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Bureau of Land Management

Preliminary Environmental Assessment
DOI-BLM-NV-L010-2013-0010-EA
July 2014

**ENVIRONMENTAL ASSESSMENT FOR THE DUCKWATER
TELECOMMUNICATION TOWER FACILITY PROJECT**

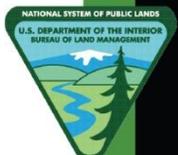
Location:

T. 12 N., R. 56 E., MDM, Sec. 16, NW ¼ NW ¼ SW ¼ NW ¼ (within)
38° 54' 19.7" N, 115° 41' 17.7" W
Nye County, Nevada

Applicant/Address:

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Duckwater Telecommunication Tower Facility Project

1.0 INTRODUCTION.....	4
1.1 Background:	4
1.2 Purpose of the Proposed Action:	4
1.3 Need for the Proposed Action:.....	5
1.4 Conformance with BLM Land Use Plan(s):	5
1.5 Relationship to Statutes, Regulations, or other Plans:	5
1.6 Identification of Issues:.....	6
2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION	10
2.1 Introduction:	10
2.2 Alternative A - Proposed Action:	10
2.2.1 Location and Access.....	10
2.2.2 Proposed Action	10
2.2.3 Existing Land Use and Authorizations in Project Area	11
2.2.4 Proposed Facilities	11
2.2.5 Construction, Operation, and Maintenance	11
2.2.6 Dust Control	13
2.2.7 Erosion and Sediment Control Measures	13
2.2.8 Solid Waste	13
2.2.9 Hazardous Materials	13
2.2.10 Refueling Equipment	13
2.2.11 Project Schedule.....	14
2.2.12 Applicant Committed Environmental Protection Measures – Design Features.....	14
2.3 Alternative B - No Action	15
2.4 Alternatives Considered, but Eliminated from Further Analysis	15
3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS	16
3.1 Introduction:	16
3.2 General Setting.....	16
3.2 Resources/Concerns Analyzed.....	16
3.2.1 Resource 1: Cultural Resources	16
3.2.1.1 Affected Environment	17
3.2.1.2 Impact Analysis	17
3.2.2 Resource 2: Invasive Non-native Species/Noxious Weeds.....	17
3.2.2.1 Affected Environment	17
3.2.2.2 Impact Analysis	17
3.2.3 Resource 3: Special Status Animal Species, other than those Listed or Proposed by the Fish and Wildlife Service as Threatened or Endangered Species	18
3.2.3.1 Affected Environment	18
3.2.3.2 Impact Analysis	19
3.2.4 Resource 4: Special Status Plant Species	21
3.2.4.1 Affected Environment	21
3.2.4.2 Impact Analysis	21
3.2.5 Resource 5: Fish and Wildlife.....	22

3.2.5.1 Affected Environment	22
3.2.5.2 Impact Analysis.....	23
3.2.6 Resource 6: Soil Resources.....	24
3.2.6.1 Affected Environment	24
3.2.6.2 Impact Analysis.....	24
3.2.7 Resource 8: Socioeconomics.....	24
3.2.7.1 Affected Environment	24
3.2.7.2 Impact Analysis.....	24
4.0 CUMULATIVE IMPACTS	25
4.1 Introduction.....	25
4.2 Past Present and Reasonably Foreseeable Future Actions	26
4.3 Cumulative Impact Analysis.....	28
4.3.1 Resource/Concern 1 Cultural Resources	28
4.3.2 Resource/Concern 2 Invasive Non-native Species/Noxious Weeds	28
4.3.3 Resource/Concern 3 Special Status Animal Species, other than those Listed or Proposed by the Fish and Wildlife Service as Threatened or Endangered Species	28
4.3.4 Resource/Concern 4 Special Status Plant Species.....	29
4.3.5 Resource/Concern 5 Fish and Wildlife	29
4.3.6 Resource/Concern 6 Soil Resources	30
4.3.7 Resource/Concern 8 Socioeconomics	30
5.0 CONSULTATION AND COORDINATION.....	30
5.1 Introduction.....	30
5.2 Persons, Groups and Agencies Consulted	30
5.3 Summary of Public Participation	31
5.4 List of Preparers	31
6.0 REFERENCES AND ACRONYMS	33
6.1 References Cited.....	33
6.2 Acronyms	34
Appendix A Other Federal Statutes, Regulations, Executive Orders, And Plan.....	40
Appendix B Plan Of Development And Sf-299	42
Appendix C Applicant Mitigation Measures and Standard Operating Procedures	58

1.0 INTRODUCTION

This Environmental Assessment (EA) has been prepared to analyze Arizona Nevada Tower Corporation's ("ANTC") proposal relative to the Duckwater Telecommunication Tower Facility Project. The EA is a site-specific analysis of potential impacts that could result in the implementation of a proposed action or alternatives to the proposed action. The EA assists the Bureau of Land Management (BLM) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is defined by NEPA and is found in Chapter 40 of the Code of Federal Regulations (CFR) §§1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of "Finding of No Significant Impact" (FONSI).

This document is tiered to the *Ely Proposed Resource Management Plan/Final Environmental Impact Statement (RMP/EIS)* released in November 2007. Should a determination be made that implementation of the proposed or alternative actions would not result in "significant environmental impacts" or "significant environmental impacts beyond those already addressed in the RMP/EIS", a FONSI will be prepared to document that determination, and a Decision Record issued providing the rationale for approving the chosen alternative.

1.1 Background:

Arizona Nevada Tower Corporation (ANTC) has submitted a lease application to the Bureau of Land Management, Egan Field Office (BLM) for permission to build a 120 foot tall communications tower on approximately 0.25 acres of land. The project area is located approximately one-half mile to the east of the eastern boundary and/or approximately one-half mile north of the southern portions of the Duckwater Indian Reservation on the western flanks of the southern end of Duckwater Hills. The project area is located in Township 12 North, Range 56 East (Mount Diablo Meridian) within the NW ¼ of the NW ¼ of the SW ¼ of the NW ¼ of Section 16.

ANTC proposes to install a communication tower and expand the already existing communications site that is unable to accommodate the proposed needs. The proposed action would include:

- Install a six foot chain link fence with three strands of barbed wire attached to angle brackets (total height is 7') around a 100' x 100' (10,000 square feet) communication site that includes an 120' self-support lattice tower on concrete footers with reinforced rebar, a 10' x 20' radio equipment shelter on a concrete pad that will be approximately the same size as the shelter, a meter bank on 2 concrete footers, and an underground electrical distribution line approximately 50' in length.

1.2 Purpose of the Proposed Action:

The BLM's purpose in considering approval of the application to ANTC for the Duckwater Telecommunication Tower Facility is to provide legitimate use of the public lands to the proponent. Legitimate uses are those that are authorized under the Federal

Land Policy and Management Act (FLPMA) of 1976 or other Public Land Acts and meet the proponent's objective while preventing undue and unnecessary degradation.

The proponent's objective is to build an unmanned telecommunications facility for broadband wireless communications in the Duckwater area that will tie into communication lines from Prospect Peak and Railroad Valley. The justification for the project is the need for these upgraded communication services being available in the Duckwater area.

1.3 Need for the Proposed Action:

The BLM needs to consider approval of the application for ANTC's Duckwater Telecommunication Tower Facility Project to respond to its mandate under the FLPMA to manage the public lands for multiple use in a manner which recognizes the Nation's need for rights-of-way for the reception and/or transmission of communications.

Decision to be made: Whether to issue a communication lease for the Duckwater Telecommunication Tower Facility Project for purposes of bringing broadband wireless communications into the Duckwater area.

1.4 Conformance with BLM Land Use Plan(s):

The Proposed Action is in conformance with the Lands and Realty communication site parameter objective LR-35 of the *Ely District Record of Decision and Approved Resource Management Plan* (BLM 2008):

“Authorize communication site locations that support community and economic development with an emphasis on co-location of sites” and LR-47: “Where feasible, consolidate new land use authorization within or adjacent to existing authorizations.”

The Proposed Action and alternatives have also been analyzed within the scope of other relevant plans, statutes, regulations, executive order, and manuals listed in Appendix A.

1.5 Relationship to Statutes, Regulations, or other Plans:

The Proposed Action and alternatives are also consistent with the *Nye County Comprehensive Master Plan* (Nye County 2011).

Nye County supports “multiple use” as defined below:

- A balanced and diverse use of resources which takes into account the long-term needs of the residents of the county for renewable and non-renewable resources including but not limited to recreational activities, range, timber, energy, minerals, watershed, wildlife and fish, and natural scenic, scientific and historic areas; and
- The coordinated management of public lands and their various resources without permanent impairment of the lands' productivity and the quality of the environment. Consideration should be given to the relative values of the resources and not necessarily to the combination of uses that will produce the greatest yield or economic return for each parcel of land (Nye County 2011, pp. 6-7).

The FCC requires a determination of no effect that is currently in process, a FCC registration is not required but will be completed, and the a FCC radio license will be obtained for the Proposed Action. No other permits or authorizations are required.

1.6 Identification of Issues:

While many issues may arise during scoping, not all of the issues raised warrant analysis. Issues raised through scoping are analyzed if:

- Analysis of the issue is necessary to make a reasoned choice between alternatives.
- The issue is significant (an issue associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of impacts).
- If there is a disagreement about the best way to use a resource, or resolve an unwanted resource condition, or potentially significant effects of a proposed action or alternative.

Internal scoping was conducted by an interdisciplinary (ID) team that analyzed the potential consequences of the proposed action. Potential impacts to the following resources/concerns were evaluated in accordance with criteria listed above to determine if detailed analysis was required. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, and to the Ely District BLM in particular. Table 1.1 documents the issues evaluation or rationale for dismissal from or inclusion in analysis.

Table 1.1 Rationale for Inclusion or Dismissal of Resources or Concerns

Resource/Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Air Quality	N	There would be a temporary increased particulate matter (dust) resulting from the proposed action. The affected area is not within an area of non-attainment or areas where total suspended particulates or other criteria pollutants exceed Nevada air quality standards. Direct, indirect, or cumulative impacts would not approach a level of significance. Detailed analysis is not required.
Cultural Resources	Y	A Cultural Resources Needs Assessment (CRINA) was completed February 25, 2013 (NANV04FY13-042) with State Historic Preservation Office response February 28, 2014. A Class III cultural resource inventory (8111 NV-04-13-2067) was conducted within the direct Area of Potential Effect (APE). No cultural resources were identified). A one mile indirect APE was analyzed and resulted in no indirect or visual effects for the project. .
Forest Health	N	Project does not meet the Healthy Forests Restoration Act (HFRA) criteria.

Resource/Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Migratory Birds	N	If construction occurs during nesting season (March 15 through July 31), a qualified biologist would conduct avian surveys prior to ground disturbance. In the event a nest is discovered during the survey, a buffer would be established around the nest and the area would be avoided in accordance with guidelines from BLM until the birds have fledged and are on their own. Detailed analysis is not needed.
Rangeland Standards and Guidelines	N	The Proposed Action would remove approximately 0.25 acres of land from use. This change would not noticeably affect the overall rangeland health. Detailed analysis is not needed.
Native American Religious and other Concerns	N	Consultation with Native American tribes was undertaken and no issues or concerns were identified.
FWS Listed or proposed for listing Threatened or Endangered Species or critical habitat.	N	None known at the present time
Areas of Critical Environmental Concern	N	Not Present
Wastes, Hazardous or Solid	N	No hazardous material will be used, produced, transported or stored on or within the right-of-way or any right-of-way facilities, used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. Detailed analysis is not needed.
Water Quality, Drinking/Ground	N	During construction land disturbance could affect the down gradient ephemeral surface waters temporarily. Best Management Practices (BMPs) would be utilized to reduce any impacts from erosion and sedimentation. No impacts to surface or ground water quality are anticipated from the Proposed Action. In addition, water resources or water rights would not be affected. No further analysis is required.
Environmental Justice	N	No minority or low-income groups would be disproportionately or negatively affected by health or environmental effects. There would be a beneficial effect by creating affordable broadband service.
Floodplains	N	Not present

1.0 INTRODUCTION

Resource/Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Farmlands, Prime and Unique	N	Not present
Wetlands/Riparian Zones	N	Not present
Invasive Non-native Species	Y	The area around the Proposed Action has been disturbed and it is possible for invasive non-native species to be present. Cheatgrass (<i>Bromus tectorum</i>), Hoary cress (<i>Lepidium draba</i>), Russian knapweed (<i>Acroptilon repens</i>), Bull thistle (<i>Cirsium vulgare</i>), Scotch thistle (<i>Onopordum acanthium</i>), and Perennial pepperweed (<i>Lepidium latifolium</i>) are documented within 1 mile of the site.
Wilderness/WSA	N	Not Present
Lands with Wilderness Characteristics	N	Not present.
Heritage Special Designations (Historic Trails, ACEC's designated for Cultural Resources, White River Archaeological District and Rock Animal Corral Archaeological Area)	N	Not present
Human Health and Safety	N	Site will be completely fenced to prevent the public from encountering radio frequency issues. During construction all holes will be covered to insure safety to the public. During construction all personnel will adhere to current Occupation Safety and Health Administration (OSHA) safety standards and all local, state, and/or federal safety standards. Direct, indirect, or cumulative impacts would not approach any level of significance. Detailed analysis is not required. Stipulations would be included in the ROW lease if authorized. No further analysis is required.
Wild and Scenic Rivers	N	Not Present
Special Status Animal Species, other than those listed or proposed by the FWS as Threatened or Endangered.	Y	Possibility of special status species exist within the Proposed Action project area. The greater sage-grouse (<i>Centrocercus urophasianus</i>), a BLM, USFS, and NDOW sensitive species may be located in the proposed project area.

Resource/Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Special Status Plant Species, other than those listed or proposed by the FWS as Threatened or Endangered.	Y	Habitat is present from some Special Status Plant Species. Potential Special Status Plant Species are Railroad Valley globemallow (<i>Sphaeralcea caespitosa</i> var. <i>williamsiae</i>) and sand cholla (<i>Grusonia pulchella</i>).
Fish and Wildlife	Y	No aquatic species are present; however, wildlife species are present. The Proposed Action may result in a loss of wildlife habitat or disturbance of wildlife.
Wild Horses	N	Within the Pancake Herd Management Area there would be a temporary displacement during construction of the Proposed Action. Direct, indirect, or cumulative impacts would not approach a level of significance. Detailed analysis is not required.
Soils/Watershed	Y	There is potential of topsoil change or loss due to land disturbing activities. There is no surface water located in the Proposed Action area and the watershed will not be affected.
Visual Resources	N	The Proposed Action is consistent with the VRM Class III objectives. No further analysis required. See Administrative Record.
Grazing Uses/Forage	N	The Proposed Action would remove approximately 0.25 acres of land from grazing use. This change would not noticeably affect the overall grazing allotment relative to the Duckwater Allotment size.
Land Uses	N	Land is managed for multi-use. The Proposed Action is within the scope of the current land use designation. The land use designation is not changed by the Proposed Action. No further analysis is required.
Transportation/Access	N	The Proposed Action would not disrupt any transportation or access on public lands. No roads would be closed during construction or maintenance activities as part of the Proposed Action. No further analysis is required.
Recreation Uses	N	The Proposed Action and its alternatives would not have an impact to recreation resources. No further analysis is required.
Fire Management	N	The Proposed Action would not have an impact on fire management in the region. No further analysis is required.
Socioeconomics	Y	The availability of broadband communications would positively affect the socioeconomics of the area.

1.0 INTRODUCTION

Resource/Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis
Paleontological Resources	N	Currently no paleontological resources have been identified in the Proposed Action area. Undiscovered resources could be encountered, but is not anticipated. Detailed analysis is not needed.
Water Resources (Water Rights)	N	No changes to existing water rights would occur. Detailed analysis is not needed.
Mineral Resources	N	No changes to existing mineral resources would occur. Gravel that will be used for construction will be purchased from a local company by the construction company. Detailed analysis is not needed.
Vegetative Resources	N	Total removal of vegetation would occur in the proposed project area. The project is 0.25 acres and would not noticeably affect the overall vegetative resources. Detailed analysis is not needed.
Forest/Woodland Products	N	Not Present

2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.1 Introduction:

The previous chapter presented the Purpose and Need of the proposed project, as well as the relevant issues, i.e., those elements that could be affected by the implementation of the proposed project. In order to meet the purpose and need of the proposed project in a way that resolves the issues, the BLM has developed a range of action alternatives. These alternatives, as well as a no action alternative, are presented below. The potential environmental impacts or consequences resulting from the implementation of each alternative are then analyzed in Chapter 3 for each of the identified issues.

2.2 Alternative A - Proposed Action:

2.2.1 Location and Access

The Proposed Action is located in Township 12 North, Range 56 East, Mount Diablo Meridian, within the NW ¼ NW ¼ SW ¼ NW ¼ of Section 16 and is accessed from Ely, Nevada by going southwest on Highway 6 and then northwest on Highway 379 towards Duckwater, Nevada. The remaining roads are unpaved existing access roads.

2.2.2 Proposed Action

ANTC's Duckwater Telecommunication Tower Facility Project would improve wireless communication to the Duckwater area and tie in to communication lines from Prospect Peak and Railroad Valley. This would have a positive socioeconomic impact on the people who use the services by providing broadband internet to rural areas of Nevada. The Plan of Development is included in Appendix B.

The Proposed Action would construct an unmanned telecommunications facility that will be a fenced area 100' x 100' (10,000 square feet) which includes a 120' self-support

lattice tower, a 10' x 20' radio equipment shelter, a meter bank on (2) concrete footers, and an underground electrical distribution line that would be approximately 50' long.

The tower will have two 3' diameter microwave dishes; one at 30' height facing Prospect Peak with approximately 50' of CAT5 coax cable; the second at 60' height facing Railroad Valley with approximately 80' of CAT5 coax cable. The antenna will be an Airmax5 ISP mounted at 110' height with approximately 130' of CAT5 coax cable. The coax cable will be mounted using snap-in hangers with rubber bushings on waveguide.

An ice bridge will be constructed between the equipment shelter and the tower that is approximately 10' in length and 2' wide. The height of the ice bridge will be 9'-8" above finished grade. No generator will be used or installed for the Proposed Action.

The Proposed Action would disturb approximately 0.25 acres of land adjacent to an existing telecommunication site, an area that is already disturbed. No additional right-of-way is needed for construction activities, staging, or laydown areas. All activities will be limited to the Proposed Action location only.

2.2.3 Existing Land Use and Authorizations in Project Area

The adjacent existing telecommunication site is also located in Township 12 North, Range 56 East, Mount Diablo Meridian, within the NW ¼ NW ¼ SW ¼ NW ¼ of Section 16, immediately south of the Proposed Action. This telecommunication site was authorized for use in 1987 to SBC/NV Bell under Serial No. NVN 046705. This authorization does not include any portion of the Proposed Action area.

2.2.4 Proposed Facilities

The Proposed Plan facilities include a 120' galvanized silver self-support lattice tower, a shelter that will be tan to brown (based upon the exposed aggregate), galvanized fencing around the facilities, and a utility grey utility service panel.

2.2.5 Construction, Operation, and Maintenance

The construction of the Proposed Plan facilities would be built in accordance with county, state, and federal requirements as applicable. State and local zoning and building permits will be obtained as applicable. No conflicts are anticipated with other communication or radio towers in the region.

No additional area will be needed for construction activities beyond what is defined as the Proposed Plan Area. Construction will be completed by ANTC personnel or contractors. The facility will be fenced to keep the public safe and out of the area after construction. The facility will be accessible to ANTC and contractors for most of the year, with access only limited by seasonal weather conditions (snow, mud, etc.).

The site will be fenced with a six-foot chain link fence with three strands of barbed wire attached to angle brackets above the fence for a total of a 7' height. A 12 foot gate will also be installed upon completion of the erection of the tower. The building or shelter will include an informational sign that includes the site name, the site number and an emergency contact number.

Preconstruction activities include survey work (staking of corners, centerline) for the permanent ROW, salvage of plants determined by the BLM, staging of construction materials, deployment of equipment and removal of existing debris/trash currently on the proposed ROW.

Public access would be restricted in the construction area to protect the public in accordance with federal laws and regulations. This would be accomplished through the posting of signs to alert the public of construction activities. All signs would meet state standards and would be authorized prior to construction.

Construction activities involve grubbing and removal of vegetation, leveling the permanent ROW, digging the foundation, placing forms, placing and tying steel reinforcement members, placing concrete, removal of forms, backfilling and leveling, assembly of tower, erection of tower with crane, and fencing. A foundation will be laid and equipment shelter installed on the foundation, assembly of the electrical main service and meter bank, placing grounding system for the tower/fencing and shelter, and final clean-up. Access roads do not need to be improved for construction equipment or vehicles. The workforce and equipment expected to be needed for the construction of Proposed Action facility is summarized below in Table 2.1.

Table 2.1 Expected Workforce and Equipment for Proposed Action

Function	Personnel/Days	Equipment/Tonnage
Grubbing, Leveling, and Debris Removal	3 people/2 days	Backhoe/10 tons 2 pickup trucks
Digging Foundation	3 people/2 days	Track Excavator/20 tons Front-End Loader/20 tons 2 pickup trucks
Foundation Construction	4 people/7 days	Semi-Truck w/Trailer/40 tons Crane Truck/20 tons Water Truck/up to 4,000 gallons Compactor (stand behind) Generator less than 12kw 3 pickup trucks
Concrete Placement	22 people/2 days	Concrete Pump Truck/20 tons Up to 15 Concrete Mixer Trucks/300 tons Water Truck/up to 4,000 gallons Generator less than 12kw 3 pickup trucks
Backfilling and Leveling	3 people/2 days	Front-End Loader/20 tons Water Truck/up to 4,000 gallons Compactor (stand behind) 2 pickup trucks
Tower Assembly	6 people/7days	Truck Crane/20 tons All terrain Forklift/10 tons Generator less than 12 kw 5 pickup trucks
Tower Erection	10 people/2 days	All Terrain Crane/40 tons Support Transport/40 tons (2 flatbed semi-trailers) All Terrain Forklift/10 tons Generator less than 12kw 5 pickup trucks

2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

Function	Personnel/Days	Equipment/Tonnage
Fencing	4 people/3 days	All Terrain Tractor/10 tons Generator less than 12 kw +5 cubic foot Concrete Mixer 3 pickup trucks
Shelter Foundation	3 people/4 days	Up to 4 Concrete Mixer Trucks/80 tons Backhoe Tractor/10 tons Generator less than 12 kw 2 pickup trucks
Shelter Placement	8 people/1 day	Semi-Truck w/Trailer/40 tons All Terrain Crane/40 tons Generator less than 12 kw 5 pickup trucks
Electric Main Service and Grounding System	3 people/2 days	Backhoe Tractor/10 tons Generator less than 12 kw 2 pickup trucks
Final Grading and Rehabilitation	3 people/2 days	Backhoe Tractor/10 tons 2 pickup trucks

2.2.6 Dust Control

Water trucks would be the primary means of dust abatement during all phases of construction. Roads and project area would be watered as needed. Water spray would be controlled so that pooling would be avoided to the extent possible. Speed limits of 20 to 25 miles per hour (mph) would be set and strictly enforced along the access road.

2.2.7 Erosion and Sediment Control Measures

Project construction activities would follow site-specific soil erosion and sediment control measures. These measures would be developed in cooperation with the BLM prior to construction activities and would comply with BLM regulations. No construction activities would occur until approved sediment and erosion control measures have been installed.

2.2.8 Solid Waste

The construction areas, temporary use area, and access roads would be kept in an orderly condition throughout the period of construction. A minimal amount of general refuse associated with work operations would be created. All refuse generated during the Project would be removed and disposed of in an authorized off-site landfill facility, consistent with applicable regulations. No refuse would be disposed of or left on site. Portable chemical toilets would be used during the time the construction crew is on site.

2.2.9 Hazardous Materials

All construction, operation, and maintenance activities would comply with all applicable federal, state, and local laws and regulations regarding the use of hazardous substances. ANTC would be responsible for maintaining compliance with all applicable laws and regulations.

2.2.10 Refueling Equipment

ANTC will implement standard refueling procedures for heavy equipment on the ROW or project area for long periods of time, such as blades, cats, crane, etc. This equipment would be refueled in place. A spill kit would be available on the heavy equipment to be

refueled in the ROW. No personal or light duty vehicles would be allowed to refuel on the ROW.

2.2.11 Project Schedule

The Proposed Plan facilities will remain in place until the ROW lease expires in 30 years and is not renewed; or is terminated. Prior to relinquishment of the right-of-way, the holder shall contact the Authorized Officer to arrange a pre-termination conference. This conference will be held to review the termination provisions of the lease including the reclamation plan. Procedures for restoration and ROW maintenance will be coordinated with the BLM Ely District Egan Field Office, Nye County and will be implemented as standard construction and reclamation measures. At that time, reclamation of the site would commence. This plan involves removing all constructed facilities in the entirety and the tower to a depth of minus three feet from ground level. All disturbed surfaces will be restored to the original contours to the extent determined by the BLM. Stabilization and re-vegetation, if required, will be completed using current methods recommended by the BLM.

2.2.12 Applicant Committed Environmental Protection Measures – Design Features

Design features have been developed to as a way to minimize and/or avoid environmental impacts. These will be applied to the Proposed Action.

- All vehicle movement outside of the ROW will be restricted to pre-designated access, contractor acquired access, or public roads.
- All construction activity will be restricted and confined within predetermined limits (typically Proposed Project area). No discoloring or permanent paint or agent will be applied and environmentally sensitive areas will be flagged to alert personnel of areas to be avoided during construction
- Vegetation will be left in place wherever possible to avoid excessive root damage and allow for re-sprouting in construction areas where re-contouring is not required.
- Surface restoration will occur as directed by the BLM where construction ground disturbance is significant or where re-contouring is required. The restoration method typically is returning disturbed areas to their natural contour (to the extent practical).
- Prior to construction, all personnel will be instructed on the protection of cultural, paleontological, and ecological resources. All construction contracts will assist in this effort by addressing Federal and State Laws regarding antiquities, fossils, plants and wildlife, including removal and collection, and the importance of protecting them.
- Any cultural and/or paleontological resource discovered during construction by any person working on ANTC's behalf will immediately report the discovery to ANTC's authorized personnel, who will subsequently report the finding to the authorized officer of the BLM. ANTC will suspend operations within 100 meters of the area until an evaluation is completed to prevent the loss of cultural or scientific values and ANTC is issued a Notice To Proceed by the BLM.
- All construction and maintenance activities will be conducted in a manner that would minimize disturbance to vegetation, drainage channels, and overland areas. In addition, dust-control measures will be utilized as necessary during

- construction in sensitive areas. All existing dirt access roads will be left in a condition equal to or better than their condition prior to construction activities.
- All requirements of those entities having jurisdiction over air quality matters will be adhered to and any necessary permits for construction activities would be obtained. Open burning of construction trash will not be allowed on BLM lands.
 - Any fences and/or gates that may become damaged or destroyed by construction activities will be repaired or replaced to their original pre-disturbed condition.
 - During construction and operation of tower facility, the ROW will be maintained free of construction related non-biodegradable debris.
 - Totally enclosed containment will be provided for all hazardous materials (if needed). All construction waste including trash, litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials will be removed to a disposal facility authorized to accept the waste.
 - All construction holes without an avenue of escape will be covered overnight to prevent danger to wildlife.
 - All equipment, used by ANTC or any part working on their behalf, which will be off-road, will be cleaned by power or high-pressure cleaning of all mud, dirt, and plant parts prior to moving onto public lands.
 - No widening of existing dirt access roads will be undertaken in the area of construction operation or access. Maintenance of the access road may be completed by adding gravel to any rutted two-track grooves to prevent any further rutting.
 - There will be no blading of new access roads in areas of construction except as authorized. Existing crossings will be utilized at washes. The access route(s) will be flagged with an easily seen marker.
 - Modified structure design may be utilized as necessary to minimize ground disturbance or operational conflicts.
 - Existing roads or trails that will be blocked as a result of construction will be rerouted as directed by the authorizing officer.

In addition, ANTC and its contractors will comply with all federal and state fire law and regulations and will take reasonable measures to prevent and suppress fires in the area. Fire extinguishers will be available during construction and made permanent within the equipment shelter once the site is operational that meet NFPA standards. Also, during times of extreme fire danger, operations may be suspended or limited in certain areas.

No industrial waste or toxic substances are expected to be produced or used during the operation of the Proposed Action facility. During construction, inspections will be done of equipment to insure there are no leaks of any kind that are hazardous or toxic.

2.3 Alternative B - No Action

No action would mean no changes would occur to the Proposed Action location from its present state.

2.4 Alternatives Considered, but Eliminated from Further Analysis

Private property was eliminated from further analysis due to terrain, direction, distance to proposed new facility, and line-of-site issues.

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

3.1 Introduction:

This section presents the current environment (i.e., the physical, biological, social, and economic values and resources) of the Proposed Action impact area, issues analyzed, potential impacts to the analyzed resources resulting from the Proposed Action, and any mitigation efforts that could be implemented to reduce any of the potential impacts. Mitigation measures discussed may be included in the FONSI to prevent potentially significant impacts. Application of the mitigation measures for the Proposed Action would be carried forward into the Decision Records as a condition of approval of the proposal.

Evaluation of the potential impacts to the resources/concerns outlined in 1.6 was completed in accordance with the criteria listed in the BLM NEPA Handbook (H-1790-1) to determine if a detailed analysis was required. Consideration of some of these items ensures compliance with laws, statutes, and/or executive orders that enforce specific requirements on all federal actions. Other items addressed are appropriate and necessary to the management of public lands and also to the Ely District BLM in particular. Often a project would have some degree of effect upon a resource or concern but the effect does not approach the threshold of significance or increase the cumulative impacts by a measurable increment. These effects are described in the rationale for dismissal from analysis.

3.2 General Setting

The Proposed Action is located in Nye County approximately 2 miles southeast of Duckwater, Nevada, off State Route 379. The elevation in the Proposed Action ranges from 5,512 feet to 5,499 feet above mean sea level (amsl) and the terrain slopes to the north and west. The topography in the area is typical of that found in the Basin and Range Physiographic Province of the western United States. The vegetation community is composed of low growing shrubs on rocky soils containing a mixture of sand and clay. The soil surface is covered with scattered rock of various sizes. The primary shrubs in the project area are budsage (*Picrothamnus desertorum*) and shadscale (*Atriplex confertifolia*). Other common perennials are greasewood (*Sarcobatus vermiculatus*), galleta grass (*Pleuraphis jamesii*), Indian ricegrass (*Achnatherum hymenoides*), sand dropseed (*Sporobolus cryptandrus*), Nevada ephedra (*Ephedra nevadensis*), and globemallow (*Sphaeralcea* spp.).

3.2 Resources/Concerns Analyzed

The following sections discuss the resources/concerns analyzed including a discussion of the affected environment and potential impacts of the Proposed Action and the No Action Alternative.

3.2.1 Resource 1: Cultural Resources

A Class III cultural resource inventory was completed by Knight & Leavitt Associates Research Services on September 26, 2013. There were no cultural resources located during the survey.

3.2.1.1 Affected Environment

The Class III cultural resource inventory was conducted of the Proposed Action site as required by the *State Protocol Agreement between The Bureau of Land Management and The Nevada State Historic Preservation Office (January 2012 version)*. The Class III inventory was conducted in accordance with the procedures outlined by the *Guidelines and Standards for Archaeological Inventory (BLM 2012)*. In addition, a cultural landscape level visual analysis was completed to determine indirect impacts for the Area of Potential Effect (APE) as it relates to Duckwater Reservation and the project area. The analysis was done at a distance of one mile radius for the project location (as recommended in the Federal Communications Commission [FCC] guidelines), and was completed as a separate process from Visual Resource Management (VRM). The cultural resource inventory report is on file at the BLM, Egan Field Office (Cole et al. 2013).

3.2.1.2 Impact Analysis

Proposed Action

No cultural resource sites were identified during the Class III cultural resource inventory of the Proposed Action location. However if an archaeological site is discovered then the proponent will “ensure that activities associated with the undertaking within 100 meters of the discovery are halted and the discovery is appropriately protected, until the BLM Authorized Officer issues a Notice To Proceed (NTP)”(State Protocol VI.B.1).

No Action Alternative

No impact would occur to cultural resources under the No Action Alternative.

3.2.2 Resource 2: Invasive Non-native Species/Noxious Weeds

3.2.2.1 Affected Environment

Potential noxious and invasive weeds were documented during botanical surveys of the project area by Knight and Leavitt Associates (K&LA) on September 26, 2013 (Ekenstam, 2013). During the survey, the locations and names of any known State of Nevada noxious weeds (Nevada Department of Agriculture, 2006) or invasive species were recorded. No plants listed as noxious weeds by the State of Nevada were observed during the site visit. Two non-native plants generally described as being invasive were common in the project area. These were saltlover (*Halogeton glomerata*) and Russian thistle (*Salsola tragus*). Of these, saltlover was the more common and was widely distributed in the project area. Russian thistle was more scattered, but was still well represented. Cheatgrass (*Bromus tectorum*) and common mallow (*Malva neglecta*) were also observed, but were not abundant at the time of the survey.

3.2.2.2 Impact Analysis

Proposed Action

No plants listed as noxious weeds by the State of Nevada were observed during the project survey. Two non-native plants generally described as being invasive were common in the project area. Introduction of noxious weeds into native habitat has the potential to occur during construction of the proposed project. Any noxious weed or non-native plant when introduced into an area can, under favorable conditions, spread into native habitats and compete with native plant populations. If not controlled, these become invasive plants which may cause unforeseen harm and reduce the overall health of the native ecosystem. Construction projects provide a variety of vectors for the introduction

and spread of invasive weeds including construction equipment and workers which come and go from a job site. Construction activities produce areas of disturbance which can readily be colonized by invasive plants. Furthermore, roadways provide a means by which these plants can quickly be spread to new locations.

Once established, these invasive plant populations can continue to spread into neighboring areas further reducing habitat quality for native species and thus exacerbating the problem. As populations of weedy species increase, these frequently result in increased fuel loads which in turn lead to increased potential for fires in areas where they do not naturally occur on a regular basis. These fire events have the potential of significantly altering the native environment and destroying significant numbers of plant and animal species.

Care will be taken to prevent the introduction of noxious weeds and the spread of invasive plants in the project area. Best management practices which limit the spread of noxious and invasive weeds include thoroughly cleaning all equipment brought onto and taken from the job site; not permitting soils contaminated with weed parts and seeds to enter or leave the job site, and educating personnel as to the harmful effects of spreading invasive weeds and seed. Monitoring and removal of invasive weed species during and following construction will also aid in reducing the spread of noxious weeds.

No Action Alternative

No effect would occur with the No Action Alternative

3.2.3 Resource 3: Special Status Animal Species, other than those Listed or Proposed by the Fish and Wildlife Service as Threatened or Endangered Species

3.2.3.1 Affected Environment

Historical observations from the Nevada Natural Heritage Program (NNHP) suggested the dark kangaroo mouse (*Microdipodops megacephalus*) and pale kangaroo mouse (*Microdipodops pallidus*), both BLM special status species and State of Nevada protected species, are within the Proposed Action. Neither of these mice were encountered during the survey, although small rodent burrows were noted. The burrows were located in rocky terrain and were determined not to be burrows of either dark or pale kangaroo mice since these mice burrow in sandier soils and dunes.

The greater sage-grouse (*Centrocercus urophasianus*) is the only USFWS species identified for the project area. The greater sage-grouse is a USFWS Candidate species, but has not yet formally been proposed for listing. The greater sage-grouse is also considered a sensitive species by BLM, USFS (United States Forest Service), and NDOW (Nevada Department of Wildlife). Greater sage-grouse habitat in the vicinity of the Proposed Action is categorized as Low Value Habitat/Transitional Range and Habitat of Moderate Importance located on Duckwater Reservation Tribal Lands and private lands (NDOW, 2013b). No Greater sage-grouse were encountered during a survey of the project area. There are no known Greater sage-grouse leks located near the project area (NDOW, 2013b).

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

Various species of raptors, which use diverse habitat types, may reside in the vicinity of the project area. Raptor species are protected by State and Federal laws, including the MBTA (Migratory Bird Treaty Act), considered NDOW species of special concern, or BLM special status species. Bald and golden eagles are protected by the U.S. Bald and Golden Eagle Protection Act. No raptors were observed in the Proposed Action. There has been one raptor nest recorded within a 10 mile radius of the project area. The nest was not active when it was last checked on June 23, 2011 and there was no record of when it was last active (NDOW, 2013b). NDOW indicated the probable use of the nest was eagle.

According to NDOW, various species of raptors, which use diverse habitat types, may reside in the vicinity of the project area. Examples of these raptors include: American kestrel, bald eagle, barn owl, burrowing owl, Cooper's hawk, ferruginous hawk, flammulated owl, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, red-tailed hawk, rough-legged hawk, sharpshinned hawk, short-eared owl, Swainson's hawk, turkey vulture, and western screech owl which all have distribution ranges that include the project area and four-mile buffer area (NDOW, 2014).

The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et. Seq.) protects migratory birds and their nests (nests with eggs or young). A list of MBTA protected birds can be found in 50 C.F.R. 10.13 (http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title50/50cfr10_main_02.tpl) or a complete list is published at the USFWS web site (USFWS, 2010). Most birds with the exception of the house sparrow (*Passer domesticus*), starlings (*Sturnus vulgaris*) and rock doves (*Columba livia*) are protected by the MBTA.

The proposed project contains habitat for a variety of Migratory Birds and these species may be impacted during construction of the proposed project.

Desert bighorn sheep (*Ovis canadensis nelsoni*) are a State of Nevada protected species and special status species listed by the BLM and USFS. Desert bighorn sheep habitat distribution exists throughout the whole project area (NDOW, 2013b). There were no desert bighorn sheep or sign observed during the survey of the project area, though potential for their presence occurs within the Proposed Action area

No other sensitive species or habitat was documented in the Proposed Action.

3.2.3.2 Impact Analysis

Proposed Action

The Proposed Action will not impact the dark kangaroo mouse or pale kangaroo mouse since habitat for these species was not present because the habitat identified in the Proposed Action is not consistent with habitat for these species.

The Proposed Action would disturb ± 0.25 acres (10,890 square feet) of greater sage-grouse Low Value Habitat/Transitional Range. This amount of impact on greater sage-grouse habitat in the project area is insignificant relative to the amount of habitat

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

identified by NDOW surrounding the project area. BLM does not require mitigation for greater sage grouse with Low Value Habitat/Transitional Range and would require mitigation for Habitat of Moderate Importance, but this quality of habitat is found well outside the project footprint.

The tower being constructed as part of the Proposed Action could potentially allow raptor perching in greater sage-grouse habitat which could lead to higher predation pressure on this species. Proper raptor and raven perch deterrents installed on the new communications tower will lower predation pressure on the greater sage-grouse (NDOW, 2013a). Another impact minimization measure would be for the project proponent to monitor nesting activities and remove raptor and raven nest sticks from the area outside the nesting season or remove nests prior to eggs being laid. A wildlife depredation permit would be required from the FWS for this action.

The Proposed Action would impact raptor species by disturbing \pm .25 acres (10,890 square feet) of potential habitat for nesting or foraging. Habitat disturbance would be kept to a minimum by working only in designated work areas and keeping disturbance to the minimum amount necessary to complete the work safely and as designed. Raptors could be disturbed or displaced during nesting periods by human presence and noise while the project is being constructed. Project construction should take place outside of the active nesting season (between March 15 and July 31) to have minimal disturbance on potential raptors. When it is unreasonable to have construction outside of active nesting bird season, a qualified biologist, approved by the BLM Wildlife Biologist, will conduct avian surveys within a 0.5 mile buffer prior to beginning the work. If any nests are identified in the survey area, a buffer will be established following the BLM Ely District Resource Management Plan guidelines and the area avoided until young fledge the nest and are on their own. The work must be completed within one week after the survey is done or the survey must be repeated. There is also a minor possibility of collisions with the 120 foot tower by raptors, especially during inclement weather when visibility is reduced, but since the tower is less than 500 feet this is not likely.

Migratory birds and other various raptors may be present during construction of the Proposed Action and experience impacts, especially during the breeding season. The breeding season is when these species are most sensitive to disturbance, and this is generally from March 15th through July 31st for upland desert habitats.

Migratory birds could be injured or killed during vegetation removal and grading activities. Adult birds may be able to flee the area; however, during migratory bird nesting season, eggs and juvenile birds that are confined to nests may be killed. Nest abandonment may also occur due to noise and human presence in the area having an impact on nests potentially located in the surrounding area. A minor amount of native plant community that provides habitat for nesting migratory birds would be eliminated \pm .25 (10,890 square feet) as a result of the proposed project.

The project proponent must comply with the MBTA to avoid potential impacts to protected birds within the Proposed Action. The project proponent should:

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

- 1) Schedule habitat altering projects or portions of projects outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs from March 15th through July 31st.
- 2) If a project that may alter any breeding habitat has to occur during breeding season, a qualified biologist must survey the area and a 300 foot buffer area outside the project area for nests prior to commencement of construction activities. The survey will include burrowing and ground nesting species, in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately sized buffer area in accordance with BLM guidelines must be avoided until the young birds fledge. The dates of March 15th through July 31st are a general guideline for breeding season, however if active nests are observed outside this range they are to be avoided as described above.

The Proposed Action would impact ± 0.25 (10,890 square feet) acres of desert bighorn sheep habitat. This amount of disturbance is insignificant relative to the amount of desert bighorn sheep habitat in the surrounding area. Impacts to habitat will be minimized by keeping disturbance to the minimal amount necessary to perform the work and also working within the designated construction area. There is potential for injury or death in the project area involving desert bighorn sheep around equipment, trenches, holes, fencing, and chemicals. To minimize these hazards, the project area would be fenced with a 6 foot chain link fence denying the perception of access to keep bighorn sheep out or use of safe fencing that makes it possible for bighorn sheep to safely move through work area (NDOW, 2013a). Further, all holes or potential falling hazards would be properly covered at end of work day, and lastly all chemicals and other hazards would be properly stored and contained overnight.

No Action Alternative

Under this alternative, the Proposed Action would not occur and no listed special status species would be impacted.

3.2.4 Resource 4: Special Status Plant Species

3.2.4.1 Affected Environment

Botanical surveys of the project area were performed by Knight and Leavitt Associates (K&LA) on September 26, 2013 (Ekenstam, 2013). Potential special status species in the project area identified by K&LA were Railroad Valley globemallow (*Sphaeralcea caespitosa* var. *williamsiae*) and sand cholla (*Grusonia pulchella*). Railroad Valley globemallow was not observed during a survey of the project area and marginal habitat was present to support it. Sand cholla was not observed in the project area, but habitat was present to support it. One species of cacti was identified in the project area. A pricklypear cactus (*Opuntia* sp.) was present, but was not common.

3.2.4.2 Impact Analysis

Proposed Action

No sensitive plants were identified in the project area however; the Proposed Action would result in the loss of marginal habitat for Railroad Valley globemallow. The project will also result in habitat loss for sand cholla, although no plants were observed. Impacts

to habitat for these species will be insignificant because project disturbance is limited to 0.25 acres. Impacts to sensitive plant habitat can be minimized by confining all construction vehicle movement to pre-designated routes and work areas, and limiting the size of vegetation and/or ground disturbance to the absolute minimum necessary to perform work activities safely and as designed. Restoration of disturbed surfaces to their original contour in areas where ground disturbance is significant will aid in restoration. Soil removed from areas of disturbance would also be salvaged and utilized for site restoration because it contains the native seed bed.

Cacti were not common in the project area. Pricklypear was the only cactus noted during the site visit and did not appear to be common. All cacti species are protected by Nevada State law under NRS 527.060-.120. Those cacti species occurring in areas of disturbance will be moved out of harm's way prior to construction activities. All cacti are to be relocated using currently accepted practices, including the correct orientation, depth, and watering, to insure the best possible chance of survival. They will be replanted as close to their original location as possible.

No Action Alternative

No effect would occur with the No Action Alternative.

3.2.5 Resource 5: Fish and Wildlife

3.2.5.1 Affected Environment

Fish

The project area contains no bodies of water nor do any occur adjacent to the project area. There will be no impact on any fish species or habitat.

Big Game

The project area is within pronghorn antelope (*Antilocapra americana*) distribution. The project falls within the NDOW hunt unit 164. The last survey NDOW conducted in October 2012 in and around this area resulted with a sex and age ratios of 35 bucks: 100 does: 18 fawns. Overall habitat was on a slight decline during 2012 due to drought, but that was the only factor impacting the pronghorn population. The pronghorn antelope population seems to be stable (NDOW, 2012). No pronghorn antelope or sign were encountered during a survey of the Proposed Action.

The project area is within desert bighorn sheep distribution. See Special Status Animal Species, other than those Listed or Proposed by the Fish and Wildlife Service as Threatened or Endangered Species section 3.2.3 for details.

Mule deer (*Odocoileus hemionus*) distributions are within a small portion of the four mile buffer area outside the vicinity of the project. NDOW surveyed the management unit near the project in December 2012 concluding the sex and age ratios to be 36 bucks: 100 does: 49 fawns. When the spring survey was conducted in April of 2013 the fawn ratio had dropped to 24 fawns: 100 does, which was most likely due to harsh winter conditions. Overall the population has stable production (NDOW, 2012). No mule deer or sign were encountered during a survey of the project area. It is not anticipated any mule deer will

be encountered during project construction since the distribution of mule deer is outside the project limits.

Game Birds

Habitat is present for one game bird species, the greater sage grouse, see section 3.2.3 for details.

Other Wildlife

The project area falls within the southern region of hunt units that have been known to contain mountain lions (*Puma concolor*). Other animals that could potentially show up around the project vicinity include small lizards, rodents such as long tailed pocket mouse (*Chaetodipus formosus*) and the little pocket mouse (*Perognathus longimembris*), rabbits, and coyotes (*Canis latrans*). No other wildlife was encountered, but habitat exists within the project area to support wildlife.

3.2.5.2 Impact Analysis

Proposed Action

Fish

The Proposed Action would have no impact on local fish species because there is no water in the immediate vicinity of the project area.

Big Game

The Proposed Action would impact ± 0.25 acres (10,890 square feet) of big game habitat. There will be some minor loss of habitat and disruption to big game species in the form of habitat loss, noise and disturbance associated with construction. The project area is so small compared to the overall actual distribution for the species that the habitat loss is insignificant and the disturbance temporary. Impacts to habitat will be minimized by keeping disturbance to a minimum and working within the designated project limits. It is also possible for big game species to move through the work area during construction resulting in injury or death due to hazards present in the work area. To avoid injury or death of big game, proper fencing and covering of holes and trenches would be implemented.

Other Wildlife

Habitat loss for other wildlife is insignificant relative to overall habitat present in the area. Wildlife will be expected to flee the immediate area during construction resulting in minor temporary displacement due to construction and noise and minor permanent displacement from loss of habitat. There will be minor loss of vegetation and soils which small animals use for burrowing and cover. Smaller wildlife species will be at risk of being crushed during ground moving construction or entrapment within holes, trenches, construction materials and facilities. The project area is such a small area and work will be for such a short period of time that the impacts should be minimal.

No Action Alternative

Under this alternative, the Proposed Action would not occur and no wildlife would be impacted directly or indirectly.

3.2.6 Resource 6: Soil Resources

The soil resources in the Proposed Action area are located on a rocky area on the flanks of the Duckwater Hills. Soils in the project area are typical of those found in the Great Basin Area and Major Land Resource Area 028B (Central Nevada Basin and Range). Slopes are from 15 to 50%. The soils are primarily gravelly loams. Soils are typically moderately deep to deep and well drained. Water holding capacity varies with soil texture and depth. Surface soils are typically 0 to 10 inches thick and moderately coarse to medium; the soils are susceptible to wind or water erosion. Soils in the project area have been described extensively and in detail by the Natural Resource Conservation Service (NRCS – see section 9.0 References).

3.2.6.1 Affected Environment

Based on the Natural Resource Conservation Service (NRCS 2014) soil survey, one soil association is present within the Proposed Action area, the Downeyville-Stewval association which is map unit symbol 3831.

The interpretive and descriptions are developed from the *Web Soil Survey, National Cooperative Soil Survey of Nye County, Nevada, Northeast Part, Version 9, Dec 2, 2013* (NRCS 2014). Bedrock is typically located within four to fourteen inches below ground surface and the soils are not considered prime farmland. The soils are well drained with no tendency for flooding and ponding.

3.2.6.2 Impact Analysis

Proposed Action

Approximately 0.25 acres of disturbance would occur from the construction of the Proposed Action. The activity would expose the soils to wind and water erosion; however this impact would be minimized with best management practices and the loss of soil would be short-term until vegetation re-establishes itself on the exposed ground. Loss of the soils incurred in the interim would be permanent.

No Action Alternative

No impact would occur with the No Action Alternative.

3.2.7 Resource 8: Socioeconomics

This category addresses economic activity and society.

3.2.7.1 Affected Environment

The affected environment would be the vicinity of rural Nevada around the Duckwater community.

3.2.7.2 Impact Analysis

Proposed Action

The Proposed Action would bring broadband internet to an area of rural Nevada that does not have this service at the present. This service will bring valued and essential business infrastructure to the Duckwater vicinity that will create strategic partnerships with Public Safety, Hospitals, Schools, and Local Government. The service will also provide entrepreneurs the ability to have increased customer bases in order to compete in the global economy, increase competition, remove time and geographic barriers from rural residents, as well as create opportunities for e-learning and online content. The service

will connect health care providers through telemedicine applications and allow seniors and low income families to have affordable internet without having to leave their rural community. This is a positive effect to socioeconomics of the rural community of Duckwater and its surrounding areas.

No Action Alternative

No impact would occur with the No Action Alternative.

4.0 CUMULATIVE IMPACTS

4.1 Introduction

As required under NEPA and the regulations implementing NEPA, this section analyzes potential cumulative impacts from past, present, and reasonably foreseeable future actions combined with the Proposed Action within the area analyzed for impacts in Chapter 3 specific to the resources for which cumulative impacts may be anticipated. A cumulative impact is defined as “the impact which results from the incremental impact of the action, decision, or project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 Code of Federal Regulations 1508.7).

Cumulative effects were considered as possibly occurring if all three of the following conditions were realized:

- The Proposed Action would result in a residual effect on a component of the biophysical or human environmental that can be measured, or can be expected to occur; and
- The Proposed Action’s residual effect on that component would, or would be likely to, act in a cumulative fashion with the effects of other past, present, or future projects and activities that are likely to occur; and
- The Proposed Action’s contribution to cumulative effects could be reasonably expected to affect the viability or sustainability of the resource or a value such as a regulatory ‘threshold’ or standard.

This cumulative impacts section is related to the Proposed Action and cumulative impacts of resources are addressed for:

1. Cultural Resources
2. Invasive Non-native Species/Noxious Weeds
3. Special Status Species, other than those Listed or Proposed by the FWS
4. Special Status Plant Species
5. Fish and Wildlife
6. Soil Resources
7. Socioeconomics

The Cumulative Effects Study Area (CESA) for the Proposed Action is in proportion to the Proposed Action that is located on a very small parcel of land (<0.25 acres). The CESA includes Sections 8, 9, 10, 15, 16, 17, 20, 21, and 22 in Township 12 North, Range

56 East of the Mount Diablo Meridian. The Proposed Action is located in the Southwest ¼ of the Northwest ¼ of Section 16. This area includes all surrounding sections, as well as the Proposed Action location section, totaling approximately nine square miles (5,760 acres).

4.2 Past Present and Reasonably Foreseeable Future Actions

In the past, the most common action has been for Oil and Gas Leases in surrounding Sections of the Proposed Actions. All of the Oil and Gas Leases have been either terminated or have expired and are no longer active. No development of the Oil and Gas commodity occurred within the CESA of the Proposed Action. Other actions that are no longer active include a Nye County School District Action that was patented to the school district and sand and gravel action that was withdrawn from consideration.

Actions that are active include a power transmission line right-of-way, a telephone line right-of-way, and two communications sites. Actions that have occurred with the transfer of land include the above mentioned Nye County School District land and the Duckwater Reservation land.

No foreseeable future actions are planned in the CESA except for the Proposed Action addressed in this Environmental Assessment for a communication site.

None of the interrelated actions intersect with the Proposed Action; however three are very close or adjacent. These three actions are the power transmission line, telephone line, and the communication site that is located adjacent to the Project Action project area location.

Table 4.1 summarizes existing, approved, and proposed actions with closed actions at the end of the table.

Table 4.1 Interrelated Actions in CESA Area.

Applicant	Serial No.	Case Type	Disposition	Date of Disposition	Total Acres	Sections where Action occur in the CESA	Notes
Mt. Wheeler Power Inc.	NVN 004874	285003-ROW Power Transmission-FLPMA	Authorized	7/31/1987	78.262	8, 16, 17, 21, 22	Powerline adjacent to project area
SBC/NV Bell	NVN 007848	286203-ROW Communication Site	Authorized	7/13/1992	48.064	8, 16, 17, 21, 22	Communication site (Telephone Line) located near project area
Nye County School District	NVN 00796701	274000-Recreation and Public Purposes	Authorized	5/28/1975	12.5	16	School land is NE Quarter
SBC/NV Bell	NVN 046705	286001-ROW Communication Site	Authorized	8/12/1987	0.235	16	Communication site adjacent to project area (Microwave use)
BIA	NVN 048082	231301-Indian Reservation	Authorized	11/13/1940	3,273.26	8, 17	Duckwater Indian Reservation

4.0 CUMULATIVE IMPACTS

Applicant	Serial No.	Case Type	Disposition	Date of Disposition	Total Acres	Sections where Action occur in the CESA	Notes
Nye County School District	NVN 007967	240006-Recreation &Public Purpose Class	Case Closed	5/28/1975	12.5	16	Closed because Patent was Issued- See above
Amerada Hess Corp	NVN 013907	311111-O&G* Lse	Case Closed	10/01/1987	1,560.42	16	Lease Issued 4/18/1977
Daniel Wolf	NVN 047649	311211-O&G* Lse	Case Closed	6/25/1993	5,056.12	8, 16, 20	Lease Issued 1/27/1988.
M Ayrault	NVN 057645	312021-O&G* Lse	Case Closed	6/30/1995	1,560.42	8, 16	Lease Issued 9/9/1993
Emergent Value Group LLC	NVN 081490	611121-O&G* Lse	Case Closed	4/22/2011	6,441.78	8, 9, 10, 15, 16, 21, 22	Lease Issued 3/13/2006
Duckwater Shoshone Tribe	NVN 083067	362113-FUP Govt Subdiv (Sand & Gravel)	Case Closed	5/15/2007	1	16	Application Withdrawn
Phillips Petroleum	NVN 010551	311211-O&G* Lse	Case Closed	6/2/1985	40	22	Effective Date 10/1/1974
Merle C Chambers	NVN 10838	311211-O&G* Lse	Case Closed	10/2/1985	320	10, 15	Effective Date 1/1/1975
Kenneth C Eymann	NVN 013030	311211-O&G* Lse	Case Closed	12/2/1986	80	10	Lease Issued 6/17/1976
Questar Expl & Prod Co	NVN 013373	311111-O&G* Lse	Case Closed	8/2/1987	1,641.38	10, 15	Effective Date 2/1/1977
Questar Expl & Prod Co	NVN 013378	311111-O&G* Lse	Case Closed	8/2/1987	1,800	22	Effective Date 2/1/1977
Amerada Hess Corp	NVN 013907	311111-O&G* Lse	Case Closed	10/1/1987	1,560.42	8	Effective Date 5/1/1977
Amerada Hess Corp	NVN 013909	311111-O&G* Lse Noncomp Pub Land	Case Closed	10/1/1987	1,542.52	20	Effective Date 5/1/1977
M J Harvey Jr	NVN 037258	311211-O&G* Lse	Case Closed	6/2/1987	40	15	Lease Issued 2/28/1983
Harry Szczepanski	NVN 041169	311211-O&G* Lse	Case Closed	8/2/1986	2,360.18	9, 17, 21	Lease Issued 2/22/1985
Pioneer Oil & Gas Co	NVN 042435	311211-O&G* Lse	Case Closed	2/15/1997	40	22	Lease Issued 9/20/1985
Nancy Gillihan	NVN 042885	311211-O&G* Lse	Case Closed	6/2/1987	320	10, 15	Lease Issued 2/5/1986
Hunt Oil Co of NV	NVN 044835	311211-O&G* Lse	Case Closed	12/2/1998	2,360.18	9, 17, 21	Lease Issued 6/25/1987
Sofia Expl Co	NVN 046890	311211-O&G* Lse	Case Closed	3/29/1992	360	10, 15	Lease Issued 9/28/1987
Anschutz Corp	NVN 047233	311211-O&G* Lse	Case Closed	2/15/1997	5,762.68	10, 15, 22	Lease Issued 8/24/1988
BLM Exxon Corp	NVN 047902	318510-O&G* Development Contract	Case Closed	10/1/1989	179,986.131	10, 15, 22	Agreement Approved 2/23/1988
BLM	NVN 048114	311111-O&G* Lse	Case Closed	9/22/1988	80	10	Application Withdrawn 9/21/88
Dennis Sayan	NVN 049175	312021-O&G* Lse	Case Closed	12/28/1990	80	10	Lease Issued 8/31/1988
Nola Grace Ptasynski	NVN 054186	311121-O&G* Lse	Case Closed	6/9/2000	241.38	10	Lease Issued 2/28/1991
Mobile Oil Corp	NVN 054546	312021-O&G* Lse	Case Closed	2/15/1997	360	10, 15	Lease Issued 6/24/1991
M Ayrault	NVN 057646	312021-O&G* Lse	Case Closed	6/30/1995	1,222.52	20	Lease Issued 9/9/1993

*Oil and Gas

4.0 CUMULATIVE IMPACTS

4.3 Cumulative Impact Analysis

Only the resources analyzed as being impacted under the Proposed Action are addressed in this section. Any specific interrelated projects potentially affecting each resource is outlined in 4.2 (Past Present and Reasonably Foreseeable Future Actions).

4.3.1 Resource/Concern 1 Cultural Resources

The cumulative impacts analysis area for cultural resources is defined as the project area and immediate vicinity. Cultural resources were not identified within the Proposed Action area, but cultural resources are present in the vicinity of the Proposed Action. The Proposed Action would not add to the cumulative impact of past, present, or future projects since no cultural resources are present. Should a NRHP eligible cultural resource be identified during construction, then mitigation measures (see 3.2.1) of those resources would minimize any cumulative impacts to this resource in accordance with the Protocol.

4.3.2 Resource/Concern 2 Invasive Non-native Species/Noxious Weeds

The cumulative impacts analysis area for invasive, non-native species and noxious weeds is defined as the project area and immediate vicinity. No noxious weeds and four non-native plants were identified in the project area. As a result of the proposed project in combination with other proposed development in the area, it is possible that the spread of noxious weeds and non-natives into the area could occur through persons and/or equipment transporting weed fragments or seeds. These activities would also contribute to the removal of native vegetation and increase the susceptibility of the area to establishment of noxious weeds and non-native plant species. The successful application of BMPs (Best Management Practices) and recommended mitigation measures for controlling the establishment and spread of invasive, non-native species would minimize these impacts.

4.3.3 Resource/Concern 3 Special Status Animal Species, other than those Listed or Proposed by the Fish and Wildlife Service as Threatened or Endangered Species

The cumulative impacts analysis area for special status animal species includes the Proposed Action and a four mile buffer. Future and past projects with associated land use disturbance combined with the Proposed Action would have an impact on wildlife resources through the loss of habitat; however keeping the amount of construction related disturbance to a minimum and performing post-construction reclamation would lessen these impacts by protecting habitat and allowing for restoration of areas back to a natural state following construction. The presence of humans and noise from construction would also displace wildlife from the area. With the presence of construction, there will be the risk of harm or injury to wildlife from trenches and holes or machinery and vehicles. These impacts would be minimized through appropriate mitigation measures as outlined in the FONSI (Finding of No Significant Impact) to be issued by BLM. The mitigation measures would include covering holes and trenches during non-working hours and maintaining required speed limits during construction to protect wildlife.

The cumulative impacts analysis area for greater sage-grouse includes the project area and a four mile buffer. Greater sage-grouse habitat in the vicinity of the Proposed Action is categorized as Low Value Habitat/Transitional Range and Habitat of Moderate Importance (NDOW, 2013b). It is likely that this action combined with future and past

4.0 CUMULATIVE IMPACTS

activities will have a negative impact on greater sage-grouse habitat. The impacts are anticipated to be minor since the habitat is of low value and moderate importance and adherence to mitigation measures would lessen these impacts. Mitigation measures to reduce these impacts would include minimizing habitat disturbance to the amount necessary to perform the work, post-construction restoration of habitat, and installing proper raptor and raven perch deterrents on structures where perching may occur.

The land disturbance and habitat loss from the Proposed Action is 0.25 acres. In relation to the cumulative impacts analysis area and land disturbance from interrelated projects, the impact to wildlife would be cumulative incrementally depending on construction occurring and disturbance to wildlife.

4.3.4 Resource/Concern 4 Special Status Plant Species

The cumulative impacts area includes the project footprint and surrounding area. It is anticipated that this project combined with foreseeable and past actions would have a cumulative effect on special status plant species habitat. However, these impacts would be lessened by confining work and travel to designated routes and work areas, and confining disturbance to the absolute minimum necessary to perform the work safely and as designed. The impacts could also be lessened by post-construction re-contouring and re-vegetation through re-seeding and planting of salvaged cacti.

4.3.5 Resource/Concern 5 Fish and Wildlife

Fish

There will be no cumulative impacts from the proposed project combined with past or future actions because the project area contains no bodies of water nor do any occur adjacent to the project area resulting in no impacts.

Big Game

The Proposed Action combined with past and foreseeable future actions will likely have minimal impact on the pronghorn antelope, mule deer and desert bighorn sheep given the populations are stable and the Proposed Action is so small relative to the overall habitat distribution in the area. This project combined with other projects in the area will result in habitat loss and disturbance due to noise and human presence associated with construction; however it is likely these effects can be minimized through mitigation. The project area is so small compared to the overall actual distribution for the species that the habitat loss is minor and the disturbance temporary. Impacts to habitat from this project and other actions can be minimized by keeping disturbance to a minimum and working within the designated project limits. Post construction re-vegetation and contouring in accordance with agency guidelines would aid in the recovery of temporary habitat loss. Ensuring proper fencing and covering of holes and trenches should also be implemented as mitigation measures to protect this species during the proposed project and future actions.

Game Birds

For a discussion on cumulative effects to greater sage grouse, see section 4.3.2 for details.

4.0 CUMULATIVE IMPACTS

Other Wildlife

The cumulative effects of the Proposed Action combined with past and foreseeable future actions would have minimal impact on other wildlife because the project is so small relative to overall habitat in the area and future actions will likely be mitigated to minimize impacts to these species. Wildlife will be expected to flee the immediate area during construction resulting in temporary displacement due to construction noise and human presence. Loss of vegetation and soils in which animals use for burrowing and cover would also be lost, but these effects can be minimized by keeping work within designated areas and within the minimum space necessary to complete the work as designed. Post construction re vegetation and contouring as required by the BLM would allow for habitat recovery. Covering of trenches and holes and adhering to proper speed limits would reduce the impacts to wildlife by lessening the risk of injury or death.

4.3.6 Resource/Concern 6 Soil Resources

The cumulative effects of the Proposed Action combined with past and foreseeable future action would have minimal impact on the soil resource because the project area is very small (0.25 acres). Loss of soil can be expected during construction activities and during the time before revegetation occurs in the project area. This loss of soil during this time would be permanent. Due to the project area's small size there would be a negligible contribution to the cumulative effects of soil resources in the vicinity of Duckwater and Duckwater Hills.

4.3.7 Resource/Concern 8 Socioeconomics

The cumulative effects of the proposed action combined with past and foreseeable future action would have a positive effect for the Duckwater community. The tower not only provides a much needed affordable broadband service to the community, it also can be used for future co-locations of other services than can use the tower. The Proposed Action has a significant positive effect on the Socioeconomics of the Duckwater community and its surrounding areas.

5.0 CONSULTATION AND COORDINATION

5.1 Introduction

The issue identification section of Chapter 1 provides the rationale for issues that were considered but not analyzed further and identifies those issues analyzed in detail in Chapter 3. The issues were identified through the public and agency involvement process described in sections 5.2 and 5.3 below.

5.2 Persons, Groups and Agencies Consulted

Name	Purpose & Authority for Consultation or Coordination	Findings and Conclusions
Nevada State Historic Preservation Office (SHPO)	Consultation for undertakings as required by the National Historic Preservation Act (16 USC 1531)	The cultural survey report was sent to SHPO with a determination of no adverse effect. No response was received within 30 days from the submission of any of the reports. Consultation is therefore considered to be closed.

4.0 CUMULATIVE IMPACTS

State of Nevada Department of Wildlife	Consultation and scoping for undertakings for wildlife concerns	Recommendations for facility fence, communication tower, and construction timing were suggested for the Proposed Action.
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5.3 Summary of Public Participation

Letters were sent to identified tribal members for consultation about the Proposed Action regarding Native American Religious Concerns. These letters were mailed out on January 15, 2013 and responses were requested within 30 days (February 14, 2013) of the correspondence. The following Native American Tribes were contacted:

- Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
- Ely Shoshone Tribe of Nevada
- Confederated Tribes of the Goshute Reservation, Nevada-Utah
- Paiute Indian Tribe of Utah
- Indian Peaks Band
- Shivwits Band of Paiutes
- Cedar City Band of Paiutes
- Skull Valley Band of Goshute Indians of Utah
- Las Vegas Paiute Tribe of the Las Vegas Indian Colony
- Battle Mountain Band Council
- Te-Moak Tribe of the Western Shoshone Indians of Nevada
- Well Band Council
- South Fork Band Council
- Elko Band Council
- Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona
- Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada
- Yomba Shoshone Tribe of the Yomba Reservation, Nevada

During preparation of the EA, the public was notified of the Proposed Action by posting on the Environmental Notification Bulletin Board.

Any pertinent comments were incorporated into the text of this EA.

5.4 List of Preparers

5.4.1 BLM:

Name	Title	Responsible for the Following Section(s) of this Document
Lisa Gilbert	Archeologist Technician	Cultural Resources, Paleontological Resources
Erin Rajala	Outdoor Recreation Planner	Recreation, Visual Resources
Scott Standfill	Rangeand Management Specialist	Rangeland Health, Vegetation, Livestock Grazing Soils, Water Quality, Air Quality
Marian Lichtler	Wildlife Biologist	General Wildlife, Migratory Birds, Special Status Species

Name	Title	Responsible for the Following Section(s) of this Document
Timothy "T.J." Mabey	Forestry and Fuels Specialist	Forest Health
Elvis Wall	Native American Coordinator	Native American Religious and Other Concerns
Randall Johnson	Unit Aviation Manager	Health and Safety
Russell Jensen	Supr. Operations Mngr.	Hazmat
Ruth Thompson	Wild Horse Specialist	Wild Horses
Christopher McVicars	Natural Resource Specialist	Invasive and Nonnative Species
Emily Simpson	Wilderness Planner	Wilderness
Miles Kreidler	Geologist	Mineral Resources
Travis Young	Planning & Environmental Coordinator	Socio Economics, Environmental Justice and NEPA
Stephanie Trujillo	Realty Specialist	Project Lead; Lands and Realty

5.4.2 Non-BLM Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Jane Miller	Project Manager	Project construction details
Annette J. Thompson	Principal Investigator	Project specific content except biology and botany
Crystal G. Cogar	Supervising Biologist	Biology and Botany
John Ellis	GIS Manager	Maps
W. Bryan Cole	Senior Archaeologist	Editing
Erlinda Cantarero	Biologist	Biology
Marisa Musso	Biologist	Biology

6.0 REFERENCES AND ACRONYMS

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6.2 Acronyms

ACEC-Acra of Critical Environmental Concern

ACQ-Acquired

BLM-Bureau of Land Management

BMP-Best Management Practices

CESA-Cumulative Effects Study Area

CFR-Code of Federal Regulations

DR-Decision Record

EA-Environmental Assessment

EIS-Environmental Impact Statement

FLPMA-Federal Land Policy and Management Act

FCC-Federal Communications Commission

FLPMA-Federal Land Policy and Management Act

FONSI-Finding of No Significant Impact

FUP-Free Use Permit

FWS-Fish and Wildlife Service

HRFA-Healthy Forests Restoration Act

ID-Interdisciplinary

IM-Instructional Memorandum

MBTA-Migratory Bird Treaty Act

NDOW-Nevada Department of Wildlife

NEPA-National Environmental Policy Act

NRCS-Natural Resources Conservation Service

NRHP-National Register of Historic Places

NRS-Nevada Revised Statutes

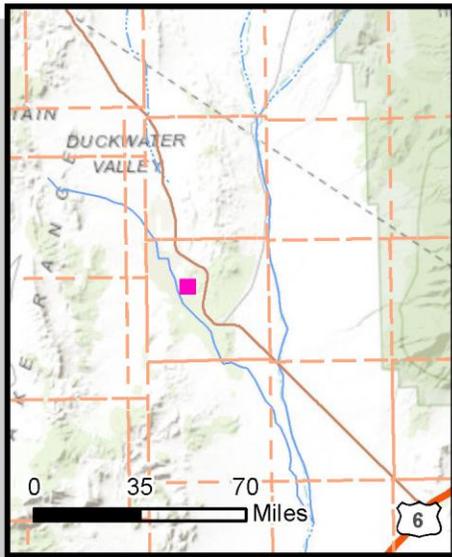
O&G-Oil and Gas

OSHA-Occupational Safety and Health Administration

R&PP-Recreation and Public Purpose

RFS-Reasonably Foreseeable Future Action
RMP-Resource Management Plan
ROW-Right-of-Way
USFS-United States Forest Service
USFWS-United States Fish and Wildlife Service
VRM-Visual Resource Management
WDL-Withdrawal
WSA-Wilderness Study Area

Figures



Map Name

Location Map

Map Datum and Coordinate System:

NAD 1983 UTM Zone 11N

Map Date

2/12/2014

ANTC Duckwater Communications Site Environmental Assessment

Legend

■ Project Location

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, iPC, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community



Map Number 1





Legend

- Project Area
- Electrical Service
- Access Road
- Electrical Meter Box
- Existing Tower Enclosure
- Existing Power Pole
- Proposed 10' x 16' Equipment Shelter
- Proposed 120' Self Support Tower

Map Name
Access Road, Power Line,
and Tower Locations

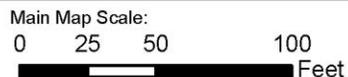
Map Datum and Coordinate System:
NAD 1983 UTM Zone 11N

Map Date
3/7/2014

Map Author
John Ellis, GISP

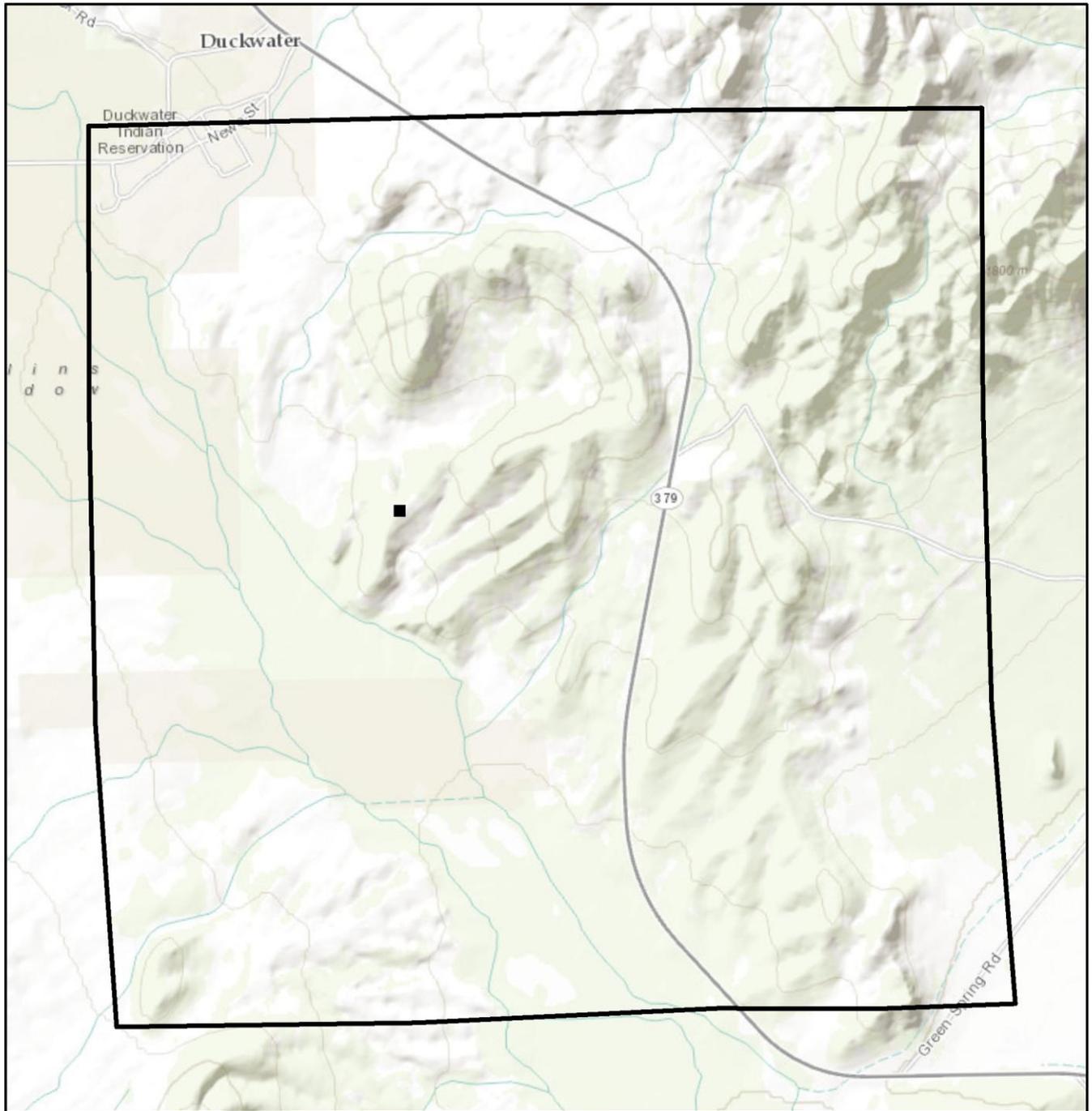
ANTC Duckwater Communications Site Environmental Assessment

Service Layer Credits: Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



Map Number 2





Legend

- Project Location
- ▭ Cumulative Effects Study Area

Map Name Cumulative Effects Study Area (CESA)		ANTC Duckwater Communications Site Environmental Assessment	
Map Datum and Coordinate System: NAD 1983 UTM Zone 11N			
Map Date 4/3/2014	Map Author John Ellis, GISP	Main Map Scale: 0 0.225 0.45 0.9 Miles	
<small>Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, iPC, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community</small>			

APPENDIX A – OTHER FEDERAL STATUTES, REGULATIONS, EXECUTIVE ORDERS, AND PLAN

Relationship to other federal statutes, regulations, Executive Orders (E.O.) and plans include:

- American Indian Religious Freedom Act 1978 (42 U.S.C. 1996)
- Archaeological Resource Protection Act of 1979 (16 U.S.C. 470aa to 47011)
- Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668 to 688d)
- Clean Air Act, as amended (42 U.S.C. 7401 *et seq.*)
- Clean Water Act of 1977 (33 U.S.C. 1251 *et seq.*)
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9615)
- Council on Environmental Quality (40 C.F.R. §1500)
- E.O. 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, January 10, 2001
- Endangered Species Act of 1973, as amended (16 U.S.C. 1531)
- Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*)
- Healthy Forests Restoration Act (HFRA) of 2003 (P.L.108-148)
- Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703 *et seq.*)
- National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*)
- National Historic Preservation Act, as amended (16 U.S.C. 470)
- Public Rangelands Improvement Act of 1978
- Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 *et seq.*)
- Safe Drinking Water Act, as amended (42 U.S.C. 300f *et seq.*)

All waters of the State of Nevada belong to the public, and may be appropriated for beneficial use pursuant to the provisions of Chapters 533 and 534 of the Nevada Revised Statutes (NRS). Any water used on the Proposed Action lands should be provided by an established utility or under permit issued by the Nevada Division of Water Resources (NDWR), State Engineer's Office.

APPENDIX B – PLAN OF DEVELOPMENT AND SF-299

REVISED PLAN OF DEVELOPMENT

FOR

DUCKWATER
TELECOMMUNICATION
TOWER FACILITY
PROJECT

**T. 12 N., R. 56 E., MDM, Sec. 16, NW¹/₄NW¹/₄SW¹/₄NW¹/₄ (within)
38°54'19.7"N, 115°41'17.7"W
Nye County, Nevada**

Submitted to:

**Bureau of Land Management (BLM)
Ely District Office
Egan Field Office
702 North Industrial Way
HC 33, Box 33500
Ely, Nevada 89301**

Submitted by:

**Arizona Nevada Tower Corporation (ANTC)
6220 McLeod Dr., Ste. 100
Las Vegas, Nevada 89120**

September 24, 2013

APPENDIX B

1. Purpose and Need of the Facilities

- a. An unmanned wireless telecommunications facility will be built.
- b. The site will be used to bring broadband wireless communications to the Duckwater area and tie in the communication line from Prospect Peak to Railroad Valley.
- c. The site will be a fenced area 100' W x 100' L, (10,000 square feet). The site will consist of a 120' self support lattice tower with a 4' lightning rod, a 10' x 20' radio equipment shelter, a meter bank on (2) concrete footers, and an underground electrical distribution line approximately 50'L.
- d. No. Existing facilities do not have room for the equipment necessary for our project.
- e. Yes, it will be constructed to allow for future expansion and permit subleasing of the facility.
- f. Yes, it can accommodate government agencies as sublessees.
- g. Yes, this facility is ancillary to our proposed locations at Prospect and Railroad Valley.
- h. Location was selected because it's previously disturbed and is an existing communication site. Private Property was eliminated from consideration due to terrain, direction, distance to proposed new facilities, and line-of-sight issues.

2. Right-of-way Location

- a. Proposed wireless facility is located in Nye County approximately 2 miles southeast of Duckwater, Nevada, off State Route 379, in T. 12 N., R. 56 E., MDM, Sec. 16, NW¹/₄NW¹/₄SW¹/₄NW¹/₄ (within).
- b. Location maps provided.
- c. Typical tower drawing(s) provided.
- d. An As-Built survey will be provided when construction is complete.

3. Facility Design Factors

See Table 1

TABLE 1 TYPICAL DESIGN CHARACTERISTICS		
Type of structure		Self Support Lattice Tower
Structure height		120'
Structure Color	Tower Shelter Fencing Utility Service Panel	Galvanized/Silver Exposed Aggregate, tan to brown Galvanized Utility Grey
Suitability	Soils Geology	Tower designed to meet soils investigation. Tower designed for current geological conditions
Right-of-way (ROW)	Length Width Area	100 feet 100 feet 10,000 sq. ft./approximately .23 acre
Technical	Wind Load Ice Load Antenna Centers Microwave Centers Coax Cable Electrical Service	80 mph ½" radial ice 76', 46' 76', 46' Up to 15 runs of 1 5/8" per antenna center 200 to 600 Amp main service (dependant on Utility) with 4 to 6 slot meter panel.

TABLE 1 (cont.) TYPICAL DESIGN CHARACTERISTICS		
Associated/Required ROWs	Electrical	Underground electric line approximately 10'W x 50'L from existing power pole to meter bank.
	Access road	Dirt access road exists from State Route 379. Need right-of-access on existing access road granted to SBC/Nevada Bell, N-46705. A site access road/driveway approximately 10'W x 50'L.
	Telephone	N/A
Conflicts		No conflicts are expected with frequency spectrum.
Compatibility		Tower is compatible for any licensed spectrum holder, or government agency. Facility will be lower power use and not interfere with existing users.
Land disturbed (approximate):		
Lease Area	100'W x 100'L	New disturbance (.23 ac).
Access Road/Driveway	10'W x 50'L	New disturbance (.01 ac).
Underground Electric Line	10'W x 50'L	New disturbance (.01 ac).
		Total New Disturbance (.25 ac).

4. Additional Components

- a. There are no existing components on private or public lands.
- b. Future components may be built on public lands, at which time an amendment will be applied for.
- c. No equipment storage areas are needed as construction activities will take place in the lease and driveway areas and utilizing the existing access road.

5. Government Agencies

- a. Federal Communications Commission "Towair's" determination is that the tower facility does not require registration, (attached).
- b. State and Local jurisdiction zoning/building permits will be obtained as required.

6. Facility construction

- a. No helicopter will be used.
- b. Site is established so temporary access is available to project area.
- c. Yes, site will be permanently fenced with a 6 foot chain link fence with 3 strands of barbed wire attached to angle brackets above and one 16 foot gate upon completion of erection of tower.
- d. Construction Activities
 1. Preconstruction activities would include survey work (staking of corners, centerline of permanent ROW), salvage of plants as determined by the BLM, staging of construction materials, deployment of equipment and removal of existing debris/trash currently on the proposed ROW.
 2. Following preconstruction activities, construction will include grubbing and removal, leveling of permanent ROW, digging foundation, placing forms, placing and tying steel reinforcement members, placing concrete, removal of forms, backfilling and

leveling of permanent ROW, assembly of tower, erection of tower with crane, fencing, placing foundation for equipment shelter, placing equipment shelter, assembly of electrical main service and meter bank, placing grounding system for tower/fencing and shelter, and final clean-up. The number of workers and type of equipment expected to be used to construct the proposed tower facility are provided in Table 2.

e. Work Force - See Table 2

Table 2 Typical Tower Construction Estimated Personnel and Equipment Required		
Function	Personnel	Equipment/Tonnage
Grubbing, Leveling, and debris removal	3 people/two days	Backhoe Tractor/10 tons 2 pickup trucks
Digging Foundation	3 people/two days	Track Excavator/20 tons Front end loader/20 tons 2 pickup trucks
Foundation Construction	4 people/seven days	Semi-truck w/trailer/40 tons Crane Truck/20 tons Water Truck/up to 4000 gal Compactor (stand behind) Generator less than 12kw 3 pickup trucks
Concrete Placement	22 people/two days	Concrete Pump Truck/20 tons Up to 15 concrete mixer trucks/300 tons Water Truck/up to 4000 gal Generator less than 12kw 3 pickup trucks
Backfilling and leveling	3 people/two days	Front end loader/20 tons Water truck/up to 4000 gal Compactor (stand behind) 2 pickup trucks
Tower Assembly	6 people/seven days	Truck Crane/20 tons All terrain Forklift/10 tons Generator less than 12kw 3 pickup trucks
Tower Erection	10 people/two days	All terrain crane/40 tons Support Transport/40 tons (2 flat bed semi trailers) All terrain forklift/10 tons Generator less than 12kw 5 pickup trucks
Fencing	4 people/three days	All terrain tractor/10 tons Generator less than 12 kw +5 cubic foot Concrete mixer 3 pickup trucks
Shelter foundation	3 people/four days	Up to 4 concrete mixer trucks/80 tons Backhoe tractor/10 tons Generator less than 12kw 2 pickup trucks
Shelter placement	8 people/one day	Semi-Truck w/trailer/40 tons All terrain crane/40 tons Generator less than 12kw 5 pickup trucks

Table 2 (cont.) Typical Tower Construction Estimated Personnel and Equipment Required		
Function	Personnel	Equipment/Tonnage
Electrical Main Service and Grounding System	3 people/two days	Backhoe tractor/10 tons Generator less than 12kw 2 pickup trucks
Final Grading and Rehabilitation	3 people/two days	Backhoe tractor/10 tons 2 pickup trucks
Total personnel required	72 people*	*more personnel may be used

- f. Flagging and staking of the ROW will be completed in the preconstruction phase of the development.
- g. Clearing of all natural vegetation will be required on the permanent ROW and access road/driveway. ROW will not be chemically treated unless required by BLM.
- h. Construction activities start with clearing the site of debris and vegetation, excavating the foundation with a track excavator (spoils from excavation will be stored adjacent to excavation and then spread on lease area when done), foundation reinforcement steel shipped to site by truck, foundation formed, reinforcement steel placed by truck crane, concrete poured utilizing concrete boom pump truck, up to 15 concrete mixer trucks cycled into site then pumped to foundation. (Clean out of concrete mixer trucks and concrete pump truck shall be confined to predetermined clean-out area). Foundation forms stripped and removed from site. Foundation backfilled and site leveled by front end loader. Tower components shipped to site by truck. Tower assembled on ground utilizing a truck crane/forklift. Tower lifted into place by crane. Fencing installed utilizing mechanical tools when possible. Shelter foundation completed. Shelter arrives by truck lifted into place by crane. Electrical panels installed. Permanent area cleaned (construction site and access roads will be kept in an orderly condition throughout the construction period. Refuse and trash will be removed from the site and disposed of in an approved manner). Disturbed surfaces will be restored to the original contour to the extent possible and reclamation will be completed. Salvaged plants will be used for revegetation, along with seeding, if appropriate.
- i. Tower construction requires the movement of vehicles onto the ROW. For this project, existing dirt access roads will be utilized. A single new access road/driveway (10'W x 50'L) will be constructed from existing access road (granted under N-46705) to site.
- j. Contingency planning Contacts
 1. Arizona Nevada Tower Corp.
6220 McLeod Dr., Ste. 100
Las Vegas, Nevada 89120
702-454-2682
 2. Bureau of Land Management
Ely District Office
Egan Field Office
702 North Industrial Way (HC 33, Box 33500)
Ely, Nevada 89301
- k. All personnel authorized by ANTC to perform services on the proposed project will adhere to current OSHA safety standards and all local, State or Federal safety standards.
- l. No industrial waste or toxic substances will be kept on the ROW.

7. Resource Values and Environmental Concerns

- a. Proposed project does not have any impact on designated corridors.
- b. See Table 3 for anticipated conflicts with resources or public health and safety.

Table 3		
Resource Values and Environmental Concerns		
Resource	Impact	Conflict
Air/Noise	Dust particulates will increase during construction. Noise levels might frighten wildlife during construction.	Temporary disturbances during construction only.
BLM projects/Special Designations	No Special Designations or BLM projects identified in project area.	No conflicts anticipated.
Cultural/Paleontological resources	None found in area of potential effect.	No conflicts anticipated, but if any resource is found during construction project will stop.
Energy Resources	Not within an area of Moderate to High Wind Energy Potential. Is within an Area of Moderate to High Solar Energy Potential.	No projects are constructed in this location so no conflicts anticipated.
Mineral/Geology/Soils	No known minerals on site. Soils will be disturbed on lease and driveway area during construction. Any excess will be utilized on lease and driveway area.	No conflicts anticipated.
Public Health & Safety	Site will be fenced to prevent public from encountering any radio frequency issues.	No conflicts anticipated.
Threatened/Endangered Species/Special Status Species/Migratory Birds	Within the Greater Sage Grouse Summer Range, and Pronghorn habitat. Desert Bighorn have been identified in an occupied range to the west of the lease area. Site will be fenced. Loss of habitat on .25 ac.	Holes will be covered during construction to avoid possible harm to wildlife. Tower is a possible nesting site. Will be monitored for nests and any found will be removed after fledglings leave.
Vegetation/Plants/Weeds	Total removal of vegetation on lease and driveway area. No noxious weeds have been identified in project area. Project is east of 3-Bars Ecosystem and Landscape Restoration Project.	None anticipated.
Visual Resources	Will add forms, lines, colors and textures to existing site which will have a minor cumulative impact.	Within a Class III area where moderate contrasts in the elements of the environment are consistent with BLM objectives. No conflicts anticipated.
Water/Riparian	No surface water on site.	No conflicts anticipated.
Wildlife/Grazing/Horse&Burro	Within Grazing Allotment #66. Approximately .25 ac that will be fenced.	During construction all holes will be covered to prevent wildlife danger and the lease area will be fenced upon completion.

8. Stabilization and Rehabilitation

- a. Spoils from the excavation will be utilized to fill-in low areas on the lease area and access road/driveway.
- b. Vegetation removed during construction will be disposed of appropriately.
- c. Seeding as directed by BLM.
- d. Fertilization as directed by BLM
- e. No limitations or restrictions on access to lease area.

9. Operation and maintenance

- a. State Route 379 is an all-weather road. The existing dirt access road from SR 379 will not be maintained as an all-weather road.
- b. No helicopter will be utilized at proposed location.
- c. All operational and maintenance personnel will be required to follow current safety standards (Local, State and Federal), and particular manufacturers standards for any safety device or tool in use.
- d. No industrial waste or toxic substances are expected to be produced or used in the operations of the proposed facility.
- e. Inspections are expected to occur monthly or as demanded by current conditions, requiring at a minimum one pickup truck and one person. Maintenance is predicated on outcome of any inspection but, tower maintenance is scheduled to occur yearly.
- f. Work schedules for operations and maintenance are dependent on current conditions and could occur at any time.
- g. There are no fire stations within the serviceable area. Fire extinguishers will be available during construction and made permanent within equipment shelter once site is operational and shall meet NFPA standards. All weeds will be removed from fenced area on a routine basis.
- h. Access to the site will be required throughout the ROW term. The current dirt access road leading away from SR 379 to the proposed site will be maintained as conditions demand.
- i. All signage required by Local, State, or Federal agencies, including emergency contacts, safety, licensing numbers, and trespass signs will be posted as required throughout the term of the lease.
- j. Inspections will be performed by government authorities as required. Independent annual inspections by a licensed inspector shall be conducted irregardless of government inspections.
- k. Contingency planning has been broken into two functions, (scheduled and emergency). Scheduled planning is a function of response time, requiring numerous contractors, sub-contractors or suppliers to meet the demands of planning. Emergency planning, as implemented, requires an on call contact around the clock. Emergency contact numbers will be posted on site.

10. Termination and Restoration

- a. Structures including the tower, equipment building(s), electrical main service, and any ground cover transported to site will be removed. The tower foundation (steel and concrete) will be removed to a depth of minus three feet from ground level; all other structures will be removed in their entirety.

- b. Following structure removal and cleanup. All disturbed surfaces will be restored to the original contour of the land surface to the extent determined by the BLM.
- c. Stabilization and re-vegetation, if required, will be completed using the current methods recommended by the BLM at the expiration of the ROW lease.

11. Mitigation Measures

- a. As part of standard operating procedures, standard mitigation measures (Table 4) will be implemented throughout the project in order to reduce potential adverse environmental impacts. Most of the impacts are short term and generally occur during the construction period.

Table 4 Standard Mitigation Measures
1) All construction vehicle movement outside of the ROW will be restricted to pre-designated access, contractor acquired access, or public roads.
2) The limits of construction activities will be predetermined, with activity restricted to and confined within those limits. No permanent paint or discoloring agent will be applied to indicate survey or construction activity limits. Environmentally sensitive areas, if present, will be flagged to alert all personnel of those areas to avoid during construction.
3) In construction areas where re-contouring is not required, vegetation will be left in place wherever possible to avoid excessive root damage and allow for re-sprouting.
4) Construction areas where ground disturbance is significant or where re-contouring is required, surface restoration will occur as directed by the BLM at the time. The method of restoration typically will consist of returning disturbed areas to their natural contour (to the extent practical).
5) Prior to construction, all personnel will be instructed on the protection of cultural, paleontological, and ecological resources. To assist in this effort, all construction contracts will address Federal and State Laws regarding antiquities, fossils, plants and wildlife, including removal and collection, and the importance of protecting them.
6) If an initial intensive cultural resource inventory survey is conducted prior to construction, impact avoidance and mitigation measures, if required, will be developed in consultation with the BLM.
7) Any person working on ANTC's behalf will immediately report any cultural and/or paleontological resource discovered during construction to ANTC's authorized personnel, who will immediately report the finding to the authorized officer of the BLM. ANTC will suspend operations in the area until an evaluation is completed, to prevent the loss of cultural or scientific values.
8) All construction and maintenance activities will be conducted in a manner that would minimize disturbance to vegetation, drainage channels and overland areas. In addition, dust-control measures will be utilized as necessary during construction in sensitive areas. All existing dirt access roads will be left in a condition equal to or better than their condition prior to construction activities.
9) All requirements of those entities having jurisdiction over air quality matters will be adhered to and any necessary permits for construction activities would be obtained. Open burning of construction trash will not be allowed on BLM lands.
10) Fences and gates, if damaged or destroyed by construction activities, will be repaired or replaced to their original pre-disturbed condition.
11) During construction and operation of tower facility, the ROW will be maintained free of construction related non-biodegradable debris.
12) Totally enclosed containment will be provided for all hazardous materials (if needed). All construction waste including trash, litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials will be removed to a disposal facility authorized to accept the waste.
13) Construction holes without an avenue of escape will be covered overnight to prevent wildlife danger.
14) ANTC or any party working on their behalf will clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public lands.

Table 4 (cont.) Standard Mitigation Measures
15) No widening of existing dirt access roads will be undertaken in the area of construction and operation, except for repair necessary to make the road(s) passable.
16) There will be no blading of new access roads in the area of construction except as authorized. Existing crossings will be utilized at washes. The access route(s) will be flagged with an easily seen marker.
17) Modified structure design may be utilized as necessary to minimize ground disturbance or operational conflicts.
18) Existing roads or trails that will be blocked as a result of construction will be rerouted as directed by the authorizing officer.

- b. Additional stipulations in Table 5 will be implemented throughout the construction and operation of the project and will be included as part of standard operating procedures.

Table 5 Stipulations-Standard Operating Procedures
1) ANTC will construct, operate and maintain the facilities, improvements, and structures within the ROW in strict conformity with the plan of development as it is approved and made part of the ROW lease. A copy of the complete ROW lease, including any stipulations and approved plan(s) of development, will be made available on the ROW during construction.
2) ANTC will submit a plan or plans of development that describe in detail the construction, operation, maintenance and termination of the ROW and its associated improvements and or/facilities. The degree and scope of these plans will vary depending on (1) the complexity of the ROW, (2) the anticipated conflicts that require mitigation, and (3) additional technical information required by the authorizing officer. An approved plan of development will be made a part of the ROW lease.
3) ANTC will designate a representative(s) who will have the authority to act upon and implement instructions from the authorized officer within a reasonable time when construction or other surface-disturbing activities are underway.
4) The design and location of all facilities shall be approved by the authorized officer prior to construction.
5) The holder will protect all survey monuments found within the ROW.
6) The holder of this ROW lease or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) and the regulations of the Secretary of Interior issued pursuant hereto.
7) ANTC will mark the exterior boundaries of the ROW with a distinctive color stake or lath. Holder will maintain all boundary stakes/markers in place until construction, final cleanup, and restoration are completed, to the best of its ability.
8) The holder will conduct all activities associated with the construction, operation and termination of the ROW within the authorized limits of the ROW.
9) All design; material; and construction operation, maintenance, and termination practices will be in accordance with safe and proven engineering practices.
10) The holder will inform the authorized officer within 48 hours of any accident on federal lands that require reporting.
11) During conditions of extreme fire danger, operations may be suspended or limited in certain areas.
12) The holder may be held liable for damage or injury to the United States to the extent provided by 43 CFR. The holder may have liability pursuant to provision in 43 CFR to the United States resulting from fire or soil movement caused or substantially aggravated by any of the following within the ROW. *Activities of the holder including, but not limited to construction, operation, maintenance and termination of the facility. *Activities of other parties including, but not limited to: land clearing, earth-disturbing, moving, and blasting.
13) Within 360 days of completion, the holder will submit to the authorized officer, as built drawings and any inspection reports certifying construction and testing in accordance with the design, plans and specifications.

Table 5 (cont.) Stipulations-Standard Operating Procedures
14) Construction site(s) will be maintained in a sanitary condition at all times. Waste material will be disposed of promptly at an appropriate waste disposal site.
15) The lessee and others under their direction will clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public land under this lease.

12. Supplemental Information

- a. The shelter will be shipped to the ROW in modular units sized to house the necessary telecommunication components of the tower tenant(s). The overall combined size of the shelter at full occupancy is approximated at 10' x 20'. Once tower construction is complete and available for tenants, shelter(s) will be placed, which then triggers deployment of carrier(s). Deployment requires that the tenant run coax lines and antenna(s) from the tower facility to the equipment shelter, these coax runs may be run overhead in a cable tray or underground utilizing conduit dependant on final investigation of current conditions at the tower facility.
- b. Concrete foundations for the shelter will be placed on an as required basis for the modular unit being placed.
- c. Total estimated personnel required to place shelter foundation and shelter as outlined above (Table 2). Additional personnel required to set Antenna(s), Coax Lines, cable trays/conduit and electrical service to equipment shelter. This will be a one time occurrence for each tenant and is estimated as outlined in Table 6:

Table 6 Typical Tenant Installation Estimated Personnel and Equipment		
Function	Personnel	Equipment/Tonnage
Antenna/Coax Installation	5 people/four days	2 pickup trucks Generator less than 12kw
Cable tray/conduit/electrical	6 people/three days	2 pickup trucks Backhoe tractor/10 tons
Communication equipment installation	4 people/three days	2 pickup trucks
Testing and Commencement	2 people/three days	2 pickup trucks

- d. Continuing operations of tenant's communication equipment will require site visitation by service personnel on an as needed basis dependant of current conditions but, at a minimum it is expected that the facility will be inspected by tenants personnel monthly or sooner throughout the term of the grant.
- e. Tenant(s) will be subject to terms and conditions of this Plan of Development and any current or subsequent modification to the plan of development or underlying ROW grant.

**APPLICATION FOR TRANSPORTATION AND
 UTILITY SYSTEMS AND FACILITIES
 ON FEDERAL LANDS**

FORM APPROVED
 OMB NO. 1004-0189
 Expires: April 30, 2012

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date filed

1. Name and address of applicant (include zip code)

**Arizona Nevada Tower Corporation
 6220 McLeod Dr., Ste. 100
 Las Vegas, NV 89120**

2. Name, title, and address of authorized agent if different from Item 1 (include zip code)

3. TELEPHONE (area code)

Applicant

702-454-2682

Authorized Agent

4. As applicant are you? (check one)

- a. Individual
- b. Corporation*
- c. Partnership/Association*
- d. State Government/State Agency
- e. Local Government
- f. Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. New authorization
- b. Renewing existing authorization No.
- c. Amend existing authorization No.
- d. Assign existing authorization No.
- e. Existing use for which no authorization has been received*
- f. Other*

*If checked provide details under Item 7

We changed it to 120'

6. If an individual, or partnership are you a citizen(s) of the United States? Yes No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

a) communications facility; b) site 100' x 100', 80' self support lattice tower, 10' x 16' equipment building, meter panel on concrete footers, access drive 10' x 50'; c) see b; d) 30 years; e) 24/7; f) none; g) 2 years to obtain zoning; permits; award contracts and construct; h) none needed as all construction will take place within the ROW lease area.

**T. 12 N., R. 56 E., MDM, Sec. 16, NW¼NW¼SW¼NW¼ (within)
 Existing Duckwater Communication Site**

THIS IS AN ARRA PROJECT-FUNDED THROUGH A U.S. DEPARTMENT OF AGRICULTURE GRANT for the Broadband Initiative Project, which is supported by the President, Governor and Senators to bring broadband internet to rural communities in the State of Nevada.

8. Attach a map covering area and show location of project proposal **Attached**

9. State or local government approval: Attached Applied for Not required **Construction/Zoning Permits obtained as required**

10. Nonreturnable application fee. Attached Not required **Upon Cost Determination**

11. Does project cross international boundary or affect international waterways? Yes No (If "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Arizona Nevada Tower Corporation operates many communication facilities throughout the State of Nevada and is financially capable of constructing, operating, maintaining and if necessary, terminating any site authorized.

13a. Describe other reasonable alternative routes and modes considered.

Locations were analyzed on private lands and other public lands.

b. Why were these alternatives not selected?

Due to terrain issues and the necessity for line of sight to Prospect Peak and Railroad Valley proposed sites, and this being an established communication site, other locations were considered but not viable for the project as proposed.

c. Give explanation as to why it is necessary to cross Federal Lands

This is an existing communication facility and rather than apply for a single site on public land this location was chosen. Private lands did not offer the needed line of sight for the project as proposed.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

N-80388, N-80509 (Ely), N-77165, N-91089 (Battle Mt-Tonopah), N-62277 (Carson City-Stillwater), N-80559 (Southern Nevada-Pahrump),

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

This project is needed to connect the broadband internet project from Mt. Hope to Reynolds Ranch. Costs of this project are approximately \$300,000. Fiber is not available so no other alternative is available. It will bring multiple public benefits to an area not currently served by broadband internet.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

This will bring essential business infrastructure to rural Nevada, create strategic partnerships with Public Safety, Hospitals, Schools and Local Governments, allow entrepreneurs to avail themselves with increased customer bases to compete in the global economy, increase competition, remove time and geographic barriers to rural residents, create opportunities through e-learning and online content, connect health care providers through telemedicine applications, and allow seniors and low income families to have affordable internet without leaving their rural community.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

a) temporary disturbance during construction; b) minor cumulative visual impact by adding other structures; c) no effects; d) none; e) temporary during construction; f) removal of vegetation from lease and drive areas.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

(a) none on fish, plantlife in lease and drive will be removed, wildlife may be disturbed by noise during construction but holes will be covered to prevent injury to wildlife, none to marine life. No T&E known in lease area and measures taken to prevent endangerment during construction, (b) no marine mammals, no hunting, capturing, collecting, or killing of animals.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

No hazardous material as defined above will be used, produced, transported or stored on or within the ROW or any of the ROW facilities, or used in the construction, operation, maintenance or termination of the ROW or any of its facilities.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

**Bureau of Land Management
Ely Field Office
702 North Industrial Way (HC 33, Box 33500)
Ely, Nevada 89301**

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

09/14/2012

Title 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 3)

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS
AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

U.S. Department of Agriculture
FOREST SERVICE (USFS)
Alaska Regional Office (Region 10)
Physical Address:
Federal Office Building
709 West 9th Street
Juneau, Alaska 99801
Mailing Address:
P.O. Box 21628
Juneau, Alaska 99802
Telephone: 907-586-8806

U.S. Department of the Interior
BUREAU OF INDIAN AFFAIRS (BIA)
Alaska Regional Office (Juneau)
Mailing/Physical Address:
P.O. Box 25520
709 West 9th Street
Juneau, Alaska 99802
Telephone: 800-645-8397

U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT (BLM)
Alaska State Office
Mailing/Physical Address:
222 West 7th Avenue #13
Anchorage, Alaska 99513
Telephone: 907-271-5960

U.S. Department of the Interior
NATIONAL PARK SERVICE (NPS)
Alaska Regional Office (Anchorage)
Mailing/Physical Address:
240 West 5th Avenue, Room 114
Anchorage, Alaska 99501
Telephone: 907-644-3501

U.S. Department of the Interior
FISH AND WILDLIFE SERVICE
Alaska Regional Office (Region 7)
Mailing/Physical Address:
1011 East Tudor Road
Anchorage, Alaska 99501
Telephone: 907-271-5011

Note: Filings with any Department of the Interior agency may be filed with any office noted above or with the:

U.S. Department of the Interior
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
Alaska Regional Office (Anchorage)
Regional Environmental Officer
1689 C Street, Room 119
Anchorage, Alaska 99501
Telephone: (907) 271-5011

U.S. Department of Transportation
FEDERAL AVIATION ADMINISTRATION
Alaska Regional Office (Anchorage)
222 West 7th Avenue, #14
Anchorage, Alaska 99513
Telephone: 907-271-5269

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and ranges within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 - The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 - Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide additional instructions	CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.	<input type="checkbox"/>	<input type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.	<input type="checkbox"/>	<input type="checkbox"/>

* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides that you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit. Not disclosing it may result in rejecting the application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal Lands.

Federal agencies use this information to evaluate your proposal.

No Federal agency may request or sponsor and you are not required to respond to a request for information which does not contain a currently valid OMB Control Number.

BURDEN HOURS STATEMENT: The public burden for this form is estimated at 25 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0189), Bureau Information Collection Clearance Officer (WO-630) 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, Realty and Cadastral Survey, 1620 L Street, N.W., Rm. 1000 LS, Washington, D.C. 20036.

**APPENDIX C – APPLICANT MITIGATION MEASURES AND STANDARD
OPERATING PROCEDURES**

Applicant Mitigation Measures:

1. All construction vehicle movement outside of the ROW will be restricted to pre-designated access, contractor acquired, and/or public roads.
2. The limits of construction activities will be predetermined, with activity restricted to and confined within those limits. No permanent paint or discoloring agent will be applied to indicate survey or construction activity limits. Environmentally sensitive areas, if present, will be flagged to alert all personnel of those areas to avoid during construction.
3. In construction areas where re-contouring is not required, vegetation will be left in place wherever possible to avoid excessive root damage and allow for re-sprouting.
4. Construction areas where ground disturbance is significant or where re-contouring is required, surface restoration will occur as directed by the BLM at the time. The method of restoration typically will consist of returning disturbed areas to their natural contour (to the extent practical).
5. Prior to construction, all personnel will be instructed on the protection of cultural, paleontological, and ecological resources. To assist in this effort, all construction contracts will address Federal and State Laws regarding antiquities, fossils, plants and wildlife, including removal and collection, and the importance of protecting them.
6. Any person working on ANTC's behalf will immediately report any cultural and/or paleontological resource discovered during construction to ANTC's authorized personnel, who will immediately report the finding to the authorized officer of the BLM. ANTC will suspend operations in the area until an evaluation is completed, to prevent loss of cultural or scientific values.
7. All construction and maintenance activities will be conducted in a manner that would minimize disturbance to vegetation, drainage channels and overland areas. In addition, dust-control measures will be utilized as necessary during construction in sensitive areas. All existing dirt access roads will be left in a condition equal to or better than their condition prior to construction activities.
8. All requirements of those entities having jurisdiction over air quality matters will be adhered to and any necessary permits for construction activities would be obtained. Open burning of construction trash will not be allowed on BLM lands.
9. Fences and gates, if damaged or destroyed by construction activities, will be repaired or replaced to their original pre-disturbed condition.
10. During construction and operation of tower facility, the ROW will be maintained free of construction related non-biodegradable debris.
11. Totally enclosed containment will be provided for all hazardous material (if needed). All construction waste including trash, litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials will be removed to a disposal facility authorized to accept the waste.

12. Construction holes without avenue of escape will be covered overnight to prevent wildlife danger.
13. ANTC or any party working on their behalf will clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public lands.
14. No widening or existing dirt access roads will be undertaken in the area of construction and operation, except for repair necessary to makes road(s) passable.
15. There will be no blading of new access roads in the area of construction except as authorized. Existing crossings will be utilized at washes. The access route(s) will be flagged with an easily seen marker.
16. Modified structure design may be utilized as necessary to minimize ground disturbance or operational conflicts.
17. Existing roads or trails that will be blocked as a result of construction will be rerouted as directed by the authorized officer.

Standard Operating Procedures/Stipulations:

1. ANTC will construct, operate and maintain the facilities, improvements, and structures within the ROW in strict conformity with the plan of development as it is approved and made part of the ROW lease. A copy of the complete ROW lease, including any stipulations and approved plan(s) of development, will be made available on the ROW during construction.
2. ANTC will submit a plan or plans of development that describe in detail the construction, operation, maintenance and termination of the ROW and its associated improvements and/or facilities. The degree and scope of these plans will vary depending on (1) the complexity of the ROW, (2) the anticipated conflicts that require mitigation, and (3) additional technical information required by the authorizing officer. An approved plan of development will be made a part of the ROW lease.
3. ANTC will designate a representative(s) who will have the authority to act upon and implement instructions from the authorized officer within a reasonable time when construction or other surface-disturbing activities are underway.
4. The design and location of all facilities shall be approved by the authorized officer prior to construction.
5. The holder will protect all survey monuments found within the ROW.
6. The hold of this ROW lease or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) and the regulations of the Secretary of Interior issued pursuant hereto.
7. ANTC will mark the exterior boundaries of the ROW with a distinctive color stake or lath. Holder will maintain all boundary stakes/markers in place until construction, final cleanup, and restoration are completed, to the best of its ability.

8. The holder will conduct all activities associated with the construction, operation and termination of the ROW within the authorized limits of the ROW.
9. All design; material; and construction operation, maintenance, and termination practices will be in accordance with safe and proven engineering practices.
10. The holder will inform the authorized officer within 48 hours of any accident on federal lands that require reporting.
11. During conditions of extreme fire danger, operations may be suspended or limited in certain areas.
12. The holder may be held liable for damage or injury to the United States to the extent provided by 43 CFR. The holder may have liability pursuant to provision in 43 CFR to the United States resulting from fire or soil movement caused or substantially aggravated by any of the following within the ROW.
 - a. Activities of the holder including, but not limited to construction, operation, maintenance and termination of the facility.
 - b. Activities of other parties including, but not limited to: land clearing, earth-disturbing, moving, and blasting.
13. Within 360 days of completion, the holder will submit to the authorized officer, as built drawings and inspection reports certifying construction and testing in accordance with the design, plans and specifications.
14. Construction site(s) will be maintained in a sanitary condition at all times. Waste material will be disposed of promptly at an appropriate waste disposal site.
15. The lessee and others under their direction will clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public lands under this lease.