssp. maculatus	Little San Bernardino Mtns. linanthus	PDPLM041Y1	None	None	-	1B.2	3411614	YUCCA VALLEY SOUTH	Mapped
Plants - Vascular	Saltugilia latimeri	Latimers woodland-gilia	PDPLM0H010	None	None	-	1B.2	3411614	YUCCA VALLEY SOUTH	Mapped Unproce
Plants - Vascular	Galium angustifolium ssp. gracillimum	slender bedstraw	PDRUB0N04B	None	None	-	4.2	3411614	YUCCA VALLEY SOUTH	Unproce

***California Department of Fish and Wildlife (CDFW)  
Categorical Clearance Statement***



## Federal CEQA Project Review

Federal actions are subject to the National Environmental Policy Act (see summary below). When a project is subject to both CEQA and NEPA, State and local agencies are encouraged to cooperate with federal agencies, to the fullest extent possible, through such measures as joint planning, research, hearings, and preparation of environmental documents (CEQA Guidelines, Sections 15220-15229).

- [Scope of Federal Project Review \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Scope\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Scope)
- [Federal Land Use Plan Review Procedures \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Federal\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Federal)
- [Army Corps of Engineers Permit Review \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Army\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Army)
- [Small Water Reclamation Project Review \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Small\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#Small)
- [Summary of the National Environmental Policy Act \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#NEPA\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review/#NEPA)

### Scope of Federal Project Review

Many federal agencies plan projects and activities that have the potential to adversely impact the sensitive resources of the State. Federal agencies have proposed or constructed projects and carried out activities that have impacted the State's fish and wildlife resources. Future planning by these same agencies have the potential to further impact the State's fish and wildlife populations and habitats. The following list of federal agencies and their typical projects and activities is provided as an example of the kinds of plans the Department must be aware of and ready to seek appropriate mitigation for any impacts to fish and wildlife resources:

- U.S. Forest Service- Timber harvesting, road building, and grazing of public lands.
- U.S. Bureau of Land Management- Grazing, mining, and timber harvesting.
- U.S. Bureau of Reclamation- Dam construction, other water-related projects.
- U.S. Army Corps of Engineers- River bank protection and other water-related projects.
- U.S. Department of Defense- Various projects and military operations.
- U.S. Department of Agriculture- Pesticide applications and farming.
- U.S. Soil Conservation Service- Various farming-related programs.
- U.S. Fish and Wildlife Service (USFWS)- Various refuge management programs.
- Finally, not all plans developed by the above agencies result in projects or activities that have adverse impacts to fish and wildlife. For example, the USFWS prepares recovery plans for certain threatened and endangered species. The Department may review these plans to offer comments and recommendations designed to further the recovery efforts proposed in such plans.

### Federal Land Use Plan Review Procedures

Projects planned on federal lands occurring within the State may have impacts to fish and wildlife resources. Federally sponsored and financed projects involving a State or local agency and a federal agency are subject to both NEPA and CEQA review. The various plans and equivalent documents that contain federally sponsored projects and activities are reviewed by the Department for their potential to adversely impact the State's fish, wildlife, and other sensitive resources. Regional and headquarters staffs conduct the

review and respond with comments directly to the federal agency producing the draft planning document. Depending on the type or significance of the federal plan, either the appropriate Regional Manager or the Director may be the signatory for the Department on such comments.

## Army Corps of Engineer Permit Project Review Procedures

Under the authority of the River and Harbor Act of 1899 and the Federal Water Pollution Control Act (PL 92-500), as amended by PL 95-217, the U.S. Army Corps of Engineers (Corps), in its civil regulatory function, distributes "public notices" to interested agencies concerning public or private civil projects which may affect "navigable waters of the United States". The Corps has broad authority for regulatory jurisdiction on 'navigable' waters in California, including many waters not normally viewed as navigable. Regions should contact the Corps and HCPB for guidance on questions about regulatory jurisdiction for dredge and fill activities and information useful in crafting appropriate mitigation measures.

The following procedures have been adopted to govern the processing of the Corps' public notices, relevant to fish and wildlife:

1. Regions receive "public notices" and "letters of permission" directly from the Corps. The regions should contact the Corps or the sponsoring agency concerning details of the project, or to request an extension of the comment period.
2. When the regions provide substantive comments, there should be a field inspection first, unless the area is well known to Department staff involved. Subsequent comments consistent with the Department's position may be sent directly from the affected region to the federal agency. Headquarters staff may be of assistance in developing comments involving certain sensitive resources that they may be tracking or for which they have extensive data base information available.
3. Regions shall ensure that proper coordination on public notices is in affect with the USFWS, National Marine Fisheries Service (NMFS), and other appropriate agencies. Regions should work closely with Corps staff, applicant, USFWS, project sponsors, and other agencies to resolve any conflicts concerning fish and wildlife resources.
4. Should the applicant and the agencies responsible for the protection of fish and wildlife fail to resolve the problem, the case may be elevated for consideration by the executive level of Department.
5. Notices and correspondence concerning projects requiring action shall be retained as permanent records. Those not requiring action may be discarded or recycled after one year.

## Federal Small Water Reclamation Project Review Procedures

Public laws 984 and 566 were enacted by Congress to promote and facilitate the construction of small reclamation projects. However, federal budget restrictions and administrative policies have greatly reduced activities under these programs.

Applications for federal construction loans or grants may be submitted by State agencies or political subdivisions, irrigation districts, and water user associations. Private companies or individuals are not eligible to submit applications for small reclamation projects .

Federal laws require applicants to consult with the USFWS and the Department during the project planning to ensure the protection of the fish and wildlife resources within the planned project area. The applicant must reach agreement with the BOR and the USFWS on the project's operation to ensure that any benefits to fish and wildlife are realized.

The responsibility of the Department is to review these projects for possible detrimental effects on fish and wildlife and to ensure that existing fish and wildlife resources are protected. Recommendations for appropriate protection, mitigation, compensation, enhancement, or combinations of these also may be required.

The regions have the primary responsibility for reviewing applications and project plans, consulting and negotiating with the project sponsors, local organizations, and other interested State and federal agencies, and transmitting comments and recommendations. Regional staffs are encouraged to be aware of the possibilities under these programs and to cooperate and work with landowners and local organizations even before official notice of a project has been received.

# Summary of the National Environmental Policy Act (NEPA)

(42 U.S.C. 4321 et seq., amended)

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

Information on the [National Environmental Policy Act \(http://ceq.hss.doe.gov/nepa/nepanet.htm\)](http://ceq.hss.doe.gov/nepa/nepanet.htm)

Contact CDFW's CEQA Program: [CEQA@wildlife.ca.gov](mailto:CEQA@wildlife.ca.gov) (<mailto:CEQA@wildlife.ca.gov>)

NOTE: CDFW staff cannot make decisions or intercede on CEQA projects under the jurisdiction of another lead agency. Please address project-specific comments to the project's lead agency.

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[Habitat Conservation Planning Branch \(https://www.wildlife.ca.gov/Explore/Organization/HCPB\)](https://www.wildlife.ca.gov/Explore/Organization/HCPB)

1416 Ninth Street, 12th Floor, Sacramento, CA 95814

(916) 653-4875



## CEQA Review

[The California Environmental Quality Act \(https://www.wildlife.ca.gov/Conservation/CEQA/Purpose\)](https://www.wildlife.ca.gov/Conservation/CEQA/Purpose)

[External CEQA Project Review Procedures \(https://www.wildlife.ca.gov/Conservation/CEQA/External-Review\)](https://www.wildlife.ca.gov/Conservation/CEQA/External-Review)

[CEQA Filing Fees \(https://www.wildlife.ca.gov/Conservation/CEQA/Fees\)](https://www.wildlife.ca.gov/Conservation/CEQA/Fees)

[Process for No Effect Determinations \(https://www.wildlife.ca.gov/Conservation/CEQA/NED\)](https://www.wildlife.ca.gov/Conservation/CEQA/NED)

[Federal Project Review \(https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review\)](https://www.wildlife.ca.gov/Conservation/CEQA/Federal-Review)

[CDFW's Internal CEQA Procedures \(https://www.wildlife.ca.gov/Conservation/CEQA/Procedures\)](https://www.wildlife.ca.gov/Conservation/CEQA/Procedures)

[Other Types of CEQA Project Reviews \(https://www.wildlife.ca.gov/Conservation/CEQA/Other\)](https://www.wildlife.ca.gov/Conservation/CEQA/Other)

## Related Links

- [2016 CEQA Statutes and Guidelines \(PDF\) \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=117044&inline\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=117044&inline)
- [CEQA FAQ \(PDF\) \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=4009&inline\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=4009&inline)
- [CEQA Public Notices \(https://www.wildlife.ca.gov/Notices\)](https://www.wildlife.ca.gov/Notices)
- [SB 1535 \(PDF\) \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=76455&inline\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=76455&inline) Changes in filing fees
- [Fish and Game Code Section 711.4 and Section 713 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=71768&inline\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=71768&inline) Legal information on filing fees

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***2013 U.S. Fish and Wildlife Service (USFWS) Revised  
Voluntary Guidelines for Communication Tower Design,  
Siting, Construction, Operation, Retrofitting, and  
Decommissioning***

***2013 U.S. Fish and Wildlife Service (USFWS) Revised Voluntary Guidelines for Communication Tower Design, Siting, Construction, Operation, Retrofitting, and Decommissioning –***

**Suggestions Based on Previous USFWS Recommendations to FCC Regarding WT Docket No. 03-187, FCC 06-164, Notice of Proposed Rulemaking, "Effects of Communication Towers on Migratory Birds" (2007), Docket No. 08-61, FCC's Antenna Structure Registration Program (2011), Service 2012 Wind Energy Guidelines, and Service 2013 Eagle Conservation Plan Guidance**

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Last updated: September 27, 2013

[Comm Tower 2013 Revised Guidance-to FCC-AMM.docx]

1. Collocation of the communications equipment on an existing communication tower or other structure (e.g., billboard, water and transmission tower, distribution pole, or building mount) is strongly recommended. Depending on tower load factors and communication needs, from 6 to 10 providers should collocate on an existing tower or structure provided that frequencies do not overlap/"bleed" or where frequency length or broadcast distance requires higher towers. New towers should be designed structurally and electronically to accommodate the applicant's antenna, and antennas of at least 2 additional users – ideally 6 to 10 additional users, if possible – unless the design would require the addition of lights and/or guy wires to an otherwise unlit and/or unguyed tower. This recommendation is intended to reduce the number of towers needed in the future.

2. If collocation is not feasible and a new tower or towers are to be constructed, it is strongly recommended that the new tower(s) should be not more than 199 feet above ground level (AGL), and that construction techniques should not require guy wires. Such towers should be unlighted if Federal Aviation Administration (FAA) regulations and lighting standards (FAA 2007, Patterson 2012, FAA 2013 lighting circular anticipated update) permit. Additionally, the Federal Communications Commission (FCC) through recent rulemaking now requires that new towers  $\geq$  450 ft AGL contain no red-steady lights. FCC also recommends that new towers 350-450 ft AGL also contain no red-steady lights, and they will eventually recommend that new towers  $<$  350 ft AGL convert non-flashing lights to flash with existing flashing lights. LED lights are being suggested as replacements for all new construction and for retrofits, with the intent of future synchronizing the flashes. Given these dynamics, the Service recommends using lattice tower or monopole structures for all towers  $<$  200 ft AGL and for taller towers where feasible. The Service considers the less than 200 ft AGL option the "gold standard" and suggests that this

is the environmentally preferred industry standard for tower placement, construction and operation – i.e., towers that are unlit, unguyed, monopole or lattice, and less than 200 ft AGL.

3. If constructing multiple towers, the cumulative impacts of all the towers to migratory birds – especially to Birds of Conservation Concern (FWS 2008) and threatened and endangered species, as well as the impacts of each individual tower, should be considered during the development of a project.

4. The topography of the proposed tower site and surrounding habitat should be clearly noted, especially in regard to surrounding hills, mountains, mountain passes, ridge lines, rivers, lakes, wetlands, and other habitat types used by raptors, Birds of Conservation Concern, and state and federally listed species, and other birds of concern. Active raptor nests, especially those of Bald and Golden Eagles, should be noted, including known or suspected distances from proposed tower sites to nest locations. Nest site locations for Golden Eagles may vary between years, and unoccupied, inactive nests and nest sites may be re-occupied over multiple years. The Service's 2013 Eagle Conservation Plan Guidance, Module 1, Land-based Wind Energy, Version 2, available on our website, is a useful document (USFWS 2013).

5. If at all possible, new towers should be sited within existing "antenna farms" (i.e., clusters of towers), in degraded areas (e.g., strip mines or other heavily industrialized areas), in commercial agricultural lands, in Superfund sites, or other areas where bird habitat is poor or marginal. Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state of federal refuges, staging areas, rookeries, and Important Bird Areas), in known migratory, daily movement flyways, areas of breeding concentration, in habitat of threatened or endangered species, or key habitats for Birds of Conservation Concern (FWS 2008). Disturbance can result in effects to bird populations which may cumulatively affect their survival. The Service has recommended some disturbance-free buffers, e.g., 0.5 mi around raptor nests during the nesting season, and 1-mi disturbance free buffers for Ferruginous Hawks and Bald Eagles during nesting season in Wyoming (FWS WY Ecological Services Field Office, referenced in Manville 2007:23). The effects of towers on "prairie grouse," "sage grouse," and grassland and shrub-steppe bird species should also be considered since tall structures have been shown to result in abandonment of nest site areas and leks, especially for "prairie grouse" (Manville 2004). The issue of buffers is currently under review, especially for Bald and Golden Eagles. Additionally, towers should not be sited in areas with a high incidence of fog, mist, and low cloud ceilings.

6. 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 strobe or red strobe lights (red preferable since it is generally less displeasing to the human eye at night), or red flashing incandescent lights should be used at night, and these should be the minimum number, minimum intensity (< 2,000 candela), and minimum number of flashes per minute (i.e., longest duration between flashes/"dark phase") allowable by the FAA. The use of solid (non-flashing) warning lights at night should be avoided (Patterson 2012, Gehring et al. 2009) – see recommendation #2 above. Current research indicates that solid red lights attract night-migrating birds at a much higher rate than flashing lights (Gehring et al. 2009, Manville 2007, 2009). Recent research

indicates that use of white strobe, red strobe, or red flashing lights alone provides significant reductions in bird fatalities (Patterson 2012, Gehring et al. 2009).

7. Tower designs using guy wires for support, which are proposed to be located in known raptor or waterbird concentrations areas, daily movement routes, major diurnal migratory bird movement routes, staging areas, or stopover sites, should have daytime visual markers or bird deterrent devices installed on the wires to prevent collisions by these diurnally moving species. The efficacy of bird deterrents on guy wires to alert night migrating species has yet to be scientifically validated. For guidance on markers, see Avian Power Line Interaction Committee (APLIC). 2006. *Suggested Practices for Avian Protection on Power Lines -- State of the Art in 2006*. Edison Electric Institute, APLIC, and the California Energy Commission. Washington, DC, and Sacramento, CA. 207 pp, and APLIC. 2012. *Reducing Avian Collisions with Power Lines -- the State of the Art in 2012*. Edison Electric Institute and APLIC. Washington, DC. 159 pp. Also see [www.aplic.org](http://www.aplic.org), [www.energy.ca.gov](http://www.energy.ca.gov), or call 202-508-5000.

8. Towers and appendant facilities should be designed, sited, and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint." However, a larger tower footprint is preferable to the use of guy wires in construction. Several shorter, un-guyed towers are preferable to one, tall guyed, lighted tower. Road access and fencing should be minimized to reduce or prevent habitat fragmentation, disturbance, and the creation of barriers, and to reduce above ground obstacles to birds in flight.

9. If, prior to tower design, siting and construction, if it has been determined that a significant number of breeding, feeding and roosting birds, especially of Birds of Conservation Concern (FWS 2008), state or federally-listed bird species, and eagles are known to habitually use the proposed tower construction area, relocation to an alternate site is highly recommended. If this is not an option, seasonal restrictions on construction are advised in order to avoid disturbance, site and nest abandonment, especially during breeding, rearing and other periods of high bird activity.

10. 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, but still allow safe nighttime access to the site (USFWS 2012, Manville 2011).

11. Representatives from the USFWS or researchers from the Research Subcommittee of the Communication Tower Working Group should be allowed access to the site to evaluate bird use; conduct dead-bird searches; place above ground net catchments below the towers (Manville 2002); and to perform studies using radar, Global Position System, infrared, thermal imagery, and acoustical monitoring, as necessary. This will allow for assessment and verification of bird movements, site use, avoidance, and mortality. The goal is to acquire information on the impacts of various tower types, sizes, configurations and lighting protocols.

12. 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.

13. In order to obtain information on the usefulness of these guidelines in preventing bird strikes and better understanding impacts from habitat fragmentation, please advise USFWS personnel of the final location and specifications of the proposed tower, and which measures recommended in these guidelines were implemented. If any of these recommended measures cannot be implemented, please explain why they are not feasible. This will further advise USFWS in identifying any recurring problems with the implementation of the guidelines, which may necessitate future modifications.

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## ***Migratory Bird Treaty Act of 1918***

# Digest of Federal Resource Laws of Interest to the U.S. Fish and Wildlife Service

## Migratory Bird Treaty Act of 1918

[Migratory Bird Treaty Act of 1918](#) (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended by: Chapter 634; June 20, 1936; 49 Stat. 1556; P.L. 86-732; September 8, 1960; 74 Stat. 866; P.L. 90-578; October 17, 1968; 82 Stat. 1118; P.L. 91-135; December 5, 1969; 83 Stat. 282; P.L. 93-300; June 1, 1974; 88 Stat. 190; P.L. 95-616; November 8, 1978; 92 Stat. 3111; P.L. 99-645; November 10, 1986; 100 Stat. 3590 and P.L. 105-312; October 30, 1998; 112 Stat. 2956

The original 1918 statute implemented the 1916 Convention between the U.S. and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the U.S. and Mexico, the U.S. and Japan, and the U.S. and the Soviet Union (now Russia).

Specific provisions in the statute include:

- Establishment of a Federal prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird." (16 U.S.C. 703)

This prohibition applies to birds included in the respective international conventions between the U.S. and Great Britain, the U.S. and Mexico, the U.S. and Japan, and the U.S. and the Russia.

- Authority for the Secretary of the Interior to determine, periodically, when, consistent with the Conventions, "hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any . . . bird, or any part, nest or egg" could be undertaken and to adopt regulations for this purpose. These determinations are to be made based on "due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times of migratory flight." (16 U.S.C. 704)
- A decree that domestic interstate and international transportation of migratory birds which are taken in violation of this law is unlawful, as well as importation of any migratory birds which are taken in violation of Canadian laws. (16 U.S.C. 705)
- Authority for Interior officials to enforce the provisions of this law, including seizure of birds illegally taken which can be forfeited to the U.S. and disposed of as directed by the courts. (16 U.S.C. 706)
- Establishment of fines for violation of this law, including misdemeanor charges. (16 U.S.C. 707)
- Authority for States to enact and implement laws or regulations to allow for greater protection of migratory birds, provided that such laws are consistent with the respective Conventions and that open seasons do not extend beyond those established at the national level. (16 U.S.C. 708)

- A repeal of all laws inconsistent with the provisions of this Act. (16 U.S.C. 710)
- Authority for the continued breeding and sale of migratory game birds on farms and preserves for the purpose of increasing the food supply. (16 U.S.C. 711)

The 1936 statute implemented the Convention between the U.S. and Mexico for the Protection of Migratory Birds and Game Mammals. Migratory bird import and export restrictions between Mexico and the U.S. were also authorized, and in issuing any regulations to implement this section, the Secretary of Agriculture was required to consider U.S. laws forbidding importation of certain mammals injurious to agricultural and horticultural interests. Monies for the Secretary of Agriculture to implement these provisions were also authorized.

The 1960 statute (P.L. 86-732) amended the MBTA by altering earlier penalty provisions. The new provisions stipulated that violations of this Act would constitute a misdemeanor and conviction would result in a fine of not more than \$500 or imprisonment of not more than six months. Activities aimed at selling migratory birds in violation of this law would be subject to fine of not more than \$2000 and imprisonment could not exceed two years. Guilty offenses would constitute a felony. Equipment used for sale purchases was authorized to be seized and held, by the Secretary of the Interior, pending prosecution, and, upon conviction, be treated as a penalty.

Section 10 of the 1969 amendments to the Lacey Act (P.L. 91-135) repealed the provisions of the MBTA prohibiting the shipment of wild game mammals or parts to and from the U.S. or Mexico unless permitted by the Secretary of the Interior. The definition of "wildlife" under these amendments does not include migratory birds, however, which are protected under the MBTA.

The 1974 statute (P.L. 93-300) amended the MBTA to include the provisions of the 1972 Convention between the U.S. and Japan for the Protection of Migratory Birds and Birds in Danger of Extinction. This law also amended the title of the MBTA to read: "An Act to give effect to the conventions between the U.S. and other nations for the protection of migratory birds, birds in danger of extinction, game mammals, and their environment."

Section 3(h) of the Fish and Wildlife Improvement Act of 1978 (P.L. 95-616) amended the MBTA to authorize forfeiture to the U.S. of birds and their parts illegally taken, for disposal by the Secretary of the Interior as he deems appropriate. These amendments also authorized the Secretary to issue regulations to permit Alaskan natives to take migratory birds for their subsistence needs during established seasons. The Secretary was required to consider the related migratory bird conventions with Great Britain, Mexico, Japan, and the Soviet Union in establishing these regulations and to establish seasons to provide for the preservation and maintenance of migratory bird stocks.

Public Law 95-616 also ratified a treaty with the Soviet Union specifying that both nations will take measures to protect identified ecosystems of special importance to migratory birds against pollution, detrimental alterations, and other environmental degradations. (See entry for the Convention Between the United States of America and the Union of Soviet Socialist Republics Concerning the Conservation of Migratory Birds and Their Environment; T.I.A.S. 9073; signed on November 19, 1976, and approved by the Senate on July 12, 1978; 92 Stat. 3110.)

Public Law 99-645, the 1986 Emergency Wetlands Resources Act, amended the Act to require that felony violations under the MBTA must be "knowingly" committed.

P.L. 105-312, Migratory Bird Treaty Reform Act of 1998, amended the law to make it unlawful to take migratory game birds by the aid of bait if the person knows or reasonably should know that the area is

baited. This provision eliminates the "strict liability" standard that was used to enforce Federal baiting regulations and replaces it with a "know or should have known" standard. These amendments also make it unlawful to place or direct the placement of bait on or adjacent to an area for the purpose of taking or attempting to take migratory game birds, and makes these violations punishable under title 18 United States Code, (with fines up to \$100,000 for individuals and \$200,000 for organizations), imprisonment for not more than 1 year, or both. The new amendments require the Secretary of Interior to submit to the Senate Committee on Environment and Public Works and the House Committee on Resources a report analyzing the effect of these amendments and the practice of baiting on migratory bird conservation and law enforcement. The report to Congress is due no later than five years after enactment of the new law.

P.L. 105-312 also amends the law to allow the fine for misdemeanor convictions under the Migratory Bird Treaty Act to be up to \$15,000 rather than \$5000.

[Return to Resource Laws](#)

***2007 U.S. Fish and Wildlife Service (USFWS) National  
Bald Eagle Guidelines***

# **NATIONAL BALD EAGLE MANAGEMENT GUIDELINES**

**U.S. Fish and Wildlife Service**

**May 2007**

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## INTRODUCTION

The bald eagle (*Haliaeetus leucocephalus*) is protected by the Bald and Golden Eagle Protection Act (Eagle Act) and the Migratory Bird Treaty Act (MBTA). The MBTA and the Eagle Act protect bald eagles from a variety of harmful actions and impacts. The U.S. Fish and Wildlife Service (Service) developed these National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with bald eagles when and under what circumstances the protective provisions of the Eagle Act may apply to their activities. A variety of human activities can potentially interfere with bald eagles, affecting their ability to forage, nest, roost, breed, or raise young. The Guidelines are intended to help people minimize such impacts to bald eagles, particularly where they may constitute “disturbance,” which is prohibited by the Eagle Act.

The Guidelines are intended to:

- (1) Publicize the provisions of the Eagle Act that continue to protect bald eagles, in order to reduce the possibility that people will violate the law,
- (2) Advise landowners, land managers and the general public of the potential for various human activities to disturb bald eagles, and
- (3) Encourage additional nonbinding land management practices that benefit bald eagles (see Additional Recommendations section).

While the Guidelines include general recommendations for land management practices that will benefit bald eagles, the document is intended primarily as a tool for landowners and planners who seek information and recommendations regarding how to avoid disturbing bald eagles. Many States and some tribal entities have developed state-specific management plans, regulations, and/or guidance for landowners and land managers to protect and enhance bald eagle habitat, and we encourage the continued development and use of these planning tools to benefit bald eagles.

Adherence to the Guidelines herein will benefit individuals, agencies, organizations, and companies by helping them avoid violations of the law. However, the Guidelines themselves are not law. Rather, they are recommendations based on several decades of behavioral observations, science, and conservation measures to avoid or minimize adverse impacts to bald eagles.

The U.S. Fish and Wildlife Service strongly encourages adherence to these guidelines to ensure that bald and golden eagle populations will continue to be sustained. The Service realizes there may be impacts to some birds even if all reasonable measures are taken to avoid such impacts. Although it is not possible to absolve individuals and entities from liability under the Eagle Act or the MBTA, the Service exercises enforcement discretion to focus on those individuals, companies, or agencies that take migratory birds without regard for the consequences of their actions and the law, especially when conservation measures, such as these Guidelines, are available, but have not been implemented. The Service will prioritize its enforcement efforts to focus on those individuals or entities who take bald eagles or their parts, eggs, or nests without implementing appropriate measures recommended by the Guidelines.

The Service intends to pursue the development of regulations that would authorize, under limited circumstances, the use of permits if “take” of an eagle is anticipated but unavoidable. Additionally, if the bald eagle is delisted, the Service intends to provide a regulatory mechanism to honor existing (take) authorizations under the Endangered Species Act (ESA).

During the interim period until the Service completes a rulemaking for permits under the Eagle Act, the Service does not intend to refer for prosecution the incidental “take” of any bald eagle under the MBTA or Eagle Act, if such take is in full compliance with the terms and conditions of an incidental take statement issued to the action agency or applicant under the authority of section 7(b)(4) of the ESA or a permit issued under the authority of section 10(a)(1)(B) of the ESA.

The Guidelines are applicable throughout the United States, including Alaska. The primary purpose of these Guidelines is to provide information that will minimize or prevent violations only of *Federal* laws governing bald eagles. In addition to Federal laws, many states and some smaller jurisdictions and tribes have additional laws and regulations protecting bald eagles. In some cases those laws and regulations may be more protective (restrictive) than these Federal guidelines. If you are planning activities that may affect bald eagles, we therefore recommend that you contact both your nearest U.S. Fish and Wildlife Service Field Office (see the contact information on p.16) and your state wildlife agency for assistance.

## LEGAL PROTECTIONS FOR THE BALD EAGLE

### **The Bald and Golden Eagle Protection Act**

The Eagle Act (16 U.S.C. 668-668c), enacted in 1940, and amended several times since then, prohibits anyone, without a permit issued by the Secretary of the Interior, from “taking” bald eagles, including their parts, nests, or eggs. The Act provides criminal and civil penalties for persons who “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.” The Act defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” “Disturb” means:

"Disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle=s return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

A violation of the Act can result in a criminal fine of \$100,000 (\$200,000 for organizations), imprisonment for one year, or both, for a first offense. Penalties increase substantially for additional offenses, and a second violation of this Act is a felony.

### **The Migratory Bird Treaty Act**

The MBTA (16 U.S.C. 703-712), prohibits the taking of any migratory bird or any part, nest, or egg, except as permitted by regulation. The MBTA was enacted in 1918; a 1972 agreement supplementing one of the bilateral treaties underlying the MBTA had the effect of expanding the scope of the Act to cover bald eagles and other raptors. Implementing regulations define “take” under the MBTA as “pursue, hunt, shoot, wound, kill, trap, capture, possess, or collect.”

Copies of the Eagle Act and the MBTA are available at: <http://permits.fws.gov/ltr/ltr.shtml>.

### **State laws and regulations**

Most states have their own regulations and/or guidelines for bald eagle management. Some states may continue to list the bald eagle as endangered, threatened, or of special concern. If you plan activities that may affect bald eagles, we urge you to familiarize yourself with the regulations and/or guidelines that apply to bald eagles in your state. Your adherence to the Guidelines herein does not ensure that you are in compliance with state laws and regulations because state regulations can be more specific and/or restrictive than these Guidelines.

## **NATURAL HISTORY OF THE BALD EAGLE**

Bald eagles are a North American species that historically occurred throughout the contiguous United States and Alaska. After severely declining in the lower 48 States between the 1870s and the 1970s, bald eagles have rebounded and re-established breeding territories in each of the lower 48 states. The largest North American breeding populations are in Alaska and Canada, but there are also significant bald eagle populations in Florida, the Pacific Northwest, the Greater Yellowstone area, the Great Lakes states, and the Chesapeake Bay region. Bald eagle distribution varies seasonally. Bald eagles that nest in southern latitudes frequently move northward in late spring and early summer, often summering as far north as Canada. Most eagles that breed at northern latitudes migrate southward during winter, or to coastal areas where waters remain unfrozen. Migrants frequently concentrate in large numbers at sites where food is abundant and they often roost together communally. In some cases, concentration areas are used year-round: in summer by southern eagles and in winter by northern eagles.

Juvenile bald eagles have mottled brown and white plumage, gradually acquiring their dark brown body and distinctive white head and tail as they mature. Bald eagles generally attain adult plumage by 5 years of age. Most are capable of breeding at 4 or 5 years of age, but in healthy populations they may not start breeding until much older. Bald eagles may live 15 to 25 years in the wild. Adults weigh 8 to 14 pounds (occasionally reaching 16 pounds in Alaska) and have wingspans of 5 to 8 feet. Those in the northern range are larger than those in the south, and females are larger than males.

### Where do bald eagles nest?

Breeding bald eagles occupy “territories,” areas they will typically defend against intrusion by other eagles. In addition to the active nest, a territory may include one or more alternate nests (nests built or maintained by the eagles but not used for nesting in a given year). The Eagle Act prohibits removal or destruction of both active and alternate bald eagle nests. Bald eagles exhibit high nest site fidelity and nesting territories are often used year after year. Some territories are known to have been used continually for over half a century.

Bald eagles generally nest near coastlines, rivers, large lakes or streams that support an adequate food supply. They often nest in mature or old-growth trees; snags (dead trees); cliffs; rock promontories; rarely on the ground; and with increasing frequency on human-made structures such as power poles and communication towers. In forested areas, bald eagles often select the tallest trees with limbs strong enough to support a nest that can weigh more than 1,000 pounds. Nest sites typically include at least one perch with a clear view of the water where the eagles usually forage. Shoreline trees or snags located in reservoirs provide the visibility and accessibility needed to locate aquatic prey. Eagle nests are constructed with large sticks, and may be lined with moss, grass, plant stalks, lichens, seaweed, or sod. Nests are usually about 4-6 feet in diameter and 3 feet deep, although larger nests exist.



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**The range of breeding bald eagles in 2000 (shaded areas). This map shows only the larger concentrations of nests; eagles have continued to expand into additional nesting territories in many states. The dotted line represents the bald eagle’s wintering range.**

**When do bald eagles nest?**

Nesting activity begins several months before egg-laying. Egg-laying dates vary throughout the U.S., ranging from October in Florida, to late April or even early May in the northern United States. Incubation typically lasts 33-35 days, but can be as long as 40 days. Eaglets make their first unsteady flights about 10 to 12 weeks after hatching, and fledge (leave their nests) within a few days after that first flight. However, young birds usually remain in the vicinity of the nest for several weeks after fledging because they are almost completely dependent on their parents for food until they disperse from the nesting territory approximately 6 weeks later.

The bald eagle breeding season tends to be longer in the southern U.S., and re-nesting following an unsuccessful first nesting attempt is more common there as well. The following table shows the timing of bald eagle breeding seasons in different regions of the country. The table represents the range of time within which the majority of nesting activities occur in each region and does not apply to any specific nesting pair. Because the timing of nesting activities may vary within a given region, you should contact the nearest U.S. Fish and Wildlife Service Field Office (see page 16) and/or your state wildlife conservation agency for more specific information on nesting chronology in your area.

Chronology of typical reproductive activities of bald eagles in the United States.

Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
<b>SOUTHEASTERN U.S. (FL, GA, SC, NC, AL, MS, LA, TN, KY, AR, eastern 2 of TX)</b>											
Nest Building											
		Egg Laying/Incubation									
				Hatching/Rearing Young							
					Fledging Young						
<b>CHESAPEAKE BAY REGION (NC, VA, MD, DE, southern 2 of NJ, eastern 2 of PA, panhandle of WV)</b>											
				Nest Building							
						Egg Laying/Incubation					
								Hatching/Rearing Young			
									Fledging Young		
<b>NORTHERN U.S. (ME, NH, MA, RI, CT, NY, northern 2 of NJ, western 2 of PA, OH, WV exc. panhandle, IN, IL, MI, WI, MN, IA, MO, ND, SD, NB, KS, CO, UT)</b>											
				Nest Building							
						Egg Laying/Incubation					
								Hatching/Rearing Young			
										Fledging Young	
<b>PACIFIC REGION (WA, OR, CA, ID, MT, WY, NV)</b>											
				Nest Building							
						Egg Laying/Incubation					
								Hatching/Rearing Young			
										Fledging Young	
<b>SOUTHWESTERN U.S. (AZ, NM, OK panhandle, western 2 of TX)</b>											
				Nest Building							
						Egg Laying/Incubation					
								Hatching/Rearing Young			
									Fledging Young		
<b>ALASKA</b>											
						Nest Building					
									Egg Laying/Incubation		
										Hatching/Rearing Young	
Ing Young											Fledg-
Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.

**How many chicks do bald eagles raise?**

The number of eagle eggs laid will vary from 1-3, with 1-2 eggs being the most common. Only one eagle egg is laid per day, although not always on successive days. Hatching of young occurs on different days with the result that chicks in the same nest are sometimes of unequal size. The overall national fledging rate is approximately one chick per nest, annually, which results in a healthy expanding population.

**What do bald eagles eat?**

Bald eagles are opportunistic feeders. Fish comprise much of their diet, but they also eat waterfowl, shorebirds/colonial waterbirds, small mammals, turtles, and carrion. Because they are visual hunters, eagles typically locate their prey from a conspicuous perch, or soaring flight, then swoop down and strike. Wintering bald eagles often congregate in large numbers along streams to feed on spawning salmon or other fish species, and often gather in large numbers in areas below reservoirs, especially hydropower dams, where fish are abundant. Wintering eagles also take birds from rafts of ducks at reservoirs and rivers, and congregate on melting ice shelves to scavenge dead fish from the current or the soft melting ice. Bald eagles will also feed on carcasses along roads, in landfills, and at feedlots.

During the breeding season, adults carry prey to the nest to feed the young. Adults feed their chicks by tearing off pieces of food and holding them to the beaks of the eaglets. After fledging, immature eagles are slow to develop hunting skills, and must learn to locate reliable food sources and master feeding techniques. Young eagles will congregate together, often feeding upon easily acquired food such as carrion and fish found in abundance at the mouths of streams and shallow bays and at landfills.

**The impact of human activity on nesting bald eagles**

During the breeding season, bald eagles are sensitive to a variety of human activities. However, not all bald eagle pairs react to human activities in the same way. Some pairs nest successfully just dozens of yards from human activity, while others abandon nest sites in response to activities much farther away. This variability may be related to a number of factors, including visibility, duration, noise levels, extent of the area affected by the activity, prior experiences with humans, and tolerance of the individual nesting pair. The relative sensitivity of bald eagles during various stages of the breeding season is outlined in the following table.

**Nesting Bald Eagle Sensitivity to Human Activities**

<b>Phase</b>	<b>Activity</b>	<b>Sensitivity to Human Activity</b>	<b>Comments</b>
I	Courtship and Nest Building	Most sensitive period; likely to respond negatively	Most critical time period. Disturbance is manifested in nest abandonment. Bald eagles in newly established territories are more prone to abandon nest sites.
II	Egg laying	Very sensitive period	Human activity of even limited duration may cause nest desertion and abandonment of territory for the breeding season.
III	Incubation and early nestling period (up to 4 weeks)	Very sensitive period	Adults are less likely to abandon the nest near and after hatching. However, flushed adults leave eggs and young unattended; eggs are susceptible to cooling, loss of moisture, overheating, and predation; young are vulnerable to elements.
IV	Nestling period, 4 to 8 weeks	Moderately sensitive period	Likelihood of nest abandonment and vulnerability of the nestlings to elements somewhat decreases. However, nestlings may miss feedings, affecting their survival.
V	Nestlings 8 weeks through fledging	Very sensitive period	Gaining flight capability, nestlings 8 weeks and older may flush from the nest prematurely due to disruption and die.

If agitated by human activities, eagles may inadequately construct or repair their nest, may expend energy defending the nest rather than tending to their young, or may abandon the nest altogether. Activities that cause prolonged absences of adults from their nests can jeopardize eggs or young. Depending on weather conditions, eggs may overheat or cool too much and fail to hatch. Unattended eggs and nestlings are subject to predation. Young nestlings are particularly vulnerable because they rely on their parents to provide warmth or shade, without which they may die as a result of hypothermia or heat stress. If food delivery schedules are interrupted, the young may not develop healthy plumage, which can affect their survival. In addition, adults startled while incubating or brooding young may damage eggs or injure their young as they abruptly leave the nest. Older nestlings no longer require constant attention from the adults, but they may be startled by loud or intrusive human activities and prematurely jump from the nest before they are able to fly or care for themselves. Once fledged, juveniles range up to ¼ mile from the nest site, often to a site with minimal human activity. During this period, until about six weeks after departure from the nest, the juveniles still depend on the adults to feed them.

**The impact of human activity on foraging and roosting bald eagles**

Disruption, destruction, or obstruction of roosting and foraging areas can also negatively affect bald eagles. Disruptive activities in or near eagle foraging areas can interfere with feeding, reducing chances of survival. Interference with feeding can also result in reduced productivity (number of young successfully fledged). Migrating and wintering bald eagles often congregate at specific sites for purposes of feeding and sheltering. Bald eagles rely on established roost sites because of their proximity to sufficient food sources. Roost sites are usually in mature trees where the eagles are somewhat sheltered from the wind and weather. Human activities near or within communal roost sites may prevent eagles

from feeding or taking shelter, especially if there are not other undisturbed and productive feeding and roosting sites available. Activities that permanently alter communal roost sites and important foraging areas can altogether eliminate the elements that are essential for feeding and sheltering eagles.

Where a human activity agitates or bothers roosting or foraging bald eagles to the degree that causes injury or substantially interferes with breeding, feeding, or sheltering behavior and causes, or is likely to cause, a loss of productivity or nest abandonment, the conduct of the activity constitutes a violation of the Eagle Act's prohibition against disturbing eagles. The circumstances that might result in such an outcome are difficult to predict without detailed site-specific information. If your activities may disturb roosting or foraging bald eagles, you should contact your local Fish and Wildlife Service Field Office (see page 16) for advice and recommendations for how to avoid such disturbance.

### **RECOMMENDATIONS FOR AVOIDING DISTURBANCE AT NEST SITES**

In developing these Guidelines, we relied on existing state and regional bald eagle guidelines, scientific literature on bald eagle disturbance, and recommendations of state and Federal biologists who monitor the impacts of human activity on eagles. Despite these resources, uncertainties remain regarding the effects of many activities on eagles and how eagles in different situations may or may not respond to certain human activities. The Service recognizes this uncertainty and views the collection of better biological data on the response of eagles to disturbance as a high priority. To the extent that resources allow, the Service will continue to collect data on responses of bald eagles to human activities conducted according to the recommendations within these Guidelines to ensure that adequate protection from disturbance is being afforded, and to identify circumstances where the Guidelines might be modified. These data will be used to make future adjustments to the Guidelines.

To avoid disturbing nesting bald eagles, we recommend (1) keeping a distance between the activity and the nest (distance buffers), (2) maintaining preferably forested (or natural) areas between the activity and around nest trees (landscape buffers), and (3) avoiding certain activities during the breeding season. The buffer areas serve to minimize visual and auditory impacts associated with human activities near nest sites. Ideally, buffers would be large enough to protect existing nest trees and provide for alternative or replacement nest trees.

The size and shape of effective buffers vary depending on the topography and other ecological characteristics surrounding the nest site. In open areas where there are little or no forested or topographical buffers, such as in many western states, distance alone must serve as the buffer. Consequently, in open areas, the distance between the activity and the nest may need to be larger than the distances recommended under Categories A and B of these guidelines (pg. 12) if no landscape buffers are present. The height of the nest above the ground may also ameliorate effects of human activities; eagles at higher nests may be less prone to disturbance.

In addition to the physical features of the landscape and nest site, the appropriate size for the distance buffer may vary according to the historical tolerances of eagles to human activities in particular localities, and may also depend on the location of the nest in relation

to feeding and roosting areas used by the eagles. Increased competition for nest sites may lead bald eagles to nest closer to human activity (and other eagles).

Seasonal restrictions can prevent the potential impacts of many shorter-term, obtrusive activities that do not entail landscape alterations (e.g. fireworks, outdoor concerts). In proximity to the nest, these kinds of activities should be conducted only outside the breeding season. For activities that entail both short-term, obtrusive characteristics and more permanent impacts (e.g., building construction), we recommend a combination of both approaches: retaining a landscape buffer *and* observing seasonal restrictions.

For assistance in determining the appropriate size and configuration of buffers or the timing of activities in the vicinity of a bald eagle nest, we encourage you to contact the nearest U.S. Fish and Wildlife Service Field Office (see page 16).

### **Existing Uses**

Eagles are unlikely to be disturbed by routine use of roads, homes, and other facilities where such use pre-dates the eagles' successful nesting activity in a given area. Therefore, in most cases *ongoing* existing uses may proceed with the same intensity with little risk of disturbing bald eagles. However, some *intermittent, occasional, or irregular* uses that pre-date eagle nesting in an area may disturb bald eagles. For example: a pair of eagles may begin nesting in an area and subsequently be disturbed by activities associated with an annual outdoor flea market, even though the flea market has been held annually at the same location. In such situations, human activity should be adjusted or relocated to minimize potential impacts on the nesting pair.

## **ACTIVITY-SPECIFIC GUIDELINES**

The following section provides the Service's management recommendations for avoiding bald eagle disturbance as a result of new or intermittent activities proposed in the vicinity of bald eagle nests. Activities are separated into 8 categories (A – H) based on the nature and magnitude of impacts to bald eagles that usually result from the type of activity. Activities with similar or comparable impacts are grouped together.

In most cases, impacts will vary based on the visibility of the activity from the eagle nest and the degree to which similar activities are already occurring in proximity to the nest site. Visibility is a factor because, in general, eagles are more prone to disturbance when an activity occurs in full view. For this reason, we recommend that people locate activities farther from the nest structure in areas with open vistas, in contrast to areas where the view is shielded by rolling topography, trees, or other screening factors. The recommendations also take into account the existence of similar activities in the area because the continued presence of nesting bald eagles in the vicinity of the existing activities indicates that the eagles in that area can tolerate a greater degree of human activity than we can generally expect from eagles in areas that experience fewer human impacts. To illustrate how these factors affect the likelihood of disturbing eagles, we have incorporated the recommendations for some activities into a table (categories A and B).

First, determine which category your activity falls into (between categories A – H). If the activity you plan to undertake is not specifically addressed in these guidelines, follow the recommendations for the most similar activity represented.

If your activity is under A or B, our recommendations are in table form. The vertical axis shows the degree of visibility of the activity from the nest. The horizontal axis (header row) represents the degree to which similar activities are ongoing in the vicinity of the nest. Locate the row that best describes how visible your activity will be from the eagle nest. Then, choose the column that best describes the degree to which similar activities are ongoing in the vicinity of the eagle nest. The box where the column and row come together contains our management recommendations for how far you should locate your activity from the nest to avoid disturbing the eagles. The numerical distances shown in the tables are the closest the activity should be conducted relative to the nest. In some cases we have included additional recommendations (other than recommended *distance* from the nest) you should follow to help ensure that your activity will not disturb the eagles.

### **Alternate nests**

For activities that entail permanent landscape alterations that may result in bald eagle disturbance, these recommendations apply to both active and alternate bald eagle nests. Disturbance becomes an issue with regard to alternate nests if eagles return for breeding purposes and react to land use changes that occurred while the nest was inactive. The likelihood that an alternate nest will again become active decreases the longer it goes unused. If you plan activities in the vicinity of an alternate bald eagle nest and have information to show that the nest has not been active during the preceding 5 breeding seasons, the recommendations provided in these guidelines for avoiding disturbance around the nest site may no longer be warranted. The nest itself remains protected by other provisions of the Eagle Act, however, and may not be destroyed.

If special circumstances exist that make it unlikely an inactive nest will be reused before 5 years of disuse have passed, and you believe that the probability of reuse is low enough to warrant disregarding the recommendations for avoiding disturbance, you should be prepared to provide all the reasons for your conclusion, including information regarding past use of the nest site. Without sufficient documentation, you should continue to follow these guidelines when conducting activities around the nest site. If we are able to determine that it is unlikely the nest will be reused, we may advise you that the recommendations provided in these guidelines for avoiding disturbance are no longer necessary around that nest site.

This guidance is intended to minimize disturbance, as defined by Federal regulation. In addition to Federal laws, most states and some tribes and smaller jurisdictions have additional laws and regulations protecting bald eagles. In some cases those laws and regulations may be more protective (restrictive) than these Federal guidelines.

### **Temporary Impacts**

For activities that have temporary impacts, such as the use of loud machinery, fireworks displays, or summer boating activities, we recommend seasonal restrictions. These types of activities can generally be carried out outside of the breeding season without causing disturbance. The recommended restrictions for these types of activities can be lifted for alternate nests within a particular territory, including nests that were attended during the current breeding season but not used to raise young, after eggs laid in another nest within the territory have hatched (depending on the distance between the alternate nest and the active nest).

In general, activities should be kept as far away from nest trees as possible; loud and disruptive activities should be conducted when eagles are not nesting; and activity between the nest and the nearest foraging area should be minimized. If the activity you plan to undertake is not specifically addressed in these guidelines, follow the recommendations for the most similar activity addressed, or contact your local U.S. Fish and Wildlife Service Field Office for additional guidance.

If you believe that special circumstances apply to your situation that increase or diminish the likelihood of bald eagle disturbance, or if it is not possible to adhere to the guidelines, you should contact your local Service Field Office for further guidance.

**Category A:**

- Building construction, 1 or 2 story, with project footprint of ½ acre or less.
- Construction of roads, trails, canals, power lines, and other linear utilities.
- Agriculture and aquaculture – new or expanded operations.
- Alteration of shorelines or wetlands.
- Installation of docks or moorings.
- Water impoundment.

**Category B:**

- Building construction, 3 or more stories.
- Building construction, 1 or 2 story, with project footprint of more than ½ acre.
- Installation or expansion of marinas with a capacity of 6 or more boats.
- Mining and associated activities.
- Oil and natural gas drilling and refining and associated activities.

	<i><b>If there is no similar activity within 1 mile of the nest</b></i>	<i><b>If there is similar activity closer than 1 mile from the nest</b></i>
<i><b>If the activity will be visible from the nest</b></i>	660 feet. Landscape buffers are recommended.	660 feet, or as close as existing tolerated activity of similar scope. Landscape buffers are recommended.
<i><b>If the activity will not be visible from the nest</b></i>	Category A: 330 feet. Clearing, external construction, and landscaping between 330 feet and 660 feet should be done outside breeding season.  Category B: 660 feet.	330 feet, or as close as existing tolerated activity of similar scope. Clearing, external construction and landscaping within 660 feet should be done outside breeding season.

The numerical distances shown in the table are the closest the activity should be conducted relative to the nest.

**Category C. Timber Operations and Forestry Practices**

- Avoid clear cutting or removal of overstory trees within 330 feet of the nest at any time.
- Avoid timber harvesting operations, including road construction and chain saw and yarding operations, during the breeding season within 660 feet of the nest. The distance may be decreased to 330 feet around alternate nests within a particular territory, including nests that were attended during the current breeding season but not used to raise young, after eggs laid in another nest within the territory have hatched.
- Selective thinning and other silviculture management practices designed to conserve or enhance habitat, including prescribed burning close to the nest tree, should be undertaken outside the breeding season. Precautions such as raking leaves and woody debris from around the nest tree should be taken to prevent crown fire or fire climbing the nest tree. If it is determined that a burn during the breeding season would be beneficial, then, to ensure that no take or disturbance will occur, these activities should be conducted only when neither adult eagles nor young are present at the nest tree (i.e., at the beginning of, or end of, the breeding season, either before the particular nest is active or after the young have fledged from that nest). Appropriate Federal and state biologists should be consulted before any prescribed burning is conducted during the breeding season.
- Avoid construction of log transfer facilities and in-water log storage areas within 330 feet of the nest.

**Category D. Off-road vehicle use** (including snowmobiles). No buffer is necessary around nest sites outside the breeding season. During the breeding season, do not operate off-road vehicles within 330 feet of the nest. In open areas, where there is increased visibility and exposure to noise, this distance should be extended to 660 feet.

**Category E. Motorized Watercraft use** (including jet skis/personal watercraft). No buffer is necessary around nest sites outside the breeding season. During the breeding season, within 330 feet of the nest, (1) do not operate jet skis (personal watercraft), and (2) avoid concentrations of noisy vessels (e.g., commercial fishing boats and tour boats), except where eagles have demonstrated tolerance for such activity. Other motorized boat traffic passing within 330 feet of the nest should attempt to minimize trips and avoid stopping in the area where feasible, particularly where eagles are unaccustomed to boat traffic. Buffers for airboats should be larger than 330 feet due to the increased noise they generate, combined with their speed, maneuverability, and visibility.

**Category F. Non-motorized recreation and human entry** (e.g., hiking, camping, fishing, hunting, birdwatching, kayaking, canoeing). No buffer is necessary around nest sites outside the breeding season. If the activity will be visible or highly audible from the nest, maintain a 330-foot buffer during the breeding season, particularly where eagles are unaccustomed to such activity.

**Category G. Helicopters and fixed-wing aircraft.**

Except for authorized biologists trained in survey techniques, avoid operating aircraft within 1,000 feet of the nest during the breeding season, except where eagles have demonstrated tolerance for such activity.

**Category H. Blasting and other loud, intermittent noises.**

Avoid blasting and other activities that produce extremely loud noises within 1/2 mile of active nests, unless greater tolerance to the activity (or similar activity) has been demonstrated by the eagles in the nesting area. This recommendation applies to the use of fireworks classified by the Federal Department of Transportation as Class B explosives, which includes the larger fireworks that are intended for licensed public display.

**RECOMMENDATIONS FOR AVOIDING DISTURBANCE AT FORAGING AREAS AND COMMUNAL ROOST SITES**

1. Minimize potentially disruptive activities and development in the eagles' direct flight path between their nest and roost sites and important foraging areas.
2. Locate long-term and permanent water-dependent facilities, such as boat ramps and marinas, away from important eagle foraging areas.
3. Avoid recreational and commercial boating and fishing near critical eagle foraging areas during peak feeding times (usually early to mid-morning and late afternoon), except where eagles have demonstrated tolerance to such activity.
4. Do not use explosives within 1/2 mile (or within 1 mile in open areas) of communal roosts when eagles are congregating, without prior coordination with the U.S. Fish and Wildlife Service and your state wildlife agency.
5. Locate aircraft corridors no closer than 1,000 feet vertical or horizontal distance from communal roost sites.

## **ADDITIONAL RECOMMENDATIONS TO BENEFIT BALD EAGLES**

The following are additional management practices that landowners and planners can exercise for added benefit to bald eagles.

1. Protect and preserve potential roost and nest sites by retaining mature trees and old growth stands, particularly within ½ mile from water.
2. Where nests are blown from trees during storms or are otherwise destroyed by the elements, continue to protect the site in the absence of the nest for up to three (3) complete breeding seasons. Many eagles will rebuild the nest and reoccupy the site.
3. To avoid collisions, site wind turbines, communication towers, and high voltage transmission power lines away from nests, foraging areas, and communal roost sites.
4. Employ industry-accepted best management practices to prevent birds from colliding with or being electrocuted by utility lines, towers, and poles. If possible, bury utility lines in important eagle areas.
5. Where bald eagles are likely to nest in human-made structures (e.g., cell phone towers) and such use could impede operation or maintenance of the structures or jeopardize the safety of the eagles, equip the structures with either (1) devices engineered to discourage bald eagles from building nests, or (2) nesting platforms that will safely accommodate bald eagle nests without interfering with structure performance.
6. Immediately cover carcasses of euthanized animals at landfills to protect eagles from being poisoned.
7. Do not intentionally feed bald eagles. Artificially feeding bald eagles can disrupt their essential behavioral patterns and put them at increased risk from power lines, collision with windows and cars, and other mortality factors.
8. Use pesticides, herbicides, fertilizers, and other chemicals only in accordance with Federal and state laws.
9. Monitor and minimize dispersal of contaminants associated with hazardous waste sites (legal or illegal), permitted releases, and runoff from agricultural areas, especially within watersheds where eagles have shown poor reproduction or where bioaccumulating contaminants have been documented. These factors present a risk of contamination to eagles and their food sources.

## CONTACTS

The following U.S. Fish and Wildlife Service Field Offices provide technical assistance on bald eagle management:

<u>Alabama</u>	Daphne	(251) 441-5181	<u>New Hampshire</u>	Concord	(603) 223-2541
<u>Alaska</u>	Anchorage	(907) 271-2888	<u>New Jersey</u>	Pleasantville	(609) 646-9310
	Fairbanks	(907) 456-0203	<u>New Mexico</u>	Albuquerque	(505) 346-2525
	Juneau	(907) 780-1160	<u>New York</u>	Cortland	(607) 753-9334
<u>Arizona</u>	Phoenix	(602) 242-0210		Long Island	(631) 776-1401
<u>Arkansas</u>	Conway	(501) 513-4470	<u>North Carolina</u>	Raleigh	(919) 856-4520
<u>California</u>	Arcata	(707) 822-7201		Asheville	(828) 258-3939
	Barstow	(760) 255-8852	<u>North Dakota</u>	Bismarck	(701) 250-4481
	Carlsbad	(760) 431-9440	<u>Ohio</u>	Reynoldsburg	(614) 469-6923
	Red Bluff	(530) 527-3043	<u>Oklahoma</u>	Tulsa	(918) 581-7458
	Sacramento	(916) 414-6000	<u>Oregon</u>	Bend	(541) 383-7146
	Stockton	(209) 946-6400		Klamath Falls	(541) 885-8481
	Ventura	(805) 644-1766		La Grande	(541) 962-8584
	Yreka	(530) 842-5763		Newport	(541) 867-4558
<u>Colorado</u>	Lakewood	(303) 275-2370		Portland	(503) 231-6179
	Grand Junction	(970) 243-2778		Roseburg	(541) 957-3474
<u>Connecticut</u>	(See New Hampshire)		<u>Pennsylvania</u>	State College	(814) 234-4090
<u>Delaware</u>	(See Maryland)		<u>Rhode Island</u>	(See New Hampshire)	
<u>Florida</u>	Panama City	(850) 769-0552	<u>South Carolina</u>	Charleston	(843) 727-4707
	Vero Beach	(772) 562-3909	<u>South Dakota</u>	Pierre	(605) 224-8693
	Jacksonville	(904) 232-2580	<u>Tennessee</u>	Cookeville	(931) 528-6481
<u>Georgia</u>	Athens	(706) 613-9493	<u>Texas</u>	Clear Lake	(281) 286-8282
	Brunswick	(912) 265-9336	<u>Utah</u>	West Valley City	(801) 975-3330
	Columbus	(706) 544-6428	<u>Vermont</u>	(See New Hampshire)	
<u>Idaho</u>	Boise	(208) 378-5243	<u>Virginia</u>	Gloucester	(804) 693-6694
	Chubbuck	(208) 237-6975	<u>Washington</u>	Lacey	(306) 753-9440
<u>Illinois/Iowa</u>	Rock Island	(309) 757-5800		Spokane	(509) 891-6839
<u>Indiana</u>	Bloomington	(812) 334-4261		Wenatchee	(509) 665-3508
<u>Kansas</u>	Manhattan	(785) 539-3474	<u>West Virginia</u>	Elkins	(304) 636-6586
<u>Kentucky</u>	Frankfort	(502) 695-0468	<u>Wisconsin</u>	New Franken	(920) 866-1725
<u>Louisiana</u>	Lafayette	(337) 291-3100	<u>Wyoming</u>	Cheyenne	(307) 772-2374
<u>Maine</u>	Old Town	(207) 827-5938		Cody	(307) 578-5939
<u>Maryland</u>	Annapolis	(410) 573-4573			
<u>Massachusetts</u>	(See New Hampshire)				
<u>Michigan</u>	East Lansing	(517) 351-2555			
<u>Minnesota</u>	Bloomington	(612) 725-3548			
<u>Mississippi</u>	Jackson	(601) 965-4900			
<u>Missouri</u>	Columbia	(573) 234-2132			
<u>Montana</u>	Helena	(405) 449-5225			
<u>Nebraska</u>	Grand Island	(308) 382-6468			
<u>Nevada</u>	Las Vegas	(702) 515-5230			
	Reno	(775) 861-6300			

<p><u>National Office</u>            U.S. Fish and Wildlife Service            Division of Migratory Bird Management            4401 North Fairfax Drive, MBSP-4107            Arlington, VA 22203-1610            (703) 358-1714  <a href="http://www.fws.gov/migratorybirds">http://www.fws.gov/migratorybirds</a></p>
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### State Agencies

To contact a state wildlife agency, visit the Association of Fish & Wildlife Agencies' website at [http://www.fishwildlife.org/where\\_us.html](http://www.fishwildlife.org/where_us.html)

## GLOSSARY

The definitions below apply to these National Bald Eagle Management Guidelines:

**Communal roost sites** – Areas where bald eagles gather and perch overnight – and sometimes during the day in the event of inclement weather. Communal roost sites are usually in large trees (live or dead) that are relatively sheltered from wind and are generally in close proximity to foraging areas. These roosts may also serve a social purpose for pair bond formation and communication among eagles. Many roost sites are used year after year.

**Disturb** – To agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

In addition to immediate impacts, this definition also covers impacts that result from human-caused alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

**Fledge** – To leave the nest and begin flying. For bald eagles, this normally occurs at 10-12 weeks of age.

**Fledgling** – A juvenile bald eagle that has taken the first flight from the nest but is not yet independent.

**Foraging area** – An area where eagles feed, typically near open water such as rivers, lakes, reservoirs, and bays where fish and waterfowl are abundant, or in areas with little or no water (i.e., rangelands, barren land, tundra, suburban areas, etc.) where other prey species (e.g., rabbit, rodents) or carrion (such as at landfills) are abundant.

**Landscape buffer** – A natural or human-made landscape feature that screens eagles from human activity (e.g., strip of trees, hill, cliff, berm, sound wall).

**Nest** – A structure built, maintained, or used by bald eagles for the purpose of reproduction. An **active** nest is a nest that is attended (built, maintained or used) by a pair of bald eagles during a given breeding season, whether or not eggs are laid. An **alternate** nest is a nest that is not used for breeding by eagles during a given breeding season.

**Nest abandonment** – Nest abandonment occurs when adult eagles desert or stop attending a nest and do not subsequently return and successfully raise young in that nest for the duration of a breeding season. Nest abandonment can be caused by altering habitat near a nest, even if the alteration occurs prior to the breeding season. Whether the eagles migrate during the non-breeding season, or remain in the area throughout the non-breeding season, nest abandonment can occur at any point between the time the eagles return to the nesting site for the breeding season and the time when all progeny from the breeding season have

dispersed.

**Project footprint** – The area of land (and water) that will be permanently altered for a development project, including access roads.

**Similar scope** – In the vicinity of a bald eagle nest, an existing activity is of similar scope to a new activity where the types of impacts to bald eagles are similar in nature, and the impacts of the existing activity are of the same or greater magnitude than the impacts of the potential new activity. Examples: (1) An existing single-story home 200 feet from a nest is similar in scope to an additional single-story home 200 feet from the nest; (2) An existing multi-story, multi-family dwelling 150 feet from a nest has impacts of a greater magnitude than a potential new single-family home 200 feet from the nest; (3) One existing single-family home 200 feet from the nest has impacts of a lesser magnitude than three single-family homes 200 feet from the nest; (4) an existing single-family home 200 feet from a communal roost has impacts of a lesser magnitude than a single-family home 300 feet from the roost but 40 feet from the eagles' foraging area. The existing activities in examples (1) and (2) are of similar scope, while the existing activities in example (3) and (4) are not.

**Vegetative buffer** – An area surrounding a bald eagle nest that is wholly or largely covered by forest, vegetation, or other natural ecological characteristics, and separates the nest from human activities.

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Appendix **C**

***Office of Historic Preservation:  
Department of Parks & Recreation (SHPO) Consultation***

**Office of Historic Preservation:  
Department of Parks & Recreation (SHPO) Submission**

**Note:**

In the interest of efficiency and economy, attachments included in the original submission under this section are not duplicated throughout this NEPA Summary. The following attachment(s), found at the conclusion of this report, were included in the original submission:

- *Proposed Project Summary*
- *Form 620/621*
- *Attachment 1 - Maps*
- *Attachment 2 - Photographs*
- *Attachment 3 - Areas of Potential Effects (Cultural Resource Report)*
- *Attachment 4 - Historic Properties Identified in the APE for Direct Effects*
- *Attachment 5 - Historic Properties Identified in the APE for Visual Effects*
- *Attachment 6 - Tribal/NHO Involvement*
- *Attachment 7 - Local Government Involvement*
- *Attachment 8 - Public Involvement*
- *Attachment 9 - Curricula Vitae*
- *Attachment 10 - SHPO Specific Documentation (If required)*



August 4, 2023

Office of Historic Preservation: Department of Parks & Recreation  
Attn: Julianne Polanco  
1725 23rd Street, Suite 100  
Sacramento CA 95816

RE: **Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California, VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation and associated equipment near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis), is preparing a cultural resource and environmental review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence an invitation to the SHPO to comment on the possible direct or visual effects the proposed undertaking may have on eligible/listed sites or structures of historic significance within the Area of Potential Effect (APE).

By providing your signature or stamp of approval, you concur with Lotis' recommendation finding of *No Historic Properties* on eligible/listed sites or structures of historic significance within the APE.

Attached, please find the Federal Communications Commission's (FCC) completed Form 620 and corresponding attachments for the proposed undertaking.

Should you require further information, please do not hesitate to contact me at (716) 580-7000 or NEPA.NHPA@TheLotisGroup.com. Thank you for your time and consideration in these regards.

Sincerely,

**Lotis Environmental, LLC**

A handwritten signature in black ink that reads "Jordan Braden".

**Jordan Braden**  
Jr. Data Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



(716)580-7000



www.thelotisgroup.com



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

***Advisory Council On Historic Preservation (ACHP)  
Delegation of Authority for the Section 106 Review of  
Telecommunication Projects***

## Advisory Council On Historic Preservation

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The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

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September 21, 2000

### MEMORANDUM

**TO:** Federal Communications Commission  
State Historic Preservation Officers (SHPOs)  
Tribal Historic Preservation Officers (THPOs)

**From:** Executive Director

**Subject:** Delegation of Authority for the Section 106 Review of Telecommunications Projects

As a result of ongoing discussions with the Federal Communications Commission (FCC) and other stakeholders involved in the coordination and implementation of telecommunications projects, the Council has determined that it is consistent with 36 CFR Section 800.2(c)(5) of our regulations, "Protection of Historic Properties" (36 CFR Part 800), for licensees, applicants, and their authorized representatives<sup>1</sup> to act on behalf of FCC when complying with certain provisions of our regulations. Accordingly, effective immediately, applicants, licensees, tower construction companies, and their authorized representatives may consult with the State Historic Preservation Officers (SHPOs) and Tribal Historic Preservation Officers (THPOs) to initiate the Section 106 review process; identify and evaluate historic properties; and assess effects. FCC, however, will remain responsible for participating in the consultation process when:

- it is determined that the *Criteria of Adverse Effect* apply to an undertaking;
- there is a disagreement between the licensee, applicant, tower construction company, or their authorized representatives and the SHPO/THPO regarding identification and evaluation, and/or assessment of effects;
- there is an objection from consulting parties or the public regarding findings and determinations, the implementation of agreed upon provisions, or their

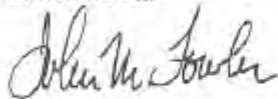
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<sup>1</sup>When consulting with SHPOs/THPOs, authorized representatives of applicants, licensees and tower construction companies should identify the organization they are representing, including an appropriate contact person within the organization, and the undertaking for which they have been hired to coordinate the Section 106 review.

- involvement in a Section 106 review; or,
- there is the potential for a foreclosure situation or anticipatory demolition as specified in Section 110(k) of the National Historic Preservation Act.

In accordance with 36 CFR Section 800.2(c)(3), FCC shall ensure that all consultations with Indian Tribes are conducted in a sensitive manner respectful of tribal sovereignty and the government to government relationship between the Federal government and Indian Tribes. This Memorandum, therefore, is not intended to modify or limit such requirements nor mandate that Indian Tribes consult with licensees and applicants or provide information if the Indian Tribes conclude that consultation should be directly with FCC.

It, therefore, is important that Section 106 reviews be conducted within the time frames set forth within 36 CFR Part 800, and that the exchange of documentation and consultations between the consulting parties be carried out in a consistent and predictable manner. To this end, FCC should coordinate with the telecommunications industry to carry out the process set forth in this Memorandum.



John M. Fowler

***Proof of Office of Historic Preservation:  
Department of Parks & Recreation (SHPO) Submission***

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 25, 2023 5:28 PM  
**To:** OHP, CALSHPO@Parks  
**Subject:** SHPO Section 106 Consultation request for LOTIS# VBBTS\_204 – "Yucca Valley" US-CA-5466  
**Attachments:** Yucca Valley SHPO SUB 8.25.23.pdf; US-CA-5466 YUCCA VALLEY (CA).kmz

**Importance:** High

To Whom It May Concern,

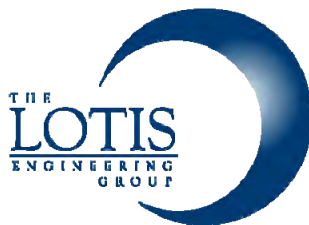
Please see the Dropbox link for the submission of the above addressed TCNS project known as "Yucca Valley" located in San Bernardino County, California for the proposed undertaking. Once you have selected the link a tab will open in your browser and load our PDF submission. This PDF submission will include a cover letter, project summary, site photos, site maps, and a cultural resource survey report which will detail the investigation conducted on identifying cultural resources/properties located in both the Direct and Visual APE of the proposed undertaking. Additionally, it will have a recommendation of effect which we are providing to you as an opportunity to review and comment. Lastly, I have also attached a file (.kmz). Once selected, this file will upload to Google Earth program (in the temporary folder) and bring you directly to the "pinpoint" coordinates of the proposed tower location. I have included this file so you can review the surrounding habitat/area in its current state (or near current state) without the confined limitations of the aerial photos provided in Attachment 2.

Submittal Link: <https://www.dropbox.com/s/r97k7djwve09lf5/Yucca%20Valley%20SHPO%20SUB%208.25.23.pdf?dl=0>

Should you have an additional request for information, please feel free to contact me via phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.

### Jordan Braden

NEPA Team Lead



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8899 Main Street – Suite 107  
Williamsville, NY 14221  
[www.thelotisgroup.com](http://www.thelotisgroup.com)

Phone: 716.580.7000  
Mobile: 417.839.3701  
[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

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***Office of Historic Preservation:  
Department of Parks & Recreation's (SHPO) Response***



DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer  
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100  
Telephone: (916) 445-7000 FAX: (916) 445-7053  
calshpo.ohp@parks.ca.gov [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)

Dear FCC Applicant:

Section 106 FCC submissions will not be accepted unless this cover sheet is completed and attached.

Project Name _____
Project Address _____

Based on the information provided on the accompanying FCC Form 620 or Form 621, and the documentation submitted pursuant to *the First Amendment To The Nationwide Programmatic Agreement For The Collocation Of Wireless Antennas*, the following information applies to this project:

<input type="checkbox"/>	There are buildings or structures over 45 years of age within this project's direct/indirect area of potential effect (APE).
<input type="checkbox"/>	There is an archeological site located within this project's direct APE.
<input type="checkbox"/>	A qualified archeologist has determined that the proposed project area is considered moderately to highly sensitive for archeological resources.

If the above boxes are blank, there are no historic properties within the direct or indirect project area. Therefore, pursuant to Stipulation VII.B.2 of the *Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission* as quoted below, **your Section 106 responsibilities are complete:**

If the SHPO/THPO does not provide written notice to the Applicant that it agrees or disagrees with the Applicant's determination of No Historic Properties Affected within 30 days following receipt of a complete Submission Packet, it is deemed that no Historic Properties Exist within the APE or the Undertaking will have no effect on Historic Properties. The Section 106 process is then complete and the Applicant may proceed with the project, unless further processing for reasons other than Section 106 is required.

\_\_\_\_\_ Yes, this submission contains an eligibility determination requiring SHPO concurrence. \_\_\_\_\_ Yes, this submission contains tribal response.

This project will: Not \_\_\_ Not Adversely \_\_\_ Adversely \_\_\_ affect Historic Properties.  
The qualified project archeologist acknowledges that a pedestrian survey has been completed, a record search has been conducted at the appropriate California Historic Resources Information Center (IC) and that all submitted information is true.

Archeologist's signature Carrie D. Wills Date \_\_\_\_\_

**Please note: This letter pertains only to FCC projects being submitted to the California SHPO for comment.**

Sincerely,

Julianne Polanco  
State Historic Preservation Officer

***Federal Communications Commission (FCC) Form 620***

Notification Date: **7AM EST 08/04/2023**

**New Tower (“NT”) Submission Packet**

See instructions for  
public burden estimates

File Number: **0010641881**

**General Information**

1) (Select only one) ( <b>NE</b> ) <b>NE</b> – New <b>UA</b> – Update of Application <b>WD</b> – 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): <b>0030443170</b>
4) Name: <b>VB BTS II, LLC</b>

**Contact Name**

5) First Name: <b>James</b>	6) MI:	7) Last Name: <b>Guerrasio</b>	8) Suffix:
9) Title:			

**Contact Information**

10) P.O. Box:	<b>And /Or</b>	11) Street Address: <b>750 Park of Commerce Drive, Suite 200</b>	
12) City: <b>Boca Raton</b>		13) State: <b>FL</b>	14) Zip Code: <b>33487</b>
15) Telephone Number: <b>(716)580-7000</b>		16) Fax Number:	
17) E-mail Address: <b>nepa.nhpa@thelotisgroup.com</b>			

**Consultant Information**

18) FCC Registration Number (FRN): <b>0031051642</b>
19) Name: <b>Lotis Environmental</b>

**Principal Investigator**

20) First Name: <b>Abraham</b>	21) MI:	22) Last Name: <b>Ledezma</b>	23) Suffix:
24) Title: <b>Principal Investigator</b>			

**Principal Investigator Contact Information**

25) P.O. Box:	<b>And /Or</b>	26) Street Address: <b>8899 Main Street, Suite 107</b>	
27) City: <b>Williamsville</b>		28) State: <b>NY</b>	29) Zip Code: <b>14221</b>
30) Telephone Number: <b>(716)580-7000</b>		31) Fax Number:	
32) E-mail Address: <b>nepa.nhpa@thelotisgroup.com</b>			

**Professional Qualification**

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	( <input checked="" type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o
34) Areas of Professional Qualification: ( <input checked="" type="checkbox"/> ) Archaeologist ( <input type="checkbox"/> ) Architectural Historian ( <input type="checkbox"/> ) Historian ( <input type="checkbox"/> ) Architect ( <input type="checkbox"/> ) Other (Specify) _____	

**Additional Staff**

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	( <input checked="" type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o
--	---

If "YES," complete the following:

36) First Name: <b>Benjamin</b>	37) MI:	38) Last Name: <b>Schweer</b>	39) Suffix:
40) Title:			
41) Areas of Professional Qualification: ( <input checked="" type="checkbox"/> ) Archaeologist ( <input type="checkbox"/> ) Architectural Historian ( <input type="checkbox"/> ) Historian ( <input type="checkbox"/> ) Architect ( <input type="checkbox"/> ) Other (Specify) _____			

## Site Information

### Tower Construction Notification System

1) TCNS Notification Number: **267599**

### Site Information

2) Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: ( ) Yes ( **X** ) No

3) Site Name: **Yucca Valley**

4) Site Address: **near 56750 Mountain View Trail**

5) Detailed Description of Project:

**A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.**

6) City: **Yucca Valley**

7) State: **CA**

8) Zip Code: **92284**

9) County/Borough/Parish: **SAN BERNARDINO**

10) Nearest Crossroads: **Mountain View Trail**

11) **NAD 83** Latitude (DD-MM-SS.S): **34-06-32.3**

( **X** ) N or ( ) S

12) **NAD 83** Longitude (DD-MM-SS.S): **116-25-32.0**

( ) E or ( **X** ) W

### Tower Information

13) Tower height above ground level (include top-mounted attachments such as lightning rods): **22.9** ( ) 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: \_\_\_\_\_

**Determination of Effect**

14) Direct Effects (Select One):

- 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)
- 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

### 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es (    ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u> Number of Tribes/NHOs: <u>14</u>	
2b) Tribes/NHOs contacted through an alternate system:    Number of Tribes/NHOs: <u>0</u>	

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Chemehuevi Tribe</b>

#### Contact Name

5) First Name: <b>Kaitlyn</b>	6) MI:	7) Last Name: <b>Snodgrass</b>	8) Suffix:
9) Title: <b>Cultural Center Director</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
(    ) Replied/Other	

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Colorado River Indian Tribes</b>

#### Contact Name

5) First Name: <b>Bryan</b>	6) MI:	7) Last Name: <b>Etsitty</b>	8) Suffix:
9) Title: <b>Acting Director</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es (    ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u> Number of Tribes/NHOs: <u>14</u>	
2b) Tribes/NHOs contacted through an alternate system:    Number of Tribes/NHOs: <u>0</u>	

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Eastern Shoshone Tribe</b>

#### Contact Name

5) First Name: <b>Josh</b>	6) MI:	7) Last Name: <b>Mann</b>	8) Suffix:
9) Title: <b>THPO</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
(    ) Replied/Other	

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Fort Mojave Indian Tribe</b>

#### Contact Name

5) First Name: <b>Linda</b>	6) MI: <b>D</b>	7) Last Name: <b>Otero</b>	8) Suffix:
9) Title: <b>Culture Society Director</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es (    ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u>	Number of Tribes/NHOs: <u>14</u>
2b) Tribes/NHOs contacted through an alternate system:	Number of Tribes/NHOs: <u>0</u>

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Los Coyotes Reservation</b>

#### Contact Name

5) First Name: <b>Shane</b>	6) MI:	7) Last Name: <b>Chapparosa</b>	8) Suffix:
9) Title: <b>Chairman</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
(    ) Replied/Other	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Morongo Band of Mission Indians</b>

#### Contact Name

5) First Name: <b>Ann</b>	6) MI:	7) Last Name: <b>Brierty</b>	8) Suffix:
9) Title: <b>Tribal Historic Preservation Officer</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u>	Number of Tribes/NHOs: <u>14</u>
2b) Tribes/NHOs contacted through an alternate system:	Number of Tribes/NHOs: <u>0</u>

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Northwestern Band of Shoshone Nation</b>

#### Contact Name

5) First Name: <b>Montana &amp; Associates</b>	6) MI:	7) Last Name: <b>LLC</b>	8) Suffix:
9) Title: <b>Attorney</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) Replied/Other	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Pauma/Yuima Band of Mission Indians</b>

#### Contact Name

5) First Name: <b>Chris</b>	6) MI:	7) Last Name: <b>Devers</b>	8) Suffix:
9) Title: <b>Cultural Clerk</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es (    ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u> Number of Tribes/NHOs: <u>14</u>	
2b) Tribes/NHOs contacted through an alternate system:    Number of Tribes/NHOs: <u>0</u>	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Ramona Band of Cahuilla</b>

#### Contact Name

5) First Name: <b>John</b>	6) MI:	7) Last Name: <b>Gomez</b>	8) Suffix:
9) Title: <b>Cultural Resources Coordinator</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
(    ) Replied/Other	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Skull Valley Band Goshute</b>

#### Contact Name

5) First Name: <b>Candace</b>	6) MI:	7) Last Name: <b>Bear</b>	8) Suffix:
9) Title: <b>Chairman</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <u>Y</u> es (    ) <u>N</u> o
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u> Number of Tribes/NHOs: <u>14</u>	
2b) Tribes/NHOs contacted through an alternate system:    Number of Tribes/NHOs: <u>0</u>	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Soboba Band of Luiseno Indians</b>

#### Contact Name

5) First Name: <b>Joseph</b>	6) MI:	7) Last Name: <b>Ontiveros</b>	8) Suffix:
9) Title: <b>Director of Cultural Resources</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
(    ) Replied/Other	

#### Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Timbisha Shoshone Tribe</b>

#### Contact Name

5) First Name: <b>White Dove</b>	6) MI:	7) Last Name: <b>Kennedy</b>	8) Suffix:
9) Title: <b>Chairman</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) 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?	( <input checked="" type="checkbox"/> ) <b>Yes</b> ( <input type="checkbox"/> ) <b>No</b>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>267599</u>	Number of Tribes/NHOs: <u>14</u>
2b) Tribes/NHOs contacted through an alternate system:	Number of Tribes/NHOs: <u>0</u>

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Twenty Nine Palms Band of Mission Indians</b>

#### Contact Name

5) First Name: <b>Christopher</b>	6) MI: <b>E</b>	7) Last Name: <b>Nicosia</b>	8) Suffix:
9) Title: <b>Tribal Historic Preservation Officer</b>			

#### Dates & Response

10) Date Contacted <u>06/01/2023</u>	11) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) Replied/Other	

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <b>Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians)</b>

#### Contact Name

5) First Name: <b>Bonnie</b>	6) MI:	7) Last Name: <b>Bryant</b>	8) Suffix:
9) Title: <b>Cultural Resource Technician</b>			

#### Dates & Response

10) Date Contacted <u>05/31/2023</u>	11) Date Replied <u>06/02/2023</u>
( <input type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input checked="" type="checkbox"/> ) Replied/Other	

## 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:	<b>And /Or</b>	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:  <input type="checkbox"/> E-mail  <input type="checkbox"/> Letter  <input type="checkbox"/> Both				

### Dates & Response

17) Date Contacted _____	18) Date Replied _____
<input type="checkbox"/> No Reply  <input type="checkbox"/> Replied/No Interest  <input type="checkbox"/> Replied/Have Interest  <input type="checkbox"/> Replied/Other	

## Historic Properties

### Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	( <input type="checkbox"/> ) <u>Y</u> es ( <input checked="" type="checkbox"/> ) <u>N</u> o
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?	( <input type="checkbox"/> ) <u>Y</u> es ( <input checked="" type="checkbox"/> ) <u>N</u> o
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.	( <input type="checkbox"/> ) <u>Y</u> es ( <input checked="" type="checkbox"/> ) <u>N</u> o

### Historic Property

4) Property Name:
5) SHPO Site Number:

### Property Address

6) Street Address:		
7) City:	8) State:	9) Zip Code:
10) County/Borough/Parish:		

### Status & Eligibility

11) Is this property listed on the National Register?  Source: _____	( <input type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o
12) Is this property eligible for listing on the National Register?  Source: _____	( <input type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o
13) Is this property a National Historic Landmark?	( <input type="checkbox"/> ) <u>Y</u> es ( <input type="checkbox"/> ) <u>N</u> o

<p>14) Direct Effects (Select One):</p> <p>( <input type="checkbox"/> ) No Effect on this Historic Property in APE</p> <p>( <input type="checkbox"/> ) No Adverse Effect on this Historic Property in APE</p> <p>( <input type="checkbox"/> ) Adverse Effect on this Historic Property in APE</p>
<p>15) Visual Effects (Select One):</p> <p>( <input type="checkbox"/> ) No Effect on this Historic Property in APE</p> <p>( <input type="checkbox"/> ) No Adverse Effect on this Historic Property in APE</p> <p>( <input type="checkbox"/> ) Adverse Effect on this Historic Property in APE</p>

## Local Government Involvement

### Local Government Agency

1) FCC Registration Number (FRN):

2) Name: **Town of Yucca Valley Planning Division**

### Contact Name

3) First Name: **Jared**

4) MI:

5) Last Name: **Jerome**

6) Suffix:

7) Title: **Associate Planner**

### Contact Information

8) P.O. Box:

And  
/Or

9) Street Address: **58928 Business Center Drive**

10) City: **Yucca Valley**

11) State: **CA**

12) Zip Code: **92284**

13) Telephone Number: **(555)555-5555**

14) Fax Number:

15) E-mail Address: **jjerome@yucca-valley.org**

16) Preferred means of communication:

(  ) E-mail

(  ) Letter

(  ) Both

### Dates & Response

17) Date Contacted **08/03/2023**

18) Date Replied \_\_\_\_\_

(  ) No Reply

(  ) Replied/No Interest

(  ) Replied/Have Interest

(  ) Replied/Other

### Additional Information

19) Information on local government's role or interest (optional):

### Other Consulting Parties

#### Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	( <input checked="" type="checkbox"/> ) <u>Yes</u> ( <input type="checkbox"/> ) <u>No</u>
--	---

#### Consulting Party

2) FCC Registration Number (FRN):
3) Name: <b>Morongo Basin Historical Society</b>

#### Contact Name

4) First Name: <b>To Whom</b>	5) MI:	6) Last Name: <b>It May Concern</b>	7) Suffix:
8) Title:			

#### Contact Information

9) P.O. Box:	<b>And /Or</b>	10) Street Address: <b>632 Landers Lane</b>
11) City: <b>Yucca Valley</b>	12) State: <b>CA</b>	13) Zip Code: <b>92284</b>
14) Telephone Number: <b>(555)555-5555</b>	15) Fax Number:	
16) E-mail Address: <b>hello@mbhistoricalsociety.org</b>		
17) Preferred means of communication: ( <input checked="" type="checkbox"/> ) E-mail ( <input type="checkbox"/> ) Letter ( <input type="checkbox"/> ) Both		

#### Dates & Response

18) Date Contacted <b>08/03/2023</b>	19) Date Replied _____
( <input checked="" type="checkbox"/> ) No Reply ( <input type="checkbox"/> ) Replied/No Interest ( <input type="checkbox"/> ) Replied/Have Interest ( <input type="checkbox"/> ) 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: California Office of Historic Preservation

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: **David**

MI:

Last Name: **Robinson**

Suffix:

Signature: **David Robinson**

Date: **08/03/2023**

**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
Map Documents	<a href="#">Map Documents</a>	08/03/2023
Photographs	<a href="#">Photographs</a>	08/03/2023
Area of Potential Effects	<a href="#">Area of Potential Effects</a>	08/03/2023
Historic Properties for Direct Effects	<a href="#">Historic Properties for Direct Effects</a>	08/03/2023
Historic Properties for Visual Effects	<a href="#">Historic Properties for Visual Effects</a>	08/03/2023
Tribal/NHO Involvement	<a href="#">Tribal/NHO Involvement</a>	08/03/2023
Local Government Involvement	<a href="#">Local Government Involvement</a>	08/03/2023
Public Involvement	<a href="#">Public Involvement</a>	08/03/2023
Resumes/Vitae	<a href="#">Resumes/Vitae</a>	08/03/2023

***Electronic Section 106 (E-106) Submission  
Confirmation Email***

## NEPA NHPA

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**From:** towernotifyinfo@fcc.gov  
**Sent:** Thursday, August 3, 2023 2:16 PM  
**To:** NEPA NHPA  
**Subject:** Section 106 New Filing Submitted- Email ID #8701949

The following new Section 106 filing has been submitted:

File Number: 0010641881  
TCNS Number: 267599  
Purpose: New Tower Submission Packet

Notification Date: 7AM EST 08/04/2023

Applicant: VB BTS II, LLC  
Consultant: Lotis Environmental  
Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No  
Site Name: Yucca Valley  
Site Address: near 56750 Mountain View Trail  
Detailed Description of Project: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.  
Site Coordinates: 34-6-32.3 N, 116-25-32.0 W  
City: Yucca Valley  
County: SAN BERNARDINO  
State:CA  
Lead SHPO/THPO: California Office of Historic Preservation

Consultant Contact Information:  
Name: Lotis Environmental  
Title: Principal Investigator  
PO Box:  
Address: 8899 Main Street, Suite 107  
City: Williamsville  
State: NY  
Zip: 14221  
Phone: 716-580-7000  
Fax:  
Email: nepa.nhpa@thelotisgroup.com

### NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

Appendix **D**

***Tribal/NHO Consultation(s)***

## Federal Recognized Tribal/NHO Correspondence Summary

	Tribe/NHO	First Tribal Contact	Second Tribal Contact	Referred to FCC	Tribal Clearance Date	Response Outcome
1	Eastern Shoshone Tribe	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
2	Colorado River Indians Tribes	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.
3	Fort Mojave Indian Tribe	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
4	Skull Valley Band Goshute	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.
5	Chemehuevi Tribe	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.
6	Northwestern Band of Shoshone Nation	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
7	Yuhaaviatam of San Manuel Nation	6/2/2023	8/3/2023	N/A	6/2/2023	No objection
8	Los Coyotes Reservation	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.
9	Morongo Band of Mission Indians	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
10	Pauma/Yuima Band of Mission Indians	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.
11	Ramona Band of Cahuilla	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
12	Soboba Band of Luiseno Indians	6/2/2023	8/3/2023	9/7/2023	9/22/2023	Per the FCC referral letter, consultation is complete
13	Twenty Nine Palms Band of Mission Indians	6/2/2023	8/3/2023	9/7/2023	9/14/2023	No interest
14	Timbisha Shoshone Tribe	6/2/2023	8/3/2023	N/A	7/2/2023	If the applicant/tower builder receives no response from the Tribe within 30 days after notification through TCNS, the Tribe has no interest in participating in pre-construction review for the proposed site.

***The Applicant/tower builder, however, must immediately notify all tribal consulting parties in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.***

\* Denotes tribe had indicated through TCNS that if no response had been received within 30 days that the tribe had no interest in the project. No response was received by Lotis within the required 30 days; therefore Section 106 review is complete for this tribe.

Notes:

1. First Tribal contact was made through the FCC's TCNS system.

## State Recognized Tribal/NHO Correspondence Summary

	Tribe/NHO	Contact Person	First Tribal Contact	Tribal Clearance Date	Referred to FCC	Response Outcome
1	Agua Caliente Band of Cahuilla Indians	Patricia Garcia	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
2	Augustine Band of Cahuilla Mission Indians	Amanda Vance,	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
3	Cabazon Band of Mission Indians	Doug Welmas	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
4	Cahuilla Band of Indians	BobbyRay Esaprza	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
5	Cahuilla Band of Indians	Anthony Madrigal	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
6	Cahuilla Band of Indians	Daniel Salgado	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
7	Los Coyotes Band of Cahuilla and Cupeño Indians	Ray Chapparosa, Chairperson	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
8	Morongo Band of Mission Indians	Ann Brierty, THPO	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
9	Morongo Band of Mission Indians	Robert Martin, Chairperson	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
10	Quechan Tribe of the Fort Yuma Reservation	Jill McCormick	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
11	Quechan Tribe of the Fort Yuma Reservation	Manfred Scott	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
12	Quechan Tribe of the Fort Yuma Reservation	Jordan Joaquin	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
13	Ramona Band of Cahuilla	Joseph Hamilton	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
14	Ramona Band of Cahuilla	John Gomez	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
15	San Manuel Band of Mission Indians	Alexandra McCleary	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
16	Santa Rosa Band of Cahuilla Indians	Lovina Redner	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
17	Serrano Nation of Mission Indians	Mark Cochrane	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
18	Serrano Nation of Mission Indians	Wayne Walker	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult

## State Recognized Tribal/NHO Correspondence Summary

19	Soboba Band of Luiseno Indians	Jessica Valdez	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
20	Soboba Band of Luiseno Indians	Joseph Ontiveros	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
21	Torres-Martinez Desert Cahuilla Indians	Cultural Committee	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
22	Twenty-Nine Palms Band of Mission Indians	Darrell Mike	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult
23	Twenty-Nine Palms Band of Mission Indians	Anthony Madrigal	8/18/2023	9/18/2023	N/A	No response after multiple attempts to provide opportunity to consult

***The Applicant/tower builder, however, must immediately notify all tribal consulting parties in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.***

\* Denotes tribe had indicated through TCNS that if no response had been received within 30 days that the tribe had no interest in the project. No response was received by Lotis within the required 30 days; therefore Section 106 review is complete for this tribe.

Notes:

1. First Tribal contact was made through the FCC's TCNS system.

## ***Native American Heritage Council (NAHC) Sacred Lands File Search (SLF) & State Recognized Contact List Request***

### ***Note:***

In the interest of efficiency and economy, attachments included in the original submission under this section are not duplicated throughout this NEPA Summary. The following attachment(s), found at the conclusion of this report, were included in the original submission:

- ***Proposed Project Summary***

***Native American Heritage Council (NAHC) Sacred  
Lands File Search (SLF) & State Recognized Contact  
List***

## NATIVE AMERICAN HERITAGE COMMISSION

August 10, 2023

Jordan Braden  
Lotis EnvironmentalVia Email to: [braden@thelotisgroup.com](mailto:braden@thelotisgroup.com)

Re: Yucca Valley US-CA-5466 Project, San Bernardino County

Dear Mr. Braden:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: [Cameron.vela@nahc.ca.gov](mailto:Cameron.vela@nahc.ca.gov).

Sincerely,

*Cameron Vela*Cameron Vela  
Cultural Resources Analyst  
AttachmentACTING CHAIRPERSON  
Reginald Pagaling  
ChumashSECRETARY  
Sara Dutschke  
MiwokCOMMISSIONER  
Isaac Bojorquez  
Ohlone-CostanoanCOMMISSIONER  
Buffy McQuillen  
Yokayo Pomo, Yuki,  
NomlakiCOMMISSIONER  
Wayne Nelson  
LuiseñoCOMMISSIONER  
Stanley Rodriguez  
KumeyaayCOMMISSIONER  
VacantCOMMISSIONER  
VacantCOMMISSIONER  
VacantEXECUTIVE SECRETARY  
Raymond C.  
Hitchcock  
Miwok, NisenanNAHC HEADQUARTERS  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Native American Heritage Commission  
Native American Contact List  
San Bernardino County  
8/10/2023**

County	Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Fax #	Email Address	Cultural Affiliation	Counties	Last Updated
San Bernardino	Agua Caliente Band of Cahuilla Indians	F	Patricia Garcia, Director of Historic Preservation	5401 Dinah Shore Drive Palm Springs, CA, 92264	(760) 699-6907	(760) 699-6919	pagarcia@aguacaliente.net	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	7/20/2023
	Augustine Band of Cahuilla Mission Indians	F	Amanda Vance, Chairperson	84-001 Avenue 54 Coachella, CA, 92236	(760) 398-4722	(760) 369-7161	hhaines@augustinetribe.com	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	
	Cabazon Band of Mission Indians	F	Doug Welmas, Chairperson	84-245 Indio Springs Parkway Indio, CA, 92203	(760) 342-2593	(760) 347-7880	jstapp@cabazonindians-nsn.gov	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	
	Cahuilla Band of Indians	F	BobbyRay Esaprza, Cultural Director	52701 CA Highway 371 Anza, CA, 92539	(951) 763-5549		besparza@cahuilla-nsn.gov	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	6/28/2023
	Cahuilla Band of Indians	F	Anthony Madrigal, Tribal Historic Preservation Officer	52701 CA Highway 371 Anza, CA, 92539	(951) 763-5549		anthonymad2002@gmail.com	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	6/28/2023
	Cahuilla Band of Indians	F	Daniel Salgado, Chairperson	52701 CA Highway 371 Anza, CA, 92539	(951) 972-2568	(951) 763-2808	chairman@cahuilla-nsn.gov	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	6/28/2023
	Los Coyotes Band of Cahuilla and Cupeño Indians	F	Ray Chapparosa, Chairperson	P.O. Box 189 Warner Springs, CA, 92086-0189	(760) 782-0711	(760) 782-0712		Cahuilla	Imperial,Riverside,San Bernardino,San Diego	
	Morongo Band of Mission Indians	F	Ann Brierty, THPO	12700 Pumarra Road Banning, CA, 92220	(951) 755-5259	(951) 572-6004	abrierty@morongo-nsn.gov	Cahuilla Serrano	Imperial,Los Angeles,Riverside,San Bernardino,San Diego	
	Morongo Band of Mission Indians	F	Robert Martin, Chairperson	12700 Pumarra Road Banning, CA, 92220	(951) 755-5110	(951) 755-5177	abrierty@morongo-nsn.gov	Cahuilla Serrano	Imperial,Los Angeles,Riverside,San Bernardino,San Diego	
	Quechan Tribe of the Fort Yuma Reservation	F	Jill McCormick, Historic Preservation Officer	P.O. Box 1899 Yuma, AZ, 85366	(928) 261-0254		historicpreservation@quechantribe.com	Quechan	Imperial,Kern,Los Angeles,Riverside,San Bernardino,San Diego	5/16/2023
	Quechan Tribe of the Fort Yuma Reservation	F	Manfred Scott, Acting Chairman - Kw'ts'an Cultural Committee	P.O. Box 1899 Yuma, AZ, 85366	(928) 210-8739		culturalcommittee@quechantribe.com	Quechan	Imperial,Kern,Los Angeles,Riverside,San Bernardino,San Diego	5/16/2023
	Quechan Tribe of the Fort Yuma Reservation	F	Jordan Joaquin, President, Quechan Tribal Council	P.O.Box 1899 Yuma, AZ, 85366	(760) 919-3600		executivesecretary@quechantribe.com	Quechan	Imperial,Kern,Los Angeles,Riverside,San Bernardino,San Diego	5/16/2023
	Ramona Band of Cahuilla	F	Joseph Hamilton, Chairperson	P.O. Box 391670 Anza, CA, 92539	(951) 763-4105	(951) 763-4325	admin@ramona-nsn.gov	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	
	Ramona Band of Cahuilla	F	John Gomez, Environmental Coordinator	P. O. Box 391670 Anza, CA, 92539	(951) 763-4105	(951) 763-4325	igomez@ramona-nsn.gov	Cahuilla	Imperial,Riverside,San Bernardino,San Diego	8/16/2016
	San Manuel Band of Mission Indians	F	Alexandra McCleary, Cultural Lands Manager	26569 Community Center Drive Highland, CA, 92346	(909) 633-0054		alexandra.mccleary@sanmanuel-nsn.gov	Serrano	Kern,Los Angeles,Riverside,San Bernardino	3/27/2023

**Native American Heritage Commission  
Native American Contact List  
San Bernardino County  
8/10/2023**

Santa Rosa Band of Cahuilla Indians	F	Lovina Redner, Tribal Chair	P.O. Box 391820 Anza, CA, 92539	(951) 659-2700	(951) 659-2228	lsaul@santarosa-nsn.gov	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	
Serrano Nation of Mission Indians	N	Mark Cochrane, Co-Chairperson	P. O. Box 343 Patton, CA, 92369	(909) 528-9032		serranonation1@gmail.com	Serrano	Los Angeles, Riverside, San Bernardino	
Serrano Nation of Mission Indians	N	Wayne Walker, Co-Chairperson	P. O. Box 343 Patton, CA, 92369	(253) 370-0167		serranonation1@gmail.com	Serrano	Los Angeles, Riverside, San Bernardino	4/29/2019
Soboba Band of Luiseno Indians	F	Jessica Valdez, Cultural Resource Specialist	P. O. Box 487 San Jacinto, CA, 92581	(951) 663-6261	(951) 654-4198	jvaldez@soboba-nsn.gov	Cahuilla Luiseno	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	7/14/2023
Soboba Band of Luiseno Indians	F	Joseph Ontiveros, Tribal Historic Preservation Officer	P.O. Box 487 San Jacinto, CA, 92581	(951) 663-5279	(951) 654-4198	jontiveros@soboba-nsn.gov	Cahuilla Luiseno	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	7/14/2023
Torres-Martinez Desert Cahuilla Indians	F	Cultural Committee,	P.O. Box 1160 Thermal, CA, 92274	(760) 397-0300	(760) 397-8146	Cultural-Committee@torresmartinez-nsn.gov	Cahuilla	Imperial, Riverside, San Bernardino, San Diego	
Twenty-Nine Palms Band of Mission Indians	F	Darrell Mike, Chairperson	46-200 Harrison Place Coachella, CA, 92236	(760) 863-2444	(760) 863-2449	29chairman@29palmsbomi-nsn.gov	Chemehuevi	Imperial, Inyo, Riverside, San Bernardino	
Twenty-Nine Palms Band of Mission Indians	F	Anthony Madrigal, Tribal Historic Preservation Officer	46-200 Harrison Place Coachella, CA, 92236	(760) 775-3259		amadriral@29palmsbomi-nsn.gov	Chemehuevi	Imperial, Inyo, Riverside, San Bernardino	

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

Record: PROJ-2023-003966  
Report Type: List of Tribes  
Counties: San Bernardino  
NAHC Group: All

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Yucca Valley US-CA-5466 Project, San Bernardino County.

## ***Tribal/NHO Submission(s)***

### ***Note:***

In the interest of efficiency and economy, attachments included in the original submission under this section are not duplicated throughout this NEPA Summary. The following attachment(s), found at the conclusion of this report, were included in the original submission:

- ***Proposed Project Summary***
- ***Attachment 1 - Maps***
- ***Attachment 2 - Photographs***
- ***Attachment 3 - Cultural Resource Report***
- ***Form 620/621(if requested)***
- ***SHPO Response (if requested)***



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August 3, 2023

**Pauma/Yuima Band of Mission Indians**

Attn: Cultural Clerk Chris Devers

PO Box: 369

Pauma Valley, CA 92061

Submitted via: cultural@pauma-nsn.gov and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation within the general vicinity of near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis) has prepared an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence a response to the request for additional information about the proposed undertaking (through the Federal Communication Commission's Tower Construction Notification System – TCNS # 267599). Lotis is providing you the opportunity to review and comment on the possible effects the proposed undertaking may have on sites or structures of current or historical significance affiliated with your tribe. Should you identify an area/property which will be adversely impacted, please submit this information to us at the time of your response so that we may determine our client's options on how to proceed. To aid you in your review please see the proposed undertaking's information is as follows:

Attached (or Enclosed), please find the requested materials which include site photographs taken in all four directions (north, south, east, and west) from the center of the proposed undertaking, a project summary, an aerial photograph, a topographic map, and form 620 (if requested).

Lotis contracted Environmental Assessment Specialists, Inc. to perform an archeological assessment of the proposed undertaking to determine whether or not it would have an effect on historic properties within the direct or visual area of potential effect (APE). Environmental Assessment Specialists, Inc. conducted site reconnaissance, per SHPO and tribal protocols, and did not find any archaeological sites or historic properties within the APE. Environmental Assessment Specialists, Inc. have recommended that the proposed undertaking be allowed to proceed as planned without further surveying. A copy of the cultural resource report and other requested documentation is included for your review.



(716)580-7000



www.thelotisgroup.com



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

As part of our research, Lotis has or will shortly be consulting with the Office of Historic Preservation: Department of Parks & Recreation (through FCC's E-106 filing protocols), as well as other Native American tribes. If you have requested the SHPO's response to be sent with the review materials, Lotis will forward the letter once it has been received.

**Per the FCC Second Report and Order, released on March 30, 2018, and implemented on July 2, 2018, "... we clarify that applicants have no legal obligation to pay up-front fees when providing Tribal Nations and NHOs with an opportunity to comment on proposed facilities deployments". Please note, this letter is not a request for review but an invitation giving the tribe the opportunity to review impact to affiliated areas/properties within the APE. Therefore, per the applicant's request, Lotis will not be submitting any requested upfront review fees in exchange for review or comment of the proposed undertaking and will be following the FCC protocols for Section 106 consultation with Tribal Nations and NHOs. Lotis apologizes for any inconvenience this may cause.**

Should you require further information, please do not hesitate to contact me by calling (716) 580-7000 or by email at NEPA.NHPA@TheLotisGroup.com. Thank you for your time and consideration in this regard.

Sincerely,

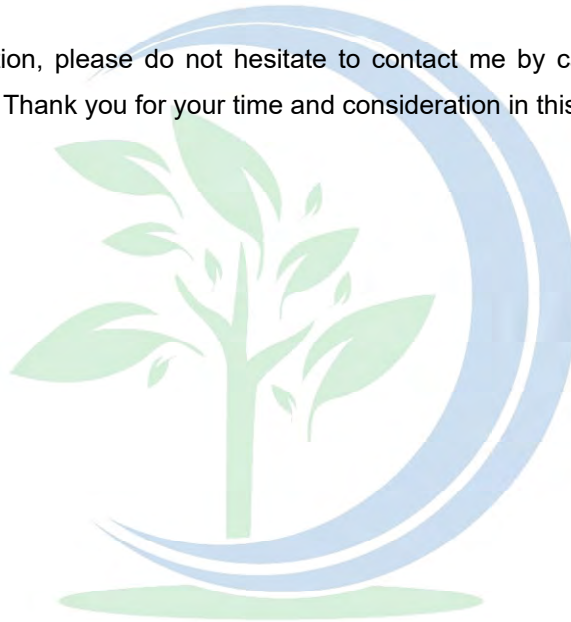
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



(716)580-7000



[www.thelotisgroup.com](http://www.thelotisgroup.com)



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221



---

August 3, 2023

**Ramona Band of Cahuilla**

Attn: Cultural Resources Coordinator John Gomez

PO Box: 391372

Anza, CA 92539

Submitted via: [jgomez@ramonatribe.com](mailto:jgomez@ramonatribe.com)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation within the general vicinity of near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis) has prepared an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence a response to the request for additional information about the proposed undertaking (through the Federal Communication Commission's Tower Construction Notification System – TCNS # 267599). Lotis is providing you the opportunity to review and comment on the possible effects the proposed undertaking may have on sites or structures of current or historical significance affiliated with your tribe. Should you identify an area/property which will be adversely impacted, please submit this information to us at the time of your response so that we may determine our client's options on how to proceed. To aid you in your review please see the proposed undertaking's information is as follows:

Attached (or Enclosed), please find the requested materials which include site photographs taken in all four directions (north, south, east, and west) from the center of the proposed undertaking, a project summary, an aerial photograph, a topographic map, and form 620 (if requested).

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(716)580-7000



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Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

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Sincerely,

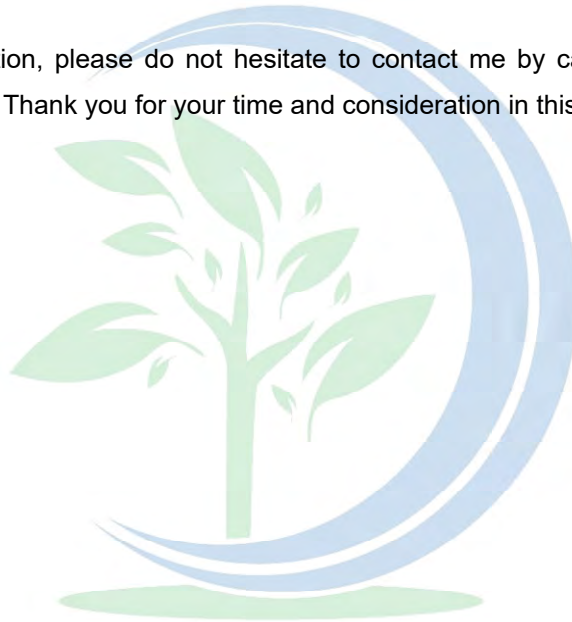
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



(716)580-7000



[www.thelotisgroup.com](http://www.thelotisgroup.com)



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221



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August 3, 2023

**Soboba Band of Luiseno Indians**

Attn: Joseph Ontiveros, Director of Cultural Resources

P.O. Box 487

San Jacinto, CA 92581

Submitted via: [Ishaker@soboba-nsn.gov](mailto:Ishaker@soboba-nsn.gov)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

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Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

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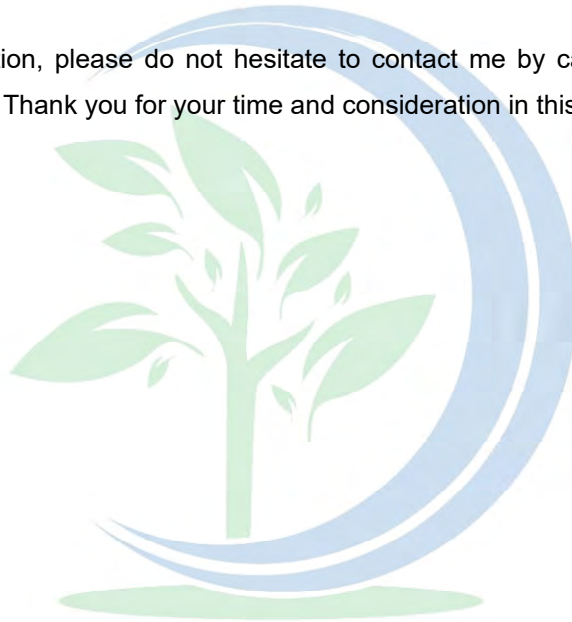
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



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---

August 3, 2023

**Twenty Nine Palms Band of Mission Indians**

Attn: Tribal Historic Preservation Officer Anthony L Madrigal Jr  
46-200 Harrison Place  
Coachella, CA 92236

Submitted via: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov); [sbliss@29palmsbomi-nsn.gov](mailto:sbliss@29palmsbomi-nsn.gov) and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

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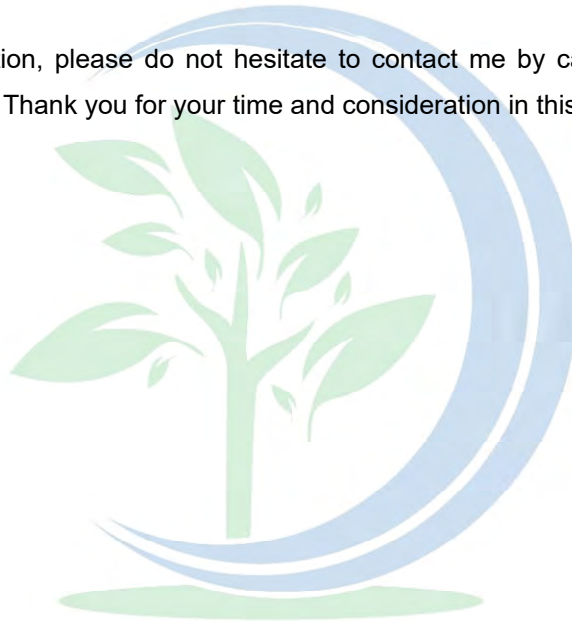
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---

August 3, 2023

**Timbisha Shoshone Tribe**

Attn: Chairman White Dove Kennedy

621 W. Line St, Ste 109

Bishop, CA 93515

Submitted via: administrator@timbisha.com and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

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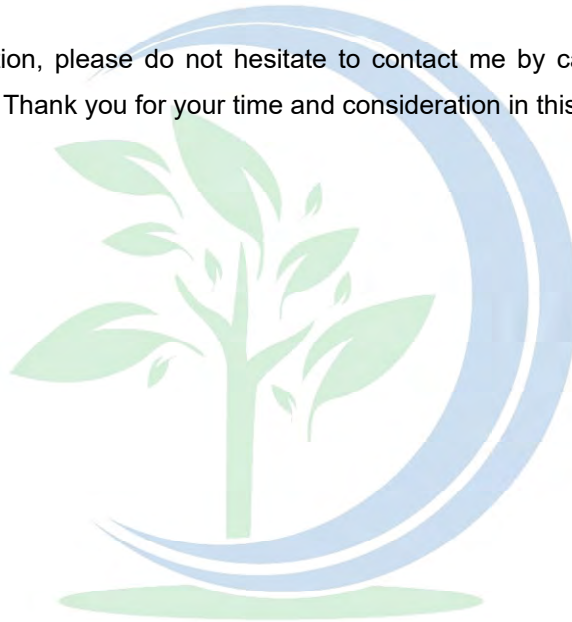
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**Miles Walz-Salvador**

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---

August 3, 2023

**Eastern Shoshone Tribe**

Attn: THPO Josh Mann

PO Box 538

Fort Washakie, WY 82514

Submitted via: <http://www.esthpo.com>

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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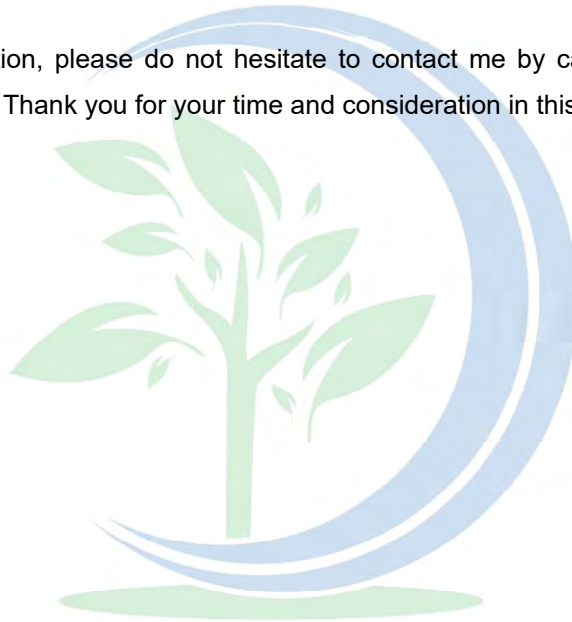
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---

August 3, 2023

**Colorado River Indians Tribes**

Attn: Director Bryan Etsitty  
26600 Mohave Road  
Parker, AZ 85344  
Submitted via: anita.flores@crit-nsn.gov and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
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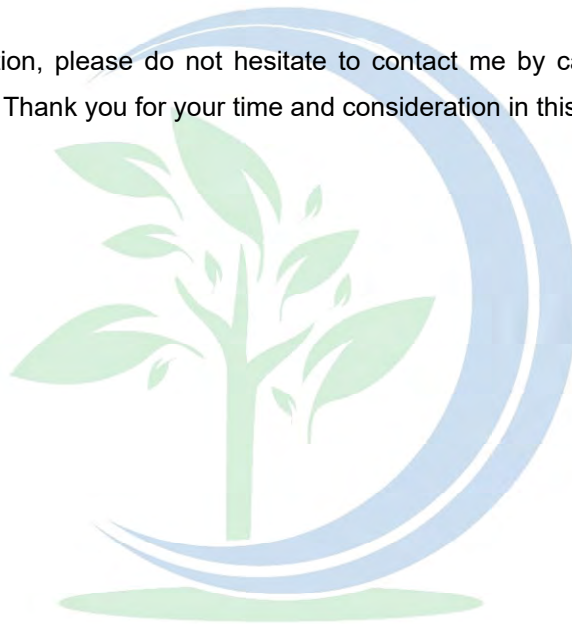
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---

August 3, 2023

**Fort Mojave Indian Tribe**

Attn: Culture Society Director Linda D Otero

PO Box: 5990

Mohave Valley, AZ 86440

Submitted via: lindaotero@fortmojave.com and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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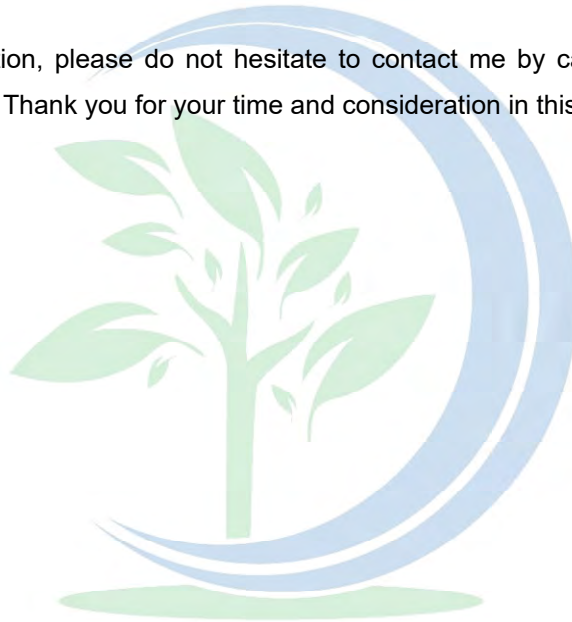
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---

August 3, 2023

**Skull Valley Band Goshute**

Attn: Chairman Candace Bear

407 Skull Valley Rd

Skull Valley, UT 84029

Submitted via: [candaceb@svgoshutes.com](mailto:candaceb@svgoshutes.com) and mailed hardcopy

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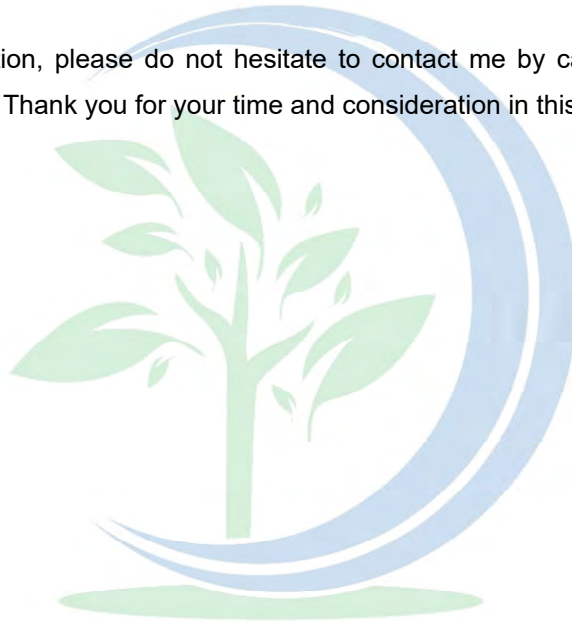
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August 3, 2023

**Chemehuevi Tribe**

Attn: Cultural Center Director Kaitlyn Snodgrass  
PO Box 1976  
Havasu Lake, CA 92363  
Submitted via: [cultural@cit-nsn.gov](mailto:cultural@cit-nsn.gov)

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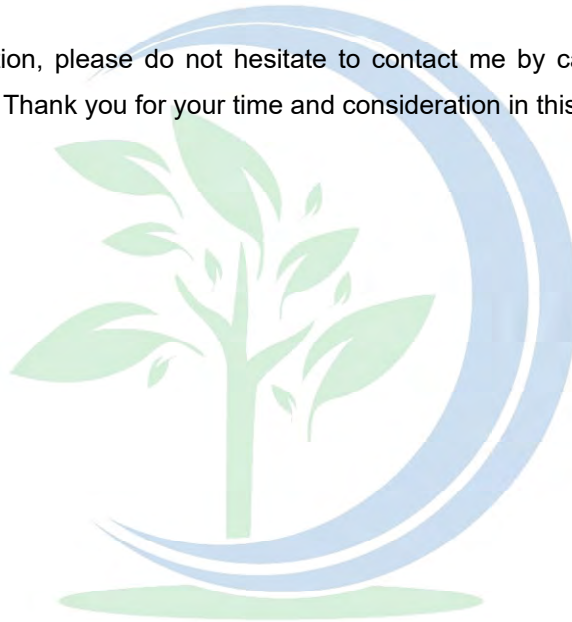
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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---

August 3, 2023

**Northwestern Band of Shoshone Nation**

Attn: Attorney Gary Montana

N 12923 North Prairie Road

Osseo, Wisconsin

Submitted via: [Northwesternbandshoshonetcnsfcc@outlook.com](mailto:Northwesternbandshoshonetcnsfcc@outlook.com); [garymontana@montanaandassociates.com](mailto:garymontana@montanaandassociates.com)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation within the general vicinity of near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis) has prepared an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence a response to the request for additional information about the proposed undertaking (through the Federal Communication Commission's Tower Construction Notification System – TCNS # 267599). Lotis is providing you the opportunity to review and comment on the possible effects the proposed undertaking may have on sites or structures of current or historical significance affiliated with your tribe. Should you identify an area/property which will be adversely impacted, please submit this information to us at the time of your response so that we may determine our client's options on how to proceed. To aid you in your review please see the proposed undertaking's information is as follows:

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(716)580-7000



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8899 Main Street, Suite 107  
Williamsville, NY 14221

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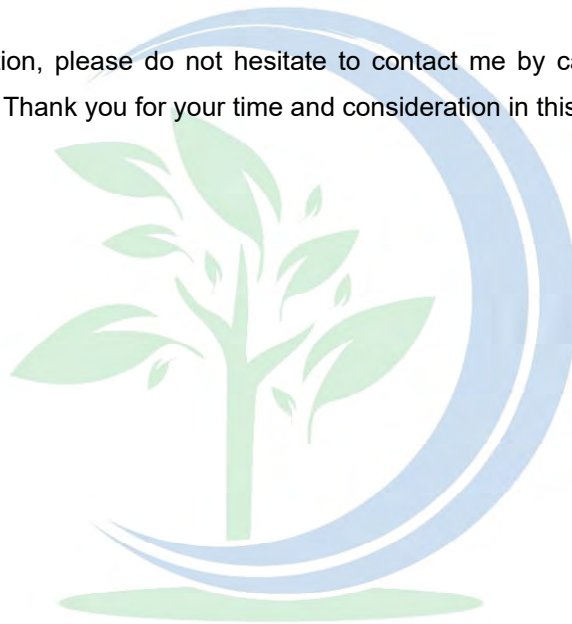
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



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---

August 3, 2023

**Yuhaaviatam of San Manuel Nation**

Attn: Cultural Resource Technician Bonnie Bryant  
26569 Community Center Drive  
Highland, California 92346  
Submitted via: Bonnie.Bryant@sanmanuel-nsn.gov

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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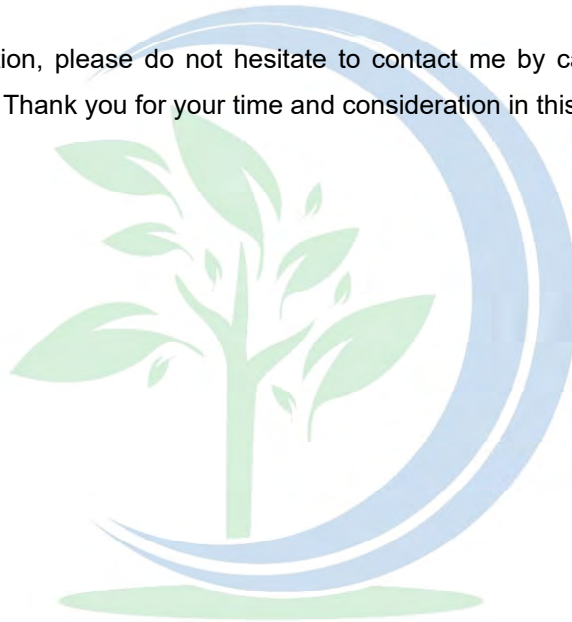
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

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---

August 3, 2023

**Los Coyotes Reservation**

Attn: Chairman Shane Chapparosa

PO Box: 189

Warner Springs, CA 92086

Submitted via: los\_coyotes@ymail.com; loscoyotes\_ta@yahoo.com and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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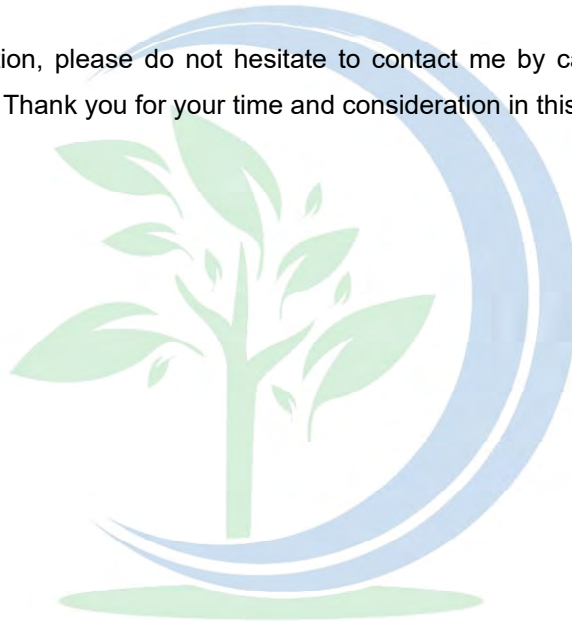
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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August 3, 2023

**Morongo Band of Mission Indians**

Attn: Tribal Historic Preservation Officer Ann Brierty

12700 Pumarra Drive

Banning, CA 92220

Submitted via: thpo@morongo-nsn.gov; abrierty@morongo-nsn.gov and mailed hardcopy

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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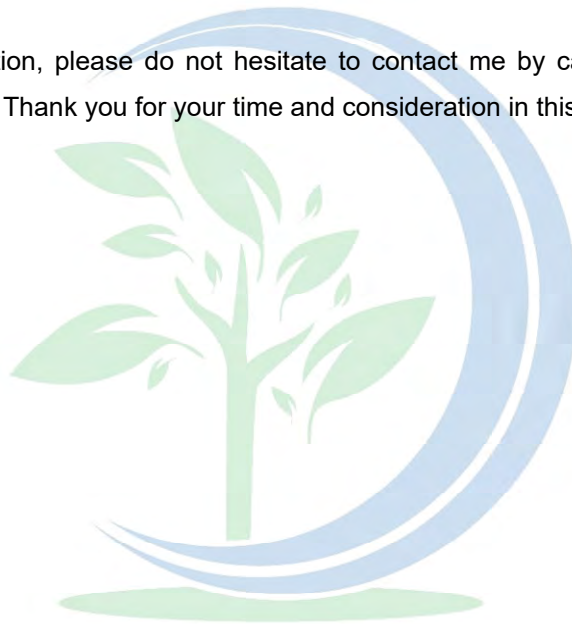
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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August 17, 2023

**Agua Caliente Band of Cahuilla Indians**

Attn: Patricia Garcia, Director of Historic Preservation  
5401 Dinah Shore Drive  
Palm Springs, CA, 92264

Submitted via: pagarcia@aguacaliente.net

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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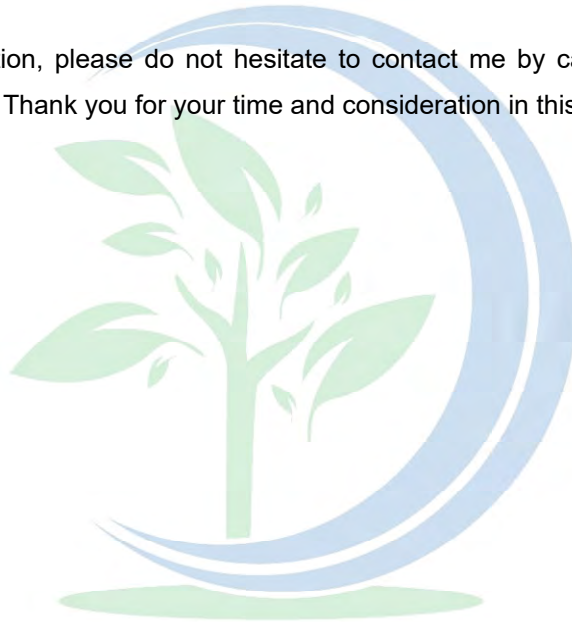
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**Miles Walz-Salvador**

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---

August 17, 2023

**Augustine Band of Cahuilla Mission Indians**

Attn: Amanda Vance, Chairperson  
84-001 Avenue 54  
Coachella, CA, 92236  
Submitted via: hhaines@augustinetribe.com

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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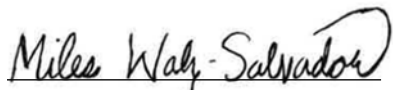
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Nationwide NEPA/NHPA Manager  
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---

August 17, 2023

**Cabazon Band of Mission Indians**

Attn: Doug Welmas, Chairperson  
84-245 Indio Springs Parkway  
Indio, CA, 92203  
Submitted via: [jstapp@cabazonindians-nsn.gov](mailto:jstapp@cabazonindians-nsn.gov)

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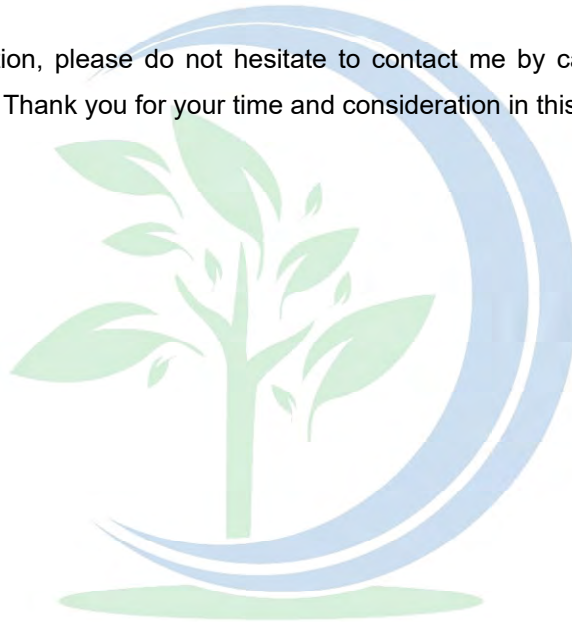
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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---

August 17, 2023

**Cahuilla Band of Indians**

Attn: BobbyRay Esaprza, Cultural Director; Anthony Madrigal, Tribal Historic Preservation Officer; Daniel Salgado, Chairperson

52701 CA Highway 371

Anza, CA, 92539

Submitted via: [besparza@cahuilla-nsn.gov](mailto:besparza@cahuilla-nsn.gov); [anthonymad2002@gmail.com](mailto:anthonymad2002@gmail.com); [chairman@cahuilla-nsn.gov](mailto:chairman@cahuilla-nsn.gov)

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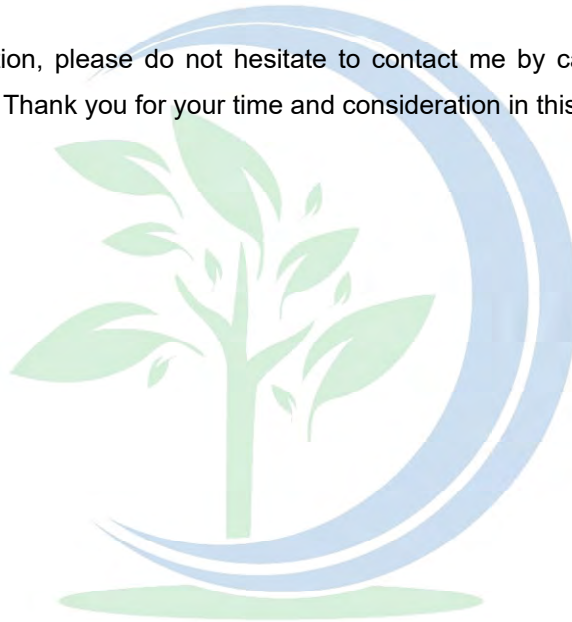
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



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---

August 17, 2023

**Los Coyotes Band of Cahuilla and Cupeño Indians**

Attn: Ray Chapparosa, Chairperson

P.O. Box 189

Warner Springs, CA, 92086-0189

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

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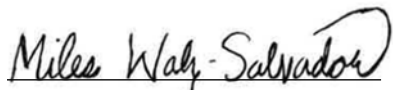
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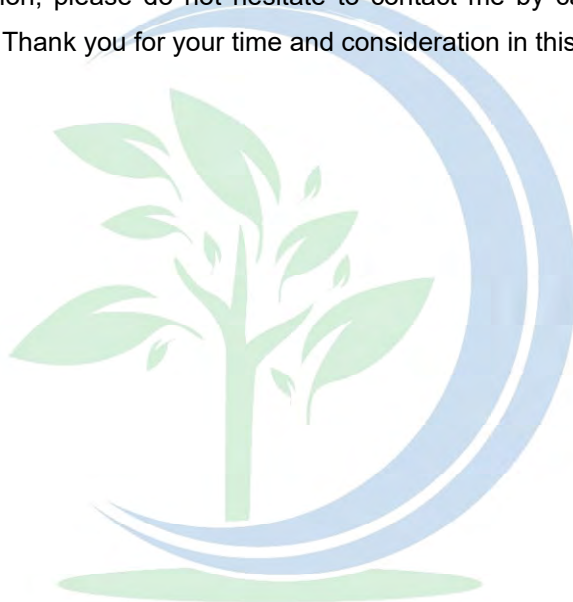
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August 17, 2023

**Morongo Band of Mission Indians**

Attn: Tribal Historic Preservation Officer Ann Brierty; Robert Martin, Chairperson  
12700 Pumarra Drive  
Banning, CA 92220  
Submitted via: [abrierty@morongo-nsn.gov](mailto:abrierty@morongo-nsn.gov)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
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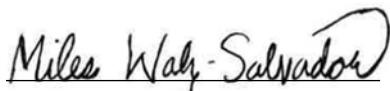
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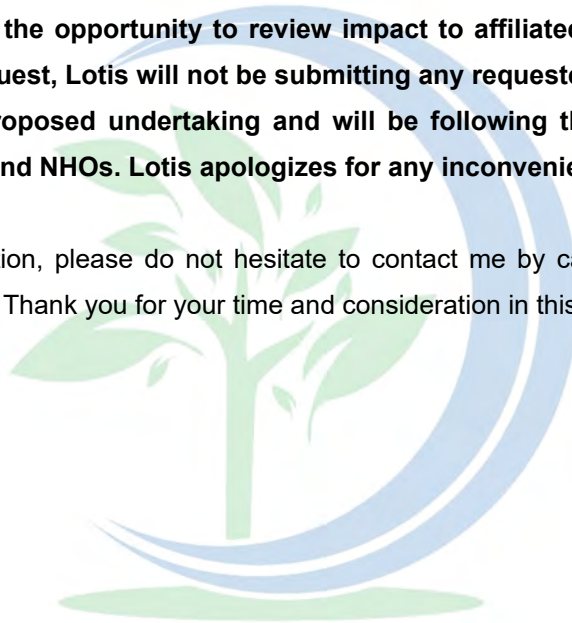
**Lotis Environmental, LLC**

A handwritten signature in black ink that reads "Miles Walz-Salvador".

**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
[NEPA.NHPA@TheLotisGroup.com](mailto:NEPA.NHPA@TheLotisGroup.com)

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August 17, 2023

**Quechan Tribe of the Fort Yuma Reservation**

Attn: Jill McCormick, Historic Preservation Officer; Manfred Scott, Acting Chairman - Kw'ts'an Cultural Committee; Jordan Joaquin, President, Quechan Tribal Council

P.O. Box 1899

Yuma, AZ, 85366

Submitted via: [historicpreservation@quechantribe.com](mailto:historicpreservation@quechantribe.com); [culturalcommittee@quechantribe.com](mailto:culturalcommittee@quechantribe.com); [executivesecretary@quechantribe.com](mailto:executivesecretary@quechantribe.com)

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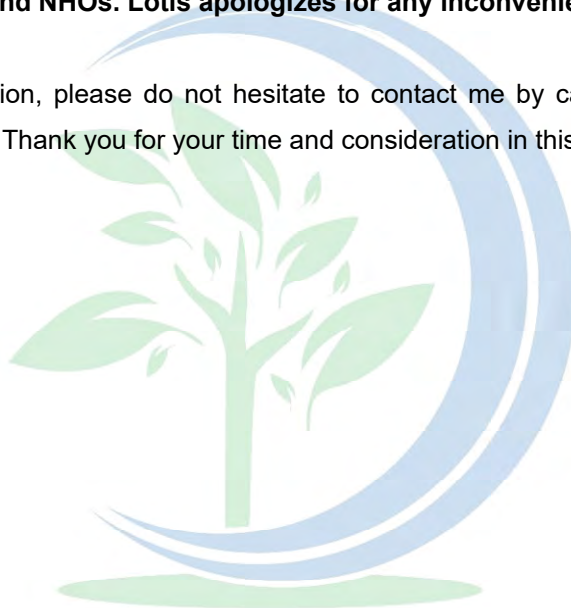
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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August 17, 2023

**Ramona Band of Cahuilla**

Attn: Joseph Hamilton, Chairperson; John Gomez, Environmental Coordinator

P.O. Box 391670

Anza, CA, 92539

Submitted via: [admin@ramona-nsn.gov](mailto:admin@ramona-nsn.gov); [jgomez@ramona-nsn.gov](mailto:jgomez@ramona-nsn.gov)

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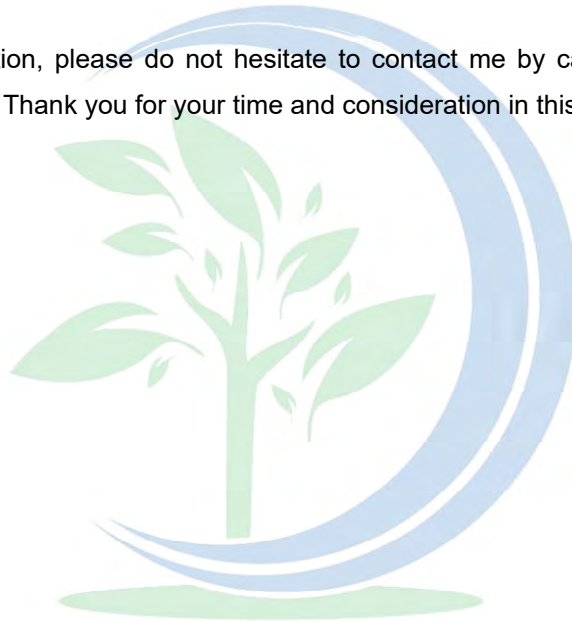
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**Miles Walz-Salvador**

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August 17, 2023

**San Manuel Band of Mission Indians**

Attn: Alexandra McCleary, Cultural Lands Manager  
26569 Community Center Drive  
Highland, CA, 92346  
Submitted via: alexandra.mccleary@sanmanuel-nsn.gov

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
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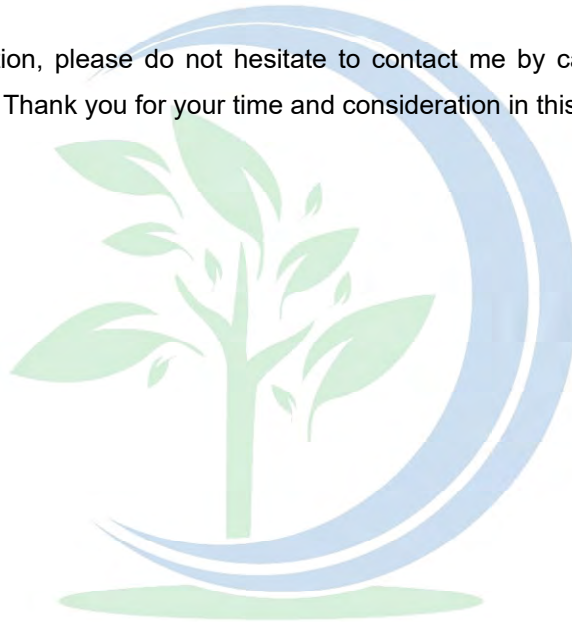
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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August 17, 2023

**Santa Rosa Band of Cahuilla Indians**

Attn: Lovina Redner, Tribal Chair  
P.O. Box 391820  
Anza, CA, 92539  
Submitted via: [Isaul@santarosa-nsn.gov](mailto:Isaul@santarosa-nsn.gov)

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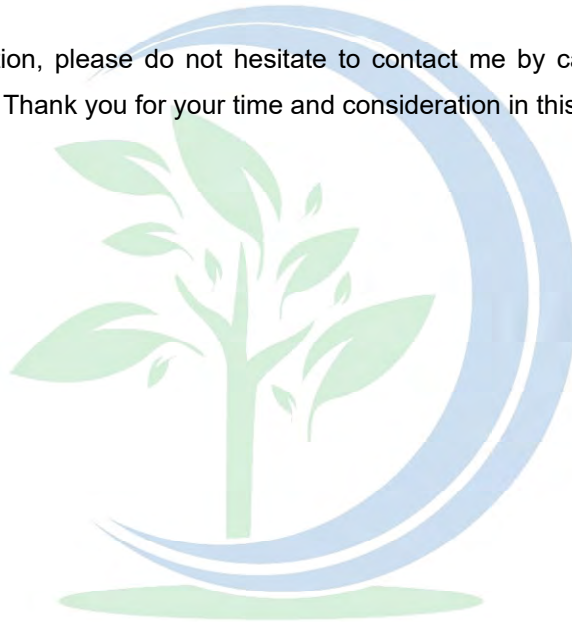
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**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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August 17, 2023

**Serrano Nation of Mission Indians**

Attn: Mark Cochrane, Co-Chairperson; Wayne Walker, Co-Chairperson

P. O. Box 343

Patton, CA, 92369

Submitted via: serranonation1@gmail.com

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
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Should you require further information, please do not hesitate to contact me by calling (716) 580-7000 or by email at NEPA.NHPA@TheLotisGroup.com. Thank you for your time and consideration in this regard.

Sincerely,

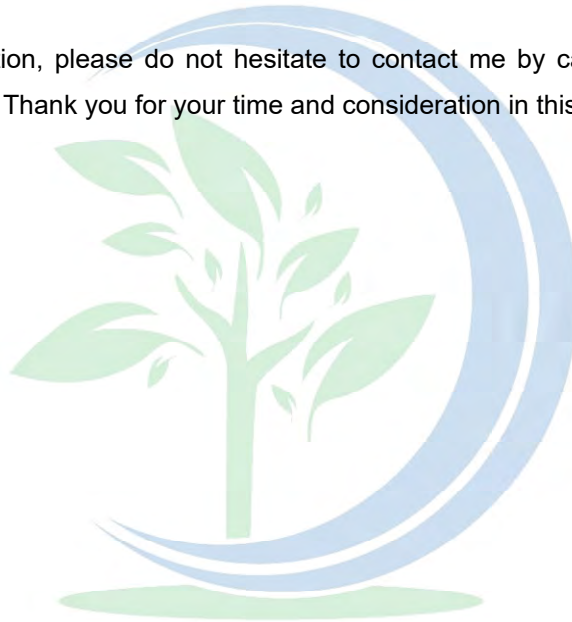
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

Enclosures



(716)580-7000



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Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221



---

August 17, 2023

**Soboba Band of Luiseno Indians**

Attn: Jessica Valdez, Cultural Resource Specialist; Joseph Ontiveros, Tribal Historic Preservation Officer  
P.O. Box 487  
San Jacinto, CA, 92581  
Submitted via: [jvaldez@soboba-nsn.gov](mailto:jvaldez@soboba-nsn.gov); [jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation within the general vicinity of near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis) has prepared an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence a response to the request for additional information about the proposed undertaking (through the Federal Communication Commission's Tower Construction Notification System – TCNS # 267599). Lotis is providing you the opportunity to review and comment on the possible effects the proposed undertaking may have on sites or structures of current or historical significance affiliated with your tribe. Should you identify an area/property which will be adversely impacted, please submit this information to us at the time of your response so that we may determine our client's options on how to proceed. To aid you in your review please see the proposed undertaking's information is as follows:

Attached (or Enclosed), please find the requested materials which include site photographs taken in all four directions (north, south, east, and west) from the center of the proposed undertaking, a project summary, an aerial photograph, a topographic map, and form 620 (if requested).

Lotis contracted Environmental Assessment Specialists, Inc. to perform an archeological assessment of the proposed undertaking to determine whether or not it would have an effect on historic properties within the direct or visual area of potential effect (APE). Environmental Assessment Specialists, Inc. conducted site reconnaissance, per SHPO and tribal protocols, and did not find any archaeological sites or historic properties within the APE. Environmental Assessment Specialists, Inc. have recommended that the proposed undertaking be allowed to proceed as planned without further surveying. A copy of the cultural resource report and other requested documentation is included for your review.

As part of our research, Lotis has or will shortly be consulting with the Office of Historic Preservation:



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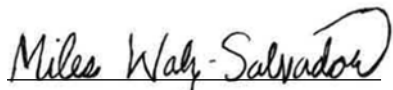
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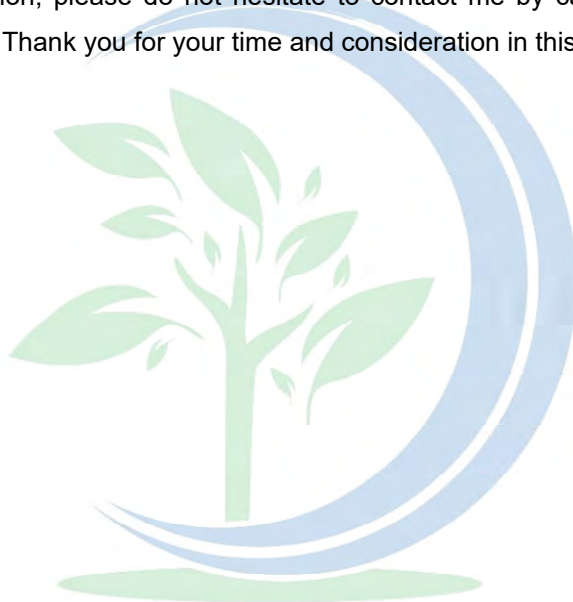
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
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Williamsville, NY 14221



---

August 17, 2023

**Torres-Martinez Desert Cahuilla Indians**

Attn: Cultural Committee

P.O. Box 1160

Thermal, CA, 92274

Submitted via: [Cultural-Committee@torresmartinez-nsn.gov](mailto:Cultural-Committee@torresmartinez-nsn.gov)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC; TCNS #: 267599**

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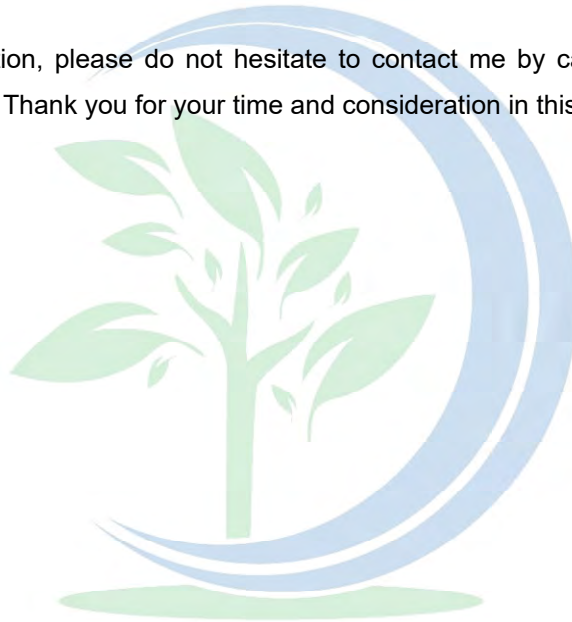
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

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---

August 17, 2023

**Twenty Nine Palms Band of Mission Indians**

Attn: Tribal Historic Preservation Officer Anthony L Madrigal Jr; Darrell Mike, Chairperson  
46-200 Harrison Place  
Coachella, CA 92236  
Submitted via: [29chairman@29palmsbomi-nsn.gov](mailto:29chairman@29palmsbomi-nsn.gov); [amadrigal@29palmsbomi-nsn.gov](mailto:amadrigal@29palmsbomi-nsn.gov)

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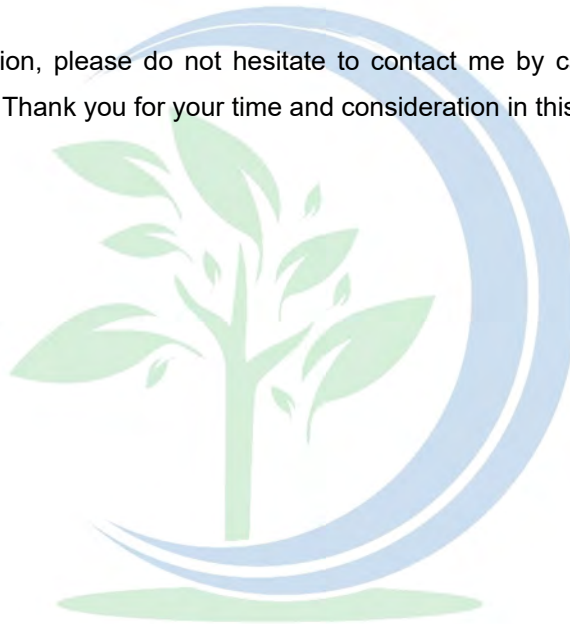
**Lotis Environmental, LLC**



**Miles Walz-Salvador**

Nationwide NEPA/NHPA Manager  
NEPA.NHPA@TheLotisGroup.com

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Williamsville, NY 14221

***Proof of Tribal/NHO Submission(s)***

## Jennifer Andres

---

**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:28 PM  
**To:** jgomez@ramonatribe.com  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz  
**Importance:** High

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Submittal Link: <https://www.dropbox.com/scl/fi/bc011px05scmv9wo9jzmr/Ramona-Band-of-Cahuilla.pdf?rlkey=a0qar4b9ijyu95rqklkap342f&dl=0>

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Thank you for your time and consideration.

### Jordan Braden

Jr. Data Manager



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Phone: 716.580.7000  
Mobile: 417.839.3701  
[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

## Jennifer Andres

---

**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:28 PM  
**To:** lshaker@soboba-nsn.gov  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz  
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Jr. Data Manager



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[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

## Jennifer Andres

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**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:28 PM  
**To:** TNPConsultation@29palmsbomi-nsn.gov; sbliss@29palmsbomi-nsn.gov  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz  
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Submittal Link: <https://www.dropbox.com/scl/fi/dc1icb8ejtcel31r80xpi/Twenty-Nine-Palms-Band-of-Mission-Indians.pdf?rlkey=6hjfq522tsx7fm4weacdiyztb&dl=0>

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Jr. Data Manager



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## Jennifer Andres

---

**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:28 PM  
**To:** lindaotero@fortmojave.com  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz  
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## Jennifer Andres

---

**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:27 PM  
**To:** thpo@morongo-nsn.gov; abrierty@morongo-nsn.gov  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz  
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## Jennifer Andres

---

**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:28 PM  
**To:** 'Northwesternbandshoshonetcnsfcc@outlook.com'; 'garymontana@montanaandassociates.com'  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project LOTIS# VBBTS\_204-"Yucca Valley" US-CA-5466  
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Submittal Link: <https://www.dropbox.com/scl/fi/jdh9jqaxkq7je84migqpv/Northwestern-Band-of-Shoshone-Nation.pdf?rlkey=4xmvji10ly34mmkd1pklgdhb4&dl=0>

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[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

## NEPA NHPA

---

**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:43 PM  
**To:** 29chairman@29palmsbomi-nsn.gov; amadrigal@29palmsbomi-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

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Submittal Link: <https://www.dropbox.com/scl/fi/5xa9lmw192itov9vceo00/Twenty-Nine-Palms-Band-of-Mission-Indians.pdf?rlkey=5pur8h9janan2dow7nusqyvw8&dl=0>

Should you have an additional request for information, please feel free to contact me via phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

---

**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:42 PM  
**To:** Cultural-Committee@torresmartineznsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

Please see the Dropbox link for the submission of the above addressed TCNS project known as “Yucca Valley” located in San Bernadino County, CA for the proposed undertaking. Once you have selected the link a tab will open in your browser and load our PDF submission. This PDF submission will include a cover letter, project summary, site photos, site maps, and a cultural resource survey report which will detail the investigation conducted on identifying cultural resources/properties located in both the Direct and Visual APE of the proposed undertaking. Additionally, it will have a recommendation of effect which we are providing to you as an opportunity to review and comment. Lastly, I have also attached a file (.kmz). Once selected, this file will upload to Google Earth program (in the temporary folder) and bring you directly to the “pinpoint” coordinates of the proposed tower location. I have included this file so you can review the surrounding habitat/area in its current state (or near current state) without the confined limitations of the aerial photos provided in Attachment 2. In order to keep consultation to a timely manner, we will be submitting the SHPO response to you once it has been received.

Submittal Link: <https://www.dropbox.com/scl/fi/q56w9i5n93x74cdy6hybp/Torres-Martinez-Desert-Cahuilla-Indians.pdf?rlkey=zqgq6mtg6u2nk7q7vnyr723mq&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:41 PM  
**To:** Jessica Valdez; Joseph Ontiveros  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

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Submittal Link: <https://www.dropbox.com/scl/fi/lc6ez1y7jqj4n2affsiyt/Soboba-Band-of-Luiseno-Indians.pdf?rlkey=cvrdu2ingo95slawdu6ohmw0&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

---

**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:41 PM  
**To:** serranonation1@gmail.com  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

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Submittal Link: <https://www.dropbox.com/scl/fi/az55gk4pbwquphjpvl0sg/Serrano-Nation-of-Mission-Indians.pdf?rlkey=dnos0l0znrh3nh57myc1d9gys&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:37 PM  
**To:** lsaul@santarosa-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

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Submittal Link: <https://www.dropbox.com/scl/fi/fy5us874thg64fadl451w/Santa-Rosa-Band-of-Cahuilla-Indians.pdf?rlkey=dq2f6sz5yf2fcg93zvqo50bvv&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:37 PM  
**To:** alexandra.mccleary@sanmanuel-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	alexandra.mccleary@sanmanuel-nsn.gov	
	Jordan Braden	Delivered: 8/18/2023 12:37 PM

To Whom It May Concern,

Please see the Dropbox link for the submission of the above addressed TCNS project known as “Yucca Valley” located in San Bernadino County, CA for the proposed undertaking. Once you have selected the link a tab will open in your browser and load our PDF submission. This PDF submission will include a cover letter, project summary, site photos, site maps, and a cultural resource survey report which will detail the investigation conducted on identifying cultural resources/properties located in both the Direct and Visual APE of the proposed undertaking. Additionally, it will have a recommendation of effect which we are providing to you as an opportunity to review and comment. Lastly, I have also attached a file (.kmz). Once selected, this file will upload to Google Earth program (in the temporary folder) and bring you directly to the “pinpoint” coordinates of the proposed tower location. I have included this file so you can review the surrounding habitat/area in its current state (or near current state) without the confined limitations of the aerial photos provided in Attachment 2. In order to keep consultation to a timely manner, we will be submitting the SHPO response to you once it has been received.

Submittal Link: <https://www.dropbox.com/scl/fi/e22tg4r161gao29hl05mi/San-Manuel-Band-of-Mission-Indians.pdf?rlkey=hje41bpfqaa6w18muz5kjcun7&dl=0>

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**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:37 PM  
**To:** admin@ramona-nsn.gov; jgomez@ramona-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

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Submittal Link: <https://www.dropbox.com/scl/fi/au2qbdasp4tr0133868ch/Ramona-Band-of-Cahuilla.pdf?rlkey=istwpiscghq4yyl2kn062xy8x&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:36 PM  
**To:** Quechan Historic Preservation Officer; culturalcommittee@quechantribe.com; executivesecretary@quechantribe.com  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

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Submittal Link: <https://www.dropbox.com/scl/fi/jshvrakmiv8fbc8innitn/Quechan-Tribe-of-the-Fort-Yuma-Reservation.pdf?rlkey=0dsuu4q37odk8oc2zte58gg3x&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:35 PM  
**To:** Ann Brierty  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Ann Brierty	
	Jordan Braden	Delivered: 8/18/2023 12:36 PM

To Whom It May Concern,

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Submittal Link: <https://www.dropbox.com/scl/fi/e13gifhwb8yfm9y55f4ao/Morongo-Band-of-Mission-Indians.pdf?rlkey=w2qybd2bx8aufwgh83yp34zk1&dl=0>

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**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

---

**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:35 PM  
**To:** besparza@cahuilla-nsn.gov; anthonymad2002@gmail.com; chairman@cahuilla-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

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Submittal Link: <https://www.dropbox.com/scl/fi/t5sq05m3cb6xd6gdtg2zd/Cahuilla-Band-of-Indians.pdf?rlkey=m9eh39m2om96ss1xv24vy4i4j&dl=0>

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**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:34 PM  
**To:** jstapp@cabazonindians-nsn.gov  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

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Submittal Link: <https://www.dropbox.com/scl/fi/w39vphsrsjvu9xymcyhmo/Cabazon-Band-of-Mission-Indians.pdf?rlkey=genlji0z7ti5wbls8qtzqxebd&dl=0>

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Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

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**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:34 PM  
**To:** hhaines@augustinetribe.com  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

To Whom It May Concern,

Please see the Dropbox link for the submission of the above addressed TCNS project known as “Yucca Valley” located in San Bernadino County, CA for the proposed undertaking. Once you have selected the link a tab will open in your browser and load our PDF submission. This PDF submission will include a cover letter, project summary, site photos, site maps, and a cultural resource survey report which will detail the investigation conducted on identifying cultural resources/properties located in both the Direct and Visual APE of the proposed undertaking. Additionally, it will have a recommendation of effect which we are providing to you as an opportunity to review and comment. Lastly, I have also attached a file (.kmz). Once selected, this file will upload to Google Earth program (in the temporary folder) and bring you directly to the “pinpoint” coordinates of the proposed tower location. I have included this file so you can review the surrounding habitat/area in its current state (or near current state) without the confined limitations of the aerial photos provided in Attachment 2. In order to keep consultation to a timely manner, we will be submitting the SHPO response to you once it has been received.

Submittal Link: <https://www.dropbox.com/scl/fi/uesty555rj0qt6bjdrnaq/Augustine-Band-of-Cahuilla-Mission-Indians.pdf?rlkey=iiiku88v8vio449naji6tnrfc&dl=0>

Should you have an additional request for information, please feel free to contact me via phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.

***Please note: If you believe that the proposed undertaking will have an “adverse effect” on tribal cultural resources please provide the details on those specific cultural resources and how they are impacted. If you do not wish to provide that information to a non-government representative, then we would be glad to refer consultation efforts to the Federal Communications Commission (FCC) at your request.***

***Also, If you are making an “adverse effect” determination because you are unable to complete the review without compensation (Lotis has been specifically instructed not to participate in distributing upfront review fees) please notify us of this and we will forward your response/request to the project applicant to determine if that can be resolved. If it cannot be resolved and the adverse effect determination remains then referral to the FCC will be required in order to proceed with Section 106 consultation efforts. We apologize, in advance, if this may cause any inconvenience.***

Warmly,

**DeAnna Anglin**

Senior Biologist/NEPA Specialist

## NEPA NHPA

---

**From:** NEPA NHPA  
**Sent:** Friday, August 18, 2023 12:34 PM  
**To:** pagarcia@aguacaliente.net  
**Cc:** Jordan Braden  
**Subject:** THPO Section 106 for TCNS# 267599 proposed telecommunication project VBBTS\_204 - Yucca Valley US-CA-5466

**Importance:** High

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	pagarcia@aguacaliente.net	
	Jordan Braden	Delivered: 8/18/2023 12:34 PM

To Whom It May Concern,

Please see the Dropbox link for the submission of the above addressed TCNS project known as “Yucca Valley” located in San Bernadino County, CA for the proposed undertaking. Once you have selected the link a tab will open in your browser and load our PDF submission. This PDF submission will include a cover letter, project summary, site photos, site maps, and a cultural resource survey report which will detail the investigation conducted on identifying cultural resources/properties located in both the Direct and Visual APE of the proposed undertaking. Additionally, it will have a recommendation of effect which we are providing to you as an opportunity to review and comment. Lastly, I have also attached a file (.kmz). Once selected, this file will upload to Google Earth program (in the temporary folder) and bring you directly to the “pinpoint” coordinates of the proposed tower location. I have included this file so you can review the surrounding habitat/area in its current state (or near current state) without the confined limitations of the aerial photos provided in Attachment 2. In order to keep consultation to a timely manner, we will be submitting the SHPO response to you once it has been received.

Submittal Link: <https://www.dropbox.com/scl/fi/62qbuzyhhp6jq7lae3y3/Agua-Caliente-Band-of-Cahuilla-Indians.pdf?rlkey=57r13elpmm9ntxp8vrr98apnf&dl=0>

Should you have an additional request for information, please feel free to contact me via phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.


***Please note: If you believe that the proposed undertaking will have an “adverse effect” on tribal cultural resources please provide the details on those specific cultural resources and how they are impacted. If you do not wish to provide that information to a non-government representative, then we would be glad to refer consultation efforts to the Federal Communications Commission (FCC) at your request.***

***Also, If you are making an “adverse effect” determination because you are unable to complete the review without compensation (Lotis has been specifically instructed not to participate in distributing upfront review fees) please notify us of this and we will forward your response/request to the project applicant to determine if that can be resolved. If it cannot be resolved and the adverse effect determination remains then referral to the FCC will be required in order to proceed with Section 106 consultation efforts. We apologize, in advance, if this may cause any inconvenience.***

Warmly,

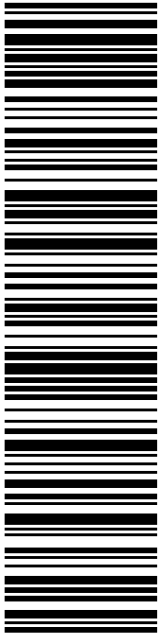
**DeAnna Anglin**

Senior Biologist/NEPA Specialist



THPO ANTHONY L. MADRIGAL, JR.  
 TWENTY NINE PALMS BAND OF MISSION  
 46200 HARRISON PL  
 COACHELLA CA 92236-2031

**USPS TRACKING #**



**9405 5036 9930 0586 1779 73**

**P**

USPS.com 9405 5036 9930 0586 1779 73 0096 5000 0089 2236  
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 08/07/2023


**PRIORITY MAIL®**

KELLY R REIDY  
 THE LOTIS ENGINEERING GROUP  
 8899 MAIN ST # 107  
 WILLIAMSVILLE NY 14221-7628

Expected Delivery Date: 08/09/23  
 Re#: 267599  
**0001**

**C007**

Electronic Rate Approved #038555749





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Trans. #:	592967029	Priority Mail® Postage:	<b>\$9.65</b>
Print Date:	08/07/2023	Total:	<b>\$9.65</b>
Ship Date:	08/07/2023		
Expected			
Delivery Date:	08/09/2023		

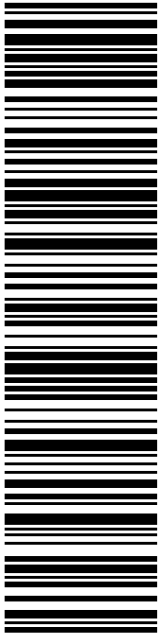
**From:** KELLY R REIDY Ref#: 267599  
 THE LOTIS ENGINEERING GROUP  
 8899 MAIN ST # 107  
 WILLIAMSVILLE NY 14221-7628

**To:** THPO ANTHONY L. MADRIGAL, JR.  
 TWENTY NINE PALMS BAND OF MISSION INDIANS  
 46200 HARRISON PL  
 COACHELLA CA 92236-2031

\* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.




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**USPS TRACKING #**  
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Electronic Rate Approved #038555749



ANN BRIERTY  
MORONGO BAND OF MISSION INDIANS  
12700 PUMARRA RD  
BANNING CA 92220-6977

**P**

USPS.com 9405 5036 9930 0586 1779 66 0096 5000 0089 2220  
**US POSTAGE**  
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THE LOTIS ENGINEERING GROUP  
8899 MAIN ST # 107  
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Expected Delivery Date: 08/09/23  
Ref#: 267599  
**0001**

**C009**



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4. To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
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**USPS TRACKING # :**  
**9405 5036 9930 0586 1779 66**

Trans. #: 592967029	Priority Mail® Postage: <b>\$9.65</b>
Print Date: 08/07/2023	Total: <b>\$9.65</b>
Ship Date: 08/07/2023	
Expected Delivery Date: 08/09/2023	

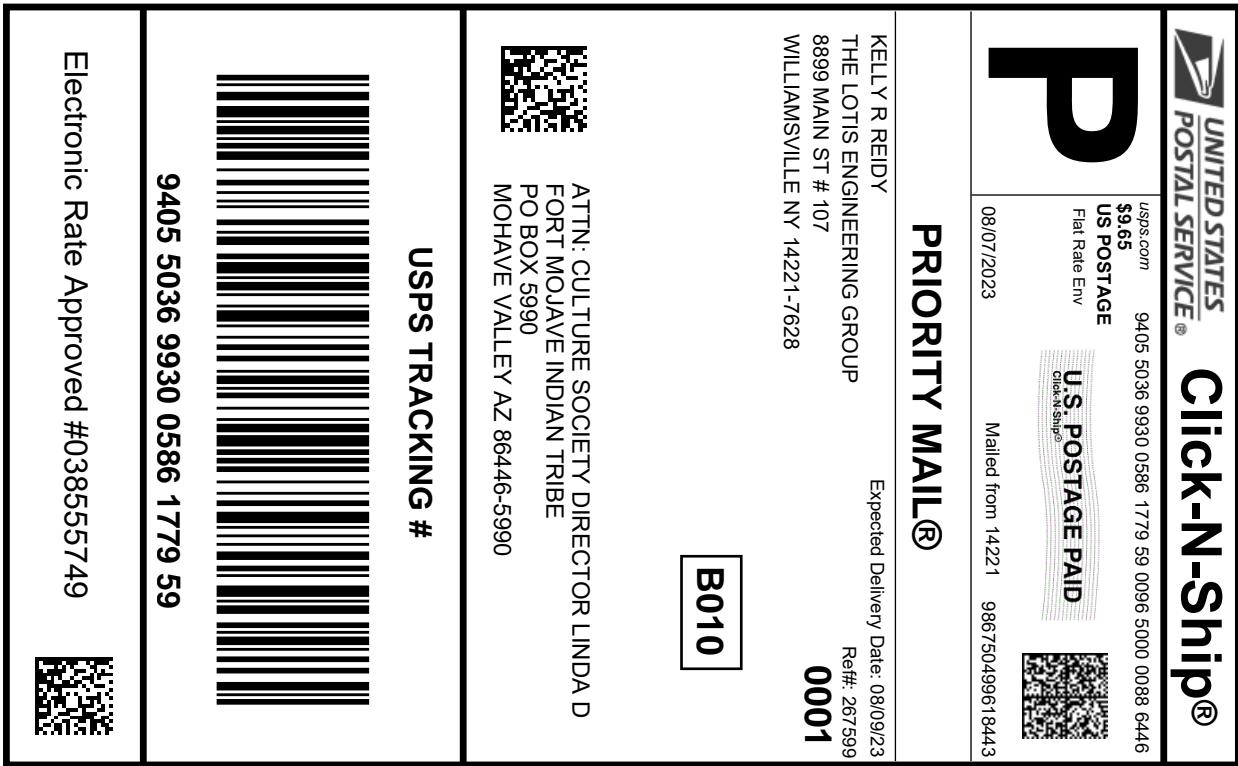
**From:** KELLY R REIDY      Ref#: 267599  
THE LOTIS ENGINEERING GROUP  
8899 MAIN ST # 107  
WILLIAMSVILLE NY 14221-7628

**To:** ANN BRIERTY  
MORONGO BAND OF MISSION INDIANS  
12700 PUMARRA RD  
BANNING CA 92220-6977

\* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.



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- Place your label so it does not wrap around the edge of the package.
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- To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
- Mail your package on the "Ship Date" you selected when creating this label.

### Click-N-Ship® Label Record

<b>USPS TRACKING # :</b>	
<b>9405 5036 9930 0586 1779 59</b>	
Trans. #:	592967029
Print Date:	08/07/2023
Ship Date:	08/07/2023
Expected Delivery Date:	08/09/2023
Priority Mail® Postage:	<b>\$9.65</b>
Total:	<b>\$9.65</b>
<b>From:</b>	KELLY R REIDY THE LOTIS ENGINEERING GROUP 8899 MAIN ST # 107 WILLIAMSVILLE NY 14221-7628
	Ref#: 267599
<b>To:</b>	ATTN: CULTURE SOCIETY DIRECTOR LINDA D OTERO FORT MOJAVE INDIAN TRIBE PO BOX 5990 MOHAVE VALLEY AZ 86446-5990
<small>* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.</small>	



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## NEPA NHPA

---

**From:** XTIRI <notify@xtiri.com>  
**Sent:** Saturday, August 5, 2023 11:01 AM  
**To:** NEPA NHPA  
**Subject:** Project Application Confirmation

Your Project Application has been received for Yucca Valley,  
VBBTS\_204, 267599 - Thank You!

---

powered by [xtiri](#)

---

This email was sent to [nepa.nhpa@thelotisgroup.com](mailto:nepa.nhpa@thelotisgroup.com) [unsubscribe from this list](#)

***Tribal/NHO Response(s)***

## Rio Maligaya

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, June 2, 2023 12:51 PM  
**To:** NEPA NHPA  
**Cc:** tcns.fccarchive@fcc.gov  
**Subject:** Reply to Proposed Tower Structure (Notification ID: 267599) - Email ID #8573484

Dear James Guerassio,

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 Cultural Resource Technician Bonnie Bryant of the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) in reference to Notification ID #267599:

Hello, The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the tribe. However, SMBMI does not have any concerns with the proposed project, as planned, at this time. As a result, SMBMI requests that the following language be made a part of the project's permit/NTP conditions:

1. If human remains or funerary objects are encountered during any activities associated with the project, work within a 100-foot buffer of the find shall cease, and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

2. In the event that any pre-contact cultural resources are discovered during project activities, all work within a 60-foot buffer shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, in order to provide Tribal input. The archaeologist shall complete an isolate/site record for the find and submit this document to the Lead Agency for dissemination to the San Manuel Band of Mission Indians.

3. If eligible pre-contact resources are discovered, and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop a cultural resources Treatment Plan and a Discovery and Monitoring Plan. Drafts of which shall be provided to San Manuel Band of Mission Indians for review and comment. The Lead Agency or designated POC shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during the project.

Note: San Manuel Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, San Manuel Band of Mission Indians can only speak for itself. The tribe has no objection if the agency, developer, or archaeologist wishes to consult with other tribes in addition to SMBMI and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

This communication concludes SMBMI's input on this project, at this time, and no additional consultation is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any questions, please do not hesitate to contact me at your convenience.

Respectfully,  
Mr. Bonnie Bryant  
Cultural Resource technician

San Manuel Band of Mission Indians  
Bonnie.Bryant@sanmanuel-nsn.gov

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 05/30/2023  
Notification ID: 267599  
Tower Owner Individual or Entity Name: VB BTS II, LLC  
Consultant Name: Miles C Walz Salvador  
Street Address: 8899 Main Street, Suite 107  
City: Williamsville  
State: NEW YORK  
Zip Code: 14221  
Phone: 716-580-7000  
Email: NEPA.NHPA@TheLotisGroup.com

Structure Type: POLE - Any type of Pole  
Latitude: 34 deg 6 min 32.3 sec N  
Longitude: 116 deg 25 min 32.0 sec W  
Location Description: near 56750 Mountain View Trail  
City: Yucca Valley  
State: CALIFORNIA  
County: SAN BERNARDINO

Detailed Description of Project: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Ground Elevation: 1044.2 meters  
Support Structure: 21.3 meters above ground level  
Overall Structure: 22.9 meters above ground level  
Overall Height AMSL: 1067.1 meters above mean sea level

## NEPA NHPA

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Wednesday, September 13, 2023 6:58 PM  
**To:** NEPA NHPA  
**Cc:** tcns.fccarchive@fcc.gov; TNPConsultation@29palmsbomi-nsn.gov; Christopher.Nicosia@29palmsbomi-nsn.gov  
**Subject:** Reply to Proposed Tower Structure (Notification ID: 267599) - Email ID #8667393

Dear James Guerassio,

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 Tribal Historic Preservation Officer Christopher E Nicosia of the Twenty Nine Palms Band of Mission Indians in reference to Notification ID #267599:

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.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 05/30/2023  
Notification ID: 267599  
Tower Owner Individual or Entity Name: VB BTS II, LLC  
Consultant Name: Miles C Walz Salvador  
Street Address: 8899 Main Street, Suite 107  
City: Williamsville  
State: NEW YORK  
Zip Code: 14221  
Phone: 716-580-7000  
Email: NEPA.NHPA@TheLotisGroup.com

Structure Type: POLE - Any type of Pole  
Latitude: 34 deg 6 min 32.3 sec N  
Longitude: 116 deg 25 min 32.0 sec W  
Location Description: near 56750 Mountain View Trail  
City: Yucca Valley  
State: CALIFORNIA  
County: SAN BERNARDINO

Detailed Description of Project: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Ground Elevation: 1044.2 meters

Support Structure: 21.3 meters above ground level

Overall Structure: 22.9 meters above ground level

Overall Height AMSL: 1067.1 meters above mean sea level

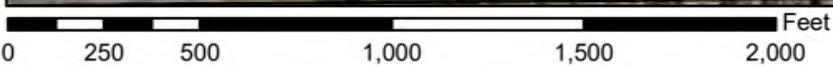
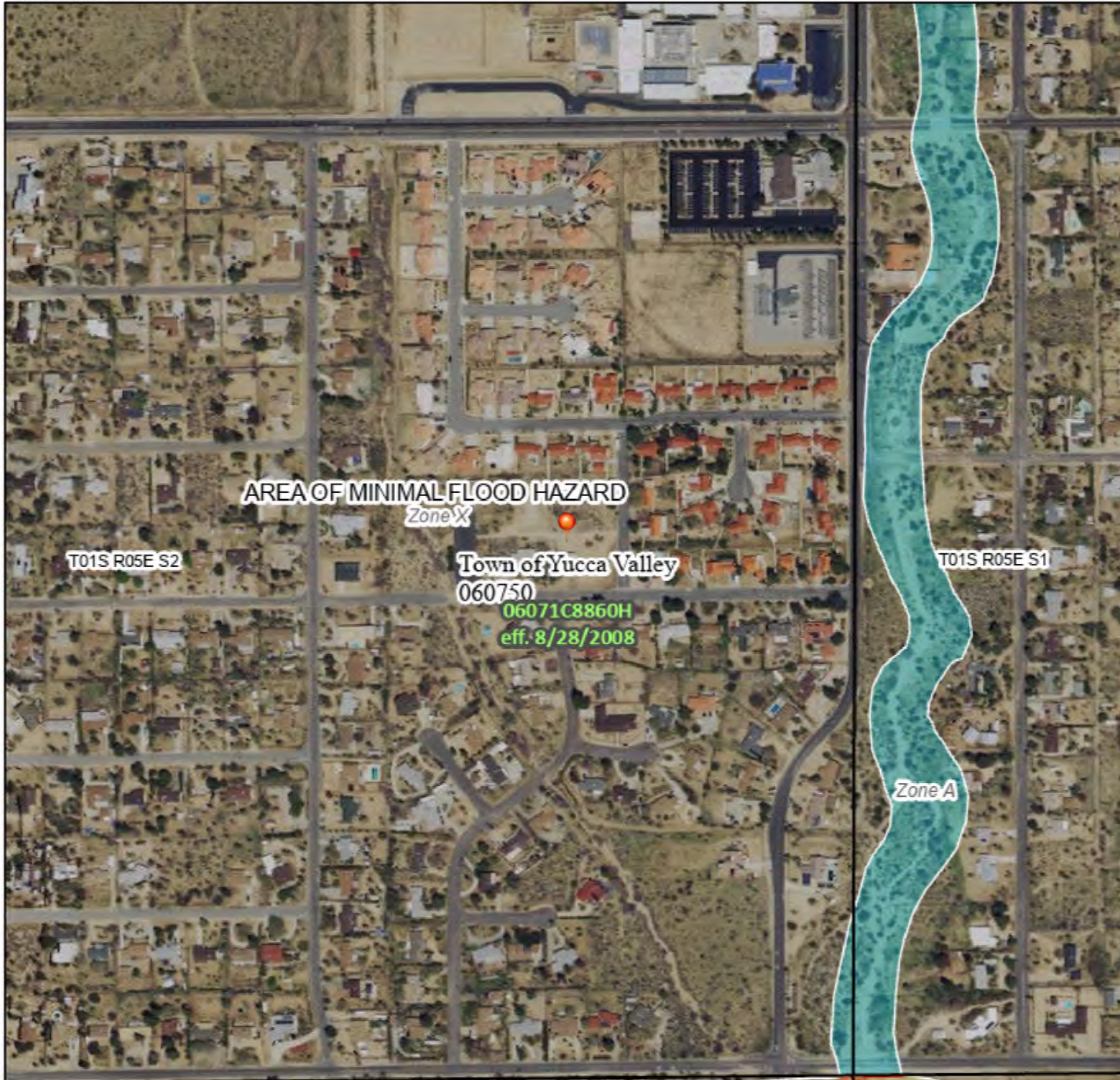
Appendix **E**

***Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRMette) & other Mapping/Images***

# National Flood Hazard Layer FIRMMette



116°25'51"W 34°6'47"N



1:6,000

116°25'13"W 34°6'17"N

Basemap Imagery Source: USGS National Map 2023

## Legend

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

- |                                    |  |   |
|------------------------------------|--|---|
| <b>SPECIAL FLOOD HAZARD AREAS</b>  |  | Without Base Flood Elevation (BFE)<br>Zone A, V, A99  |
|                                    |  | With BFE or Depth Zone AE, AO, AH, VE, AR   |
|                                    |  | Regulatory Floodway   |
| <b>OTHER AREAS OF FLOOD HAZARD</b> |  | 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  |
| <b>OTHER AREAS</b>                 |  | NO SCREEN Area of Minimal Flood Hazard Zone X   |
|                                    |  | Effective LOMRs   |
| <b>GENERAL STRUCTURES</b>          |  | Area of Undetermined Flood Hazard Zone D  |
|                                    |  | Channel, Culvert, or Storm Sewer  |
| <b>OTHER FEATURES</b>              |  | Levee, Dike, or Floodwall   |
|                                    |  | Cross Sections with 1% Annual Chance Water Surface Elevation  |
| <b>MAP PANELS</b>                  |  | Coastal Transect  |
|                                    |  | Base Flood Elevation Line (BFE)   |
|                                    |  | Limit of Study  |
|                                    |  | Jurisdiction Boundary   |
|                                    |  | Coastal Transect Baseline   |
|                                    |  | Profile Baseline  |
| <b>MAP PANELS</b>                  |  | Digital Data Available  |
|                                    |  | No Digital Data Available   |
|                                    |  | Unmapped  |
|                                    |  | 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 **6/23/2023 at 7:50 PM** 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.

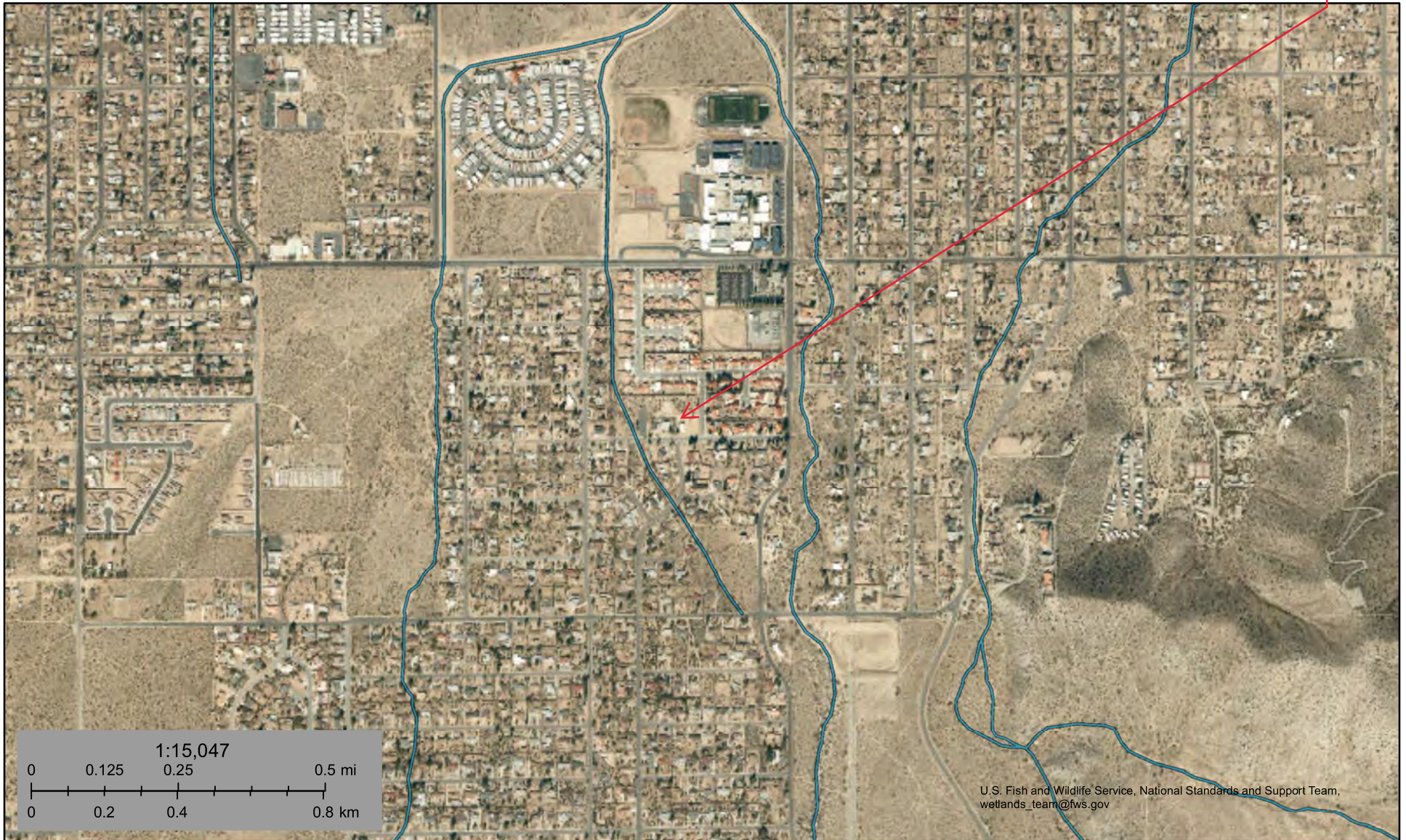
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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

Appendix **F**

***United States Fish and Wildlife Service (USFWS)  
National Wetland Inventory Map (NWIM)***











Site Location



June 23, 2023

### Wetlands\_Alaska

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

## **PROPOSED PROJECT SUMMARY**

Site Name: **Yucca Valley**

Site Address: **near 56750 Mountain View Trail  
Yucca Valley, California 92284**

Latitude/Longitude: **34° 6' 32.32" ±N / -116° 25' 32.04" ±W**

County: **San Bernardino County**

UTM: **Zone: 11S East: 552979 North: 3774388**

Legal Description: **Township: 1S, Range: 5E, Section: 2**

Consultant Information: **Company: Lotis Environmental, LLC (Lotis)  
Consultant: Miles Walz-Salvador  
Email: NEPA.NHPA@TheLotisGroup.com  
Address: 8899 Main Street - Suite 107,  
Williamsville, NY 14221  
Phone: (716) 580-7000**

Project Description: **Proposed Construction of a 70' (75' including all appurtenances)' monopine telecommunication tower within a 40' by 60' lease area. A proposed 12' by ~140' access/utility easement will extend east connecting with Grand Avenue. Additionally, a proposed 5' by ~220' utility easement will extend South connecting with Mountain View Trail**

Project Impacts: **Excavation and grade work to install tower foundation, utilities and access easements.**

Project Area: **Square Footage: ~5,180.00 / Acres: ~0.119**

Present Land Use: **Cleared commercial lot**

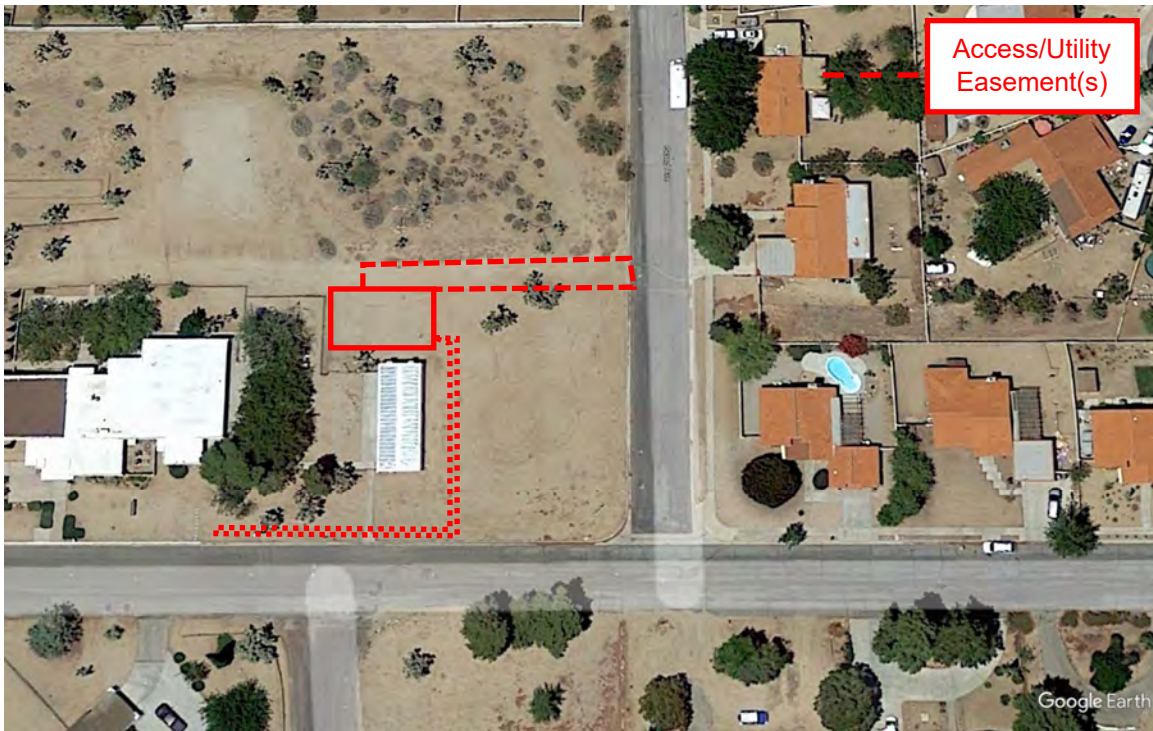
Past Land Use: **Undeveloped desert lot**

Attachment **1**

*Maps and Survey*



Lease Area (Far)

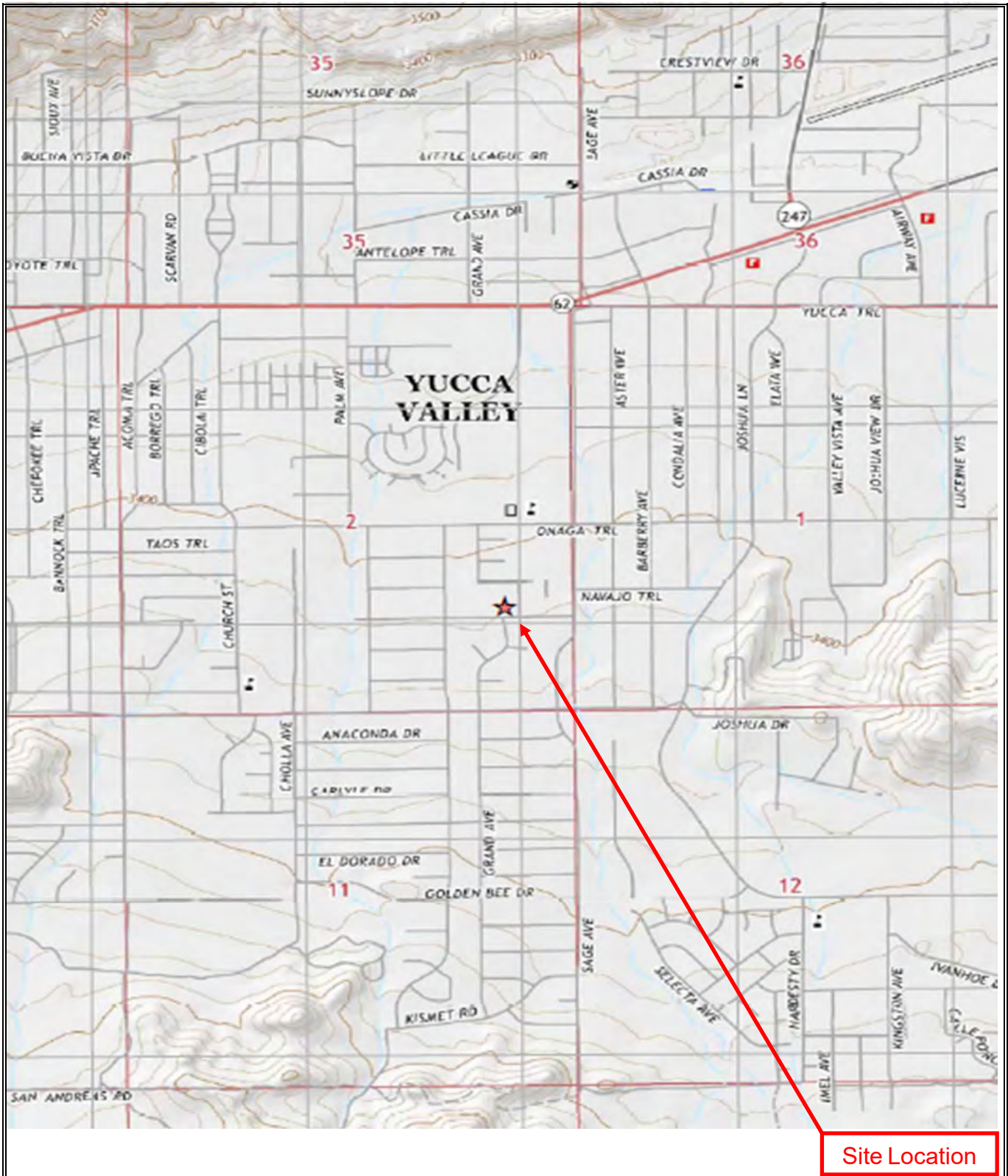


Lease Area (Close)

**Aerial Images – Vicinity Maps**  
VB BTS II, LLC  
Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed  
2021



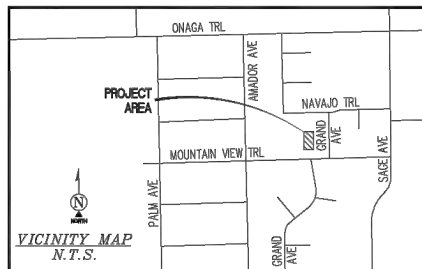


**USGS 7.5 Minute Topographic Map**  
VB BTS II, LLC  
Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

2021







POSITION OF GEODETIC COORDINATES  
 LATITUDE 34° 06' 32.32" (34.108978°) NORTH (NAD83)  
 LONGITUDE 116° 25' 32.04" (116.425567°) WEST (NAD83)  
 GROUND ELEVATION @ 3425.7' (NAVD88)

**SURVEY DATE**  
 03/30/2023

**BASIS OF BEARING**  
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM CALIFORNIA STATE PLANE COORDINATE ZONE FIVE, DETERMINED BY GPS OBSERVATIONS.

**BENCHMARK**  
 PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS 'GEOID 12B' MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY OBSERVATIONS OF THE 'SMARTNET' REAL TIME NETWORK. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

**GRID-TO-GROUND SCALE FACTOR NOTE**  
 ALL BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA STATE PLANE COORDINATE ZONE FIVE, GRID. TO DERIVE GROUND DISTANCES DIVIDE BY 0.99997779.

**FLOOD ZONE**  
 THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X". ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #06071C8860H, DATED 08/28/2008.

**UTILITY NOTES**  
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**SURVEYOR'S NOTES**  
 CONTOURS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOW THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

AT THE TIME OF THE SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY OF THE EASEMENTS

THE LEASE AREA IS ENTIRELY WITHIN THE PARENT PARCEL

THE ACCESS AND UTILITY EASEMENT GOES TO A CONFIRMED PUBLIC RIGHT OF WAY, GRAND AVENUE

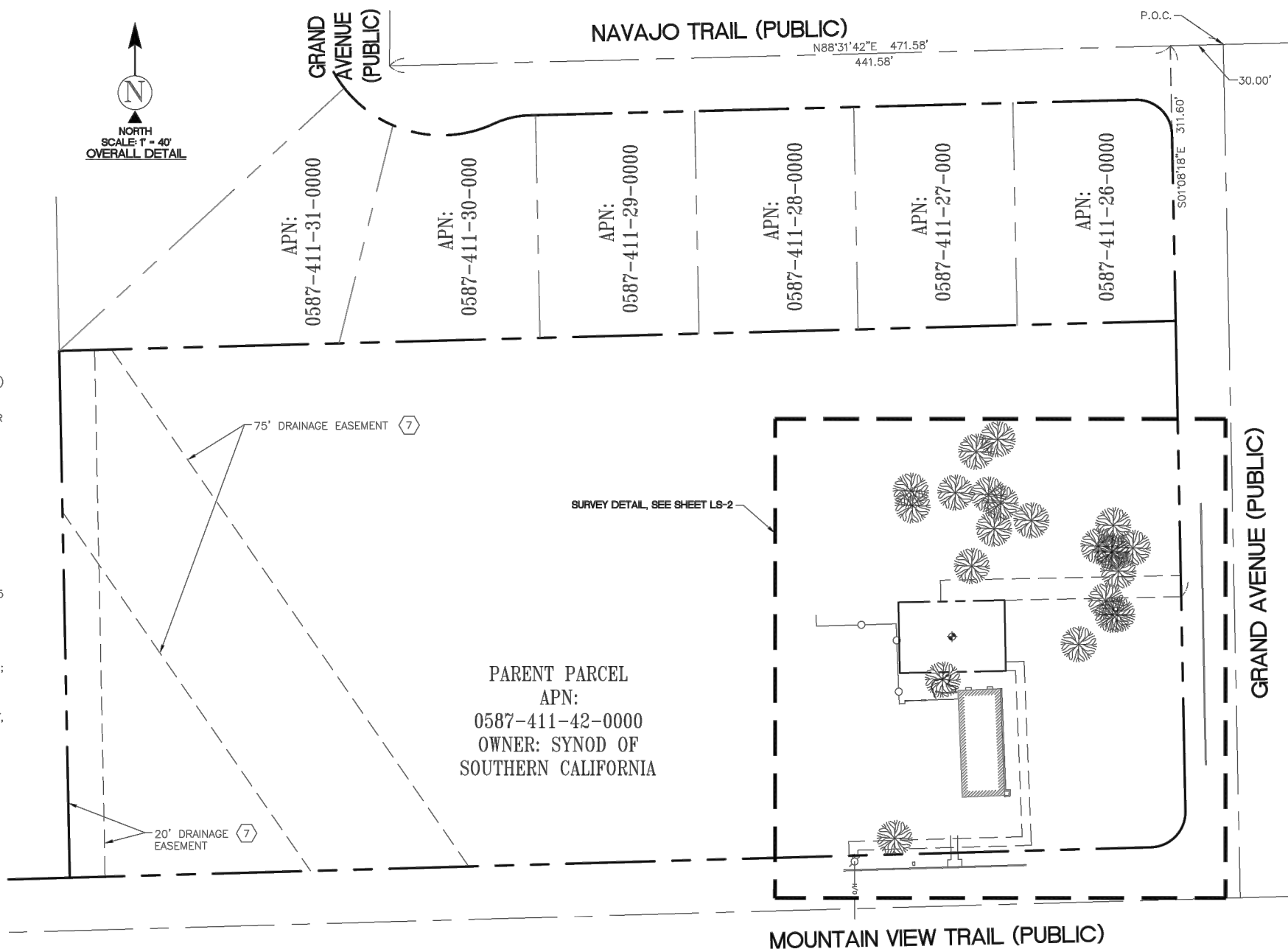
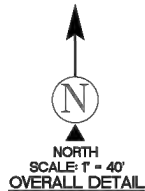
THIS SURVEY WAS PREPARED FOR VB BTS II, LLC

**SCHEDULE "B" NOTE**

REFERENCE IS MADE TO THE COMMITMENT FOR TITLE INSURANCE ORDER #IC-TWR-126727-C, ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY, DATED DECEMBER 28, 2022. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

**ITEMIZED NOTES:**

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET. (THE EXCEPTION IS STANDARD IN NATURE AND NOT THE TYPE TO BE DEPICTED HEREON)
2. ANY RIGHTS, INTERESTS OR CLAIMS, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF LAND OR WHICH MAY BE ASSERTED BY PERSONS IN POSSESSION THEREOF. (THE EXCEPTION IS STANDARD IN NATURE AND NOT THE TYPE TO BE DEPICTED HEREON)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER MATTERS WHICH A CORRECT SURVEY WOULD DISCLOSE AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A),(B) OR (C) ARE SHOWN IN THE PUBLIC RECORDS. (THE EXCEPTION IS STANDARD IN NATURE AND NOT THE TYPE TO BE DEPICTED HEREON)
4. TAXES AND ASSESSMENTS FOR THE YEAR AND ALL SUBSEQUENT YEARS ARE A LIEN BUT NOT YET DUE AND PAYABLE. (THE EXCEPTION IS STANDARD IN NATURE AND NOT THE TYPE TO BE DEPICTED HEREON)
5. ANY AND ALL MATTERS DISCLOSED ON THE MAP ENTITLED "RECORD OF SURVEY" DATED DECEMBER 3, 1945 AND RECORDED DECEMBER 3, 1945 IN (BOOK) 5 (PAGE) 5, (INSTRUMENT) 305 IN SAN BERNARDINO COUNTY, CALIFORNIA. (NO)
6. GRANT OF EASEMENT BETWEEN PRESBYTERY OF RIVERSIDE, CALIFORNIA, A NON-PROFIT ORGANIZATION; AND THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DATED JANUARY 20, 1966 AND RECORDED MARCH 31, 1966 IN (BOOK) 6599 (PAGE) 367 (INSTRUMENT) 602, IN SAN BERNARDINO COUNTY, CALIFORNIA. (THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS - SHOWN AS PUBLIC RIGHT-OF-WAY)
7. GRANT OF EASEMENT BETWEEN SYNOD OF SOUTHERN CALIFORNIA, A RELIGIOUS CORPORATION; AND THE COUNTY OF SAN BERNARDINO, A BODY CORPORATE AND POLITIC OF THE STATE OF CALIFORNIA, DATED JANUARY 11, 1971 AND RECORDED JANUARY 28, 1971 IN (BOOK) 7599 (PAGE) 838 (INSTRUMENT) 645, IN SAN BERNARDINO COUNTY, CALIFORNIA. (THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS - AS SHOWN ON SURVEY)
8. ANY AND ALL MATTERS DISCLOSED ON THE MAP ENTITLED "TRACT NO 10680" DATED JULY 13, 1982 AND RECORDED JANUARY 27, 1984 IN (BOOK) 170 (PAGE) 86, (INSTRUMENT) 84-021018 IN SAN BERNARDINO COUNTY, CALIFORNIA. (THE EXCEPTION DOES NOT AFFECT THE PARENT PARCEL)
9. RIGHTS OF FEE SIMPLE OWNERS IN AND TO THE SUBJECT PROPERTY. (THE EXCEPTION IS STANDARD IN NATURE AND NOT THE TYPE TO BE DEPICTED HEREON)



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY TO:

VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND WESTCOR LAND TITLE INSURANCE COMPANY.

THIS SURVEYOR HAS RECEIVED AND REVIEWED THAT CERTAIN TITLE COMMITMENT NO. IC-TWR-126727-C, ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY, DATED DECEMBER 28, 2022, WHICH PROPOSES TO INSURE THE LANDS DESCRIBED UNDER ITS SCHEDULE A.

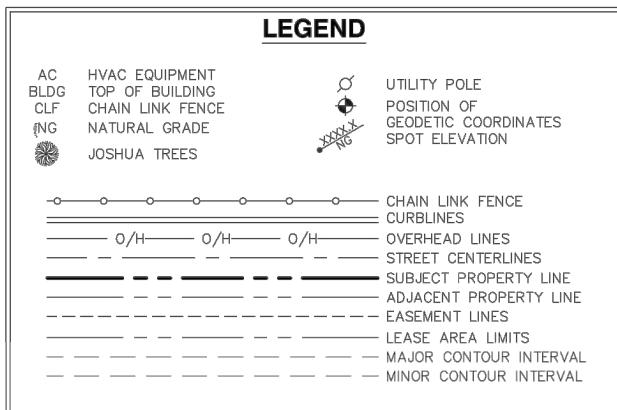
THIS SURVEYOR KNOWS OF HIS OWN KNOWLEDGE THAT THE LANDS DESCRIBED UNDER SAID SCHEDULE A OF THE TITLE COMMITMENT CONTAIN OR INCLUDE THE LANDS DESCRIBED IN AND DEPICTED ON THIS SURVEY.

THIS SURVEYOR FURTHER KNOWS TO THE BEST OF HIS KNOWLEDGE THAT THE EASEMENTS OF RECORD AND IDENTIFIED UNDER SCHEDULE B OF SAID PRELIMINARY TITLE REPORT ENCUMBER THE LANDS DESCRIBED ON THIS SURVEY, BUT SAID EASEMENTS WILL NOT INTERFERE WITH THE LOCATION OF THE PROPOSED INSURED LANDS, INCLUDING THE EXCLUSIVE EASEMENT AREA AND ANY AND ALL ACCESS, UTILITY AND GUY WIRE EASEMENT PARCELS.

I FURTHER CERTIFY THAT AT THE TIME OF THE SURVEY THERE WERE NO ENCROACHMENTS THAT AFFECT THE LEASE AND EASEMENT, THAT THE LEASE AND EASEMENT ARE ENTIRELY WITHIN THE PARENT PARCEL, THAT THE ACCESS EASEMENT CONNECTS TO A CURRENT PUBLIC RIGHT-OF-WAY, THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF CALIFORNIA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

*Matthew R. Ford*  
 MATTHEW R. FORD PLS#9588

DATED: 04/13/2023



**PROJECT INFORMATION:**

**SITE NAME:**  
**YUCCA VALLEY**

**SITE ID:**  
**US-CA-5466**

**SITE ADDRESS:**  
 56750 MOUNTAIN VIEW TRAIL  
 YUCCA VALLEY, CA 92284  
 SAN BERNARDINO COUNTY

Rev:	Date:	Description:	By:
A	03/31/2023	PRELIMINARY	TA
0	04/12/2023	TITLE & DESIGN	TA

**LAND SURVEY PREPARED BY:**

428 MAIN STREET  
 SUITE 206  
 HUNTINGTON BEACH, CA 92648  
 PH. (480) 659-4072  
 www.ambitconsulting.us

**ambit consulting**

**LICENSURE NO.:**

DATE: 04/13/2023

ALL SCALES ARE SET FOR 22"x34" SHEET

**DRAWN BY:** TA    **CHK BY:** SB    **APV BY:** MF

**Sheet Title:**

**SITE SURVEY**

**Sheet Number:**

**LS-1**

PROJECT INFORMATION:

SITE NAME:  
**YUCCA VALLEY**

SITE ID:  
**US-CA-5466**

SITE ADDRESS:

56750 MOUNTAIN VIEW TRAIL  
YUCCA VALLEY, CA 92284  
SAN BERNARDINO COUNTY

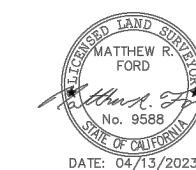
Rev: Date: Description: By:

Rev:	Date:	Description:	By:
A	03/31/2023	PRELIMINARY	TA
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LAND SURVEY PREPARED BY:

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www.ambitconsulting.us

LICENSURE NO:



ALL SCALES ARE SET FOR 22"x34" SHEET

DRAWN BY: CHK BY: APV BY:

TA	SB	MF
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Sheet Title:

**SURVEY DETAIL**

Sheet Number:

**LS-2**

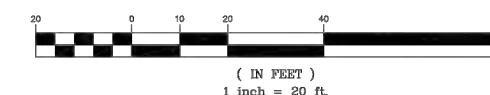
**LEGEND**

AC	HVAC EQUIPMENT		UTILITY POLE
BLDG	TOP OF BUILDING		POSITION OF GEODETIC COORDINATES
CLF	CHAIN LINK FENCE		SPOT ELEVATION
NG	NATURAL GRADE		
	JOSHUA TREES		

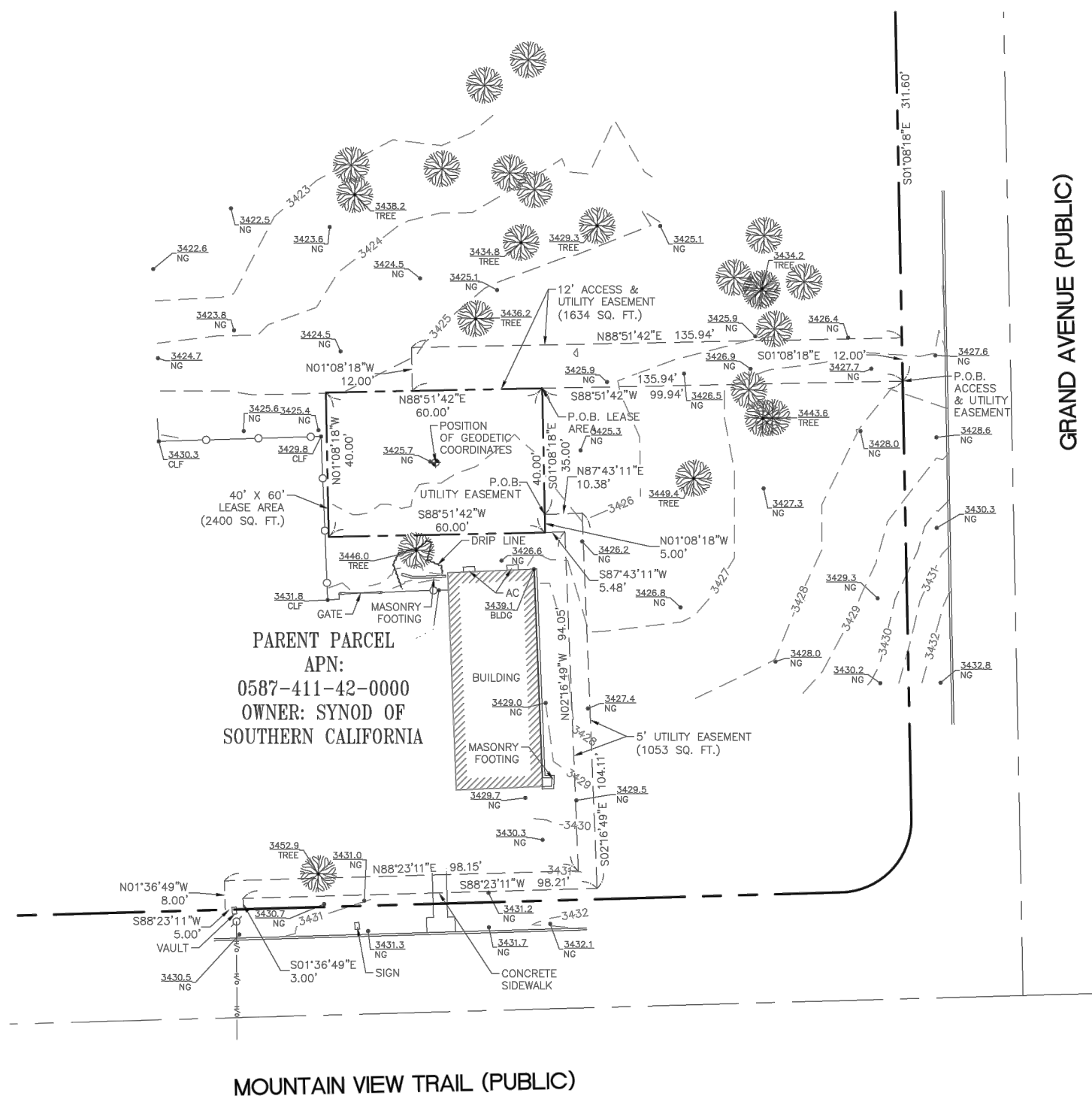
  

	CHAIN LINK FENCE
	CURBLINES
	OVERHEAD LINES
	STREET CENTERLINES
	SUBJECT PROPERTY LINE
	ADJACENT PROPERTY LINE
	EASEMENT LINES
	LEASE AREA LIMITS
	MAJOR CONTOUR INTERVAL
	MINOR CONTOUR INTERVAL

GRAPHIC SCALE



POSITION OF GEODETIC COORDINATES  
LATITUDE 34° 06' 32.32" (34.108978°) NORTH (NAD83)  
LONGITUDE 116° 25' 32.04" (116.425567°) WEST (NAD83)  
GROUND ELEVATION @ 3425.7' (NAVD88)



**LEASE AREA LEGAL DESCRIPTION**

A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, SAN BERNARDINO COUNTY, CALIFORNIA ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, MAY 28, 1903, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CENTERLINE INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE AS SHOWN ON TRACT MAP NUMBER 10680 RECORDED IN BOOK 170, PAGE 86 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FROM WHICH THE WESTERLY INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE BEARS SOUTH 88°31'42" WEST, 471.58 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 88°31'42" WEST ALONG THE CENTERLINE OF NAVAJO TRAIL, 30.00 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 01°08'18" EAST, 311.60 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF GRAND AVENUE; THENCE DEPARTING SAID RIGHT OF WAY SOUTH 88°51'42" WEST, 99.94 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01°08'18" EAST, 40.00 FEET; THENCE SOUTH 88°51'42" WEST, 60.00 FEET; THENCE NORTH 01°08'18" WEST, 40.00 FEET; THENCE NORTH 88°51'42" EAST, 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3600 SQUARE FEET (0.083 ACRES) OF LAND, MORE OR LESS.

**ACCESS AND UTILITY EASEMENT LEGAL DESCRIPTION**

A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, SAN BERNARDINO COUNTY, CALIFORNIA ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, MAY 28, 1903, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CENTERLINE INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE AS SHOWN ON TRACT MAP NUMBER 10680 RECORDED IN BOOK 170, PAGE 86 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FROM WHICH THE WESTERLY INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE BEARS SOUTH 88°31'42" WEST, 471.58 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 88°31'42" WEST ALONG THE CENTERLINE OF NAVAJO TRAIL, 30.00 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 01°08'18" EAST, 311.60 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF GRAND AVENUE FOR THE POINT OF BEGINNING;

THENCE SOUTH 88°51'42" WEST, 135.94 FEET; THENCE NORTH 01°08'18" WEST, 12.00 FEET; THENCE NORTH 88°51'42" EAST, 135.94 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 01°08'18" EAST, 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1634 SQUARE FEET (0.038 ACRES) OF LAND, MORE OR LESS.

**UTILITY EASEMENT LEGAL DESCRIPTION**

A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, SAN BERNARDINO COUNTY, CALIFORNIA ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, MAY 28, 1903, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CENTERLINE INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE AS SHOWN ON TRACT MAP NUMBER 10680 RECORDED IN BOOK 170, PAGE 86 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FROM WHICH THE WESTERLY INTERSECTION OF NAVAJO TRAIL AND GRAND AVENUE BEARS SOUTH 88°31'42" WEST, 471.58 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 88°31'42" WEST ALONG THE CENTERLINE OF NAVAJO TRAIL, 30.00 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 01°08'18" EAST, 311.60 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF GRAND AVENUE; THENCE DEPARTING SAID RIGHT OF WAY SOUTH 88°51'42" WEST, 99.94 FEET; THENCE SOUTH 01°08'18" EAST, 35.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 87°43'11" EAST, 10.38 FEET; THENCE SOUTH 02°16'49" EAST, 104.11 FEET; THENCE SOUTH 88°23'11" WEST, 98.21 FEET; THENCE SOUTH 01°36'49" EAST, 3.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF MOUNTAIN VIEW TRAIL; THENCE SOUTH 88°23'11" WEST ALONG SAID RIGHT-OF-WAY, 5.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY, NORTH 01°36'49" WEST 8.00 FEET; THENCE NORTH 88°23'11" EAST, 98.15 FEET; THENCE NORTH 02°16'49" WEST, 94.05 FEET; THENCE SOUTH 87°43'11" WEST, 5.48 FEET; THENCE NORTH 01°08'18" WEST, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1053 SQUARE FEET (0.024 ACRES) OF LAND, MORE OR LESS.

**LESSOR'S LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CA, AND IS DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, MAY 28, 1903.

SUBJECT TO: LIENS, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS OF RECORD.

PARCEL ID: 0587-411-42-0000

THIS BEING THE SAME PROPERTY AS CONVEYED TO SYNOD OF SOUTHERN CALIFORNIA, A RELIGIOUS CORPORATION FROM PRESBYTERY OF RIVERSIDE, CALIFORNIA IN A DEED DATED FEBRUARY 10, 1969 AND RECORDED FEBRUARY 17, 1969 IN BOOK 7183 AND PAGE 216.

TITLE TO THE ABOVE REFERENCED PROPERTY CONVEYED TO SYNOD OF SOUTHERN CALIFORNIA, A RELIGIOUS CORPORATION FROM PRESBYTERY OF RIVERSIDE, CALIFORNIA AND RECORDED ON FEBRUARY 17, 1969 IN BOOK 7183 216, PAGE .

PARCEL ID: 0587-411-42-0000

PROPERTY COMMONLY KNOWN AS: 56750 MT. VIEW TRAIL, YUCCA VALLEY, CA 92284





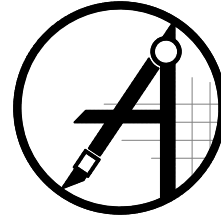








750 Park of Commerce Drive, Suite 200  
Boca Raton, Florida 33487



**ambit consulting**  
428 MAIN STREET SUITE 206  
HUNTINGTON BEACH, CALIFORNIA 92648  
PH. (480) 659-4072

## 1-A ACCURACY CERTIFICATION

**C/O Tasset Partners, LLC**

Date of Survey: 03/30/2023  
Date of Issue: 04/13/2023

Site Number: US-CA-5466  
Site Name: Yucca Valley  
Site Type: Raw Land  
Site Location: 56750 Mountain View Trail.  
Yucca Valley, CA 92284



DATE: 04/13/2023

I, Matthew R. Ford, hereby certify that the coordinates at the center of the proposed sectors are as follows:

Centroid of Geodetic Coordinates (NAD83)

Latitude: 34 Degrees 06 Minutes 32.32 Seconds N  
Longitude: 116 Degrees 25 Minutes 32.04 Seconds W  
Latitude: 34.108978  
Longitude: -116.425567

And further certify that the elevations and heights referenced hereon are as follows:

Elevations (Above Mean Sea Level) (NAVD88)

Ground Elevation at Base of Structure = 3425.7 Feet A.M.S.L. (NAVD88)  
Highest Fixed Structure & Highest Point (Top of Structure) = 3495.7 Feet A.M.S.L. (NAVD88)

Heights (Above Ground Level)

Ground to Highest Fixed Structure & Highest Point (Top of Proposed Structure) = 70.0 Feet A.G.L.

The horizontal accuracy of the latitude and longitude at the center of each sector falls within twenty (20) feet. The elevations (NAVD88) of the ground and fixtures fall within three (3) feet. The measured heights (A.G.L.) are within +/- one (1) foot vertically.

Benchmark Reference: Project elevations established from GPS derived Orthometric heights by application of NGS 'Geoid 12B' modeled separations to ellipsoid heights determined by observations of the 'Smartnet' Real Time Network. All elevations shown hereon are referenced to NAVD88.

# Attachment **2**

## *Site Photographs*



Site Photograph 1 – Looking north toward the proposed undertaking



Site Photograph 2 – Looking north away from the proposed undertaking

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 3 – Looking east toward the proposed undertaking



Site Photograph 4 – Looking east away from the proposed undertaking

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 5 – Looking south toward the proposed undertaking



Site Photograph 6 – Looking south away from the proposed undertaking

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 7 – Looking west toward the proposed undertaking



Site Photograph 8 – Looking west away from the proposed undertaking

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 9 – Looking west along the proposed access/utility easement



Site Photograph 10 – Looking east along the proposed access/utility easement

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 11– Looking south along the proposed utility easement



Site Photograph 12 – Looking west along the proposed utility easement

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023





Site Photograph 13 – General view of the proposed undertaking

**Site Photographs**  
VB BTS II, LLC – Yucca Valley  
near 56750 Mountain View Trail  
Yucca Valley, San Bernardino County, California 92284

Photographed:  
July 3, 2023



Attachment **3**

***Areas of Potential Effect (APE)***

## Areas of Potential Effects

The term Area of Potential Effects (APE) is defined in Section II.A.3 of the *Nationwide Programmatic Agreement (NPA) for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission*. For purposes of this project, the APE for direct effects and visual effects are further defined below.

### Selection of APE for DIRECT EFFECTS

The DIRECT area of potential effect is defined as being “limited to the area of potential ground disturbance and any property, or any portion thereof that will be physically altered or destroyed by the Undertaking”.

Proposed Lease Area(s) – A 40' x 60' lease area around the 70' (75' including all appurtenances)' monopine tower and associated equipment.

Proposed Access Easement(s) – A 12-foot wide by ~140-foot-long easement extending generally east from the proposed lease area connecting with Grand Avenue through a cleared commercial lot.

Proposed Utility Easement(s) – A 5-foot wide by ~220-foot-long easement extending generally south from the proposed lease area connecting with Mountain View Trail through a cleared commercial lot.

### Selection of APE for VISUAL EFFECTS

The VISUAL area of potential effects is defined as “the geographic area in which the undertaking has the 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.”

APE for this site based on NPA -                      Within ½-mile radius from the tower site if the proposed tower is less than 200' in overall height.



# Environmental Assessment Specialists, Inc.

71 San Marino Avenue Ventura CA 93003  
Office (805) 650-0949 Fax (805) 650-8054 www.easenv.com

July 10, 2023

Mr. Miles C. Walz-Salvador  
Lotis Environmental, LLC  
6465 Transit Road, Suite 23  
East Amherst, NY 14051-2232

**Subject: Cultural Resource Records Search Results and Site Visit for Vertical Bridge Candidate US-CA-5466/IE95414 (Yucca Valley), 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California**

At the request of Lotis Environmental, LLC (Lotis), Environmental Assessment Specialists, Inc. (EAS) has conducted a cultural resource records search and site visit for Vertical Bridge candidate US-CA-5466/IE95414 (Yucca Valley), located at 56750 Mountain View Trail, Yucca Valley, California 92284. The lease area lies in Section 2 of T1S R5E as shown on the USGS *Yucca Valley South, CA* 7.5-minute quadrangle map. Vertical Bridge proposes to install a new telecommunications facility at this location. Vertical Bridge proposes to install 6 panel antennas, and 3 antenna mount arms on a new 70' tall monopine. Also proposed are a 40'-0" x 60'-0" fenced and graveled compound, 1 15'-0" x 10'-0" concrete pad, 1 utility H-frame, 1 PPC AC and telco combination cabinet, 1 equipment cabinet, 1 battery cabinet with 3 new strings of batteries, 3 HCS 2.0 trunk cable, 1 worklight and 1 GPS antenna. Ground disturbance is required for power and fiber.

The purpose of the records search is to identify previously recorded cultural resources (pre-contact and historic archaeological sites/resources, historic buildings, structures, objects, or districts) within the area of potential effects (APE), as required by Section 106 of the National Historic Preservation Act (NHPA) of 1966 and its implementing regulations, 36 CFR Part 800. It entails a review of previously recorded pre-contact and historic age archaeological sites and resources located within a ½-mile radius of the project, as well as a review of cultural resource survey/excavation reports. The purpose of the site visit is to determine the APE associated with the project. The lease area and the locations of planned project-related excavations (if any) were visited and photographed. The APE was established with reference to planned-for project construction methods, the existing topography and the current level of local urbanization.

On June 12, 2023, EAS Archaeologist Sarah A. Williams conducted the cultural resource records search at the South Central Coastal Information Center (SCCIC), located at California State University, Fullerton. To identify historic properties on or near the project, current inventories of the National Register of Historic Places (NR), the California Historical Landmarks (CHL), and the California Points of Historical Interest (CPHI) were examined. EAS reviewed the California State Built Environment Resources Directory (BERD) for San Bernardino County to determine if any local resources within the search radius have been previously evaluated for historic significance.

**Cultural Resource Record Search Results**

The results of the record search indicate no cultural resources (see Tables 1 & 2) have been recorded within the search radius of the candidate. In addition, six area-specific survey reports are on file with the SCCIC for the search radius (see attached documentation). One of the reports include the candidate location (see Table 3), suggesting that the candidate has been surveyed for cultural resources.

**Table 1: Known Cultural Resources located within ½-mile radius of the candidate location**

Resource Number	Distance from the APE	Resource Description
None		

**Table 2: Structures or Features within ½-mile search radius for the San Bernardino County BERD, NR, CHL, and/or CHPI inventories which are NR eligible or listed**

Address	Distance from the Project	Resource Description
None		

**Table 3: Known Cultural Resources Reports within a ½ mile radius that include the candidate location**

NADB Report Number	Additional Details
SB00705	Hearn, 1978. Addressed the candidate and surrounding area. Negative results for cultural resources at the candidate location.

USGS Archival Topographic Map	Observations
1972 Yucca Valley South, CA 7.5'	The general area was minimally- moderately developed with the church, structures and roads in the vicinity. The candidate location is undeveloped at this time.

Cultural Sensitivity Based on Record Search Data	
Historic	Low
Pre-contact	Low

**Cultural Setting<sup>1</sup>**

Four general, but distinctive cultural periods have been identified by Wallace (1955) for the prehistoric occupation of southern California (Early Hunter; Milling Stone; Intermediate; Late).

Early Hunter Period (before 6500 B.C.) sites are characterized by large projectile points and other stone implements adapted to chase big game animals. The large size and weight of the points suggest that the primary weapon for hunting was the dart, propelled by a spear thrower. Lack of grinding tools, suggest that the inhabitants were not exploiting the plant foods to the extent that later cultures were. They were nomadic in hunters, following the game throughout the seasons. Archaeological sites representing this early period are not common.

The Milling Stone Period (about 6500 B.C. to 1000 B.C.) represents a long period of time characterized by small, highly mobile groups of Native Americans. These groups probably had a seasonal round of settlement that included both inland and coastal residential bases. They relied primarily on grasses and seeds for food. Characteristic inland sites include numerous manos, metates, and hammerstones. Shell middens are more common at coastal sites.

---

**1**

Bean, L.J. and Charles R. Smith  
 1978 Serrano. In R.F. Heizer, (ed.) *Handbook of North American Indians, Vol. 8: California*. Pages 570- 574.  
 Washington, D.C.: Smithsonian Institution.

Wallace, William J.  
 1955 A Suggested Chronology for Southern California Coastal Archeology. *Southwestern Journal of Anthropology*  
 11(3):214-230.

The Intermediate Period occurred from approximately 1000 B.C. to A.D. 750. Mortars and pestles first appear in this period, indicating knowledge of acorn leaching. Use of the acorn probably permitted greater sedentism, especially at inland locations. Large projectile points suggest use of spear throwers rather than the bow and arrow. Settlement patterns during this period are not well understood.

The Late Period (A.D. 750 to Historic Contact) saw a more semi-sedentary settlement pattern. Smaller projectile points suggest introduction of the bow and arrow and less or no reliance on the spear thrower.

### ***The Serrano***

The Serrano are part of the Takic language family, which is a language group also shared, albeit distantly, by the Luiseno, Tongva, Cahuilla and Cupeno tribal entities

Although it is difficult to ascribe a definitive boundary for the Serrano, the literature has suggested that this nationality had encompassed a vast and topographically varied area. The localities of eastern Los Angeles County, along the Cajon Pass to Victorville, to the far eastern reaches of Twentynine Palms, which is beyond the foothills of the San Bernardino Mountains and to the southern extremities of the San Geronio Pass. As with most Native peoples, a typical village site would have been located within the accessibility of water and in areas that would provide a good shelter from the wind.

### ***Establishment of APE and Cultural Resources Within***

On July 3, 2023, Archaeologist Sarah A. Williams, M.A., visited the project location for the purpose of establishing the APE (see Exhibit 1 and Exhibit 2). Vertical Bridge proposes to install a new telecommunications facility at this location. Vertical Bridge proposes to install 6 panel antennas, and 3 antenna mount arms on a new 70' tall monopine. Also proposed are a 40'-0" x 60'-0" fenced and graveled compound, 1 15'-0" x 10'-0" concrete pad, 1 utility H-frame, 1 PPC AC and telco combination cabinet, 1 equipment cabinet, 1 battery cabinet with 3 new strings of batteries, 3 HCS 2.0 trunk cable, 1 worklight and 1 GPS antenna. Ground disturbance is required for power and fiber. Given these parameters, the Direct APE is confined to the proposed telecommunications facility, and trenching route. The Visual Indirect APE is considered that area within a 1/2-mile radius of those portions of the candidate once completed.

### **Direct APE Cultural Resources**

The results of the site investigation confirm no precontact cultural resources will be affected by the proposed construction of the telecommunication facility. The candidate is located at an existing church property. The tower and equipment enclosure will be located to the north of a portable structure, south of a dirt access. The trenching will run south along the structure, then turn to the west along the street to the point of connection at the existing utility pole.

### **Visual Indirect APE**

The results of the record search concluded the candidate is not located within 250-feet of the boundaries of a historic district. In addition, no historic properties are located within 1/2-mile of the candidate location. The current conditions are as follows:

- North of the candidate location is undeveloped desert land on the church property, and beyond are residential neighborhoods.
- East of the candidate location is a residential neighborhood.
- South of the candidate location is a residential neighborhood.
- West of the candidate location is the church sanctuary and parking lot, and beyond is a residential neighborhood.

Photographs are attached.

The topography in the vicinity of the candidate is graded flat for development. There is very good surface visibility in the undeveloped area. Soils have been highly disturbed in the development of the region.

## **Recommendations**

### **Direct APE**

In accordance with 36 CFR Part 800, EAS has assessed the effects of this facility on local cultural properties. The results of the site investigation confirm no precontact cultural resources will be affected by the proposed construction of the new telecommunications facility. In addition, there are no NR eligible or listed properties which will be affected by the proposed construction. Therefore, EAS is requesting a Finding of No Historic Properties in APE for Direct Effects.

### **Visual Indirect APE**

The candidate is not located within 250-feet of the boundaries of a NR listed or eligible historic district. In addition, there are no individual NR listed or eligible historic properties located in the Visual APE. Therefore, EAS is requesting a Finding of No Historic Properties in APE for Visual Effects.

We at EAS appreciate the opportunity to assist you on this project. If we can be of any further assistance, or if you have any questions concerning this letter, please do not hesitate to contact Al Martinez at (714) 742-5362 or via his e-mail, [AM2022@EASenv.com](mailto:AM2022@EASenv.com).

Sincerely,



Carrie D. Wills, M.A., RPA  
Professional Archaeologist



Sarah A. Williams, M.A.  
Archaeologist



Photograph 1: View of candidate location; facing north



Photograph 2: View of candidate location; facing east



Photograph 3: View of candidate location; facing south



Photograph 4: View of candidate location; facing west.



Photograph 5: View from candidate location; facing north



Photograph 6: View from candidate location; facing northeast



Photograph 7: View from candidate location; facing east



Photograph 8: View from candidate location; facing southeast



Photograph 9: View from candidate location; facing south



Photograph 10: View from candidate location; facing southwest



Photograph 11: View from candidate location; facing west



Photograph 12: View from candidate location; facing northwest



Photograph 13: View of the trenching route; facing south

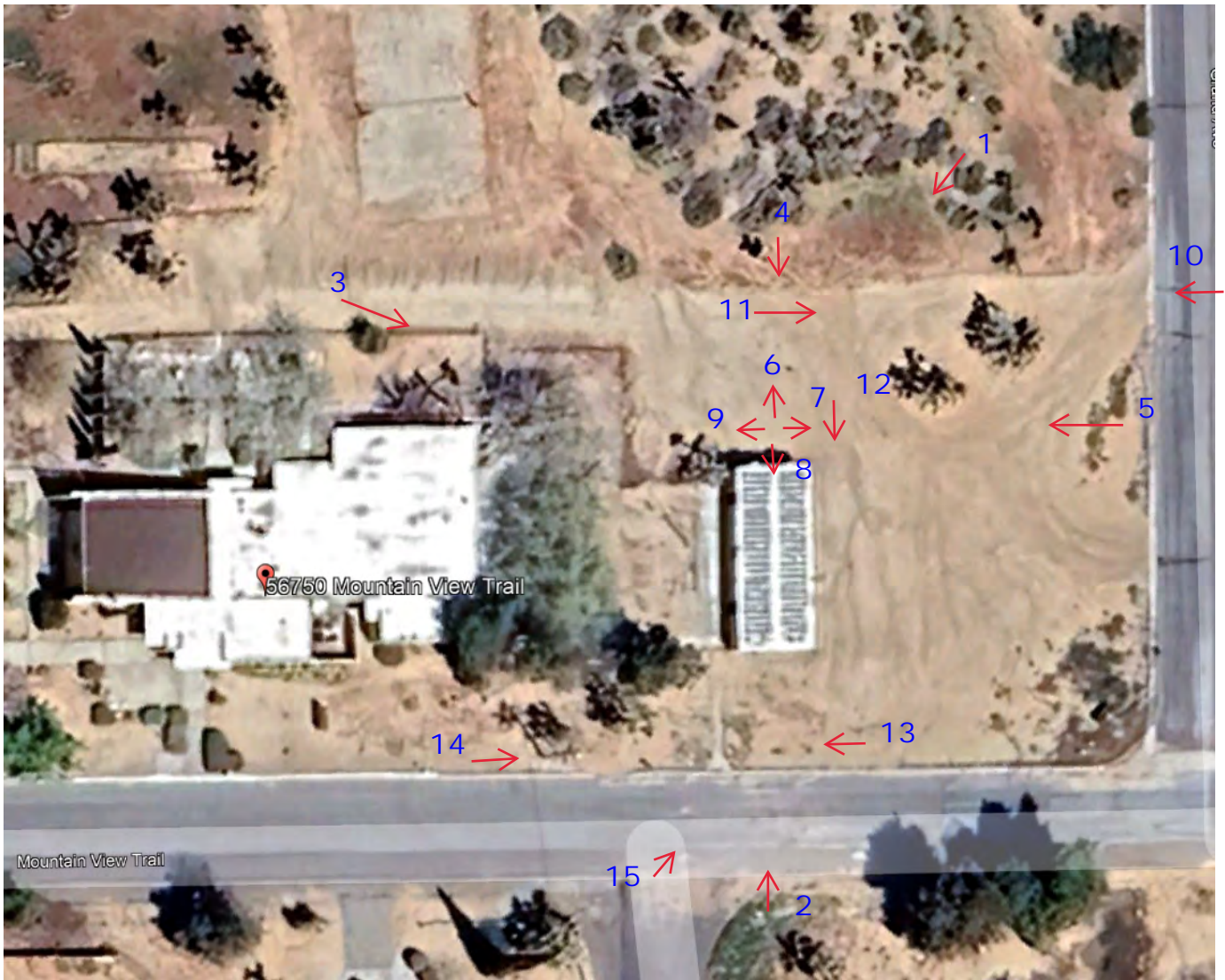
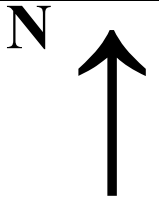


Photograph 14: View of the equipment location; facing west

## Report List

US-CA-5466

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SB-00187	NADB-R - 1060187; Voided - 73-11.1	1974	SAN BERNARDINO COUNTY MUSEUM ASSOCIATION	ARCHAEOLOGICAL, PALEONTOLOGICAL, HISTORICAL AND NATURAL HISTORY VALUES - LONG CANYON CHANNEL, YUCCA VALLEY	SAN BERNARDINO COUNTY MUSEUM ASSOCIATION	
SB-00705	NADB-R - 1060705; Voided - 78-11.8	1978	HEARN, JOSEPH E.	ARCHAEOLOGICAL RESOURCES ASSESSMENT OF ASSESSORS PARCELS NO. 58709142, 58709143, 58709144 AND 58709120 IN THE YUCCA VALLEY AREA	SAN BERNARDINO COUNTY MUSEUM ASSOCIATION	
SB-06284	NADB-R - 1066284	2009	ENCARNACION, DEIRDRE, BALLESTER, DANIEL, and LAURA H. SHAKER	HISTORICAL/ARCHAEOLOGICAL RESOURCES SURVEY REPORT: YUCCA VALLEY WATER SYSTEM INFRASTRUCTURE IMPROVEMENTS, TOWN OF YUCCA VALLEY, SAN BERNARDINO COUNTY, CALIFORNIA		
SB-06927	NADB-R - 1066927	2011	Encarnacion, Deirdre, Daniel Ballester, and Laura H. Shaker	Identification and Evaluation of Historic Properties: Yucca Valley Wastewater System Infrastructure Improvements, Town of Yucca Valley, San Bernardino County, California.	CRM Tech	36-010525
SB-07722	NADB-R - 1067722	2012	Tang, Bai "Tom"	Addendum to Historical/Archaeological Resources Survey Report: Yucca Valley Wastewater System Infrastructure Improvement Project, Town of Yucca Valley, San Bernardino County, California.		
SB-07723	NADB-R - 1067723	2013	Tang, Bai "Tom", Daniel Ballester, and Laura Shaker	Identification and Evaluation of Historic Properties: Yucca Valley Wastewater System Infrastructure Improvements, Town of Yucca Valley, San Bernardino County, California.		



Notes:

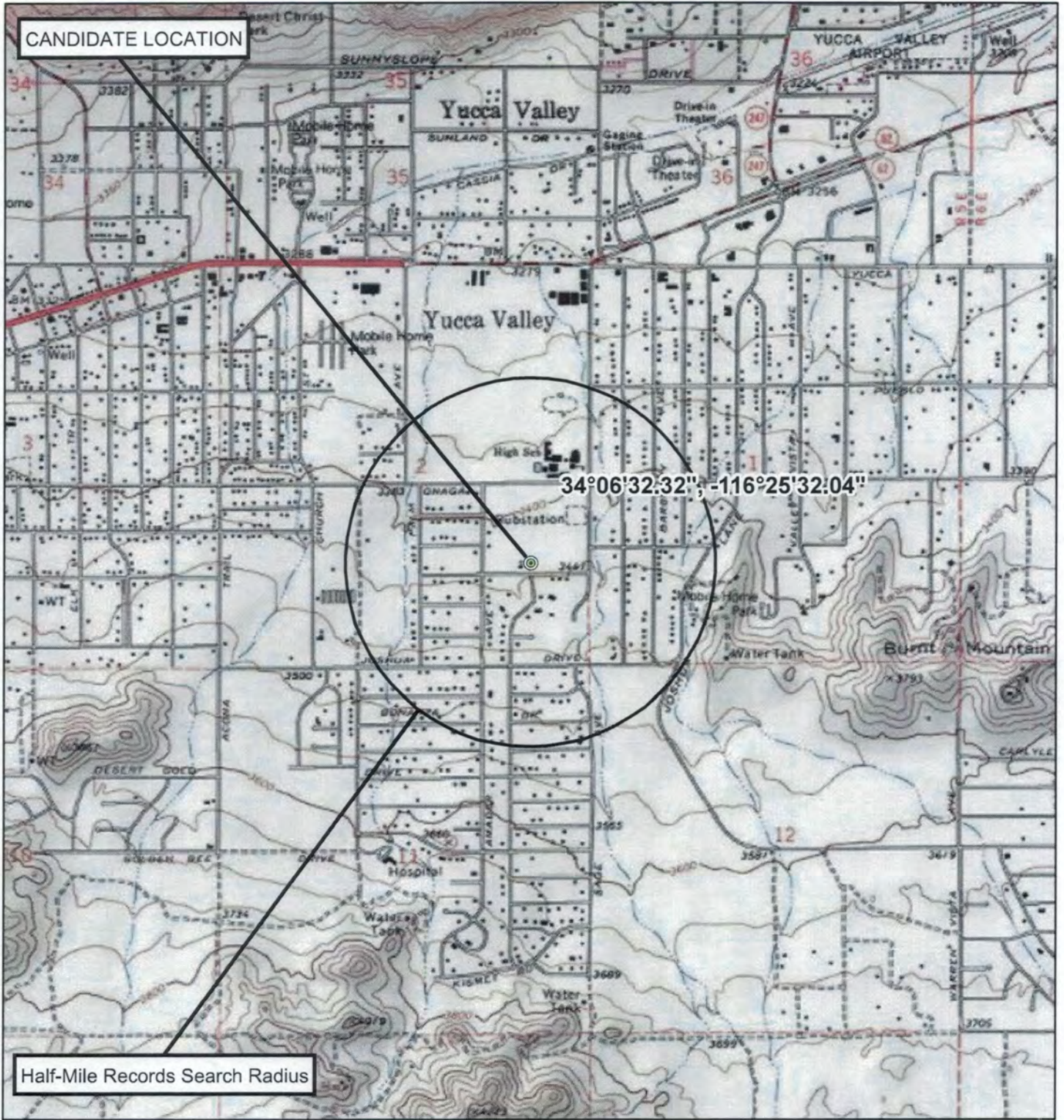


Sketch a detailed site plan of the target property, including location and direction of photos.

	Photo Type	Facing Direction	Photo #	Notes	Date/Time	Current Weather	
Please Circle Yes or No (if yes, please take picture and note location on site sketch or aerial. No, assumes that you did not observe it, not that you confirm that it was not present)	Picture of Entire Proposed Lease Area - <b>Take some general photos (as makes sense) of the lease area (should include the entire LA or a good example of it) Please do not include items (visitor equipment, vehicle, people, etc.) which were not present until your site visit within the photo (unless your intention is to use as a measurement reference).</b>	SW	1		7/3/2023	97 sunny and windy	
					11:05		
	Pictures <b>looking</b> (ie, N would be standing on S border facing N) <b>toward</b> the proposed lease area (from the edge of the lease area boundary) (must take pics of all of these directions)	N	2			N	Rain Events within 48 hours?
		E	3				
		S	4				
		W	5				
	Pictures <b>looking</b> (ie, N would be standing on N border of LA and facing N) <b>away</b> from the proposed lease area (must take pics of all of these directions)	N	6				
		E	7				
		S	8				
		W	9				
	Pictures looking towards lease area along easement #1 (if the easement is not straight take multiple to and from photos)	W	10		access route		
	Pictures looking away from lease area along easement #1 (if the easement is not straight take multiple to and from photos)	E	11		access route		
	Pictures looking towards lease area along easement #2 (if present) (if the easement is not straight take multiple to and from photos)	S	12		Joint power fiber route		
Pictures looking away from lease area along easement #2 (if present) (if the easement is not straight take multiple to and from photos)	W	13		Joint power fiber route			
Pictures looking towards lease area along easement #3 (if present) (if the easement is not straight take multiple to and from photos)							
Pictures looking away from lease area along easement #3 (if present)(if the easement is not straight take multiple to and from photos)							

Site Visitor Questionnaire						
No	Was Surface Water on Property? If so please place it into one of the categories (murky, muddy, stagnant, clear, dry) ?					
No	Was Surface Water on Adjacent Property? If so please place it into one of the categories (murky, muddy, stagnant, clear, dry)					
No	Were Generators present in/near/ or adjacent to the proposed undertaking? If so, please categorize (Diesel/ Propane/ Other)					
Yes	Were Utility Poles/towers with transformers on them OR Ground Transformers (located in/near/adjacent to the proposed undertaking)? If yes, please note locations	E	14	point of connection for power and fiber		
No	Were Drums / Storage Containers present in/near/or adjacent to the proposed undertaking? If yes, please categorize (petroleum, fertilizers, pesticides, herbicides, chemicals, and unknown)					
No	Was Municipal Trash/ Toxic Waste/ Open Pit/ Retention Pond/ Discarded Equipment/ burn piles present in/near/or directly adjacent to the proposed undertaking?					
No	Were other Signs of environmental Contamination (Unnatural soils colors, damaged vegetation, leachate seeps, oily sheens, discoloration, other) located in/near/ or adjacent to the proposed undertaking?					
No	Were unusual Odors present? If yes, please categorize (Petroleum, chemical, Natural gas, Decaying material, manure, other)					
Yes	Was a Water Supply (municipal sewer system, septic systmes (tanks), water wells, public water supply, other) present?	NNE	15	water lines in the street		
No	Were AST/UST in/near/ or adjacent to the proposed undertaking? If yes, please categorize (propoane, diesel, septic, water, other)					

**DEFINITIONS**  
**Proposed undertaking** - includes lease area and all easements  
**Adjacent** - within immediate view of the proposed undertaking  
**AST** - Above Ground Storage Tank  
**UST** - Underground Storage Tank



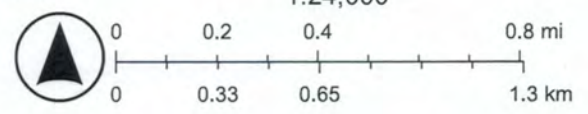
US-CA-5466: USGS Yucca Valley South, CA 7.5' Topographic Map T1S R5E

1:24,000



# Project Topographic Map

Exhibit 2



765      6284  
 6187    6927  
          7722  
          7723



## OVERVIEW

- 20+ Years' Experience
- Master's degree, Anthropology – California State University, Hayward
- Bachelor's degree, Anthropology – California State University, Hayward
- Registered Professional Archaeologist #11138
- Meets Secretary of Interior's Standards for Archaeology

Carrie D. Wills, M.A., RPA, has been a Senior Project Archaeologist for the past 20+ years working at both prehistoric and historic sites. Ms. Wills has coordinated compliance efforts and trained teams ranging in size from 2 to 12 professional archaeologists/architectural historians in the complexities of small and large scale projects and managed their time and reviewed their reports prior to submittal. Some of the talents she brings to the table combine the ability to quickly and efficiently organize, evaluate, and complete numerous projects within stringent deadlines. Ms. Wills has consistently provided feasible solutions that protect significant resources while staying within budgetary constraints. Additionally, she has excellent communication skills and enjoys working and coordinating with co-workers, other scientists, and agency personnel. Ms. Wills has always been a self-starter and is personally and professionally motivated to ensure that each of the projects she works on adheres to the highest professional standards and is completed on time and within budget.

Ms. Wills has extensive experience managing projects that include pre-field assessments, archival research, pedestrian field surveys, site evaluation and testing, and data recovery and analysis for both prehistoric and historic projects. Her experience includes conducting field research, evaluating sites and features for historic significance and preparing reports that comply with the CEQA, Section 106 and NEPA.

Ms. Wills' management skills include writing proposals that reflect a concise understanding of the project objectives and provides the client with a reasonable budget and workable time frame. She has managed projects from the early planning stages (hiring crew members, coordinating transportation, hotels, and equipment) to organizing and assigning daily tasks and ensuring that the project stays on time and within budget. She has extensive experience coordinating with various agencies including USACE, BOR, and city and county governments. Perhaps one of her main strengths is her ability to organize, write, and edit comprehensive reports that meet all of the individual agency requirements, provide the most salient details about the project, and comply with CEQA, Section 106, and NEPA regulations.

In addition, Ms. Wills has conducted numerous consultations with Native American tribal representatives and government agencies and has good working relationships built on mutual trust and respect.

## RELATED EXPERIENCE

***The Conservation Center for Wildlife Care, Saratoga, Santa Clara County.*** At the request of the Peninsula Humane Society and SPCA, conducted a cultural resource investigation that included a NWIC record search and NAHC Sacred Lands File search, and a field survey, for the approximately 170 acre APE at the proposed Conservation Center for Wildlife Care located outside the City of Saratoga. In addition, coordinated with the project's architectural historian on the building/structure evaluations and recorded the structures on appropriate DPR forms. The final Section 106 report was presented to the USACE for submittal to the SHPO for concurrence with the Finding of No Adverse Effect.

**Section 106 Assessment – *DSRSD Central Dublin Recycled Water Distribution and Retrofit Project, City of Dublin, Alameda County, California.*** As project archaeologist/manager, conducted a cultural resource investigation that included record search reviews, historic map reviews, and a limited field survey of the proposed Central Dublin Recycled Water Distribution and Retrofit Project Area of Potential Effect (APE) that fulfilled the protocols associated with Section 106 of NHPA. The results of the investigation were submitted to archaeological staff at the Bureau of Reclamation and received concurrence with MBA's findings of effect.

**Section 106 Assessment – Lake Solano Regional Park Visitor's Center Project, County of Solano.** As project archaeologist, Ms. Wills conducted a cultural resource investigation that included record search reviews and a pedestrian field survey. As the project had a federal nexus, the work included a comprehensive report that met the criteria in Section 106 of the National Historic Preservation Act. The lead agency was the Bureau of Reclamation which has specific procedures that must be followed when unanticipated human remains or cultural resources are discovered. In addition to complying with the Bureau of Reclamation procedures, the results of the research and field survey were submitted to the State Historic Preservation Officer (SHPO) for concurrence with the stated recommendations.

**Section 106 Assessment /HABS Documentation – St. Regis Napa Valley Project, City of Napa, Napa County.** Served as the archaeologist for a historical and architectural analysis of a historic structure in the County of Napa. Following the evaluation of the historic significance of the structure and recording it to HABS standards, the results were sent to SHPO and received concurrence with the finding of no adverse effect to historic resources.

**Section 106 Evaluation – Dixon Veterans Memorial Hall Project and the Benicia Veterans Memorial Hall Project, County of Solano.** Served as the lead technical consultant for an analysis of two historic structures within the County of Solano. After evaluating and recording the buildings to Section 106 standards, the results were sent to SHPO and received concurrence with MBA's findings of no effect to historic resources.

**Section 106 Evaluation – Solano County Free Library Center Project, County of Solano.** Served as the lead technical consultant for a historical and architectural analysis of an historic structure in the County of Solano. Also served as the senior project archaeologist. After evaluating and recording the building to Section 106 standards, the results were sent to SHPO and received concurrence with MBA's findings of no effect to historic resources.

**Section 106 Evaluation – Suisun Veterans Memorial Building Project, Suisun City.** Served as the lead technical consultant for a historical and architectural analysis of an older structure in the City of Suisun City. After evaluating and recording the building to Section 106 standards, the results were sent to SHPO and received concurrence with MBA's findings of no effect to historic resources.

**East Cypress Partners, LLC, Baldocchi Project, City of Oakley, Contra Costa County.** As lead archaeologist, conducted a cultural resource investigation that included a NWIC record search and NAHC Sacred Lands File search, and a field survey of the Baldocchi Project APE for East Cypress Partners, LLC. Totalling approximately 30 acres, the project included evaluation of a small homestead's buildings and structures for submittal to the Bureau of Reclamation who in turn submitted the findings to the State Historic Preservation Officer (SHPO) for concurrence.

**Branciforte Project, Santa Cruz, CA.** Ms. Wills conducted various tasks within an area considered highly sensitive for archaeological resources including developing an Archaeological Monitoring and Data Recovery Plan that detailed the treatment of the known archeological site during project development. To define the possible subsurface areas where unknown human remains may have been present, at the request of the City and the Native American monitor, the highly unusual procedure of using cadaver dogs to search the area was implemented. The excavated artifacts and resources are currently being analyzed, cataloged and prepared for curation and a comprehensive report is in the final stages of completion.

**Bailey-Fellowes Dike Breach Assessment.** As Project Manager, Ms. Wills conducted a feasibility study and estimated cost for breaching Fellows Dike at Calero Reservoir and relocating the CRHR eligible Bailey-Fellowes House and eight other associated structures for the of Santa Clara Water District (District). The District chose two alternatives for analysis: one to repair the dike and retain the structures in place and the other to breach the dike and inundate the House and other buildings. Ms. Wills led a team of geologists, house moving companies, historic building designers, structural architects, and geologists, to analyze the two alternatives and provide the District with a feasible analysis to make their decision.

**General Plan Update, County of Monterey.** As senior project archaeologist, assisted in updating the General Plan with new policies including archaeological, historical, and paleontological resources. Tasks included a review of existing policies and suggestions for alternatives and updates relevant to current trends. Worked closely with Monterey County staff, agency personnel, and sub-consultants to ensure a high quality, timely Plan Update.

**Historic American Buildings Survey Documentation** – Larkspur 16.8-Acre Project, City of Larkspur, Marin County. Serving as project archaeologist, conducted a field survey, records and map review, and historic building evaluation for more than 20 buildings and structures associated with the circa 1920–1980 Niven Nursery in the City of Larkspur. The existing buildings and greenhouses that retained their historic integrity were evaluated for historic significance, recorded on appropriate Department of Parks and Recreation (DPR) forms, and documented to Historic American Building Survey (HABS) standards. Additionally, two prehistoric sites were previously recorded within the project area, and although neither of them was found during the pedestrian survey, to ensure site protection, construction monitoring was recommended during all ground-disturbing activities in these areas.

**Historic American Buildings (HABS) Survey – *KB Home Monte Vista, City of San Jose. Served as project manager for the KB Home Monte Vista Project.*** Conducted Historic American Buildings Survey Level III documentation for a large multi-structure canning facility, Del Monte Plant #3, in San Jose. Tasks included producing over 200 large-format, black and white photographs of exterior and interior views of the existing structures. The MBA historic report augmented the photographic documentation by placing the structures within the appropriate historic context and addressing both the architectural and historical aspects of the site's significance. Specifically, the historical report focused on the Plant's contribution to the growth of the canning industry in San José. The plant was also assessed for historic significance and found to meet the criteria for listing on the National Register of Historic Places as a District along with two other local Del Monte canneries. MBA coordinated with state, federal, and city agencies including, but not limited to, City of San Jose Department of Planning and the National Park Service HABS/Historic American Engineering Record coordinator.

**Cultural Resources Assessment – *Zone 3A, Line D Capacity Improvements Project and Zone 5, Line A West Levee Improvements Projects, County of Alameda.*** Served as project manager and senior archaeologist, conducting a cultural resource assessment for the Zone 3A Line D Capacity Improvements Project, Hayward, and the Zone 5 Line A West Levee Improvements Project, Union City. The assessment consisted of record searches, review of historic literature, and more than 20 historic aerials to provide an understanding of development within the project areas and a historical context for the projects.

**Telecommunications Projects – Most Northern CA Counties.** Serving as senior project archaeologist, conducted record searches and map reviews, field surveys, historic building and ground disturbance evaluations, and authored compliance reports for SHPO submittal for over 1,000 telecommunications sites. Coordinated efforts with archaeologists, architectural historians, GIS co-workers, environmental firms, and numerous carriers including AT&T, T-Mobile, Sprint and Verizon.

## PROFESSIONAL AFFILIATIONS

- Society for Historical Archaeology
- Society for California Archaeology
- Register of Professional Archaeologists #11138

## EDUCATION

- 2001-2003 Masters of Arts, History, Armstrong Atlantic State University, Savannah, Georgia
- 1997-2001 Bachelors of Science, Anthropology, University of California, Riverside, Riverside, California
- 1994-1998 Diploma, Riverside Polytechnic High School, Riverside, California

## PROFESSIONAL EXPERIENCE

- 2/2005-present *Field Archaeologist, Riverside, California*  
As a subcontractor, I conduct field surveys, testing and excavations as a part of a team of archaeologists. I conduct site visits of project locations, documenting the presence of any historic properties within the area. I perform record searches at the region information centers within the California Historical Resources Information System. I produce detailed reports reviewing the record search results and detailing the site visit findings.
- 6/2003-12/2003 *Museum Aid, Fort Pulaski National Monument, Savannah, Georgia*  
I assisted a senior park ranger in the completion of the yearly inventory of collections. I Maintained ANCS+ Rediscovery database (National Park Service standardized software), the accession book and files, and the paper catalog records. I performed minor preservation procedures for the park's institutional archives, including rehousing documents in acid-free folders, removing metal fasteners, and the freezing of records for pest control, following guidelines set forth in the National Park Service Conserve-o-gram series.
- 1/2002-12/2003 *Graduate Assistant, Dean's Office, College of Education, Armstrong Atlantic State University, Savannah, Georgia*  
As assistant to the Admission/Certification Officer, I completed teacher certification packets, maintained the student database (on Microsoft Access) and supplemental reports on Microsoft Excel, as an assistant to the Admission/Certification Officer. I prepared materials for the National Council of the Accreditation of Teacher Education visit in April 2002.
- 4/2002-10/2003 *Researcher, Ships of the Sea Museum, Savannah, Georgia*  
Using local documents, I researched ships entering and clearing the port of Savannah and entered the information into an Access database. This information will go into a larger database covering the port's activity for the first 150 years of Savannah's history.
- 1/2002-12/2002 *Intern, Savannah History Museum, Savannah, Georgia*  
I completed three archival/preservation projects for the curatorial staff. In the first, I rehousing artifacts from an archaeological collection and created the museum's first ceramic type collection. In the second I arranged, rehousing, and preserved a recently acquired archival collection. I have prepared walls for new exhibits, installations, and prepared exhibits (dressed mannequins,

mounted panels, constructed supporting materials). For my third project, I cleaned and photographed a historic boat prior to moving it inside the museum. It is now on exhibit.

*2001-2001 Graduate Assistant, History Department, Armstrong Atlantic State University, Savannah, Georgia*

In a project for the Coastal Georgia Regional Development Center, in connection with the History Department faculty, I researched and wrote brief narratives on the historic sites and districts within one of Georgia's coastal counties. A Power Point presentation was developed to present a summary of our research to the Historic Preservation Advisory Council.

*9/1999-7/2001 Professional Student Intern, County of Riverside, Department of Child Support Services, Riverside, California*

I performed the same duties as an Office Assistant II, including basic office tasks (typing, filing, copying, making phone calls, etc.). As a member of the Locate Team, I researched defendants to find a valid home and/or employment address and processed the legal documents for an attempted service. I recorded the steps used in the process and entered new information into the county's Star/Kids database. I trained new members of the Locate Team, introducing them to the steps in researching defendants

## **RESEARCH**

*9/2003-12/2003 Intern, Tybee Island Historical Society, Tybee Island, Georgia*

For my thesis project, I created the first ceramic type collections for the Historical Society. I established a timeline based on the artifacts recovered around the Tybee Lighthouse, which will be the basis for a new exhibit.

*2001-2001 Field Technician, University of California, Riverside, Riverside, California*

For a Field Course in Archaeology, I surveyed and documented archaeological sites in Riverside and San Bernardino Counties, California.

## **PROFESSIONAL MEMBERSHIPS**

*Phi Alpha Theta*

Attachment **4**

***Historic Properties Identified in the APE for Direct Effects***

## Historic Properties Identified in the APE for Direct Effects

Lotis contracted Environmental Assessment Specialists, Inc. to perform a Cultural Resource Assessment to determine the potential effect on historic properties within the Direct Area of Potential Effect (APE). Environmental Assessment Specialists, Inc. conducted a records review and completed site reconnaissance, per SHPO and tribal protocols, and did not locate any archaeological sites within the Direct APE. Environmental Assessment Specialists, Inc. has recommended that the proposed undertaking be allowed to proceed as planned without further surveying. A copy of the Cultural Resource Records Search Results and Site Visit from Environmental Assessment Specialists, Inc. is included in Attachment 3.

Attachment **5**

***Historic Properties Identified in the APE for Visual Effects***

## Historic Properties Identified in the APE for Visual Effects

Lotis contracted Environmental Assessment Specialists, Inc. to perform a Cultural Resource Assessment to determine the potential effect of the proposed undertaking on historic properties within the Visual Area of Potential Effect (APE). Environmental Assessment Specialists, Inc. completed a records review, within the ½-mile radius, per the SHPO's protocols (either online or physical records research) as well as reviewing the online National Register of Historic Places (NRHP) at <http://www.nps.gov/nr/> and did not find any eligible/listed historic properties within the Visual APE. Environmental Assessment Specialists, Inc. have recommended that the proposed undertaking be allowed to proceed as planned without further surveying. A copy of the Cultural Resource Records Search Results and Site Visit from Environmental Assessment Specialists, Inc. is included in Attachment 3.

Attachment **6**

***Tribal/NHO Involvement***

## ***Tribal/NHO Involvement***

Lotis utilized the Federal Communications Commission (FCC) Tower Construction Notification System (TCNS) to identify federal tribal entities with interest in the proposed undertaking's location. This identification phase was conducted on May 30, 2023 (TCNS Number 267599). The FCC responded, via e-mail, on June 2, 2023, indicating fourteen (14) groups were forwarded information regarding the location of the proposed project, via electronic mail. The list of groups forwarded can be viewed in the *FCC's Notice of Organizations (NOO)* inserted in this attachment.

***Federal Communications Commission's (FCC) Tower  
Construction Notification System (TCNS) Proposed  
Tower Structure (PTS) Info Email***

## NEPA NHPA

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**From:** towernotifyinfo@fcc.gov  
**Sent:** Tuesday, May 30, 2023 12:04 PM  
**To:** NEPA NHPA  
**Subject:** Proposed Tower Structure Info - Email ID #8567599

Dear James Guerassio,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the construction you have proposed:

Notification Received: 05/30/2023

Notification ID: 267599  
Tower Owner Individual or Entity Name: VB BTS II, LLC  
Consultant Name: Miles C Walz Salvador  
Street Address: 8899 Main Street, Suite 107  
City: Williamsville  
State: NEW YORK  
Zip Code: 14221  
Phone: 716-580-7000  
Email: NEPA.NHPA@TheLotisGroup.com

Structure Type: POLE - Any type of Pole  
Latitude: 34 deg 6 min 32.3 sec N  
Longitude: 116 deg 25 min 32.0 sec W  
Location Description: near 56750 Mountain View Trail  
City: Yucca Valley  
State: CALIFORNIA  
County: SAN BERNARDINO

Detailed Description of Project: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Ground Elevation: 1044.2 meters  
Support Structure: 21.3 meters above ground level  
Overall Structure: 22.9 meters above ground level  
Overall Height AMSL: 1067.1 meters above mean sea level

***Federal Communications Commission's (FCC) Tower  
Construction Notification System (TCNS) Notice of  
Organizations (NOO) Email***

## NEPA NHPA

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, June 2, 2023 3:08 AM  
**To:** NEPA NHPA  
**Cc:** tcnsweekly@fcc.gov  
**Subject:** NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #8570061

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 Josh Mann - Eastern Shoshone Tribe - (PO Box: 538) Fort Washakie, WY - [jmann@easternshoshone.org](mailto: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 mandates expressed 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 have been submitted into our online database. If you have any questions, please feel free to contact the Eastern Shoshone THPO: Joshua Mann, [jmann@easternshoshone.org](mailto:jmann@easternshoshone.org) or by phone at: (307) 335-2081 or Shaylynn Durgin, [sdurgin@easternshoshone.org](mailto:sdurgin@easternshoshone.org) or by phone at: (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, New Mexico 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 by the 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.

2. Acting Director Bryan Etsitty - Colorado River Indian Tribes - 26600 Mohave Road Parker, AZ - [anita.flores@critnsn.gov](mailto:anita.flores@critnsn.gov) - 928-669-5822 - electronic mail and regular mail

If the applicant/tower builder receives no response from the Colorado River Indian Tribes within 30 days after notification through TCNS, the Colorado River Indian Tribes has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Colorado River Indian Tribes in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

3. Culture Society Director Linda D Otero - Fort Mojave Indian Tribe - AhaMakav Cultural Society (PO Box: 5990) Mohave Valley, AZ - [lindaotero@fortmojave.com](mailto:lindaotero@fortmojave.com) - 928-768-4475 - electronic mail and regular mail

4. Chairman Candace Bear - Skull Valley Band Goshute - 407 Skull Valley Rd Skull Valley, UT - candaceb@svgoshutes.com; candaceb@svgoshutes.com - 435-882-4532 - electronic mail and regular mail  
Exclusions: Montana And Associates LLC does not contract for Skull Valley Band of Goshute any longer. Thank you.

If the applicant/tower builder receives no response from the Skull Valley Band Goshute within 30 days after notification through TCNS, the Skull Valley Band Goshute has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Skull Valley Band Goshute in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

5. Cultural Center Director Kaitlyn Snodgrass - Chemehuevi Tribe - (PO Box: 1976) Havasu Lake, CA - cultural@citnsn.gov - 760-858-1115 - electronic mail

If the applicant/tower builder receives no response from the Chemehuevi Tribe within 30 days after notification through TCNS, the Chemehuevi Tribe has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Chemehuevi Tribe in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

6. Attorney Montana & Associates LLC - Northwestern Band of Shoshone Nation - N 12923 N. Prairie Rd Osseo, WI - Northwesternbandshoshonetcnsfcc@outlook.com; garymontana@montanaandassociates.com - 715-597-6464 - electronic mail

Exclusions: Northwestern Band of Shoshone as of 2/19/2020 will not be reviewing colocations of antennas on buildings.

7. Cultural Resource Technician Bonnie Bryant - Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) - 26569 Community Center Drive Highland, CA - Bonnie.Bryant@sanmanuel-nsn.gov - 909-838-4053 - electronic mail

8. Chairman Shane Chapparosa - Los Coyotes Reservation - (PO Box: 189) Warner Springs, CA - los\_coyotes@ymail.com; loscoyotes\_ta@yahoo.com - 760-782-0711 - electronic mail and regular mail

If the applicant/tower builder receives no response from the Los Coyotes Reservation within 30 days after notification through TCNS, the Los Coyotes Reservation has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Los Coyotes Reservation in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

9. Tribal Historic Preservation Officer Ann Brierty - Morongo Band of Mission Indians - 12700 Pumarra Road Banning, CA - [thpo@morongo-nsn.gov](mailto:thpo@morongo-nsn.gov); [abrierty@morongo-nsn.gov](mailto:abrierty@morongo-nsn.gov) - 951-755-5259 - electronic mail and regular mail

10. Cultural Clerk Chris Devers - Pauma/Yuima Band of Mission Indians - (PO Box: 369) Pauma Valley, CA - [cultural@pauma-nsn.gov](mailto:cultural@pauma-nsn.gov) - 760-742-1289 - electronic mail and regular mail

If the applicant/tower builder receives no response from the Pauma/Yuima Band of Mission Indians within 30 days after notification through TCNS, the Pauma/Yuima Band of Mission Indians has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Pauma/Yuima Band of Mission Indians in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

11. Cultural Resources Coordinator John Gomez - Ramona Band of Cahuilla - (PO Box: 391372) Anza, CA - [jgomez@ramona-nsn.gov](mailto:jgomez@ramona-nsn.gov) - 951-941-4943 - electronic mail

12. Director of Cultural Resources Joseph Ontiveros - Soboba Band of Luiseno Indians - 23906 Soboba Road (PO Box: 487) San Jacinto, CA - [Ishaker@soboba-nsn.gov](mailto:Ishaker@soboba-nsn.gov) - 951-654-5544 - electronic mail

13. Tribal Historic Preservation Officer Anthony L Madrigal Jr - Twenty Nine Palms Band of Mission Indians - 46-200 Harrison Place Coachella, CA - [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov); [sbliss@29palmsbomi-nsn.gov](mailto:sbliss@29palmsbomi-nsn.gov) - 760-775-3259 - electronic mail and regular mail

Exclusions: Anthony Madrigal, Jr., Tribal Historic Preservation Officer [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov). Please call (760) 863-2489, if you have any questions.

14. Chairman White Dove Kennedy - Timbisha Shoshone Tribe - 621 W. Line St; Ste 109 Bishop, CA - [administrator@timbisha.com](mailto:administrator@timbisha.com) - 760-872-3614 - electronic mail and regular mail

If the applicant/tower builder receives no response from the Timbisha Shoshone Tribe within 30 days after notification through TCNS, the Timbisha Shoshone Tribe has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Timbisha Shoshone Tribe in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

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.

None

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](mailto:tcnshelp@fcc.gov). The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 05/30/2023

Notification ID: 267599

Excluded from SHPO Review: No

Tower Owner Individual or Entity Name: VB BTS II, LLC

Consultant Name: Miles C Walz Salvador

Street Address: 8899 Main Street, Suite 107

City: Williamsville

State: NEW YORK

Zip Code: 14221

Phone: 716-580-7000

Email: [NEPA.NHPA@TheLotisGroup.com](mailto:NEPA.NHPA@TheLotisGroup.com)

Structure Type: POLE - Any type of Pole

Latitude: 34 deg 6 min 32.3 sec N

Longitude: 116 deg 25 min 32.0 sec W

Location Description: near 56750 Mountain View Trail

City: Yucca Valley

State: CALIFORNIA

County: SAN BERNARDINO

Detailed Description of Project: A proposed telecommunication tower known as Yucca Valley and associated equipment within a leased area that includes a access, utility and guy wire (if applicable) easements.

Ground Elevation: 1044.2 meters  
Support Structure: 21.3 meters above ground level  
Overall Structure: 22.9 meters above ground level  
Overall Height AMSL: 1067.1 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 **7**

***Local Government Involvement***

## ***Town of Yucca Valley Planning Division Submission***

### ***Note:***

In the interest of efficiency and economy, attachments included in the original submission under this section are not duplicated throughout this NEPA Summary. The following attachment(s), found at the conclusion of this report, were included in the original submission:

- **Proposed Project Summary**
- **Attachment 1 - Maps**
- **Attachment 2 - Photographs**



August 3, 2023

Town of Yucca Valley Planning Division  
Attn: Jared Jerome -Associate Planner  
58928 Business Center Drive  
Yucca Valley, California 92284  
Submitted via email: [jjerome@yucca-valley.org](mailto:jjerome@yucca-valley.org)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis), is preparing an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence as an invitation to the Town of Yucca Valley Planning Division to comment on the possible effects the proposed undertaking may have on sites or structures of historic significance within the general vicinity.

Attached, please find information pertaining to the proposed undertaking. This information includes a project summary, an aerial photograph, a topographic map, and photographs of the proposed undertaking's site and adjacent properties. As part of our research, Lotis is consulting with the Office of Historic Preservation:Department of Parks & Recreation, and will forward any concerns of the Town of Yucca Valley Planning Division regarding historic properties to the Office of Historic Preservation: Department of Parks & Recreation.

Lotis respectfully requests that you provide comment within 30 days regarding the possible effects of this undertaking on historic properties. If a response is not received within 30 days, Lotis will assume you have no interest/concern with the proposed undertaking. Should you require additional information, please do not hesitate to contact me at (716) 580-7000. Thank you for your time and consideration in this regard.

Sincerely,

**Lotis Environmental, LLC**

A handwritten signature in black ink that reads "Jordan Braden".

**Jordan Braden**  
Jr. Data Manager  
[NEPA.NHPA@TheLotisGroup.com](mailto:NEPA.NHPA@TheLotisGroup.com)  
Enclosures



(716)580-7000



[www.thelotisgroup.com](http://www.thelotisgroup.com)



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

***Proof of Town of Yucca Valley Planning Division  
Submission***

## Jennifer Andres

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**From:** NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:39 PM  
**To:** [jjerome@yucca-valley.org](mailto:jjerome@yucca-valley.org)  
**Subject:** Muni Opportunity to comment on proposed telecommunication project LOTIS# VBBTS\_204--"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz; MUNI SUBs Yucca.pdf  
**Importance:** High

To Whom It May Concern,

Lotis is completing Section 106 NEPA compliance due diligence regarding the above proposed telecommunication project known as "**Yucca Valley**". Part of this due diligence includes giving the local government/jurisdiction the opportunity to comment on whether or not the proposed telecommunications project will have an effect on historic properties. I have attached the project summary, site maps, KMZ file (for Google Earth aerial view) and site photos of the proposed Subject Property in question. The Section 106 consultation process allows you 30 days to respond.

Should you not respond within 30 days we will assume you have no concern or comment regarding the proposed undertaking. However, should you not want to comment we ask that you state so in a response to aid us in our timeline for this project. Should you have an additional request for information, please feel free to contact me phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.

Thank you for your time and consideration.

### Jordan Braden

Jr. Data Manager



8899 Main Street – Suite 107  
Williamsville, NY 14221  
[www.thelotisgroup.com](http://www.thelotisgroup.com)

Phone: 716.580.7000  
Mobile: 417.839.3701  
[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

Please consider the environment before printing this email

*The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.*

***Town of Yucca Valley Planning Division's Response  
(NONE)***

Attachment **8**

***Public Involvement***

***Legal Public Notice Text and Affidavit of Publication***

Lotis contacted the Hi-Desert Star and published a legal public notice in the classified section. The proposed undertaking is detailed in the notice and calls for the recognition of public concerns on any historic property impacts caused by the proposed undertaking. A copy of the legal notice text and Affidavit of Publication are attached.

“VB BTS II, LLC would like to place on notice the proposed construction of a 70' (75' including all appurtenances) monopine tower known as Yucca Valley (3425.7 ground elevation). If lighting is required the applicant will request the use of dual red/white, medium intensity lighting (but will ultimately use lighting/markings required by the FAA), located at 34°6'32.32" north latitude and 116°25'32.04" west longitude at near 56750 Mountain View Trail, Yucca Valley, California 92284, ASR File #A1245733. The application for this proposed project can be viewed at [www.fcc.gov/asr/applications](http://www.fcc.gov/asr/applications) by entering the ASR file number. If you have environmental concerns about the proposed structure, a Request for Environmental Review may be filed with the FCC at [www.fcc.gov/asr/environmentalrequest](http://www.fcc.gov/asr/environmentalrequest) or by writing to FCC Requests for Environmental Review, ATTN: Ramon Williams, 445 12th St SW, Washington, DC 20554. The FCC strongly encourages interested parties to file Requests for Environmental Review online. Requests for Environmental Review may only raise environmental concerns and must be filed within 30 days of the date that notice of the project is published on the FCC's website. If you have any concerns of any historic properties that may be affected by this proposed undertaking, please write to: Jordan Braden, Lotis Environmental, LLC, [Legals@thelotisgroup.com](mailto:Legals@thelotisgroup.com) or call (417) 839-3701. In your response, please include the proposed undertaking's location and a list of the historic resources that you believe to be affected along with their respective addresses or approximate locations.”

57675 Twentynine Palms Highway, Suite 103  
Yucca Valley, Ca 92284  
760-365-3315  
Legals@hidesertstar.com

Lotis Environmental  
Stephanie Sperrazza  
8899 Main Street - Suite 107  
Williamsville NY 14221

**PROOF OF PUBLICATION  
(2015.5 C.C.C.P.)**

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the:

**HI-DESERT STAR**

a newspaper of general circulation, printed and published BI-WEEKLY in the City of YUCCA VALLEY, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of November 27, 1961.

Case Number 107762: that the notice, of which the annexed is printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of the said newspaper and not in supplement thereof on the following dates, to wit:

Hi-Desert Star: 7/12/2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at: YUCCA VALLEY, California,  
This day of 7/12/2023

  
\_\_\_\_\_  
Claire Grow

VB BTS II, LLC would like to place on notice the proposed construction of a 70' (75' including all appurtenances) monopine tower known as Yucca Valley (3425.7 ground elevation). If lighting is required the applicant will request the use of dual red/white, medium intensity lighting (but will ultimately use lighting/markings required by the FAA), located at 34°6'32.32" north latitude and 116°25'32.04" west longitude at near 56750 Mountain View Trail, Yucca Valley, California 92284, ASR File #A1245733. The application for this proposed project can be viewed at [www.fcc.gov/asr/applications](http://www.fcc.gov/asr/applications) by entering the ASR file number. If you have environmental concerns about the proposed structure, a Request for Environmental Review may be filed with the FCC at [www.fcc.gov/asr/environmentalrequest](http://www.fcc.gov/asr/environmentalrequest) or by writing to FCC Requests for Environmental Review, ATTN: Ramon Williams, 445 12th St SW, Washington, DC 20554. The FCC strongly encourages interested parties to file Requests for Environmental Review online. Requests for Environmental Review may only raise environmental concerns and must be filed within 30 days of the date that notice of the project is published on the FCC's website. If you have any concerns of any historic properties that may be affected by this proposed undertaking, please write to: Jordan Braden, Lotis Environmental, LLC, Legals@thelotisgroup.com or call (417) 839-3701. In your response, please include the proposed undertaking's location and

a list of the historic resources that you believe to be affected along with their respective addresses or approximate locations.  
**Pub. S.: 07/12/2023**

## ***Morongo Basin Historical Society Submission***

### ***Note:***

In the interest of efficiency and economy, attachments included in the original submission under this section are not duplicated throughout this NEPA Summary. The following attachment(s), found at the conclusion of this report, were included in the original submission:

- ***Proposed Project Summary***
- ***Attachment 1 - Maps***
- ***Attachment 2 - Photographs***



August 3, 2023

Morongo Basin Historical Society  
632 Landers Lane  
Yucca Valley, California 92284  
Submitted via email: [hello@mbhistoricalsociety.org](mailto:hello@mbhistoricalsociety.org)

**RE: Proposed Telecommunications Tower Undertaking "Yucca Valley" in San Bernardino County, California;  
VB BTS II, LLC**

To Whom It May Concern:

VB BTS II, LLC (VB BTS II), is proposing to construct a tower installation within the general vicinity of near 56750 Mountain View Trail, Yucca Valley, San Bernardino County, California 92284. Lotis Environmental, LLC (Lotis), is preparing an environmental and cultural resource review on behalf of VB BTS II as part of its permit process and regulatory review by the Federal Communications Commission (FCC). Please consider this correspondence as an invitation to the Morongo Basin Historical Society to comment on the possible effects the proposed undertaking may have on sites or structures of historic significance within the general vicinity.

Attached, please find information pertaining to the proposed undertaking. This information includes a project summary, an aerial photograph, a topographic map, and photographs of the proposed undertaking's site and adjacent properties. As part of our research, Lotis is consulting with the Office of Historic Preservation:Department of Parks & Recreation, and will forward any concerns of the Morongo Basin Historical Society regarding historic properties to the Office of Historic Preservation:Department of Parks & Recreation.

Lotis respectfully requests that you provide comment within 30 days regarding the possible effects of this undertaking on historic properties. If a response is not received within 30 days, Lotis will assume you have no interest/concern with the proposed undertaking. Should you require additional information, please do not hesitate to contact me at (716) 580-7000. Thank you for your time and consideration in this regard.

Sincerely,

**Lotis Environmental, LLC**

A handwritten signature in black ink that reads "Jordan Braden".

**Jordan Braden**  
Jr. Data Manager  
[NEPA.NHPA@TheLotisGroup.com](mailto:NEPA.NHPA@TheLotisGroup.com)  
Enclosures



(716)580-7000



[www.thelotisgroup.com](http://www.thelotisgroup.com)



Lotis Environmental, LLC

8899 Main Street, Suite 107  
Williamsville, NY 14221

***Proof of Morongo Basin Historical Society Submission***

## Jennifer Andres

---

**From:** Jennifer Andres on behalf of NEPA NHPA  
**Sent:** Thursday, August 3, 2023 5:41 PM  
**To:** 'hello@mbhistoricalsociety.org'  
**Subject:** ITC Opportunity to comment on proposed telecommunication project LOTIS# VBBTS\_204--"Yucca Valley" US-CA-5466  
**Attachments:** US-CA-5466 YUCCA VALLEY (CA).kmz; ITC SUBs Yucca.pdf  
**Importance:** High

To Whom It May Concern,

Lotis is completing Section 106 NEPA compliance due diligence regarding the above proposed telecommunication project known as "**Yucca Valley**". Part of this due diligence includes giving the local government/jurisdiction the opportunity to comment on whether or not the proposed telecommunications project will have an effect on historic properties. I have attached the project summary, site maps, KMZ file (for Google Earth aerial view) and site photos of the proposed Subject Property in question. The Section 106 consultation process allows you 30 days to respond.

Should you not respond within 30 days we will assume you have no concern or comment regarding the proposed undertaking. However, should you not want to comment we ask that you state so in a response to aid us in our timeline for this project. Should you have an additional request for information, please feel free to contact me phone or by responding all to this email. We will do our best to supplement you with any additional documentation or information regarding the proposed undertaking.

Thank you for your time and consideration.

### Jordan Braden

Jr. Data Manager



8899 Main Street – Suite 107  
Williamsville, NY 14221  
[www.thelotisgroup.com](http://www.thelotisgroup.com)

Phone: 716.580.7000  
Mobile: 417.839.3701  
[Braden@thelotisgroup.com](mailto:Braden@thelotisgroup.com)

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***Morongo Basin Historical Society's Response  
(NONE)***

Attachment **9**

***Curricula Vitae***



---

## DAVID N. ROBINSON, P.E.

President/CEO, Lotis Environmental, LLC

### Years of Experience

28+

### Education

M.S., Environmental Engineering, University of Colorado at Boulder, 1995  
B.S., Civil Engineering, State University of New York at Buffalo, 1994  
A.A.S., Architectural Engineering, Alfred State College, 1990

### Professional Affiliations

New York State Wireless Association

### Professional Registrations

Professional Engineer, New York 2001 (079047)

### Certifications

FEMA Public Assistance Program Operations I  
OSHA 40 Hr. Hazardous Waste Site Worker Training  
Nokia CMPPro Cost Control Training

### Key Qualifications

David Robinson founded The Lotis Engineering Group/Lotis Environmental, LLC and has served as CEO since its inception in 2007. Mr. Robinson is a New York State Professional Engineer and an ASTM-recognized Environmental Professional. Over his 28-year professional career, Mr. Robinson has performed over 18,000 Phase I Environmental Site Assessments in all 50 states and Canada. As CEO of Lotis, Mr. Robinson directs the strategic direction of the company. Under his leadership, Lotis has flourished into a leader in the Environmental Due Diligence industry.

### Telecommunications Experience

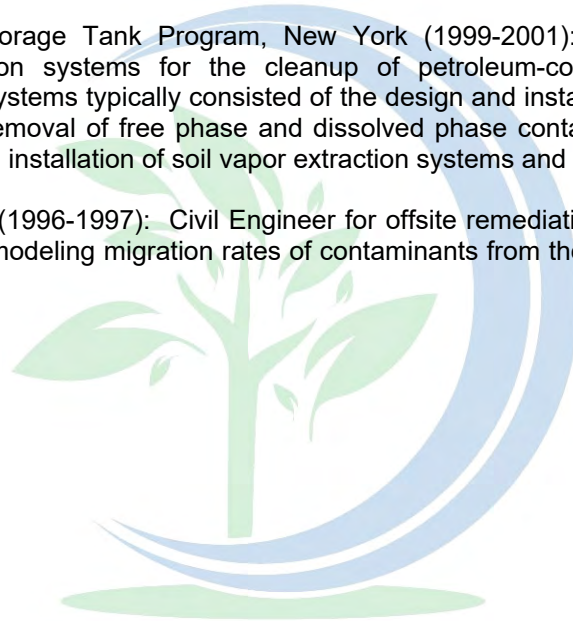
- Vertical Bridge Holdings, Nationwide, US (2014-ongoing): Project Manager/Engineer for services relating to the acquisition and development of telecommunications tower sites throughout the United States. Services include Phase I Environmental Site Assessments. David has been responsible for managing resources to complete these services on hundreds of telecommunication sites.
- Tower Ventures, LLC, Nationwide, US (2011-ongoing): Project Manager/Engineer for services relating to the acquisition and development of telecommunications tower sites throughout the United States. Services include Phase I Environmental Site Assessments. David has been responsible for managing resources to complete these services on many telecommunication sites.

- Global Tower Partners, Inc., Nationwide, US (2004-2013): Project Manager/Engineer for services relating to the acquisition and development of telecommunications tower sites throughout the United States. Services include property surveys, 2C surveys, Phase I Environmental Site Assessments, NEPA compliance studies, zoning issues, and structural evaluation of existing towers. David has been responsible for managing resources to complete these services on over 5,000 sites in all 50 states and the Caribbean.
- SBA, Inc. Acquisition Services, Nationwide, US (2001-2011): Project Manager/Engineer for services relating to the acquisition and development of telecommunications tower sites throughout the United States. Services include property surveys, 2C surveys, Phase I Environmental Site Assessments, NEPA compliance studies, zoning issues, and structural evaluation of existing towers. David has been responsible for managing resources to complete these services on over 7,000 sites in all 50 states, the Caribbean and Canada.
- AT&T NexGen, Nationwide, US (2004): Project Engineer for this 16,000-mile long-haul fiber-optic confidential construction project throughout the United States. David was responsible for preparing tax recording documents needed to file taxes for AT&T's fiber build.
- Nassau County Police Department Land Mobile Radio System Modernization Project (2005-2007): Project Manager for engineering services relating to the upgrade of Nassau County's public safety communication system. Services include site design, construction drawing preparation, property surveys, 1A surveys, Phase I Environmental Site Assessments, NEPA compliance studies, zoning issues, and structural evaluation of existing towers. David has been responsible for managing resources to complete these services on 36 sites throughout the county.
- The City of New York Department of Information Technology and Telecommunications Channel 16 Project (2005-2007): Project Manager for engineering services relating to the design and construction of a conventional/trunked radio system for FDNY and other New York City agencies. Services include site design, construction drawing preparation, property surveys, 1A surveys, Phase I Environmental Site Assessments, NEPA compliance studies, zoning issues, and structural evaluation of existing towers. David has been responsible for managing resources to complete these services on 7 sites in New York City.
- NorthStar Communications, Inc., Florida (2003-2004): Project Manager for services relating to the development of telecommunications tower sites throughout Florida for Nextel. Services included construction drawings, property surveys, 2C surveys, zoning issues, and structural evaluation of existing towers. David was responsible for managing resources to complete these services on over 20 sites in the state of Florida.

## Other Experience

- BNMC Utilities Relocation, Buffalo, New York (2002): Civil Engineer for the design of utility relocations at Roswell Park in Buffalo. David was responsible for developing construction documents and specifications, as well as providing consulting services throughout the design process. His duties also included preparation of construction cost estimates and submittal review.
- NFTA Metro Bus – Bus Fueling Station Systems Modifications for Dual Fuel, Buffalo, New York (2002): Civil Engineer for the design and preparation of design drawings, specifications and cost estimate for the replacement of an existing single fuel system to that of a dual fuel system.
- New Jersey DPMC Underground Storage Tank Program, New Jersey (1999-2001): Civil Engineer for the design of new aboveground and underground tank fueling systems (including fuel dispensers, leak detection systems, inventory control systems, and concrete tank slabs) for various State Departments in New Jersey. David was responsible for developing design drawings, construction documents and specifications, as well as providing consulting services throughout the construction process. His duties also included creating and maintaining resource-loaded project schedules for project using Primavera<sup>™</sup> project scheduling software.
- Former Hyatt Clark Industries, Inc. Site, New Jersey (1996-1998): Civil engineer for the preparation for the closure and remediation of the Former GM Industrial site and the construction of a 9-hole golf course recreational undertaking (including Driving Range, Putting Course, Clubhouse and Maintenance Facilities). David was responsible for the design of the golf course drainage system which included a 5-acre retention pond to be used for irrigation during periods of drought. His duties also included preparing cost estimates for the site closure and subsequent golf course construction, and the modeling and design of the undertaking entrance and parking.

- Wegmans Food Pharmacy, Buffalo, New York (1998): Civil engineer for the construction of a supermarket on a former industrial site. David was responsible for the modeling and design of the undertaking entrance. His duties also included field sampling of excavated soil during construction.
- USACE-Buffalo District, Cuyahoga River Bulkheads Study, Ohio (1999): Civil Engineer for the USACE's bulkhead inspection program along nine miles of the Cuyahoga River in Cleveland, Ohio. David was responsible for preparing a structural assessment of bulkhead along the river by inspecting various conditions of the sheet pile (i.e., corrosion levels, settling). His duties also included preparing remediation recommendations and subsequent cost estimates for damaged bulkhead sections.
- USACE-Buffalo District, Advance Measures Program, New York (1999): Civil Engineer for the study of high Lake Erie levels on four residential areas. David was responsible for gathering residential home elevations and comparing them to historical rain and lake level data. Based on these comparisons and a detailed cost analysis, recommendations to alleviate local residential flooding, including the design of breakwaters and levees, were made.
- FEMA Public Assistance Program, Puerto Rico (1998-1999): Civil Engineer for the inspection of public facilities damaged by Hurricane Georges. David was responsible for gathering field data on hurricane damages, designing mitigation alternatives, and preparing detailed cost analyses of damages.
- NYCDDC Underground Storage Tank Program, New York (1999-2001): Civil Engineer for the design of groundwater/soil remediation systems for the cleanup of petroleum-contaminated groundwater and soils. Groundwater remediation systems typically consisted of the design and installation of pneumatic and electric dual pumping systems for the removal of free phase and dissolved phase contamination. Soil remediation systems incorporated the design and installation of soil vapor extraction systems and bioventing systems.
- Lipari Landfill, New Jersey (1996-1997): Civil Engineer for offsite remediation work at the Lipari Superfund site. David was responsible for modeling migration rates of contaminants from the Superfund site through surrounding soil strata





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## **MILES C. WALZ-SALVADOR**

Nationwide NEPA/NHPA Manager, Lotis Environmental, LLC

### **Years of Experience**

12+

### **Education**

Bachelor of Science in Fisheries & Wildlife, the University of Missouri - Columbia, 2011

Bachelor of Science in Forestry, the University of Missouri - Columbia, 2011

Minor in Biological Science, the University of Missouri - Columbia, 2011

### **Certifications**

EPA Asbestos Certification

Colorado State Asbestos Building Inspector Certification

OSHA 10-Hr Safety & Health – Construction Certification

ACOE 38-hr Wetland Delineation Certification of completion

OSHA 40-Hr Hazardous Waste Operations and Emergency Response Certification

### **Key Qualifications**

Mr. Walz-Salvador has gained experience performing informal biological assessments for Section 7 compliance under the Endangered Species Act (ESA), wetland impact determinations, floodplain determinations, threatened and endangered species determinations, critical habitat research, as well as writing National Environmental Policy Act (NEPA) environmental assessments for wireless telecommunication projects. He has conducted research regarding Section 106 compliance under the Federal Communications Commission standards. Under Section 106, he has experience with 620 and 621 Form submittals to the State Historical Preservation Offices and consultation with federally recognized tribes all over the United States. Mr. Walz-Salvador has experience performing Phase I & II environmental site assessments, indoor air quality assessments, asbestos building inspections and sampling, wetland delineations, and migratory bird evaluations.

In addition, Mr. Walz-Salvador has experience with the United States Geological Survey (USGS) as a biological science aid, where he conducted field research on the Missouri River capturing and tracking Pallid Sturgeon. He also worked with the Missouri Department of Conservation (MDC) as a field technician conducting research on endangered and endemic fish species within the waterways of the Missouri Ozarks. Additionally, he has also worked in a variety of fields such as wetland biology, avian ecology, and ungulate research and management for the MDC. While attending the University of Missouri-Columbia, Mr. Walz-Salvador participated in the Undergraduate Mentoring for Environmental Biology (UMEB) Program which aided him in gaining experience with migratory bird research underneath the guidance of Dr. John Faaborg and Dr. Andrew Cox. UMEB also allowed Mr. Walz-Salvador to work with the Missouri Botanical Garden, a partner company, to observe endangered plant research and gain experience with working with private entities.

Mr. Walz-Salvador's schooling and work experience has enabled him to identify and understand the biology of trees, birds, fish, and mammalian species in addition to technical skills with the Delorme Topographic USA mapping program, ArcGIS, several of the Microsoft Office Programs, Adobe Acrobat Pro, and Google Earth.

## Telecommunications Experience

- Lotis Environmental, LLC. Nationwide, US (2020-ongoing): Nationwide NEPA/NHPA Manager / Biologist for services relating to compliance of NEPA, NHPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance for Vertical Bridge Land Holdings, LLC, Tower Ventures, Tower Lease Advisors, Phoenix Towers International, InSite Towers, and BlueSky Tower.
- The Lotis Engineering Group, PC. Nationwide, US (2015-2020): Nationwide NEPA/NHPA Manager / Biologist for services relating to compliance of NEPA, NHPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance for Vertical Bridge Land Holdings, LLC, Tower Ventures, Tower Lease Advisors, Phoenix Towers International, InSite Towers, and BlueSky Tower.
- Trileaf Corporation, Nationwide, US (2013-2015): Senior Project Scientist: Wetland Ecologist and Migratory Bird Specialist for services relating to the NEPA/NHPA compliance of the proposed construction of telecommunication tower sites throughout the United States. Services include Phase I & Phase 2 Environmental Site Assessments, Indoor Air Quality Surveys, Asbestos Sampling, NEPA compliance, Migratory Bird Evaluations and Wetland delineations for Verizon Wireless, AT&T Mobility Services, LLC, SBA Communications, Crown Castle Towers, T-Mobile, Nextel, and Edward Jones.





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## DeAnna N. Anglin

Environmental Biologist/NEPA Writer, The Lotis Engineering Group, P.C.  
Environmental Biologist/NEPA Writer, Lotis Environmental, LLC

## Professional Experience

*The Lotis Engineering Group, P.C.*

*Lotis Environmental, LLC*

6465 Transit Road - Suite 23  
East Amherst, New York 14051

*(March 2016 – Present)*

*(June 2019 – Present)*

## Education

B.S., Fisheries and Wildlife Sciences, University of Missouri in Columbia, 2012  
Minors in Captive Wild Animal Management, Biological Sciences, and Theatre

## Key Qualifications

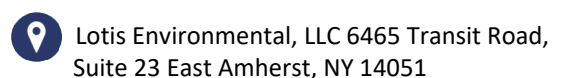
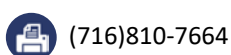
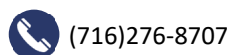
DeAnna Anglin has gained experience performing informal biological assessments (IBA) for Section 7 compliance under the Endangered Species Act (ESA), wetland impact determinations, floodplain determinations, threatened and endangered species determinations, critical habitat research, as well as writing National Environmental Policy Act (NEPA) environmental assessments for wireless telecommunication projects. She has conducted research regarding Section 106 compliance under the Federal Communications Commission (FCC) standards. Under Section 106, She has experience with 620 and 621 Form submittals to the State Historical Preservation Offices (SHPO) and consultation with federally recognized tribes all over the United States and Puerto Rico. Ms. Anglin has experience performing Phase I environmental site assessments, migratory bird evaluations and NEPA report writing.

In addition, Ms. Anglin has experience with the University of Missouri-Columbia, where she participated in graduate scientific research pertaining to the Red-bellied Woodpecker. Specifically, she sought potential nesting bird pairs and observed their nesting behavior and success rates. Ms. Anglin also has experience identifying, mist netting, and handling bats of North America.

Ms. Anglin's schooling and work experience has enabled her to identify and understand the biology of trees, birds, fish, and mammalian species in addition to technical skills with the Delorme Topographic USA mapping program, ArcGIS, several of the Microsoft Office Programs, Adobe Acrobat Pro, and Google Earth.

## Telecommunications Experience

- Trileaf Corporation, Missouri (2013 – 2015): Volunteer site surveyor, particularly for migratory bird evaluations.
- Vertical Bridge Holdings, LLC, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Blue Sky Towers, LLC, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.



- InSite Towers, LLC, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- IWG-TLA Telecom, LLC, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Turris Sites, Canada (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Phoenix Towers International, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Tower Ventures, LLC, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Weiss Towers, Nationwide, US (2017-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.
- Telecom Lease Advisors, Nationwide, US (2015-ongoing): NEPA Writer/Environmental Biologist for services relating to compliance of NEPA, NPA, and the ESA for the construction/acquisition of telecommunication towers throughout the United States including Puerto Rico, Canada, and Mexico. Services include Phase I & Phase 2 Environmental Site Assessments, and NEPA compliance.

