



U.S. Department of the Interior

Connectivity in Rural America

Leveraging Public Lands for Broadband Infrastructure

Report in Response to the Presidential Memorandum for the Secretary of the Interior dated January 8, 2018



July 2018

TABLE OF CONTENTS

Executive Summary	4
Need for This Report	4
Recent and Projected Trends in Wireless Broadband	7
Federal Communications Site Program Working Groups	10
Report and Recommendations	13
Chapter 1 – Bureau of Land Management (BLM)	13
Communications Site Program and Background	13
BLM Section 1: Regulations, Policies, and Guidance	18
BLM Section 2: Environmental Analysis	23
BLM Section 3: Leasing and Permitting	26
BLM Section 4: Fair Market Value Rental	31
BLM Section 5: Program Administration	33
Chapter 2 – U.S. Fish and Wildlife Service (FWS)	40
Communications Site Program and Background	40
FWS Section 1: Regulations, Policy, and Guidance	45
FWS Section 2: Environmental Review	46
FWS Section 3: Approval of Use Authorizations	47
FWS Section 4 - Valuation and Appraisal for Land Use	49
FWS Section 5. Program Administration	50
Chapter 3 – National Park Service (NPS)	51
Communications Site Program and Background	51
NPS Section 1: Regulations, Policy, and Guidance	56
NPS Section 2 – Environmental Review	58
NPS Section 3 - Permitting	58
NPS Section 4 - Fair Market Value Rental	59
NPS Section 5 - Program Administration	60
Chapter 4 – Bureau of Reclamation (Reclamation)	62

Communications Site Program and Background	62
Reclamation Section 1: Regulations, Policy, and Guidance	65
Reclamation Section 2: Environmental Review	65
Reclamation Section 3: Approval of Use Authorizations	66
Reclamation Section 4: Valuation and Appraisal for Land Use	67
Reclamation Section 5: Program Administration	67
Chapter 5 – Bureau of Indian Affairs (BIA)	69
Communications Site Program and Background	69
BIA Section 1: Regulations, Policy and Guidance	72
BIA Section 2: Environmental Review and Other Related Activities	73
BIA Section 3: Rights-of-way, Leasing and Permitting	74
BIA Section 4: Fair Market Value Rental	75
BIA Section 5 - Ownership of Trust Indian Lands and Program Administration	76
Next Steps	78

List of Attachments

- Attachment 1 – Issue/Action Summary by Agency (10 pages)
- Attachment 2 – Presidential Memorandum for the Secretary of the Interior, January 8, 2018 (2 pages)
- Attachment 3 – SF-299, Application for Transportation and Utility Systems and Facilities on Federal Lands (8 pages)
- Attachment 4 – Why does BROADBAND matter? (NTIA) (2 pages)
- Attachment 5 – What SPEED Do You Need? (NTIA) (1 page)
- Attachment 6 – Improving Rights-of-Way Management Across Federal Lands: A Roadmap for Greater Broadband Deployment (NTIA, 2004) (48 pages)
- Attachment 7 – User Guide for ACHP’s Program Comments for Communications Projects on Federal Lands and Property (2 pages)
- Attachment 8 – BLM Outline of Potential Regulatory Revisions (2 pages)
- Attachment 9 – Examples of Permitting Timeframe (BLM, Serial Register Pages) (3 pages)
- Attachment 10 – Categorical Exclusions Across the Agencies (3 pages)
- Attachment 11 – Areas of Critical Environmental Concern (BLM List) (91 pages)
- Attachment 12 – National Landscape Conservation System (BLM Summary Table) (1 page)
- Attachment 13 – National Landscape Conservation System: Wilderness Areas (BLM List) (6 pages)
- Attachment 14 – National Landscape Conservation System: Wilderness Study Areas (BLM List) (16 pages)
- Attachment 15 – Industry Feedback from June 29, 2018 Listening Session (58 pages)

Executive Summary

Need for This Report

The Department of the Interior (DOI) is responsible for managing nearly 500 million acres of surface estate nationwide, or 1 in every 5 acres in the United States. For instance, the Bureau of Land Management currently manages approximately 245 million acres; the U.S. Fish and Wildlife Service manages 96.2 million acres; and the National Park Service manages 84.6

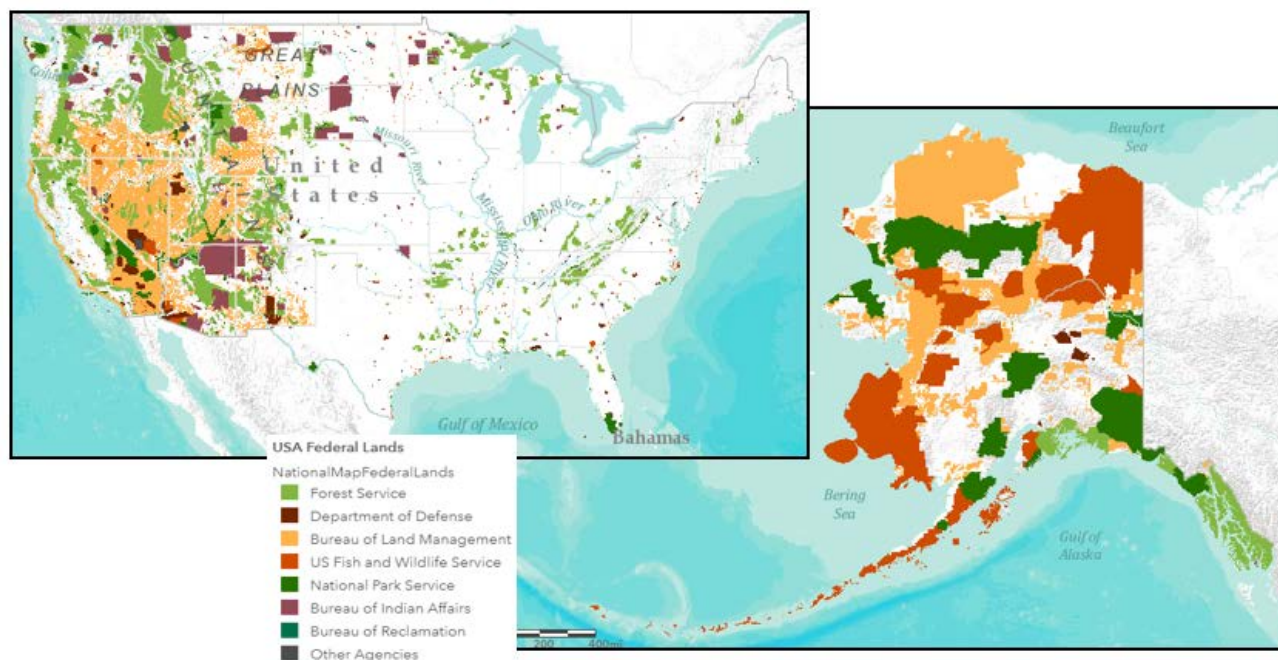


Figure 1: Map of Public Lands in the United States

million acres, with other Federal agencies managing the remaining area. The public lands, refuges, and national parks are managed under different principles, as outlined in the laws and regulations established for each agency. Most of the public lands managed by the DOI are located west of the Mississippi River in 11 western states and Alaska (Figure 1).

According to a Federal Communications Commission (FCC) broadband deployment report in 2018, 97% of Americans in urban areas have access to high-speed internet service/broadband, while over 24 million Americans in rural America still lack fixed terrestrial broadband at speeds of 25 Mbps/3 Mbps. Moreover, 14 million rural Americans and 1.2 million Americans living on tribal lands still lack mobile LTE broadband at speeds of 10 Mbps/3 Mbps. Many of the areas that remain underserved are located in the rural West—where the DOI manages significant land holdings. While communications companies, cooperatives, and other private entities ultimately make decisions on locations to construct and/or upgrade broadband infrastructure, from communications towers to linear rights-of-way for fixed terrestrial broadband access, the

Department administers a significant amount of land as well as existing permitted infrastructure that can be leveraged for increased connectivity in rural America. By making it easier for private industry to colocate or build out new broadband infrastructure on public lands, the DOI can play a strong role in increasing connectivity throughout the United States. See Attachment 1 for a summary of issues and actions by agency.

On January 8, 2018, and in association with the release of Executive Order (EO) 13821,¹ a Presidential Memorandum (Attachment 2) was issued to the Secretary of the Interior entitled, *Supporting Broadband Tower Facilities in Rural America on Federal Properties Managed by the Department of the Interior*. This memorandum states that it is the policy of the executive branch to make Federal assets more available for rural broadband deployment, with due consideration for national security concerns. The memorandum directs the Secretary to “...develop a plan to support rural broadband development and adoption by increasing access to tower facilities and other infrastructure assets managed by the Department of the Interior (DOI)” and to “identify assets that can be used to support rural broadband deployment and adoption.”

In response to the Presidential memorandum, DOI’s Deputy Assistant Secretary for Lands and Minerals directed the Bureau of Land Management (BLM) to work in coordination with all appropriate DOI agencies in order to develop a GIS (Geographic Information Systems)-based tool to show clearly the existing broadband infrastructure on public lands for potential colocation and identify existing burdens that may hinder broadband infrastructure deployment on public lands. This report is designed to provide decisionmakers with specific actions that will directly improve the deployment of rural broadband infrastructure on public holdings.

In order to meet the goal of “identifying assets” in accordance with the Presidential memorandum, the BLM has published, for internal use, a web-based mapping application in coordination with other DOI agencies (Figure 2). This application allows users to see locations of existing Federal broadband infrastructure, filter data, and add layers for analysis. Each layer includes information, such as serial number, which is available with a mouse click. This streamlines the broadband permitting process by enabling customers to identify land management agencies and designations early, make informed choices, and ultimately improve the permitting process.

¹ Executive Order 13821, *Streamlining and Expediting Requests To Locate Broadband Facilities in Rural America*.

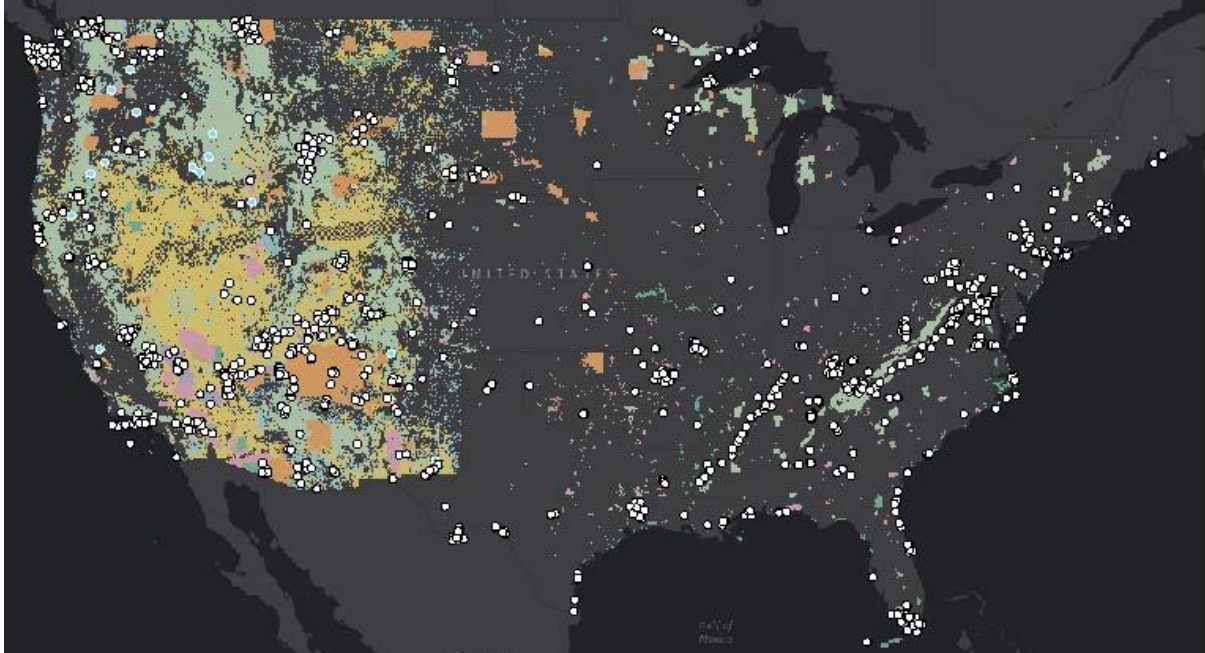


Figure 2: Snapshot from DOI's Broadband Joint Overview - Established Locations (JOEL) Map

The processes for authorizing communications facilities are complex and include numerous process-driven steps. Most DOI agencies use a common form, SF-299, for industry to submit an application to place broadband infrastructure on public lands. Processing this form and complying with all appropriate laws and regulations, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA), requires the work of many different people to evaluate and authorize or deny the permit. Primary staff charged with the permitting workflow include realty specialists, wildlife biologists and/or threatened and endangered species specialists, archaeologists, visual resource specialists, communication technicians, and cadastral surveyors. Generally, the realty specialist will work as a project manager, ensuring that each specialist analyzes the application, coordinates with the applicant, and ultimately prepares the authorization consistent with the environmental analysis. Each person plays a critical role in the process, and not having any one of these specialists could potentially delay the authorization.

Existing land patterns and land use planning can also be an obstacle to rural broadband development. Much of the public lands administered through the DOI are available for broadband infrastructure development unless there is a designation restricting the development, (primarily wilderness and wilderness study areas, where development is precluded). Other land use designations, such as national monuments, wild and scenic rivers, areas of critical environmental concern (ACECs), and other surface-limiting stipulations or buffer zones, make development and permitting cumbersome. For instance, many Alaskan villages remain surrounded by public lands, and in some cases land use restrictions may limit or prohibit broadband infrastructure deployment.

EO 13821 states, “...and Federal property managing agencies shall use the GSA Common Form Application for wireless service antenna structure siting developed by the Administrator for requests to locate broadband facilities on Federal property...” The DOI along with the other land managing agencies use the SF-299 as the standard application form for broadband uses (see Attachment 3). All of the permitting agencies are currently working with the General Services Administration (GSA) to develop a common form along the lines of the SF-299. None of the DOI agencies currently provides e-filing capabilities, however, which could significantly enhance project timeframe accountability and improve workflow.

This report is based on the DOI’s direction to develop recommendations for streamlining the communications site program and internal comments from agency subject matter experts. The results of this effort and its recommendations are summarized in this report. Ultimately, the DOI aims to use this report to better facilitate broadband infrastructure upgrades and improvements in rural America by: 1) clearly identifying assets, 2) providing solutions that will streamline leasing and permitting, 3) increasing program efficiency, and 4) updating antiquated regulations.

Recent and Projected Trends in Wireless Broadband

In the 21st century, broadband is just as vital as roads and bridges, electrical lines, and sewer systems. At the community level, an advanced telecommunications network is critical for driving growth, growing small business, creating jobs, and remaining competitive in the information-age economy. At the individual level, access to broadband—and the expertise to use it—opens the door to employment opportunities, educational resources, health care information, government services, and social networks.

As the demand for wireless broadband continues to increase in the United States, it is reasonable to predict an increase for new facilities on public lands. Mobile data traffic grew by 120% in the United States during 2013 because there are more mobile devices owned per household such as phones, tablets, video streaming boxes, and smart home equipment. According to a Cisco mobile data traffic forecast (see Figure 3), studies indicate that mobile data traffic by user will

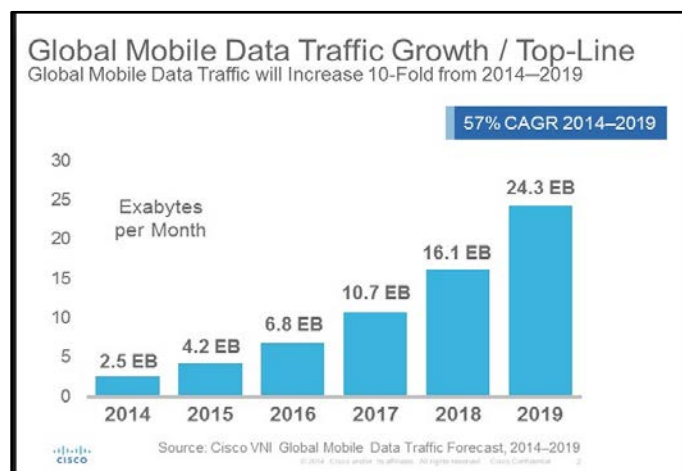


Figure 3: Data Traffic Growth, 2014–2019, Cisco

increase from 1,893 megabytes per month in 2014 to 11,029 megabytes per month in 2019.² In addition, global mobile data traffic growth is projected to grow tenfold in 2014–2019.

According to the FCC’s National Broadband Map³ on maximum broadband speed availability, a large majority of the rural West shows limited to no access to broadband services with speeds at or above 3–5 Mbps. The National Telecommunications and Information Administration (NTIA) suggests download speeds for common broadband needs range from 1 Gbps for a hospital, 100Mbps – 1Gbps for a school, 50 Mbps for a small business, and 25 Mbps for at-home use (see Attachment 4 and 5). Figure 4 shows a side-by-side of the FCC’s wireless access map alongside areas with significant public lands.

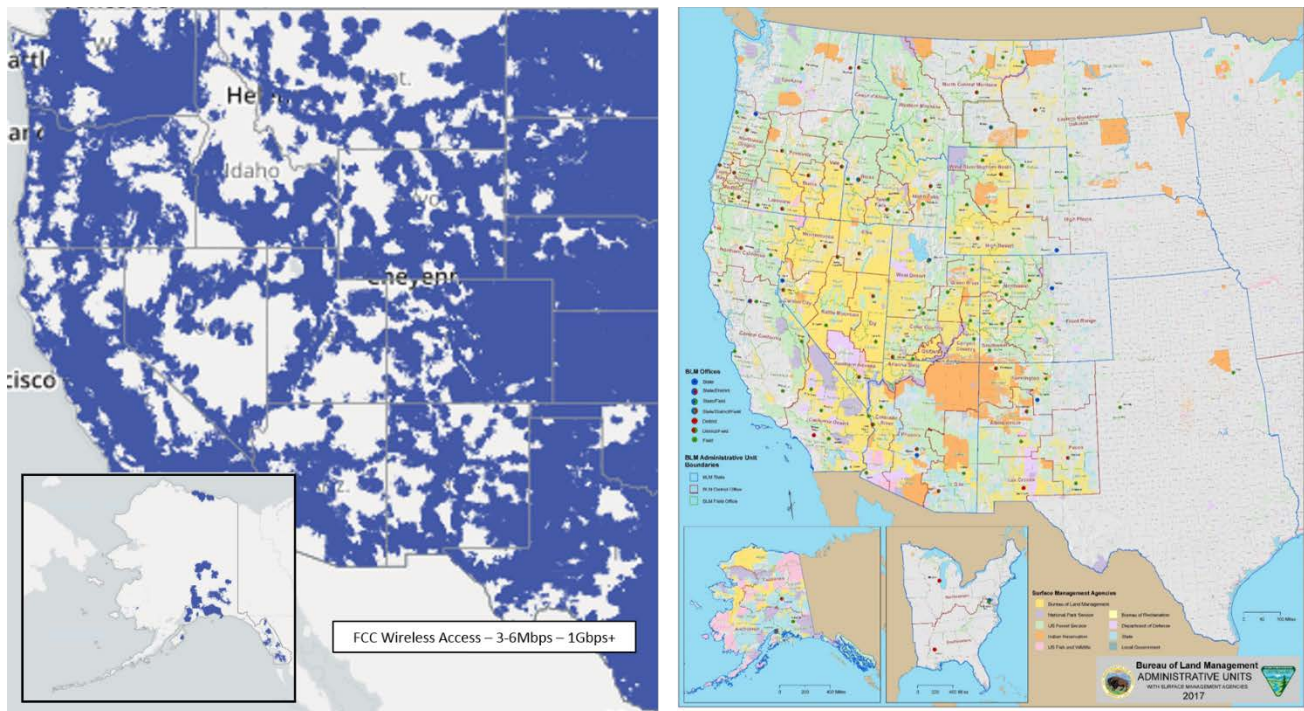


Figure 4: FCC Wireless Access Map Showing Current Access (Dark Blue) Compared with Public Lands Footprint

Cellular carriers continue the build-out for their service areas in the western United States reaching rural population areas where DOI-administered lands will play an integral role in delivering rural broadband service. Construction of new facilities to implement first responder and emergency networks, such as FirstNet,⁴ requires additional sites on public lands. The

² Source: Cisco VNI Mobile Data Traffic Forecast 2014–2019.

³ <https://www.broadbandmap.gov/>

⁴ The FirstNet mission is to deploy, operate, maintain, and improve the first high-speed, nationwide wireless broadband network dedicated to public safety. This reliable, highly secure, interoperable, and innovative public safety communications platform will bring 21st century tools to public safety agencies and first responders, allowing them to get more information quickly and helping them to make faster and better decisions.

aforementioned projections indicate an increased workload for the DOI agencies, as broadband and emergency response networks will require authorizations on public lands.

It is important to note that many public lands, especially wilderness areas, lack any form of mobile connectivity, and this in turn can burden the ability for search and rescue operators to respond quickly to public emergencies, such as natural disasters, wildland fires, or missing persons. Improving connectivity on public lands will benefit search and rescue teams by improving communications and interoperability in response situations, and allow public safety officers to locate individuals in need of help or rescue more easily. According to statistics recently provided by the National Park Service (NPS) for fiscal year 2017, search and rescue operations for the NPS alone involved more than 71,000 work hours for NPS employees and 12,300 hours for volunteers and military personnel and cost more than \$3 million. Sadly, this effort still resulted in roughly 159 fatalities. When conducting search and rescue operations, response time is crucial. The leading causes for loss of life in national parks are: drowning, falls, automobile accidents, motorcycle accidents, and encounters with wildlife. If first responders can be notified quickly and the victim transported to a treatment facility within an hour of significant injury (also known as the "golden hour"), many more lives could be saved.⁵

Currently, private contractors install satellite internet and phone service at incident base camps, for instance in responding to wildland fire, often at a cost of multiple thousands of dollars per day. An enhanced phone and internet capability in remote areas would be effective and provide a cost savings over time for many incident base camp operations. Additionally, despite their best efforts to maintain a sharp focus on safety, firefighters may become trapped by extreme and changing fire behavior in areas lacking basic connectivity. While broadband capability would not enhance current tactical radio and repeater capacity, efforts to locate and extract trapped firefighters might be facilitated with improved and reliable mobile phone systems.

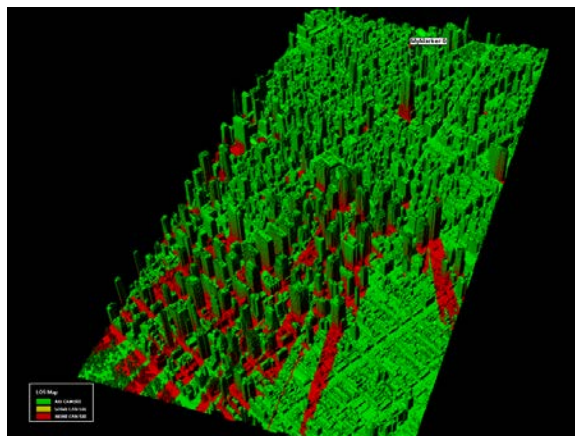


Figure 5: Simulated Line-of-Sight Mapping from Lidar from a Transmitter Located on Top of the Empire State Building

Other agencies within the DOI are working on capabilities that may prove useful to land management agencies for the purposes of siting communications infrastructure. For instance, the U.S. Geological Survey (USGS) is working on light detection and ranging (lidar) technology providing high-resolution, three-dimensional (3D) data representations of constructed and natural features on the Earth's surface. Lidar is used in line-of-sight analyses for signal propagation studies, identification of the optimum locations for cell tower networks, and for modeling the potential impact to wireless signals of future development

⁵ See NPS search and rescue dashboard for information on search and rescue actions within national parks.

and vegetation growth (see Figure 5). The USGS manages the 3D Elevation Program (3DEP) on behalf of Federal, state, local, and other partners to acquire lidar (interferometric synthetic aperture radar, IfSAR, in Alaska) with the goal to complete nationwide coverage by 2023. The effort is coordinated among agencies by the 3DEP Executive Forum and Working Group. The BLM is a member of these governance groups, which are developing strategies to accelerate data acquisition to meet the national coverage goal. Currently, about 48% of the nation has 3DEP-quality data available or in progress. Approximately 8% of BLM lands in CONUS have data available or in progress, and SAR coverage for BLM lands in Alaska is nearly complete. Completion of data coverage would be useful to broadband permitting, the design and siting of broadband infrastructure, mapping the location of existing towers and transmission lines, and a host of related applications.

Federal Communications Site Program Working Groups

As already mentioned, on January 8, 2018, the President issued EO 13821, entitled *Streamlining and Expediting Requests To Locate Broadband Facilities in Rural America*, to promote better access to broadband internet service in rural America. The EO states, “Americans need access to reliable, affordable broadband internet service to succeed in today’s information-driven, global economy.”

The NTIA, located within the Department of Commerce, is principally responsible for advising the President on telecommunications and information policy issues. NTIA’s programs and policymaking focus largely on expanding broadband internet access and adoption in America. For more than a decade, the DOI has worked extensively with the NTIA, and numerous other Federal agencies, on issues of broadband deployment.

Highlighting these efforts is the Federal Rights-of-Way Working Group, formed by the Bush administration in July 2002, to ensure that broadband providers are able to obtain rights-of-way (ROWs) in a timely and cost-effective manner. Led by the NTIA, this working group issued its April 2004 report, *Improving Rights-of-Way Management Across Federal Lands: A Roadmap for Greater Broadband Deployment* (Attachment 6), which outlines interagency recommendations for information access and collection, timely processing of applications, uniform rents and fees, and



BLM Communications Site, Fairbanks, Alaska

compliance protocols. These recommendations were incorporated into the DOI agencies' program development and policy.

The DOI joined the Broadband Interagency Working Group in 2012. NTIA serves as cochair of the BIWG alongside the Department of Agriculture's Rural Utilities Service. Most recently, the DOI and USDA created efficiency and consistency in Section 106 review (NHPA) for broadband projects. Through coordination with Advisory Council on Historic Preservation (ACHP), this process establishes uniform procedures for addressing Section 106 compliance for a wide range of communications site activities. See Attachment 7 for the ACHP-issued user guide for agencies.

Involvement in the BIWG has substantially increased with the BIWG's rollout of Executive Order 13821 after January 8, 2018. Of special interest, this EO directs agency heads to "to use all viable tools to accelerate the deployment and adoption of affordable, reliable, modern high-speed broadband connectivity in rural America, including rural homes, farms, small businesses, manufacturing and production sites, tribal communities, transportation systems, and healthcare and education facilities." The President also issued a memorandum that directs the DOI to develop a plan to identify assets that can be used to support rural broadband deployment and adoption.

The following report identifies actions and solutions that could enhance or streamline leasing, permitting, and development of communications site program resources. The report also identifies inefficiencies and constraints that currently exist within the communications site program's leasing and permitting processes. Each recommendation identifies an inefficiency or constraint, how the recommended action could be implemented, who has the authority to implement the action, an estimated timeframe for implementation of the action, and the overall impact of the resolution of the inefficiency or constraint on the program. For the review, the team solicited input from subject matter experts regarding streamlining the communications site program leasing and permitting process.

Each agency has identified five areas of focus for improved efficiency. These five areas generally follow the format of: 1) Regulations, Policy, and Guidelines; 2) Environmental Review; 3) Leasing and Permitting; 4) Fair Market Value (FMV) Rental; and 5) Program Administration. A short description of each area follows:

- 1) **Regulations, Policy, and Guidelines:** Governed by a wide array of statutes, communications site program leasing and permitting has antiquated regulations, policies, and other internal guidance, which increase complexity and limit or slow access to broadband deployment. For most DOI agencies, the regulatory structure underlying the communications site program has not been updated in decades and has not kept pace with technological innovation or with increasing broadband usage.

- 2) **Environmental Review:** National Environmental Policy Act compliance is required for all communications site program actions and comprises a large portion of the review timeframe. Over the past several years, processing issues have been identified, including the complexity and lengthy duration of NEPA analyses.
- 3) **Leasing and Permitting:** The process to lease public lands for communications purposes has evolved based on coordination with industry and other stakeholders, other program reviews, and the results of litigation or appeals. As a result, permitting processes are cumbersome and extensive. Land use planning decisions and special designations also impact the availability of the public lands for broadband development.
- 4) **Fair Market Value Rental:** The FMV determination is part of the leasing process. It is based on a schedule for communications site program properties that, for the BLM, has not been updated since 1995. In addition, the agencies need to simplify the rental process to determine and charge fair market value rental for broadband uses.
- 5) **Program Administration:** Communications site programs may require additional staff who are trained and competent to issue technically accurate leases and permits in an efficient manner. The agencies will need to ensure that realty staff and managers are trained and that they understand the importance of making Federal assets available for broadband deployment in rural areas. The agencies need to improve how they manage workloads and competing priorities and how they define roles and responsibilities of staff and industry.

This report is divided into five chapters, one for each of the DOI broadband permitting agencies, Bureau of Land Management, U.S. Fish and Wildlife Service (FWS), National Park Service, Bureau of Reclamation (Reclamation), and Bureau of Indian Affairs (BIA). Each agency has five sections, which list all of the identified issues and actions. The report concludes with next steps for implementing the proposed actions.

Report and Recommendations

Chapter 1 – Bureau of Land Management (BLM)

Communications Site Program and Background

The BLM manages the Department's communications site program on BLM-administered public lands. There are approximately 1,500 communications sites on BLM lands. In addition, the BLM has 5,000 miles of energy corridors for power transmission (designated to comply with Section 368 of the Energy Policy Act), which connect with 1,000 miles of energy corridors across national forest lands. The BLM considers broadband uses, including fiber optic and telephone,



Burnt Mountain, Arizona

compatible uses for colocation in the 6,000 miles of West-wide energy corridors.

The BLM defines broadband as a high-capacity, high-speed transmission system using a wide range of frequencies, which enables a large number of data and messages to be communicated simultaneously. A communications site is a geographic area of public land designated for telecommunications uses in a Resource Management Plan (RMP) or a separate Communications Site Management Plan (CSMP). A communications site may be limited to a single communications facility, but most often encompasses more than one name-identified and usually local prominent landmark. A communications facility may be defined as a tower, building, equipment shelter and related incidental structures, or improvements authorized under the terms of the grant or lease.

A Communications Site Management Plan provides direction to the users for the day-to-day operations of the site in connection with the Communications Use Lease. A CSMP is a supplemental administrative document to the RMP and is necessary to document environmental conditions, all facilities located on the mountaintop, the most recent regulatory and technical requirements (for better management of the site), the types of uses designated as allowable, and the defined population served (for rental fee determinations). Use of a CSMP helps avoid future conflicts between users and maintains the orderly development of a communications site.

The BLM's communications site program is relatively well-evolved compared with the programs of other Federal agencies. The BLM's field offices are generally responsible for permitting and administration, while the BLM's Washington Office is responsible for oversight and for establishing the program's regulations and policy. Much of the existing policy, however, is based

on the Federal Land Policy and Management Act (FLPMA), which was enacted in 1976. By updating regulations and policy, the BLM could improve timeframes and address the current lack of certainty in the permitting process, which impacts industry construction schedules and may increase construction costs.

The recent review has made clear that the BLM's environmental review process to permit a communications site application is lengthy and complex and places an undue burden on the industry. Many parties have expressed an interest in increased efficiency when DOI agencies fulfill environmental review obligations mandated by NEPA, the NHPA, the ESA, and by other laws, policies, and regulations. The Department intends to streamline the program by identifying the inefficiencies and presenting a plan of action to address them.

An important consideration in gaining efficiencies for permitting of broadband uses on BLM-administered lands is that the BLM's communications site program is integrated with that of the U.S. Forest Service (USFS). In 1991 the BLM and the USFS entered into a Cooperative Agreement to integrate each other's policies and procedures by 1) developing parallel procedures and standards for the establishment of FMV rental values for communications site uses, 2) developing a joint market-based fee/rental schedule, and 3) and improving customer service.

In 1995 both agencies jointly published regulatory updates in the Federal Register, which defined the process for issuance and administration of communications use authorizations. This rule change greatly streamlined the permitting and administration of both agencies' programs by adopting a common Communications Use Lease. Issued to the owner of a communications facility, it allows a leaseholder to sublease space within or on existing facilities authorized by the lease. Leaseholders, classified as either a facility owner or facility manager, are able to sublease by allowing additional occupants within or on their facilities without separate authorizations by the agencies. This process also shifted the day-to-day responsibility for management and coordination of the lease from the agency to leaseholders, based on approved CSMPs. Because leaseholders may sublease to users that have no "business relationship" with the BLM, CSMPs must be developed to ensure a high-quality communications site environment that will be preserved by allowing only compatible uses that do not interfere with the existing users on the lease and on any adjacent leases. CSMPs also ensure that land is used as efficiently as possible, thereby maximizing use of each overall communications site.

Before 1995, annual rental fees payable to the United States were based on individual appraisals or a minimum value established by the local field offices. This process was extremely expensive and time-consuming and did not provide a reasonably consistent or fair process for either the BLM or the USFS, even for similar uses. The BLM and the USFS published a joint fee schedule in 1995, which both agencies have used ever since. Before 1996, the BLM collected less than \$2 million in rent from communications uses. In 2018, it collected \$9.2 million, based on the use of the common fee schedule, a substantial increase in communications site authorizations, and better rental collection processes.

Despite this progress, other areas of the applications process warrant attention and correction. Beginning in 1996, when rental receipts were approximately \$2 million, Congress appropriated \$2 million of communications rental receipts to the BLM annually for the administration and management of communications site uses on public lands. The funds are for the development and implementation of CSMPs, employee training, and acquisition of legal access rights to public lands with existing communications sites. This \$2 million allocation, however, has never been indexed to rental receipts or readjusted since 1996.

Further, under current regulations, both the BLM and the USFS use the *Rand McNally Commercial Atlas & Marketing Guide* to determine population zones served by each communications facility. Because the guide has not been published since 2010, use of the guide effectively freezes the population zones within metropolitan areas and fails to account for population changes since then or to account for the correct population zone when calculating the rents.

In addition, a BLM rule, adopted by the USFS as policy, requires the agencies to update the rental fee schedule annually. Annual rental fee schedule updates are based on the Consumer Price Index-Urban (CPI-U) and are limited to no more than a 5% increase or decrease. Under the regulations, both agencies must also review the rental fee schedule at least every 10 years to ensure that the schedule reflects FMV. The current rental fee schedule, however, is based on values established in 1995 and has not been changed since that date. A rule change is necessary to update the fee schedule to better resemble current fair market values and current telecommunications technologies.

Beginning in 2000 the BLM and the USFS identified several areas of needed emphasis: employee training, review and auditing of the published rule's implementation, and completion of CSMPs for existing and new communications sites. Based on informal reviews at the time, both agencies determined that fewer than 50% of the existing communications sites had a CSMP, and many plans were outdated. None of the older plans were consistent with the new policy or identified current technology used at the site.

The BLM addressed this problem by directing the field offices to complete CSMPs within 5 years on their highest-priority communications sites. Funding for this workload came from the \$2 million that Congress had allocated to the BLM for this purpose. An annual allocation, delivered to each state, consists of a portion of the \$2 million and is based on a percentage of communication rental receipts generated in that state. States may complete their plans internally or issue contracts to qualified consultants. The BLM's review revealed that the unit price per contracted plan was cost-prohibitive (generally more than \$100,000 per plan), that other priority items often prevented this work from internal competition, and that very few field office realty specialists had the necessary experience and training to prepare adequate CSMPs.

To address the current workload and manage the 1,500 communications sites on BLM lands, the BLM funds two communications site program managers dedicated to directing development of communications site planning. These program managers annually complete at least three draft CSMPs per BLM state. These positions have significantly improved the management and administration of BLM communications sites and facilities. They assist with the centralized billing process by auditing inventory certifications provided by holders (approximately 3,600 certifications), who report existing uses for each authorization. They also conduct training and provide advice as well as technical and regulatory guidance to state and field offices. Finally, they work with industry to resolve issues as a liaison between the state offices and industry. The BLM is also working on a web based mapping application to allow applicants to identify existing infrastructure on DOI public lands (see Figure 6) and effectively streamline the permitting process. Figure 7 presents a flowchart of the agency's application processing.

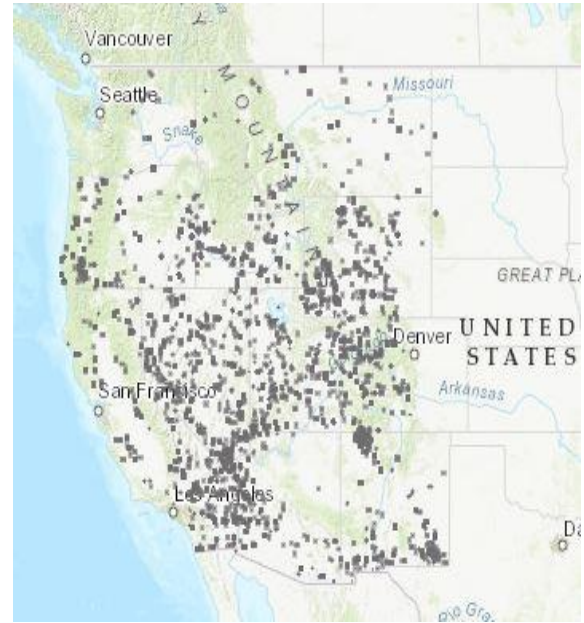


Figure 6: BLM Communications Site Infrastructure JOEL Mapping Application

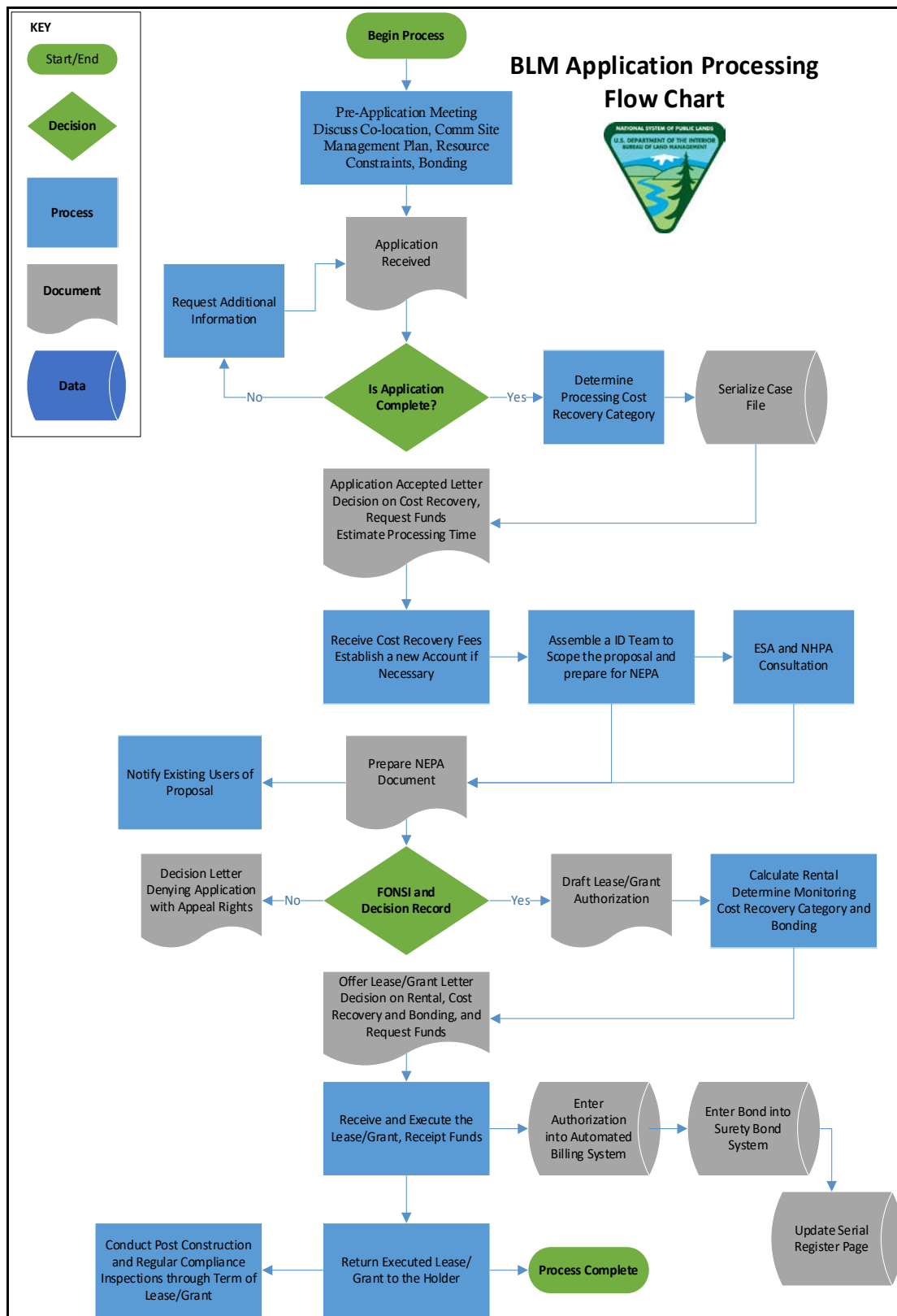


Figure 7: BLM Application Processing Flowchart

BLM Section 1: Regulations, Policies, and Guidance

Communications use regulations published by the BLM in 1995 created a new fee schedule and consistent policies between the BLM and the USFS. At the time, these regulations represented a considerable improvement from the prior permitting processes. Since then there has been a rapid expansion and demand for wireless uses, along with significant advancements in technology and common industry practices. As a result, the BLM needs to update these 23-year-old regulations. For example, there are many business rules that apply to the calculation of rental for a leaseholder with multiple occupants. Charging one flat fee rate to the leaseholder for the opportunity to house additional occupants, rather than calculating the rent for each individual use in that facility and combining them, is a simplification worth considering. See Attachment 8 for a list of potential BLM regulatory revisions.



White Water, California

Broadband infrastructure may become obsolete in 20 years as industry jumps into new technology and potentially replaces communication towers and fiber optic lines. Any new regulations or guidance must be able to adjust to change with new technologies. The BLM believes the wireless industry can identify many other ideas and methods for streamlining the BLM's permitting and administration of communications uses on public lands during the public process associated with promulgating regulations.

Issue 1-1: The current BLM communication leasing regulations are characterized by slow permit processing, and administration of authorized facilities is often regarded as overly complicated and confusing for both the agency and the public.

The communications site program leasing regulations found at 43 C.F.R. 2800 were last updated in 1995. Technology has made quantum leaps forward, leaving BLM regulations and policy outdated and antiquated. In 2017 the BLM authorized 54 communications sites with an average processing time of 366 days; in 2012 it authorized 90 communications sites, with an average processing time of 189 days. In 2017 the BLM authorized 75 fiber optic or telecommunication lines; in 2012, 118 were authorized. The BLM is processing fewer applications than 5 years ago, while the processing times have increased.

Attachment 9 contains two BLM serial register pages (cases) from the Legacy Rehost (LR2000) system, one from California and one from Oregon. Each serial register page documents certain actions that have taken place in the case file. Each of these cases illustrates a very lengthy processing time of 8 years and 2 months in California, and 2 years and 3 1/2 months in Oregon.



VC Hill, Montana

Action 1-1.1: Review current communication leasing regulations, and adopt industry and public input to update existing regulations through rulemaking.

Staff from the BLM and from the DOI's Office of the Solicitor would review 43 C.F.R. 2800, identifying obsolete regulations associated with communications site lease processing. They would then make recommendations to BLM management and the DOI's Office of Policy and Regulatory Affairs.

If new regulations were warranted by the results of the review conducted in Action 1-1.1, staff from the BLM and from the DOI's Office of the Solicitor and its Office of Policy and Regulatory Affairs would devise a new communications site program management process and associated regulations. These would identify ways to simplify and streamline the leasing process. This team would develop and present program and/or regulatory reform alternatives to BLM management, explaining the advantages and disadvantages of each, as well as the resources needed in implementing these changes. This may involve development of proposed regulation with explanatory text, and an economic analysis. The initial review could take place within months, and the rulemaking process to remove obsolete regulations would take approximately a year.

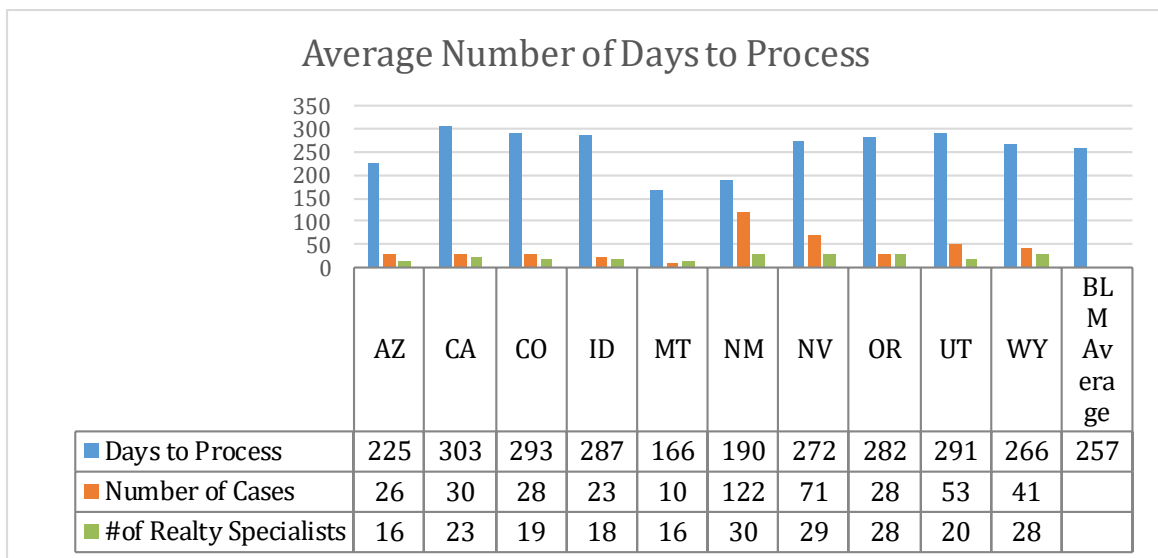


Figure 8: The Average Number of Days To Process a Communications Site (by State and Realty Staff; Alaska Data Not Available), 2011–2018

Action 1-1.2: Perform adequate tracking of permitting to reduce timeframes and report monthly.

The BLM uses LR2000 to capture certain information on each application received. Each type of application received has a mandatory list of data, which must be entered for that case type. Currently, the BLM averages 257 days to process a communications site right-of-way application (see Figure 8). BLM will review the data standards for communications site rights-of-way to determine if the mandatory codes would be able to produce a report to track permitting timeframes. If needed, the BLM would create new mandatory codes to establish a report to request and track the permitting timeframes easily.

The BLM and the USFS offer joint training each fall for line officers to teach managers about realty actions. This year the BLM will also brief the line officers on the importance of broadband and on new policy and guidance resulting from EO 13821, the 2018 Omnibus Bill, and this report. The BLM is also planning a more large-scale web-based training for all line managers on the developments surrounding these broadband initiatives. This training should be prepared for delivery within 6 months.

Issue 1-2: The BLM communication handbook is outdated.

Much of the BLM's internal communication leasing guidance has not kept pace with changes in the communications site industry. While these older documents provide a valuable reference, they are becoming burdensome and confusing—to the BLM and the public alike—in that they do not always provide relevant policy guidance. In addition, many documents are unavailable electronically or are no longer available online. Clear and current policy guidance is a critical component of timely, consistent, and legally defensible processing of communications site applications.

Action 1-2.1: Review guidance and policy and develop an action plan for revisions.

The DOI would develop a rural broadband website where guidance, policy, and other relevant information such as agency contact information, regulations, policy, and maps would be readily available. The BLM would review and update guidance to be consistent with current processing practices, providing a comprehensive review of the policy needs of the communications site program as a whole. The BLM would evaluate historical guidance to determine the extent of communication policy revisions required and to establish priorities for new policy needs. The team would make recommendations to BLM management (director and assistant director, Minerals and Realty Management). Based on input from management and considering any ongoing regulatory efforts that may come from Issue 1-1, the BLM would address policy revisions and new policy needs. Completing a review of existing policy and developing a policy action plan would take 2 months.

Action 1-2.2: Revise the BLM handbook and provide appropriate guidance.

The BLM would prepare a new Communications Site Handbook and other appropriate guidance such as Instruction Memorandums (IMs). The time needed to draft new guidance would depend on the extent and type of effort. The handbook effort would likely take 1 year, while IMs would take 6–12 months to complete.

Issue 1-3: The BLM’s lack of guidance regarding “minor” communications use leases, renewals, and amendments delays processing actions.

Specific guidance for determining when a communication lease, renewal, or amendment is “minor” would allow the BLM to make these decisions more efficiently and consistently. Guidance could also assist in helping authorized officers to make better use of categorical exclusions (CXs) available to them to streamline the NEPA process. The CXs vary greatly among agencies, making the permitting on broadband uses on the public lands easier for some agencies and more difficult for others. (See Attachment 10 for a listing of categorical exclusions across the DOI agencies and the USFS.) Industry has raised concerns with the process and approval for upgrading equipment at existing communications sites. They have stated that on average they upgrade technology at existing cellular towers every 18 months. In some cases, the deployment of these newer technologies at an existing tower is held up through a lengthy permit amendment process. Additional guidance on such small changes could significantly expedite the process and increase connectivity for families and businesses.

Action 1-3.1: Develop threshold criteria.

The BLM’s Washington Office would establish appropriate thresholds or criteria for determining when a communications lease revision is a “minor” action. Developing and defining threshold criteria would take approximately 3 months. Development of the criteria would be coordinated with other divisions in the agency.

Issue 1-4: The Endangered Species Act, the Migratory Bird Treaty Act, and National Historic Preservation Act Section 106 consultation can delay BLM leasing decisions.

The BLM must comply with the Endangered Species Act and the Migratory Bird Treaty Act for proposed undertakings on public lands. Separate consultations are typically conducted with the FWS in accordance with the requirements of Section 7 of the ESA. The preparation of a Biological Assessment, completion of the formal consultation process, and the FWS’s issuance

of a Biological Opinion for the communication decision often takes substantial time to complete and may create significant delays and uncertainties and jeopardize the completion of projects.

Section 106 of the NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and to afford the ACHP a reasonable opportunity to comment. The Section 106 process is required for all Federal undertakings. The historic preservation review process mandated by Section 106 is outlined in 36 C.F.R. 800. See [link](#) for a detailed description of the standard BLM Section 106 compliance process described in 36 C.F.R. 800. In short, the Federal agency must:



San Joaquin Kit Fox, an Endangered Species

- 1) Establish the undertaking;
- 2) Identify historic properties associated with the undertaking;
- 3) Evaluate historic properties identified;
- 4) Assess effects on identified historic properties; and,
- 5) Resolve adverse effects / consult with the State Historic Preservation Office (SHPO).

Action 1-4.1: Initiate dialogue and adopt best management practices; develop timeframes for completion of consultation processes.

The BLM would initiate discussions with the FWS and SHPOs regarding possible abbreviated consultation processes for proposed communication facilities, including programmatic approaches, adoption of best management practices, and other streamlining processes. The BLM would initiate discussions immediately.

Best management practices may include conducting on-the-ground resource inventories of communications site boundaries and existing access roads where future development is anticipated. This measure would include consultation with affected tribal governments. It would provide a baseline for anticipated resource impacts, and it would assist in facility siting by helping identify areas to avoid during the planning phase for communications use proposals.

Action 1-4.2: Partner with State Historic Preservation Offices, many of which have moved to digital-based systems, to identify communications site impacts early and expedite Section 106 consultations.

Prior to permitting infrastructure on public lands, Federal agencies are required under the NHPA to “take into account” how the project will affect historic properties. This process can add months to permitting timeframes. Many SHPOs are moving toward digital archaeological records and internet-based consultation systems. While the information remains protected to ensure full compliance with the Native American Graves Protection and Repatriation Act and

other important laws, in many cases these systems have reduced the time it takes for the SHPO to concur with agencies' findings of No Effect, No Adverse Effect, or Adverse Effect. Digital-based systems currently used in states such as Wyoming (WYCRIS) and Utah (Utah e106) have allowed SHPOs to track timeframes accurately as well as review and concur on agency "undertakings" in a matter of days. Parallel improvements to DOI-based systems and protected digital information sharing in more states could increase efficiencies and improve the overall permitting process.

Issue 1-5: Current land use planning and land use designations do not prioritize broadband infrastructure in underserved areas.

Corridors are frequently designated in RMPs for linear features, such as highways, pipelines, and power transmission. Many of the existing corridors intended for linear utilities are located in areas where there is a high demand for broadband infrastructure deployment. Land use planning designations, such as wilderness, national conservation areas, or ACECs, may severely restrict or prevent broadband development. In some cases, these designations may include specific land use stipulations or buffer zones that could make infrastructure buildout uneconomical.

Action 1-5.1: Incorporate broadband uses in land use planning to prevent restrictive designations while balancing the overall needs of multiple use and conservation stewardship.

Issue policy through an IM, instructing BLM staff who are preparing new or amended RMPs to consider making broadband uses available to meet existing and future demand, including linear facilities (fiber optic and telecommunication lines), especially within designated transmission corridors, and communications facilities. This could be completed within 3 months.

BLM Section 2: Environmental Analysis

In an effort to bring efficiency to the NEPA process, Secretary's Order 3355, *Streamlining National Environmental Policy Act Reviews*, issued in August 2017, directs DOI agencies to follow current Council on Environmental Quality (CEQ) regulations by promulgating Environmental Impact Statements (EISs) in fewer than 150 pages and within 1 year. Guidance on targets for Environmental Assessments (EAs) is forthcoming. Some form of NEPA compliance is required for all communications site program actions and, in many cases, accounts for more than half of the regulatory review timeframe.

Communications facilities have a relatively small footprint. While the impacts may be minimal, the associated NEPA analysis conducted in some instances has been substantial. For instance, in a recently completed project in Southern California, the permitting process included two NEPA reviews, of which one took more than 2 years (Appendix 8). Over the past 20 years,

communications site program NEPA processes and analyses have become lengthy and more complicated. NEPA is a strategic topic for streamlining the communications site program because the BLM prepares documents to satisfy NEPA for each application received.

Inconsistent communications site program management and processes across state lines and lack of staff or full use of staff further impede the communication leasing approval processes. DOI agencies should examine and modernize their procedures to allow for more efficient and consistent communication application processing. Meanwhile, the BLM does not have—but should have—access to the same CXs other agencies currently use for broadband, especially given the relatively small footprint of many of its communications sites. The ability to use other CXs, especially those used by other DOI agencies, would significantly improve BLM permitting and reduce staff work. (See Attachment 10 for a list of CXs.)

Issue 2-1: NEPA processes slow communication application processing.

Each application requires multiple studies as well as coordination efforts to inform the decision-making process. NEPA efforts have resulted in duplicate resource agency reviews, long lag times between reviews and decisions, and additional legal risks.

Visual Resource Management (VRM) designations in both land use plans and NEPA analyses have also made broadband development difficult, significantly delaying or blocking possible sites. VRM Class II makes it difficult to do any development, even near existing disturbances such as roads, and even if the tower to be built will be hidden from view or disguised (often called a “stealth” tower).

Categorical exclusions specific to communications uses and Programmatic Environmental Assessments are needed to expedite these processes. The BLM usually has to conduct full NEPA—usually an EA—for all actions, even in previously disturbed areas. The average size necessary for any one communications site authorization is approximately .25 acres, excluding any road and power needed, where a mountaintop site consisting of numerous authorizations averages between 4 and 5 acres.

Action 2-1.1: Revise policy regarding Visual Resource Management designations and broadband development.

To address the concern regarding VRM designations, the BLM could issue an IM that clarifies that broadband towers can be built in VRM Class II areas when in close proximity to existing disturbances (e.g., roads) or when concerns can be mitigated by stealth design such as a water tank, pine or eucalyptus tree, or fiberglass rock.

Action 2-1.2: Execute BLM streamlined NEPA processes and consistently use categorical exclusions.

In order to expedite processing, revise regulations to allow for CXs for communication actions in areas that have been previously disturbed. Identifying the size, quantity, and type of modifications proposed for CXs would occur as part of BLM regulation revision. With the addition of CXs for communications sites, BLM policy could be modified to require a 10-day permitting time for these CX actions. Regulatory changes would likely require 1–2 years.

Streamlined NEPA processes could be implemented through the use of Programmatic EAs, especially at priority communications site areas. Priority communications sites could be identified and designated by the BLM with input from industry. Programmatic EAs could be developed for the BLM priority communications site land use allocations, in conjunction with communications site planning, thereby allowing for only a decision of NEPA adequacy for future actions at those locations. Implementation of Programmatic EAs would require significant partnerships with local communities as the BLM identifies priority communications sites. This effort would likely take 4 months; the Programmatic EAs would follow over the next 2 years.



Mount Brock, Nevada

Action 2-1.3: Update regulations to allow for use of categorical exclusions from other agencies and departments.

The BLM currently has three categorical exclusions that could apply for communications sites, but they are underused and inconsistently applied across different field offices. To use CXs that have been promulgated through the rulemaking process by other agencies or departments, the BLM would have to initiate a rulemaking to duplicate the categorical exclusion for its own use. For example, the USFS has a CX specific to telecommunications uses that do not exceed 5 acres. Most BLM communications sites are less than 5 acres. Should BLM be provided authority to use CXs from other agencies and add them to its ePlanning system, the field realty specialist would have a larger selection to choose from, thereby streamlining the NEPA processes for many broadband applications. Finalizing such new rulemakings through the CEQ process could take 1–2 years to complete. Legislation has been introduced in Congress to provide this authority without requiring agencies to undertake lengthy rulemaking processes.

Action 2-1.4: Develop data standards for applicants and their contractors to use in collection of data and preparation of communication NEPA analyses (such as Programmatic Environmental Assessments), reducing processing delays.

To address the backlog in applications and the lack of staff capacity, the BLM could identify on-call contractors with skills in the communications site permitting process. The BLM could

contract directly for this type of staffing, or the BLM could work with the applicant to contract these services. Implementation would likely take 6 months.

Action 2-1.5: Update BLM policy.

The BLM would consider issuing an IM to notify BLM staff about the proper use of CXs and develop webinar training for implementation of any such IM. The IM would take approximately 3 months to prepare.

Action 2-1.6: Assess the means to reduce NEPA-related litigation and appeals.

Developing program guidance and direction, implementing land use allocations favorable to communications site development, using programmatic analyses, adopting program-wide best management practices, and increasing program NEPA review and compliance would reduce the controversy associated with project proposals as well as potential litigation risk.

BLM Section 3: Leasing and Permitting

The BLM may use a lease or right-of-way grant to authorize the use of public lands for systems or facilities for a term up to 20 years. The types of facilities authorized include systems for transmitting or receiving voice or electronic signals used for communication, transportation systems such as roads, and any other system or facility for transportation, communication, or other similar purpose over, upon, under, or through public lands.

In accordance with the current regulations, the BLM does not require a separate authorization for occupants located entirely within or on an existing facility authorized by the BLM when the authorization contains a subleasing provision. When the components of a communications facility are owned by different entities, however, the BLM will issue a separate communications use lease to each entity.

All public lands administered by the BLM are available for broadband infrastructure development unless there is a designation restricting the development. Some of these restrictions include wilderness and wilderness study areas (where development is precluded) and national monuments, wild and scenic rivers, ACECs, and other public lands where development and permitting can be cumbersome. Recent data on new BLM communications site applications show decreasing interest for siting on public land (Figure 9), while broadband usage nationwide is increasing. Industry has indicated in discussions with the DOI that the permitting process on private lands is much easier than on public lands; therefore, application filings on public lands have decreased.

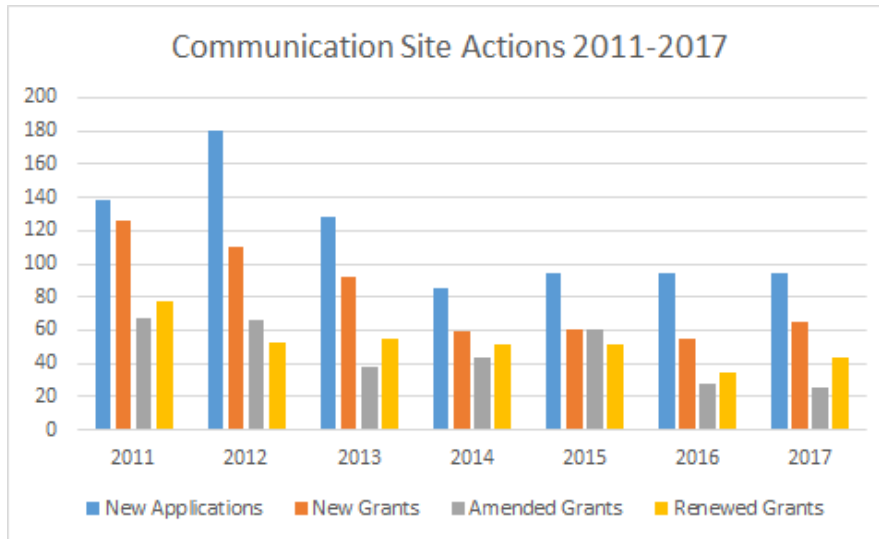


Figure 9: BLM Communications Site Program Actions, 2011– 2017

the development of communications facilities should be assessed by the BLM as the same cost recovery categories. Program monitoring and compliance will address these inconsistencies. The Washington Office can deliver an annual report to the state directors with the finding and recommended actions. Audits of 2017 can begin immediately.

Action 3-1.2: Simplify the use of cost recovery agreements.

Based on the data extracted from LR2000, there are very few Category 5 cost recovery determinations, also known as Master Agreements. Industry has raised concerns with the length of time required to finalize cost recovery agreements—citing instances where it has taken years to finalize the cost recovery agreement for multiple communications sites before initiating the permitting approval process. Simplifying the cost recovery process, including making greater use of Master Agreements, could enable the BLM to process several actions by the same company more quickly. Simplifying cost recovery agreements could be accomplished within 2 months. Figures 10 and 11 show cost recovery determinations (by category) for 2011–2017.

Issue 3-1: The inconsistency of cost recovery determinations leads to different categories for the BLM’s processing of similar actions in different offices.

Action 3-1.1: Audit cost recovery category determinations to ensure quality assurance and quality control.

Similar proposals for

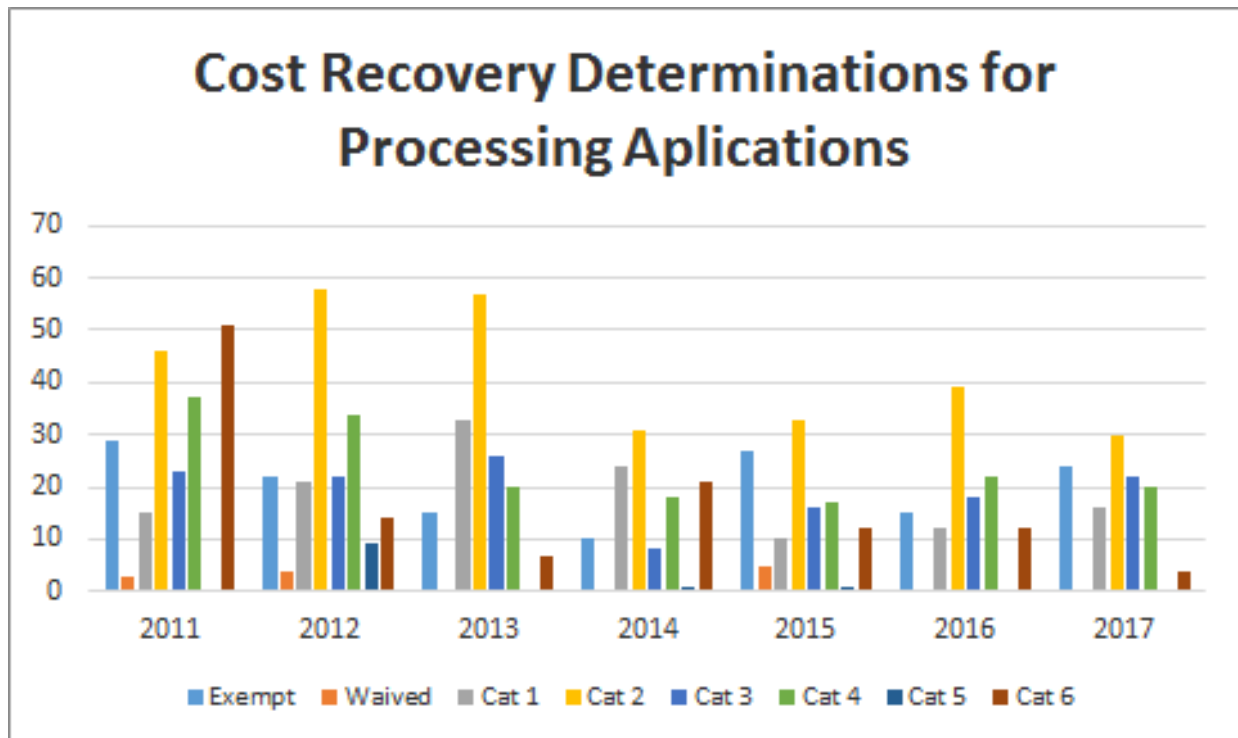


Figure 10: BLM Category Determinations by Year, 2011–2017

Processing Category	Federal Work Hours Involved	Processing Fee
Category 1	Greater than 1 & less than 8	\$123
Category 2	8 to 24	\$433
Category 3	24 to 36	\$816
Category 4	36 to 50	\$1,170
Category 5	Varies	As specified in the agreement
Category 6	greater than 50	Full reasonable costs

Figure 11: 2017 Cost Recovery Processing Fee Schedule Used by the BLM

Action 3-1-3: For Category 6 cost recovery determinations, establish a policy for immediate collection of a portion of the funds to initiate work on applications.

As described by industry at a DOI listening session, cost recovery agreements can take months for a detailed estimate of costs to process an application, yet for broadband uses the costs generally fall into the \$10,000–\$14,000 range. The BLM could develop policy to collect a base amount of \$10,000, and ask the applicant to sign a generic version of the cost recovery agreement while the more detailed estimate is prepared. This would allow the BLM to initiate work on the application; if the estimate is more than the base, a full cost recovery agreement would be prepared and executed, and additional funds would be requested.

Issue 3-2: Industry applications are submitted with incomplete or inadequate data, causing processing delays.

In the late 1980s the BLM established minimum application standards for each communications site application. This baseline information is needed to begin processing of communication applications, including NEPA analyses, to support communication leasing decisions. Adequate and timely information is needed to prepare NEPA compliance documents. Receipt of insufficient information or delays in receiving adequate data ultimately affects when the BLM can offer a communication lease, and when a company can begin construction.

Action 3-2.1: Through agency-sponsored industry workshops or BLM participation in industry conferences, provide information and training on submission of complete communications site applications.

To train industry in what a complete application contains, including a plan of development and decommission plan, the BLM would host industry workshops and present at industry conferences. Using a workshop or conference setting is a way to reach a large industry and stakeholder audience in a short amount of time. The BLM would conduct workshops as needed in different geographic locations, and work with industry to present at industry-related conferences. This could be implemented in 6 months.

Action 3-2.2: Strongly urge industry and require field offices to hold a pre-application meeting for all broadband applications that will result in NEPA actions greater than a categorical exclusion.

In order for field offices to plan, coordinate, respond, and ensure a streamlined permitting process, the BLM should strongly encourage industry to have pre-application meetings. Field offices should be required to hold a pre-application meeting for any action greater than a CX NEPA action. The BLM could communicate this through the executive leadership team and implement by IM. This could be accomplished in 3–4 months.

Issue 3-3: Land use planning designations sometimes make lands either unavailable or cost-prohibitive to develop.

Continuing to lease at existing communications sites is attractive to companies because they have already invested in the roads, utilities, and other infrastructure necessary to support communication operations. Moving into undeveloped areas requires a large capital investment for infrastructure, which could place even a property with favorable development characteristics at a competitive disadvantage in the communications sites markets. Extensive areas that are part of the BLM's National Conservation Lands (formerly known as the National Landscape Conservation System), including wilderness and wilderness study areas, or other restrictive land use designations, such as national monuments or ACECs, either preclude development or often require extensive NEPA analyses and burdensome requirements before communications site leases may be issued. (See Attachments 11–14 for lists of these areas.) Consequently, there is little incentive for industry to explore these areas for future communications site leasing and development.

Action 3-3.1: Thoroughly review the implications of land use designations on communications site development in land use planning efforts.

The BLM would consider broadband infrastructure needs in underserved areas before assigning a designation that could lead to right-of-way exclusions for broadband or other uses. Development in undisturbed or restrictive areas is often not economically feasible for industry. Developing programmatic approaches to these permitting issues, and making this workload a priority, would lessen these constraints. The BLM could also assign a strike team to this type of priority work. (See Issue: 5-2.) Coordination with project proponents in pre-application meetings, to perfect proposals and identify conflicts (e.g., land use designations), could result in a shorter NEPA process. This implementation could begin immediately and would be ongoing.

Issue 3-4: The BLM does not have an electronic application filing system.

Currently the BLM will accept only an original paper version of the SF-299 application. When an application is filed at the field office, it is hand-stamped on the date of receipt. Then, along with other information on the application form, cases are manually entered into the LR2000 system. This process is time-consuming and duplicative and can lead to errors.

Action 3-4.1: Work toward an electronic application filing system for broadband uses.

Many agencies have been using electronic filing of applications, which provides ease of filing for industry and a tracking mechanism for the agency. The BLM does not currently have an electronic filing system for right-of-way applications. The BLM should explore electronic filings

used by other agencies and determine if a similar filing system could be integrated with the BLM systems. This would take about 1 year to analyze and determine implementation.

Issue 3-5: Bonding on communications sites or fiber optic line authorizations is not consistently required across field offices and results in abandoned equipment and facilities on public lands and “lost” holders of authorizations.

Action 3-5.1: Update existing bonding authority for new broadband authorizations or when amending and renewing broadband authorizations.

Field managers currently have authority to require a performance bond for eventual site reclamation when communications facilities are past their useful life. A performance bond requirement for all new, amended, or renewed broadband authorizations would ensure that when equipment or facilities are abandoned on public lands, there are funds available to remove them if they are unwanted. The BLM needs to simplify the calculations for determining bond amounts and continue to track facilities located on public lands adequately.

An additional consideration is that when facilities change hands, the BLM may find it difficult to ascertain who actually holds the authorization. While the BLM could use appropriated funds derived from rental receipts to reclaim abandoned sites, in some cases other companies may wish to make use of such existing infrastructure. Providing increased guidance on bonding would encourage industry (when changing names or merging) to replace the bonds and in turn update the BLM leaseholder records for that authorization. The requirement for bonding could be implemented by IM or a rule change, with an IM being implemented in 6 months.

BLM Section 4: Fair Market Value Rental

The Federal Land Policy and Management Act requires the Secretary to collect annual rentals, not less than FMV, for communications site leases. Consistent with appraisal standards, FMV is defined in regulation. Figures 12 and 13 show the rents collected by state for both communications sites, and fiber optic and telephone.

The population served is based upon the *Rand McNally Commercial Atlas & Marketing Guide*. The atlas has not been published since 2010, thereby making the BLM’s rental calculations obsolete. Other resources exist that provide population data updated on a regular schedule, such as the U.S. Census Bureau.

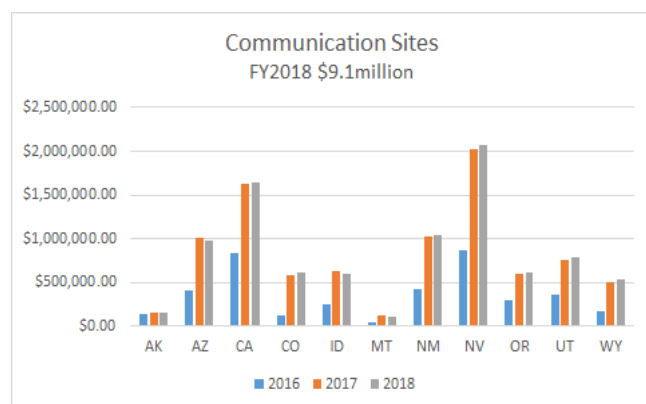


Figure 12: BLM Communications Site Program Rental, 2016–2018

Currently, the BLM is required to update the rental fee schedule annually. The BLM is also required to review the rental fee schedule at least every 10 years. The current rental schedule is based on values that were established 23 years ago, and more than likely does not represent FMV.

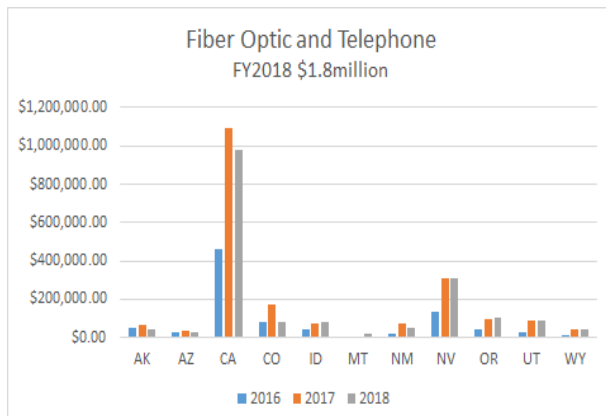


Figure 13: BLM Fiber Optic and Telephone Program Rental, 2016–2018

In addition to the outdated rental fee schedule, the Office of Inspector General (OIG) for the DOI conducted an audit and issued a report on communications uses. This report is OIG Audit Number C-IN-MOA-0013-2010, September 27, 2012 (Interior).⁶ The report raised concerns that the current rental fee schedule does not reflect current market value. In addition, the report suggested that the BLM eliminate the 75% reduction used to calculate the rental for tenant uses, establish a system of penalty assessments, and establish a common policy for determining past-due rent.

Issue 4-1: There is a need to develop a national BLM/USFS FMV rental rule to provide updated market value as well as consistency and expediency to FMV rental determinations.

Assessing the FMV annual rental for each lease is currently a complex process that is labor intensive and costly, and is difficult for industry and the public to understand. Refer to the BLM website⁷ for additional information. Use of a revised and simplified communications use rental schedule to determine annual FMV rental would save time and would be less costly and better understood.

Action 4-1.1: Evaluate alternatives for estimating a new rental schedule for communications site programs.

The BLM and the USFS could initiate a rulemaking that solicits public and industry comment and suggestions on the FMV rental fee schedule for communications uses. The proposed rule would update the rental fee schedule to reflect market values more closely, in response to the 2012 OIG audit.

⁶ <https://www.doioig.gov/sites/doioig.gov/files/C-IN-MOA-0013-2010Public.pdf>.

⁷ <https://www.blm.gov/programs/lands-and-realty/right-of-way/communication-sites>

Action 4-1.2: Consider a new FMV rental calculation process, such as simplified land-based leases, consistent with industry practice on private lands.

The development of an FMV rental calculation process, such as land-based leases, would be more in line with what industry encounters in the private sector. The proposed rule, addressed in Action 4-1.1, could simplify the FMV rental determination process and amend implementation policies and practices. New regulations might require several years to complete; however, this could be included in other communication regulatory efforts, taking 1–2 years.

BLM Section 5: Program Administration

The BLM retains the responsibility for permitting, amending, renewing, and assigning authorizing instruments to facility owners and facility managers. The issuance of an FCC license or an NTIA frequency assignment does not authorize occupancy and use of public land. Granting occupancy and use of public land rests exclusively with the BLM. The BLM is not normally responsible for the resolution of interference conflicts when the licensees are operating within the limits of their FCC and NTIA/Interdepartment Radio Advisory Committee licenses.

In addition to administering each lease, the BLM's goal is to develop a Communications Site Management Plan for each multi-facility area known as a site to provide applicable guidance and current policy and technical standards. The plan governs development and management of the site and requires holders to work together to resolve siting and interference issues between communications use authorizations. The BLM intends to update and modify plans as a site grows and develops. Future uses must be compatible and must not interfere with the senior uses at the site. The CSMP should reflect the complexity of the current condition and the anticipated future demand for the site.



Idaho Falls, Idaho

The CSMP is administrative in nature and is categorically excluded from further review under NEPA. All additional or new development at the site must have a site-specific NEPA document.

The BLM has been working to bring its own facilities up to Motorola R56 standards, which are considered the industry standards for communication facilities. While many improvements have

been completed, there are many more to go. If the BLM is to make its facilities available to other users, the agency must continue to upgrade all of its facilities.

Issue 5-1: Implementing proposed actions in this report will require dedicated staff to supervise and coordinate activities and to ensure current and future workloads are prioritized and managed throughout the agency.

This report puts forth many recommendations for actions to help streamline communications site program leasing and permitting. Implementing these actions will take dedicated staff with a common goal and clear objectives. Current Washington Office communications site program lead and communications site program managers will continue to be assigned program administration and oversight; however, it is anticipated that implementing the recommendations in this report would take a dedicated full-time coordinator.



Baxter Pass, Colorado

Twenty years ago the BLM had around 425 realty specialists. Today it has 266, a reduction of approximately 50%. Furthermore, the BLM loses approximately 10 more realty specialists annually than are hired, giving the BLM an annual attrition rate of 3–6%, based on agency-wide realty staff. This has been the trend for at least 10 years.

Action 5-1.1: Create and staff a full-time national communications site program coordinator position to oversee implementation of streamlining actions.

A national communications site program coordinator position would be created and staffed in the Washington Office; however, the position would likely be based centrally in the field in one of the BLM state offices. The coordinator tasks would include overseeing the implementation of the streamlining actions, coordinating shared staffing across BLM administrative boundaries, and ensuring consistent communications site program administration throughout the states. Developing a position description and filling the position could be accomplished in 6 months.

Direct additional resources needed for the BLM's communications site program, including hiring for additional positions, in order to increase capacity to timely process communications uses for leasing and development of CSMPs. The BLM should identify missing resources (e.g., wildlife biologists and archaeologists) that are hindering communication application processing.

Issue 5-2: The funds appropriated from the collection of rental (\$2 million) have not been changed in 23 years, while the rentals collected have increased by nearly five times (demonstrating the increase in overall workload)—a discrepancy that reduces the agency’s ability to support the communications site program.

As noted previously, beginning in 1996 (when communications rental receipts were approximately \$2 million), Congress appropriated up to \$2 million of these receipts to the BLM annually for the administration and management of communications uses on public lands. The money was to go toward the development and implementation of CSMPs, employee training, and acquisition of legal access rights. This \$2 million allocation, however, has not been indexed to rental receipts or readjusted since 1996, even though the advanced rental receipts collected for 2018 totaled \$9,045,000. The number of communications sites administered by the agency continues to rise with new authorizations, but the administrative funding has not increased. This is would require legislative action; it is not an administrative fix.

Action 5-2.1: Retain additional funds from annual communications site rental, and allocate additional funds for management of the communications site program.

The BLM receives congressional appropriations each year to complete CSMPs. It is a priority of the BLM to prepare CSMPs for all new and existing communications areas. When a CSMP is in place, the permitting can be somewhat streamlined.

As noted above, the BLM is collecting about five times more rent now than in 1995, but appropriations have remained the same. Figure 14 illustrates the revenues collected by year by BLM alongside the number of authorizations billed. With additional appropriated communication funds, the BLM could further streamline the permitting in certain high-interest areas with Programmatic EAs and a strike team. A strike team might include a realty specialist/project manager, a planning and environmental coordinator, a biologist, and an archaeologist. It would take 2–3 years to receive additional appropriated funds. This is would require legislative action; it is not an administrative fix.

Issue 5-3: The public and communications site applicants do not understand the roles, processes, or timing related to the processing of communications site program actions.

Providing industry and the public with a clear picture of the roles, responsibilities, and processes would help streamline the communications site program.

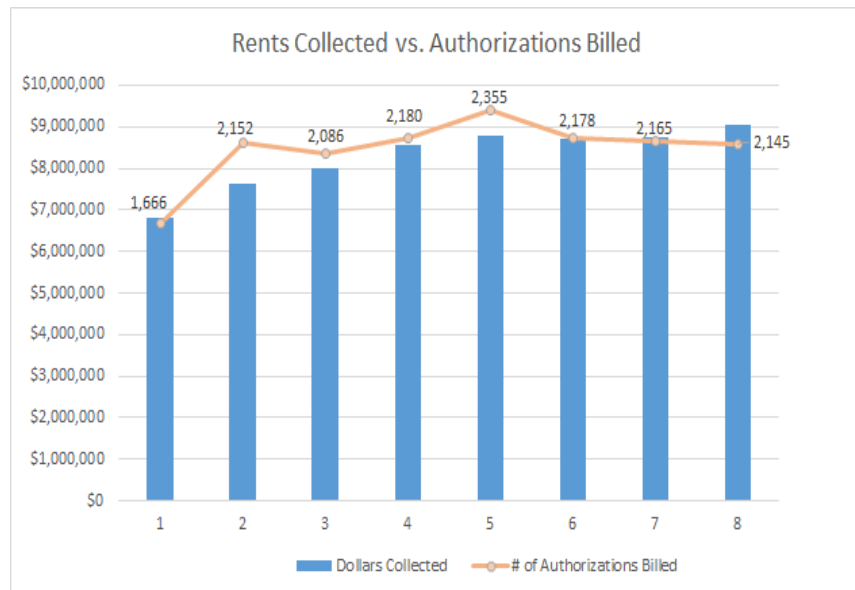


Figure 14: BLM Communications Site Program Rental Collected vs. Number of Authorizations Billed, 2011–2018

Action 5-3.1: Include more information about the BLM’s roles and responsibilities in the communications site program on the BLM’s public web pages.

To help educate the public and industry, the BLM would develop information to post on external websites. The information would be user-friendly and would outline specific roles and responsibilities and describe processes related to the communications site program. Existing policy and procedures would be featured, along with flowcharts showing the process from initial application to development; mapping applications; and FAQs and useful definitions.

This action would be accomplished through internal guidance and is expected to take approximately 3 months to implement.

Action 5-3.2: The BLM, along with the public and industry, would present at public outreach meetings to explain the need for a revised rental schedule.

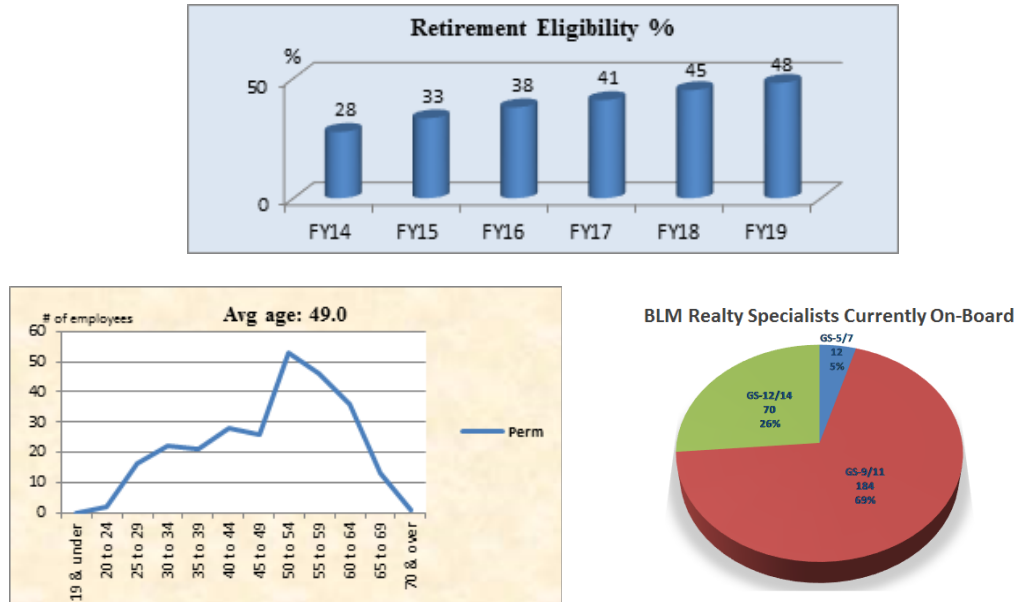
To help educate the public and industry, and provide a means for the submission of well-informed comments in a public scoping process, the BLM and the USFS would ensure that the public and industry are involved early in the rental schedule development and streamlining processes. Representation by the agencies would maximize informed commenting by industry and the public.

These actions would be accomplished through internal guidance issued by each of the agencies’ national offices and are expected to take approximately 1 year to implement.

Issue 5-4: Delays, inconsistencies, and competing priorities are caused by limited capacity. The BLM must address communications site workload, in terms of staff numbers as well as expertise.

During the approval process, the BLM is required to analyze the potential environmental effects of issuing a lease in accordance with NEPA and the ESA. Both laws require the consideration of direct, indirect, and cumulative effects. The BLM receives industry and public comments about the communications site when analyzing the environmental effects of a leasing decision.

All of these processes, along with the technical knowledge required to process a communications site application, require well-trained, senior-level realty staff. Retirements, hiring difficulties, and funding uncertainties, however, have severely limited the BLM's ability to process communication applications. The BLM today has roughly half as many realty specialists as it had 20 years ago; the average age is nearly 50, increasing the likelihood of ongoing retirements. Figure 15 illustrates the percent of realty specialists eligible to retire (by year); Figure 16 shows the average age of a realty specialist; Figure 17 represents the grade levels of realty staff. Generally the field staff are GS-11 or lower, while GS-12 and above are supervisors or program leads. The same issues have also contributed to inconsistencies across BLM field offices when processing communication applications.



Figures 15–17: BLM Realty Workforce Statistics

The BLM continually balances priorities in the realty program. Renewable energy, power and oil and gas transmission, and renewal of expiring authorizations are among the current priorities. The BLM, and specifically the field offices, are understaffed and are often unable to address the

permitting of communication facilities as a high priority. Completing NEPA documents requires an interdisciplinary team of competent specialists. These specialists often have other high-priority tasks within their field of specialization (e.g., wildlife, cultural resources) and are likely to be on NEPA teams for multiple projects. Lack of dedicated staff and other missing resources at a field office cause delays in NEPA processes. As a part of potential reorganization of the DOI, agencies should consider sharing interdisciplinary team specialists as a solution for processing applications.

Action 5-4.1: Continue training of realty staff.

The BLM would continue coordinated joint trainings with the USFS on communications site processing. The BLM could also do statewide or district-wide training sessions as requested. In addition, the BLM could provide one-on-one training in offices that have only one, brand-new realty specialist (to help out until those employees could attend the BLM's Beginning Lands and Realty course).



Joint BLM and USFS Communications Site Training –
Phoenix, Arizona, 2018

Action 5-4.2: Use the BLM's National Radio Operations Branch to provide communications site expertise.

The BLM has a National Radio Operations Branch that provides for all of the BLM's communication needs. This staff has the technical expertise to assist field realty specialists who lack the knowledge or confidence to administer communications sites. They can assist with communications site inspections, communications site management plans, review of applications, and actions to address interference.

Action 5-4.3: Inform all BLM offices about the high priority and importance of processing communications site applications.

The annual work plan instructs each state that many realty actions are BLM priorities—specifically, withdrawals, energy, corridors, and large-scale rights-of-way. The agency will insert a directive acknowledging the broadband program, including any associated actions, as a national priority. This action can occur in the release of the 2019 annual work plan.

In collaboration with other BLM efforts to streamline permitting processes, the BLM would include rural broadband initiatives in the priority work, and set ambitious goals to decrease permitting timeframes for broadband by 20%, or 215 days to process, by the end of 2019. The

BLM would issue an IM informing the field offices of the importance of broadband application processing, referencing EO 13821; the Presidential Memorandum to the Secretary of the Interior dated January 8, 2018; the Consolidated Appropriations Act, 2018 ; and this new policy that processing will take no more than 215 days. The IM could be issued within 4 months.

Action 5-4.4: Implement a top-down prioritization of communication projects to eliminate delays in communication leasing and permitting processes.

The Department has made processing communication actions a departmental priority and has informed the agencies of such priority. The annual work plan instructs each state to complete two Communications Site Management Plans each year. This could be a performance measure in each state director's performance review.

The BLM could fund an interdisciplinary strike team within the BLM, which would report to the Washington Office, to facilitate processing communications site projects and timely reviews. The BLM would institute a process to elevate any programmatic issues that develop so they can be quickly resolved. Prioritization would be accomplished through BLM policy and guidance and would take approximately 3 months. Securing funding for, and hiring, additional staff could take 1–2 years.

Chapter 2 – U.S. Fish and Wildlife Service (FWS)

Communications Site Program and Background

The U.S. Fish and Wildlife Service administers roughly 96 million terrestrial acres within the National Wildlife Refuge System, National Fish Hatchery System, national monuments, and associated administrative sites (e.g., the National Conservation Training Center in Shepherdstown, WV), spanning all 50 states and five U.S. territories. The vast majority of these lands fall under the National Wildlife Refuge System. Lands within the Refuge System are managed according to the authorities of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997.

The mission of the Refuge System is to “administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.” The National Wildlife Refuge System Improvement Act of 1997 states FWS shall not initiate or permit a new use of a national wildlife refuge (refuge) unless determined that the use is a compatible use, not inconsistent with public safety, and will not materially interfere with or detract from the fulfillment of the mission of the Refuge System or the purposes of the refuge. Currently there are 566 national wildlife refuges, many with different establishing authorities and purposes.



Rocky Mountain Arsenal National
Wildlife Refuge, Colorado

The National Wildlife Refuge System Improvement Act requires FWS to issue final regulations establishing the process for determining compatibility. FWS Compatibility policy 603FW2, derived from 50 C.F.R. 26.41, provides guidelines for determining compatibility of a proposed refuge use through a compatibility determination. A compatibility determination is a written determination, signed and dated by the refuge manager and FWS regional chief of refuges, signifying that a proposed or existing use of a national wildlife refuge is a compatible use or is not a compatible use. Each refuge has different establishing authorities and purposes, which can result in different compatibility determinations for the same use. If a compatibility determination deems a proposed use such as telecommunications or broadband facility as not a compatible use, a permit will not be authorized and the process stops. A compatibility determination deemed

not compatible can be appealed to the FWS regional director for review.

The FWS has permitting responsibility for roughly 81 million acres in Alaska. The National Wildlife Refuge System Improvement Act of 1997 establishes the same standard for compatibility for Alaska refuges as for other national wildlife refuges. The provisions of the Alaska National Interest Lands Conservation Act of 1980, Pub. L. 96-487, 94 Stat. 23-71 (ANILCA), may alter the compatibility process to include additional procedural steps when reviewing applications for utility systems such as telecommunications and broadband (ANILCA section 1104(g) and 43 C.F.R. 36.7(a)(2)). This requires a Federal agency to consider economically feasible alternatives before routing the transportation or utility system through an area.

Within FWS-managed lands, there are 244 real property communication system related assets, including 31 communication system sheds, 109 radio communication towers, 73 telecommunications utility systems, and 31 radio antennas, located across 204 FWS sites. Where applicable, the FWS will work with rural broadband developers to determine if existing assets on FWS lands are suitable for broadband use. These sites may provide opportunities to support broadband provider equipment.

Wilderness Act of 1964 (16 U.S.C. 1131-1136)

The National Wilderness Preservation System includes about 109 million acres of designated wilderness. The FWS administers almost 21 million acres of designated wilderness in 63 refuges and one fish hatchery, 12 million acres of proposed wilderness in the Arctic National Wildlife Refuge in Alaska, and nearly 2 million acres of proposed wilderness in 22 refuges in the remaining lower 48 states.

The Wilderness Act directs FWS to preserve wilderness character in designated wilderness. Wilderness character is preserved within FWS-proposed wilderness areas by policy (610 FW 1 – 5.) The primary qualities of wilderness character are untrammeled, undeveloped, natural, outstanding opportunities for solitude or a primitive and unconfined type of recreation, and potentially, other features of ecological, geological, scientific, educational, scenic, or historical value.

Subject to existing private rights, and special provisions included in wilderness-designation statutes, the Wilderness Act absolutely prohibits commercial enterprises and permanent roads. The Wilderness Act also prohibits temporary roads, motor vehicles, motorized equipment, motorboats, landing of aircraft, other forms of mechanical transport, structures, and installations unless their use can be demonstrated to be necessary to meet minimum requirements for the administration of the area for the purpose of the Wilderness Act.

FWS Realty and Rights-of-Way Permitting

FWS 1993 Rights-of-Way and Road Closings policy (340 FW 3) serves as guidance for regulations that govern the granting of rights-of-way on and across refuge lands, in 50 C.F.R. 29.21 and 29.22. Rights-of-way for uses of other than refuge lands (national fish hatcheries, research areas, and administrative sites) are made under applicable authority in 43 C.F.R. 2800, in accordance with procedures in 50 C.F.R. 29.2.

The 1993 ROW policy describes when to use permits (duration of rights-of-way for a maximum of 50 years before permit reapplication is required) and when to use easements (when the type of use will substantially alter the real property and is permanent or of a long-term nature; duration of 50 years maximum). The policy also describes roles and responsibilities, including approval by the regional director. Requests for use, including applications for telecommunications and broadband facilities, follow the same process after they have been deemed a compatible use.

FWS is not required to grant a ROW permit and will approve or deny the application based on a refuge compatibility determination. Other considerations will include National Environmental Policy Act analysis, other applicable laws such as Endangered Species Act, National Historic Preservation Act, and Wilderness Act of 1964, as well as public health and safety.

BLM communication facilities are defined as a tower, building, or equipment shelter. FWS receives very few of these types of requests. The FWS rights-of-way database, which consists of non FWS-owned broadband services, identifies 17 structures (communication or radio tower) on 10 national wildlife refuges and two national fish hatcheries that have been authorized and permitted since 1983 on FWS lands. These structures occur on six refuges in Alaska and the remainder in the lower 48 states (California, New Mexico, Oregon, Arizona, and Wisconsin). The ROW permits for these uses were issued over the course of 35 years (1983–2018). The majority of applicants were state or other Federal entities; only five were with the private sector. Length of time to process a ROW varied from 3 to 12 months in the lower 48 states, and 12 to 18 months in Alaska. Due to differences in time and complexity among these ROW permits, it is difficult to determine the discrepancies in length of time to process the ROW. Currently, the FWS has one communications facility ROW permit in process to assist another Federal agency with communication along the United States/Mexico border.



Little Pend Oreille National Wildlife Refuge,
Washington



Brazoria National Wildlife Refuge, Texas

In addition, the FWS has authorized 286 ROWs for communication lines (fiber optic, telephone) on FWS lands in 35 states. Most of these ROW permits are for buried communication lines within the states of North Dakota, Montana, South Dakota, Oregon, and Wyoming. FWS has categorical exclusions to NEPA analysis, which can be used when a request for issuance or reissuance of permits for an existing right-of-way for underground or above ground power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvement to those facilities are required; and for permitting a new

right-of-way, where no or negligible environmental disturbances are anticipated (516 DM 8.5.C.(4)). Generally, buried communication lines fit this category, and categorical exclusions are used instead of Environmental Assessments. Minor expansions of existing ROW on FWS lands are generally processed in less than 3 months. New ROWs for these uses, once deemed compatible, generally are issued within 3-6 months.

Supporting Rural Broadband Executive Order 13821

Executive Order 13821, *Streamlining and Expediting Requests To Locate Broadband Facilities in Rural America*, directs agency leadership “to use all viable tools to accelerate the deployment and adoption of affordable, reliable, modern high-speed broadband connectivity in rural America, including rural homes, farms, small businesses, manufacturing and production sites, tribal communities, transportation systems, and healthcare and education facilities.” The FWS is complying with EO 13821 by identifying its current infrastructure assets and strategic access improvements and by providing recommendations to reduce barriers in the permitting process.

The FWS is fully supportive of and embraces forward movement on increasing communication services through broadband expansion. The FWS recognizes the importance of communication in responding timely in emergency situations. FWS is committed to providing for the safety of visitors and employees on its lands and facilities and supporting the needs of local communities. The FWS is taking several steps to support the administration’s broadband policy when compatible with the purpose and mission of the refuge while adhering to the special requirements in wilderness areas. These steps include revision of policy to streamline right-of-way processes, increased coordination with applicants, as well as providing locations of existing assets available for broadband development. Figure 18 presents a flowchart of the agency’s application processing.



Figure 18: FWS Application Processing Flowchart

FWS Section 1: Regulations, Policy, and Guidance

The FWS ROW policy (340 FW 3, Rights-of-Way and Road Closings) was written in 1993 and does not include guidance for preparing, processing, and tracking applications for broadband services. The policy serves as guidance for regulations that govern the granting of rights-of-way on and across refuge lands, in 50 C.F.R. 29.21 and 29.22. Rights-of-way for uses other than refuge lands (national fish hatcheries, research areas, and administrative sites) are made under applicable authority in 43 C.F.R. 2800, in accordance with procedures in 50 C.F.R. 29.

Issue 1-1: 340 FW 3, Rights-of-Way and Road Closings, can be enhanced and modified. FWS plans to revise current regulations and policy to provide better guidance to prepare, track, and process compatible requested uses. Since ROW policy is derived from regulations, regulations will need to be changed prior to revising policy.

Action 1-1.1: Propose revisions to ROW regulations and policy. Many significant streamlining changes will be a part of the revision, making the process more consistent and efficient and increasing management effectiveness. In addition, the new policy will align FWS with other agencies' processes for ROW. FWS anticipates publishing the notice of proposed rulemaking in the Federal Register in February 2019, and publishing the final rule no later than November 2019.

Action 1-1.2: The revisions will incorporate guidance to process and track ROW applications. FWS does not have a system for tracking all ROW application requests. FWS regional offices generally only track ROW requests that a refuge manager has determined compatible and referred to regional FWS realty office staff for permit processing.

Issue 1-2: New telecommunications or broadband facilities such as structures or buildings may be difficult to deem compatible. New telecommunications or broadband facilities will also require NEPA analysis, likely an Environmental Assessment.

FWS has categorical exclusions that can be used when the request is for an existing right-of-way for underground or above ground power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvement to those facilities are required; and for permitting a new right-of-way, where no or negligible environmental disturbances are anticipated (516 DM 8.5.C.(4))

Action 1-2.1: Where applicable, existing ROWs for utilities, communications, and other infrastructure on FWS lands will be evaluated to determine if they can include access for future broadband services. Capitalizing on existing ROWs may provide opportunities to support broadband services efficiently, while minimizing impacts to wildlife and habitat.

Action 1-2.2: If FWS existing categorical exclusions are not applicable to broadband services, FWS will work to develop new categorical exclusions as appropriate.

FWS Section 2: Environmental Review

Although FWS does not receive many requests for broadband development on FWS-managed property, when the requested use is compatible, Secretary's Order 3355, *Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807, 'Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects,'* will streamline the NEPA processes. SO 3355 sets both page and time limitations for Environmental Impact Statements and requests similar limitations for Environmental Assessments. Additionally, subsequent Deputy Secretary Memorandums on "Additional Direction for Implementing Secretary's Order 3355" and "NEPA Document Clearance Process" provide further direction on streamlining NEPA and implement a new briefing procedure and streamlined approval process.

Issue 2-1: NEPA analysis and environmental compliance reviews can consume a significant amount of time in analyzing the requested or proposed use.

Action 2-1.1: Implement streamlined NEPA processes of the Department in accordance with SO 3355 and Deputy Secretary Memorandums to ensure that the appropriate NEPA analyses are completed under deadline and page limits.

Action 2-1.2: The FWS will use the following FWS categorical exclusion when applicable: "The issuance or reissuance of permits for limited additional use of an existing right-of-way for underground or above ground power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvement to those facilities are required; and for permitting a new right-of-way, where no or negligible environmental disturbances are anticipated" (516 DM 8.5.C.(4)).

Action 2-1.3: In order for a broadband development proposal to be authorized on Refuge System lands, it must be determined to be compatible with the Refuge System mission and the purpose of the refuge, which ultimately means the proposal cannot have an adverse impact on refuge land and resources. Therefore, the appropriate level of NEPA analysis will likely be an Environmental Assessment, if no categorical exclusion applies. Environmental Assessments will be completed in 6 months and be under 50 pages in compliance with SO 3355.

Action 2-1.4: When the broadband development is being permitted by more than one Federal agency, the FWS will work with the other Federal agency in preparing only one NEPA analysis for the project as required in Executive Order 13807, *"Presidential Executive Order on Establishing Discipline and Accountability in the Environmental Review and Permitting Process*

for Infrastructure.” The FWS will ensure that it shares all applicable information with the other Federal agency as early as possible to ensure all relevant issues are adequately addressed in the document and delays are avoided.

Action 2-1.5: FWS will inform applicants in its first communication of all information needed to complete appropriate NEPA analyses, ensuring that there are no unnecessary delays.

Action 2-1.6: FWS will ensure that all decisionmakers are informed and engaged early in the permitting process, including the Office of the Solicitor if necessary.

FWS Section 3: Approval of Use Authorizations

Current FWS policy 340 FW 3, Rights-of-Way and Road Closings, states that prospective applicants for ROWs should be given a copy of 50 C.F.R. 29.21 to 29.22, which describe the requirements for filing an application. 50 C.F.R. 29.21-2 states that “No special form of application is required”; it does, however, require that the applicant state the purpose for which the ROW is being requested, together with the length, width on each side of the centerline, and the estimated acreage. The application must also contain the name of the individual, corporation, or association, as well as an application fee (if applicable), as well as an environmental analysis and a map or plat. Applications must be filed with the regional director for the region in which the state is located.

Issue 3-1: Work with other Federal agencies on adoption of the GSA Common Form for communications sites uses.

Executive Order 13821, *Streamlining and Expediting Requests To Locate Broadband Facilities in Rural America*, requires the GSA to develop a common form for wireless facility sitings on buildings and other property owned by the Federal Government. FWS will require ROW applicants to use the common form that GSA develops, whether it is the SF-299 or some other form. FWS will require use of the common form in both the revised regulation and the revised policy.

Action 3-1.1: The FWS along with other land managing agencies will use the SF-299 as the standard application form. Online forms will be provided for user-friendly access. The use of e-file will reduce the barrier of limited staff capacity and provide a way to track right-of-way permits.

FWS has limited capacity to address current and anticipated right-of-way permitting workloads, due to both staff size and expertise. In addition, applicants do not always provide information necessary, as described below, to process their requests in a timely manner.

Issue 3-2: The amount of time necessary to review a requested use on FWS-managed public lands can vary depending on information provided in the application:

- Applicant does not consult with FWS before submitting a ROW permit application. A permit applicant may invest time and money to obtain a survey and environmental analysis for a use or route that is not likely to be compatible. In some cases, an alternative routing may make the proposed ROW compatible, but pursuing the alternative routing may require the applicant to obtain a new survey and potentially a new environmental analysis, delaying the permitting process by weeks or months. By consulting with FWS first, applicants could ensure that they submit the best possible application the first time, i.e., by obtaining a survey and appropriating environmental analysis for the routing that is most likely to be compatible.
- Applicant does not provide an acceptable environmental analysis for its proposed ROW. If the applicant consults with the FWS first, the FWS may be able to recommend competent environmental contractors that are known to prepare usable environmental analysis products. Additionally, some refuges may have the resources needed to prepare an environmental analysis for the applicant, on a reimbursable basis.
- Applicant does not provide a valid legal description (which may require a survey) for a proposed new linear ROW. The FWS cannot make a compatibility determination unless it can locate the proposed ROW on the ground.

Action 3-2.1: FWS will work with other Federal agencies to provide consistent guidance to applicants. Guidance will include a recommendation to hold a pre-application meeting with FWS refuge manager and realty staff before submitting application. This can assist the applicant and help streamline the process.

Action 3-2.2: FWS will explore ways to display public-facing information regarding the information needed for ROW applications for telecommunications and broadband services. This can be achieved by posting information on websites and providing consistent guidance and contact information to applicants across Federal agencies.

The FWS on average receives five to seven new ROW requests a year related to broadband services. These are typically requests to bury communication lines through FWS lands. FWS seldom receives requests for communication facilities, defined as a tower, building, or equipment shelter.

Issue 3-3: Realty and land management staff need training and guidance to be efficient in issuing consideration of ROW permits for broadband and telecommunications sites if deemed compatible.

Action 3-3.1: Currently FWS does not receive many requests for broadband and telecommunications sites. The FWS received one request in 2016 for a communication tower. The ROW was processed within a year. FWS will work with the BLM and other agencies with more experience to assist with providing training and guidance for processing broadband and telecommunications sites requests.

FWS Section 4 - Valuation and Appraisal for Land Use

The FWS will work to revise its 1993 ROW policy (340 FW 3, Rights-of-Way and Road Closings). The policy serves as guidance for regulations that govern the granting of rights-of-way on and across refuge lands, in 50 C.F.R. 29.21 and 29.22.

Revising FWS policy could clarify the ROW process for determining fair market value for rights-of-way permits and broadly interpret 50 C.F.R. 29.21-7(a) to include the use of waiver valuations and other DOI-approved methods to determine the FMV of ROW permits when an applicant waives the right to a written appraisal. This would provide FWS with flexibility regarding appraisals by giving the ROW applicant the option of a waiver valuation or use of the BLM's ROW schedules to determine the FMV of a ROW. FWS would give ROW applicants the option of a waiver valuation when the ROW permits have an estimated value of \$25,000 or less, the valuation is noncontroversial and uncomplicated, and FWS has consulted with the DOI's Appraisal and Valuation Services Office.

In addition to providing FWS with flexibility for determining the FMV of a proposed ROW permit, which would bypass the lengthy DOI Appraisal and Valuation Services Office (AVSO) appraisal process, AVSO might consider finding a way to shorten its contract appraisal process, perhaps by using a long-term, open-ended contract for ROW appraisals.

Issue 4.1: Obtaining the AVSO-contracted appraisal may require 4–12 months and can slow down the ROW process for compatible uses.

Action 4.1-1: Current policy requires FWS to obtain an appraisal to determine FMV. This can add 4–12 months to the ROW process. The new policy would clarify the FWS process for determining FMV and provide FWS more flexibility to determine FMV, thus streamlining ROW processes. FWS anticipates publishing the notice of proposed rulemaking in the Federal Register in February 2019, and publishing the final rule no later than November 2019.

FWS Section 5. Program Administration

Within FWS-managed lands, there are 244 real property communication system related assets, including 31 communication system sheds, 109 radio communication towers, 73 telecommunications utility systems, and 31 radio antennas, located across 204 FWS sites. Where applicable, the FWS will work with rural broadband developers to determine if existing assets on FWS lands are suitable for broadband use. These sites may provide opportunities to support broadband provider equipment.

Issue 5-1: FWS has limited requests on FWS-managed property for broadband development. FWS will look for opportunities to incorporate broadband services where infrastructure already exists on FWS lands.

Action 5-1.1: Where applicable, the FWS will work with rural broadband developers to determine if existing assets on FWS lands are suitable for broadband use. The FWS provided point data for 204 FWS sites identified where telecommunications and radio transmission equipment exists on FWS-managed lands. These sites may provide opportunities to support broadband provider equipment.

Chapter 3 – National Park Service (NPS)

The National Park Service (NPS) manages nearly 85 million acres around the country in 417 units. These units include national parks, national recreation areas, national monuments, national battlefields, national historic sites, and national seashores, and others. They vary in size from less than an acre to over 8 million acres.

Communications Site Program and Background

The NPS uses right-of-way permits to authorize non-NPS owned utilities such as infrastructure for power, water, broadband, and other communications facilities to occupy NPS-managed land. In 2013 an information request was sent to each park, leading to the submission of over 4,000 entries of raw data, each one representing infrastructure that is authorized by either an easement or a ROW permit. The NPS used this information to establish an internal database to collect and track information on ROW permits and other utilities located on park lands.



Colocation at Glen Canyon, Utah

Over the last 6 years, Land Resources staff have worked to verify this information, taking on this research project in addition to working with parks on active ROW permit applications. Verification requires identifying each identified piece of infrastructure in a park, locating the corresponding authorization document (grant, permit, easement, etc.) in the park or regional files, determining if the document is still valid, uploading valid documents to central filing, and updating information in the database. If no document can be found, this is recorded as

well, with the intention of working through those documents to put ROW permits in place in the future. This time-consuming task is ongoing, and is currently approximately 13% complete overall—broadband has already been prioritized, and 50% of broadband-related raw data has been verified. Land Resources staff is currently updating the database to track important data that is currently not collected, and upon completion of that update, is planning on stepping up efforts to verify the raw data. For example, the NPS does not currently track whether the authorization issued was new or a renewal. The database is being revised to allow for the tracking of both timeframe and type of authorization beginning in the second quarter of fiscal year 2019.

A total of 49 nongovernmental telecommunications towers and 19 non-NPS governmental towers on NPS-managed land were reported to the Land Resources Division. The towers are in 29 different NPS units. This information comes from the data submitted in response to the 2013

request. A concerted effort by Land Resources staff to ground-truth the raw data for cell towers from the inventory is underway. However, until the inventory is completely verified, all numbers are approximate. There are about 260 additional wireless telecommunications facilities located in NPS units (some of these are simply two-way radio and other internal communication for local companies, rather than broadband serving the public). These 260 facilities are colocated on a variety of towers, buildings, and structures. The NPS is in the process of verifying information on the number of linear communication facilities, such as fiber optic lines, located on NPS-managed land. Linear communication facilities may also be used to transmit high-speed internet communications. In the initial data request, parks reported the number of permits issued for linear communications facilities. But it is impossible to tell from the data reported if that facility is suitable for broadband communications. There is no data field in the application record of the distance covered by each permit.



Blue Ridge Parkway, Virginia

In addition, NPS units maintain their own NPS radio systems, which may include additional towers, facilities, and other communications infrastructure. These facilities were designed to serve the NPS requirements exclusively. Structures or facilities may be available for colocation where appropriate.

Currently, the NPS does not centrally track the length of time it takes to process a ROW permit application. Tracking this information will begin in the second quarter of fiscal year 2019 when a scheduled database update is completed. Over recent years, however, the NPS has annually issued an average of nine permits for telecommunications towers and facilities in a year, and five permits authorizing linear telecommunications infrastructure. Some of the permits issued were renewals for existing infrastructure, however, and not authorization of new infrastructure.

Authority and Planning – ROW Permitting

The NPS authority for issuing ROW permits is 54 U.S.C. 100902. The regulations are found at 36 C.F.R. 14. Policy guidance is in Management Policies 2006, chapter 8; Director's Order #53, and Reference Manual 53, Appendix 5. The legal authority for cost recovery is 54 U.S.C. 103104.

Some parks, but certainly not all, address potential broadband facility locations in planning documents. The NPS does not keep track of how many planning documents address this topic. Management Policies 2006, section 8.6.4.3, states that “the manner in which the park will

manage [telecommunications sites] should be addressed in an appropriate planning document.” In reality, once parks identify a need for a broadband communication plan, they develop the plan as park priorities, staff time, and funding allow. In addition, General Management Plans may address utility siting in general, either identifying preferred corridors or designating areas where utilities are inappropriate. Other planning documents such as a Natural Resource Management Plan, Cultural Landscape Report, Cultural Resource Management Plan, or Visitor Use Management Plan, may address utility siting, but only if it was relevant for the park.

Process – ROW Permitting

The NPS unit is the primary point of contact for ROW permit applications. Regional offices provide ROW subject matter experts to help parks process a permit request. ROW permits are generally signed by the regional director. The NPS uses one ROW permit template nationwide, updated in 2016, which may be modified as appropriate by adding park-specific or project-specific conditions. For example, modifications may include requiring bear-safe practices by Permittees in grizzly bear country, setting hours authorized for activities by the Permittee to limit disruption to park visitors, or establishing specific communications protocols between the park and Permittee in emergency circumstances.



Grand Canyon, Arizona

To begin the process, the NPS requests a pre-application meeting with all interested parties in order to discuss the application, process, timing, and expectations of both the applicant and the NPS. However, the application process for an NPS ROW permit process officially begins when the superintendent of an NPS unit receives a complete application, including an SF-299 and supplemental materials. The SF-299 is the standard application form used by most Federal land management agencies. After receiving the application, the NPS sends the applicant a letter acknowledging receipt of the application, either stating it is complete or outlining missing information, and generally describing next steps.

If applicable, the park will also initiate cost recovery upon receipt of the application. Cost recovery may include staff time and contracting costs associated with permit processing, such as compliance, any appraisal costs, and time spent drafting and working on the permit itself. Per the NPS legal authority, the NPS collects actual costs rather than using a schedule to determine cost recovery. Other agencies use schedules to determine cost recovery based on their legal authority.

In addition to cost recovery, the NPS collects a use and occupancy fee (annual rent) for every ROW permit issued, unless the project qualifies for one of the regulatory exemptions. Regulatory exemptions include irrigation projects, municipal projects, nonprofit projects, and a few others. The exemption is not discretionary with the NPS—if a proposal meets an exemption, then no use and occupancy fee is charged for that ROW permit. This use and occupancy fee is set by appraisal, which is coordinated with the DOI Appraisal and Valuation Services Office. The fee goes to the U.S. Treasury, and is not retained by the NPS.

Processing the permit involves:

- environmental and cultural review, such as NEPA and NHPA,
- a radio program review to ensure there is no frequency interference with existing NPS system by wireless projects,
- an appraisal for projects with an annual use and occupancy fee (annual rent) and
- drafting, reviewing, and approving the permit.

These steps may be completed simultaneously in most situations. The permit may not be completely drafted, however, until the other steps are complete, as terms and conditions may be developed through compliance, and the use and occupancy fee cannot be inserted in the permit until the appraisal is approved.

NHPA analysis plays a vital role in processing a request for a ROW permit in many parks. Many national park units were established to commemorate historic events or preserve cultural resources. For example, at a Civil War battlefield the protecting the historic viewshed is as important as protecting historic buildings or buried archaeological resources. Finalizing a site's design is challenging due to the number of factors including: functionality, access requirements, availability of necessary utilities such as telephone and electric services, addressing visitor and resource impacts, and considering the impact or benefit to the visitor experience. The NPS works diligently to keep this discussion moving with applicants through a thorough conversation at the pre-application meeting, followed by regular meetings, facilitated conversations, timely analysis, and informal conversations. Figure 19 presents a flowchart of the agency's application processing.

NPS ROW Permitting Process

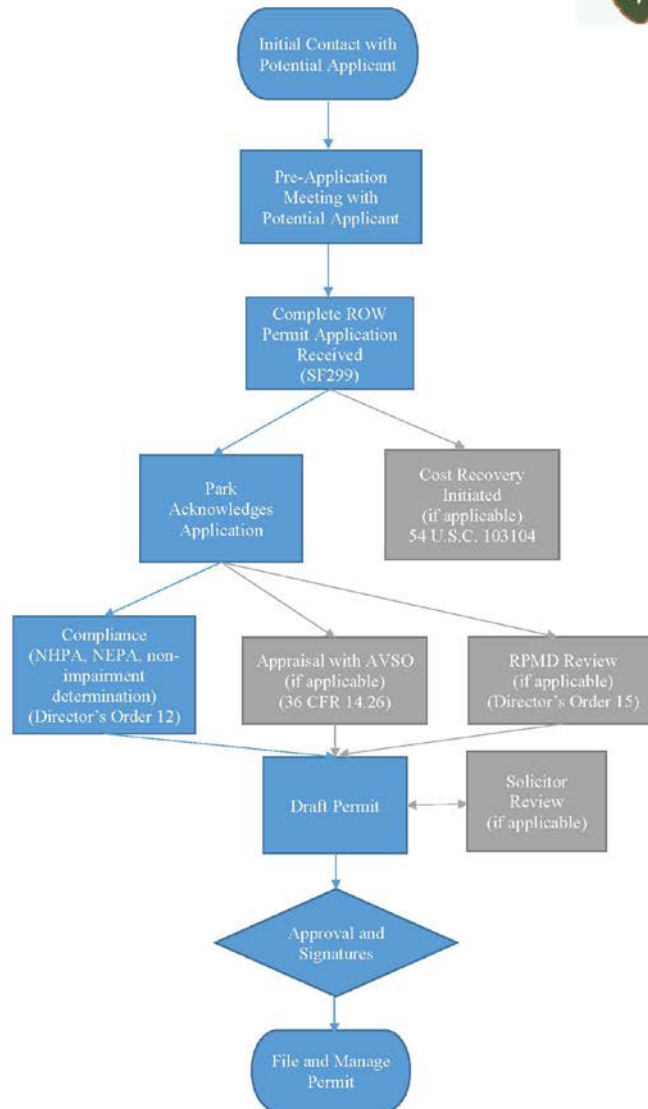


Figure 19: NPS Application Processing Flowchart

NPS Section 1: Regulations, Policy, and Guidance

Issue 1-1: The NPS manual for right-of-way permitting is outdated.

The NPS reference manual for right-of-way permitting (RM53, Appendix 5) is in the process of being updated to reflect current agency procedures. The manual does not require the use of modern technology for mapping, and does not reflect recent program and process changes. For example, the Land Resources regional offices now have several subject matter experts dedicated to assisting NPS units with ROW permitting, and this is not reflected in the current reference manual. In addition, appraisals and land valuations are now ordered and approved through the departmental Appraisal and Valuation Services Office rather than internally by the NPS. This new appraisal process needs to be reflected in RM53.

Action 1-1.1: RM53, Appendix 5, will be revised, to be released by the end of 2018. The draft will be reviewed by regional and field staff before issuance.

Issue 1-2: The current NPS mapping requirements are burdensome and do not use modern GPS (global positioning system) and mapping technology.

Current requirements mandate a survey and legal description signed by a licensed surveyor for every ROW permit, which is time-consuming, costly, and is not the most effective tool for NPS unit staff.

Action 1-2.1: Mapping requirements are being updated to reflect current mapping technology, and new mapping standards will be included in the revised RM-53, Appendix 5.

Issue 1-3: The ROW permit database currently does not collect or track all of the necessary information to be a useful tracking and reporting tool for the NPS.

The Land Resources program began developing a ROW permit database and tracking system. At the same time, Regional Lands Resources ROW coordinators were being hired to serve as subject matter experts to staff regional support offices. As expertise has developed, the NPS is improving the database to expand the scope of the information contained in the database to better serve as a management, tracking, and reporting tool. Current challenges include an inability to: identify whether infrastructure is colocated; identify whether infrastructure is aerial or underground; and clearly track several pieces of infrastructure authorized under one permit.

Action 1-3.1: The database is currently undergoing a significant update, scheduled to be completed in the second quarter of fiscal year 2019, to address these issues and improve the accuracy of the information available.

Issue 1-4: Delays and inconsistencies in permit processing and management are a result of the NPS's limited capacity to address the ROW permitting workload, due in part to limited expertise.

Despite the additional Land Resources support, ROW permit processing in an NPS unit is conducted by constantly changing staff with varying degrees of knowledge regarding ROW permitting. As ROW permit applications are received infrequently in most NPS units, it is often a new process for the park's staff.

Action 1-4.1: The NPS will continue to train ROW permitting staff in the field, region, and Washington office with methods including classroom training, webinars, and conference calls. The NPS will also take advantage of training offered by other DOI agencies and the private sector.

Action 1-4.2: Update the NPS ROW permit tracking database to increase ease of data entry, information processing, identification of types of uses requested and authorized, and workload tracking.

Issue 1-5: Delays and inconsistencies in permit processing may also be a result of finite resources, specifically funding and staffing levels.

While NPS staff will reprioritize projects in order to be responsive to a ROW permit application, sometimes more staff are necessary, especially for large, complex project proposals.

Action 1-5.1: Inform all offices in the NPS of the high priority and importance of processing broadband-related ROW permit applications.

Action 1-5.2: When possible, contractors hired by the applicant will conduct preliminary NEPA and NHPA compliance analysis using NPS guidelines and standards to produce a draft decision document for park review.

Action 1-5.3: Explore hiring authorities to increase FTE (full-time equivalent) to hire employees with lands and ROW experience to be assigned to a park or a regional office to process ROW applications exclusively. The costs incurred by the park or region will be reimbursed by the applicant through the NPS cost recovery authority found at 54 U.S.C. 103104. A waiver may be required to allow the park or regional office to exceed its employee cap.

Action 1-5.4: Explore hiring authorities to increase FTE to cover the duties of current NPS park or regional employees with lands and ROW experience, or reassign the current employee to work exclusively on processing and managing ROW permits. The costs incurred by the park or region will be reimbursed by the applicant through the NPS cost recovery authority found at 54 U.S.C. 103104. A waiver might be required to allow the park or regional office to exceed its employee cap.

NPS Section 2 – Environmental Review

Issue 2-1: A new categorical exclusion is needed for activities related to work within existing rights-of-way.

Action 2-1.1: NPS is currently developing an information package to substantiate the categorical exclusions for DOI and CEQ to request promulgation of an additional categorical exclusion for activities related to work within existing rights-of-way. This is subject to CEQ review and approval. NPS will be submitting the substantiation package to DOI Office of Environmental Policy and Compliance (OEPC) in July 2018 for the proposed ROW categorical exclusion.

Issue 2-2: Efficiencies need to be made in the NEPA process associated with processing ROW permits.

Action 2-2.1: NPS is currently implementing NEPA streamlining processes in accordance with SO 3355, which mandates quicker timelines for EAs and EISs, and also the additional requirements in the memoranda associated with SO 3355 that have been issued by the Deputy Secretary. NPS has also identified a FAST-41 bureau liaison to better focus NPS comments on FAST-41 projects where NPS may be a ROW permitting bureau.

Action 2-2.2: NPS provided DOI with pre-NEPA planning guidance, and is implementing the use of pre-Notice of Intent (NOI) activities, including working in advance with potential applicants. NPS has spearheaded pre-NEPA activities and has made pre-NEPA planning a central feature of EIS and EA project management. NPS has revised NEPA scopes of work to include pre-NEPA activities, and provided trainings to regional and Washington NEPA and planning staff on how to implement pre-NEPA activities.

NPS Section 3 - Permitting

Issue 3-1: Industry application submissions that are incomplete, inadequate, or lack data cause processing delays, or lead to continued site design changes, which further delay processing.

Applications often lack necessary information, such as maps clearly showing project areas needed for both construction and maintenance, details of planned equipment installation, and corporate documents.

Action 3-1.1: Through NPS participation in industry conferences, provide information and training on submission of complete communications site applications.

Action 3-1.2: Develop clear materials detailing application requirements, and make this material available through the website and other means to regional office and park staff, as well as the public and industry representatives.

Action 3-1.3: Develop ongoing relationships between regional ROW coordinators and industry applicants.

Action 3-1.4: Deliver an external NPS website that outlines the basic permit application requirements, including the SF-299 and required accompanying documents, and also provides links to park websites.

Issue 3-2: Under EO 13821, work with other Federal agencies on updates of the SF-299 application form.

The SF-299 is currently used by most Federal land management agencies and is under review by a work group to ensure it is effective for broadband applications.

Action 3-2.1: Ensure that the efficiencies of the SF-299 application form are maintained and improved during the SF-299 review.

Action 3-2.2: Ensure that the SF-299 application form as well as an outline of basic permit application requirements is easily available to potential applicants through the NPS website.

NPS Section 4 - Fair Market Value Rental

Issue 4-1: Current appraisal requirement can lengthen the permitting process and add significant expense to the process, especially for linear ROW permits, such as communication lines.

The current appraisal process usually takes months, and can cost thousands of dollars. The cost of the appraisal is borne by the applicant. The cost of the appraisal is frequently more than the annual rental value that it sets. As an extreme example, a recent appraisal for a fiber optic line ROW permit cost over \$10,000 to complete, and resulted in a rent of \$11 a year.

Action 4-1.1: The NPS has been working with the DOI's Appraisal and Valuation Services Office staff and Solicitor for several years to evaluate alternatives for the current appraisal process. The discussion is ongoing with the goal of finding a more universally applicable solution.

Action 4-1.2: Work with AVSO to identify an approved alternative. Once a course of action is reached, implement the approved alternatives to a formal audit.

Action 4-1.3: NPS is currently working with AVSO on a procedure called a “letter of consultation” that would allow the NPS to use a single appraisal to set the use and occupancy for several permits over a defined geographic area for several years. This procedure must be approved by AVSO.

NPS Section 5 - Program Administration

Issue 5-1: Implementing proposed actions in this report will require dedicated staff to supervise, coordinate, and ensure current and future workloads are managed throughout the field and at the regional approval and assistance levels.

Action 5-1.1: Agencies need to be able to retain funds legally from annual rental fees to hire staff to process and manage ROW permits (currently all rental fees go to the U.S. Treasury). In order for the NPS to retain annual rental funds, legislation would be required to allow the agency to apply the funds back into program management. This would require legislative action; it is not an administrative fix.

Action 5-1.2: Explore hiring authorities to increase FTE to hire employees with lands and ROW experience to be assigned to a park or a regional office to exclusively process ROW applications. The costs incurred by the park or region will be reimbursed by the applicant through the NPS cost recovery authority found at 54 U.S.C. 103104. A waiver may be required to allow the park or regional office to exceed its employee cap.

Action 5-1.3: Explore hiring authorities to increase FTE to cover the duties of current NPS park or regional employees with lands and ROW experience, or reassign the current employee to work exclusively on processing and managing ROW permits. The costs incurred by the park or region will be reimbursed by the applicant through the NPS cost recovery authority found at 54 U.S.C. 103104. A waiver might be required to allow the park or regional office to exceed its employee cap.

Issue 5-2: The public and communications site applicants need easy access to information on the NPS ROW application process for a better understanding of the roles, processes, or timing related to the processing of ROW permit applications.

The roles of the park and region are often unclear to external parties. Details on current process and timing are not available to potential applicants until they attend a pre-application meeting.

Action 5-2.1: The NPS has developed an external NPS website to be available to the public as well as industry explaining the NPS ROW permitting processes, roles, and responsibilities. The NPS will deliver this web site to the public summer 2018.

Action 5-2.2: Publication of the revised RM53, Appendix 5 (discussed in Issue 1-1), will assist in clarifying NPS process for NPS staff, the public, and industry. RM-53 will be made available to the public through the nps.gov website. The document should be available on the nps.gov website by the end of 2018.

Action 5-2.3: Attend industry conferences, such as the International Rights-of-Way Association, and participate in panel discussions to develop a working relationship with industry representatives.

Chapter 4 – Bureau of Reclamation (Reclamation)

Communications Site Program and Background

The framework for Reclamation's use authorization process is detailed in 43 C.F.R. 429, Use of Bureau of Reclamation Land, Facilities, and Waterbodies and Reclamation Manual (RM), Policy, Land Program Management (LND P06) and Directives and Standards (D&S), Land Use Authorizations, (LND 08-01). All requests for use, including applications for telecommunications facilities, follow the same process. All Reclamation staff follow these guidelines to permit telecommunications facilities efficiently and safely on Reclamation lands. If the proposed installation of a telecommunications or broadband facility is compatible with Reclamation Project purpose, Managing and Operating Partners (as applicable), and other permitted rights, the application will be considered for Reclamation's use authorization process.

Principle regulations, laws, policies, governing documents, enabling authorities, and other Reclamation project specific authorities include:

- 43 C.F.R. 429, Use of Bureau of Reclamation Land, Facilities, and Waterbodies, guides Reclamation's permitting process;
- Reclamation Manual (RM), Policy, Land Program Management (LND P06) defines the Bureau of Reclamation's overall roles and responsibilities in managing Federal land and interests in land under the jurisdiction of or administered by Reclamation;
- Reclamation Manual (RM), Directives and Standards (D&S), Land Use Authorizations, (LND 08-01) provides instruction and guidance on the issuance of use authorizations for telecommunications uses;
- The Reclamation Act, June 17, 1902, as amended and supplemented, 32 Stat. 388; 43 U.S.C. 391, et seq.;
- Section 4, Subsection I of the Second Deficiency Appropriation Act for 1924 (Fact Finders' Act), December 5, 1924 (43 Stat. 703; 43 U.S.C. 501);
- Sections 10 and 14 of the Reclamation Project Act of 1939, August 4, 1939 (53 Stat. 1196; 43 U.S.C. 387); and,
- Reference to other applicable governing documents can be found in LND 08-01.

Besides the authorities listed above, Reclamation has specific requirements on the issuance of use authorizations. Reclamation issues use authorizations in the form of easements, leases, licenses, and permits. The term length of the use authorizations varies depending on the complexity of the action and requested use. Reclamation is not required to issue a use authorization and will approve or deny the application based on the following criteria:

- 1) Compatibility with project purposes;
- 2) NEPA analysis;

- 3) Compatibility with public interests;
- 4) Federal policy and initiatives;
- 5) Public health and safety; and,
- 6) Ensuring that the use authorization is in the best interest of the United States.

Authority for Reclamation's use authorization process is delegated to regional directors and facilitated by regional realty officers in Reclamation's five regional offices. Authority to enter into telecommunications use authorizations can only be re-delegated to deputy and assistant regional directors, regional land resource managers, regional realty officers, area managers, deputy area managers, or field office managers. (RM, *Delegations of Authority*.)

Changes to the overall use authorization process are implemented by the Office of Policy and Administration (POLICY) Asset Management Division (AMD). AMD staff, in collaboration with internal and external stakeholders, continually review and make improvements to enhance the use authorization process. Figure 20 presents a flowchart of the agency's application processing.

Bureau of Reclamation Process For Permitting Use Authorizations Authorized by 43 CFR part 429

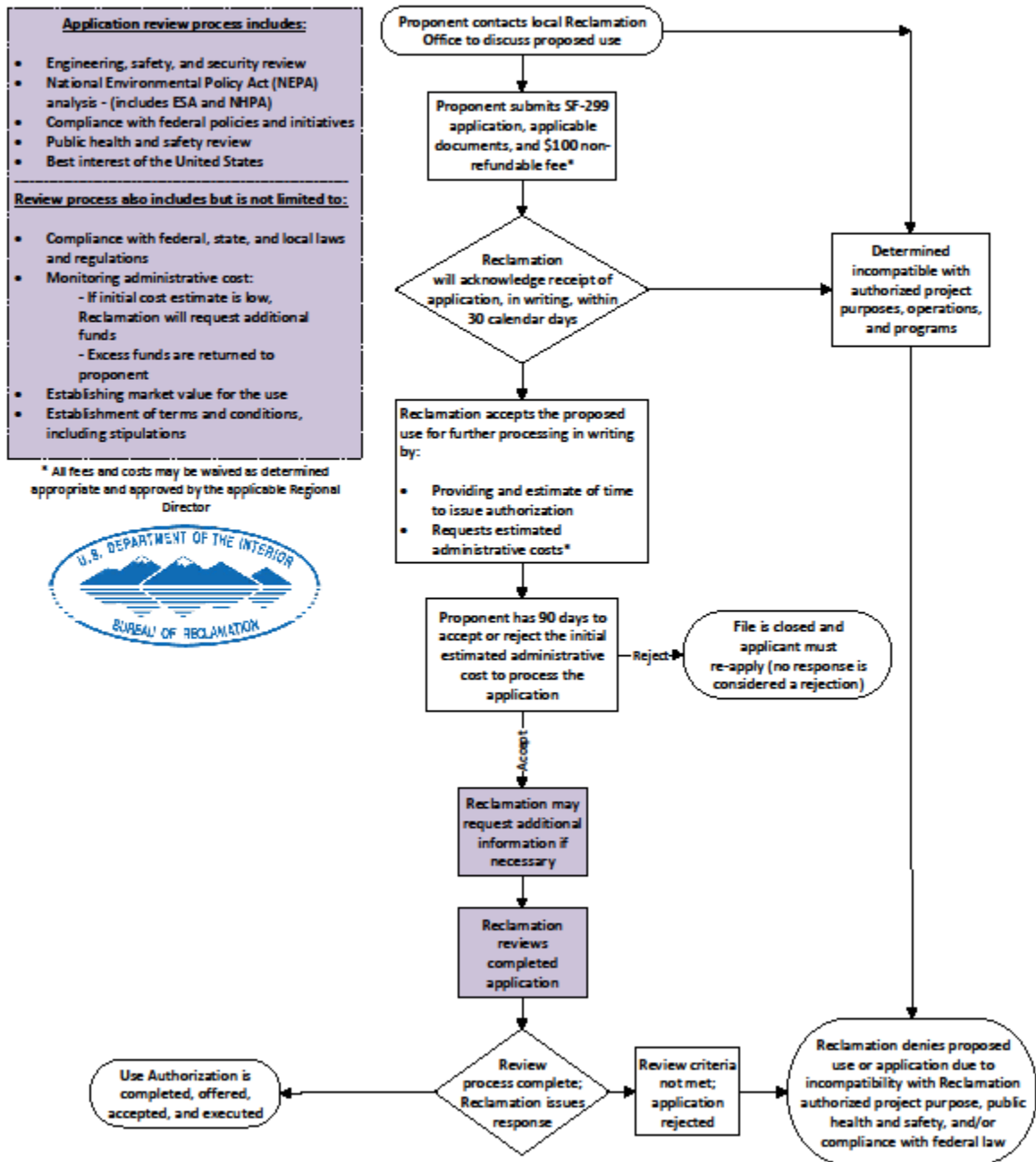


Figure 20. Reclamation's Application Processing Flowchart

Reclamation Section 1: Regulations, Policy, and Guidance

The foundation for all use authorizations on Reclamation land, facilities, and waterbodies is established by 43 C.F.R. 429, and LND 08-01, Land Use Authorizations. Reclamation's defined permitting process identifies clear requirements, key steps, authority, and additional guidance to go through the use authorization process. A significant strength of Reclamation's program is its well-written, clear, and concise regulation.

Issue 1-1: RM D&S, Land Use Authorizations, LND 08-01 can be enhanced and is currently undergoing a major revision.

Action 1-1.1: Many significant streamlining changes will be a part of the RM D&S revision. The focus of the revisions is to make Reclamation's use authorization process more consistent and efficient and to increase management effectiveness.

Reclamation Section 2: Environmental Review

All use authorizations are subject to NEPA analysis. Reclamation has a categorical exclusion (516 Departmental Manual (DM) 14.5, D10) that can be used for the issuance of permits, licenses, easements, and crossing agreements providing right of use over Reclamation lands when the action does not allow for, or lead to, a major public action. Reclamation staff use the categorical exclusion for issuing use authorizations for telecommunications facilities and right of use when appropriate.

Additionally, Reclamation's NEPA staff have been working on efforts related to Secretary's Order 3355, *Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807, 'Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects,'* and related laws, executive orders, and secretarial memorandums. The SO sets out to streamline environmental review processes. The established timelines and streamlining efforts will have a direct impact on timing and process for approval of telecommunications and broadband use authorizations.

Issue 2-1: NEPA analysis and environmental compliance reviews can take a significant amount of time in the use authorization process. This issue leads to questions and confusion on the status of the project from project proponents and members of the public.

Action 2-1.1: Reclamation staff will coordinate efforts with NEPA staff early in the process to ensure efficient and effective NEPA analysis. Much of the use authorization work can be completed concurrently, and a focus on ensuring the communication of needs between NEPA staff and the proponent will expedite the process.

Reclamation Section 3: Approval of Use Authorizations

Reclamation uses SF-299, *Application for Transportation and Utility Systems and Facilities on Federal Lands*. Reclamation has been working with the BIWG permitting workstream efforts to revise the form.

Reclamation use authorizations meet DOI standards and involve the following agencies and/or departments in the process to ensure compliance with necessary regulations: The Federal Communications Commission; National Telecommunications and Information Administration; Department of the Interior; and other applicable agencies to ensure regulations are met. Other Federal agencies and bureaus that are identified during the application process will be integrated into the use authorization process.

Issue 3-1: The amount of time necessary to issue a use authorization can vary depending on unique issues presented in the application.

Action 3-1.1: Reclamation will explore ways to display public-facing information regarding the status of use authorizations for telecommunications and broadband actions.

Action 3-1.2: Reclamation will explore the need for a system for tracking and monitoring of time needed for the issuance of use authorizations.

Action 3-1.3: Reclamation's AMD staff will work to integrate key radio program requirements into the development of telecommunications use authorizations.

Issue 3-2: SF-299 needs revisions to be efficient and capture all of the necessary information from the project proponent. 43 C.F.R. 429, which establishes SF-299, will be used as the application for broadband and telecommunications use authorization.

Action 3-2.1: Reclamation, along with the other land management agencies (NPS, FWS, USFS, BLM, etc.), use SF-299 as the standard application form. Reclamation is a member of the BIWG permitting workstream that is revising the SF-299 form. Reclamation will continue to participate to develop an improved form.

Issue 3-3: Realty and land management staff need training and guidance to be efficient in issuing use authorizations for broadband and telecommunications sites.

Action 3-3.1: Reclamation will continue to provide internal and external training to staff that process and approve land use authorizations.

Reclamation Section 4: Valuation and Appraisal for Land Use

Use fees are the amount due to Reclamation for use of Federal land, facilities, or waterbodies under its jurisdiction. Use fees are established by appraisal, waiver valuation, or other appropriate or generally accepted business practice. The realty officer in each of Reclamation's regions approves or denies use fees. Additional fees related to approving telecommunications sites may include rental costs for access roads and a schedule of fees for sublessees. These fees are typically a component of use fees within the use authorization.

Issue 4-1: Valuation for appraisals and determining the value for use can take a significant amount of time.

Action 4-1.1: Regional realty officers will approve all valuations for use fees. They will continue to ensure that valuation methods are consistent, and they will work closely with Reclamation's use authorization program staff and project proponent to ensure the most efficient and accurate method of valuation is used.

Action 4-1.2: Reclamation will develop clear guidance, adopt fee schedules, and work with other Federal partners, when appropriate. As an example, Reclamation staff often use the BLM's fee schedule for communications sites when appropriate but have found instances when the fee schedule does not return market value for the particular situation. Due to this discrepancy, independent appraisals are often completed, which takes more time than using a fee schedule.

Reclamation Section 5: Program Administration

Unique challenges for Reclamation's use authorization program include:

- 1) Withdrawn Lands and Facilities. Many of Reclamation's lands, facilities, and assets are not public, but withdrawn from public use for the facilitation of Reclamation's mission to deliver water and power. As such, it is Reclamation policy to consider uses by third parties when appropriate and when the proposed use does not conflict with Reclamation Project purposes and benefits. Through Reclamation's planning processes, managers effectively integrate, and when practical, balance the full and appropriate range of land management considerations, including economic and commercial uses, environmental and cultural resources conservation, public access and recreation, trespass abatement and

law enforcement, remediation of damage to land resources, fire management, public use, and other applicable considerations.

- 2) Security. Many of Reclamation's land and facilities are located behind gates in security zones or may involve National Critical Infrastructure. Sensitive and non-public areas typically include those areas necessary for the delivery of water and transmission of energy under contractual obligations with external stakeholders and customers.
- 3) Sensitive Data and Information. Many of Reclamation's radio, cell, and supervisory control and data acquisition (SCADA) sites involve sensitive data that cannot be subject to the additional risk of exposure to the public.
- 4) Water Customers and Project Managing Partners. Most of Reclamation's land and facilities are managed by contract or agreement with other entities. All use authorizations are issued in close coordination with these entities, which may impact the approval of the use. These sites are required to meet Federal standards and may also be subject to additional requirements of the local managing entity. This involves state, local, municipal, county, water district and managing partner regulations, laws, rules and bylaws.

Issue 5-1: The unique aspects of Reclamation's mission are a challenge to increasing use authorization opportunities.

Action 5-1.1: It is important that Reclamation managers have the ability and discretion to determine which land, facilities, and waterbodies are suitable for approval of telecommunications and broadband facilities. An effort to inform, train, and communicate internally will be an important step in improving the process. Reclamation's regulation, 43 C.F.R. 429, has an established process, and using the best available information while issuing these use authorizations will lead to increased success.

Chapter 5 – Bureau of Indian Affairs (BIA)

Communications Site Program and Background

The framework for BIA's use authorization process is detailed in 25 C.F.R. 169, Rights-of-way Over Indian Land, and 25 C.F.R. 162, Leases and Permits. All requests for use, including applications for telecommunications facilities, follow a similar process. All BIA staff follow these guidelines to permit telecommunications facilities efficiently and safely on Indian trust lands. If the proposed installation of a telecommunications or broadband facility is compatible with the regulatory requirements, the application will be considered for BIA's use authorization process.

Principle regulations, laws, policies, governing documents, enabling authorities, and other BIA specific authorities include:

- 25 U.S.C. 323-328;
- 25 U.S.C. 415;
- 25 C.F.R. 169, Rights-of-way Over Indian Land;
- 25 C.F.R. 162, Leases and Permits; and,
- Other appropriate tribal ordinances when applicable.

Besides the authorities listed above, BIA has specific requirements on the issuance of use authorizations. BIA issues use authorizations in the form of ROWs and leases. The term length of the use authorizations varies depending on the complexity of the action and requested use, with maximum terms identified in the statute. BIA has discretionary authority to issue a use authorization and will approve or deny the application based on the following criteria:

- 1) Regulatory compatibility with project purposes;
- 2) NEPA analysis;
- 3) Compatibility with public interests;
- 4) Federal policy and initiatives;
- 5) Landowner consent requirements;
- 6) Public health and safety; and,
- 7) Ensuring that the use authorization is in the best interest of the beneficiary.

Authority for BIA's use authorization process is delegated to regional directors and agency superintendents. Authority to enter into telecommunications use authorizations has been delegated from the Secretary and Assistant Secretary - Indian Affairs to the director, BIA through 209 Departmental Manual (DM) 8 and 230 DM 1. The director's authority has been delegated to the regional directors through 3 IAM 4. Each of the 12 regional directors then may

delegate their authority to the superintendent's at their agency offices. There are 85 agency offices.

Federal Communications Site Program Working Groups

Executive Order 13821 directs agency leadership "to use all viable tools to accelerate the deployment and adoption of affordable, reliable, modern high-speed broadband connectivity in rural America, including rural homes, farms, small businesses, manufacturing and production sites, tribal communities, transportation systems, and healthcare and education facilities." To comply with EO 13821, BIA staff began participating in the Broadband Interagency Working Group. Participation on the BIWG, and the increased focus of EO 13821, has BIA contributing to the following efforts: providing data on potential suitable facilities to locate broadband facilities on individual Indian trust and tribal trust land; and working with realty and trust program staff across the agency on this initiative.

It is important to note that BIA oversees and provides fiduciary trust responsibilities over Indian trust and tribal trust land, which is different from other Federal land management agencies. The level of ROW and leasing for telecommunications and broadband sites is different from other Federal agencies. Figure 21 presents a flowchart of the agency's application processing.

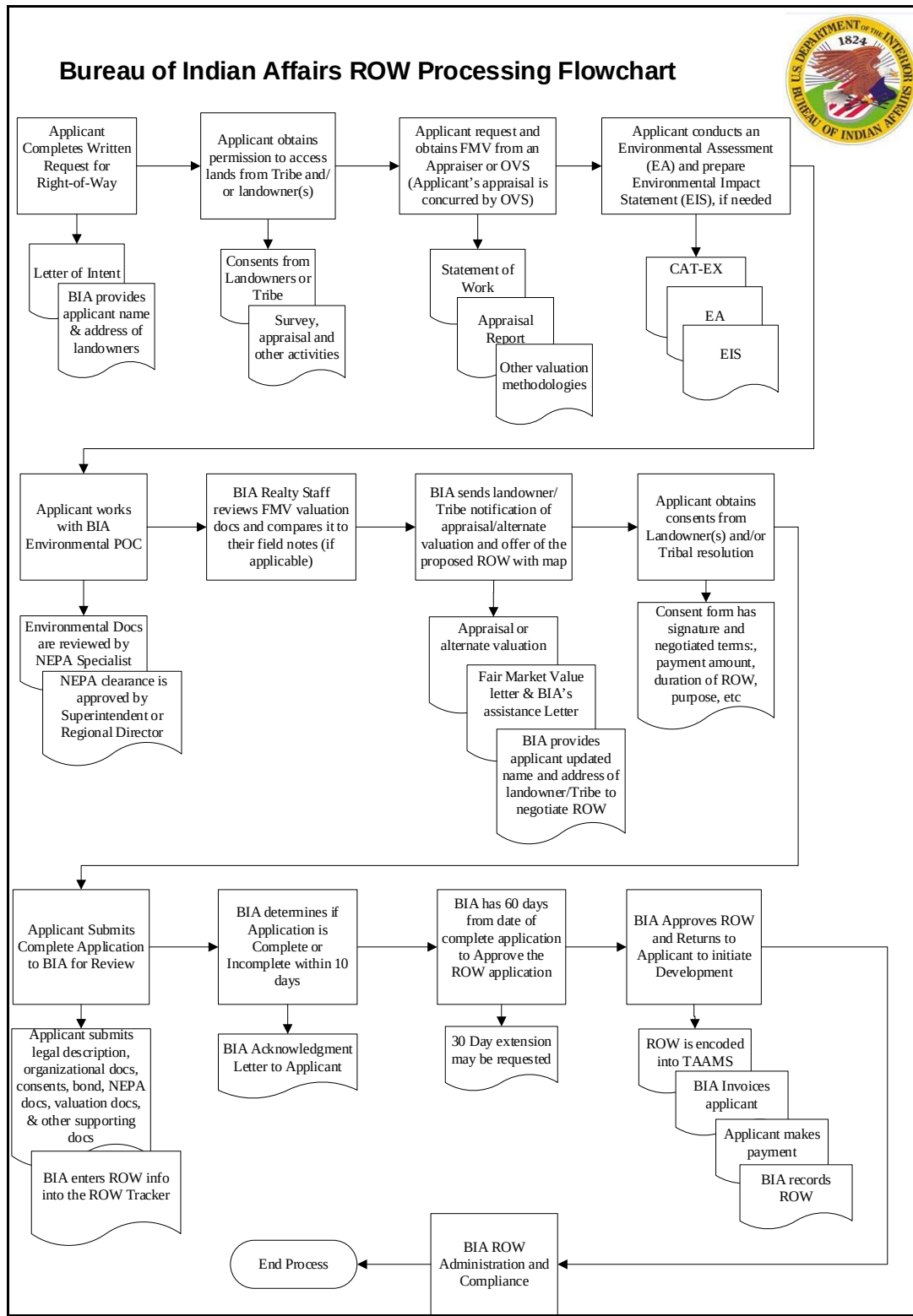


Figure 21. BIA Application Processing Flowchart

BIA Section 1: Regulations, Policy and Guidance

The foundation for all use authorizations on Indian land and tribal lands is established in detail at 25 C.F.R. 169, Rights-of-way Over Indian Land, and 25 C.F.R. 162, Leases and Permits. BIA's defined ROW and leasing process identifies requirements, key steps, authority, and additional guidance to go through the use authorization process.

Issue 1-1: The use of individual Indian trust and restricted land and tribal trust land (Indian land) for telecommunications purposes is governed by two sets of regulations: 25 C.F.R. 169 (ROW) and 25 C.F.R. 162 (leases). BIA determines whether a ROW or lease is appropriate depending upon the nature of the telecommunications facility involved and the application received. Regulatory delays can occur when the nature of the transaction and application does not fall clearly into one regulatory scheme or another.

Action 1-1.1: Review current rights-of-way, leasing, and permitting regulations for those transactions involved in telecommunications.

Action 1-1.2: Create a BIA telecommunications site program with associated regulations to reflect the demands and technological innovation currently taking place in the wireless industry. If so, determine whether a policy would be sufficient to direct all the use of ROWs for all telecommunications use. If not, draft a BIA telecommunications program with associated regulations to reflect the demands and technological innovation currently taking place in the wireless industry.

Action 1-1.3: Consider the adoption of a regulation allowing BIA to grant permits to access property for purposes associated with making use applications, including environmental and cultural requirements.

Issue 1-2: The BIA does not have updated handbooks.

Action 1-2.1: Review guidance and policy, and update handbooks. Evaluate whether a separate section should be created for telecommunications uses, either centralizing the process for telecommunications uses or creating a fast-track for telecommunications uses.

Issue 1-3: Delays and inconsistencies are caused because the BIA has limited capacity to address communications site workload, both in terms of numbers of staff and expertise.

Action 1-3.1: Continue hiring of realty staff. Place emphasis on employee retention and succession planning.

Action 1-3.2: Develop a training curriculum for realty staff that focuses on broadband projects of realty staff.

Issue 1-4: There are competing priorities associated with office caseload.

Action 1-4.1: Develop policy to provide guidance to all offices in the BIA regarding the high priority and importance of processing telecommunications site applications.

Action 1-4.2: Implement a top-down prioritization of telecommunications projects to eliminate delays in leasing and permitting processes of these projects.

Action 1-4.3: Provide resources support for telecommunications site leasing and permitting decisions.

BIA Section 2: Environmental Review and Other Related Activities

All use authorizations are subject to NEPA analysis. BIA has a categorical exclusion (516 Departmental Manual (DM) D10.5) that can be used for the issuance of permits, licenses, easements, and crossing agreements providing right of use over Indian trust and tribal lands when the action does not allow for, or lead to, a major public action. BIA staff may use the categorical exclusion for issuing use authorizations for ROW and leases encompassing telecommunications facilities.

BIA's environmental program staff have been working on efforts related to Secretary's Order 3355, *Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807, 'Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects,'* and related laws, Executive orders, and secretarial memorandums. The SO sets out to streamline environmental review processes. The established timelines and streamlining efforts will have a direct impact on timing and process for approval of telecommunications and broadband use authorizations.

Issue 2-1: NEPA processes slow communication application processing.

Action 2-1.1: Develop BIA streamlined NEPA processes in accordance with Secretary's Order 3355.

Action 2-1.2: Develop data standards for applicants and their contractors to use in collection of data and preparation of communication NEPA analyses (such as Programmatic Environmental Assessments), reducing processing delays.

Action 2-1.3: Assess means to reduce NEPA-related litigation and appeals.

Issue 2-2: The Endangered Species Act and National Historic Preservation Act Section 106 consultation can delay BIA leasing decisions.

Action 2-2.1: Initiate dialogue on programmatic processes and adoption of best management practices.

Action 2-2.2: Develop more efficient consultation process.

BIA Section 3: Rights-of-way, Leasing and Permitting

Other Federal agencies use SF-299, *Application for Transportation and Utility Systems and Facilities on Federal Lands*. BIA has not been engaged with the BIWG permitting workstream efforts to revise the form. BIA has forms that are specific to BIA's needs, which are unique and separate from other Federal agencies. Ownership of trust lands, landowner consent, and deference to individuals and tribes are a few of the factors that BIA has to consider when approving a ROW or lease.

BIA use authorizations meet DOI standards and involve the following agencies and/or departments in the process to ensure compliance with necessary regulations: the Federal Communications Commission and other applicable agencies. Other Federal agencies and bureaus that are identified during the application process will be integrated into the use authorization process.

Issue 3-1: Industry submits incomplete applications, which can delay the further processing of an application. BIA's recent regulatory revision (2016) identified timeframes associated with the review and determination of a complete or incomplete application and requires the approval of a complete application within 60 days of receipt of the complete application. With 85 agencies receiving and reviewing applications, it is difficult to track and monitor BIA's compliance with the regulatory timeframes.

Action 3-1.1: Through BIA-sponsored industry workshops, provide information and training on submission of complete communications site applications.

Action 3-1.2: Through BIA participation in industry conferences, provide information and training on submission of complete communications site applications.

Action 3-1.3: Provide outreach to tribes and Indian landowners; training to BIA field agencies to ensure that their tracking of transactions is monitored and maintained.

Issue 3-2: The inconsistency of cost recovery determinations leads to different categories for BIA's processing of similar actions at the field offices.

Action 3-2.1: Audit cost recovery category determinations to ensure quality control.

Issue 3-3: Under EO 13821, work with other Federal agencies, internal BIA programs, and tribes on adoption of the GSA Common Form for communications site uses, or other standard lease and rights of way forms.

Action 3-3.1: Ensure that the efficiencies of the SF-299 application form are reviewed as the preferred application for the BIA field offices and tribes to be used on existing BIA and tribal buildings and other assets located on Indian land.

Action 3-3.2: Determine whether the GSA Common Form can be used for rights-of-ways and leases on trust lands.

BIA Section 4: Fair Market Value Rental

Administrative fees are the amount due to BIA for processing use authorizations on Indian trust land under its jurisdiction. Use rentals are established by appraisal, waiver valuation, and other appropriate valuations determining FMV. Trust landowners, either individual Indians or tribes, negotiate the rental amount with the applicant for ROWs and leases. The superintendent and regional director, in each of BIA's regions and agencies, approve or deny the rental amount. Additional fees related to approving telecommunications sites may include rental costs for access roads. Rental amounts paid for the use authorizations are income to the trust landowners.

Issue 4-1: Developing a national BIA FMV rental rule would provide updated rents, and consistency and expediency to FMV rental determinations.

Action 4-1.1: Collaborate with Federal agencies to evaluate alternatives for estimating a new rental schedule for communications site programs.

Action 4-1.2: Consider a new FMV rental calculation process, such as simplified land-based leases, consistent with industry practice on private lands.

BIA Section 5 - Ownership of Trust Indian Lands and Program Administration

Indian lands administered by the BIA present a unique aspect to managing Federal lands. Reservations, created by treaty, congressional authority and Executive order, comprise the trust and restricted lands under BIA's jurisdiction. There are also former reservation areas (in Oklahoma), public domain allotments, and trust lands not part of a reservation. These lands are owned by the United States on behalf of either individual Indians or a tribe.

Unique challenges for BIA's use authorization program include:

- 1) Sensitive Data and Information. Many of BIA's ROW and leases include sensitive data that cannot be subject to the additional risk of exposure to the public.
- 2) Privacy Protected Information. Due to the BIA's fiduciary trust responsibilities for individual Indians and tribes, land and ownership, financial, and cultural information cannot be released.

Issue 5-1: Trust versus fee ownership types are usually mixed within a reservation area, referred to as "checkerboard" ownership patterns.

Action 5-1.1: On any newly proposed project, provide to industry available maps with boundaries and distinctions among tribal, allotted, and fee properties as early as can be made available.

Action 5-1.2: Through BIA participation in industry conferences, provide information on ownership patterns and the significance of such.

Action 5-1.3: Review and develop enhancements to reports from the system of record (TAAMS) to ensure the reports are "industry-friendly."

Issue 5-2: Indian allotted land with fractionated ownership may delay the process of rights-of-way and lease approval.

Action 5-2.1: Establish standard operating procedures to facilitate meetings between project applicants and trust landowners.

Action 5-2.2: Streamline the consent process.

Action 5-2.3: Provide instructions that tract ownership will be reviewed and certified prior to application approval. This will ensure ownership is current and up-to-date for consent purposes and for distribution of income.

Issue 5-3: Implementing proposed actions in this report will require dedicated staff to supervise, coordinate, and ensure current and future workloads are managed throughout the field.

Action 5-3.1: Dedicate staff to monitor BIA's national communications site program. Serve as a liaison with other Federal agency contacts, monitor implementation, and recommend streamlining opportunities.

Action 5-3.2: Develop a national BIA website to convey information, objectives, goals, training, and activities performed on tribal lands.

Issue 5-4: BIA does not have the ability to recruit and retain qualified communications site personnel.

Action 5-4.1: Form an interdisciplinary communications team so that the site program will be functional, properly administered, and consistently managed.

Issue 5-5: BIA does not track rights-of-way and leases on a project basis. Reporting will be difficult to account for project status on trust lands.

Action 5-5.1: Adjust tracking systems to identify specific broadband-based project reporting. Evaluate trust systems and incorporate new codes that will identify project(s) on trust lands.

Action 5-5.2: Allocate funds for tracking and tracking systems the BIA uses for this communication program.

Issue 5-6: The public and communications site applicants do not understand the roles, processes, or timing related to the processing of communications site program actions on Indian trust land.

Action 5-6.1: Include more information about BIA's leasing program and communicate with the public using existing outreach programs. Develop and promote brochures, posters, and social media methodologies.

Next Steps

In accordance with the Presidential memorandum, this report will be delivered to the Office of Science and Technology Policy in the White House. Ultimately, implementation of these action items will be at the direction of the Secretary of the Interior. The issues identified in this report and the recommended actions and remedies include administrative actions and policy changes, as well as regulatory actions (revisions and/or promulgation of new regulations). The actions cover a broad spectrum of potential impacts and estimated times to implement. Many of the administrative and policy changes may be implemented relatively quickly. Other action items, such as those requiring a rulemaking, may take more time.

Furthermore, DOI had an industry listening session on June 29, 2018. Attachment 15 reflects the feedback received, and any issues or actions have been reviewed and incorporated into this report.

Whether individually enacted or combined, all of these actions would have a positive impact on improving deployment of broadband infrastructure on public lands. This report identifies a multitude of action items across many DOI agencies, all aimed to reduce processing times and improve upon outdated regulations to keep pace with technological innovation. Economic growth and prosperity in rural America requires access to broadband to connect families, small businesses, classrooms, health providers, and emergency services. Millions of Americans still lack access to broadband services, especially those in the rural West. By partnering with industry and communities, the Department of the Interior can better leverage public lands and assets to increase connectivity in rural America.



Red Hills in Cedar City, Utah

Attachment 1

Issues/Action Outline by Agency

Bureau of Land Management

Section 1 – Regulations, Policy, and Guidance

Issue 1-1: The current BLM communication leasing regulations are characterized by slow permit processing, and administration of authorized facilities is often regarded as overly complicated and confusing for both the agency and the public.

Action 1-1.1: Review current communication leasing regulations, and adopt industry and public input to update existing regulations through rulemaking.

Action 1-1.2: Perform adequate tracking of permitting to reduce timeframes and report monthly.

Issue 1-2: The BLM communication handbook is outdated.

Action 1-2.1: Review guidance and policy and develop an action plan for revisions.

Action 1-2.2: Revise the BLM handbook and provide appropriate guidance.

Issue 1-3: The BLM's lack of guidance regarding "minor" communications use leases, renewals, and amendments delays processing actions.

Action 1-3.1: Develop threshold criteria.

Issue 1-4: The Endangered Species Act, the Migratory Bird Treaty Act, and National Historic Preservation Act Section 106 consultation can delay BLM leasing decisions.

Action 1-4.1: Initiate dialogue and adopt best management practices; develop timeframes for completion of consultation processes.

Action 1-4.2: Partner with State Historic Preservation Offices, many of which have moved to digital-based systems, to identify communications site impacts early and expedite Section 106 consultations.

Issue 1-5: Current land use planning and land use designations do not prioritize broadband infrastructure in underserved areas.

Action 1-5.1: Incorporate broadband uses in land use planning to prevent restrictive designations while balancing the overall needs of multiple use and conservation stewardship.

Section 2 – Environmental Review

Issue 2-1: NEPA processes slow communication application processing.

Action 2-1.1: Revise policy regarding Visual Resource Management designations and broadband development.

Action 2-1.2: Execute BLM streamlined NEPA processes and consistently use categorical exclusions.

Action 2-1.3: Update regulations to allow for use of categorical exclusions from other agencies and departments.

Action 2-1.4: Develop data standards for applicants and their contractors to use in collection of data and preparation of communication NEPA analyses (such as

Attachment 1

Programmatic Environmental Assessments), reducing processing delays.

Action 2-1.5: Update BLM policy.

Action 2-1.6: Assess the means to reduce NEPA-related litigation and appeals.

Section 3 - Leasing and Permitting

Issue 3-1: The inconsistency of cost recovery determinations leads to different categories for the BLM's processing of similar actions in different offices.

Action 3-1.1: Audit cost recovery category determinations to ensure quality assurance and quality control.

Action 3-1.2: Simplify the use of cost recovery agreements.

Action 3-1.3: For Category 6 cost recovery determinations, establish a policy for immediate collection of a portion of the funds to initiate work on applications.

Issue 3-2: Industry applications are submitted with incomplete or inadequate data, causing processing delays.

Action 3-2.1: Through agency-sponsored industry workshops or BLM participation in industry conferences, provide information and training on submission of complete communications site applications.

Action 3-2.2: Strongly urge industry and require field offices to hold a pre-application meeting for all broadband applications that will result in NEPA actions greater than a categorical exclusion.

Issue 3-3: Land use planning designations make lands either unavailable or cost-prohibitive to develop.

Action 3-3.1: Thoroughly review the implications of land use designations on communications site development in land use planning efforts.

Issue 3-4: The BLM does not have an electronic application filing system.

Action 3-4.1: Work toward an electronic application filing system for broadband uses.

Issue 3-5: Bonding on communications sites or fiber optic line authorizations is not consistently required across field offices and results in abandoned equipment and facilities on public lands and "lost" holders of authorizations.

Action 3-5.1: Update existing bonding authority for new broadband authorizations or when amending and renewing broadband authorizations.

Section 4 - Fair Market Value Rental

Issue 4-1: There is a need to develop a national FMV rental rule for the BLM and the U.S. Forest Service to provide updated market value as well as consistency and expediency to FMV rental determinations.

Action 4-1.1: Evaluate alternatives for estimating a new rental schedule for communications site programs.

Action 4-1.2: Consider a new FMV rental calculation process, such as simplified land-based leases, consistent with industry practice on private lands.

Attachment 1

Section 5 - Program Administration

Issue 5-1: Implementing proposed actions in this report will require dedicated staff to supervise and coordinate activities and to ensure current and future workloads are prioritized and managed throughout the agency.

Action 5-1.1: Create and staff a full-time national communications site program coordinator position to oversee implementation of streamlining actions.

Issue 5-2: The funds appropriated from the collection of rental (\$2 million) have not been changed in 23 years, while the rentals collected have increased by nearly five times (demonstrating the increase in overall workload)—a discrepancy that reduces the agency's ability to support the communications site program.

Action 5-2.1: Retain additional funds from annual communications site rental, and allocate additional funds for management of the communications site program.

Issue 5-3: The public and communications site applicants do not understand the roles, processes, or timing related to the processing of communications site program actions.

Action 5-3.1: Include more information about the BLM's roles and responsibilities in the communications site program on the BLM's public web pages.

Action 5-3.2: The BLM, along with the public and industry, would present at public outreach meetings to explain the need for a revised rental schedule.

Issue 5-4: Delays, inconsistencies, and competing priorities are caused by limited capacity. The BLM must address communications site workload, in term of staff numbers as well as expertise.

Action 5-4.1: Continue training of realty staff.

Action 5-4.2: Use the BLM's National Radio Operations Branch to provide communications site expertise.

Action 5-4.3: Inform all BLM offices about the high priority and importance of processing communications site applications.

Action 5-4.4: Implement a top-down prioritization of communication projects to eliminate delays in communication leasing and permitting processes.

Attachment 1

U.S. Fish and Wildlife Service

Section 1: Regulations, Policy, and Guidance

Issue 1-1: 340 FW3, Rights-of-Way and Road Closings, can be enhanced and modified.

Action 1-1.1: Propose revisions to ROW regulations and policies.

Action 1-1.2: Revise guidance on process and track all ROW application requests.

Issue 1-2: New telecommunications or broadband facilities will require NEPA analysis.

Action 1-2.1: Determine access to minimizing impacts to wildlife and habitat.

Action 1-2.2: Develop new categorical exclusions as appropriate.

Section 2: Environmental Review

Issue 2-1: NEPA analysis and environmental compliance reviews can consume a significant amount of time in analyzing the requested or proposed use.

Action 2-1.1: Streamline NEPA processes.

Action 2-1.2: Use categorical exclusion when applicable.

Action 2-1.3: Conduct appropriate level of NEPA analysis.

Action 2-1.4: Work with other Federal agencies to avoid delays.

Action 2-1.5: Work with applicant in its first communication to avoid delays (pre-application meeting).

Action 2-1.6: Inform and engage all decisionmakers in the beginning stages.

Section 3: Approval of Use Authorizations

Issue 3-1: Adoption of the GSA Common Form for communications sites uses.

Action 3-1.1: Adopt use of the SF-299 standard application form and use of e-file to accept applications.

Issue 3-2: Time to review application.

Action 3-2.1: Work with other Federal agencies at the pre-application phase.

Action 3-2.2: Provide better information on websites for applicants.

Issue 3-3: Training and guidance on permitting broadband and telecommunications sites.

Action 3-3.1: FWS will work with the BLM and other agencies with more experience to assist with providing training and guidance for processing broadband and telecommunications sites requests.

Section 4 - Valuation and Appraisal for Land Use

Issue 4.1: Appraisals can add additional time to process ROW applications.

Action 4.1-1: New policy would clarify the FWS process for determining FMV.

Section 5. Program Administration

Issue 5-1: FWS has limited requests for broadband development.

Action 5-1.1: Work with applicant to colocate on existing authorizations.

Attachment 1

National Park Service

Section 1: Regulations, Policy, and Guidance

Issue 1-1: The NPS manual for right-of-way permitting does not reflect current use of modern technology and appraisal process.

Action 1-1.1: The manual will be revised to address modern technology and new appraisal process and will be reviewed by staff prior to issuance.

Issue 1-2: The current mapping technology and legal description are outdated.

Action 1-2.1: Mapping requirements are being updated to reflect current mapping technology and new mapping standards.

Issue 1-3: The ROW permit database is not useful for collecting and tracking ROW data.

Action 1-3.1: Currently undergoing update.

Issue 1-4: Delays and inconsistencies in permit processing and management are a result of the NPS's limited capacity to address the ROW permitting workload.

Action 1-4.1: Continuing training in ROW permitting.

Action 1-4.2: Updating the ROW permit tracking database.

Issue 1-5: Delays and inconsistencies in permit processing due to funding and staffing.

Action 1-5.1: High priority and importance of processing broadband applications.

Action 1-5.2: Hire contractors to conduct preliminary NEPA and NHPA compliance.

Action 1-5.3: Increase FTE (full-time equivalent) positions with ROW experience.

Action 1-5.4: Cost reimbursement.

Section 2 – Environmental Review

Issue 2-1: A new categorical exclusion is needed for activities related to work within existing rights-of-way.

Action 2-1.1: Develop an information package to substantiate the categorical exclusions for DOI and Council on Environmental Quality to request promulgation of an additional categorical exclusion.

Issue 2-2: Efficiencies need to be made in the NEPA process associated with processing ROW permits.

Action 2-2.1: NPS is currently implementing NEPA streamlining processes in accordance with SO 3355, which mandates quicker timelines for EAs and EISs.

Action 2-2.2: Implement the use of pre-Notice of Intent activities.

Section 3 - Permitting

Issue 3-1: Industry application submissions that are incomplete, inadequate, or lack data.

Action 3-1.1: Training on submission of completed applications.

Action 3-1.2: Detailing application requirements.

Action 3-1.3: Develop ongoing relationships with applicants.

Attachment 1

Action 3-1.4: Develop an external NPS website.

Issue 3-2: Working with other Federal agencies on SF-299 form.

Action 3-2.1: Maintained SF-299.

Action 3-2.2: Ensure that the SF-299 application form as well as an outline of basic permit application requirements is easily available to potential applicants through the NPS website.

Section 4 - Fair Market Value Rental

Issue 4-1: Current appraisal requirement can lengthen the permitting process and add significant expense to the process, especially for linear ROW permits, such as communication lines.

Action 4-1.1: Continue discussions with DOI Appraisal and Valuation Services Office staff finding a more universally applicable solution to determine rent.

Action 4-1.2: Work with AVSO to identify an approved alternative.

Action 4-1.3: Work with AVSO on a procedure called a “letter of consultation.”

Section 5 - Program Administration

Issue 5-1: Implementing proposed actions in this report will require dedicated staff to supervise, coordinate, and ensure current and future workloads are managed throughout the field and at the regional approval and assistance levels.

Action 5-1.1: Retain funds from annual rental fees.

Action 5-1.2: Explore hiring authorities to increase FTE to hire employees with lands and ROW experience.

Action 5-1.3: Explore hiring authorities.

Issue 5-2: NPS needs to develop a better understanding of the roles, processes, or timing related to the processing of ROW permit applications.

Action 5-2.1: Deliver an external NPS website to the public.

Action 5-2.2: Publish revised RM53.

Action 5-2.3: Attend industry conferences.

Attachment 1

Bureau of Reclamation

Section 1: Regulations, Policy, and Guidance

Issue 1-1: Reclamation Manual Directives and Standards, Land Use Authorizations, LND 08-01 can be enhanced and is currently undergoing a major revision.

Action 1-1.1: Revise the RM D&S.

Section 2: Environmental Review

Issue 2-1: NEPA analysis and environmental compliance reviews can take a significant amount of time in the use authorization process.

Action 2-1.1: Coordinate early with NEPA staff.

Section 3: Approval of Use Authorizations

Issue 3-1: The amount of time necessary to issue a use authorization can vary depending on unique issues presented in the application.

Action 3-1.1: Explore ways to display public-facing information regarding the status of use authorizations.

Action 3-1.2: Explore the need for a system for tracking and monitoring of time needed for the issuance of use authorizations.

Action 3-1.3: Work to integrate key radio program requirements into the development of telecommunications use authorizations.

Issue 3-2: SF-299 needs revisions to be efficient and capture all of the necessary information from the project proponent.

Action 3-2.1: BIWG permitting workstream.

Issue 3-3: Realty and land management staff need training and guidance to be efficient in issuing use authorizations for broadband and telecommunications sites.

Action 3-3.1: Internal and external training.

Section 4: Valuation and Appraisal for Land Use

Issue 4-1: Valuation for appraisals and determining the value for use can take a significant amount of time.

Action 4-1.1: Consistent valuation methods.

Action 4-1.2: Develop clear guidance.

Section 5: Program Administration

Issue 5-1: The unique aspects of Reclamation's mission are a challenge to increasing use authorization opportunities.

Action 5-1.1: Managers' ability and discretion.

Attachment 1

Bureau of Indian Affairs

Section 1: Regulations, Policy, and Guidance

Issue 1-1: The use of individual Indian trust and restricted land and tribal trust land (Indian land) for telecommunications purposes is governed by two sets of regulations: 25 C.F.R. 169 (ROW) and 25 C.F.R. 162 (leases).

Action 1-1.1: Review current rights-of-way, leasing, and permitting regulations for those transactions involved in telecommunications.

Action 1-1.2: Create a BIA telecommunications site program with associated regulations to reflect the demands and technological innovation currently taking place in the wireless industry.

Action 1-1.3: Consider the adoption of a regulation allowing BIA to grant permits to access property for purposes associated with making use applications, including environmental and cultural requirements.

Issue 1-2: The BIA does not have updated handbooks.

Action 1-2.1: Review guidance and policy, and update handbooks.

Issue 1-3: Delays and inconsistencies are caused because the BIA has limited capacity to address communications site workload, both in terms of numbers of staff and expertise.

Action 1-3.1: Continue hiring realty staff.

Action 1-3.2: Develop a training curriculum for realty staff that focuses on broadband projects of realty staff.

Issue 1-4: There are competing priorities associated with office caseload.

Action 1-4.1: Develop policy to provide guidance to all offices in the BIA regarding the high priority and importance of processing telecommunications site applications.

Action 1-4.2: Implement a top-down prioritization of telecommunications projects to eliminate delays in leasing and permitting processes of these projects.

Action 1-4.3: Provide resources support for telecommunications site leasing and permitting decisions.

Section 2: Environmental Review and Other Related Activities

Issue 2-1: NEPA processes slow communication application processing.

Action 2-1.1: Develop BIA streamlined NEPA processes in accordance with Secretary's Order 3355.

Action 2-1.2: Develop data standards for applicants and their contractors to use in collection of data and preparation of communication NEPA analyses (such as Programmatic Environmental Assessments), reducing processing delays.

Action 2-1.3: Assess means to reduce NEPA-related litigation and appeals.

Issue 2-2: The Endangered Species Act and National Historic Preservation Act Section 106 consultation can delay BIA leasing decisions.

Attachment 1

Action 2-2.1: Initiate dialogue on programmatic processes and adoption of best management practices.

Action 2-2.2: Develop more efficient consultation process.

Section 3: Rights-of-way, Leasing and Permitting

Issue 3-1: Industry submits incomplete applications, which can delay the further processing of an application.

Action 3-1.1: Through BIA-sponsored industry workshops, provide information and training on submission of complete communications site applications.

Action 3-1.2: Through BIA participation in industry conferences, provide information and training on submission of complete communications site applications.

Action 3-1.3: Provide outreach to tribes and Indian landowners; training to BIA field agencies to ensure that their tracking of transactions is monitored and maintained.

Issue 3-2: The inconsistency of cost recovery determinations leads to different categories for BIA's processing of similar actions at the field offices.

Action 3-2.1: Audit cost recovery category determinations to ensure quality control.

Issue 3-3: Under EO 13821, work with other Federal agencies, internal BIA programs, and tribes on adoption of the GSA Common Form for communications site uses, or other standard lease and rights-of-way forms.

Action 3-3.1: Ensure that the efficiencies of the SF-299 application form are reviewed as the preferred application for the BIA field offices and tribes to be used on existing BIA and tribal buildings and other assets located on Indian land.

Action 3-3.2: Determine whether the GSA Common Form can be used for rights-of-ways and leases on trust lands.

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Issue 4-1: Developing a national BIA FMV rental rule would provide updated rents, and consistency and expediency to FMV rental determinations.

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Action 4-1.2: Consider a new FMV rental calculation process, such as simplified land-based leases, consistent with industry practice on private lands.

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Issue 5-1: Trust versus fee ownership types are usually mixed within a reservation area, referred to as "checkerboard" ownership patterns.

Action 5-1.1: On any newly proposed project, provide to industry available maps with boundaries and distinctions among tribal, allotted, and fee properties as early as these can be made available.

Action 5-1.2: Through BIA participation in industry conferences, provide information on ownership patterns and significance of such.

Attachment 1

Action 5-1.3: Review and develop enhancements to reports from the system of record (TAAMS) to ensure the reports are “industry-friendly.”

Issue 5-2: Indian allotted land with fractionated ownership may delay the process of rights-of-way and lease approval.

Action 5-2.1: Establish standard operating procedures to facilitate meetings between project applicants and trust landowners.

Action 5-2.2: Streamline the consent process.

Action 5-2.3: Provide instructions that tract ownership will be reviewed and certified prior to application approval. This will ensure ownership is current and up-to-date for consent purposes and for distribution of income.

Issue 5-3: Implementing proposed actions in this report will require dedicated staff to supervise, coordinate, and ensure current and future workloads are managed throughout the field.

Action 5-3.1: Dedicate staff to monitor BIA’s national communications site program. Serve as a liaison with other Federal agency contacts, monitor implementation, and recommend streamlining opportunities.

Action 5-3.2: Develop a national BIA website to convey information, objectives, goals, training, and activities performed on tribal lands

Issue 5-4: BIA does not have the ability to recruit and retain qualified communications site personnel.

Action 5-4.1: Form an interdisciplinary communications team so that the site program will be functional, properly administered, and consistently managed.

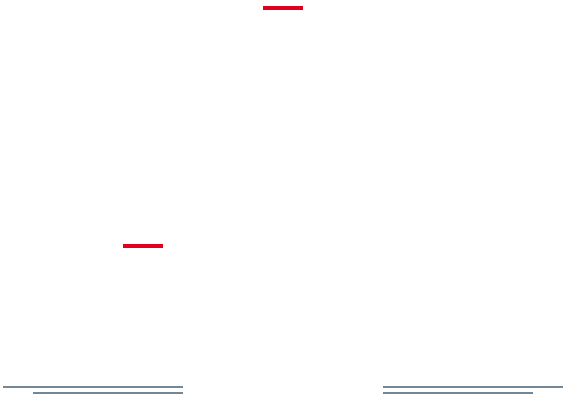
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Action 5-5.1: Adjust tracking systems to identify specific broadband-based project reporting. Evaluate trust systems and incorporate new codes that will identify project(s) on Trust lands.

Action 5-5.2: Allocate funds for tracking and tracking systems the BIA uses for this communication program.

Issue 5-6: The public and communications site applicants do not understand the roles, processes, or timing related to the processing of communications site program actions on Indian trust land.

Action 5-6.1: Include more information about BIA’s leasing program and communicate with the public using existing outreach programs. Develop and promote brochures, posters, and social media methodologies.



(b) Within 180 days of the date of this memorandum, the Secretary shall report to the Director of the Office of Science and Technology Policy recording DOI's progress in identifying the assets that can be used to support rural broadband deployment and adoption.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

Attachment 3

Prescribed by DOI/USDA/DOT

P.L. 96-487 and Federal

Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

FORM APPROVED
OMB Control Number: 0596-0082
Expiration Date: 8/31/2020

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*)

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

3. Telephone (*with area code*)

Applicant

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 number
- ☐ c. Amend existing authorization number
- ☐ d. Assign existing authorization number
- ☐ e. Existing use for which no authorization has been received *
- ☐ f. Other*

* If checked, provide details under item 7

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.*)

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

9. State or Local government approval: ☐ Attached ☐ Applied for ☐ Not Required

10. Nonreturnable application fee: ☐ Attached ☐ Not required

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.

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

b. Why were these alternatives not selected?

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

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

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.

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

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.

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.

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. 6901 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.

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

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

Title 18, U.S.C. Section 1001, makes 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.

STANDARD FORM 299 (REV. 5/2009) PAGE 2

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 right-of-way for snow machines, air cushion vehicles, and allterrain 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:

Department of Agriculture
Regional Forester, Forest Service (USFS)
P.O. Box 21628
Juneau, Alaska 99802-1628
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Alaska Regional Office
709 West 9th Street
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Alaska State Office
Bureau of Land Management
222 West 7th Avenue #13
Anchorage, Alaska 99513
Public Room: 907-271-5960
FAX: 907-271-3684
(or a local BLM Office)

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional

Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587 Telephone:
(907) 271-5285

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 department/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)

- 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 range(s) 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 with 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.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation	☐	☐
b. Corporation Bylaws	☐	☐
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	☐	☐
d. Copy of resolution authorizing filing	☐	☐
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.	☐	☐
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.	☐	☐
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	☐	☐
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	☐	☐
b. Proof of organization	☐	☐
c. Copy of Bylaws	☐	☐
d. Copy of resolution authorizing filing	☐	☐
e. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	☐	☐
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	☐	☐
b. If one partner is authorized to sign, resolution authorizing action is	☐	☐
c. Name and address of each participant, partner, association, or other	☐	☐
d. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	☐	☐

*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 Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

BURDEN AND NONDISCRIMINATION STATEMENTS

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

BROADBAND matter?

Broadband is the link that ties your community together and connects it to the world. It doesn't matter if your community is in an urban center or a remote plain; high-speed Internet access is the tool that will help your community members and institutions thrive.



Education



K-12 schools **spend** more than **\$7 billion a year** on textbooks



Going digital can **save** schools as much as **\$600 per student** per year

Broadband helps schools reallocate funds to resources and activities that **enrich student learning**.

Telehealth



Hospitals without electronic health records will spend **\$371 billion** more over 15 years than their counterparts



Telehealth reduces hospital admissions by **25 percent** and overall length of stay by **59 percent**

Broadband improves healthcare outcomes, controls costs and **extends the reach of healthcare**.

Local Business



97 percent of Americans search online for local products and services, but **just half** of small businesses have websites



Small business owners report that using broadband **increases sales** and **cost savings**, **creates jobs** and **retains sales** and **jobs**

Broadband **unleashes entrepreneurship and empowers small businesses** to compete online.

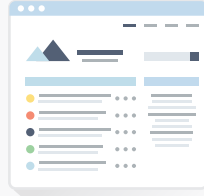


BROADBANDUSA
CONNECTING AMERICA'S COMMUNITIES

Government



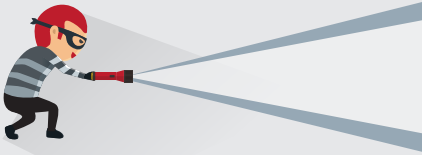
Without an online presence, governments are **slower** to **distribute information, address critical issues** and **receive feedback**



Broadband reinvents the concept of "business hours," **connecting** citizens to government **any time** and **anywhere**

Broadband **increases engagement and collaboration** between governments and citizens.

Public Safety



Communities without access to real-time data experience **25 percent** higher rates of lost lives, injuries and crime



Broadband enables emergency services to utilize **one integrated network** for coordinated responses times

Broadband enables **quick access to emergency services** so that first responders can **save lives**.

Community



Communities with adoption rates below 80 percent have **2,000 fewer businesses** than their counterparts



Broadband access can increase home values by an average of **3.1 percent**

Broadband is a pillar for **community sustainability and growth**.

Want to learn more about how broadband can help your community?

BroadbandUSA provides technical assistance, resources and support to get your community connected.

Visit our website to learn more: <http://www.ntia.doc.gov/broadbandusa>

Contact us today at: BroadbandUSA@ntia.doc.gov | 202-482-2048



BROADBANDUSA
CONNECTING AMERICA'S COMMUNITIES

What ***SPEED*** Do You Need?

Fast, reliable Internet is vital for communities to fully participate in the economy. Download speed requirements vary based on the activity, location and number of users, and these needs will continue to change as technology advances.

Wondering whether your community institutions have the baseline speeds that they need for today's capabilities? **Find suggested download speeds below.**



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Sharing
health records



Performing virtual
consultations



Connecting
First Responders



Library | 100 Mbps–1 Gbps+



Operating public
computer centers



Mobile
hotspot lending



Enabling
Maker Spaces



School | 100 Mbps–1 Gbps+



Sharing
educational material



Online
testing



Accessing
databases



Small Business | 50 Mbps+



Managing
inventory



Operating
Point-of-Sale terminals



Coordinating
shipping



Home | 25 Mbps+



Completing
homework



Streaming
video



Web
browsing

Are you interested in getting better broadband in your community? Wondering what speeds you will need in the future?

Contact us at BroadbandUSA@ntia.doc.gov or 202-482-2048 for free planning, funding and implementation technical assistance today.

Attachment 6

Improving Rights-of-Way Management Across Federal Lands: A Roadmap for Greater Broadband Deployment

Report by the Federal Rights-of-Way Working Group

April 2004



**U.S. DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration**

ACKNOWLEDGMENTS

The Federal Rights-of-Way Working Group would like to express our sincere gratitude to all of the individuals and organizations within the different federal agencies that participated in the Working Group and contributed to this report. In addition to performing their regular duties, the Working Group participants volunteered considerable time and effort in developing the report's recommendations for improving rights-of-way policies, procedures, and practices across federal lands. We could not have produced this report without all of their dedication and hard work.

The Working Group also would like to extend our thanks to the many industry representatives, members of local, state, and tribal governments and associations, and advocacy groups that provided their suggestions and input. We greatly appreciate their willingness to candidly share their insights and experiences with the Working Group.

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TABLE OF CONTENTS

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TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	2
INTRODUCTION.....	5
PART I: SCOPE OF WORK.....	9
A. MISSION.....	9
B. ACTIVITIES	10
PART II: LAWS GOVERNING RIGHTS-OF-WAY ON FEDERAL LANDS.....	12
A. LAWS AUTHORIZING RIGHTS-OF-WAY GRANTS	12
B. LAWS AFFECTING RIGHTS-OF-WAY.....	14
PART III: ISSUES AND RECOMMENDATIONS	15
A. INFORMATION ACCESS AND COLLECTION	15
1. INFORMATION ABOUT OBTAINING A RIGHT-OF-WAY OVER FEDERAL LANDS	16
2. PRE-APPLICATION MEETING.....	17
3. A SINGLE, STANDARDIZED RIGHTS-OF-WAY APPLICATION.....	18
B. TIMELY PROCESSING.....	20
1. TIME FRAMES	21
2. IDENTIFICATION OF A LEAD FEDERAL AGENCY	22
3. PROJECT MANAGERS.....	23
4. UTILITY CORRIDOR PLANNING	24
5. COMMUNICATIONS SITE PLANS	25
C. FEES AND OTHER CHARGES	26
1. COST RECOVERY	27
2. RENTAL PAYMENTS/COMPENSATION.....	30
D. COMPLIANCE.....	35
1. ENSURING PROPER INSTALLATION AND MAINTENANCE OF FACILITIES	36
2. ADDRESSING UNANTICIPATED COSTS	41
3. IMPOSING PENALTIES FOR NONCOMPLIANCE	42
CONCLUSION	43

APPENDIX A: 40 U.S.C.S. § 1314

APPENDIX B: Standard Form 299, Application for Transportation and Utility Systems and Facilities on Federal Lands

APPENDIX C: Communications Protocol, Lake Chelan Hydroelectric Project

APPENDIX D: Office of Management and Budget Circular No. A-25, Revised

APPENDIX E: 2003 Communications Site Fee Schedule (excerpted from Forest Service, FSH 2709.11: Special Uses Handbook, October 2002 (Chapter 30, “Fee Determination”))

EXECUTIVE SUMMARY

Broadband, also known as high-speed Internet access, has the potential to bring new services and products to American consumers and businesses, fostering innovation, investment, and job-producing economic growth. The President has recognized the economic vitality that can result from broadband deployment and has called on our Nation to be aggressive about the expansion of broadband. On March 26, 2004, the President called for a national goal of universal, affordable access to broadband by 2007. A key to widespread broadband deployment is ensuring that broadband providers have timely and cost-effective access to rights-of-way -- the legal right to pass through property controlled by another -- so that they can build out their networks across the Nation. In the broadband context, rights-of-way include access to the conduits, corridors, trenches, tower sites, undersea routes and other locations that broadband networks occupy. These passageways often cross large areas of land owned or controlled by the Federal Government. Thus, effective and efficient federal rights-of-way policies and practices are critical for promoting broadband deployment.

To ensure that the Federal Government's rights-of-way policies and practices facilitate the aggressive deployment of broadband networks, the Bush Administration created a Federal Rights-of-Way Working Group composed of representatives from most of the major federal agencies with land management responsibilities. The mission of the Working Group is to identify and recommend changes in federal policies, regulations, and practices that would improve the process of granting rights-of-way for broadband communications networks on lands under federal jurisdiction. The Working Group is seeking reforms that would not only facilitate broadband deployment, but also improve access to rights-of-way for other interested stakeholders, such as members of industries outside the telecommunications sector. At the same time these reforms are designed to assist federal agencies in efficiently and effectively performing their vital role as the stewards of public lands, while working cooperatively with their counterparts in state, local, and tribal governments.

Based on information gathered from the communications industry, the federal agencies, state, local and tribal representatives, and other stakeholders, the Working Group has produced the following report, which sets forth recommendations in the four main areas below. Nothing in this report, however, relieves rights-of-way applicants of their obligation to comply fully with all applicable laws and regulations. The Working Group recognizes that some agencies have already implemented some of these recommendations and we commend them for doing so. To make lasting, nationwide improvements in federal land management, however, we urge all of the agencies to devote the time and resources to fully implement each of these recommendations.

(1) Information Access and Collection

- Within three months of the release of this report, the Administration should set up a central Web portal to be administered by the National Telecommunications and Information Administration (NTIA) with information about the federal rights-of-way permit process and links to all of the federal land management agencies.
- Within six months of the release of this report, all federal land management agencies should update their Web sites to ensure that the information is

centrally located on a prominently displayed rights-of-way home page with agency contact information.

- By August 2004, all federal land management agencies should institute pre-application meetings with potential rights-of-way applicants. These meetings, which will occur before an applicant files its application, are designed to promote an early exchange of information between applicant and agency, resulting in better-prepared applications and more timely processing.
- By December 2004, all federal land management agencies should use a common application form (the existing Standard Form 299) as a way to streamline and standardize applications to save time and reduce costs.

(2) Timely Process

- To prevent undue delay that can increase the costs of deployment and cause deferral or even abandonment of a project, the Working Group recommends that all federal land management agencies institute, by December 2004, specific target time frames for completion of various steps involved in the rights-of-way permit process. For example, in instances where a pre-application meeting has been held, agencies should review an application and notify the applicant within 30 days as to whether the application is “complete” and accepted for formal review.
- Federal agencies should designate a lead agency for projects involving more than one federal agency, and by December 2004, adopt internal procedures to ensure that such designations occur.
- Federal agencies should use project managers, who are responsible for overseeing all aspects of an application’s review within an agency, to help ensure timely processing of rights-of-way grants.
- Federal agencies should encourage the telecommunications sector, state, local and tribal officials, and other stakeholders to participate in planning and coordination efforts for utility corridors and communications sites. In many cases, though not all, an applicant can save considerable time and expense by using a designated corridor or site rather than breaking new ground.

(3) Fees and Other Charges

- The Working Group recommends a set of principles, as well as specific techniques, for standardizing and simplifying cost recovery, fees, and rental payments. It further suggests that federal agencies initiate rulemaking proceedings, as necessary and appropriate, to develop and implement cost recovery regulations that incorporate these recommendations by December 2004.
- For larger inter-agency projects where a lead agency has been designated, the affected federal agencies should agree on consolidating cost recovery and rental fee duties and placing them with the lead agency.
- The Working Group recommends greater use of rental fee schedules, rather than appraisals, which should result in more efficient use of resources, a quick turnaround, and greater transparency of the process.

- All relevant federal land management agencies that are not currently using fee schedules should commence rulemakings, as necessary and appropriate, for the purpose of greater use of fee schedules in determining rights-of-way rental payments. These agencies should initiate these rulemakings by December 2004.

(4) Compliance

- Federal agencies involved in granting and monitoring rights-of-way should make formal training available to their staff, and by December 2004 should establish procedures to publicize the availability of such training.
- Federal agencies should by December 2004 begin informing grantees of the option of hiring reputable third-party contractors, who, in conjunction with agency compliance monitors, ensure that grantees properly perform planning and environmental studies, and initial phase construction work to the agency's satisfaction.
- Federal agencies should require grantees to submit periodic compliance reports, which will facilitate necessary inspections and reduce the need for some physical monitoring. Agencies that determine a rulemaking is necessary before requiring compliance reporting should initiate such a proceeding by December 2004.
- By December 2004, any relevant federal land management agency that does not recover its monitoring costs should commence a rulemaking, as necessary and appropriate, to implement its authority to recover such costs.
- The Working Group recommends that, where appropriate, agencies use their authority to impose reasonable, but adequate, bonding requirements to secure fulfillment of a grantee's compliance obligations, and initiate any rulemaking necessary to implement such a requirement by December 2004.

To ensure that the Bush Administration is responsive to the needs of all stakeholders, a year after the release of this report, each of the federal agencies will submit a report to the Office of Management and Budget (OMB) describing their efforts to implement the recommendations in this report and listing any steps that still need to be taken. The improved federal land management processes that ensue from these recommendations, together with the agencies' commitment to implementation, will help the Administration take a significant step forward in meeting its goal of greater broadband deployment throughout the Nation.

Introduction

This report addresses the interaction between broadband deployment and rights-of-way management -- two seemingly unrelated issues that, when taken together, play an important role in the success of this Nation's technological and economic development. Broadband, also known as high-speed Internet access, promises great advances in commerce, education, healthcare, national security, public safety and many other areas. Access to rights-of-way -- the conduits, corridors, trenches, tower sites, undersea routes, and other physical locations that modern communications networks occupy -- is a critical ingredient for the deployment of broadband networks and services. To ensure that broadband providers are able to obtain rights-of-way in a timely and cost-effective manner, the Bush Administration formed a Federal Rights-of-Way Working Group to assess the management of rights-of-way over lands under federal jurisdiction. The following report contains the Working Group's findings and recommendations for how the Federal Government can reform its approach to rights-of-way management to help bring the promise of broadband to all Americans, while ensuring that federal land managers fulfill their important roles as stewards of our Nation's public property.

Broadband communications networks enable the transmission of vast amounts of information over great distances in a short period of time. In addition to browsing the World Wide Web at high speeds, broadband opens new opportunities for telemedicine, access to libraries and research facilities, the provision of entertainment services, and countless other services that can boost our economy, improve our productivity, and enhance our lives. High-speed lines connecting homes and businesses to the Internet increased by 18% during the first half of 2003, from 19.9 million to 23.5 million lines.¹ Nevertheless, broadband technologies are unavailable to some Americans. Accordingly, the President announced on March 26, 2004 a national goal of universal, affordable access to broadband technology by 2007.²

In addition to his most recent comments, President Bush has emphasized, "[i]n order to make sure the economy grows, we must bring the promise of broadband technology to millions of Americans."³ The President noted that "[t]he private sector will deploy broadband. But government at all levels should remove hurdles that slow the pace of deployment."⁴ The

¹ Federal Communications Commission, *High-Speed Services for Internet Access: Status as of June 30, 2003* at 1 at http://www.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/hspd1203.pdf (December 2003). The FCC defines "high-speed lines" as those that "provide the subscriber with transmissions at a speed exceeding 200 kilobits per second (kbs) in at least one direction."

² President George W. Bush, Remarks on Home Ownership at Expo New Mexico, at (<http://www.whitehouse.gov/news/releases/2004/03/20040326-9.html>) (March 26, 2004).

³ President George W. Bush, Remarks at the Waco Economic Forum Plenary Session, at (<http://www.whitehouse.gov/news/releases/2002/08/20020813-5.html>) (August 13, 2002).

⁴ *Id.*

President's Council of Advisors on Science and Technology⁵ (PCAST) examined broadband, holding hearings and issuing a report setting forth steps that could be taken to facilitate deployment.⁶ Among other suggestions, PCAST highlighted rights-of-way management as a critical component of broadband deployment. PCAST noted that:

If [rights-of-way] access is unfairly denied, delayed, or burdened with unjustified costs, broadband deployment is slowed, and our citizens are deprived of access to vital communications facilities. . . . It should be a priority of this Administration to ensure that [rights-of-way] issues are dealt with in a balanced manner that facilitates prompt [rights-of-way] access for broadband networks while preserving legitimate government interests to protect public health, safety and welfare, and ensuring that government entities are fairly compensated for the costs of managing their rights-of-way and that disruption of rights-of-way is minimal.⁷

To ensure that broadband providers are able to obtain rights-of-way in a timely and cost-effective manner, the Administration formed a Federal Rights-of-Way Working Group in July 2002 to examine land management practices across the Federal Government. Led by the National Telecommunications and Information Administration at the Department of Commerce, the Working Group includes representatives from most of the federal agencies with major rights-of-way management responsibilities.⁸ The primary participants in the Working Group are from the following federal agencies:

⁵ On December 12, 2001, the President held the first meeting of PCAST. Leading private sector and academic experts composed PCAST, which was co-chaired by Presidential Science Advisor John Marburger and Floyd Kvamme.

⁶ President's Council of Advisors on Science and Technology, *Building Out Broadband: Findings and Recommendations*, at [http://www.ostp.gov/PCAST/FINAL Broadband Report With Letters.pdf](http://www.ostp.gov/PCAST/FINAL%20Broadband%20Report%20With%20Letters.pdf) (Dec. 13, 2002).

⁷ *Id.* at 9.

⁸ Obtaining rights-of way for telecommunications projects is also an issue at the state and local levels. See NARUC's Study Committee on Public Rights-of-Way, *Promoting Broadband Access Through Public Rights-of-Way and Public Lands* (presented at the 2002 NARUC Summer Meetings in Portland, Oregon on July 31, 2002); Christopher R. Day, *The Concrete Barrier at the End of the Information Superhighway: Why Lack of Local Rights-of-Way Access is Killing Competitive Local Exchange Carriers*, 54 FED. COMM. L.J. 461 (2002); William Malone, *Access to Local Rights-of-Way: A Rebuttal*, 55 FED. COMM. L.J. 251 (2003). To assist rights-of-way stakeholders in understanding and improving the authorization process for constructing new communications networks that carry broadband Internet and other communications services, NTIA released an electronic report on state and local rights-of-way. See <http://www.ntia.doc.gov/ntiahome/staterow/statelocalrow.html> (last visited March 26, 2004). Intended as a resource for state and local land managers, communications providers, and other rights-of-way stakeholders, the report provides information about the laws, regulations, policies, and practices that affect state and local management of rights-of-way. The electronic report includes a state-by-state matrix that identifies the rights-of-way laws relating to jurisdiction, compensation, timelines, nondiscrimination, mediation, and condemnation in all fifty states and the District of Columbia. The report also includes an evolving compendium of rights-of-way "success stories," explaining how industry and government have devised creative new approaches to facilitate access to

Department of Agriculture

- **Forest Service.**⁹ The Forest Service manages public lands in national forests and grasslands, totaling approximately 192 million acres.

Department of Commerce

- **National Oceanographic and Atmospheric Administration (NOAA).**¹⁰ NOAA promotes sustainable economic development, jobs and prosperity along the Nation's coastal areas. NOAA manages a network of 13 national marine sanctuaries.
- **National Telecommunications and Information Administration (NTIA).**¹¹ NTIA serves as the President's principal advisor on domestic and international telecommunications and information technology policies and manages the Federal Government's use of the radio spectrum.

Department of Defense

- **Army Corps of Engineers.**¹² The Army Corps of Engineers provides engineering services to the Nation, including planning, designing, building, and operating water resources and other civil works projects, such as navigation, flood control, environmental protection, and disaster response.
- **Department of the Navy.**¹³ The Navy holds property for use in support of its military mission.

public rights-of-way. NTIA's electronic report is intended to help advance the dialogue on rights-of-way management at the state and local level, with the goal of promoting broadband deployment across the United States.

⁹ See <http://www.fs.fed.us/> (last visited March 26, 2004).

¹⁰ See <http://www.noaa.gov/> (last visited March 26, 2004).

¹¹ See <http://www.ntia.doc.gov/> (last visited March 26, 2004).

¹² See <http://www.usace.army.mil/> (last visited March 26, 2004).

¹³ See <http://www.navy.mil/> (last visited March 26, 2004).

Department of the Interior¹⁴

- **Bureau of Land Management (BLM).**¹⁵ BLM administers 261 million acres of our Nation's public lands, located primarily in 12 western states. BLM administers approximately 85,000 rights-of-way on the public lands, including about 23,000 oil and gas pipeline and 12,000 electric transmission system rights-of-way. BLM processes over 5,500 rights-of-way actions annually.
- **National Park Service.**¹⁶ The National Park Service is responsible for protecting the Nation's national parks and monuments, and conserving the scenery, natural and historic objects, and wildlife therein. The National Park System of the United States comprises 388 areas covering more than 83 million acres in 49 States, the District of Columbia, American Samoa, Guam, Puerto Rico, Saipan, and the Virgin Islands.
- **Bureau of Indian Affairs (BIA).**¹⁷ BIA is the lead federal agency responsible for improving the lives and protecting the trust assets of American Indians, Indian tribes, and Alaska natives through services and relationships. BIA grants rights-of-way over American Indian-owned lands with the consent of the Indian owner (tribal or individual).

Department of Transportation

- **Federal Highway Administration (FHWA).**¹⁸ The Federal Highway Administration, through its Federal Lands Highway Program, provides access to and within national forests, national parks, Indian reservations, and other public lands by preparing plans, letting contracts, supervising construction facilities, and conducting bridge inspections and surveys. FHWA also provides funds for transportation projects owned and controlled by state departments of transportation, and is charged with oversight of how the monies are spent and how the resulting roadways are maintained and operated. Increasingly, these operational needs involve more use of fiber optics for intelligent transportation systems and other capacity-improving activities.

¹⁴ The U.S. Fish and Wildlife Service (FWS) is an agency of the Department of the Interior, but did not participate in the Working Group. FWS is the principal federal agency responsible for conserving, protecting, and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 544 national wildlife refuges, thousands of small wetlands, and other special management areas. It also operates 69 national fish hatcheries, 63 Fish and Wildlife Management offices and 81 ecological services field stations.

¹⁵ See <http://www.blm.gov/nhp/> (last visited March 26, 2004)

¹⁶ See <http://www.nps.gov/> (last visited March 26, 2004).

¹⁷ See <http://www.doi.gov/bureau-indian-affairs.html> (The site <www.bia.gov> is temporarily unavailable due to the Corbell litigation, see *infra* fn. 49) (last visited March 26, 2004).

¹⁸ See <http://www.fhwa.dot.gov/> (last visited March 26, 2004).

Independent Agencies

- **General Services Administration (GSA).**¹⁹ GSA obtains the buildings, products, technology, and other essentials that federal agencies need. GSA provides services to over one million federal workers located in 8,300 government-owned and government-leased buildings nationwide.

The Working Group brought together most of the major federal land management agencies to conduct a comprehensive review of federal rights-of-way policies and practices. The Working Group focused on streamlining and simplifying rights-of-way management processes, where possible and appropriate, to meet the needs of communications providers, as well as stakeholders from other industries seeking rights-of-way access. At the same time, the Working Group recognized the vital role that the federal agencies play as stewards of public property, and the Working Group attempted to improve the federal agencies' abilities to carry out their missions in an efficient manner. The overarching goal of this endeavor is to ensure that federal rights-of-way policies and practices serve to promote broadband deployment for the benefit of all Americans.

This report reflects many hours of discussion and consensus building by members of the Working Group. While some of these discussions led to new approaches to rights-of-way management, we also substantially built upon the significant efforts and collaboration that BLM and the Forest Service have already undertaken to build consistency within their rights-of-way programs and to implement management practices that work well, result in a better use of agency resources, and are supported by industry. Part I of this report describes the scope of the Working Group's mission and activities. Part II briefly discusses the major federal statutes that govern rights-of-way management. Part III delineates the issues that the Working Group addressed and provides the Working Group's recommendations, together with suggested implementation strategies.

Part I: Scope of the Working Group's Mission and Activities

A. Mission

The mission of the Working Group is to identify and recommend changes in federal laws, regulations, policies, and practices that would improve the process for obtaining rights-of-way for the deployment of broadband networks on federally-owned or federally-controlled real property. In fulfilling this mission, the Working Group attempted to strike an appropriate

¹⁹ See <http://www.gsa.gov/Portal/gsa/ep/home.do?tabId=0> (last visited March 26, 2004). The U.S. General Services Administration (GSA) is a major federal landholding agency that manages Federal real property. It is not, however, a federal land managing agency responsible for overseeing tracts of public lands. While GSA's portfolio contains various types of real property, including unimproved real property over which it may grant rights-of-way, easements, or leaseholds, most of the portfolio consists of federally-owned and leased office buildings and warehouse space in urban and suburban areas. Accordingly, this report's recommendations are generally inapplicable to GSA, except for those related to linking the rights-of-way portal that NTIA will develop to the Firstgov website that GSA administers.

balance between two sometimes competing interests: (1) the telecommunications industry's desire to build out broadband networks in a timely and cost-effective manner; and (2) the federal land managers' responsibility to ensure appropriate use of public land. In balancing these interests, the Working Group sought reforms that would provide industry with a more customer service oriented experience while concurrently allowing federal land managers to operate more effectively and efficiently. In general, these reforms are aimed at streamlining, standardizing, and simplifying rights-of-way management across all of the relevant federal agencies. When implemented by the agencies, the Working Group expects the reforms to reduce burdens on industry, shorten construction time on projects, allow agencies to use their resources more efficiently, and facilitate the delivery of more broadband services to American consumers and businesses.

Although the Working Group focused on reforms aimed at promoting broadband deployment, the Working Group expects that our recommendations will improve rights-of-way management for the telecommunications industry as a whole, as well as other industries that require access to rights-of-way on federal lands, such as the energy industry. Indeed, the majority of the Working Group's recommendations are designed to improve rights-of-way policies, procedures, and practices that should benefit all rights-of-way stakeholders.

B. Activities

As part of its research and policy development, the Working Group conducted a series of outreach meetings and informal discussions with stakeholders.²⁰ Specifically, the Working Group met with the following stakeholders:

- Industry representatives, including incumbent local exchange carriers, competitive local exchange carriers, telephone cooperatives, wireless providers, satellite companies, cable companies, trade associations, the TelROW Coalition, and the International Rights of Way Association;
- State, local, and tribal officials and associations, including the National Association of Regulatory Utility Commissioners (NARUC), National Association of Telecommunications Officers and Advisors (NATOA), National League of Cities, National Association of Counties, U.S. Conference of Mayors, Local and State Government Advisory Committee, American Association of State Highway and Transportation Officials (AASHTO), American Public Works Association (APWA),

²⁰ As part of its larger and ongoing efforts to promote broadband deployment, on October 12, 2001, NTIA held informal public discussions with telecommunications companies and other stakeholders to gather information about the status of broadband deployment in the United States. The participants discussed cable open access, broadband deployment in underserved rural areas, demand and supply for advanced services, technical and economic roadblocks to broadband deployment, and regulatory methods for stimulating supply and demand. In November 2001, NTIA issued a Request for Comments on these and related issues. See *Deployment of Broadband Networks and Advanced Telecommunications*, NTIA Docket No. 011109273-1273-01, RIN 0660-XX13, at <http://www.ntia.doc.gov/ntiahome/broadband/> (last visited March 26, 2004).

Coastal States Organization, representatives of state public utility commissions, and representatives of the Navajo Nation; and

- Environmental protection, historic preservation, and other stakeholder groups.

Based on information gathered from all of these stakeholders, as well as our own research, the Working Group focused its efforts in four basic areas:

- (1) Information Access and Collection: Broadband providers operating across multiple jurisdictions are often required to supply the same information in different applications to numerous permitting authorities. The Working Group looked for ways to streamline and standardize applications to save time and reduce costs.
- (2) Timely Process: Broadband providers have an important need to obtain rights-of-way permits on a timely basis. Otherwise, undue delay can increase the costs of deployment and can sometimes prevent deployment altogether. The Working Group examined practices that could ensure timely and appropriate action on rights-of-way applications.
- (3) Fees: The nature and amount of fees charged to broadband providers vary widely across different agencies. The Working Group scrutinized various fee structures, looking for approaches that are appropriate and reasonable, and that do not unfairly impede the deployment of broadband networks.
- (4) Compliance: Rights-of-way managers have a legitimate interest in ensuring that broadband providers take appropriate action to plan, permit, construct, operate, and maintain the rights-of-way. The Working Group looked for examples of remediation and maintenance requirements that accomplish those important objectives without placing undue burdens on broadband providers.

The Working Group divided itself into the following three committees to tackle the issues: the information collection and timely process committee, the fees committee, and the compliance committee. Each committee closely examined current federal rights-of-way practices and policies, and looked for ways to improve those practices and policies. The Working Group placed great emphasis on reaching consensus wherever possible on our recommendations, which are set forth in Part III below.

The Working Group recognized that some stakeholders suggested additional rights-of-way issues for our consideration, such as compliance with environmental and historic preservation laws, known as the National Environmental Policy Act (NEPA)²¹ and the National Historic Preservation Act (NHPA).²² Although these issues are important, they are beyond the scope of this report, and the Working Group addresses them only to the extent that they relate to

²¹ National Environmental Policy Act of 1969, as amended, 42 U.S.C. § 4321 *et seq.*

²² National Historic Preservation Act of 1966, as amended, 16 U.S.C. § 470 *et seq.*

the four general issue areas described above. The Working Group also observes that other expert stakeholders are actively engaged in addressing NEPA and NHPA issues. For example, the White House Council on Environmental Quality (CEQ) has established a special NEPA Task Force. Created on May 20, 2002, the NEPA Task Force reviewed the current NEPA implementation practices and procedures in a variety of areas and made recommendations to the CEQ for improving the NEPA process based upon the information collected and the public comments received.²³ The recommendations are posted on the NEPA Task Force's Web site.²⁴ The Task Force intends to publish a separate report presenting best practices based on the case studies it evaluated.²⁵

Part II: Laws Governing Rights-of-Way on Federal Lands

A variety of laws govern rights-of-way on federal lands. Several laws specifically authorize Federal Government agencies to approve private parties' access to federal lands for a wide range of purposes. Other laws contain environmental protection, historic preservation, and other requirements that impact rights-of-way on federal lands. In order to provide context for the recommendations in Part III of this report, we offer the following overview of the major laws governing rights-of-way on federal lands.

A. Laws Authorizing Rights-of-Way Grants

By virtue of the almost one-half billion acres of public and forest lands that it governs, the Federal Land Policy Management Act of 1976 (FLPMA) is the most significant of the laws authorizing federal agencies to grant easements and other rights-of way.²⁶ The FLPMA empowers the Secretary of the Interior, for "public lands,"²⁷ and the Secretary of Agriculture, for National Forest System lands, to grant, issue, or renew rights-of way for a variety of facilities, including "systems for transmission or reception of radio, television, telephone, telegraph, and

²³ All public comments submitted to the task force are posted on the CEQ Web site, at <http://ceq.eh.doe.gov/ntf/comments/comments.html> (last visited March 26, 2004).

²⁴ See The NEPA Task Force Report to the Council on Environmental Quality, *Modernizing NEPA Implementation*, at, <http://ceq.eh.doe.gov/ntf/report/index.html> (last visited March 5, 2004).

²⁵ *Id.* at vii.

²⁶ 43 U.S.C. § 1701 *et seq.* FLPMA does not apply to Indian land, however. The Secretary of Interior grants rights-of-way over Indian land under the Act of February 5, 1948, 25 U.S.C. §§ 323-328, and the Indian Land Consolidation Act, 25 U.S.C. § 2218. Similarly, FLPMA does not govern rights-of-way in national parks. Sections 5 and 79 of the United States Code and applicable regulations control such rights-of-way grants.

²⁷ The FLPMA defines "public lands" as

any land and interest in land owned by the United States within the several States and administered by the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except – (1) lands located on the Outer Continental Shelf; and (2) lands held for the benefit of Indians, Aleuts, and Eskimos." 43 U.S.C. § 1702.

other electronic signals, and other means of communication.”²⁸ The Act requires that each right-of-way grant contain terms and conditions that will, among other things, “minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment.”²⁹ The Secretaries of these agencies may also impose such terms and conditions deemed necessary to “protect Federal property and economic interests.”³⁰ Other provisions of FLPMA describe the Secretaries’ ability to: promulgate regulations; require advance rental payments; and impose bonding requirements, among other duties.³¹

For federal lands not covered by FLPMA, Congress has also provided executive branch agencies with authority to grant rights-of-way on federal lands within their control. Specifically, Public Law No. 87-852,³² as recodified in Public Law No. 107-217,³³ gives executive branch agency heads the authority to grant for real property controlled by his or her agency:

an easement that the head of the agency decides will not be adverse to the interests of the Government, subject to *reservations, exceptions, limitations, benefits, burdens, terms, or conditions* that the head of the agency considers necessary to protect the interests of the Government³⁴

Significantly, the law specifically grants executive branch agency heads the discretion to impose terms, conditions, or even burdens on the easements, if such measures are necessary to protect government interests. The statutory subtitle that includes Public Law 87-852, as codified, states that one of its purposes is to provide the Federal Government with an “economical and

²⁸ 43 U.S.C. § 1761(a)(5).

²⁹ *Id.* at § 1765(a)(ii).

³⁰ *Id.* at §1765(b)(i).

³¹ *Id.* at §1764.

³² The General Services Administration requested this legislation, which vested in all executive agency heads the authority to grant easements similar to that which previously only the Secretaries of the military departments, the Atomic Energy Commission, the Administrator of Veterans Affairs, and the Attorney General enjoyed. S. REP. 87-1364 (1962), 1962 U.S.C.C.A.N. 3870 at 3871. The Senate Report notes that the new law would “improve the . . . Government procedures for granting of easements. At present these procedures are unrealistic and result in undue delay to both the Federal Government and those dealing with it. Enactment of this bill [H.R. 8355] will provide effective procedures in dealing with requests for easements” *Id.* at 3872.

³³ Public Law 107-217 revised, codified, and enacted without substantive change certain general and permanent laws, including Public L 87-852, as title 40, United States Code, ‘Public Buildings, Property, and Works.’ H.R. REP. 107-479 (2002), 2002 U.S.C.C.A.N. 827. Public Law 107-217 is codified at 40 U.S.C. § 101 *et seq.*

³⁴ 40 U.S.C. § 1314(b) 2002 Supp. (emphasis added) (see Appendix A for text of entire provision). This provision excludes rights-of-way on public lands and National Forest system lands in accordance with the repeal of its predecessor, Public Law 87-852, under Section 706 (a) of FLPMA. See 90 Stat. 2743, 2793.

efficient system for . . . [u]sing available property.”³⁵ Except as restricted by limitations not relevant here, the statute supplements executive branch agencies’ powers under other laws.³⁶

In addition to FLPMA and Public Law No. 87-852, other more specific laws may provide rights-of-way authority to a particular agency. For example, the National Marine Sanctuaries Act³⁷ allows NOAA to issue special use permits for specific activities in a national marine sanctuary if the Secretary of Commerce determines authorization is necessary to “establish conditions of access to and use of any sanctuary resource.”³⁸ The Secretary may assess fees for such special permits,³⁹ as well as suspend or revoke permits, and assess civil penalties for violations of any term or condition of the grant.⁴⁰ This Act also requires permit holders to submit to the Secretary annual reports describing the activities conducted under the permit and the revenues derived from such activities.

B. Laws Affecting Rights-of-Way

Although not directly authorizing federal agencies to grant rights-of-way, laws such as the National Environmental Policy Act (NEPA),⁴¹ the National Historic Preservation Act (NHPA),⁴² and the Endangered Species Act (ESA)⁴³ affect whether rights-of-way are granted and may require that specific conditions or limitations be included in the grant of a particular right-of-way. Congress enacted NEPA:

To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.⁴⁴

³⁵ 40 U.S.C. § 101(2).

³⁶ *Id.* at § 113. “Except as otherwise provided in this section, the authority conferred by this subtitle is in addition to any other authority conferred by law and is not subject to any inconsistent provision of law.” *Id.* at § 113(a).

³⁷ 16 U.S.C. § 1431 *et seq.*

³⁸ *Id.* at § 1441(a)(1).

³⁹ *Id.* at § 1441(d).

⁴⁰ *Id.* at § 1441(e).

⁴¹ 42 U.S.C. § 4321 *et seq.*

⁴² 16 U.S.C. § 470 *et seq.*

⁴³ 16 U.S.C. § 1531 *et seq.*

⁴⁴ 42 U.S.C. § 4321.

This law requires federal agencies to study the environmental effects of their actions through an interdisciplinary planning process that integrates environmental and economic issues. In cases where the environmental effects may be significant, the NEPA process informs and seeks input from the public, tribes, states, and local agencies, as well as other federal agencies.

Under NHPA, the Federal Government provides leadership for preservation efforts and fosters conditions to facilitate the harmonious existence in modern society of prehistoric and historic resources. As amended in 1992, Section 110 of the Act outlines a broad range of responsibilities for federal agencies. Among other responsibilities, the provision calls for federal agencies to establish preservation programs commensurate with their mission, and to designate qualified Federal Preservation Officers to coordinate their historic preservation activities.⁴⁵

In 1973, Congress passed the ESA to conserve the ecosystems that sustain endangered and threatened species. Congress considered such fish, wildlife, and plant species to be “of aesthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people.”⁴⁶ Therefore, Congress established a policy requiring all federal agencies and departments to seek to conserve these species and to support the Act’s purposes. The Interior Department’s Fish and Wildlife Service and the Commerce Department’s National Marine Fisheries Service administer the law. Section 7 of the ESA directs all federal agencies to use their existing authorities to conserve threatened and endangered species and in consultation with the U.S. Fish and Wildlife Service, to ensure that their actions do not jeopardize listed species or destroy or adversely impact critical habitat. Section 7 applies to management of federal lands as well as other federal actions that may affect listed species, such as the issuance of permits, licenses, or other actions authorizing private activities. NEPA, NHPA, ESA and other laws may impose additional responsibilities on right-of-way grantees that may impact their ability to use public lands for the desired commercial purposes.⁴⁷

Part III: Issues and Recommendations

In discussions with stakeholders and federal agency staff, the Working Group discovered that rights-of-way concerns generally fall into the following four main categories: (a) information access and collection, (b) timely process, (c) fees, and (d) compliance. In each of the main categories, the Working Group examined a variety of individual, yet related issues. Below, the Working Group discusses these issues, offers its recommendations, and presents a roadmap for implementation of the recommendations. Nothing in this report, however, relieves

⁴⁵ 16 U.S.C. § 470h-2(a)(2).

⁴⁶ 16 U.S.C. § 1531 (a)(2)-(a)(3).

⁴⁷ Other examples of such laws include: National Wildlife Refuge System Administration Act of 1966, as amended, (16 U.S.C. §§ 668dd -668ee); the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1451 *et seq.*); the Archaeological and Historic Preservation Act of 1974, as amended (16 U.S.C. § 469 *et seq.*); Section 404 of the Federal Water Pollution Control Act (Clean Water Act), as amended (33 U.S.C. § 1344); Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403); and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. § 9601 *et seq.*).

rights-of-way applicants of their obligation to comply fully with all applicable laws and regulations.

A. Information Access and Collection

A potential applicant for a rights-of-way permit and the affected agency(ies) confront several issues related to accessing and collecting information. First, the applicant needs access to general information about how to obtain a permit. Second, the applicant must interact with the appropriate agencies so that they are advised early in the application process of potential issues, concerns, and information requirements that may be needed by the agencies to evaluate the applicant's request for a right-of-way. In this section, the Working Group offers recommendations for improving the accessibility and quality of general information available to applicants for rights-of-way permits. The Working Group also offers recommendations for streamlining and simplifying the process for agencies to collect information from applicants. In both instances, the Working Group's recommendations are designed to reduce burdens on applicants and to allow agencies to make better use of their limited resources.

1. Information about Obtaining a Right-of-Way over Federal Lands

Issue: To prepare an application for a rights-of-way permit, a potential applicant typically needs information about agency personnel contacts, application forms, fees, and other planning and permitting requirements. While some federal agencies provide excellent, easy-to-find information about their rights-of-way processes,⁴⁸ other federal agencies have significant room for improvement. Indeed, the Working Group's research has shown that few federal agencies have a clearly identifiable rights-of-way section on their Web sites, complete with an application form, delineated steps to follow in the rights-of-way process, and agency contacts. Instead of obtaining a clear roadmap for how to obtain a rights-of-way permit, the potential applicant often gets lost in a maze of confusing regulations and policies, incomplete information, and receives no contact information for asking directions. The resulting uncertainty causes delays, drives up costs, and slows deployment of networks.

Recommendation: The Working Group believes that the Internet provides the most cost effective and most easily accessible means to disseminate information about the rights-of-way permit process to potential applicants. Accordingly, the Working Group offers two recommendations: (1) establish a central federal Web portal for rights-of-way information; and (2) update individual agency Web sites and link them to the central Web portal.

Central Web Portal. The Working Group recommends that the Administration create a central Web portal with information about the rights-of-way permit process for federal lands. The Web portal would contain general information about obtaining a rights-of-way permit over federally-owned or federally-controlled real property. This central Web portal also would list and link to the appropriate, updated Web sites for each federal agency with authority to grant rights-of-way permits on federal lands (see below). The Working Group recommends that

⁴⁸ See, e.g., BLM's Web site, at <http://www.blm.gov/nhp/what/lands/realty/row.htm> (last visited March 26, 2004).

NTIA, as the lead agency in the Working Group, host and maintain the central Web portal. To draw attention to the Web portal, the Working Group also recommends that a referral Web page be established in the business gateway section of the FirstGov.gov Web site,⁴⁹ which is the official U.S. gateway to all government information.

After the central Web portal is established, the Working Group recommends that NTIA investigate the feasibility of employing more advanced, automated services on the central Web portal. For example, the central Web portal could engage a potential applicant in a series of questions about the type, scope, and location of the project. In turn, the Web portal could employ software that would take this information and give the potential applicant the relevant contact information of the federal agencies likely to have jurisdiction over their application, a copy of a rights-of-way application, and information about environmental protection, historic preservation, endangered and threatened species, and other issues that would need to be addressed as part of the rights-of-way application process. The information entered by the potential applicant could also generate an e-mail alert to each relevant agency, noting that an application request had been made.

Updated Agency Web sites. The Working Group also recommends that individual land management agencies update their Web sites to ensure they meet the following criteria:⁵⁰

- Information is centrally located on a prominently displayed rights-of-way home page with appropriate links to sub-pages.
- All information is up-to-date.
- All information is organized in a logical, user-friendly format.
- Agency contact information (including e-mail addresses) is current and easily accessible on the Web site.

Implementation: In consultation with the Working Group, NTIA should take the lead in creating a central Web portal for information on federal rights-of-way on the existing NTIA Web site. This new portal should be created within three months of the release of this report. NTIA should work with GSA, which maintains the FirstGov.gov Web site, to establish a referral Web page directing federal rights-of-way inquiries to the NTIA Web portal. Other federal agencies with land management responsibilities should also update their Web sites according to the criteria above within six months of the release of this report.

2. Pre-application Meeting

⁴⁹ See http://www.firstgov.gov/Business/Business_Gateway.shtml (last visited March 26, 2004).

⁵⁰ The Working Group recognizes that the Bureau of Indian Affairs does not currently have a presence on the Internet. Specifically, the Bureau of Indian Affairs was disconnected from the Internet in December 2001, by order of U.S. District Court Judge Royce Lamberth, who cited security concerns and the need to protect data maintained under the Trust Asset and Accounting Management System. See Randall Edwards, *Interior shuffles BIA, adds tech division*, FEDERAL COMPUTER WEEK, June 30, 2003, at 12, at <http://www.fcw.com/fcw/articles/2003/0630/news-bia-06-30-03.asp>. Upon re-establishment of the Bureau's Internet presence, the Working Group recommends that the Bureau update its Web site as described above.

Issue: As part of their responsibility to administer rights-of-way, federal agencies are often required to review and evaluate a variety of factors regarding an applicant's proposed use of federal land, such as whether: (1) the proposal is consistent with the stated purpose for which the public lands are managed; (2) the proposal is in the public interest; (3) the applicant is technically or financially capable of accomplishing the project; (4) the proposal is consistent with applicable federal, state, local, or tribal laws; and (5) the applicant is able to mitigate any adverse environmental consequences resulting from the proposal. In addition, some federal applications may require coordination with state, local, or tribal governments. Due to the potential complexity of this review, applicants for rights-of-way permits often lack a good understanding of the potential issues that their applications may raise, the impacts to government agency resources that may be needed to evaluate the application, and the information needed by those government agencies in order to effectively evaluate the applications pursuant to the laws, regulations, and policies governing these types of requests. As a result, federal agencies frequently ask applicants to provide additional information before applications are accepted. This situation causes delays and additional costs for applicants and is an inefficient use of scarce agency resources.

Recommendation: To ensure that applicants are fully aware of all of the approval criteria and the process by which their applications will be evaluated and to ensure that all relevant government entities are properly engaged in the review process, the Working Group strongly recommends that a pre-application meeting occur between the applicant and the relevant agencies. Knowing the specific details of a project and engaging in an early and candid discussion with the relevant federal, state, local, and/or tribal officials *before the application is filed* can facilitate a more efficient processing of the rights-of-way application. Such a meeting will enable the government representatives to identify issues regarding land management consistency and/or constraints; potential or alternative route selection; cost recovery; rental or land use payments; NEPA requirements, including any studies that may be needed to comply with NHPA and ESA; cultural site considerations; work schedules; safety; remediation; and compliance. During the pre-application meeting, agency personnel will examine the proposed right-of-way to determine whether it could fit in an existing rights-of-way utility corridor or communications site (see discussion below). Applicants should be advised to bring a map of the project area to the pre-application meeting.⁵¹ By establishing a dialogue between the applicant and all of the affected government entities, the pre-application meeting has the potential to save time and money for all parties. Adoption of this recommendation should not impose any additional burden on agencies' resources because existing staff would attend the pre-application meetings.

The Working Group recommends that the federal agencies post clear instructions for a potential applicant on their Web sites, noting that the burden is on the applicant to contact all potentially relevant federal agencies and to request a pre-application meeting. Once a potential applicant has made a request for a pre-application meeting, however, each of the agencies should work cooperatively to facilitate the meeting. A potential applicant should consider inviting the appropriate state, local, and tribal officials, if applicable. Federal agencies should strive to

⁵¹ A map is requested as part of the application form.

schedule a pre-application meeting within 30 days of receiving a request from a potential applicant for such a meeting.

Implementation: By August 2004, each federal agency with rights-of-way responsibilities should post on their Web sites, and add to any applicable practice manuals, clearly articulated information for a potential rights-of-way applicant on the importance of a pre-application meeting and the steps that a potential applicant should take to set up that pre-application meeting.

3. A Single, Standardized Rights-of-Way Application

Issue: Although most federal agencies require a relatively similar body of information from rights-of-way applicants, their methods for collecting that information vary widely among agencies. Some agencies, such as BLM and the Forest Service, use a common application form; others such as the Navy or NOAA do not, just requiring similar information in whatever manner the applicant wishes to present it so long as it satisfies agency guidelines. As a result, applicants often submit the same information in different formats for different federal agencies, even when the agencies are collaborating on the review of the same project. This situation causes applicants to expend unnecessary time and resources to satisfy duplicative requirements. In contrast, where agencies such as BLM and the Forest Service have used a single common application form, industry stakeholders have noted the benefits from standardizing the information collection.

Recommendation: The Working Group recommends that all agencies with rights-of-way responsibilities for federal lands adopt a single, standardized form for rights-of-way applications. A single, standardized form will reduce filing burdens on applicants and will provide a consistent source of information for affected federal agencies. Specifically, the Working Group recommends that all federal agencies adopt the Standard Form 299 (SF-299) for use beginning no later than December 2004. (See Appendix B for a copy of Standard Form 299, currently in use by BLM and the Forest Service.)

The SF-299 requests information about the type of project proposed by the applicant. This information includes the project's location; the applicant's technical and financial capability to construct, operate, maintain and terminate the project; the applicant's need for the particular right-of-way; and the general environmental impact of the proposed project.

The SF-299 provides much of the basis for obtaining information to determine if the applicant is qualified and the project is viable. Use of the SF-299 is intended to simplify information collection for both the applicant and the federal agencies. There are unique parts of each federal agency's mission, however, that cannot be captured in a standardized form and that may require particular information from an applicant in order for a federal agency to assess whether to grant a right-of-way. Thus, later in the process, a federal agency may need to request further information specific to the project or an agency's mission.⁵² Accordingly, the filing of an

⁵² The Working Group notes that applicants should continue to be responsible for providing information to the federal agencies for NEPA analyses, NHPA requirements, threatened and endangered species inventories, and any

SF-299 does not preclude an agency from requesting additional information from the applicant. However, use of a common application form, coupled with a pre-application meeting, should reduce duplication and delays based on information solicitation.

The process of developing the SF-299 involved more than 20 federal agencies and the general public. The current version, first issued in 1999, resulted from consultation among the Forest Service, Bureau of Land Management, Fish and Wildlife Service, National Park Service, U.S. Department of the Interior Solicitor's Office, U.S. Department of Agriculture Office of General Counsel, Department of Transportation Office of Surface Transportation, and Department of Transportation Federal Aviation Administration.

The SF-299 is available in an electronic format so an applicant can download the form from the Internet, complete the application, and submit it via U.S. mail. After full implementation of OMB's e-gov initiative, the Working Group expects that applicants will be permitted to file the SF-299 electronically. The submitted SF-299, together with the appropriate cost recovery fees and a NEPA/NHPA checklist,⁵³ if applicable, should provide all the basic information necessary for a federal agency to complete its initial screening of the proposed permit (see below). The Working Group recognizes, however, that the complexity of the project under review, determines the extent of any additional information needed to complete the SF-299. Use of the SF-299 can provide applicants with useful guidance about the type of information that federal agencies require in their decision-making and can help to expedite the agency's initial review process.

Implementation: Each federal land management agency that does not currently use the SF-299 should initiate any agency action necessary, including rulemaking, to adopt the SF-299 as its primary means of collecting information from rights-of-way applicants. The Working Group recommends that such rulemakings commence immediately upon release of this report so that all federal land management agencies could begin using the SF-299 by December 2004. Once an agency formally adopts the SF-299 for use, that agency should post the SF-299 on its Web site. While electronic filing of the SF-299 is not currently available, the federal agencies

other clearances that may be required. The Working Group recommends that the federal agencies allow applicants to provide this information using experts from their own companies or expert third-party contractors.

⁵³ The NEPA/NHPA checklist lets the applicant know early in the process what environmental and historical preservation concerns need to be addressed before the rights-of-way permit will be granted. For sample NEPA compliance checklists, please see NOAA's checklist, at <http://www.ecs.noaa.gov/documents/nepaChecklist.html> (last visited March 26, 2004) and the U.S. Fish and Wildlife Service's checklist, at <http://training.fws.gov/fedaids/toolkit/3-2185.pdf> (last visited March 26, 2004). Information on compliance with the NHPA is available from the Advisory Council on Historic Preservation, at <http://www.achp.gov> (last visited March 26, 2004). Typically, when it is determined that a federal undertaking will have an adverse effect on a property listed or eligible for listing in the National Register of Historic Places, the federal agency and the applicant enter into a Memorandum of Agreement (MOA) with the State Historic Preservation Officer and other consulting parties setting forth agreed-upon mitigation measures. Sample MOAs that have been signed by the FCC's Wireless Telecommunications Bureau are available online, at <http://wireless.fcc.gov/siting/envirom-nhpa-agreement.html> (last visited March 26, 2004).

should work with OMB to enable electronic filing of this document by applicants as soon as possible.

B. Timely Processing

Issue: In order to construct their networks in a cost-effective manner, broadband providers, like other rights-of-way users, need timely decisions from land managers. Lengthy delays can add tremendous costs to a broadband project, cause companies to lose their funding, delay expansion into a particular market or community, and/or result in the deferral or abandonment of a broadband project. In outreach meetings with representatives from all sectors of the telecommunications industry, company representatives voiced many complaints about the length of time that rights-of-way applications take in federal agencies' land management processes. The Working Group found that delays result from a variety of causes, including limited funds, inadequate staffing, a lack of skills and expertise, meeting environmental planning, approval and permitting requirements, the absence of time frames for processing applications, or no enforcement of such time frames. The reassignment of staff to handle

national emergencies (e.g., wildfires) can also result in lengthy delays. Although some of these issues are beyond the Working Group's ability to address, we believe that the recommendations below can substantially improve an agency's ability to process an application in a timely fashion.

1. Time Frames

Issue: A rights-of-way applicant often has little information about when an agency will complete its review of the application and issue a permit, or even complete various steps along the way. The lack of clear time frames often frustrates applicants who are trying to coordinate funding, construction, and other aspect of a project. Uncertainty can derail and even defeat the deployment of broadband networks.

Recommendation: The Working Group recommends that, during or shortly after the pre-application meeting, the affected agencies identify all steps and decisions that need to be made by each agency relative to processing a right-of-way and establish an estimated time frame for the review process. Early designation of a lead agency and project managers would facilitate the development of such a time frame and its timely execution. (See discussion below regarding lead agency and project managers.) The Working Group recommends the use of specific target time frames for various steps of the rights-of-way process. Time frames would help to expedite processing, provide predictability to the applicant, and provide agencies with a way to measure their performance. Some federal agencies already strive to meet the target time frames set out below. For purposes of establishing time frames, a proposal will be accepted as an application when the lead or responsible agency determines that the proposal provides the information necessary to evaluate it pursuant to NEPA, and meet any other applicable environmental requirements as needed by the agency(ies) having jurisdiction to approve the project. The Working Group recommends that all federal land management agencies establish the following time frames for processing rights-of-way permits:

- Target Time Frames for Initial Screening and Response for All Projects
 - For applicants that have participated in a pre-application meeting, agencies should review the initial application (the SF-299) and notify the applicant within 30 calendar days whether the application is “complete” and ready for formal review, or whether the application is incomplete and must be revised or supplemented.
 - For applicants that have not arranged for and participated in a pre-application meeting, then the agencies should review the application and notify the applicant within 60 days as to whether the application is complete.⁵⁴

⁵⁴ This time frame is consistent with existing processing standards of BLM and the Forest Service. See BLM Manual 2801, R/W Management and Handbook H-2801-1 and FSH 2709.11, Special Use Handbook, Chapter 10.

- Target Time Frame for Final Decisions on Small, Uncomplicated Projects⁵⁵
 - For small, uncomplicated rights-of-way projects, agencies should strive to grant or deny a proposal within 60 days of receiving a complete application.⁵⁶
- Target Time Frame for Final Decisions on Large, Complex Projects
 - For larger, complex projects, the agency(ies), in consultation with the applicant and other affected parties, should establish a schedule of processing time frames and notify the applicant of that schedule within 60 days after the application is deemed complete.

Implementation: By August 2004, every federal agency with land management responsibilities should implement the target time frames as part of their internal practices for processing rights-of-way applications. To help ensure that agencies meet these targets, agencies should report to their respective Secretaries, or his/her designee, on an annual basis, with the first report due December 31, 2004, regarding the number of permits or easements that were issued within the targets and the number of permits or easements that were issued outside the targets. If applicable, the report should also explain why the target time frames were not met and should contain recommendations for improving timeliness in the future. By incorporating an annual reporting requirement, these target time frames will benefit not only rights-of-way applicants, but also agency personnel by providing an opportunity to demonstrate success and/or the need for additional information or resources.

2. Identification of Lead Federal Agency

Issue: Applicants also voiced the concern that, when projects affect more than one federal agency, coordination between agencies is often unpredictable. Varying local priorities, agency requirements, staffing levels, funding, and land-use planning decisions complicate agency cooperation and coordination. A lack of coordination between federal agencies often results in delays and imposes unnecessary costs on the applicant.

Recommendation: The Working Group recommends that, for rights-of-way projects that involve more than one federal agency, the agencies involved should designate a lead agency immediately following the pre-application meeting described above and before an application is filed. Agencies should use the following factors in the selection of a lead agency: (1) amount of land crossed, the difficulty of crossing certain land, and the impact to the land and resources; (2) the personnel and financial resources available to process expeditiously the rights-of-way application; (3) the expertise of the various agencies; and (4) the agency that manages the federal

⁵⁵ The determination of whether a project is small and uncomplicated or large and complex depends on a variety of factors, such as the number of agencies involved, the type of geographic area covered, and the extent of environmental impact, among other considerations. This is an area of federal agency discretion.

⁵⁶ See e.g., BLM Manual 2801, R/W Management and Handbook H-2801-1.

land over which there is the greatest degree of controversy or concern with respect to the proposed project. The responsibilities of the lead federal agency would include managing communications with all affected government agencies; managing the budget and personnel resources devoted to an application; ensuring that deadlines are met; and coordinating with all the other federal, state, local, and tribal agencies involved in the project with respect to related processes, approvals, and permits. One of the most important responsibilities of the lead agency is to serve as the primary contact for the applicant, who should work directly with the lead agency.

Implementation: The Working Group recommends that by August 2004, federal land management agencies adopt internal operating practices to ensure that a lead agency is designated for multi-agency projects. For most projects, these operating practices need not be extensive and should not require the adoption of any new rules. On particularly complex projects, agencies may wish to set forth the details of the responsibilities of the lead federal agency in a letter, memorandum of understanding, or other document mutually agreed to by all the affected federal agencies.⁵⁷

3. Project Managers

Issue: Stakeholders also have noted that the rights-of-way process within a federal agency is slowed when several people at the agency have responsibility for different parts of the process, but there is no clear leader on the project. Consequently, delays occur because of a lack of coordination and communication. The applicant in such cases often must deal with multiple agency personnel, with resulting inefficiencies for both the applicant and the agency. The lack of clear leadership on a given project within an agency makes inter-agency coordination more difficult as well.

Recommendation: To improve timeliness, the Working Group recommends the use of project managers by federal agencies. The responsibilities of the project manager would include managing the budget and personnel resources devoted to processing an application and facilitating the permit's issuance; ensuring that target time frames are met; coordinating with all other federal, state, local, and tribal agencies involved in the project; and serving as the primary point of contact for industry, contractors, and other government entities. Project managers can provide skills and expertise with respect to regulations, requirements, and contacts that are usually not retained at every field office. Project managers are also extremely useful for agencies that are involved in multi-agency projects, as they can improve and simplify inter-agency coordination. As with lead agencies, applicants should avail themselves of the benefits of the single contact point that project managers provide. BLM has successfully utilized national project managers who coordinate large/complex project proposals, and other agencies may benefit from consulting with BLM about its experience.

⁵⁷ When the Federal Energy Regulatory Commission (FERC) licenses large energy projects that involve several federal agencies, FERC often puts together a communications protocol so that all agencies and the permittee have a common understanding of how various communications are to occur between interested parties. See, e.g., Appendix C, Federal Energy Regulatory Commission, *Communications Protocol: Lake Chelan Hydroelectric Project*, FERC NO. 637 (May 1, 1998; revised March 6, 2001).

Implementation: All federal agencies with land management responsibilities should (1) implement the use of the project manager approach for large, complex projects; and (2) designate project manager responsibilities, where appropriate, in employees' work plans. Federal agencies should provide training for personnel, if necessary, to carry out the duties of a project manager.

4. Utility Corridor Planning

Issue: In constructing their networks, broadband providers are often confronted with the challenge of finding suitable, cost-effective routes for laying fiber optic cables, or other linear communications media, while minimizing any potential environmental or historic preservation impacts that may slow an agency's review process. Energy companies have faced similar issues in laying pipelines, and many of those companies have embraced the use of utility corridors as the most optimal solution.⁵⁸

Recommendation: As a way to help streamline the rights-of-way process for broadband companies, the Working Group recommends that companies take advantage of previously designated rights-of-way utility corridors when possible. Congress addressed the issue of rights-of-way utility corridors in Section 503 of the FLPMA. Section 503 states that the Secretary of the Interior shall designate corridors to minimize adverse environmental impacts and the proliferation of separate rights-of-way.⁵⁹ In addition, the National Energy Policy and Executive Order 13213 requires BLM to emphasize rights-of-way planning and corridor designations.⁶⁰ Since 1979, the Western Utility Group⁶¹ and others have worked in cooperation with BLM and the Forest Service to identify and designate corridors in their land management plans.⁶²

In recognition of the benefits of utility corridor designation, the Working Group recommends that the federal land management agencies encourage the telecommunications sector, agencies with environmental and regulatory responsibilities, state transportation department officials, and state historic preservation officials to participate in the land and resource planning processes and proceedings that federal agencies use to designate utility corridors. The Working Group suggests that federal agencies reach out to telecommunications entities in their utility corridor designation process. Utility corridors provide a way for various

⁵⁸ A utility corridor is "a parcel of land either linear or aerial in character that has been identified by law, Secretarial Order, the land-use planning process, or by other management decision, as being a preferred location for existing and future rights-of-way grants and suitable to accommodate more than 1 type of right-of-way or more rights-of-way which are similar, identical or compatible." Western Governors' Association, *Briefing Paper on Utility Corridors*, at 2-3, http://www.westgov.org/wieb/electric/Transmission%20Protocol/SSG-WI/util_corr.pdf (last visited March 26, 2004).

⁵⁹ 43 U.S.C. § 1763.

⁶⁰ Implementation guidance for this action is articulated in Instruction Memorandum No. 2002-196 (June 25, 2002).

⁶¹ The Western Utility Group is an industry group.

⁶² See Western Utility Group, *Western Regional Corridor Study* (1993).

stakeholders to work together to identify rights-of-way across federal lands that may be used by more than one company. In many instances, using a designated utility corridor can significantly expedite the processing of rights-of-way for new telecommunication transmission facilities by eliminating the need to do extensive environmental and other impact studies required for new sites, and thereby result in time and financial savings for the applicant. The Working Group recognizes that utility corridors may not always present the most efficient or cost-effective route for rights-of-way applicants and these applicants should retain the flexibility to apply for other routes. Nonetheless, the Working Group encourages applicants to use utility corridors wherever practicable.

Implementation: The federal agencies should promote the use of designated utility corridors to all potential applicants by means of public awareness through postings on their Web sites,⁶³ as well as information provided to applicants at the pre-application meeting. Postings on agency Web sites could include a fact sheet that includes maps and descriptions about the location of existing and planned utility corridors and provide information about how interested telecommunications companies and other stakeholders can get involved in these federal land management planning processes. While BLM and the Forest Service already actively participate in the Western Utility Group's current *Western Regional Corridor Study*, other Federal land management agencies should also become more active participants.

5. Communications Site Plans

Issue: In addition to employing linear facilities that may stretch for tens or hundreds of miles, such as fiber optic cables, communications providers also rely on facilities located at a single geographic point. These facilities may include buildings or towers that house or support communications equipment. These physical structures are also known as communications sites.⁶⁴ A communications site plan, developed by an agency, sets forth the conditions for multiple tenants' use of such a facility.

Communication sites are critical for the wireless industry, which has a growing need for additional antenna sites, including in remote communities once considered too isolated for the investment of infrastructure capital.⁶⁵ However, to avoid congestion as well as to address aesthetic concerns, agencies desire to limit the number of communications sites. Most federal agencies advocate maximizing an existing communications site to reduce the proliferation of sites and ensure compatibility among communications uses.

In the past two years, BLM has completed site management plans on over 60 mountain tops. BLM uses in-house land surveyors and geographic information system (GIS) mapping specialists to perform the site survey and to prepare detailed site maps of the mountain tops.

⁶³ Agencies should post information within six months of the release of this report.

⁶⁴ Forest Service, FSH 2709.11: Special Uses Handbook (October 2002).

⁶⁵ *Id.*

Recommendation: The Working Group recommends that federal land management agencies encourage co-location of communications facilities on existing designated communications sites, where feasible for the agency and the applicant, similar to the practice currently employed by BLM and the Forest Service. The advantage for rights-of-way applicants is that co-location on an existing communications site allows a potential tenant to co-locate in a private facility without agency review, when the facility owner determines that the proposed use is compatible with the site plan and existing communications uses at the site.⁶⁶ The Working Group encourages federal agencies to continue using communications site plans that facilitate appropriate access to federal property for the siting of mobile service antennas. Agencies should give special consideration to potential broadband use for extending service to rural communities. Agencies must retain the discretion to reject inappropriate siting requests, ensure protection of public property, and ensure timely removal of equipment and structures at the end of service.⁶⁷

Implementation: All relevant federal land management agencies should continue to prepare and maintain a communications site plan for each designated communications site. The federal agencies should explore the option of obtaining fee retention authority, similar to that given to BLM, for use in establishing communications site planning programs. In addition, the federal agencies should work closely with industry and other users to ensure that the communications site plans remain effective and inclusive of all needs of both industry and the Federal Government. The federal land management agencies should promote private sector awareness of these communications sites and should include maps on their Web sites showing the location of existing communications sites.⁶⁸ NTIA should post a fact sheet on the central federal rights-of-way Web site that (1) explains the current status of the Federal Government's communication site plans, (2) includes maps showing the location of existing or planned communications sites, and (3) provides information about the potential role for interested telecommunications companies and other stakeholders.

C. Fees and Other Charges

As an applicant goes through the rights-of-way process, the applicant generally encounters two types of fees: (1) the recovery of costs incurred by federal agencies in processing and monitoring rights-of-way, and (2) the assessment of rental payments or other compensation

⁶⁶ Forest Service, FSH 2709.11: Special Uses Handbook (October 2002).

⁶⁷ See, GSA Bulletin FPMR D-242, Placement of Commercial Antennas on Federal Property, 62 Fed. Reg. 32,611 (1997). GSA Bulletin FMPR-D-242, Supplement 1, 64 Fed. Reg. 30523 (1999), extended the bulletin's expiration date indefinitely.

⁶⁸ The Working Group recognizes that many agencies have important security concerns. Consequently, such concerns may inhibit agencies that maintain communication sites co-located with, or comprising, critical infrastructure from broadly disseminating the location of such sites on a public Web site. In such instances, agencies should post on their Web site contact information for staff who can assist interested parties in identifying sites where they might co-locate their communications facilities. Agencies should do updates within six months of the release of this report.

for the applicant's use of federal land.⁶⁹ In reviewing current procedures used by federal rights-of-way managers, the Working Group identified areas where federal agencies should streamline their practices, improve processes with respect to calculating reasonable fees, provide information in a more customer-friendly way, and promote predictability and accountability. These issues are discussed below.

1. Cost Recovery

Issue: By statute and administrative directive, federal agencies are required to recover the cost of providing goods, services, or resources to the public, including permits for rights-of-way. Specifically, Title V of the Independent Offices Appropriations Act of 1952 allows federal agencies to recoup costs from identifiable “special beneficiaries” where the services benefited particular recipients as compared to the general public.⁷⁰ OMB Circular No. A-25 establishes federal policy regarding fees assessed for government services and for sale or use of government goods or resources.⁷¹ For cost recovery for rights-of-way uses, the circular requires that federal agencies assess and collect user charges that will be sufficient to recover the full cost to the Federal Government of providing a good, service, or resource. This recovery may include a variety of costs, such as those for verifying and evaluating information submitted by the applicant, inspecting and monitoring installation and maintenance, and conducting environmental and engineering studies. In most cases, federal agencies calculate and recover these costs separately from a land use fee, also known as a rental fee, or some other consideration given in exchange for use of the rights-of-way.

In practice, federal agencies have widely divergent policies and procedures for assessing, collecting, and spending cost recovery fees associated with rights-of-way management.⁷² For example, BLM has detailed regulations on the use of cost recovery schedules for smaller projects, and case-specific cost recovery procedures for larger projects. The Forest Service currently collects processing and monitoring fees on a voluntary basis from applicants and

⁶⁹ Certain applicants are exempt from some fees. Telephone local exchange carriers that apply for a right-of-way permit for facilities that are eligible for Rural Utilities Service financing are exempt from paying rights-of-way rents on any federal lands that are subject to § 504(g) of FLPMA, 43 U.S.C. § 1764(g). (*footnote continued on next page*) This exemption applies to any eligible facility, regardless of whether the applicant is a non-profit or for-profit telephone local exchange carrier. The exemption applies only to rental fees, so the applicant would still be subject to permit processing fees.

⁷⁰ 31 U.S.C. §§ 9701 and 1111.

⁷¹ See Appendix D for a copy of OMB Circular No. A-25. OMB Circular No. A-25 provides all executive departments in the Federal Government with administrative direction in implementing the authority to recover costs as set forth in Title V of the Independent Offices Appropriations Act of 1952, 31 U.S.C. §§ 9701 and 1111, and Executive Order Nos. 8248 and 11,541.

⁷² Concerning building access, GSA does not charge telecommunications vendors for the agency personnel's time or effort in working with them, but GSA does expect these vendors to cover a variety of ancillary costs, such as utility expenses, equipment room build outs, security clearances, radio emissions safety assurance, confirmation of no interference with electronic equipment operating in or near the building, and changes to the installation “blueprint” based upon structural impediments, aesthetic issues, or tenant concerns.

permit holders, but by the end of fiscal year 2004, it intends to finalize a set of cost recovery regulations and fee schedules concurrently with BLM's pending revisions to its long-standing regulations and procedures. The end product will be a higher degree of consistency in the assessment of processing and monitoring fees between these two agencies.

Other agencies use a variety of different approaches. For example, an applicant for an easement on military lands pays cost recovery, although the Navy must recover its costs in the fiscal year in which the costs are incurred. In the case of the Army Corps of Engineers, customers pay according to an established fee schedule, although the Army Corps of Engineers permits deviations from the schedule in certain circumstances. If NOAA chooses to assess a special use permit fee under the National Marine Sanctuaries Act, it must include assessments for administrative costs, monitoring costs and fair market value. The National Park Service provides local offices with the discretion to determine their own cost recovery fee rates based on actual costs incurred. BIA does not currently recover costs related to rights-of-way on Indian lands, although it has the authority to do so under 25 U.S.C. §413.

As the preceding examples demonstrate, federal agencies have adopted a variety of approaches to implementing cost recovery. In the Working Group's discussions with stakeholders, many applicants -- particularly those dealing with multiple agencies -- viewed the varied approaches to be inefficient, confusing, and frustrating. In response to these concerns regarding cost recovery, the Working Group sets forth three recommendations. The recommendations address the following three aspects of cost recovery: (1) the entity responsible for cost recovery; (2) general principles applicable to cost recovery; and (3) specific techniques for standardizing and simplifying cost recovery.⁷³

Recommendation #1: First, the Working Group has identified the need to clarify which federal agency will be responsible for cost recovery on projects involving more than one agency. The Working Group's recommendation is that for small, uncomplicated projects, individual agencies should continue to be responsible for recovering their own costs, subject to the principles and techniques discussed below. For larger inter-agency projects,⁷⁴ improved efficiency may result from the lead agency performing cost recovery on behalf of all affected federal agencies (see discussion above). By sharing resources and simplifying cost recovery procedures where multiple federal land management agencies are involved, federal agencies can better use their skilled staff, reduce duplication, and make communications easier for applicants, who would benefit from a single point of contact for the federal agencies.

Implementation: For larger inter-agency projects where the federal agencies have designated a lead agency, the affected federal agencies should agree on consolidating cost

⁷³ As noted earlier, (*see supra* fn.19) the issue of access to federal buildings is outside the scope of this report. We refer to the "telecommunications-in-buildings" approach of the GSA, however, as part of the Working Group's description in two specific areas: cost recovery and also rental fees (see below).

⁷⁴ As an example of the demarcation between small, uncomplicated rights-of-way ("minor") projects and large, complex interagency ("major") rights-of-way projects, BLM since the 1970s has used a threshold of 50 hours. In this context "hours" refers to the time needed by agency personnel to process applications and monitor authorizations.

recovery duties and placing them with the lead agency. Federal agencies should develop a standard inter-agency agreement or memorandum of understanding regarding inter-agency cost recovery procedures that will apply in most cases, unless there are unique aspects to the project that require changes to the standard inter-agency agreement. The significantly different statutory missions of some federal agencies, such as BIA and NOAA, may require specific provisions in the inter-agency agreements that take into account the agency(ies)' different approaches to cost recovery.

Recommendation #2: Second, the Working Group recommends that the federal agencies act in accordance with a set of general principles applicable to cost recovery pertaining to rights-of-way management. Specifically, the Working Group recommends that these agencies develop and implement regulations that result in a cost recovery process that meets the following criteria:

- Promote predictability and consistency.
- Are based on a transparent and reliable cost recovery system that helps ensure accountability.
- Feature reasonable fees that reflect an agency's costs and efficiency.
- Afford ease of use by the customer (*e.g.*, a ready contact; provides for a lead agency approach where multiple jurisdictions are affected; a clear published explanation of the process).
- Foster ease of use by the agency (simple formula for implementation).

Implementation: All relevant federal land management agencies should commence rulemakings, as necessary and appropriate, for the purpose of developing and implementing regulations for rights-of-way cost recovery processes that incorporate the above criteria. These agencies should initiate these rulemakings by December 2004.

Recommendation #3: Third, the Working Group recommends specific techniques for standardizing and simplifying cost recovery relating to rights-of-way management. In particular, applicable agencies should implement the following practices and procedures:

- An activities-based costing system using accepted accounting principles. Such a formal, reliable cost-accounting system would promote accountability and confidence for both agencies and applicants. Adopting this system across the various rights-of-way agencies would foster a similar costing basis, thereby minimizing distortions and unjustified differentials.
- Fee schedules⁷⁵ for small, uncomplicated projects. Establishment of such schedules would enhance predictability and ease of use by agencies and their customers, reducing the number of complaints.

⁷⁵ For an explanation of "fee schedules" please see the section on Rental Payments/Compensation.

- Case-specific cost estimates and assessments for large, complex projects. Working Group members generally agreed that the agencies' need for flexibility and specificity in estimating the costs of such diverse projects should be paramount; fee schedules would be easier to use but would not accommodate the need for costing accuracy and flexibility in large-scale projects. Drawing costs for large, complex projects from a transparent and reliable cost recovery system would instill confidence in applicants and agencies alike.
- A readily accessible source of information (e.g., Web site), describing for applicants the agency's cost recovery regulations, policies, and procedures. This transparency would inform and reassure applicants, particularly those new to the federal rights-of-way process. Agencies, too, would benefit from enhanced efficiency in their operations, as well as greater ease of use and improved relations with their applicants.
- A specific list of costs to be recovered that will include, but not be limited to, an agency's costs for the following activities:
 - (1) Verifying information submitted on the application.
 - (2) Reviewing plans, conducting field reviews, and collecting data.
 - (3) Conducting environmental and engineering studies.
 - (4) Mitigating impacts to federal lands, facilities, and resources.
 - (5) Amending resource management plans.
 - (6) Inspecting and monitoring installation, maintenance, construction, and restoration.

This list should reside in the respective agencies' rules and be posted on their Web sites. Identifying specific types of costs in advance would help applicants in planning projects and also save time and effort for affected agencies.

Implementation: All relevant federal land management agencies should commence rulemakings, as necessary and appropriate, for the purpose of standardizing and simplifying rights-of-way cost recovery, incorporating the practices and procedures set forth in the recommendation above. These agencies should initiate such rulemakings by December 2004.

2. Rental Payments/Compensation

Issue: In addition to cost recovery fees, rights-of-way applicants also encounter other land use fees, such as rental fees. Specifically, a variety of statutes and regulations direct federal agencies to assess and collect rent, or obtain consideration for, the use of federal lands, including for rights-of-way.⁷⁶ As a starting point for calculating rental payments, most statutes embrace

⁷⁶ Most of these statutes and their associated regulations provide agencies with the discretion to waive all or part of a rental fee, pursuant to specific fee waiver criteria. Other statutes may also exempt rental fees for certain uses or rights-holders. The Army Corps of Engineers, for example, does not collect periodic rental payments for the grant of an easement. 31 U.S.C. § 9701. The General Services Administration may grant an easement without consideration, or with monetary or other consideration, or with exceptions if the head of the agency considers this

the principle of fair market value. For example, the statutes applicable to BLM and the Forest Service require that rent for the use of public land and national forest system land be based on “fair market value, as determined by the Secretary.”⁷⁷ Other agencies have different, but similar, legal authority. OMB Circular A-25 provides guidance as well, requiring “user charges based on market prices . . . that need not be limited to the recovery of full cost and may yield net revenues.”⁷⁸

In practice, there are several approaches to establishing fair market value that government agencies commonly use in rights-of-way management.⁷⁹ The two primary ways of calculating rental payments are (1) rental fee schedules and (2) real estate appraisals. BLM and the Forest Service rely primarily on regulatory rental fee schedules to set annual rental payments for linear applications and communications sites. In general, the communications industry has expressed few problems with the linear rental fee schedules used by BLM and the Forest Service, but the annual rates in those schedules are currently out-of-date. BLM and the Forest Service currently update rates based on the annualized change in Implicit Price Deflator-Gross Domestic Product (IPD-GDP).⁸⁰ However, efforts to update the rental fee schedules during the last four years have raised concerns about the level of and the basis for the rates.⁸¹ The communications industry also has generally supported the Forest Service/BLM rental schedule for communications sites

necessary to protect the interests of the federal government. 40 U.S.C. § 1314. For American Indian-owned land subject to BIA approval, rights-of-way are acquired via easements involving a one-time payment. 25 C.F.R. § 169.

⁷⁷ The primary statutory authority for the two agencies with respect to telecommunications and fiber optics for the granting of rights-of-way over National Forest System and BLM-administered public lands is Title V of the FLPMA, 43 U.S.C. § 1764.

⁷⁸ Requests for exceptions to this requirement can be made to OMB. Please see Appendix D for a copy of OMB Circular A-25.

⁷⁹ For a basic discussion of four general approaches to rights-of-way valuation, with particular emphasis on fiber optics easements, see Chapter III, “Valuing Rights of Way,” National Oceanic and Atmospheric Administration, *Fair Market Value Analysis for a Fiber Optic Cable Permit in National Marine Sanctuaries*, August 2002. It is noteworthy that GSA takes a different approach to determine rental payments for building access than for rights-of-way access to federal lands. GSA is authorized to negotiate reasonable compensation for accessing federally-owned buildings. For rooftop antenna placements, the amounts charged typically take into account such factors as building location, height, population served, and line of sight. Insofar as the placement of antennas by GSA customers (*i.e.*, other federal agencies) is concerned, GSA charges for rooftop and other space needed based upon prevailing commercial rates. GSA also requires a written agreement, which specifies the terms and conditions under which customers will access the building and install and maintain the telecommunications equipment. See GSA Bulletin FPMR D-242, Placement of Commercial Antennas on Federal Property, 62 Fed. Reg. 32,611, 32613 (1997).

⁸⁰ Statisticians and economists use GDP (Gross Domestic Product) deflators to remove the influence of price changes and to record only real changes to the economy. Stated differently, this deflator is a price index that is used as a means of adjusting “nominal” (money) GDP to obtain real GDP, which represents output of physical goods and services. This replaced a similar deflator based on Gross National Product (GNP).

⁸¹ The House of Representatives has passed legislation during each of the last two sessions of Congress to require that any revision of the rental schedule be similar to the current schedule, in which the annual rates are based on a percentage of the estimated fee simple value of the land being occupied.

(such as for wireless telecommunications uses),⁸² which is adjusted each year by the annualized change in the Consumer Price Index-Urban (CPI-U).⁸³

In addition to employing rental fee schedules, a number of agencies routinely use real estate appraisals or nonfederal market rent studies or surveys to determine the annual land use fee for a license or permit⁸⁴ or the amount of consideration for the conveyance of an easement.⁸⁵ A few agencies, however, limit their use of real estate appraisals to establish rental fees for high value rights-of-way. Besides direct monetary payments, in-kind compensation has also been used in certain circumstances. For example, the Federal Highway Administration's state department of transportation partners have used a barter approach, in some situations receiving the use of fiber optic capacity instead of cash rents as consideration.

General rental fee schedules and individual real estate appraisals each have their strengths and weaknesses. The Working Group's discussions with stakeholders revealed that an agency's use of case-specific real estate appraisals or market rent surveys require fact-intensive inquiries, which can slow the application process and may result in value estimates significantly different than expected by a right-of-way applicant. In some cases, appraisals can be complicated by the lack of market rental data, the limited availability of appraisal expertise, and inconsistent appraisal methodologies among or within agencies, all of which can cause a wide range of outcomes for apparently similar projects. For determining the precise consideration owed for a right-of-way, however, appraisals have the potential to provide the most accurate results. By contrast, generalized rental schedules may not work as well for large, complex projects but are attractive because they are relatively easy to use and they provide greater certainty to applicants.

In addition, utility corridor rights-of-way may pose significant challenges to determining correct valuation. Recent studies in California and Arizona concluded that corridor markets are basically "immature and characterized by divergent methodologies and valuation results."⁸⁶ Among the problems cited: (1) confidentiality agreements inhibit the free flow of information; (2) appraisers may either be uninformed concerning telecommunications corridor rights-of-way

⁸² For illustrative purposes, the 2003 Communications Site Fee Schedule (excerpted from Forest Service, FSH 2709.11: Special Uses Handbook, October 2002 (Chapter 30, "Fee Determination")) may be found in Appendix E.

⁸³ CPI-U is an index of changes in the prices of goods and services to typical urban-based consumers and is premised upon the cost of the same goods in a base period. For linear rights-of-way rental fee rates, the Forest Service and BLM annually update those rates.

⁸⁴ A permit is a permission granted by the property owner to use the property, subject to the terms and conditions of the permit. A permit grants no interest in the property, is nonexclusive, and is often revocable.

⁸⁵ An easement is an interest in land owned by another that entitles the holder to a specific limited use (e.g., to cross the land). The use may be in perpetuity or for a stated period of time and usually involves the initial payment of consideration to the property owner.

⁸⁶ See C.P. Bucaria and R.G. Kuhs, *Fiber Optic Communication Corridor Right of Way Valuation Methodology*, THE APPRAISAL JOURNAL, April 2002, at 2.

or rely solely upon one method to solve all appraisal problems; and (3) valuers may rely upon local markets that may not contain information appropriate to a particular appraisal problem.⁸⁷

In response to these concerns regarding rental payments, the Working Group sets forth three recommendations. The recommendations address the following three aspects of rental payments/compensation: (1) the entity responsible for rental payments; (2) general principles applicable to rental payments; and (3) specific techniques for standardizing and simplifying rental payments.

Recommendation #1: First, the Working Group seeks to clarify which federal agency will be responsible for rental payments on projects involving more than one agency. The Working Group's recommendation is that for small, uncomplicated inter-agency projects, individual agencies would continue to be responsible for administering rental payments, consistent with the principles and techniques discussed below. For larger inter-agency projects, improved efficiency may result from the lead agency collecting rental payments from an applicant on behalf of all affected agencies (see previous discussion on lead agency).⁸⁸ Implementing this recommendation will redound to the benefit of both applicants and agencies through establishment of a single point of contact, better use of agency resources, and significant time savings.

Implementation: For larger inter-agency projects where the federal agencies have designated a lead agency, the affected federal agencies should agree on consolidating rental payment duties and placing them with the lead agency. The details of the rental payment procedures may be set forth in a memorandum of understanding among the agencies or other appropriate inter-agency document.

Recommendation #2: Second, the Working Group recommends that the federal agencies act in accordance with a set of general principles applicable to rental payments. The Working Group recommends that agencies responsible for rental payment functions develop and implement regulations, or make revisions to policies and practices that result in rental payment procedures that meet the following criteria:

- Promote predictability and consistency.
- Provide for a transparent compensation system that helps ensure accountability.
- Use a reasonable market-based rights-of-way valuation approach.

⁸⁷ *Id.*

⁸⁸ BIA's mission is unique among the federal land managing agencies. As the lead agency for implementing the United States' fiduciary responsibility for trust and restricted fee lands owned by Native Americans, BIA distributes all appropriate right-of-way payments to the owners whose property is being crossed in accordance with their ownership interest in the property. Therefore, it is recognized that any funds derived from Indian lands held in trust must be handled in a manner that is consistent with the federal government's fiduciary responsibilities, such as, for example, by carefully segregating trust from non-trust funds.

- Provide for agency discretion to make adjustments to rental fees for purposes of achieving the agency's mission.
- Afford ease of use by the customer (ready contact; provides for a lead agency approach where multiple jurisdictions occur; a clear published explanation of the process).
- Foster ease of use by the agency.

Implementation: All relevant federal land management agencies should commence rulemakings, as necessary and appropriate, for the purpose of developing and implementing regulations for rights-of-way rental payment processes that incorporate the above criteria. These agencies should initiate these rulemakings by December 2004.

Recommendation #3: Third, the Working Group recommends greater use of rental fee schedules where periodic rental payments are required. Rental schedules provide a standardized mechanism for determining rental fees, thereby removing a great deal of time-consuming, subjective judgment from the valuation process. Thus, rental fee schedules can result in more efficient use of resources, timely processing of rights-of-way applications, and a more transparent process for all. However, the Working Group recognizes that greater use of fee schedules may not be appropriate for some applications, for which other valuation methods may be better suited.

More specifically:

- With respect to *linear featured broadband facilities*, all federal land management agencies should adopt, where practicable, policies and procedures for rental fees based on the fee schedule rates approach used by BLM and the Forest Service. BLM and the Forest Service should update their rental fee schedules for wireless and linear broadband equipment on federal lands.
- With respect to rental fees for *communications sites* (such as for wireless telecommunications equipment), the Working Group recommends that all federal agencies that authorize the operation of wireless telecommunications facilities on federal lands adopt a rental rate schedule based on the Forest Service/BLM schedule for communications site uses, thereby establishing an annual rental fee for use and occupancy of federal lands.
- In both cases, federal agencies should retain authority to grant an exception, as appropriate, to the use of fee schedules (*e.g.*, to perform individual appraisals or undertake agreements to receive services instead of cash) in order to foster efficiencies or other benefits (such as allowing barter for public services such as safety messages, 911, or other operational uses), or to further the agency's mission. This would not limit the existing statutory authority agencies may have to establish rental rates or the amount of consideration for conveyances of easements.

- Agencies should use rental fee schedules where practicable. In addition to the above stated exceptions, however, agencies should consider obtaining an appraisal rather than refer to a rental rate schedule if the valuation problem is complex, the value of the rights to be granted is likely to be substantial, or the conveyance of an easement is contemplated.⁸⁹
- In order to provide consistency in rental fees and avoid duplicating efforts, federal agencies should share information about methodologies for determining fair market rental values, and other information, as they develop and update rental fee schedules and as they perform individual appraisals. Avoiding duplication should enhance efficiency in processing rents and ensure greater consistency among agencies.

Implementation: All relevant federal land management agencies that are not currently using fee schedules or who are using them infrequently should commence rulemakings, as necessary and appropriate, for the purpose of greater use of fee schedules in determining rights-of-way rental payments. Agencies should initiate these rulemakings by December 2004.

D. Compliance

As the trustee of public lands, the Federal Government is responsible for preserving, to the extent possible, the natural state of wilderness, coastal, and other protected lands,⁹⁰ and for sustaining the productivity of the lands' renewable and other resources.⁹¹ At the same time, most federal land management agencies are obligated to optimize the lands' utility by accommodating multiple uses, including recreational and commercial uses, which benefit the Nation.⁹² To ensure

⁸⁹ Where an agency finds a need to use appraisals, reference to the *Uniform Appraisal Standards for Federal Land Acquisitions* (December 2000), promulgated by the Interagency Acquisition Conference, may be helpful in mitigating some of the problems identified with the use of appraisals.

⁹⁰ See, e.g., 43 U.S.C. § 1701(a)(8), which sets forth a Congressional policy declaration that:

the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmosphere, water resource, and archeological values; that where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.

⁹¹ In contrast to other federal land managing agencies, BIA administers rights-of-way on lands owned by Indian tribes or individuals, and balances preservation of the trust resource with economic development in fulfilling its role.

⁹² See, e.g., 16 U.S.C. §532, which provides that:

The Congress hereby finds and declares that the construction of an adequate system of roads and trails within and near the national forests and other lands administered by the Forest Service is essential if increasing demands for timber, recreation, and other uses of such lands are to be met . . . and that such a system is essential to enable the Secretary of Agriculture to provide for intensive use, protection, development, and management of these lands under principles of multiple use and sustained yields of products and services.

However, some federal agencies have a narrower mission. The National Park Service's establishing legislation instructs that agency to "conserve the scenery and the natural and (footnote continued on next page)

that the government appropriately balances its dual responsibilities, a variety of laws permit private sector use of federal land but require rights-of-way holders to restore land, to the extent possible, to its original condition following installation of a commercial facility. Certain environmental and historic preservation, protection, and restoration measures are required. Land management agencies, in turn, incorporate these requirements as conditions of the right-of-way.

Although permit holders have a legal duty to properly install and maintain their facilities, their commercial interests give them an added incentive to do so. Permit holders generally recognize that obtaining authorization to locate their equipment on federal lands depends upon their adherence to the permit's terms. They are usually well aware of these terms since they frequently negotiate compliance and other requirements during the NEPA and NHPA review process prior to the permit's approval. Therefore, in the Working Group members' experience, monitoring and related compliance activities are ordinarily the least problematic aspects of rights-of-way administration at the federal level.

Nonetheless, the Working Group has identified some aspects of monitoring and compliance that federal land managers could improve. Based on our discussions with stakeholders and our own research, the Working Group found that compliance issues fall into the following main categories: (1) ensuring the proper installation and maintenance of facilities, (2) addressing unanticipated costs, and (3) imposing penalties for noncompliance.

1. Ensuring Proper Installation and Maintenance of Facilities

Issue: During a project's initial construction, agency staff ordinarily ensure that the linear or site facility installation complies with pre-approved specifications and any accompanying agreements or site plans. Following construction, agencies often rely on field personnel to inspect the facilities periodically. In the rare instance of abandonment or termination of a right-of way, field personnel would also inspect for proper facilities removal and premises restoration.

BLM and the Forest Service, two of the largest federal land management agencies, function through a decentralized system of field office operations. BLM's workforce comprises 10,000 employees located at its headquarters and national centers, and over 180 state and field offices to oversee more than 261 million acres of public lands located primarily in the western states and Alaska plus a total of 700 million acres of subsurface mineral estate.⁹³ As of August 2002, the agency was handling a total of about 85,000 rights-of-way. Over the last several years,

historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 16 U.S.C. § 1.

⁹³ U.S. Department of the Interior, Bureau of Land Management, *Annual Report FY02: Balancing Today's Need for Tomorrow's Public Lands*, at preface, at <http://www.blm.gov/nhp/info/stratplan/AR02.pdf> (last visited March 26, 2004) (public lands administered by the BLM include "millions of acres of open rangelands; geological formations containing the oil, gas, and coal resources needed to sustain our economic well-being; wilderness and recreation areas with spectacular scenery and opportunities for solitude; nearly 117,000 miles of fishable streams; high forested slopes; alpine tundra; majestic canyons; and rugged badlands").

BLM has experienced an annual ten percent increase in the number of rights-of-way applications received, and has processed about 5,500 such matters each year.⁹⁴ Similarly, the Forest Service, through a network of nine regional offices, manages 155 national forests and 20 grasslands totaling 192 million acres.⁹⁵ Through its special uses program, the Forest Service has approved more than 72,000 authorizations for more than 150 types of uses, including telecommunications and utility rights-of-way.⁹⁶

The breadth of these agencies' responsibilities to balance the public's many uses of the extensive and diverse national lands they administer may limit at any given time the human or financial resources available in the field to address compliance matters. In reality, rights-of-way compliance monitoring is one of many tasks of agencies' field personnel, who prioritize monitoring among their other mission critical responsibilities, such as, for example, battling forest fires, responding to other emergencies, and assisting tourists. For the most part, field personnel seem to handle routine right-of-way compliance satisfactorily. In field offices lacking staff with the necessary expertise or the funds for such activities, however, additional resources could help to improve post-construction compliance monitoring.

Federal agencies' capacity to fund compliance activities varies widely. Some agencies have imposed fees for this purpose. For example, BLM has implemented a fee schedule to reimburse the government for the cost of monitoring its simpler projects, which it classifies in categories of increasing complexity from I-IV. The fees in these categories range from \$50 to \$200 to monitor the project's construction, operation, maintenance, and termination and for the protection and rehabilitation of the affected lands.⁹⁷ BLM designates as category V projects those that are large, complex, and require the gathering of original data to comply with NEPA and other statutes, and at least three field examinations.⁹⁸ The Category V permit holder pays the monitoring fee and other costs on a periodic basis before the government incurs them.⁹⁹ NOAA, which administers sub-marine rights-of-way for communications cables, and the Army Corps of Engineers are other examples of agencies that charge specific fees for monitoring rights-of-way.

By contrast, under the Department of the Navy's current practice, that agency may only recover costs associated with rights-of-way administration during the fiscal year in which the

⁹⁴ Federal Rights of Way Working Group Survey Response of the Bureau of Land Management (BLM Survey Response), at 1 (on file with NTIA). For rights-of-way, BLM has inventoried and prioritized energy-related rights-of-way applications; hired four rights-of-way project managers, all stationed in the West, to expedite major rights-of-way applications; and expanded rights-of-way training for BLM staff and industry. *BLM FY02 Annual Report* at 3.

⁹⁵ See <http://www.fs.fed.us/aboutus/> (last visited March 26, 2004).

⁹⁶ U.S. Department of Agriculture, Forest Service, *Obtaining a Special-Use Authorization with the Forest Service*, at <http://www.fs.fed.us/recreation/permits/broch.htm> (last visited March 26, 2004).

⁹⁷ 43 C.F.R. § 2808.4.

⁹⁸ *Id.* at § 2808.2-1(a)(5).

⁹⁹ *Id.*

construction occurred. Therefore, the Navy must recover up front any costs for routine compliance monitoring or other activities incurred during subsequent fiscal years. The Navy administers relatively few rights-of-way, which mitigates to some extent the potential burden that this practice might impose on its resources.

Recognizing that agencies rely on their field personnel to perform an array of duties that can shift depending upon the office's needs at a particular time, the Working Group recommends the following measures to enhance staffing and funding for rights-of-way administration and compliance monitoring.

Recommendation #1: First, federal agencies with staff involved in granting and monitoring rights-of-way should make formal training on these issues available to them. Whether offered by the agencies themselves or by outside organizations, such training would particularly benefit field personnel who rarely handle rights-of-way matters. The training would help to familiarize them with these issues and emphasize the importance of their prompt response. Both BLM and the International Rights of Way Association offer training that is open to individuals outside of their organizations.¹⁰⁰ Several years ago BLM extended to 16 weeks its training for professional realty specialists at the Lands Academy of the National Training Center. The academy offers a beginning session each year and an additional two sessions at different times during the year. The agency expanded the course to increase the base knowledge of its workforce.¹⁰¹ BLM currently offers several training courses for BLM, Forest Service, and industry participation. Those courses cover managing major rights-of-way projects, electric systems, pipeline systems, and wireless telecommunications. BLM and the Forest Service also offer a course to BLM/Forest Service managers called National Lands Training for Managers and Program Leaders. The Working Group strongly encourages all federal land management agencies to make available to their staff these or other relevant training opportunities that may exist.

Implementation: By August 2004, all federal agencies offering training on rights-of-way administration should begin to publicize on their Web sites and through other effective means the availability of rights-of-way training and the eligibility requirements to attend. In addition, by August 2004, all federal land management agencies, regardless of whether they provide in-house training, should designate staff to identify regularly and disseminate promptly information about rights-of-way training opportunities to the appropriate staff.

Recommendation #2: Second, federal agencies should inform grantees of the option of hiring reputable third-party contractors, who in conjunction with agency compliance monitors, ensure that grantees properly perform planning and environmental studies, and initial phase construction work to the agency's satisfaction. These contractors are not substitutes for federal personnel, but work closely with them as agents of rights-of-way applicants. A knowledgeable contractor may be an invaluable resource to help applicants navigate an agency's rights-of-way

¹⁰⁰ See <http://www.ntc.blm.gov/> (last visited March 26, 2004) and <http://www.irwaonline.org/education/> (last visited March 26, 2004).

¹⁰¹ BLM Survey Response at 4 (on file with NTIA).

process, and thereby minimize delays that could result from incomplete or unsatisfactory submissions. Therefore, contractors may expedite facility construction by preparing rights-holders for compliance inspections and other monitoring activities, including reporting to federal land managers the grantee's observance of work plan requirements. Given agencies' limited resources, their personnel can be most effective when working with experienced contractors. Rights-of-way applicants may receive desired approvals more quickly, which may lower long run project costs.

The Working Group in no way intends to suggest that agencies require the use of third-party contractors. Instead the suggestion results from successful dealings of BLM and the Forest Service with third-party contractors. The agencies noted in particular that contractors' experience with NEPA's lengthy processes and complex procedures enables the contractors to prepare necessary documents and to check their client's compliance with any NEPA requirements included in the grant before any formal inspections by federal rights-of-way administrators.

Implementation: By August 2004, through postings on their Web sites and through communications with applicants and grantees, federal agencies should begin to notify rights-of-way applicants of the option of hiring reputable third-party contractors, who in conjunction with agency compliance monitors, will ensure that grantees properly perform planning and environmental studies, and initial phase construction work.

Recommendation #3: Third, for multi-agency projects, the appointment of a lead agency would improve coordination of compliance matters. Similarly, more efficient compliance could occur if federal land management agencies appoint a project manager to improve intra-agency communications. A lead agency or project manager can develop comprehensive rights-of-way compliance requirements that enable the agencies involved to adequately assess whether the right-holder has fulfilled installation, restoration, maintenance, and other obligations. By coordinating the agencies' various reporting and monitoring requirements, lead agency personnel and project managers minimize the burden on rights-of-way permit holders. They can also advance projects by organizing government personnel and budget resources to maximize their use and expedite projects. In that way, lead agencies and project managers can supplement field office staff to ensure availability of the necessary expertise for compliance monitoring and other purposes.

Implementation: As previously described in section III. B.2. of this report, by August 2004, federal agencies should adopt internal operating procedures for designating a lead agency when federal, state, local, and/or tribal authorities are participating in a project. For complex projects, the government entities should memorialize the lead agency's responsibilities in a memorandum of understanding, other inter-agency agreement, or written correspondence. In addition, agencies should incorporate project manager responsibilities into the work plans of appropriate employees and train them to perform these tasks (see above discussion on lead agency and project managers).

Recommendation #4: Fourth, federal agencies should require grantees to submit periodic compliance reports, which will facilitate necessary inspections and reduce the need for

some physical monitoring.¹⁰² The reports would provide concise status updates and limited, but essential, information that the agencies need for their compliance monitoring. NOAA, for example, requires post-installation and annual status reports. The report information could help to better focus undersea cable inspections, using expensive remotely operated vehicles or manned submersibles, primarily in areas where problems are likely to arise. In addition, BLM and the Forest Service require communications site rights-of-way holders to provide an annual inventory of a site's tenants. The agencies then use the inventory, among other things, to verify authorized users on sites where multiple users are sharing facilities on the right-of-way. The information in these and similar reports can assist federal land managers in fulfilling their monitoring responsibilities, while assisting industry members in discharging their maintenance and compliance duties. Early detection of potential problems will help both parties to resolve them more easily before they develop into more serious issues.

Implementation: Federal agencies that do not routinely require compliance reports should incorporate the requirement into their rights-of-way procedures. Some agencies may determine that adopting a new rule requiring telecommunications rights-of-way holders to file periodic reports requires notice and comment. If so, such agencies should initiate rulemaking, as necessary and appropriate, by December 2004.

Recommendation #5: Fifth, the Working Group recommends that all agencies recover their monitoring and compliance costs under the specific statutes governing their agencies and/or the broad authority granted them pursuant to the easement granting authority of 40 U.S.C. § 1314, as recodified by Public Law 107-217.¹⁰³ NOAA, BLM, and the Army Corps of Engineers currently charge such fees and the Forest Service is promulgating cost recovery regulations similar to BLM's. However, until the Forest Service finalizes and adopts such regulations, it will continue to use voluntary fee collection agreements to recover the costs of conducting some of its monitoring activities, primarily on large scale projects.

The Working Group recommends that agencies that have not adopted rules to execute their authority to recover monitoring fees follow the guidance provided in OMB Circular No. A-25. The circular directs agencies to recover the full costs of managing federal rights-of-way, including monitoring and other compliance activities. Therefore, as described previously in section III. C.1. on "Cost Recovery," federal agencies should clearly identify the costs they seek to recover and adopt the recommended techniques for streamlining cost recovery.

Implementation: By December 2004, any relevant federal land management agency that does not recover its monitoring and compliance costs should commence a rulemaking, as necessary and appropriate, to adopt rules to execute its authority to recover such costs.

¹⁰² The Federal Highway Administration periodically accommodates grantees on highway easements. These grantees are not required to submit compliance reports unless they are installing equipment for ongoing telecommunications operations.

¹⁰³ See Appendix A, discussed *supra* at fn. 34.

2. Addressing Unanticipated Costs

Issue: In the Working Group’s experience, federal grantees rarely abandon uncompleted projects or fail to seek renewal of expiring rights-of-way or re-assignment for successor companies. Having determined that access to federal lands is essential to their ability to provide service, rights-of-way holders are usually reluctant to relinquish this access barring extraordinary circumstances. To do so could adversely affect their or their successor’s service, and abandoning a grant might jeopardize future rights-of-way applications or other government benefits. In the unusual case in which an agency must remove an abandoned installation or one located on an expired or terminated right-of-way, the government may incur unforeseen expenses.

Although unlikely, if a company de-commissions a site on federal land, it has usually agreed in advance to the restoration measures it will undertake.¹⁰⁴ If, however, a rights holder abdicates its responsibility to return the property to its previous condition, the Federal Government would then assume the task and the associated costs. Similarly, an agency could confront unanticipated costs if a grantee fails to restore government property to its previous condition following rights-of-way construction. Agencies may avoid even infrequent and, usually minimal, rights-of-way compliance expenditures, by requiring a bond or other means of securing performance.

NOAA’s recent experience with submarine cables demonstrates the difficulty that may arise without the protection of a bond. NOAA did not require performance bonds from two companies that had received permission to install fiber optic cable in two different national marine sanctuaries. Post-installation surveys and monitoring of one of the submarine cables revealed unburied cable in some places along its route. At other locations, portions of cable were suspended, in one instance up to several feet above the seabed. Exposed and inadequately buried cables can present a hazard to commercial fishermen who might snag their fishing gear, and to fish and marine mammals that might then become entangled. Both cable companies sought protection in bankruptcy or insolvency proceedings and were unable to pay for monitoring and other fees required by their permits. A qualified buyer has assumed responsibility for one of the cables and payments have resumed; however the other cable system (the one with exposed segments) remains the subject of a bankruptcy proceeding.

Recommendation: The Working Group recommends that agencies use their authority under 40 U.S.C. § 1314, or other appropriate statutes, to impose reasonable, but adequate, bonding requirements to secure fulfillment of a grantee’s compliance obligations. Circumstances might require agencies to engage expert advice to help forecast the costs of maintaining rights-of-way or removing structures from them, which will help the agencies to establish feasible bond amounts.

¹⁰⁴ “In the unlikely event that a service provider removes an antenna site, the necessary steps are taken to restore the property to its original state. This generally includes removal of all equipment and restoration of the property’s grounds and surrounding areas. Typically, the level of restoration will be negotiated during the initial approval process. The removal of an antenna site is, however, an unlikely prospect.” Cellular Telecommunications & Internet Association, U.S. Department of the Interior, Bureau of Land Management, and U.S. Department of Agriculture, Forest Service, *Siting Wireless Telecommunications Facilities* (2002 ed.) at 93.

Implementation: By August 2004, any relevant federal land management agency that has not adopted rules to implement its authority to impose reasonable, but adequate, bonding requirements should commence a rulemaking, as necessary and appropriate, to adopt such rules.

3. Imposing Penalties for Noncompliance

Issue: The integrity of the government's rights-of-way programs depends in part upon the government's ability to compel a grantee's compliance with its obligations under the right-of-way grant. If a grantee fails to comply with the terms and conditions of a rights-of-way grant, then the government may seek to remedy the violation and to deter others by imposing fines or terminating the grant.

Agencies may suspend a right-of-way authorization until the grantee complies within a fixed time period with applicable terms and conditions.¹⁰⁵ In addition, all land management agencies have the authority to terminate a right-of-way grant for cause, but rarely use this power. Their reluctance to do so may result from concerns about service interruptions to innocent third parties. Authority to suspend or terminate rights-of-way grants, while helpful, may not be sufficient to obtain compliance from a recalcitrant rights-holder that intentionally and continually violates the terms of the grant. In such egregious instances, the government should have a strong enforcement tool at its disposal, particularly when termination is not a viable option.

Recommendation: Fines offer an effective way of satisfactorily punishing compliance violators, while deterring future violations. NOAA, for example, has the authority under the National Marine Sanctuaries Act to impose civil penalties up to \$120,000 per day per violation, and to seek criminal penalties in limited circumstances. The Forest Service, which has no specific regulatory framework to impose fines, may, as a last resort, seek criminal citations that may require a fine.

Implementation: All federal land management agencies should, within a year of the date of this report, determine their ability to impose fines or other penalties for noncompliance. If an agency has no such ability and determines that it requires such authority to enhance its compliance program, then that agency should also determine what steps are necessary to secure such authority.

¹⁰⁵ See, e.g., FLPMA § 506, 43 U.S.C. § 1766 (describing the powers of the Secretaries of the Interior and Agriculture to suspend and terminate rights-of-way and easements for abandonment or failure to comply with any condition of the grant, or applicable rule, or regulation).

Conclusion

The Working Group has provided a series of recommendations -- covering information access and collection, timely process, fees, and compliance -- that we believe will improve rights-of-way management for all affected parties, while fostering greater broadband deployment across this Nation. In the months ahead, the Working Group will assist the federal agencies and other stakeholders in implementing our recommendations to help meet the President's challenge of ensuring affordable access to broadband technology for all Americans by 2007.

To ensure that the recommendations in this report are implemented in a timely manner, the Working Group believes that it is important to review the federal agencies' progress in adopting the recommendations. Specifically, the Working Group recommends that OMB ask each of the federal land management agencies to prepare a report of their efforts to implement the Working Group's recommendations. The individual reports should list specific steps that each agency took, as well as any additional steps that still need to be taken to implement the recommendations. The reports should be submitted to OMB no later than twelve months from the release date of this report.

The Working Group again wishes to extend our sincere thanks to all of the individuals who participated in this effort. Through your continuing efforts, we will help bring the promise of broadband to the American people.



National Telecommunications and Information Administration

U.S. DEPARTMENT OF COMMERCE

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USER GUIDE FOR ACHP'S PROGRAM COMMENT FOR COMMUNICATIONS PROJECTS ON FEDERAL LANDS AND PROPERTY

On May 24, 2017, the Advisory Council on Historic Preservation (ACHP) published its Notice of Issuance of Program Comment for Communications Projects on Federal Land and Properties to the Federal Register. The Program Comment revises the standard National Historic Preservation Act (NHPA) Section 106 review process for communication projects on federal lands and property. Significantly, the Program Comment streamlines permit review processes, and better aligns Section 106 reporting requirements with the intensity of the effects communication projects have on historic properties located on federal lands.

WHICH AGENCIES DOES THIS APPLY TO?

The Program Comment applies to federal agencies responsible for Section 106 reviews on federal lands at the present time. This includes:

The U.S. Department of Agriculture's (USDA) U.S. Forest Service (USFS); the Department of the Interior's (DOI) National Park Service (NPS), Bureau of Land Management (BLM), Fish and Wildlife Service (FWS), and Bureau of Indian Affairs (BIA); The Department of Homeland Security; Department of Commerce; Department of Veterans Affairs; and the General Services Administration

NEPA AND THE ACHP PROGRAM COMMENT

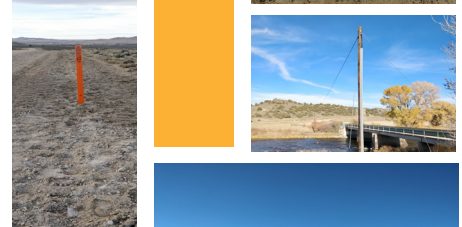
The BLM National Environmental Protection Act (NEPA) Handbook encourages the use of Categorical Exclusions (CXs) to speed NEPA compliance for actions that Federal agencies have determined do not have significant effects on the quality of the human environment. The Handbook specifically states "[w]hen using CXs, other procedural requirements may still apply: for example, tribal consultation, and consultation under the National Historic Preservation Act and the Endangered Species Act," (H-1790-1-National Environmental Policy Act Handbook – (Public), Chapter 4, p. 17). The ACHP Program Comment helps streamline the additional procedural requirements of the National Historic Preservation Act's Section 106 compliance for telecommunications projects. **Categorical Exclusions and the Program Comment can work together to streamline permit reviews.**

NHPA SECTION 106 COMPLIANCE

Determining NHPA Section 106 compliance requires consultation with multiple parties such as Federal land managing agencies and property managing agencies (FLMA/FPMAs), State Historic Preservation Offices (SHPOs), Tribal Historic Preservation Offices (THPOs), and other stakeholders. Permit streamlining requests often result in the development of two-party agreements that reflect the outcome of consultations among consulting parties. **The ACHP Program Comment provides additional opportunities to streamline reviews not contemplated in existing protocols or agreement documents.**

WHAT'S AVAILABLE?

Telecommunications projects are recognized in the ACHP Program Comment as "... typically not result[ing] in adverse effects to historic properties." However, when located on or crossing federal lands they typically involve multiple federal agencies (FCC and FLMA/FPMAs). **The Program Comment makes the FCC's two NPA documents executed in 2001 and 2004, and any additional exceptions they may contain, available to FLMA/FPMAs. It also provides guidance on the scope of studies and additional cases that are excluded when new infrastructure is planned in areas where infrastructure exists.**



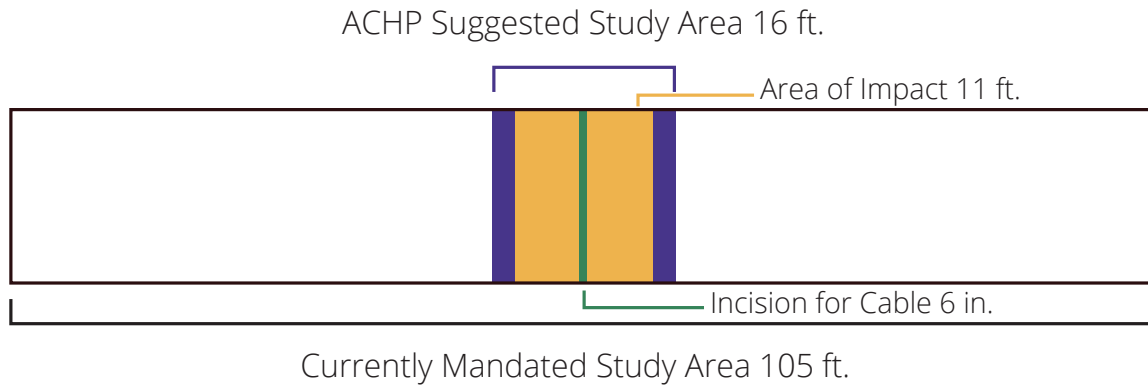
EXAMPLES OF BENEFITS

INSTALLING NEW FIBER - REDUCE APE TO CONSTRUCTION ROW ON CABLE

"The APE for installation of buried cable will be the width of the construction ROW plus any additional areas for staging or access."

– Comment Section IX - Installation of Buried Communications Cable on Federally Managed Lands

CHANGE: The BLM, with the concurrence of the SHPO, generally requires communication companies to study an APE (area of potential effects) significantly wider than the construction ROW. As an example, a recent linear ROW project required a company to prepare cultural inventories for an APE of 105 feet where the ROW grant was only 16 feet. APE of 105 feet where the ROW grant was only 16 feet.



HOW REDUCING APE PROPORTIONALLY REDUCES STUDY AREA

Example WY I-80 Fiber Project | Total Project: 137.5 miles

Exempted from Class III Review	Class III Review Required — 105' APE Assessed	Class III Review with 16' APE per Program Comment
394 Acres 217 — Previously Surveyed 177 — Heavily Disturbed	1266 Acres	193 Acres *85% REDUCTION IN STUDY AREA*
38 Miles	99.5 Miles	99.5 Miles

UPGRADE AN EXISTING CABLE FROM COPPER TO FIBER — NO ADDITIONAL STUDIES

"The installation and maintenance of new or replacement communications cable and new or replacement associated vaults for cable access along or solely in previously disturbed areas or in existing communications or utilities trenches within existing road, railroad, and utility ROWs requires no further Section 106 review."

– Comment Section IX - Installation of Buried Communications Cable on Federally Managed Lands

CHANGE: When upgrading copper telecommunications cables, a fiber line is commonly treated as a separate undertaking from the previous infrastructure, triggering new Section 106 reviews. **This allows cable upgrades to be treated as maintenance of the telecommunication cable regardless of the technology used to facilitate the communications.**

NEW TOWERS, TOWER REPLACEMENTS, AND TOWER ADDITIONS

New tower sites, tower replacements, and tower additions always carry regulatory compliance requirements from more than one federal agency.

CHANGE: The ACHP Program Comment allows for a systematic unified approach for meeting compliance responsibilities for all agencies by making the FCC's NPAs available for consideration by the FLMA/FPMAs.



This preliminary list of changes, if implemented, would simplify the permitting of broadband uses and the administration of existing permitted facilities:

- A. Eliminate Tenant and Customer designations. List all subleases as Occupants. Currently the BLM classifies all uses within/on existing permitted facilities as either a Tenant or Customer.

The Tenant/Customer classification allowed for a reduced rental charge for Customers, which by definition did not resell signal but, rather, used it for their own internal purpose. The wireless industry has had difficulty grasping this distinction in terminology. Although such Customer uses would likely continue to warrant a reduction in rent in some form, the current classification system gives rise to an unacceptable number of “business rules” within the annual billing process and has led to great confusion and inconsistencies.

- B. Develop an updated method for determining populations served by different accounts for current industry trends and practices.

Although the structure of calculating annual rental that was implemented in 1995 was logical and effective at the time, wireless use and trends today are much different. The way that the BLM calculates rent should more accurately reflect today’s trends to ensure that rental is applied fairly and predictably.

- C. Eliminate the business rules that are currently part of the rental calculation process.

Simplifying the calculation of annual rental should be considered. Ideally, the BLM would adopt an updated system that would make it easier for a wireless company to calculate the annual rental due the BLM when the company has occupants (sublessees) in the facility. This is currently not possible, given the many business rules and exceptions that apply.

- D. Establish a process in which one authorization is used for permitting jointly developed government facilities (e.g., Federal, state, municipal), leading to joint responsibility and liability.

Due to the current regulations and the need to ensure clear liability for each improvement placed on the public lands, the BLM has a difficult time efficiently permitting jointly developed communications facilities in which multiple government entities combine resources. This cooperation among government entities is common and understandable due to the similarity of their needs and the cost of developing communication facilities today. As a result, the BLM needs to develop a process in which one authorization is issued and each party to the agreement is properly accountable and liable for its use.

- E. Use the business model of “tower companies” by adopting permitting practices commonly found on private lands.

“Tower companies” commonly apply to the BLM for a permit to construct a communications tower on public land. Once the tower is permitted and constructed, the tower company begins to sublease space on that tower to companies desiring to locate in that area. Because the tower

company, consistent with its business model, has constructed only a tower, the companies subleasing space on that tower then must construct an equipment shelter on the land. This equipment shelter, however, is frequently constructed without a BLM authorization and is later discovered to be in trespass.

Tower companies and their occupants often operate as if they have a Ground Lease, which is not issued by the BLM. The BLM currently issues authorizations only for facilities/uses, not for ground space. The confusion is exacerbated by the fact that private landowners frequently do employ a Ground Lease, so the industry expects this when they obtain a lease for use of public lands.

- F. Eliminate Internal Microwave as a use category, and greatly simplify the application of rental for microwave uses.

Microwave is an extremely broad category within the uses classified by the Federal Communications Commission (FCC). In 1995 the BLM attempted to provide a rental break to some companies who were operating Internal Microwave. Microwave is usually a secondary use supporting a primary use. It has, therefore, been very difficult for the BLM to identify a truly Internal Microwave use, and disagreements and confusion often arises.

- G. Integrate cellular and internet use types.

When the current BLM regulations were published in 1995, the wireless industry was operating cellular technology that was second and third generation. Most cellular companies were not offering data capabilities, only voice. As a result, there was a separation between cellular and internet service providers (ISPs). Today, virtually all cell carriers and all 3G and later technology contains data (ISP) capacity; therefore, a cellular use should automatically include ISP.

- H. Establish a clear procedure for administering sites where day-to-day management has been transferred to a third-party operator.

Given a clear trend over recent years, many of the large cellular companies divest their physical communication infrastructure to tower companies. This practice has considerably challenged the BLM's administration of these sites because the cell companies have not sold these assets outright but have assigned power of attorney to the tower company as a third-party operator. This creates a high degree of confusion for BLM field offices. A clear process for handling these third-party leases should be defined in regulation so all involved are aware of the expectations and responsibilities.

- I. Consider a flat fee for subleasing.

Currently there are many business rules that apply to the calculation of rental for a leaseholder with multiple occupants. Charging one flat fee rate to the leaseholder for the opportunity to house additional occupants, rather than calculating the rent for each individual use in that facility and combining them, is a simplification worth considering.

**BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) SERIAL REGISTER PAGE**

Run Date/Time: 06/28/18 09:58 AM

Page 1 of 2

01 10-21-1976;090STAT2776;43USC1761**Total Acres****Serial Number****Case Type 286001: ROW-COMM SITE, FLPMA****0.230****CACA-- - 051797****Commodity 971: NON-ENERGY FACILITIES****Case Disposition: AUTHORIZED****Case File Juris: NEEDLES FIELD OFFICE**

Serial Number: CACA-- - 051797P

HOLDER/BILLEE

100.000000000

Serial Number: CACA-- - 051797P

Mer Twp	Rng	Sec	SType	Nr Suff	Subdivision	District/Resource Area	County	Mgmt Agency
27	0070N	0090E	011	ALIQ	NWNW;	NEEDLES FIELD OFFICE	SAN BERNARDINO	BUREAU OF LAND MGMT

Serial Number: CACA-- - 051797

Act DateP

Pending OfficeP

03/29/2010	124P	APLN RECDP	
03/29/2010		GEOGRAPHIC NAME	ASH HILL;P
04/21/2010	182P	APLNT NTF PROC TIMEP	
04/21/2010	845P	CAT 6 COST RECOVERY-PROC	\$7503.53;P
05/07/2010		APLN COMPLETEP	
05/07/2010		REFERENCE NUMBERP	LVRWB10B4160;P
05/07/2010		COST RECOV (PROC) RECDP	\$7503.53;2P
10/19/2010	103P	ADDTL INFO RECDP	EA SUBMITTED;P
11/24/2010	104P	ADDTL INFO RQSTDP	REPLY TO COMMENTS;P
01/19/2011	974P	AUTOMATED RECORD VERIFP	ARRA VERIFIEDP
03/02/2011	103P	ADDTL INFO RECDP	CULTURAL RSRCE RPT;P
03/02/2011	103P	ADDTL INFO RECDP	HEALTH/SFTY PLAN;P
03/02/2011	103P	ADDTL INFO RECDP	REPLIED TO COMMENTS;P
03/02/2011	103P	ADDTL INFO RECDP	VRM REPORT;P
04/01/2011	004P	NEPA ANALYSIS INITIATEDP	DOI-BLM-CA-D090-0015;P
06/06/2011	982P	CAD REVIEW REQUESTEDP	
07/12/2011	983P	CAD CERTIFICATE ISSUEDP	
08/18/2011	106P	MONIES REQUESTEDP	\$7503.54;P
08/25/2011		COST RECOV (PROC) RECDP	\$7503.54;1P
09/23/2011		NEPA ANALYSIS APPROVEDP	
09/23/2011	241P	AUTH OFFERED APPLICANTP	
09/23/2011	300P	BOND REQUIREDP	\$25000.00;P
01/19/2012	103P	ADDTL INFO RECDP	REVISED DRAWINGS;P
06/11/2012	104P	ADDTL INFO RQSTDP	SEE REMARKS /A/;P
07/24/2012	114P	AMEND/CORR APLN RECDP	196' TOWER;P
07/24/2012		AUTH OFFER REFUSEDP	AMENDING FOR LG TOWERP
04/21/2013	183P	ANTICIPATED DEC DATEP	
06/05/2013	103P	ADDTL INFO RECDP	ADDRESS CHANGE;P
06/19/2013	103P	ADDTL INFO RECDP	RENT RETURNED;P
06/19/2013	103P	ADDTL INFO RECDP	SEE REMARKS /B/;P
03/28/2014	103	ADDTL INFO RECDP	LIABILITY AGREEMENT;P

**NO WARRANTY IS MADE BY BLM
FOR USE OF THE DATA FOR
PURPOSES NOT INTENDED BY BLM**

BUREAU OF LAND MANAGEMENT

CASE RECORDATION

(LIVE) SERIAL REGISTER PAGE

Run Date/Time: 06/28/18 09:58 AM

Page 2 of 2

03/28/2014	114P	AMEND/CORR APLN RECDP	NEW ACCESS ROUTE;P	
11/16/2016	004P	NEPA ANALYSIS INITIATEDP	AMENDED APP	
05/09/2018		NEPA ANALYSIS APPROVEDP	AMENDED APP	
05/09/2018	300P	BOND REQUIRED P	\$25,000.00;/C/P	
05/18/2018	241P	AUTH OFFERED APPLICANTP		
06/06/2018		RENTAL RECEIVEDP	\$558.20;1YR PRORATEP	
06/15/2018	376P	BOND FILEDP	\$25000;CAB000568P	NEEDLES FIELD OFFICE
06/18/2018	307P	ROW GRANTED-ISSUEDP		
06/18/2018		BOND ACCEPTEDP	\$25000;CAB000568P	
01/01/2019		NEXT BILLING DATEP		
06/11/2019	853P	COMPL/REVIEW DUE DATEP	CONSTRUCTIONP	
12/31/2047	763P	EXPIRESP		

Line NrP

Serial Number: CACA-- - 051797P

0001	ORG APP F 80' STEEL TOWER, BUILDING&ELEC PWR PLNT;P
0002	TEMP USE OF ADJACENT 100.0 SQ FT FOR WORK STAGING,P
0004	ORG NEPA COMPLETED - AUTH OFFERED APPLICANT
0005	APPLICANT REFUSED GRANT OFFER & SUBMITTED AMENDED
0006	APPLICATIONP
0007	NEPA REINITIATED FOR 196' TOWER AND NEW ACCESS RD.P
0013	ORG RENT PAYMENT \$213.09 TRANSFERRED TO SUSPENSE.P
0021	/A/NEED FURTHER DESCRIPTION OF STRUCTURE, COMPLIANCEP
0022	REQUIREMENTS, SITE DIMENSIONS, DISTANCE TOWER FROMP
0023	HIGHWAY, CONSTRCT&MAINT TOWER & TOWER FOUNDATIONP
0024	/B/GRANT OFFER REJECTED, RENT REFUND AUTHORIZED;P
0025	RECALCULATED WHEN GRANT READY FOR ISSUE.P
0027	ACCESS RD AUTH UNDER ROW CACA-051797-01P
0028	/C/ INTIAL BONDING OF \$25K FOR CONSTRUCTIONP
0029	RCE DATA WILL BE USED TO DETERMINE NEW BONDP
0500	THIS CASE DOES NOT CONTAIN ANY INDIAN TRUST DATA.P

**BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) SERIAL REGISTER PAGE**

Run Date/Time: 06/25/18 12:57 PM

Page 1 of 1

01 10-21-1976;090STAT2776;43USC1761**Total Acres****Serial Number****Case Type 286001: ROW-COMM SITE, FLPMA****0.000****OROR-- - 068653****Commodity 971: NON-ENERGY FACILITIES****Case Disposition: AUTHORIZED Case File Juris: MEDFORD BUTTE FALLS FIELD OFFICE****Serial Number: OROR-- - 068653****Name & Address****Int Rel****%Interest**

HOLDER/BILLEE

100.00000000

AGENT

0.00000000

Serial Number: OROR-- - 068653**Mer Twp Rng Sec SType Nr Suff Subdivision****District/Resource Area****County****Mgmt Agency**

33 0330S 0020E 005

ALIQ

NWSE;

MEDFORD BUTTE FALLS FO

JACKSON

BUREAU OF LAND
MGMT**Serial Number: OROR-- - 068653****Act Date****Code****Action****Action Remarks****Pending Office**

02/06/2016

124

APLN RECD

02/19/2016

182

APLNT NTF PROC TIME

02/23/2016

501

REFERENCE NUMBER

2016-02-23-068653

03/23/2016

840

CAT 1 COST RECOVERY-PROC

04/01/2016

971

COST RECOV (PROC) RECD

\$122.00;1

06/27/2016

104

ADDTL INFO RQSTD

MAILING ADDRESS

06/27/2016

183

ANTICIPATED DEC DATE

11/21/2016

104

ADDTL INFO RQSTD

INVENTORY FORM

11/30/2016

104

ADDTL INFO RQSTD

TECH DATA SHEET

05/05/2017

110

APLN COMPLETE

05/05/2017

950

COMPLIANCE APPROVED

05/10/2017

241

AUTH OFFERED APPLICANT

05/10/2017

880

CAT 3 COST RECOVERY-MON

08/01/2017

104

ADDTL INFO RQSTD

CORPORATE DOCS

03/09/2018

104

ADDTL INFO RQSTD

DOCS MON RENT

04/06/2018

065

COST RECOV (MON) RECD

\$816.00;1

04/06/2018

111

RENTAL RECEIVED

\$4704.65;1

05/01/2018

110

APLN COMPLETE

05/25/2018

307

ROW GRANTED-ISSUED

05/25/2028

853

COMPL/REVIEW DUE DATE

12/31/2046

763

EXPIRES

Line Nr**Remarks****Serial Number: OROR-- - 068653**

0001 HISTORICAL CASE REF OR37827 CORBAN NETWORKS AND

0002 OR65924 TELAVA WIRELESS

0003 SEND BILLS TO JAY PANOZZO AT CUMMING GA ADDRESS

Attachment 10

Categorical Exclusions Across the Agencies

U.S. Fish and Wildlife Service (USFWS)

- A. (1) Changes or amendments to an approved action when such changes have no or minor potential environmental impact.
- B. (2) The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations.
- C. (4) The issuance or reissuance of permits for limited additional use of an existing right-of-way for underground or above ground power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvement to those facilities are required; and for permitting a new right-of-way, where no or negligible environmental disturbances are anticipated.

Bureau of Indian Affairs (BIA)

- A. Operation, Maintenance, and Replacement of Existing Facilities. Examples are normal renovation of buildings, road maintenance and limited rehabilitation of irrigation structures.
- F. (1) Rights-of-Way inside another right-of-way, or amendments to rights-of-way where no deviations from or additions to the original right-of-way are involved and where there is an existing NEPA analysis covering the same or similar impacts in the right-of-way area.
- F. (2) Service line agreements to an individual residence, building or well from an existing facility where installation will involve no clearance of vegetation from the right-of-way other than for placement of poles, signs (including highway signs), or buried power/cable lines.
- F. (3) Renewals, assignments and conversions of existing rights-of-way where there would be essentially no change in use and continuation would not lead to environmental degradation.
- L. (1) Approval of utility installations along or across a transportation facility located in whole within the limits of the roadway right-of-way.

Bureau of Land Management (BLM)

- E. (9) Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.
- E. (12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.
- E. (13) Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.

Attachment 10

Categorical Exclusions Across the Agencies

National Park Service (NPS)

- A. (1) Changes or amendments to an approved action when such changes would cause no or only minimal environmental impact.
- A. (4) Reissuance/renewal of permits, rights-of-way or easements not involving new environmental impacts.
- A. (5) Conversion of existing permits to rights-of-way, when such conversions do not continue or initiate unsatisfactory environmental conditions.
- C. (15) Issuance of rights-of-way for minor overhead utility lines not involving placement of poles or towers and not involving vegetation management or significant visual intrusion in an NPS-administered area.
- C. (16) Installation of underground utilities in previously disturbed areas having stable soils, or in an existing utility right-of-way.
- C. (17) Construction of minor structures, including small improved parking lots, in previously disturbed or developed areas.

Bureau of Reclamation (BOR)

- D. (1) Maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and/or operation.
- D. (10) Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where the action does not allow for or lead to a major public or private action.

Forest Service (USFS)

- E. (2) Additional construction or reconstruction of existing telephone or utility lines in a designated corridor. Examples include, but are not limited to:
 - (i) Replacing an underground cable trunk and adding additional phone lines, and
 - (ii) Reconstructing a power line by replacing poles and wires.
- E. (3) Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land. Examples include, but are not limited to:
 - (iv) Approving the use of land for a 40-foot utility corridor that crosses one mile of a national forest;
 - (vi) Approving an additional telecommunication use at a site already used for such purposes;

USFS PROPOSED IN CURRENT FARM BILL

SEC. 8320. CATEGORICAL EXCLUSION FOR SPECIAL USE AUTHORIZATIONS.

- (1) Issuance of a new special use authorization for an existing or expired special use authorization, without any substantial change in the scope and scale of the authorized use and occupancy when—

Attachment 10

Categorical Exclusions Across the Agencies

- (A) the issuance is a purely ministerial action to account for administrative changes, such as a change in ownership or expiration of the current authorization; and
- (B) the applicant or holder is in compliance with the terms and conditions of the existing or expired special use authorization.
- (2) Modification, removal, repair, maintenance, reconstruction, or replacement of a facility or improvement for an existing special use authorization.
- (3) Issuance of a new special use authorization or amendment to an existing special use authorization for activities that will occur on existing roads, trails, facilities, or areas approved for use in a land management plan or other documented decision.
- (4) Approval, modification, or continuation of minor, short-term (5 years or less) special uses of National Forest System lands or public lands.
- (5) Issuance of a special use authorization for an existing unauthorized use or occupancy that has not been deemed in trespass where no new ground disturbance is proposed.
- (6) Approval or modification of minor special uses of National Forest System lands or public lands that require less than 20 contiguous acres.

Attachment 11 Areas of Critical Environmental Concern (ACECs)

The ACEC designation highlights areas where special management attention is needed to protect important historical, cultural, and scenic values, or fish and wildlife or other natural resources. ACECs have also be designated to protect human life and safety from natural hazards. ACECs vary in size and can only be designated during the land use planning process. Land use planning designations, such as ACECs, may severely restrict or prevent broadband development. In some cases these designations may include specific land use stipulations, buffer zones, or management actions that could limit new broadband infrastructure.

Alaska Field Offices	RMP	Description (Name)	ACEC	RNA	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Anchorage	Bay (2008)	Carter Spit	ACEC		Yes	11/4/2008	36,218	36,220
Central Yukon	Central Yukon RMP (1986)	Arms Lake RNA*		RNA	Yes	9/26/1986	10,590	10,900
Central Yukon	Central Yukon RMP (1986)	Box River Treeline RNA		RNA	Yes	9/26/1986	13,331	11,200
Central Yukon	Central Yukon RMP (1986)	Dulbi-Kaiyuh Mountains ACEC	ACEC		Yes	9/26/1986	54,252	55,040
Central Yukon	Central Yukon RMP (1986)	Galena Mountain Watershed	ACEC		Yes	9/26/1986	19,360	24,800
Central Yukon	Central Yukon RMP (1986)	Gisasa River Watershed	ACEC		Yes	9/26/1986	278,095	272,656
Central Yukon	Central Yukon RMP (1986)	Hogatza River Tributaries	ACEC		Yes	9/26/1986	30,508	35,000
Central Yukon	Central Yukon RMP (1986)	Indian River Watershed	ACEC		Yes	9/26/1986	161,195	155,390
Central Yukon	Central Yukon RMP (1986)	Inglutalik River Watershed	ACEC		Yes	9/26/1986	75,664	78,098
Central Yukon	Central Yukon RMP (1986)	Ishtalitna Creek Hot Springs RNA		RNA	Yes	9/26/1986	1,056	1,100
Central Yukon	Central Yukon RMP (1986)	Kateel River Watershed	ACEC		Yes	9/26/1986	537,990	551,297
Central Yukon	Central Yukon RMP (1986)	Lake Todatonten Pingos RNA		RNA	Yes		658	1,320
Central Yukon	Central Yukon RMP (1986)	McQuesten Creek RNA		RNA	Yes	9/26/1986	3,930	3,990
Central Yukon	Central Yukon RMP (1986)	North River Watershed	ACEC		Yes	9/26/1986	90,227	88,932

Alaska Field Offices	RMP	Description (Name)	ACEC	RNA	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Central Yukon	Central Yukon RMP (1986)	Nulato Hills	ACEC		Yes	9/26/1986	41,730	40,700
Central Yukon	Central Yukon RMP (1986)	Redlands Lake RNA		RNA	Yes	9/26/1986	3,829	3,700
Central Yukon	Central Yukon RMP (1986)	Shaktoolik River Watershed	ACEC		Yes	9/26/1986	193,953	188,151
Central Yukon	Central Yukon RMP (1986)	South Todatonten Summit RNA		RNA	Yes	9/26/1986	655	660
Central Yukon	Central Yukon RMP (1986)	Spooky Valley RNA		RNA	Yes	9/26/1986	8,842	10,800
Central Yukon	Central Yukon RMP (1986)	Sulukna River Watershed	ACEC		Yes	9/26/1986	23,217	10,240
Central Yukon	Central Yukon RMP (1986)	Tozitna River Watershed	ACEC		Yes	9/26/1986	872,636	786,724
Central Yukon	Central Yukon RMP (1986)	Tozitna Subunit North	ACEC		Yes	9/26/1986	130,225	127,344
Central Yukon	Central Yukon RMP (1986)	Tozitna Subunit South	ACEC		Yes	9/26/1986	62,638	5,134
Central Yukon	Central Yukon RMP (1986)	Ungalik River	ACEC		Yes	9/26/1986	264,365	111,306
Glennallen	East Alaska (2007)	Bering Glacier RNA		RNA	Yes	9/7/2007	934,325	827,000
Anchorage	Kobuk-Seward (2008)	Inglutalik River Watershed	ACEC		Yes	9/4/2008	466,143	466,000
Central Yukon	Kobuk-Seward (2008)	Mount Osborn	ACEC		Yes	9/4/2008	82,254	82,000
Anchorage	Kobuk-Seward (2008)	Nulato Hills	ACEC		Yes	9/4/2008	1,079,924	1,080,000
Anchorage	Kobuk-Seward (2008)	Shaktoolik River	ACEC		Yes	9/4/2008	233,938	234,000
Anchorage	Kobuk-Seward (2008)	Ungalik River	ACEC		Yes	9/4/2008	264,364	264,000
Arctic	Kobuk-Seward (2008)	Western Arctic Caribou Insect Relief	ACEC		Yes	9/4/2008	1,528,999	1,529,000
Anchorage	Ring of Fire (2008)	Neacola Mountains	ACEC		Yes	3/21/2008	230,156	230,162

Alaska Field Offices	RMP	Description (Name)	ACEC	RNA	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Anchorage	Southwest MFP (1981	Kuskokwim River	ACEC		Yes	11/25/1981	6,073	n/a
Anchorage	Southwest MFP (1981	Southwest Peregrine Falcon Habitat	ACEC		Yes	11/25/1981	8,097	n/a
Anchorage	Southwest MFP (1981	Unalakleet River Watershed	ACEC		Yes	9/26/1986	279,678	n/a
Anchorage	Southwest MFP (1981)	Anvik River	ACEC		Yes	11/25/1981	298,984	n/a
Eastern Interior	Steese NCA RMP (19860	Big Windy Hot Spring		RNA	Yes	2/1/1986	152	160
Eastern Interior	Steese NCA RMP (19860	Mount Prindle (Steese NCA)		RNA	Yes	2/1/1986	2,844	2,800
Arctic	Utility Corridor (1991)	Galbraith Lake	ACEC		Yes	1/1/1991	53,924	56,000
Central Yukon	Utility Corridor (1991)	Jim River	ACEC		Yes	1/1/1991	202,703	200,000
Central Yukon	Utility Corridor (1991)	Kanuti Hot Springs	ACEC		Yes	1/1/1991	43	40
Arctic	Utility Corridor (1991)	Nigu/Iteriak	ACEC		Yes	1/1/1991	56,877	64,000
Central Yukon	Utility Corridor (1991)	Nugget Creek	ACEC		Yes	1/1/1991	3,345	3,300
Central Yukon	Utility Corridor (1991)	Poss Mountain	ACEC		Yes	1/1/1991	8,732	8,000
Arctic	Utility Corridor (1991)	Sagwon Bluffs	ACEC		Yes	1/1/1991		42,200
Central Yukon	Utility Corridor (1991)	Snowden Mountan	ACEC		Yes	1/1/1991	29,716	28,000
Central Yukon	Utility Corridor (1991)	Sukakpak Mountain	ACEC		Yes	1/1/1991	3,498	3,500
Arctic	Utility Corridor (1991)	Toolik Lake	ACEC	RNA	Yes	1/1/1991	78,034	82,800
Arctic	Utility Corridor (1991)	West Fork Atigun	ACEC		Yes	1/1/1991	8,595	8,500
Eastern Interior	White Mountain NRA RMP (1986)	Limestone Jags		RNA	Yes	2/1/1986	4,884	5,170

Alaska Field Offices	RMP	Description (Name)	ACEC	RNA	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Eastern Interior	White Mountain NRA RMP (1986)	Mount Prindle (White Mountains NCA)		RNA	Yes	2/1/1986	3,093	3,147
Eastern Interior	White Mountain NRA RMP (1986)	Serpentine Slide		RNA	Yes	2/1/1986	4,749	4,274

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Arizona Strip	AZ Strip 2008	Beaver Dam Slope	ACEC					Yes	1/1/1992	51985	51,985
Arizona Strip	AZ Strip 2008	Black Knolls	ACEC					Yes	5/9/2008	428	428
Arizona Strip	AZ Strip 2008	Fort Pierce	ACEC					Yes	1/1/1992	5724	5,724
Arizona Strip	AZ Strip 2008	Johnson Spring	ACEC					Yes	1/1/1992	3444	3,444
Arizona Strip	AZ Strip 2008	Kanab Creek	ACEC					Yes	5/9/2008	13148	13,148
Arizona Strip	AZ Strip 2008	Little Black Mountain	ACEC					Yes	1/1/1992	241	241
Arizona Strip	AZ Strip 2008	Lone Butte	ACEC					Yes	5/9/2008	1762	1,762
Arizona Strip	AZ Strip 2008	Lost Spring Mountain	ACEC					Yes	1/1/1992	19248	19,248
Arizona Strip	AZ Strip 2008	Marble Canyon	ACEC					Yes	1/1/1992	11797	11,797
Arizona Strip	AZ Strip 2008	Shinarump	ACEC					Yes	5/9/2008	3237	3,237

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Arizona Strip	AZ Strip 2008	Virgin River Corridor	ACEC					Yes	1/1/1992	2065	2,065
Arizona Strip	AZ Strip 2008	Virgin Slope	ACEC					Yes	4/1/1999	39514	39,514
Hassayampa	Bradshaw Harquahala 2010	Black Butte	ACEC					Yes	4/22/2010	8260	8,260
Hassayampa	Bradshaw Harquahala 2010	Harquahala Mountains	ACEC					Yes	4/22/2010	74950	74,950
Hassayampa	Bradshaw Harquahala 2010	Tule Creek	ACEC					Yes	4/22/2010	643	640
Kingman	Kingman 1995	Grapevine Mesa Joshua Trees				NNL		Yes		3200	3,200
Kingman	Kingman 1995	Clay Hills RNA	ACEC	RNA				Yes	3/1/1995	1114	1,114
Kingman	Kingman 1995	Hualapai Mountain RNA	ACEC	RNA				Yes	3/1/1995	3303	3,303
Kingman	Kingman 1995	Aubrey Peak Bighorn Sheep Habitat	ACEC					Yes	3/1/1995	3460	3,460
Kingman	Kingman 1995	Black Mtns. Ecosystem Management	ACEC					Yes	3/1/1995	114242	114,242
Arizona Strip	AZ Strip 2008	Moonshine Ridge	ACEC					Yes	1/1/1992	9310	9,310

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Kingman	Kingman 1995	Burro Creek Riparian and Cultural	ACEC					Yes	3/1/1995	22682	22,682
Kingman	Kingman 1995	Carrow-Stephens Ranches	ACEC					Yes	3/1/1995	542	542
Kingman	Kingman 1995	Joshua Tree Forest/Grand Wash Cliffs	ACEC					Yes	3/1/1995	39060	39,060
Kingman	Kingman 1995	McCracken Desert Tortoise Habitat	ACEC					Yes	3/1/1995	21740	21,740
Kingman	Kingman 1995	Poachie Desert Tortoise Habitat	ACEC					Yes	3/1/1995	32752	32,752
Kingman	Kingman 1995 Lake Havasu FO 2007	Three Rivers Riparian	ACEC					Yes	3/1/995&10/2007	65561	KFO - 32043, Lake Havasu FO - 2246
Kingman	Kingman 1995	White-Margined Penstemon Reserve	ACEC					Yes	3/1/1995	17489	17,489
Kingman	Kingman 1995	Wright-Cottonwood Creek Riparian and Cultural	ACEC					Yes	3/1/1995	27285	27,285
Lake Havasu	Lake Havasu 2007	Beale Slough Riparian and Cultural	ACEC					Yes	5/10/2007	2395	2,395
Lake Havasu	Lake Havasu 2007	Swansea Historic District	ACEC					Yes	5/10/2007	5973	5,973

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Lower Sonoran	Lower Sonoran 2012	Coffee Pot Botanical	ACEC					Yes	6/1/1988	8900	8,900
Lake Havasu	Lake Havasu 2007	Crossman Peak Scenic	ACEC					Yes	5/10/2007	48855	48,855
Lower Sonoran	Lower Sonoran 2012	Cuerda de Lena	ACEC					Yes	9/14/2012	58500	58,500
Lower Sonoran	Lower Sonoran 2012	Lower Gila Terraces and Historic Trails	ACEC					Yes	9/14/2012	82500	82,500
Lower Sonoran	Lower Sonoran 2012	Saddle Mountain	ACEC					Yes	9/14/2012	48500	48,500
Hassayampa	Bradshaw Harquahala 2010	Vulture Mountain	ACEC					Yes	4/22/2010	6120	6,120
Safford	Safford 1992	Willcox Playa NNL	ACEC			NNL		Yes	9/1/1992	2475	2,475
Safford	Safford 1992	Guadalupe Canyon ONA	ACEC		ONA			Yes	9/1/1992	2159	2,159
Safford	Safford 1992	111 Ranch RNA	ACEC	RNA				Yes	9/1/1992	2688	2,688
Safford	Safford 1994	Desert Grasslands RNA	ACEC	RNA				Yes	7/1/1994	530	530
Lake Havasu	Lake Havasu 2007	Bullhead Bajada Natural and Cultural	ACEC					Yes	5/10/2007	7090	7,090

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Safford	Safford 1992	Table Mountain RNA	ACEC	RNA				Yes	9/1/1992	1220	1,220
Safford	Safford 1992	Bear Springs Badlands	ACEC					Yes	9/1/1992	2927	2,927
Safford	Safford 1992	Bowie Mountain	ACEC					Yes	9/1/1992	4190	4,190
Safford	Safford 1992	Dos Cabezas Peaks	ACEC					Yes	9/1/1992	25	25
Safford	Safford 1994	Eagle Creek Bat Cave	ACEC					Yes	7/1/1994	40	40
Safford	Safford 1994	Swamp Springs/Hot Springs	ACEC					Yes	7/1/1994	10838	10,838
Safford	Phoenix 1989	Tanner Wash	ACEC					Yes	9/1/1989	950	950
Safford	Safford 1992	Turkey Creek Riparian	ACEC					Yes	9/1/1992	2326	2,326
Tucson	Safford 1992	San Pedro River RNA	ACEC	RNA			San Pedro Riparian National Conservation Area	Yes	9/1/1992	1340	1,340
Tucson	Safford 1992	San Rafael RNA	ACEC	RNA			San Pedro Riparian National Conservation Area	Yes	9/1/1992	370	370

Arizona Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Tucson	Safford 1992	St. David Cienega	ACEC	RNA			San Pedro Riparian National Conservation Area	Yes	9/1/1992	350	350
Tucson	Las Cienegas 2003	Appleton Whittell Research	ACEC				Portions Within Las Cienegas NCA	Yes	9/1/1989	3141	3,141
Tucson	Phoenix 1989	Baboquivari Peak	ACEC					Yes	9/29/1989	2070	2,070
Tucson	Las Cienegas 2003	Empire-Cienega	ACEC					Yes	7/25/2003	45859	45,859
Tucson	Phoenix 1989	White Canyon	ACEC					Yes	9/1/1989	300	1,920
Yuma	Yuma 2010	Big Marias	ACEC					Yes	2/1/1987	4500	4,500
Yuma	Yuma 2010	Dripping Springs	ACEC					Yes	1/29/2010	11700	11,700
Yuma	Yuma 2010	Sears Point (Previously named Gila River Cultural Area)	ACEC					Yes	1/29/2010	28500	28,500

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Alturas		Mount Dome RNA	ACEC	RNA				Yes	5/1/2008	1,510	1,510
Alturas		Mountain Peaks RNA	ACEC	RNA				Yes	5/1/2008	3,760	3,799
Alturas		Timbered Crater RNA	ACEC	RNA			WSA	Yes	5/1/2008	17,975	18,084
Alturas		Ash Valley RNA	ACEC	RNA				Yes	8/28/1984	1,091	1,166
Alturas		Old Growth Juniper RNA	ACEC	RNA				Yes	5/1/2008	3,046	3,145
Alturas		Emigrant Trails	ACEC					Yes	5/1/2008	1,674	1,677
Alturas		Likely Tablelands/Yankee Jim/Fitzhugh Creek	ACEC					Yes	5/1/2008	1,708	1,726
Arcata		Manila Dunes ONA	ACEC		ONA			Yes	4/30/1992	95	149
Arcata		Butte Creek RNA	ACEC	RNA				Yes	11/8/1991	2,227	2,310
Arcata		Elder Creek RNA/NCCRP	ACEC	RNA				Yes	11/8/1991	3,055	7,019
Arcata		Gilham Buttes RNA	ACEC	RNA				Yes	4/30/1992	2,592	2,621
Arcata		Iaqua Buttes RNA	ACEC	RNA				Yes	4/30/1992	1,019	1,111
Arcata		Mill Creek Watershed	ACEC	RNA				Yes	5/11/2005	934	962
Arcata		Red Mountain RNA	ACEC	RNA				Yes	12/5/1984	6,776	6,815
Arcata		Lacks Creek Watershed	ACEC					Yes	1/29/1996	7,372	7,372
Arcata		Mattole Estuary	ACEC					Yes	1/1/1990	644	788

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Arcata		South Fork Eel River Watershed	ACEC					Yes	1/29/1996	7,098	7,157
Bakersfield		Horse Canyon	ACEC					Yes	3/1/1997	1,489	6,904
Bakersfield		Piute Cypress RNA	ACEC	RNA				Yes	1/29/1965	2,308	1,105
Bakersfield		Blue Ridge	ACEC					Yes	8/1/1984	3,181	9,260
Bakersfield		Chico Martinez	ACEC					Yes	3/1/1997	3,242	7,225
Bakersfield		Cypress Mountain	ACEC					Yes	3/1/1997	1,081	3,036
Bakersfield		Kettleman Hills	ACEC					Yes		6,733	16,499
Bakersfield		Lokern	ACEC					Yes		11,253	45,156
Bakersfield		Pt. Sal	ACEC					Yes	9/1/1984	76	76
Bakersfield		Salinas River	ACEC					Yes		909	2,346
Bakersfield		Tierra Redonda	ACEC					Yes		331	1,311
Bakersfield		Ancient Lakeshores	ACEC					Yes	12/22/2014	1,985	2308
Bakersfield		Bitter Creek	ACEC					Yes	12/22/2014	1,025	
Bakersfield		Compensation Lands	ACEC					Yes	12/22/2014	281	
Bakersfield		Cyrus Canyon	ACEC					Yes	12/22/2014	4,299	3761
Bakersfield		Erskine Creek	ACEC					Yes	12/22/2104	3,019	
Bakersfield		Hopper Mountain	ACEC					Yes	12/22/2014	2,029	
Bakersfield		Kaweah	ACEC					Yes	12/22/2014	26,877	
Bakersfield		Los Osos	ACEC					Yes	12/22/2014	5	
Bakersfield		Upper Cuyama Valley	ACEC					Yes	12/22/2014	6,356	
Barstow		Rainbow Basin	ACEC			NNL		Yes	4/25/1991	4,104	800

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Bishop		Bodie Bowl	ACEC				National Historic Landmark	Yes	3/25/1993	6,055	7,268
Bishop		Conway Summit	ACEC					Yes	3/25/1993	2,689	2,845
Bishop		Crater Mountain	ACEC					Yes	3/25/1993	5,718	5,832
Bishop		Fish Slough	ACEC					Yes	3/25/1993	34,814	39,448
Bishop		Keynot Peak	ACEC					Yes	3/25/1993	2,164	2,163
Bishop		Slinkard Valley	ACEC					Yes	3/25/1993	10,470	16,655
Bishop		Travertine Hot Springs	ACEC					Yes	6/30/1983	160	159
Desert		Kuchamaa	ACEC				NATV	Yes	5/26/1994	807	1,294
Desert		Afton Canyon	ACEC					Yes	9/30/1980	8,830	9,195
Desert		Alligator Rock	ACEC					Yes	5/16/1984	6,815	7,742
Desert		Amargosa River	ACEC					Yes	5/31/1985	27,772	27,771
Desert		Barstow Woolly Sunflower	ACEC					Yes	9/30/1980	19,079	36,262
Desert		Bedrock Springs	ACEC					Yes	9/30/1980	786	785
Desert		Bendire Thrasher ACEC	ACEC					Yes	3/13/2006	11,722	14,141
Desert		Big Morongo Canyon	ACEC					Yes	4/22/1998	24,934	28,198
Desert		Black Mountain	ACEC					Yes	9/30/1980	51,261	61,721
Desert		Calico Early Man Site	ACEC					Yes	9/30/1980	834	898
Desert		Carbonate Endemics Plants	ACEC	RNA				Yes	3/13/2006	4,380	5,171

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Desert		Cedar Canyon	ACEC					Yes	5/26/1994	714	1,002
Desert		Cerro Gordo	ACEC					Yes	9/30/1980	8,990	9,007
Desert		Christmas Canyon	ACEC					Yes	9/30/1980	3,445	3,445
Desert		Chuckwalla Valley Dune Thicket	ACEC					Yes	9/30/1980	2,195	2,274
Desert		Corn Springs	ACEC					Yes	9/30/1980	2,461	2,462
Desert		Cronese Basin	ACEC					Yes	9/30/1980	8,469	10,202
Desert		Denning Springs	ACEC					Yes	9/30/1980	409	465
Desert		Desert Lily Preserve	ACEC					Yes	4/27/1993	2,051	2,051
Desert		Desert Tortoise Natural Area	ACEC					Yes	9/30/1980	22,189	25,345
Desert		Dos Palmas (Salt Creek ACEC Expansion)	ACEC					Yes	4/22/1998	8,330	15,126
Desert		Fossil Falls	ACEC					Yes	9/30/1980	1,630	1,668
Desert		Fremont-Kramer DWMA	ACEC					Yes	3/13/2006	311,489	511,916
Desert		Great Falls Basin	ACEC					Yes	9/30/1980	9,539	9,697
Desert		Harper Dry Lake	ACEC					Yes	9/30/1980	485	484
Desert		Ivanpah Valley DWMA	ACEC					Yes	12/20/2002	34,981	37,404
Desert		Jawbone/Butterbread	ACEC					Yes	3/13/2006	147,855	187,209
Desert		Johnson Canyon	ACEC					Yes	5/26/1994	3,611	3,984
Desert		Juniper Flats	ACEC					Yes	9/30/1980	2,387	2,387

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Desert		Kelso Creek Monkeyflower	ACEC					Yes	3/13/2006	1,863	1,875
Desert		Kingston Range	ACEC					Yes	9/30/1980	18,873	19,631
Desert		Last Chance Canyon	ACEC					Yes	9/30/1980	5,135	5,934
Desert		Manix Paleontological ACEC	ACEC					Yes	4/27/1993	2,904	2,908
Desert		Mesquite Lake	ACEC					Yes	9/30/1980	6,733	6,733
Desert		Middle Knob	ACEC					Yes	3/13/2006	17,767	20,533
Desert		Million Dollar Spring	ACEC					Yes	5/26/1994	6,290	6,346
Desert		Mojave Fishhook Cactus	ACEC					Yes	5/16/1984	637	636
Desert		Mojave Fringe-Toed Lizard	ACEC					Yes	3/13/2006	22,440	24,678
Desert		Mojave Monkeyflower	ACEC					Yes		36,499	46,487
Desert		Mule Mountains	ACEC					Yes	9/30/1980	4,091	4,090
Desert		Ord-Rodman DWMA	ACEC					Yes	3/13/2006	218,731	265,770
Desert		Palen Dry Lake	ACEC					Yes	9/30/1980	3,614	3,614
Desert		Parish's Phacelia	ACEC					Yes	3/13/2006	516	898
Desert		Pinto Mountains DWMA	ACEC					Yes	3/13/2006	109,851	117,122
Desert		Pisgah	ACEC					Yes	3/13/2006	18,096	19,754
Desert		Piute-Fenner DWMA	ACEC					Yes	12/20/2002	151,859	174,148

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Desert		Red Mountain Spring	ACEC					Yes	9/30/1980	718	717
Desert		Rodman Mountains	ACEC					Yes	1/11/1990	6,208	6,208
Desert		Rose Spring	ACEC					Yes	9/30/1980	838	838
Desert		Saline Valley	ACEC					Yes		1,379	1,390
Desert		Salt Creek Hills	ACEC					Yes		2,207	2,206
Desert		Sand Canyon	ACEC					Yes	9/30/1980	2,581	2,611
Desert		Santa Ana River Wash	ACEC					Yes	5/26/1994	751	751
Desert		Santa Margarita Ecological Reserve	ACEC					Yes	5/26/1994	1,246	5,519
Desert		Shadow Valley DWMA	ACEC					Yes	12/20/2002	95,345	101,469
Desert		Short Canyon	ACEC					Yes	9/2/1987	754	754
Desert		Soggy Dry Lake	ACEC					Yes	9/30/1980	184	186
Desert		Steam Well	ACEC					Yes	9/30/1980	41	40
Desert		Superior-Cronese DWMA	ACEC					Yes	3/13/2006	399,639	629,534
Desert		Surprise Canyon	ACEC					Yes	9/30/1980	4,642	4,642
Desert		Trona Pinnacles	ACEC					Yes	9/30/1980	4,058	4,057
Desert		Upper Johnson Valley Yucca Rings	ACEC					Yes	9/30/1980	331	330
Desert		Warm Sulfur Spring	ACEC					Yes	1/15/1987	348	347
Desert		West Paradise	ACEC					Yes	3/13/2006	239	1,238

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Desert		Western Rand Mountains	ACEC					Yes	9/30/1980	31,102	32,677
Desert		White Mountain City	ACEC					Yes	9/30/1980	820	820
Desert		Whitewater Canyon	ACEC					Yes	5/16/1984	14,610	16,415
Desert		Coolgardie Mesa	ACEC					Yes	3/13/2006	9,836	13,253
Desert		Coachella Valley Fringed Toed Lizard	ACEC					Yes	4/27/1993	10,271	11,633
Eagle Lake		Pine Dunes RNA	ACEC	RNA				Yes	4/24/1986	2,816	2,862
Eagle Lake		Buffalo Creek Canyons	ACEC					Yes	5/1/2008	35,733	35,805
Eagle Lake		Eagle Lake Basin	ACEC					Yes	5/1/2008	30,403	32,032
Eagle Lake		Lower Smoke Creek	ACEC					Yes	5/1/2008	885	894
Eagle Lake		North Dry Valley	ACEC					Yes	5/1/2008	10,200	10,387
Eagle Lake		Susan River	ACEC					Yes	5/1/2008	2,344	2,483
Eagle Lake		Willow Creek	ACEC					Yes	5/1/2008	2,152	2,157
El Centro		Imperial Sand Hills				NNL		Yes			20,600
El Centro		San Felipe Creek Area				NNL		Yes			1,920
El Centro		Chuckwalla DWMA	ACEC					Yes	9/30/1980	492,664	623,940
El Centro		Coyote Mountain Fossil Site ACEC	ACEC					Yes	9/30/1980	5,876	5,875
El Centro		East Mesa	ACEC					Yes	9/30/1980	37,850	42,767
El Centro		Indian Pass	ACEC					Yes	9/30/1980	1,887	2,055

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
El Centro		In-ko-pah Mountains	ACEC					Yes	8/31/1981	7,692	9,789
El Centro		Lake Cahuilla A	ACEC					Yes	9/30/1980	1,206	1,231
El Centro		Pilot Knob	ACEC					Yes	9/30/1980	868	869
El Centro		Plank Road	ACEC					Yes	9/30/1980	298	298
El Centro		San Sebastian Marsh/San Felipe Creek	ACEC					Yes	9/30/1980	6,497	6,568
El Centro		Singer Geoglyphs	ACEC					Yes	9/30/1980	1,859	1,884
El Centro		Table Mountain	ACEC					Yes	8/31/1981	4,928	5,215
El Centro		West Mesa	ACEC					Yes	9/2/1988	18,711	20,305
El Centro		Yuha Basin	ACEC					Yes	9/30/1980	68,329	71,883
Folsom		Merced River	ACEC				Wild and Scenic River	Yes	8/6/1984	3,523	3,809
Folsom		Dutch Flat/Indian Hill	ACEC	RNA				Yes	5/1/2008	317	317
Folsom		Bagby Serpentine	ACEC					Yes	5/1/2008	5,750	5,772
Folsom		Cosumnes River Preserve	ACEC					Yes	5/1/2008	1,788	2,036
Folsom		Deadman's Flat	ACEC					Yes	5/1/2008	742	767
Folsom		Ione Manzanita	ACEC					Yes	8/6/1984	273	274
Folsom		Ione Tertiary Oxisol Soil	ACEC					Yes	8/6/1984	92	92
Folsom		Limestone Salamander	ACEC					Yes	8/6/1984	2,179	2,202

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Folsom		Nissenan Manzanita	ACEC					Yes	8/6/1984	131	131
Folsom		North Fork Cosumnes	ACEC					Yes	5/1/2008	527	1,128
Folsom		Pine Hill Preserve	ACEC					Yes	5/1/2008	3,271	3,247
Folsom		Red Hills	ACEC					Yes	2/1/1983	9,855	9,988
Folsom		Spivey Pond	ACEC					Yes	5/1/2008	54	54
Hollister		Clear Creek Serpentine	ACEC	RNA				Yes	2/12/2014	29,744	30,164
Hollister		Fort Ord Public Lands	ACEC					Yes	9/6/2007	7,199	7,265
Hollister		Joaquin Rocks	ACEC					Yes	9/6/2007	7,301	7,312
Hollister		Panoche/Coalinga RT&E	ACEC					Yes	9/6/2007	44,834	56,129
Needles		<u>Patton's Iron Mountain Div. Camp</u>	ACEC				HIST	Yes	9/30/1980	3,751	3,825
Needles		Amboy Crater NNL	ACEC			NNL		Yes	4/27/1993	639	639
Needles		Bigelow Cholla RNA	ACEC	RNA				Yes	4/27/1993	83	82
Needles		Chemehuevi DWMA	ACEC					Yes	12/19/2002	819,149	874,652
Needles		Clark Mountain	ACEC					Yes	9/30/1980	4,005	4,258
Needles		Dead Mountains	ACEC					Yes	9/30/1980	27,210	28,559
Needles		Mountain Pass Dinosaur Trackway ACEC	ACEC					Yes	9/30/1980	627	628
Needles		Halloran Wash	ACEC					Yes	9/30/1980	1,744	1,744

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Needles		Marble Mountain Fossil Beds Acec	ACEC					Yes	9/30/1980	230	231
Needles		Mesquite Hills	ACEC					Yes	9/30/1980	5,036	5,036
Needles		Mopah Spring	ACEC					Yes	9/30/1980	1,922	1,921
Needles		Turtle Mountains	ACEC					Yes	4/27/1993	50,418	51,980
Needles		Whipple Mountains	ACEC					Yes	9/30/1980	2,805	3,146
Palm Springs		Potrero	ACEC					Yes	5/26/1994	1,407	12,970
Redding		Forks of Butte Creek ONA	ACEC		ONA			Yes	7/27/1993	2,874	9,549
Redding		Sacramento River Bend ONA	ACEC		ONA			Yes	7/27/1993	18,397	39,898
Redding		Baker Cypress RNA	ACEC	RNA				Yes	7/27/1993	139	189
Redding		Jenny Creek RNA	ACEC	RNA				Yes	7/27/1993	269	979
Redding		Sacramento River Island RNA	ACEC	RNA				Yes	7/27/1993	91	627
Redding		Deer Creek	ACEC					Yes	7/27/1993	573	4,411
Redding		Orcuttia Tenuis (Hawes Corner)	ACEC					Yes	7/27/1993	38	122
Redding		Shasta River Canyon	ACEC					Yes	7/27/1993	1,208	1,931
Redding		Swasey Drive	ACEC					Yes	7/27/1993	468	473
Surprise		Bitner	ACEC					Yes	2/15/2008	1,924	1,923
Surprise		Massacre Rim	ACEC					Yes	2/15/2008	47,918	48,422
Surprise		Rahilly Gravelly	ACEC					Yes	2/15/2008	949	19,631

California Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Ukiah		Cedar Roughs RNA	ACEC	RNA			Wilderness	Yes	9/25/2006	6,350	6,418
Ukiah		Northern California Chapparral RNA	ACEC	RNA			Wilderness	Yes	7/24/1984	10,417	11,206
Ukiah		Cache Creek	ACEC				Wilderness	Yes	7/24/1984	9,414	17,324
Ukiah		Black Forest	ACEC					Yes	9/25/2006	241	254
Ukiah		Indian Valley Brodia	ACEC					Yes	9/25/2006	3,451	3,517
Ukiah		Knoxville	ACEC					Yes	9/25/2006	4,250	4,273
Ukiah		Lost Valley	ACEC					Yes		39	39
Ukiah		Stornetta	ACEC					Yes		884	885
Ukiah		The Cedars	ACEC					Yes	9/25/2006	1,553	1,553
Ukiah		Walker Ridge	ACEC					Yes	9/25/2006	3,685	
El Centro		Lake Cahuilla B	ACEC					Yes	9/30/1980	1,933	2,528
El Centro		Lake Cahuilla C	ACEC					Yes	9/30/1980	5,476	5,592
El Centro		Lake Cahuilla D	ACEC					Yes	9/30/1980	0	4,724

Attachment 10

Attachment 6

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Canyons of the Ancients NM	2010 CANM ROD, page 93-94	McElmo Rare Lizard and Snake	ACEC	RNA			Instant Wilderness Study Area (ISA)	Yes	6/1/2010	427	427
GGNCA	11-5-2004 Gunnison Gorge National Conservation Area RMP	Gunnison Sage-Grouse	ACEC				IBA (Important Bird Area)	Yes	11/5/2004	22,000	22,000
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Garden Park	ACEC	RNA		NNL	Natural Area (NA) - State of Colorado	Yes	4/16/1996	2,728	2,728
Gunnison	2-5-1993 Gunnison Land Use Plan	Slumgullion Earthflow NNL	ACEC			NNL	SRMA - Alpine Triangle	Yes	2/5/1993	1,405	1,405
Uncompahgre	7-26-1989 Uncompahgre Land Use Plan	Adobe Badlands	ACEC		ONA			Yes	7/26/1989	6,783	6,783
GGNCA	11-5-2004 Gunnison Gorge National Conservation Area RMP	Native Plant Community	ACEC		ONA			Yes	11/5/2004	4,577	4,577

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Uncompahgre	7-26-1989 Uncompahgre Land Use Plan	Needle Rock	ACEC		ONA		Natural Area (NA) - State of Colorado	Yes	7/26/1989	80	80
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	The Palisade	ACEC		ONA		WSA, IRMA, Natural Area (NA) for State of Colorado	Yes	1/30/1987	32,200	32,200
Uncompahgre & GGNCA	7-26-1989 Uncompahgre Basin RMP and 11-5-2004 Gunnison Gorge NCA RMP	Fairview	ACEC	RNA				Yes	7/26/1989	377	377
DENCA	1-30-1987 Grand Junction Land Use Plan	Gunnison Gravels	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	1/30/1987	9	5
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Kremmling Cretaceous Ammonite Locality	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	12/19/1984	198	198
Kremmling	12-19-1984 Kremmling Land Use Plan	North Park Phacelia	ACEC	RNA				NO	12/19/1984	300	300
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Pyramid Rock	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	1/30/1987	1,300	1,300

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Rough Canyon	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	1/30/1987	2,800	2,737
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Unaweeep Seep	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	1/30/1987	85	79
Gunnison	2-5-1993 Gunnison Land Use Plan	American Basin	ACEC					Yes	2/5/1993	1,597	1,597
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Anvil Points	ACEC					NO	3/12/2008	4,955	
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Arkansas Canyonlands	ACEC				Includes High Mesa Grassland RNA and Instant Study Area	Yes	4/16/1996	23,921	23,921
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Badger Wash	ACEC				Natural Area (NA) - State of Colorado; hydrologic study area 685 ac.	Yes	1/30/1987	2,200	21,069

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Barger Gulch Heritage Area	ACEC				Listed on the National Register of Historic Places	Yes	12/19/1984	535	542
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Beaver Creek	ACEC				Within the Beaver Creek Wilderness Study Area (WSA)	Yes	4/16/1996	12,081	12,081
White River	7-1- 1997 White River RMP ROD	Blacks Gulch	ACEC				Natural Area (NA) - State of Colorado	Yes	7/1/1997	800	800
San Luis	7-28-2014 Decision Record - Blanca Wetlands ACEC Plan Amendment DOI-BLM-C)-300-2012-001 EA	Blanca Wetlands	ACEC				Originally also an SRMA	Yes	7/28/2014	122,762	122,762
Colorado River Valley	6-19-2015 Colorado River Valley Field Office	Blue Hill	ACEC				Partly within Upper Colorado River SRMA	Yes	1/30/1984	3,700	3,700

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
	ROD and RMP										
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Browns Canyon	ACEC				Browns Canyon WSA lies within the ACEC	Yes	4/16/1996	11,697	11,697
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Bull Gulch	ACEC				WSA and SRMA	Yes	1/30/1984	10,400	10,437
White River	7-1-1997 White River RMP ROD	Coal Draw	ACEC				~80 acre overlap with Canyon Pintado Historic District. Completely within Piceance-East Douglas Herd Management Area.	Yes	7/1/1997	1,840	1,840
White River	7-1-1997 White River RMP ROD	Coal Oil Rim	ACEC					Yes	7/1/1997	3,210	3,210
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Cucharas Canyon	ACEC					Yes	4/16/1996	1,866	1,866

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
San Luis	12-18-1991 SanLuis Land Use Plan	Cumbres and Toltec Railroad	ACEC					Yes	12/18/1991	3,824	3,824
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Deep Creek	ACEC				Deep Creek SRMA	Yes	1/30/1984	4,300	2,406
White River	1987 Piceance Basin RMP ROD	Deer Gulch	ACEC				Natural Area (NA) - State of Colorado	Yes	1987	1,810	1,810
Gunnison	2-5-1993 Gunnison Land Use Plan	Dillon Pinnacles	ACEC					Yes	2/5/1993	535	535
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Droney Gulch	ACEC					Yes	4/16/1996	705	705
White River	7-1-1997 White River RMP ROD	Duck Creek	ACEC				Natural Area (NA) - State of Colorado	Yes	7/1/1997	3,430	3,430
White River	1987 Piceance Basin RMP ROD	Dudley Bluffs	ACEC				Natural Area (NA) - State of Colorado	Yes	1987	1,630	1,630
White River	7-1-1997 White River RMP ROD	East Douglas Creek	ACEC					Yes	7/1/1997	47,610	47,610
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	East Fork Parachute Creek	ACEC				Eligible Wild and Scenic River segments	NO	3/12/2008	6,571	6,571

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
San Luis	12-18-1991 San Luis Land Use Plan	Elephant Rocks	ACEC				Natural Area (NA) - State of Colorado; also part of Penitente Canyon SRMA	Yes	12/18/1991	1,338	1,338
DENCA	7-26-1989 Uncompahgre Land Use Plan	Escalante Canyon	ACEC					Yes	7/26/1989	1,895	1,895
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Glenwood Springs Debris Flow Hazard Zones	ACEC					Yes	1/30/1984	6,100	6,100
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Grape Creek	ACEC				Includes portions of Grape Creek WSA	Yes	4/16/1996	15,978	15,978
Little Snake	4-30-1989 Little Snake Land Use Plan	Irish Canyon	ACEC					Yes	4/30/1989	11,910	11,910
San Luis	12-18-1991 San Luis Land Use Plan	Los Mogotes	ACEC					Yes	12/18/1991	33,456	33,456
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Lower Colorado River	ACEC					NO	1/30/1984	130	130

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
White River	1987 Piceance Basin RMP ROD	Lower Greasewood Creek	ACEC				Natural Area (NA) - State of Colorado; Within Piceance-East Douglas Herd Management Area	Yes	00/00/1987	210	210
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Magpie Gulch	ACEC				40 acre inholding is private land in North portion	NO	3/12/2008	4,698	4,698
White River	7-1-1997 White River RMP ROD	Moosehead Mountain	ACEC				~1,400 acres within Willow Creek WSA	Yes	7/1/1997	8,940	8,940
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Mosquito Pass	ACEC					Yes	4/16/1996	4,036	4,036
Tres Rios	1985 San Juan/San Miguel RMP	Mud Springs/Remnant Anasazi	ACEC				Overlaps CNAP's Mud Springs/Remnant Anasazi Potential Conservation Area	NO	00/00/1985	1,160	1,160

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
White River	7-1-1997 White River RMP ROD	Oil Spring Mountain	ACEC				designated as Oil Spring Mountain WSA, ~half of ACEC within West Douglas Herd Area	Yes	7/1/1997	18,260	18,260
Royal Gorge	4-16-1996 Royal Gorge Land Use Plan	Phantom Canyon	ACEC				Part overlap with Beaver Creek WSA; also part of Gold Belt Tour National Scenic Byway	Yes	4/16/1996	6,096	6,096
San Luis	12-18-1991 San Luis Land Use Plan	RaJadero Canyon	ACEC				Natural Area (NA) - State of Colorado	Yes	12/18/1991	3,632	3,632
White River	7-1-1997 White River RMP ROD	Raven Ridge	ACEC				Natural Area (NA) - State of Colorado	Yes	7/1/1997	4,980	1,049
Gunnison	2-5-1993 Gunnison Land Use Plan	Red Cloud Peak	ACEC				part of the Alpine Triangle SRMA	Yes	2/5/1993	5,960	5,960
San Luis	12-18-1991 SanLuis Land Use Plan	Rio Grande	ACEC				Within Rio Grande Natural Area, overlaps Rio Grande SRMA	Yes	12/18/1991	2,830	2,830

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
White River	7-1-1997 White River RMP ROD	Ryan Gulch	ACEC				Natural Area (NA) - State of Colorado	Yes	7/1/1997	1,440	1,440
La Jara	12-18-1991 San Luis Land Use Plan	San Luis Hills/Flatop	ACEC				Contains San Luis Hills WSA	Yes	12/18/1991	29,261	29,261
Uncompahgre	3-23-1993 San Juan/San Miguel Land Use Plan	San Miguel River	ACEC					Yes	3/23/1993	20,964	20,964
Gunnison	2-5-1993 Gunnison Land Use Plan	South Beaver Creek	ACEC					Yes	2/5/1993	4,570	4,570
White River	7-1-1997 White River RMP ROD	South Cathedral Bluffs	ACEC				Natural Area (NA) - State of Colorado	Yes	6/9/1905	1,330	1,330
Tres Rios	2-27-2015 Tres Rios RMP	Gypsum Valley	ACEC					Yes	2/27/2015	13,135	13,135
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Thompson Creek	ACEC				Thompson Creek SRMA	Yes	1/30/1984	3,600	4,270
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Trapper Creek/Northwater Creek	ACEC				Eligible Wild and Scenic River segments	NO	3/12/2008	4,810	4,810

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Saguache	12-18-1991 San Luis Land Use Plan	Trickle Mountain	ACEC				Overlaps Trickle Mountain OHV area	Yes	12/18/1991	44,521	44,521
Gunnison	2-5-1993 Gunnison Land Use Plan	West Antelope Creek	ACEC					Yes	2/5/1993	28,275	28,275
White River	7-1-1997 White River RMP ROD	White River Riparian	ACEC					Yes	7/1/1997	950	950
White River	1987 Piceance Basin RMP ROD	Yanks Gulch/Upper Greasewood Creek	ACEC				Natural Area (NA) - State of Colorado; within North Piceance Herd Area and Piceance-East Douglas Herd Management Area	Yes	00/00/1987	2,680	2,680
Tres Rios	2-27-2015 Tres Rios RMP	Anasazi Culture	ACEC					Yes	2/27/2015	1,100	1,100
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Atwell Gulch	ACEC					Yes	8/1/2015	2,900	2,900
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Indian Creek	ACEC					Yes	8/1/2015	2,300	2,300
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Juanita Arch	ACEC					Yes	8/1/2015	1,600	1,600

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Mt. Garfield	ACEC					Yes	8/25/2015	2,400	2,400
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Roan and Carr Creeks	ACEC					Yes	8/1/2015	33,600	33,600
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	Sinbad Valley	ACEC					Yes	8/1/2015	6,400	6,400
Grand Junction	8-2015 Grand Junction Field Office ROD for RMP	South Shale Ridge	ACEC					Yes	8/1/2015	27,800	27,800
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	North Park Natural Area	ACEC	RNA			Natural Area (NA) - State of Colorado	Yes	7/8/2015	4,444	4,444
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Kremmling	ACEC					Yes	7/8/2015	674	674

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Laramie River	ACEC					Yes	7/8/2015	1,783	1,783
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Troublesome Creek	ACEC					Yes	7/8/2015	998	998
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	Kinney Creek	ACEC					Yes	7/8/2015	588	588
Kremmling	7-8-2015 Kremmling Field Office Record of Decision & Approved Resource Management Plan	North Sand Hills	ACEC					Yes	7/8/2015	486	486

Colorado Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Grand Hogback	ACEC					Yes	6/19/2015	4,300	4,300
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Hardscrabble-East Eagle	ACEC					Yes	6/19/2015	4,200	4,200
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Lyons Gulch	ACEC					Yes	6/19/2015	400	400
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	McCoy Fan Delta	ACEC					Yes	6/19/2015	1,500	1,500
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Mount Logan Foothills	ACEC					Yes	6/19/2015	4,000	4,000
Colorado River Valley	6-19-2015 Colorado River Valley Field Office ROD and RMP	Sheep Creek Uplands	ACEC					Yes	6/19/2015	3,900	3,900

Eastern States Field Office	RMP	Description (Name)	ACEC	ONA	Current designation	Date Designated	GIS Acres
Southeastern States		Jupiter Inlet	ACEC	ONA	Yes	6/1/1995	54

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Burley	Cassia RMP '88	Granite Pass-Goose Creek Trail	ACEC				1	1/21/1988	200	200
Burley	Cassia RMP '88	Oregon-California Trail Junction	ACEC				1	1/21/1988	600	600
Pocatello	Pocatello '12	Juniper Homesite	ACEC				1	1/21/1988	3	3
Upper Snake	Medicine Lodge '85	Big Southern Butte				NNL	1		5,800	5,800
Upper Snake	Medicine Lodge '85	Crater Rings				NNL	1		1,200	1,200
Upper Snake	Medicine Lodge '85	Great Rift System				NNL	1		164,040	169,880
Upper Snake	Medicine Lodge '85	Hell's Half Acre Lava Field				NNL	1		40,480	44,000
Upper Snake	Medicine Lodge '85	North Menan Butte	ACEC			NNL	1		780	780
Upper Snake	Medicine Lodge '85	North Menan Butte		RNA			1	11/29/1985	340	780
Owyhee	Owyhee '99	Boulder Creek ONA			ONA		1	12/30/1999	6,987	6,978

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Owyhee	Owyhee '99	North Fork Juniper Woodland ONA			ONA		1	12/30/1999	4,204	4,204
Bruneau	Bruneau MFP '83	Owyhee River Bighorn Sheep Habitat Area	ACEC				1	12/30/1999	57,080	141,796
Burley	Twin Falls MFP '88	Playas	ACEC				1	1/21/1988	60	60
Burley	Monument RMP '85	Substation Tract Relict Vegetation	ACEC				1	4/22/1985	440	440
Burley/Jarbridge	Jarbridge '15	Salmon Falls Creek Canyon	ACEC				1	10/4/1990	5,947	5,947
Challis	Challis '99	Birch Creek	ACEC				1	7/29/1999	8,649	8,649
Challis	Challis '99	Cronks Canyon	ACEC				1	7/29/1999	1,496	1,496
Challis & Upper Snake	Challis '99 and Little Lost-Birch Creek MFP '81	Donkey Hills	ACEC				1	7/29/1999	25,700	29,740
Challis	Challis '99	Lone Bird	ACEC				1	7/29/1999	9,969	9,969
Challis	Challis '99	Pennal Gulch	ACEC				1	7/29/1999	5,832	5,832
Coeur d'Alene	Coeur d'Alene '07	Farnham Forest	ACEC	RNA			Yes	6/29/2007	33	33
Coeur d'Alene	Coeur d'Alene '07	Pulaski Tunnel	ACEC				Yes	6/29/2007	27	27
Coeur d'Alene	Coeur d'Alene '07	Windy Bay	ACEC	RNA			Yes	6/29/2007	16	16
Cottonwood	Cottonwood '09	American River Historic Sites District	ACEC				Yes	12/18/2009	6,347	6,347

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Cottonwood	Cottonwood '09	East Fork American River	ACEC				Yes	12/18/2009	569	569
Cottonwood	Cottonwood '09	Lower Lolo Creek	ACEC				Yes	3/8/1989	3,677	3,677
Cottonwood	Cottonwood '09	Lower Salmon River Canyon	ACEC				Yes	3/8/1989	13,855	13,855
Cottonwood	Cottonwood '09	Upper Lolo Creek	ACEC				Yes	12/18/2009	1,625	1,625
Cottonwood	Cottonwood '09	Upper Salmon River	ACEC				Yes	12/18/2009	5,141	5,141
Four Rivers	Cascade RMP 1987	Boise Front	ACEC				1	7/1/1988	12,110	12,110
Four Rivers	Cascade RMP LUP Amendment 1993	Cartwright Canyon	ACEC				1	10/6/1993	400	400
Four Rivers	Cascade RMP 1987	Columbian Sharp-tail Grouse	ACEC				1	7/1/1988	4,200	4,200
Four Rivers	Cascade RMP LUP Amendment 1993	Hulls Gulch	ACEC				1	10/6/1993	120	120
Four Rivers	Cascade RMP 1987	Long-Billed Curlew	ACEC				1	7/1/1988	61,000	61,000
Four Rivers	Cascade RMP LUP Amendment 1993	Sand Hollow	ACEC				1	10/6/1993	1,250	1,250
Four Rivers	Cascade RMP LUP Amendment 1993	Sand-capped Knob	ACEC				1	10/6/1993	40	40

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Four Rivers	Cascade RMP LUP Amendment 1993	Willow Creek	ACEC				1	10/6/1993	1,160	1,160
Four Rivers	Cascade RMP LUP Amendment 1993	Woods Gulch	ACEC				1	10/6/1993	40	40
Upper Snake	Medicine Lodge '85	Henry's Lake	ACEC				1	7/28/1997	2,450	2,450
Upper Snake	Medicine Lodge '85	Nine Mile Knoll	ACEC				1	11/29/1985	40,650	40,650
Upper Snake	Medicine Lodge '85	Snake River	ACEC				1	11/29/1985	11,120	20,280
Jarbidge	Jarbidge '15	Bruneau/Jarbidge River Bighorn Sheep and Cultural	ACEC				1	3/23/1987	84,111	84,111
Jarbidge	Jarbidge '15	Sand Point Paleontologic, Geologic, and Cultural R	ACEC				1	3/23/1987	814	
Owyhee	Owyhee '99	Guffey Butte/Black Butte Archaeological District	ACEC				1	12/30/1999	26,714	7,750
Owyhee	Owyhee '99	Jump Creek Canyon	ACEC				1	12/30/1999	612	612
Owyhee	Owyhee '99	Owyhee River Bighorn Sheep Habitat Area	ACEC				1	12/30/1999	143,724	141,796

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Pocatello	Pocatello '12	Bowen Canyon Bald Eagle Sanctuary	ACEC				1	1/21/1988	2,308	2,308
Pocatello	Pocatello '12	Downey Watershed	ACEC				1	1/8/1988	1,855	1,900
Pocatello	Pocatello '12	Indian Rocks	ACEC				1		3,560	3,560
Pocatello	Pocatello '12	Stump Creek	ACEC				1	1/8/1988	2,483	2,500
Pocatello	Pocatello '12	Travertine Park	ACEC				1	1/8/1988	223	220
Salmon	Lemhi '87	Sevenmile Creek	ACEC				1	12/21/1987	1,060	
Shoshone	Sun Valley MFP '81	Big Beaver-Little Beaver	ACEC				1	12/13/1981	6,283	6,283
Shoshone	Monument RMP '85	Box Canyon/Blueheart Springs Sensitive Area	ACEC				1	4/22/1985	128	128
Shoshone	Sun Valley MFP '81	Elk Mountain	ACEC				1	12/13/1981	11,887	7,754
Shoshone	Sun Valley MFP '81	Sun Peak	ACEC				1	1/14/1991	560	560
Shoshone	Monument RMP '85	Vineyard Creek Natural Area	ACEC				1	10/16/1984	105	105
Bruneau	Bruneau MFP '83	Cottonwood Creek RNA	ACEC	RNA			1	8/13/1992	346	346
Bruneau	Bruneau MFP '83	Mud Flat Oolite RNA	ACEC	RNA			1	8/13/1992	5	5
Bruneau	Bruneau MFP '83	Triplet Butte RNA	ACEC	RNA			1	8/13/1992	322	322
Burley	Cassia RMP '88	Goose Creek Mesa	ACEC	RNA			1	1/21/1988	110	110

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Burley	Cassia RMP '88	Jim Sage Canyon	ACEC	RNA			1	1/21/1988	620	620
Challis	Challis '99	Antelope Flat	ACEC	RNA			1	7/29/1999	588	588
Challis	Challis '99	Dry Gulch	ACEC	RNA			1	7/29/1999	539	539
Challis	Challis '99	East Fork Salmon River Bench	ACEC	RNA			1	7/29/1999	78	78
Challis	Challis '99	Herd Creek Watershed ACEC	ACEC	RNA			1	7/29/1999	17,943	17,943
Challis	Challis '99	Malm Gulch/Germer Basin	ACEC	RNA			1	7/29/1999	7,823	7,823
Challis	Challis '99	Pecks Canyon	ACEC	RNA			1	7/29/1999	782	782
Challis	Challis '99	Sand Hollow	ACEC	RNA			1	7/29/1999	3,332	3,332
Challis	Challis '99	Summit Creek	ACEC	RNA			1	7/29/1999	304	304
Challis	Challis '99	Thousand Springs	ACEC	RNA			1	7/29/1999	843	843
Coeur d'Alene	Coeur d'Alene '07	Hideaway Islands	ACEC	RNA			Yes	9/30/1985	76	76
Coeur d'Alene	Coeur d'Alene '07	Lund Creek	ACEC	RNA			Yes	6/29/2007	3,219	3,219
Cottonwood	Cottonwood '09	Captain John Creek RNA	ACEC	RNA			Yes	3/8/1989	1,320	1,320
Cottonwood	Cottonwood '09	Long Gulch RNA	ACEC	RNA			Yes	3/8/1989	47	47
Cottonwood	Cottonwood '09	Lower and Middle Cottonwood Islands RNA	ACEC	RNA			Yes	3/8/1989	43	43

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Cottonwood	Cottonwood '09	Lucile Caves RNA	ACEC	RNA			Yes	3/8/1989	136	136
Cottonwood	Cottonwood '09	Skookumchuck RNA	ACEC	RNA			Yes	3/8/1989	9	9
Cottonwood	Cottonwood '09	Wapshilla Ridge RNA	ACEC	RNA			Yes	3/8/1989	401	401
Upper Snake	Big Desert MFP '81	China Cup Butte RNA	ACEC	RNA			1	1/29/1965	160	160
Upper Snake	Medicine Lodge '85	Game Creek RNA	ACEC	RNA			1	11/29/1985	360	360
Upper Snake	Medicine Lodge '85	North Menan Butte RNA	ACEC	RNA			1	11/29/1985	340	340
Upper Snake	Medicine Lodge '85	Pine Creek Island RNA	ACEC	RNA			1	11/29/1985	100	100
Upper Snake	Medicine Lodge '85	Reid Canal Island RNA	ACEC	RNA			1	11/29/1985	80	30
Upper Snake	Medicine Lodge '85	Squaw Creek Island RNA	ACEC	RNA			1	11/29/1985	100	35
Upper Snake	Medicine Lodge '85	St. Anthony San Dunes RNA	ACEC	RNA			1	11/29/1985	1,780	1,820
Owyhee	Owyhee '99	Cinnabar Mountain RNA	ACEC	RNA			1	12/30/1999	277	277
Owyhee	Owyhee '99	Coal Mine Basin RNA	ACEC	RNA			1	12/30/1999	2,397	2,397
Owyhee	Owyhee '99	McBride Creek RNA	ACEC	RNA			1	12/30/1999	261	261
Owyhee	Owyhee '99	Pleasant Valley Table RNA	ACEC	RNA			1	12/30/1999	1,467	1,467
Owyhee	Owyhee '99	Sommercamp Butte RNA	ACEC	RNA			1	12/30/1999	440	440
Owyhee	Owyhee '99	Squaw Creek RNA	ACEC	RNA			1	12/30/1999	150	150

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Owyhee	Owyhee '99	The Badlands RNA	ACEC	RNA			1	12/30/1999	1,833	1,833
Owyhee	Owyhee '99	Tules RNA	ACEC	RNA			1	12/30/1999	114	114
Pocatello	Pocatello '12	Cheatbeck Canyon RNA	ACEC	RNA			1	1/8/1988	100	100
Pocatello	Pocatello '12	Dairy Hollow RNA	ACEC	RNA			1	1/8/1988	45	40
Pocatello	Pocatello '12	Formation Cave RNA	ACEC	RNA			1	1/8/1988	70	70
Pocatello	Pocatello '12	Oneida Narrows RNA	ACEC	RNA			1	1/8/1988	617	600
Pocatello	Pocatello '12	Petticoat Peak RNA	ACEC	RNA			1	7/10/2012	400	400
Pocatello	Pocatello '12	Pine Gap RNA	ACEC	RNA			1	1/8/1988	232	240
Pocatello	Pocatello '12	Robbers Roost RNA	ACEC	RNA			1	1/8/1988	400	400
Pocatello	Pocatello '12	Travertine Park RNA	ACEC	RNA			1	1/8/1988	30	30
Salmon	Lemhi '87	Trail Creek RNA	ACEC	RNA			1	12/21/1987	236	236
Shoshone	Shoshone Land Tenure Amendment '03	"Tee-Maze ACEC/RNA"	ACEC	RNA			1	8/20/2003	10,762	10,762
Shoshone	Shoshone Land Tenure Amendment '03	King Hill Creek ACEC/RNA	ACEC	RNA			1	8/20/2003	3,340	3,340

Idaho Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Four Rivers	Shoshone Land Tenure Amendment '03	King Hill Creek ACEC/RNA	ACEC	RNA			1	8/20/2003	previous line	previous line
Shoshone	Shoshone Land Tenure Amendment '03	McKinney Butte ACEC/RNA	ACEC	RNA			1	8/20/2003	3,764	3,340

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
South Dakota	South Dakota RMP (2015)	Fort Meade Recreation Area	ACEC					Yes	9/21/2015	6,574	6,574
South Dakota	South Dakota RMP (2015)	Fossil Cycad	ACEC					Yes	9/21/2015	320	320
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Bridger Fossil Area ACEC	ACEC			NNL		Yes	9/21/2015	577	577
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Castle Butte ACEC	ACEC					Yes	9/21/2015	184	184
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	East Pryor ACEC	ACEC			NNL	Wild Horse Range, WSA, Natural Area, National Register District	Yes	9/21/2015	11,122	11,122

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Four Dances Natural Area ACEC	ACEC					Yes	9/21/2015	784	784
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Grove Creek ACEC	ACEC					Yes	9/21/2015	8,251	8,251
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Meeteetse Spires ACEC	ACEC					Yes	9/21/2015	1,523	1,523
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Petroglyph Canyon ACEC	ACEC					Yes	9/21/2015	240	240

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Pompeys Pillar ACEC	ACEC				National Monument, National Historic Landmark,	Yes	9/21/2015	432	432
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Pryor Foothills RNA ACEC	ACEC	RNA				Yes	9/21/2015	2,606	2,606
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Stark Site ACEC	ACEC					Yes	9/21/2015	799	799
Billings	Billings and Pompeys Pillar National Monument RMP (2015)	Weatherman Draw ACEC	ACEC					Yes	9/21/2015	12,277	12,277
Havre	HiLine RMP (2015)	Kevin Rim	ACEC				IBA	Yes	9/21/2015	4,657	4,557
Havre	HiLine RMP (2015)	Sweetgrass Hills	ACEC					Yes	9/21/2015	7,952	7,419

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Malta	HiLine RMP (2015)	Azure Cave	ACEC					Yes	9/21/2015	140	141
Malta	HiLine RMP (2015)	Big Bend of the Milk River	ACEC					Yes	9/21/2015	2,120	1,972
Glasgow	HiLine RMP (2015)	Bitter Creek	ACEC				WSA, IBA	Yes	9/21/2015	59,600	60,701
Glasgow	HiLine RMP (2015)	Mountain Plover	ACEC				IBA, SFA	Yes	9/21/2015	24,730	24,762
Malta	HiLine RMP (2015)	Prairie Dog Towns	Undesignated					No		12,346	
Malta & Glasgow	HiLine RMP (2015)	Frenchman Breaks	ACEC					Yes	9/21/2015	42,020	42,020
Malta	HiLine RMP (2015)	Malta Geologic	ACEC					Yes	9/21/2015	6,153	6,153
Havre & Malta	HiLine RMP (2015)	Woody Island	ACEC					Yes	9/21/2015	32,869	32,869
Malta	HiLine RMP (2015)	Zortman/Landusky Mine Reclamation	ACEC					Yes	9/21/2015	2,682	2,682
Miles City	Miles City RMP (2015)	Hell Creek	ACEC			NNL		Yes	9/21/2015	19,169	19,373
Miles City	Miles City RMP (2015)	Ash Creek Divide	ACEC					Yes	9/21/2015	7,931	7,921
Miles City	Miles City RMP (2015)	Battle Butte	ACEC					Yes	9/21/2015	121	320

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Miles City	Miles City RMP (2015)	Big Sheep Mountain	ACEC					Yes	9/21/2015	360	363
Miles City	Miles City RMP (2015)	Black-footed Ferret	Undesignated					No		11,221	
Miles City	Miles City RMP (2015)	Bug Creek	ACEC					Yes	9/21/2015	3,840	3,837
Miles City	Miles City RMP (2015)	Finger Butte	ACEC					Yes	9/21/2015	1,520	1,520
Miles City	Miles City RMP (2015)	Hoe	ACEC					Yes	9/21/2015	144	145
Miles City	Miles City RMP (2015)	Howrey Island	Undesignated					No		321	
Miles City	Miles City RMP (2015)	Jordan Bison Kill	ACEC					Yes	9/21/2015	160	160
Miles City	Miles City RMP (2015)	Piping Plover	Undesignated					No		15	
Miles City	Miles City RMP (2015)	Powder River Depot	ACEC					Yes	9/21/2015	1,386	1,401
Miles City	Miles City RMP (2015)	Reynolds Battlefield	ACEC					Yes	9/21/2015	324	922
Miles City	Miles City RMP (2015)	Sand Arroyo	ACEC					Yes	9/21/2015	9,056	9,052
Miles City	Miles City RMP (2015)	Seline	ACEC					Yes	9/21/2015	80	80

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Miles City	Miles City RMP (2015)	Smoky Butte	ACEC					Yes	9/21/2015	80	40
Miles City	Miles City RMP (2015)	Cedar Creek Battlefield	ACEC					Yes	9/21/2015	1,022	1,022
Miles City	Miles City RMP (2015)	Flat Creek	ACEC					Yes	9/21/2015	339	339
Miles City	Miles City RMP (2015)	Powderville	ACEC					Yes	9/21/2015	9,518	9,518
Miles City	Miles City RMP (2015)	Long Medicine Wheel	ACEC					Yes	9/21/2015	179	179
Miles City	Miles City RMP (2015)	Walstein	ACEC					Yes	9/21/2015	1,519	1,519
Butte	Butte RMP (2009)	Elkhorn Mountains	ACEC					Yes	4/20/2009	50,431	50,431
Butte	Butte RMP (2009)	Humbug Spires	ACEC					Yes	4/20/2009	8,374	8,374
Butte	Butte RMP (2009)	Ringing Rocks	ACEC					Yes	4/20/2009	160	160
Butte	Butte RMP (2009)	Sleeping Giant	ACEC					Yes	4/20/2009	11,679	11,679
Dillon	Dillon RMP (2006)	Beaverhead Rock	ACEC					Yes	2/7/2006	120	120
Dillon	Dillon RMP (2006)	Block Mountain	ACEC					Yes	2/7/2006	8,661	8,661

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Dillon	Dillon RMP (2006)	Blue Lake	ACEC					Yes	2/7/2006	430	430
Dillon	Dillon RMP (2006)	Centennial Mountains	ACEC					Yes	2/7/2006	40,715	40,715
Dillon	Dillon RMP (2006)	Centennial Sandhills	ACEC					Yes	2/7/2006	1,040	1,040
Dillon	Dillon RMP (2006)	Everson Creek	ACEC					Yes	2/7/2006	8,608	8,608
Dillon	Dillon RMP (2006)	Muddy Creek/Big Sheep Creek	ACEC					Yes	2/7/2006	13,097	13,097
Dillon	Dillon RMP (2006)	Virginia City Historic District	ACEC					Yes	2/7/2006	513	513
Missoula	Garnet RMPA (1994)	Bear Creek Flats	ACEC					Yes	2/2/1994	564	564
Missoula	Garnet RMPA (1994)	Phil Wright Rock	ACEC					Yes	2/2/1994	640	640
Missoula	Garnet RMP (1986)	Rattler Gulch Limestone Cliffs	ACEC					Yes	1/10/1986	20	20
Lewistown	Judith- Valley- Phillips RMP (1994)	Square Butte ONA	ACEC		ONA	NNL	WSA & Watchable Wildlife Program	Yes	9/9/1994	1,947	1,947
Lewistown	Judith- Valley- Phillips RMP (1994)	Acid Shale-Pine Forest	ACEC	RNA				Yes	9/9/1994	2,463	2,463

Montana -Dakotas Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Lewistown	Judith- Valley- Phillips RMP (1994)	Collar Gulch	ACEC				RMA	Yes	9/9/1994	1,618	1,618
UMRBNM	UMRBNM RMP (2009)	Cow Creek	ACEC				WSA; Nez Perce National Historic Trail (administered by the USFS)	Yes	12/4/2008	14,270	14,270
Lewistown	Judith- Valley- Phillips RMP (1994)	Judith Mountains Scenic Area	ACEC				RMA	Yes	9/9/1994	3,702	3,702

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	2003 Farmington RMP	Adams Canyon	ACEC				Yes	9/29/2003	129	120
Las Cruces	1993 Mimbres RMP	Aden Lava Flow RNA		RNA			Yes	5/25/1978	3,745	4,054
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Ah-shi-sle-pah Road	ACEC				Yes	12/28/1998	666	668
Las Cruces	1993 Mimbres RMP	Alamo Hueco Mountains	ACEC				Yes	4/30/1993	13,072	13,020
Las Cruces	1997 Otero County ACEC RMPA	Alamo Mountain	ACEC				Yes	12/19/1997	2,530	6,218
Farmington	2003 Farmington RMP	Albert Mesa ACEC	ACEC				Yes	9/29/2003	175	177
Las Cruces	1997 Otero County ACEC RMPA	Alkali Lakes	ACEC				Yes	12/19/1997	6,353	6,359
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Andrews Ranch	ACEC				Yes	12/28/1998	953	640
Farmington	1988 Farmington RMP	Angel Peak	ACEC				Yes	6/10/1988	248	248

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Las Cruces	1993 Mimbres RMP	Antelope Pass RNA		RNA			Yes	4/30/1993	8,651	8,710
Las Cruces	1993 Mimbres RMP	Apache Box	ACEC				Yes	4/30/1993	2,628	2,630
Farmington	1988 Farmington RMP	Bald Eagle	ACEC				Yes	6/10/1988	4,242	4,141
Rio Puerco	1986 Rio Puerco RMP	Ball Ranch	ACEC				Yes	1/16/1986	1,478	1,278
Las Cruces	1993 Mimbres RMP	Bear Creek	ACEC				Yes	4/30/1993	1,483	1,480
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Bee Burrow	ACEC				Yes	12/28/1998	488	480
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Bi Yaazh	ACEC				Yes	12/28/1998	75	65
Las Cruces	1993 Mimbres RMP	Big Hatchet Mountains	ACEC				Yes	4/30/1993	27,357	29,180
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Bis sa'ani	ACEC				Yes	12/28/1998	118	188

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Las Cruces	1990 McGregor Range RMPA	Black Grama Grassland	ACEC				Yes	2/1/1990	3,558	7,274
Taos	1998 Taos RMP	Black Mesa	Undesignated				No	7/26/1988		-
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Blanco Mesa	ACEC				Yes	12/28/1998	736	740
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Blanco Star Panel	ACEC				Yes	12/28/1998	20	20
Carlsbad	1988 Carlsbad RMP	Blue Springs	ACEC				Yes	9/30/1988	445	160
Rio Puerco	1986 Rio Puerco RMP	Bluewater Canyon	ACEC				Yes	10/20/1983	50	89
Roswell	1997 Roswell RMP	Border Hills Structural Zone			NNL		Yes	12/19/1997		150
Rio Puerco	1986 Rio Puerco RMP	Cabazon Peak	ACEC				Yes	1/16/1986	5,964	5,765
Farmington	2003 Farmington RMP	Cagle's Site	ACEC				Yes	9/29/2003	44	40
Rio Puerco	1986 Rio Puerco RMP	Canon Tapia	ACEC				Yes	1/16/1986	990	1,093

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	2003 Farmington RMP	Canyon View Ruin	ACEC				Yes	9/29/2003	39	40
Farmington	2003 Farmington RMP	Casa del Rio	ACEC				Yes	9/29/2003	42	42
Farmington	2003 Farmington RMP	Casamero Community	ACEC				Yes	9/29/2003	157	153
Farmington	2003 Farmington RMP	Cedar Hill	ACEC				Yes	9/29/2003	1,937	1,886
Las Cruces	1993 Mimbres RMP	Central Peloncillo	ACEC				Yes	4/30/1993	12,302	12,750
Socorro	2010 Socorro RMP	Cerro Pomo SMA	ACEC			SMA	Yes	8/20/2010	34,878	28,248
Farmington	1988 Farmington RMP	Chacra Mesa Complex	ACEC				Yes	6/10/1988	22,189	22,065
Taos	2012 Taos RMP	Chama Canyons	ACEC				Yes	5/24/2012	9,611	8,183
Farmington	1998 Farmington Cultural Resource	Cho'li'i [Gobernador Knob]	ACEC				Yes	12/28/1998	360	360
	ACEC RMPA									
Carlsbad	1988 Carlsbad RMP	Chosa Draw Cave Complex	ACEC				Yes	9/30/1988	2,838	2,200
Farmington	1988 Farmington RMP	Christmas Tree Ruin	ACEC				Yes	6/10/1988	40	122

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Church Rock Outlier	ACEC				Yes	12/28/1998	160	160
Las Cruces	1993 Mimbres RMP	Cooke's Range	ACEC				Yes	4/30/1993	17,547	34,694
Taos	2000 Rio Grande Corridor Plan	Copper Hill	ACEC				No	1/4/2000	21,911	17,200
Las Cruces	1997 Otero County ACEC RMPA	Cornudas Mountain	ACEC				Yes	12/19/1997	853	850
Farmington	2003 Farmington RMP	Cottonwood Divide	ACEC				Yes	9/29/2003	62	60
Las Cruces	1993 Mimbres RMP	Cowboy Spring	ACEC				Yes	4/30/1993	6,691	6,740
Farmington	1988 Farmington RMP	Crow Canyon	ACEC				Yes	6/10/1988	7,778	7,795
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Crownpoint Steps and Herradura	ACEC				Yes	12/28/1998	596	588
Carlsbad	1988 Carlsbad RMP	Dark Canyon	ACEC				Yes	9/30/1988	1,526	1,480

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Deer House	ACEC				Yes	12/28/1998	420	361
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Delgadita/Pueblo Canyons	ACEC				Yes	12/28/1998	351	361
Farmington	2003 Farmington RMP	Devil's Spring Mesa	ACEC				Yes	9/29/2003	657	660
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Dogie Canyon School	ACEC				Yes	12/28/1998	8	7
Las Cruces	1993 Mimbres RMP	Dona Ana Mountains	ACEC				Yes	4/30/1993	1,428	1,490
Carlsbad	1988 Carlsbad RMP	Dry Cave RNA		RNA			Yes	9/30/1988	1,428	420
Farmington	2003 Farmington RMP	Dzil'na'oodlii (Huerfano Mesa)	ACEC				Yes	9/29/2003	3,683	3,702
Farmington	2003 Farmington RMP	East side Rincon	ACEC				Yes	9/29/2003	203	195
Rio Puerco	1986 Rio Puerco RMP	Elk Springs	ACEC				Yes	1/16/1986	10,335	12,485

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Encierro Canyon	ACEC				Yes	12/28/1998	74	80
Farmington	2003 Farmington RMP	Encinada Mesa-Carrizo Canyon	ACEC				Yes	9/29/2003	3,470	3,490
Las Cruces	1990 McGregor Range RMPA	Escondida Site	ACEC				Yes	5/30/2006		220
Farmington	2003 Farmington RMP	Farmer's Arroyo	ACEC				Yes	9/29/2003	39	40
Las Cruces	1993 Mimbres RMP	Florida Mountains	ACEC				Yes	4/30/1993	15,591	15,660
Roswell	1997 Roswell RMP	Fort Stanton	ACEC				Yes	10/10/1997	40	24,630
Roswell	1997 Roswell RMP	Fort Stanton Cave			NNL		Yes	12/19/1997	7,620	985
Farmington	2003 Farmington RMP	Fossil Forest RNA		RNA			Yes	11/18/1985	2,799	2,796
Farmington	2003 Farmington RMP	Four Ye'i	ACEC				Yes	12/28/1998	40	40
Farmington	1988 Farmington RMP	Frances Mesa	ACEC				Yes	6/10/1988	7,620	7,657
Taos	2012 Taos RMP	Galisteo Basin	ACEC				Yes	5/24/2012		450

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Las Cruces	1993 Mimbres RMP	Gila Lower Box	ACEC				Yes	4/30/1993	6,257	6,490
Las Cruces	1993 Mimbres RMP	Gila Middle Box	ACEC				Yes	4/30/1993	841	840
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Gonzales Canyon - Senon S. Vigil	ACEC				Yes	12/28/1998	36	36
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Gould Pass Camp	ACEC				Yes	12/28/1998	38	34
Las Cruces	1993 Mimbres RMP	Granite Gap	ACEC				Yes	4/30/1993	1,727	1,750
Rio Puerco	2001 El Malpias RMP	Grants Lava Flow			NNL	National Monument\NNL	Yes	9/26/2001		117678
Las Cruces	1993 Mimbres RMP	Guadalupe Canyon	ACEC				Yes	4/30/1993	4,154	4,170
Farmington	2003 Farmington RMP	Greenlee Ruin Chaco Culture Archeological Protection Site	ACEC				Yes	9/29/2003	60	60
Farmington	1988 Farmington RMP	Halfway House	ACEC				Yes	6/10/1988	40	40

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	2003 Farmington RMP	Haynes Trading Post	ACEC				Yes	9/29/2003	36	43
Farmington	1988 Farmington RMP	Hogback	ACEC				Yes	6/10/1988	10,329	18,752
Farmington	2003 Farmington RMP	Holmes Group	ACEC				Yes	9/29/2003	93	94
Socorro	2010 Socorro RMP	Horse Mountain	ACEC				Yes	1/29/1989	5,334	7,490
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Hummingbird	ACEC				Yes	12/28/1998	41	40
Farmington	2003 Farmington RMP	Hummingbird Canyon	ACEC				Yes	9/29/2003	130	130
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Indian Creek	ACEC				Yes	12/28/1998	101	99
Farmington	2003 Farmington RMP	Jacques Chacoan Community Archeological Protection Site	ACEC				Yes	9/29/2003	31	24
Rio Puerco	1986 Rio Puerco RMP	Jones Canyon	ACEC				Yes	1/16/1986	639	649

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Rio Puerco	1986 Rio Puerco RMP	Juana Lopez RNA (Elk Springs SMA)		RNA			Yes	1/16/1986		80
Farmington	1998 Farmington Cultural Resource	Kachina Mask	ACEC				Yes	12/28/1998	226	202
	ACEC RMPA									
Las Cruces	1993 Mimbres RMP	Kilbourne Hole			NNL		Yes			5,760
Farmington	2003 Farmington RMP	Kin Nizhoni	ACEC				Yes	9/29/2003	915	781
Farmington	2003 Farmington RMP	Kin Yazhi (Little House)	ACEC				Yes	9/29/2003	40	40
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Kiva	ACEC				Yes	12/28/1998	90	103
Taos		La Cienega	ACEC				Yes	12/1/1992	15,131	13,390
Farmington	2003 Farmington RMP	La Jara	ACEC				Yes	9/29/2003	1,757	1,769
Socorro	2010 Socorro RMP	Ladron Mountain	ACEC				Yes	1/29/1989	60,439	57,195
Farmington	2003 Farmington RMP	Lake Valley Chaco Culture Archeological Protection Site	ACEC				Yes	9/29/2003	28	28

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Largo Canyon Star Ceiling	ACEC				Yes	12/28/1998	25	28
Roswell	2008 Special Status Species RMPA, Pecos District	Lesser Prairie Chicken Habitat Reserve	ACEC				Yes	4/30/2008	57,564	43,585
Carlsbad	1988 Carlsbad RMP	Lonesome Ridge	ACEC				Yes	9/30/1988	2,983	2,990
Las Cruces	1993 Mimbres RMP	Lordsburg Playa RNA		RNA			Yes	4/30/1993		4,510
Las Cruces	1993 Mimbres RMP	Los Tules	ACEC				Yes	4/30/1993	24	20
Taos	2000 Rio Grande Corridor Plan	Lower Gorge	ACEC				Yes	1/4/2000	909	21,190
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Margarita Martinez Homestead	ACEC				Yes	12/28/1998	10	10

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Martin Apodaco Homestead	ACEC				Yes	12/28/1998	90	92
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Martinez Canyon	ACEC				Yes	12/28/1998	51	50
Roswell	1997 Roswell RMP	Mathers Research Natural Area		RNA	NNL		Yes	12/19/1997		242
Roswell	1997 Roswell RMP	Mescalero Sands	ACEC				Yes	10/10/1997	7,873	10,007
Roswell	1997 Roswell RMP	Mescalero Sands South Dune			NNL		Yes			2,671
Farmington	2003 Farmington RMP	Mexican Spotted Owl	ACEC				Yes	9/29/2003	2,755	2,758
Socorro	2010 Socorro RMP	Mockingbird Gap	ACEC				Yes	8/20/2010	12,143	8,685
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Morris 41	ACEC				Yes	12/28/1998	95	91
Farmington	2003 Farmington RMP	Moss Trail	ACEC				Yes	9/29/2003	28	28

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	2003 Farmington RMP	Muñoz Canyon	ACEC				Yes	9/29/2003	268	268
Roswell	1997 Roswell RMP	North Pecos River	ACEC				Yes	10/10/1997	6,477	6,400
Farmington	1998 Farmington Cultural Resource ACEC RMPA	North Road	ACEC				Yes	12/28/1998	6,454	6,177
Las Cruces	1993 Mimbres RMP	Northern Peloncillo Mountains	ACEC				Yes	4/30/1993	781	760
Rio Puerco	1986 Rio Puerco RMP	Ojito	ACEC				Yes	1/16/1986	16,312	13,657
Taos	1988 Taos RMP	Ojo Caliente	ACEC				Yes	7/26/1988	101,226	66,150
Las Cruces	1993 Mimbres RMP	Old Town	ACEC				Yes	4/30/1993	322	320
Las Cruces	1993 Mimbres RMP	Organ Mountain/Franklin Mountains	ACEC				Yes	4/30/1993	58,512	56,480
Roswell	1997 Roswell RMP	Overflow Wetlands	ACEC				Yes	10/10/1997	6,637	9,819
Las Cruces	1993 Mimbres RMP	Paleozoic Trackways RNA		RNA			Yes	4/30/1993		720
Carlsbad	1988 Carlsbad RMP	Pecos River Complex	ACEC				Yes	9/30/1988	6,620	5,190

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Carlsbad	1988 Carlsbad RMP	Pecos River/Canyon Complex RNA		RNA			Yes	9/30/1988	2,412	2,320
Socorro	2010 Socorro RMP	Pelona Mountain	ACEC				Yes	7/28/2010	43,779	51,091
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Pierre's Site	ACEC				Yes	6/10/1988	443	420
Farmington	2003 Farmington RMP	Pointed Butte	ACEC				Yes	9/29/2003	102	90
Farmington	2003 Farmington RMP	Pork Chop Pass	ACEC				Yes	9/29/2003	42	44
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Pregnant Basketmaker	ACEC				Yes	12/28/1998	8	8
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Pretty Woman	ACEC				Yes	12/28/1998	84	84
Farmington	2003 Farmington RMP	Prieta Mesa	ACEC				Yes	9/29/2003	40	31
Rio Puerco	1986 Rio Puerco RMP	Pronoun Cave Complex	ACEC				Yes	1/16/1986	1,181	1,194

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Taos	2012 Taos RMP	Pueblos	ACEC				Yes	5/24/2012		240
Farmington	1988 Farmington RMP	Reese Canyon RNA		RNA			Yes	6/10/1988	1,157	2,200
Las Cruces	1993 Mimbres RMP	Rincon	ACEC				Yes	4/30/1993	856	840
Farmington	2003 Farmington RMP	Rincon Largo District	ACEC				Yes	9/29/2003	487	490
Farmington	2003 Farmington RMP	Rincon Rockshelter	ACEC				Yes	9/29/2003	342	324
Farmington	2003 Farmington RMP	River Tracts	ACEC				Yes	9/29/2003	2,151	2,572
Las Cruces	1993 Mimbres RMP	Robledo Mountains	ACEC				Yes	4/30/1993	8,660	9,190
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Rock House-Nestor Martin Homestead	ACEC				Yes	12/28/1998	38	51
Roswell	1997 Roswell RMP	Roswell Cave Complex	ACEC				Yes	10/10/1997	37,689	16,814
Taos		Sabinoso	ACEC				Yes	5/24/2012	32,128	19,780
Las Cruces	1997 Otero County ACEC RMPA	Sacramento Escarpment	ACEC				Yes	12/19/1997	5,425	9,836

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Farmington	1988 Farmington RMP	Ashii Na'a'a' (Salt Point)	ACEC				Yes	6/10/1988	650	640
Las Cruces	1993 Mimbres RMP	San Diego Mountains	ACEC				Yes	4/30/1993	622	640
Rio Puerco	1986 Rio Puerco RMP	San Louis Mesa Raptor Area	ACEC				Yes	1/16/1986	10,481	10,447
Farmington	1988 Farmington RMP	San Rafael Canyon	ACEC				Yes	6/10/1988	5,687	5,668
Taos	2012 Taos RMP	Santa Fe Ranch	ACEC				Yes	5/24/2012	22,746	21,030
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Santos Peak	ACEC				Yes	12/28/1998	132	128
Socorro	2010 Socorro RMP	Sawtooth	ACEC				Yes	1/29/1989	125	125
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Shield Bearer	ACEC				Yes	12/28/1998	35	40
Farmington	2003 Farmington RMP	Simon Canyon	ACEC				Yes	7/8/1980	3,959	3,928
Farmington	2003 Farmington RMP	Simon Ruin	ACEC				Yes	9/29/2003	48	60
Taos	1988 Taos RMP	Sombrillo	ACEC				Yes	7/26/1988	18,078	18,080

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Carlsbad	1988 Carlsbad RMP	South Texas Hills RNA		RNA			Yes	9/30/1988	1,724	1,360
Farmington	2003 Farmington RMP	Star Rock	ACEC				Yes	9/29/2003	61	60
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Star Spring-Jesus Canyon ACEC	ACEC				Yes	12/28/1998	397	393
Farmington	2003 Farmington RMP	String House	ACEC				Yes	9/29/2003	60	60
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Superior Mesa Community	ACEC				Yes	12/28/1998	6,023	6,066
Taos	2012 Taos RMP	Taos Plateau	ACEC			National Monument	Yes	5/24/2012	22,746	222,500
Farmington	1988 Farmington RMP	Tapacito & Split Rock District	ACEC				Yes	6/10/1988	310	302
Rio Puerco	2007 Kasha-Katuwe Tent Rocks RMP	Kasha-Katuwe Tent Rocks	ACEC			National Monument/ACEC	Yes	5/25/2007	4,562	5,402

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Las Cruces	1997 Otero County ACEC RMPA	Three Rivers Petroglyph Site	ACEC				Yes	12/19/1997	1,043	1,036
Socorro	2010 Socorro RMP	Tinajas	ACEC				No	1/29/1989		3,463
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Toh-la-kai	ACEC				Yes	12/28/1998	13	10
Roswell	1997 Roswell RMP	Torgac Cave			NNL		Yes			120
Rio Puerco	1986 Rio Puerco RMP	Torrejon Fossil Fauna (East Unit)	ACEC				Yes	1/16/1986	2,840	2,842
Rio Puerco	1986 Rio Puerco RMP	Torrejon Fossil Fauna (West Unit)	ACEC				Yes	1/16/1986	3,646	3,660
Farmington	2003 Farmington RMP	Truby's Tower	ACEC				Yes	9/29/2003	161	160
Farmington	1988 Farmington RMP	Twin Angels	ACEC				Yes	6/10/1988	365	358
Farmington	1998 Farmington Cultural Resource ACEC RMPA	Upper Kin Klizhin	ACEC				Yes	12/28/1998	62	60
Las Cruces	1993 Mimbres RMP	Uvas Valley	ACEC				Yes	4/30/1993	1,598	1,570

New Mexico Field Office	RMP	Description (Name)	ACEC	RNA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Las Cruces	1997 Otero County ACEC RMPA	Wind Mountain	ACEC				Yes	12/19/1997	2,310	2,308
Carlsbad	1988 Carlsbad RMP	Yeso Hills RNA		RNA			Yes	9/30/1988	553	560
Socorro	2010 Socorro RMP	Zuni Salt Lake	ACEC				Yes	8/20/2010	169,491	46,746
Taos	2012 Taos RMP	La Cienega	ACEC				Yes	5/24/2012	15,131	13,390
Taos	2012 Taos RMP	Sabinoso	ACEC				Yes	5/24/2012	32,127	19,780
Socorro	2010 Socorro RMP	Agua Fria	ACEC				Yes	8/20/2010	10,797	9,571

Nevada Field Office	RMP	Description (Name)	ACEC	NNL	Current	Date Designated	GIS Acres
Tonopah		Lunar Craters Volcanic Field		NNL	Yes		2,560
Las Vegas		Amargosa Mesquite	ACEC		Yes	10/5/1998	6,785
Las Vegas		Arden Historic Sites	ACEC		Yes	10/5/1998	1,442
Las Vegas		Arrow Canyon	ACEC		Yes	10/5/1998	2,070
Las Vegas		Ash Meadows	ACEC		Yes	10/5/1998	27,673
Ely		Baker Archaeological site	ACEC		Yes	8/20/2008	80
Ely		Baking Powder Flat	ACEC		Yes	8/20/2008	13,640

Ely		Beaver Dam Slope	ACEC		Yes	9/19/2000	36,800
Las Vegas		Big Dune	ACEC		Yes	10/5/1998	1,916
Ely		Blue Mass Scenic Area	ACEC		Yes	8/20/2008	950
Carson City		Carson Wandering Skipper	ACEC		Yes	1/9/2001	243
Ely		Condor Canyon	ACEC		Yes	8/20/2008	4,500
Las Vegas		Coyote Springs	ACEC		Yes	10/5/1998	51,527
Las Vegas		Crescent Townsite	ACEC		Yes	10/5/1998	437
Las Vegas		Devil's Throat	ACEC		Yes	10/5/1998	640
Las Vegas		Gold Butte Part A	ACEC		Yes	10/5/1998	185,128
Las Vegas		Gold Butte Part B	ACEC		Yes	10/5/1998	122,540
Las Vegas		Gold Butte Part C/Virgin Mountains	ACEC		Yes	10/5/1998	35,706
Las Vegas		Gold Butte Townsites	ACEC		Yes	10/5/1998	160
Las Vegas		Hidden Valley	ACEC		Yes	10/5/1998	3,356
Black Rock		High Rock Canyon	ACEC		Yes	7/20/2004	5,661
Ely		Highland Range	ACEC		Yes	8/20/2008	6,900
Ely		Honeymoon Hill/City of the Rocks	ACEC		Yes	8/20/2008	3,900
Carson City		Incandescent Rocks	ACEC		Yes	1/30/1984	1,072
Las Vegas		Ivanpah	ACEC		Yes	3/20/2014	31,857
Ely		Kane Springs	ACEC		Yes	9/19/2000	57,190
Las Vegas		Keyhole Canyon	ACEC		Yes	10/5/1998	240
Ely		Lower Meadow Valley Wash	ACEC		Yes	8/20/2008	25,000

Ely		Mormon Mesa	ACEC		Yes	9/19/2000	109,680
Las Vegas		Mormon Mesa	ACEC		Yes	10/5/1998	149,254
Ely		Mount Irish	ACEC		Yes	8/20/2008	15,100
Winnemucca		Osgood Mountains Milkvetch	ACEC		Yes	8/6/1982	60
Carson City		Pah Rah High Basin Petroglyph District	ACEC		Yes	1/9/2001	3,881
Ely		Pahroc Rock Art	ACEC		Yes	8/20/2008	2,400
Las Vegas		Piute/Eldorado	ACEC		Yes	10/5/1998	328,235
Las Vegas		Rainbow Gardens	ACEC		Yes	10/5/1998	38,766
Las Vegas		Red Rock Springs	ACEC		Yes	10/5/1998	638
Las Vegas		River Mountains	ACEC		Yes	10/5/1998	11,029
Ely		Rose Guano Bat Cave	ACEC		Yes	8/20/2008	40
Elko		Salt Lake	ACEC		Yes	7/16/1985	6,037
Ely		Schlesser Pincushion	ACEC		Yes	8/20/2008	4,930
Ely		Shooting Gallery	ACEC		Yes	8/20/2008	15,600
Ely		Shoshone Ponds	ACEC		Yes	8/20/2008	1,240
Ely		Snake Creek Indian Burial Cave	ACEC		Yes	8/20/2008	40
Black Rock		Soldier Meadows	ACEC		Yes	7/15/2004	2,077
Carson City		Stewart Valley	ACEC		Yes	6/6/1986	16,000
Las Vegas		Stump Spring	ACEC		Yes	10/5/1998	646
Ely		Swamp Cedar	ACEC		Yes	8/20/2008	3,200
Las Vegas		Virgin River	ACEC		Yes	10/5/1998	6,186

Carson City		Virginia Range Williams Combleaf Habitat	ACEC		Yes	1/9/2001	473
Ely		White River Valley	ACEC		Yes	8/20/2008	13,100
Las Vegas		Whitney Pocket	ACEC		Yes	10/5/1998	160
Winnemucca		Pine Forest	ACEC		Yes	5/21/2015	16,431
Winnemucca		Raised Bog Area	ACEC		Yes	5/21/2015	42
Winnemucca		Stillwater Range	ACEC		Yes	5/21/2015	55,322

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Medford	Medford District RMP 1995	Round Top Butte	ACEC	RNA		NNL		Yes	4/14/1995	606
Prineville	Upper Deschutes Resource Area RMP 2005	Horse Ridge	ACEC	RNA		NNL		Yes	9/1/2005	609
Prineville	Two Rivers Resource Area RMP 1986	The Island	ACEC	RNA		NNL		Yes	6/6/1986	199
Spokane		Grand Coulee				NNL		Yes		1,050
Spokane		Grande Ronde Goosenecks				NNL		Yes		1,304
Spokane		Sims Corner Eskers and Kames				NNL		Yes		80
Spokane		Umtanum Ridge Water Gap				NNL		Yes		200
Spokane		Withrow Moraine and Jameson Lake Drimin Field				NNL		Yes		3,240
Burns	Andrews Management Unit RMP 2005	Alvord Desert	ACEC					Yes	7/15/2005	21,632
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Big Alvord Creek	ACEC	RNA				Yes	8/1/2005	1,676
Burns	Three Rivers Resource Area RMP 1992	Biscuitroot Cultural	ACEC				NATV Native Amercian Cultural Collection Area	Yes	8/5/1992	6,515
Burns	Andrews Management Unit RMP 2005	Borax Lake	ACEC					Yes	7/15/2005	600

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Burns	Three Rivers Resource Area RMP 1992	Diamond Craters	ACEC		ONA			Yes	8/5/1992	17,029
Burns	Three Rivers Resource Area RMP 1992	Dry Mountain	ACEC	RNA				Yes	8/5/1992	2,131
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	East Fork Trout Creek	ACEC	RNA				Yes	8/1/2005	361
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	East Kiger Plateau	ACEC	RNA				Yes	7/15/2005	1,216
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Fir Groves	ACEC					Yes	8/1/2005	477
Burns	Three Rivers Resource Area RMP 1992	Foster Flat	ACEC	RNA				Yes	8/5/1992	2,688
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Kiger Mustang	ACEC					Yes	7/15/2005	55,536
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Little Blitzen	ACEC	RNA				Yes	7/15/2005	2,254

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Little Wildhorse Lake	ACEC	RNA				Yes	7/15/2005	241
Burns	Andrews Management Unit RMP 2005	Long Draw	ACEC	RNA				Yes	7/15/2005	441
Burns	Andrews Management Unit RMP 2005	Mickey Basin	ACEC	RNA				Yes	6/30/1983	560
Burns	Andrews Management Unit RMP 2005	Mickey Hot Springs	ACEC					Yes	8/1/2005	42
Burns	Andrews Management Unit RMP 2005	Pueblo Foothills	ACEC	RNA				Yes	7/15/2005	2,423
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Rooster Comb	ACEC	RNA				Yes	7/15/2005	683
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	Serrano Point	ACEC	RNA				Yes	8/1/2005	679
Burns	Three Rivers Resource Area RMP 1992	Silver Creek	ACEC	RNA				Yes	8/5/1992	1,935
Burns	Steens Mountain Cooperative Management and Protection Area RMP 2005	South Fork Willow Creek	ACEC	RNA				Yes	7/15/2005	186

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Burns	Three Rivers Resource Area RMP 1992	South Narrows	ACEC					Yes	8/5/1992	161
Burns	Andrews Management Unit RMP 2005	Tum Tum Lake	ACEC	RNA				Yes	7/15/2005	1,694
Coos Bay	Coosbay District RMP 1995	Cherry Creek	ACEC	RNA				Yes	5/8/1995	579
Coos Bay	Coosbay District RMP 1995	China Wall	ACEC					Yes	5/8/1995	304
Coos Bay	Coosbay District RMP 1995	Hunter Creek Bog	ACEC					Yes	5/8/1995	721
Coos Bay	Coosbay District RMP 1995	New River	ACEC					Yes	5/8/1995	1,135
Coos Bay	Coosbay District RMP 1995	North Fork Chetco River	ACEC					Yes	5/8/1995	604
Coos Bay	Coosbay District RMP 1995	North Fork Coquille River	ACEC					Yes	5/8/1995	311
Coos Bay	Coosbay District RMP 1995	North Fork Hunter Creek	ACEC					Yes	5/8/1995	1,924
Coos Bay	Coosbay District RMP 1995	North Spit	ACEC					Yes	5/8/1995	709
Coos Bay	Coosbay District RMP 1995	Tioga Creek	ACEC					Yes	5/8/1995	42
Coos Bay	Coosbay District RMP 1995	Upper Rock Creek	ACEC					Yes	5/8/1995	472
Coos Bay	Coosbay District RMP 1995	Wassen Creek	ACEC					Yes	5/8/1995	3,395
Eugene	Eugene District RMP 1995	Camas Swale	ACEC	RNA				Yes	5/22/1995	315
Eugene	Eugene District RMP 1995	Coburg Hills Relict Forest Island	ACEC					Yes	5/22/1995	796
Eugene	Eugene District RMP 1995	Cottage Grove Lake Relict Forest Island	ACEC					Yes	5/22/1995	55

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Eugene	Eugene District RMP 1995	Cougar Mountain Yew Grove	ACEC					Yes	5/22/1995	10
Eugene	Eugene District RMP 1995	Dorena Lake Relict Forest Island	ACEC					Yes	5/22/1995	18
Eugene	Eugene District RMP 1995	Fox Hollow	ACEC	RNA				Yes	5/22/1995	161
Eugene	Eugene District RMP 1995	Grassy Mountain	ACEC					Yes	5/22/1995	73
Eugene	Eugene District RMP 1995	Heceta Sand Dunes	ACEC		ONA			Yes	5/22/1995	210
Eugene	Eugene District RMP 1995	Horse Rock Ridge	ACEC	RNA				Yes	5/22/1995	378
Eugene	Eugene District RMP 1995	Hult Marsh	ACEC					Yes	5/22/1995	167
Eugene	Eugene District RMP 1995	Lake Creek Falls	ACEC					Yes	5/22/1995	54
Eugene	Eugene District RMP 1995	Long Tom	ACEC					Yes	5/22/1995	8
Eugene	Eugene District RMP 1995	Mohawk	ACEC	RNA				Yes	5/22/1995	289
Eugene	Eugene District RMP 1995	Upper Elk Meadows	ACEC	RNA				Yes	5/22/1995	214
Lakeview	Lakeview Resource Area RMP 2003	Abert Rim	ACEC					Yes	11/14/2003	18,049
Lakeview	Lakeview Resource Area RMP 2003	Black Hills	ACEC	RNA				Yes	11/14/2003	3,048
Lakeview	Lakeview Resource Area RMP 2003	Connley Hills	ACEC	RNA				Yes	11/14/2003	3,599
Lakeview	Lakeview Resource Area RMP 2003	Devils Garden Lava Beds	ACEC					Yes	11/14/2003	28,241

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Lakeview	Lakeview Resource Area RMP 2003	Fish Creek Rim	ACEC	RNA				Yes	11/14/2003	8,725
Lakeview	Lakeview Resource Area RMP 2003	Foley Lake	ACEC	RNA				Yes	11/14/2003	2,230
Lakeview	Lakeview Resource Area RMP 2003	Guano Creek/Sink Lakes	ACEC	RNA				Yes	11/14/2003	11,199
Lakeview	Lakeview Resource Area RMP 2003	Hawksie-Walksie	ACEC	RNA				Yes	11/14/2003	17,330
Lakeview	Lakeview Resource Area RMP 2003	High Lakes	ACEC					Yes	11/14/2003	38,995
Lakeview	Lakeview Resource Area RMP 2003	Juniper Mountain	ACEC	RNA				Yes	11/14/2003	6,335
Lakeview	Lakeview Resource Area RMP 2003	Lake Abert	ACEC					Yes	11/14/2003	50,153
Lakeview	Lakeview Resource Area RMP 2003	Lost Forest	ACEC	RNA				Yes	11/14/2003	8,926
Lakeview	Lakeview Resource Area RMP 2003	Lost Forest/Sand Dunes/Fossil Lake	ACEC					Yes	11/14/2003	26,752
Lakeview	Klamath Falls Resource Area RMP 1995	Miller Creek	ACEC					Yes	6/2/1995	939
Lakeview	Klamath Falls Resource Area RMP 1995	Old Baldy	ACEC	RNA				Yes	6/2/1995	355
Lakeview	Lakeview Resource Area RMP 2003	Rahilly-Gravelly	ACEC	RNA				Yes	11/14/2003	18,694

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Lakeview	Lakeview Resource Area RMP 2003	Red Knoll	ACEC					Yes	11/14/2003	11,122
Lakeview	Lakeview Resource Area RMP 2003	Spanish Lake	ACEC	RNA				Yes	11/14/2003	4,699
Lakeview	Lakeview Resource Area RMP 2003	Table Rock	ACEC					Yes	11/14/2003	5,139
Lakeview	Klamath Falls Resource Area RMP 1995	Upper Klamath River	ACEC					Yes	6/2/1995	7,504
Lakeview	Lakeview Resource Area RMP 2003	Warner Wetlands	ACEC					Yes	11/14/2003	51,896
Lakeview	Klamath Falls Resource Area RMP 1995	Wood River Wetland	ACEC					Yes	11/21/1995	3,174
Lakeview	Klamath Falls Resource Area RMP 1995	Yainax Butte	ACEC					Yes	6/2/1995	706
Medford	Medford District RMP 1995	Baker Cypress	ACEC					Yes	4/14/1995	10
Medford	Medford District RMP 1995	Bobby Creek	ACEC	RNA				Yes	4/14/1995	1,914
Medford	Medford District RMP 1995	Brewer Spruce	ACEC	RNA				Yes	4/14/1995	1,704
Medford	Medford District RMP 1995	Crooks Creek	ACEC					Yes	4/14/1995	147
Medford	Medford District RMP 1995	Eight Dollar Mountain	ACEC					Yes	2/27/1987	1,250
Medford	Medford District RMP 1995	French Flat	ACEC					Yes	4/14/1995	652
Medford	Medford District RMP 1995	Greyback Glade	ACEC	RNA				Yes	4/14/1995	1,018

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Medford	Medford District RMP 1995	Hole-In-The-Rock	ACEC					Yes	4/14/1995	63
Medford	Medford District RMP 1995	Holton Creek	ACEC	RNA				Yes	4/14/1995	421
Medford	Medford District RMP 1995	Hoxie Creek	ACEC					Yes	4/14/1995	256
Medford	Medford District RMP 1995	Iron Creek	ACEC					Yes	4/14/1995	285
Medford	Medford District RMP 1995	King Mountain Rock Garden	ACEC					Yes	3/21/1986	67
Medford	Medford District RMP 1995	Lost Lake	ACEC	RNA				Yes	4/14/1995	386
Medford	Medford District RMP 1995	Moon Prairie	ACEC					Yes	4/14/1995	91
Medford	Medford District RMP 1995	North Fork Silver Creek	ACEC	RNA				Yes	4/14/1995	499
Medford	Medford District RMP 1995	Old Baldy	ACEC	RNA				Yes	4/14/1995	115
Medford	Medford District RMP 1995	Oregon Gulch	ACEC	RNA				Yes	4/14/1995	1,050
Medford	Medford District RMP 1995	Pipe Fork	ACEC	RNA				Yes	4/14/1995	516
Medford	Medford District RMP 1995	Poverty Flat	ACEC					Yes	4/14/1995	29
Medford	Medford District RMP 1995	Rough and Ready	ACEC					Yes	4/14/1995	1,189
Medford	Medford District RMP 1995	Scotch Creek	ACEC	RNA				Yes	4/14/1995	1,798
Medford	Medford District RMP 1995	Sterling Mine Ditch	ACEC					Yes	4/14/1995	143
Medford	Medford District RMP 1995	Table Rocks	ACEC		ONA			Yes	3/21/1986	1,003
Medford	Medford District RMP 1995	Table Rocks	ACEC					Yes	3/21/1986	240

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Medford	Medford District RMP 1995	Tin Cup	ACEC					Yes	4/14/1995	82
Medford	Medford District RMP 1995	Woodcock Bog	ACEC	RNA				Yes	4/14/1995	264
Prineville	John Day Basin RMP 2015	Armstrong Canyon	ACEC					Yes	4/1/2015	3,883
Prineville	Brothers/LaPine RMP 1989	Benjamin	ACEC	RNA				Yes	7/5/1989	637
Prineville	John Day Basin RMP 2015	Black Canyon RNA	ACEC	RNA				Yes	4/1/2015	6639
Prineville	John Day Basin RMP 2015	Ferry Canyon	ACEC					Yes	4/1/2015	2,364
Prineville	Brothers/LaPine RMP 1989	Forest Creeks	ACEC	RNA				Yes	7/5/1989	370
Prineville	John Day Basin RMP 2015	Horn Butte	ACEC					Yes	4/1/2015	7,152
Prineville	John Day Basin RMP 2015	John Day Paleontological	ACEC					Yes	4/1/2015	31,528
Prineville	Brothers/LaPine RMP 1989	Logan Butte	ACEC					Yes	7/5/1989	792
Prineville	Brothers/LaPine RMP 1989	North Fork Crooked River	ACEC					Yes	7/5/1989	6,892
Prineville	Upper Deschutes Resource Area RMP 2005	Peck's Milkvetch	ACEC					Yes	9/1/2005	14,120
Prineville	Upper Deschutes Resource Area RMP 2005	Powell Butte	ACEC	RNA				Yes	9/1/2005	510
Prineville	Brothers/LaPine RMP 1989	South Fork Crooked River	ACEC					Yes	7/5/1989	3,619

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Prineville	Undesignated John Day Basin RMP 2015, Originally designated under Two Rivers Resource Area RMP 1986	Spanish Gulch	ACEC					NO	6/6/1986	-
Prineville	Upper Deschutes Resource Area RMP 2005	Tumalo Canals	ACEC					Yes	9/1/2005	1,051
Prineville	Upper Deschutes Resource Area RMP 2005	Wagon Roads	ACEC					Yes	9/1/2005	1,016
Prineville	Brothers/LaPine RMP 1989	Winter Roost	ACEC					Yes	7/5/1989	336
Roseburg	Roseburg District RMP 1995	Bear Gulch	ACEC	RNA				Yes	6/2/1995	351
Roseburg	Roseburg District RMP 1995	Beatty Creek	ACEC	RNA				Yes	6/2/1995	867
Roseburg	Roseburg District RMP 1995	Bushnell-Irwin Rocks	ACEC	RNA				Yes	6/2/1995	1,089
Roseburg	Roseburg District RMP 1995	Myrtle Island	ACEC	RNA				Yes	6/2/1995	23
Roseburg	Roseburg District RMP 1995	North Bank	ACEC					Yes	6/2/1995	6,184
Roseburg	Roseburg District RMP 1995	North Myrtle Creek	ACEC	RNA				Yes	6/2/1995	453
Roseburg	Roseburg District RMP 1995	North Umpqua River	ACEC					Yes	6/2/1995	1,818
Roseburg	Roseburg District RMP 1995	Red Ponds	ACEC	RNA				Yes	6/2/1995	141
Roseburg	Roseburg District RMP 1995	Tater Hill	ACEC	RNA				Yes	6/2/1995	304
Roseburg	Roseburg District RMP 1995	Umpqua River Wildlife Area	ACEC					Yes	6/2/1995	931

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Salem	Salem District RMP 1995	Carolyn's Crown	ACEC	RNA				Yes	5/21/1995	264
Salem	Salem District RMP 1995	Crabtree/Schafer Creek	ACEC		ONA			Yes	5/12/1995	398
Salem	Salem District RMP 1995	Crabtree/Schafer Creek	ACEC	RNA				Yes	5/12/1995	574
Salem	Salem District RMP 1995	Elk Creek	ACEC					Yes	5/12/1995	1,717
Salem	Salem District RMP 1995	Forest Peak	ACEC	RNA				Yes	5/12/1995	146
Salem	Salem District RMP 1995	Grass Mountain	ACEC	RNA				Yes	5/12/1995	710
Salem	Salem District RMP 1995	High Peak-Moon Creek	ACEC	RNA				Yes	5/12/1995	1,500
Salem	Salem District RMP 1995	Little Grass Mountain	ACEC		ONA			Yes	5/12/1995	45
Salem	Salem District RMP 1995	Little Sink	ACEC	RNA				Yes	5/12/1995	80
Salem	Salem District RMP 1995	Lost Prairie	ACEC					Yes	5/12/1995	60
Salem	Salem District RMP 1995	Mary's Peak	ACEC		ONA			Yes	5/12/1995	111
Salem	Salem District RMP 1995	Middle Santiam Terrace	ACEC					Yes	5/12/1995	97
Salem	Salem District RMP 1995	Nestucca River	ACEC					Yes	5/12/1995	1,084
Salem	Salem District RMP 1995	North Santiam	ACEC					Yes	5/12/1995	15
Salem	Salem District RMP 1995	Rickreall Ridge	ACEC					Yes	5/12/1995	180
Salem	Salem District RMP 1995	Saddleback Mountain	ACEC	RNA				Yes	5/12/1995	154
Salem	Salem District RMP 1995	Sandy River Gorge	ACEC		ONA			Yes	5/12/1995	439

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Salem	Salem District RMP 1995	Sheridan Peak	ACEC					Yes	5/12/1995	303
Salem	Salem District RMP 1995	Soosap Meadows	ACEC					Yes	5/12/1995	343
Salem	Salem District RMP 1995	The Butte	ACEC	RNA				Yes	5/12/1995	41
Salem	Salem District RMP 1995	Valley of the Giants	ACEC		ONA			Yes	5/12/1995	55
Salem	Salem District RMP 1995	Walker Flat	ACEC					Yes	5/12/1995	10
Salem	Salem District RMP 1995	White Rock Fen	ACEC					Yes	5/12/1995	55
Salem	Salem District RMP 1995	Wilhoit Springs	ACEC					Yes	5/12/1995	146
Salem	Salem District RMP 1995	Williams Lake	ACEC					Yes	5/12/1995	89
Salem	Salem District RMP 1995	Yampo	ACEC					Yes	5/12/1995	13
Salem	Salem District RMP 1995	Yaquina Head	ACEC		ONA			Yes	5/12/1995	97
Spokane	Spokane District RMP Amendment 1992	Brewster Roost	ACEC					Yes	12/17/1992	206
Spokane	Spokane District RMP Amendment 1992	Coal Creek	ACEC					Yes	12/17/1992	764
Spokane	Spokane District RMP Amendment 1992	Colockum Creek	ACEC					Yes	12/17/1992	80
Spokane	Spokane District RMP Amendment 1992	Cowiche Canyon	ACEC					Yes	12/17/1992	614
Spokane	Spokane District RMP Amendment 1992	Earthquake Point	ACEC					Yes	12/17/1992	67

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Spokane	Spokane District RMP Amendment 1992	Hot Lakes	ACEC	RNA				Yes	12/17/1992	80
Spokane	Spokane District RMP Amendment 1992	Iceberg Point/Point Colville	ACEC					Yes	12/17/1992	500
Spokane	Spokane District RMP Amendment 1992	Juniper Forest	ACEC					Yes	12/17/1992	12,936
Spokane	Spokane District RMP Amendment 1992	Keystone Point	ACEC					Yes	12/17/1992	561
Spokane	Spokane District RMP Amendment 1992	Little Vulcan Mountain	ACEC					Yes	12/17/1992	636
Spokane	Spokane District RMP Amendment 1992	McCoy Canyon	ACEC					Yes	12/17/1992	160
Spokane	Spokane District RMP Amendment 1992	Rock Island Canyon	ACEC					Yes	12/17/1992	2,204
Spokane	Spokane District RMP Amendment 1992	Sentinel Slope	ACEC					Yes	12/17/1992	124
Spokane	Spokane District RMP Amendment 1992	Yakima River - Columbia River Islands	ACEC					Yes	12/17/1992	88
Spokane	Spokane District RMP Amendment 1992	Yakima River Canyon	ACEC					Yes	12/17/1992	5,232
Spokane	Spokane District RMP Amendment 1992	Yakima River Cliffs - Umtanum Ridge	ACEC					Yes	12/17/1992	231

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Vale	Southeastern Oregon RMP 2002	Black Canyon	ACEC	RNA				Yes	1/1/2002	2,637
Vale	Southeastern Oregon RMP 2002	Castle Rock	ACEC					Yes	1/1/2002	22,798
Vale	Southeastern Oregon RMP 2002	Coal Mine Basin	ACEC	RNA				Yes	1/1/2002	755
Vale	Southeastern Oregon RMP 2002	Dry Creek Bench	ACEC	RNA				Yes	1/1/2002	1,636
Vale	Southeastern Oregon RMP 2002	Dry Creek Gorge	ACEC					Yes	1/1/2002	16,094
Vale	Baker RMP 1989	Grande Ronde	ACEC					Yes	7/12/1989	16,958
Vale	Southeastern Oregon RMP 2002	Hammond Hill Sand Hills	ACEC	RNA				Yes	1/1/2002	3,713
Vale	Baker RMP 1989	Homestead	ACEC					Yes	7/12/1989	8,742
Vale	Southeastern Oregon RMP 2002	Honeycombs	ACEC	RNA				Yes	1/1/2002	15,855
Vale	Baker RMP 1989	Hunt Mountain	ACEC					Yes	7/12/1989	1,236
Vale	Southeastern Oregon RMP 2002	Jordan Craters	ACEC	RNA				Yes	1/1/2002	31,331
Vale	Baker RMP 1989	Joseph Creek	ACEC		ONA			Yes	7/12/1989	3,501
Vale	Baker RMP 1989	Keating Riparian	ACEC	RNA				Yes	7/12/1989	51
Vale	Baker RMP 1989	Keating Riparian	ACEC					Yes	7/12/1989	2,172
Vale	Southeastern Oregon RMP 2002	Lake Ridge	ACEC	RNA				Yes	1/1/2002	3,857

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Vale	Southeastern Oregon RMP 2002	Leslie Gulch	ACEC					Yes	1/1/2002	11,673
Vale	Southeastern Oregon RMP 2002	Little Whitehorse Exclosure Creek	ACEC	RNA				Yes	1/1/2002	61
Vale	Southeastern Oregon RMP 2002	Mahogany Ridge	ACEC	RNA				Yes	1/1/2002	681
Vale	Southeastern Oregon RMP 2002	Mendi Gore Playa	ACEC	RNA				Yes	1/1/2002	149
Vale	Southeastern Oregon RMP 2002	North Fork Malheur River	ACEC					Yes	1/1/2002	1,774
Vale	Southeastern Oregon RMP 2002	North Ridge Bully Creek	ACEC	RNA				Yes	1/1/2002	1,568
Vale	Baker RMP 1989	Oregon Trail	ACEC					Yes	7/12/1989	1,901
Vale	Southeastern Oregon RMP 2002	Oregon Trail - Birch creek	ACEC					Yes	1/1/2002	119
Vale	Southeastern Oregon RMP 2002	Oregon Trail - Keeney Pass	ACEC					Yes	1/1/2002	3,162
Vale	Southeastern Oregon RMP 2002	Oregon Trail - Tub Mountain	ACEC					Yes	1/1/2002	5,906
Vale	Southeastern Oregon RMP 2002	Owyhee River Below the Dam	ACEC					Yes	1/1/2002	11,216
Vale	Southeastern Oregon RMP 2002	Owyhee Views	ACEC					Yes	1/1/2002	52,548
Vale	Southeastern Oregon RMP 2002	Palomino Playa	ACEC	RNA				Yes	1/1/2002	642

Oregon - Washington Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres
Vale	Baker RMP 1989	Powder River Canyon	ACEC					Yes	7/12/1989	5,905
Vale	Southeastern Oregon RMP 2002	Saddle Butte	ACEC					Yes	1/1/2002	7,056
Vale	Baker RMP 1989	Sheep Mountain	ACEC					Yes	7/12/1989	5,289
Vale	Southeastern Oregon RMP 2002	South Alkali Sand Hills	ACEC					Yes	1/1/2002	3,520
Vale	Southeastern Oregon RMP 2002	South Bull Canyon	ACEC	RNA				Yes	1/1/2002	789
Vale	Baker RMP 1989	South Fork of the Walla Walla River	ACEC					Yes	7/20/1992	2,040
Vale	Southeastern Oregon RMP 2002	South Ridge Bully Creek	ACEC	RNA				Yes	1/1/2002	620
Vale	Southeastern Oregon RMP 2002	Spring Mountain	ACEC	RNA				Yes	1/1/2002	995
Vale	Southeastern Oregon RMP 2002	Stockade Mountain	ACEC	RNA				Yes	1/1/2002	1,767
Vale	Southeastern Oregon RMP 2002	Toppin Butte	ACEC	RNA				Yes	1/1/2002	3,995
Vale	Baker RMP 1989	Unity Reservoir Bald Eagle Nest Habitat	ACEC					Yes	7/12/1989	356

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Fillmore	House Range Plan Amendment (1993)	Gandy Salt Marsh	ACEC					Yes	2/23/1993	2,688	2,270
Fillmore	House Range RMP (1987)	Rockwell Natural Area	ACEC		ONA		Part of Little Sahara Recreation Area	Yes	10/28/1987	9,630	9,630
Fillmore	House Range RMP (1987)	Gandy Mountain Caves	ACEC					Yes	10/28/1987	1,134	1,120
Fillmore	Warm Springs RMP (1987)	Fossil Mountain	ACEC				Historic Site	Yes	3/30/1987	647	1,920
Fillmore	Warm Springs RMP (1987)	Wah Wah Mountains	ACEC	RNA				Yes	3/30/1987	5,975	5,970
Fillmore	Warm Springs RMP (1987)	Pavant Butte	ACEC					Yes	3/30/1987	2,491	2,500
Fillmore	Warm Springs RMP (1987)	Tabernacle Hill (Lava Field)	ACEC					Yes	3/30/1987	3,567	3,567
Grand Staircase Escalante	Grand Staircase MMP (1999)	Wolverine Petrified Wood Natural Environmental Area					Natural Environmental Area (NEA)	Yes	1960	2555	2,560
Grand Staircase Escalante	Grand Staircase MMP (1999)	Dance Hall Rock					Historic Site	Yes	12/23/1970	639	640
Grand Staircase Escalante	Grand Staircase MMP (1999)	Devils Garden			ONA			Yes	12/23/1970	633	640

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Grand Staircase Escalante	Grand Staircase MMP (1999)	Escalante Canyons			ONA			Yes	12/23/1970	822	129,000
Grand Staircase Escalante	Grand Staircase MMP (1999)	North Escalante Canyon			ONA			Yes	12/23/1970	5,770	5,800
Grand Staircase Escalante	Grand Staircase MMP (1999)	Phipps-Death Hollow			ONA			Yes	12/23/1970	34194	34,300
Grand Staircase Escalante	Grand Staircase MMP (1999)	The Gulch			ONA			Yes	12/23/1970	3390	3,430
Grand Staircase Escalante	Grand Staircase MMP (1999)	No Mans Mesa		RNA				Yes	9/18/1986	2774	1,335
Kanab	Kanab RMP (2008)	Cottonwood Canyon	ACEC					Yes	9/30/1986	3,759	3,800
Moab	Moab RMP (2008)	Behind the Rocks	ACEC					Yes	10/31/2008	4,811	5,201
Moab	Moab RMP (2008)	Cottonwood-Diamond Watershed	ACEC					Yes	10/31/2008	35,066	35,830
Moab	Moab RMP (2008)	Highway 279/Shafer Basin/Long Canyon	ACEC					Yes	10/31/2008	12,626	13,500
Moab	Moab RMP (2008)	Mill Creek Canyon	ACEC					Yes	10/31/2008	6,725	3,721
Moab	Moab RMP (2008)	Ten Mile Wash	ACEC					Yes	10/31/2008	4,988	4,980
Monticello	Monticello RMP (2008)	Alkali Ridge	ACEC					Yes	3/19/1991	39,197	39,196
Monticello	Monticello RMP (2008)	Hovenweep	ACEC					Yes	3/19/1991	2,439	2,439

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Monticello	Monticello RMP (2008)	Indian Creek	ACEC					Yes	3/19/1991	3,905	3,905
Monticello	Monticello RMP (2008)	Lavender Mesa	ACEC					Yes	3/19/1991	649	649
Monticello	Monticello RMP (2008)	San Juan River	ACEC					Yes	10/31/2008	5,258	4,321
Monticello	Monticello RMP (2008)	Shay Canyon	ACEC					Yes	3/19/1991	119	119
Monticello	Monticello RMP (2008)	Valley of the Gods	ACEC					Yes	10/31/2008	22,865	22,863
Price	Price RMP (2008)	Big Flat Tops	ACEC					Yes	5/24/1991	192	190
Price	Price RMP (2008)	Bowknot Bend	ACEC					Yes	5/24/1991	1,087	1,100
Price	Price RMP (2008)	Cleveland-Lloyd Dinosaur Quarry	ACEC			NNL		Yes	1965	766	770
Price	Price RMP (2008)	Dry Lake Archaeological District	ACEC					Yes	5/24/1991	18,010	18,000
Price	Price RMP (2008)	Heritage Sites	ACEC					Yes	10/31/2008	1095	1,485
Price	Price RMP (2008)	Interstate 70	ACEC					Yes	5/24/1991	33,068	33,100
Price	Price RMP (2008)	Muddy Creek	ACEC					Yes	5/24/1991	25,128	25,000
Price	Price RMP (2008)	Nine Mile Canyon	ACEC					Yes	10/31/2008	26,224	26,200
Price	Price RMP (2008)	Rock Art	ACEC					Yes	5/24/1991	43	40
Price	Price RMP (2008)	San Rafael Canyon	ACEC					Yes	5/24/1991	15,152	15,200
Price	Price RMP (2008)	San Rafael Reef	ACEC					Yes	5/24/1991	73,173	72,000

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Price	Price RMP (2008)	Segers Hole	ACEC					Yes	5/24/1991	7,067	7,120
Price	Price RMP (2008)	Uranium Mining Districts	ACEC					Yes	10/31/2008	4,168	3,470
Richfield	N/A: designated in 1975	Little Rockies				NNL		Yes	1975	31080	31,080
Richfield	Richfield RMP (2008)	North Caineville Mesa	ACEC					Yes	10/31/2008	3,847	2,200
Richfield	Richfield RMP (2008)	Old Woman Front	ACEC					Yes	10/31/2008	326	330
Salt Lake	Box Elder Amendment (1998)	Salt Wells Wildlife Habitat Area	ACEC					Yes	1/14/1998	5,698	5,389
Salt Lake	Box Elder RMP (1986)	Blue Springs Wildlife Habitat Area	ACEC					Yes	1986	5,750	5,715
Salt Lake	Box Elder RMP (1986)	Central Pacific Railroad Grade	ACEC					Yes	1986	4,921	5,019
Salt Lake	Box Elder RMP (1986)	Donner/Bettridge Creek	ACEC					Yes	1986	2,139	1,120
Salt Lake	Pony Express RMP (1990)	Bonneville Salt Flats	ACEC					Yes	1985	30,239	30,203
Salt Lake	Pony Express RMP (1990)	Horseshoe Springs	ACEC					Yes	1/12/1990	758	760
Salt Lake	Randolph MFP (1980)	Lake Town Canyon	ACEC					Yes	6/1/1980	15,288	8,389
St. George	St. George RMP (1999)	Beaver Dam Slope	ACEC					Yes	3/1/1999	49,269	48,519
St. George	St. George RMP (1999)	Canaan Mountain	ACEC					Yes	3/1/1999	33955	31,355
St. George	St. George RMP (1999)	Little Creek Mountain	ACEC					Yes	3/1/1999	19331	19,302

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
St. George	St. George RMP (1999)	Lower Virgin River	ACEC					Yes	3/1/1999	1806	1,822
St. George	St. George RMP (1999)	Red Bluff	ACEC					Yes	3/1/1999	6166	6,168
St. George	St. George RMP (1999)	Red Mountain	ACEC					Yes	3/1/1999	4840	4,854
St. George	St. George RMP (1999)	Santa Clara/Gunlock	ACEC					Yes	3/1/1999	2002	1,998
St. George	St. George RMP (1999)	Santa Clara River/Land Hill	ACEC					Yes	3/1/1999	1664	1,645
St. George	St. George RMP (1999)	Upper Beaver Dam Wash	ACEC					Yes	3/1/1999	33108	33,063
St. George	St. George RMP (1999)	Warner Ridge/Fort Pearce	ACEC					Yes	3/1/1999	4286	4,281
St. George	N/A: designated by the Secretary of the Interior	Joshua Tree Natural Area				NNL	NNL is now inside Beaver Dam Wash National Conservation Area	Yes	1966	1047 or 1,015	1,052
Vernal	Vernal RMP (2008)	Nine Mile Canyon	ACEC					Yes	12/20/1994	48070	44,168
Vernal	Vernal RMP (2008)	Browns Park	ACEC					Yes	12/20/1994	20,649	18,490
Vernal	Vernal RMP (2008)	Lears Canyon	ACEC					Yes	12/20/1994	1,377	1,375
Vernal	Vernal RMP (2008)	Lower Green River	ACEC					Yes	12/20/1994	9,348	8,470
Vernal	Vernal RMP (2008)	Pariette Wetlands	ACEC					Yes	12/20/1994	10,628	10,437
Vernal	Vernal RMP (2008)	Red Creek Watershed	ACEC					Yes	12/20/1994	27,159	24,475

Utah Field Office	RMP	Description (Name)	ACEC	RNA	ONA	NNL	Other	Current	Date Designated	GIS Acres	Original or Amended RMP Acres
Vernal	Vernal RMP (2008)	Red Mountain- Dry Fork	ACEC					Yes	12/20/1994	37,153	24,285

Wyoming Field Office	RMP	Description (Name)	ACEC	NNL	Current	Date Designated	GIS Acres
Casper		Alcova Fossil ACEC	ACEC		Yes	12/10/2007	5,303
Pinedale		Beaver Creek ACEC	ACEC		Yes	12/12/1988	3,095
Lander		Beaver Rim	ACEC		Yes	6/9/1987	6,421
Worland		Big Cedar Ridge	ACEC		Yes	1/28/1997	264
Rawlins		Blowout Penstemon ACEC	ACEC		Yes	12/24/2008	17,117
Kemmerer		Bridger Butte	ACEC		Yes	5/24/2010	604
Cody		Brown/Howe Dinosaur	ACEC		Yes	1/20/1995	5,510
Cody		Carter Mountain	ACEC		Yes	11/8/1990	10,865
Rawlins		Cave Creek ACEC	ACEC		Yes	12/24/2008	237
Rock Springs		Cedar Canyon	ACEC		Yes	8/8/1997	5,241
Cody	Cody RMP	Clarks Fork Canyon	ACEC		Yes	9/21/2015	4,746
Kemmerer		Cushion Plant Community	ACEC		Yes	5/24/2010	62
Lander		East Fork	ACEC		Yes	6/9/1987	987
Cody		Five Springs Falls	ACEC		Yes	11/8/1990	163
Rock Springs		Greater Red Creek	ACEC		Yes	8/8/1997	175,200
Rock Springs		Greater Sand Dunes	ACEC		Yes	8/8/1997	41,634
Lander		Green Mountain	ACEC		Yes	6/9/1987	14,612
Casper		Jackson Canyon ACEC	ACEC		Yes	10/26/1984	4,249

Wyoming Field Office	RMP	Description (Name)	ACEC	NNL	Current	Date Designated	GIS Acres
Lander		Lander Slope	ACEC		Yes	6/9/1987	25,066
Cody		Little Mountain	ACEC		Yes	11/8/1990	21,451
Rock Springs		Natural Corrals	ACEC		Yes	8/8/1997	2,536
Pinedale		New Fork Potholes	ACEC		Yes	11/26/2008	1,820
Rock Springs		Oregon Buttes	ACEC		Yes	8/8/1997	3,444
Grass Creek Resource Management Plan		Owl Creek	ACEC		Yes		13,561
Cody	Cody RMP	Paleocene, Eocene Thermal Maximum (PETM)	ACEC		Yes	9/21/2015	14,906
Rock Springs		Pine Springs	ACEC		Yes	8/8/1997	6,053
Buffalo	Buffalo RMP	Pumpkin Buttes	ACEC		Yes	9/21/2015	1,731
Kemmerer		Raymond Mountain ACEC	ACEC		Yes	6/30/1982	12,626
Lander		Red Canyon	ACEC		Yes	6/9/1987	15,111
Worland		Red Gulch Dinosaur Tracksite	ACEC		Yes	5/6/1999	1,800
Pinedale		Rock Creek	ACEC		Yes	12/12/1988	4,913
Rawlins Field Office RMP		Sand Hills/JO Ranch ACEC	ACEC		Yes	12/24/2008	12,002
Cody	Cody RMP	Sheep Mountain	ACEC		Yes	9/21/2015	25,960
Cody		Sheep Mountain Anticline	ACEC		Yes	11/8/1990	11,639
Lander		South Pass	ACEC		Yes	6/9/1987	12,582
Rock Springs		South Pass Historic Landscape	ACEC		Yes	8/8/1997	60,216

Wyoming Field Office	RMP	Description (Name)	ACEC	NNL	Current	Date Designated	GIS Acres
Washakie Resource Management Plan		Spanish Point	ACEC		Yes		6,648
Worland		Spanish Point Karst Area	ACEC		Yes	9/2/1988	11,416
Kemmerer		Special Status Plant Species	ACEC		Yes	5/24/2010	1,108
Rock Springs		Special Status Plant Species	ACEC		Yes	8/8/1997	1,198
Rock Springs		Steamboat Mountain	ACEC		Yes	8/8/1997	52,235
Pinedale		Trapper's Point	ACEC		Yes	11/26/2008	9,457
Lander		Twin Creek	ACEC		Yes	6/26/2014	35,064
Worland		Upper Owl Creek	ACEC		Yes	9/14/1998	16,300
Buffalo	Buffalo RMP	Welch Ranch	ACEC		Yes	9/21/2015	1,116
Lander		Whiskey Mountain	ACEC		Yes	6/9/1987	8,777
Rock Springs		White Mountain Petroglyphs	ACEC		Yes	8/8/1997	22
Newcastle		Whoopup Canyon ACEC	ACEC		Yes	8/25/2000	1,423
Rawlins		Big Hollow		NNL	Yes		640
Rawlins		Como Bluff		NNL	Yes		1,760
Cody		Crooked Creek Natural Area		NNL	Yes		160
Lander		Red Canyon		NNL	Yes		2,080
Rawlins		Sand Creek		NNL	Yes		160

Attachment 12

Land use planning designations, such as national conservation areas, may severely restrict or prevent broadband development. In some cases, these designations may include specific land use stipulations or buffer zones that could make infrastructure buildout uneconomical.

NLCS Summary Table			
Unit Type	Number	BLM Acres	BLM Miles
National Monuments	27	7,795,949	
National Conservation Areas	16	3,676,979	
Similar Designations	5	436,113	
Wilderness Areas	224	8,760,479	
Wilderness Study Areas	517	12,607,811	
Wild and Scenic Rivers	69	1,001,358	2,423
National Historic Trails	13		
National Scenic Trails	5		683
Conservation Lands of the California Desert*	N/A	4,200,000	
Totals	876	(some units overlap)	8,186
*The BLM is evaluating how to manage the Conservation Lands of the California Desert. This area has not yet been formally divided into various units.			

Attachment 13 National Landscape Conservation System: Wilderness Areas

Wilderness areas are designated by Congress, and are managed to retain a primitive character, without permanent improvements. Specifically, wilderness areas prohibit within the designated area: commercial enterprise, temporary and permanent roads, use of motor vehicles or other motorized equipment, mechanical transport, and any structures or installations, with the exception of existing private rights. Aside from existing telecommunications infrastructure permitted prior to wilderness designation, wilderness areas prohibit the construction of new broadband infrastructure.

State	Field Office	Wilderness	Public Law	Date Designated	Units	Acres
AZ	Gila District	Aravaipa Canyon	PL 101-628	8/28/1984	1	19,410
AZ	Colorado River District	Arrastra Mountain	PL 101-628	11/28/1990	1	129,800
AZ	Colorado River District	Aubrey Peak	PL 101-628	11/28/1990	1	15,400
AZ	Gila District	Baboquivari Peak	PL 101-628	11/28/1990	1	2,040
AZ	Arizona Strip District	Beaver Dam Mountains (3,667 in UT)	PL 98-406	8/28/1984	1	15,000
AZ	Phoenix District	Big Horn Mountains	PL 101-628	11/28/1990	1	21,000
AZ	Arizona Strip District	Cottonwood Point	PL 98-406	8/28/1984	1	6,860
AZ	Gila District	Coyote Mountains	PL 101-628	11/28/1990	1	5,100
AZ	Gila District	Dos Cabezas Mountains	PL 101-628	11/28/1990	1	11,700
AZ	Colorado River District	Eagletail Mountains	PL 101-628	11/28/1990	1	97,880
AZ	Colorado River District	East Cactus Plain	PL 101-628	11/28/1990	1	14,630
AZ	Gila District	Fishhooks	PL 101-628	11/28/1990	1	10,500
AZ	Colorado River District	Gibraltar Mountain	PL 101-628	11/28/1990	1	18,790
AZ	Arizona Strip District	Grand Wash Cliffs	PL 98-406	8/28/1984	1	37,030
AZ	Colorado River District	Harcuvar Mountains	PL 101-628	11/28/1990	1	25,050
AZ	Phoenix District	Harquahala Mountains	PL 101-628	11/28/1990	1	22,880
AZ	Phoenix District	Hassayampa River Canyon	PL 101-628	11/28/1990	1	12,300
AZ	Phoenix District	Hells Canyon	PL 101-628	11/28/1990	1	9,951
AZ	Phoenix District	Hummingbird Springs	PL 101-628	11/28/1990	1	31,200
AZ	Arizona Strip District	Kanab Creek	PL 98-406	8/28/1984	1	6,700
AZ	Arizona Strip District	Mount Logan	PL 98-406	8/28/1984	1	14,650
AZ	Colorado River District	Mount Nutt	PL 101-628	11/28/1990	1	28,080
AZ	Colorado River District	Mount Tipton	PL 101-628	11/28/1990	1	31,520
AZ	Arizona Strip District	Mount Trumbull	PL 98-406	8/28/1984	1	7,880
AZ	Colorado River District	Mount Wilson	PL 101-628	11/28/1990	1	23,900
AZ	Colorado River District	Muggins Mountain	PL 101-628	11/28/1990	1	7,711
AZ	Gila District	Needle's Eye	PL 101-628	11/28/1990	1	8,760
AZ	Colorado River District	New Water Mountains	PL 101-628	11/28/1990	1	24,600
AZ	Phoenix District	North Maricopa Mountains	PL 101-628	11/28/1990	1	63,200
AZ	Gila District	North Santa Teresa	PL 101-628	11/28/1990	1	5,800
AZ	Arizona Strip District	Paiute	PL 98-406	8/28/1984	1	87,900
AZ	Arizona Strip District	Paria Canyon-Vermilion Cliffs (21,416 in UT)	PL 98-406	8/28/1984	1	89,400
AZ	Gila District	Peloncillo Mountains	PL 101-628	11/28/1990	1	19,440
AZ	Colorado River District	Rawhide Mountains	PL 101-628	11/28/1990	1	38,470
AZ	Gila District	Redfield Canyon	PL 101-628	11/28/1990	1	6,600
AZ	Phoenix District	Sierra Estrella	PL 101-628	11/28/1990	1	14,400
AZ	Phoenix District	Signal Mountain	PL 101-628	11/28/1990	1	13,350

State	Field Office	Wilderness	Public Law	Date Designated	Units	Acres
AZ	Phoenix District	South Maricopa Mountains	PL 101-628	11/28/1990	1	60,100
AZ	Colorado River District	Swansea	PL 101-628	11/28/1990	1	16,400
AZ	Phoenix District	Table Top	PL 101-628	11/28/1990	1	34,400
AZ	Colorado River District	Tres Alamos	PL 101-628	11/28/1990	1	8,300
AZ	Colorado River District	Trigo Mountain	PL 101-628	11/28/1990	1	30,300
AZ	Colorado River District	Upper Burro Creek	PL 101-628	11/28/1990	1	27,440
AZ	Colorado River District	Wabayuma Peak	PL 101-628	11/28/1990	1	38,944
AZ	Colorado River District	Warm Springs	PL 101-628	11/28/1990	1	112,400
AZ	Gila District	White Canyon	PL 101-628	11/28/1990	1	5,800
AZ	Phoenix District	Woolsey Peak	PL 101-628	11/28/1990	1	64,000

1

<i>State Total</i>					47	1,396,966
CA	California Desert District	Agua Tibia	PL 111-11	3/30/2009	1	539
CA	California Desert District	Argus Range	PL 103-433	10/31/1994	1	65,726
CA	California Desert District	Beauty Mountain	PL 111-11	3/30/2009	1	15,628
CA	California Desert District	Big Maria Mountains	PL 103-433	10/31/1994	1	45,384
CA	California Desert District	Bigelow Cholla Garden	PL 103-433	10/31/1994	1	14,645
CA	California Desert District	Bighorn Mountain	PL 103-433	10/31/1994	1	26,543
CA	California Desert District	Black Mountain	PL 103-433	10/31/1994	1	20,548
CA	California Desert District	Bright Star	PL 103-433	10/31/1994	1	8,191
CA	California Desert District	Bristol Mountains	PL 103-433	10/31/1994	1	71,389
CA	Central California District	Cache Creek	PL 109-362	10/17/2006	1	27,296
CA	California Desert District	Cadiz Dunes	PL 103-433	10/31/1994	1	19,935
CA	California Desert District	Carrizo Gorge	PL 103-433	10/31/1994	1	14,740
CA	Central California District	Cedar Roughts	PL 109-362	10/17/2006	1	6,287
CA	California Desert District	Chemehuevi Mountains	PL 103-433	10/31/1994	1	85,864
CA	California Desert District	Chimney Peak	PL 103-433	10/31/1994	1	13,140
CA	California Desert District	Chuckwalla Mountains	PL 103-433, PL 111-11	10/31/1994, 3/30/2009	1	99,548
CA	California Desert District	Cleghorn Lakes	PL 103-433	10/31/1994	1	39,167
CA	California Desert District	Clipper Mountain	PL 103-433	10/31/1994	1	33,843
CA	California Desert District	Coso Range	PL 103-433	10/31/1994	1	49,296
CA	California Desert District	Coyote Mountains	PL 103-433	10/31/1994	1	18,631
CA	California Desert District	Darwin Falls	PL 103-433	10/31/1994	1	8,189
CA	California Desert District	Dead Mountains	PL 103-433	10/31/1994	1	47,158
CA	California Desert District	Domeland	PL 103-433	10/31/1994	1	39,379
CA	California Desert District	El Paso Mountains	PL 103-433	10/31/1994	1	23,679
CA	Northern California District	Elkhorn Ridge	PL 109-362, Fed. Reg. Vol 76, No 9	10/17/2006, 1/13/2011	1	11,001
CA	California Desert District	Fish Creek Mountains	PL 103-433	10/31/1994	1	21,390
CA	California Desert District	Funeral Mountains	PL 103-433	10/31/1994	1	25,707
CA	California Desert District	Golden Valley	PL 103-433	10/31/1994	1	36,536
CA	Central California District	Granite Mountain	PL 111-11	3/30/2009	1	31,059
CA	California Desert District	Grass Valley	PL 103-433	10/31/1994	1	30,186

2

<i>State Total</i>					47	1,396,966
CA	California Desert District	Hollow Hills	PL 103-433	10/31/1994	1	22,366
CA	California Desert District	Ibex	PL 103-433	10/31/1994	1	28,822
CA	California Desert District	Indian Pass	PL 103-433	10/31/1994	1	32,419
CA	California Desert District	Inyo Mountains	PL 103-433	10/31/1994	1	125,075
CA	Northern California District	Ishi	PL 98-425	9/28/1984	1	199
CA	California Desert District	Jacumba	PL 103-433	10/31/1994	1	31,358
CA	California Desert District	Kelso Dunes	PL 103-433	10/31/1994	1	144,915
CA	California Desert District	Kiavah	PL 103-433	10/31/1994	1	41,000
CA	Northern California District	King Range	PL 103-433	10/31/1994	1	42,695
CA	California Desert District	Kingston Range	PL 109-362	10/17/2006	1	199,739
CA	California Desert District	Little Chuckwalla Mountains	PL 103-433	10/31/1994	1	28,052
CA	California Desert District	Little Picacho	PL 103-433	10/31/1994	1	38,216
CA	Central California District	Machesna Mountains	PL 98-425	9/28/1984	1	123
CA	California Desert District	Malpais Mesa	PL 103-433	10/31/1994	1	31,906
CA	California Desert District	Manly Peak	PL 103-433	10/31/1994	1	12,897
CA	California Desert District	Mecca Hills	PL 103-433	10/31/1994	1	26,356
CA	California Desert District	Mesquite	PL 103-433	10/31/1994	1	44,804
CA	California Desert District	Newberry Mountains	PL 103-433	10/31/1994	1	26,102
CA	California Desert District	Nopah Range	PL 103-433	10/31/1994	1	106,623
CA	California Desert District	North Algodones Dunes	PL 103-433	10/31/1994	1	25,895
CA	California Desert District	North Mesquite Mountains	PL 103-433	10/31/1994	1	28,955
CA	California Desert District	Old Woman Mountains	PL 103-433	10/31/1994	1	165,172
CA	California Desert District	Orocopia Mountains	PL 103-433, PL 111-11	10/31/1994, 3/30/2009	1	51,289
CA	California Desert District	Otay Mountain	PL 103-433	10/31/1994	1	16,893
CA	California Desert District	Owens Peak	PL 103-433	10/31/1994	1	73,868
CA	California Desert District	Pahrump Valley	PL 103-433	10/31/1994	1	73,726
CA	California Desert District	Palen/McCoy	PL 103-433, PL 111-11	10/31/1994, 3/30/2009	1	236,488
CA	California Desert District	Palo Verde Mountains	PL 103-433	10/31/1994	1	30,605
CA	California Desert District	Picacho Peak	PL 103-433	10/31/1994	1	8,860
CA	California Desert District	Pinto Mountain	PL 111-11	3/30/2009	1	24,348
CA	California Desert District	Piper Mountain	PL 103-433	10/31/1994	1	72,192
CA	California Desert District	Piute Mountains	PL 103-433	10/31/1994	1	48,080
CA	California Desert District	Resting Spring Range	PL 103-433	10/31/1994	1	76,312
CA	California Desert District	Rice Valley	PL 103-433	10/31/1994	1	41,777
CA	California Desert District	Riverside Mountains	PL 103-433	10/31/1994	1	24,004
CA	Arcata Field Office	Rocks and Islands	PL 109-362	10/17/2006	1	6
CA	California Desert District	Rodman Mountains	PL 103-433	10/31/1994	1	34,264
CA	California Desert District	Sacatar Trail	PL 103-433	10/31/1994	1	50,451
CA	California Desert District	Saddle Peak Hills	PL 103-433	10/31/1994	1	1,530
CA	California Desert District	San Geronio	PL 103-433	10/31/1994	1	39,233
CA	Central California District	Santa Lucia	PL 95-237	2/24/1978	1	1,807
CA	California Desert District	Santa Rosa	PL 103-433, PL 111-11	10/31/1994, 3/30/2009	1	58,878
CA	California Desert District	Sawtooth Mountains	PL 103-433	10/31/1994	1	33,772

<i>State Total</i>					47	1,396,966
CA	California Desert District	Sheephole Valley	PL 103-433	10/31/1994	1	188,169
CA	Northern California District	South Fork Eel River	PL 109-362	10/17/2006	1	12,868
CA	California Desert District	South Nopah Range	PL 103-433	10/31/1994	1	17,059
CA	California Desert District	Stateline	PL 103-433	10/31/1994	1	6,964
CA	California Desert District	Stepladder Mountains	PL 103-433	10/31/1994	1	83,195
CA	California Desert District	Surprise Canyon	PL 103-433	10/31/1994	1	24,433
CA	California Desert District	Sylvania Mountains	PL 103-433	10/31/1994	1	18,682
CA	California Desert District	Trilobite	PL 103-433	10/31/1994	1	37,308
CA	California Desert District	Turtle Mountains	PL 103-433	10/31/1994	1	177,309
CA	Central California District	Ventana	PL 107-370	11/6/2002	1	719
CA	California Desert District	Whipple Mountains	PL 103-433	10/31/1994	1	76,123
CA	Ridgecrest/Bishop Field Office	White Mountains	PL 111-11	3/30/2009	1	24,162
CA	Northern California District	Yolla Bolly-Middle Eel	PL 109-362	9/28/1984	1	8,433
CA	Northern California District	Yuki	PL 109-362	10/17/2006	1	17,196

<i>State Total</i>					87	3,845,316
CO	McInnis Canyons NCA	Black Ridge Canyons (5,099 in UT)	PL 106-353	10/24/2000	1	70,380
CO	Dominguez-Escalante NCA	Dominguez Canyon	PL 111-11	3/30/2009	1	66,280
CO	Uncompahgre Field Office	Gunnison Gorge	PL 106-76	10/21/1999	1	17,784
CO	Gunnison Field Office	Powderhorn	PL 103-77	8/13/1993	1	47,980
CO	Gunnison Field Office	Uncompahgre	PL 103-77	8/13/1993	1	3,390

<i>State Total</i>					5	205,814
ID	Boise District	Big Jacks Creek	PL 111-11	3/30/2009	1	52,753
ID	Boise and Twin Falls Dist.	Bruneau-Jarbridge Rivers	PL 111-11	3/30/2009	1	89,820
ID	Coeur d'Alene District	Frank Church-River of No Return	PL 96-312, PL 98-231	7/23/1980, 3/14/1984	1	802
ID	Challis Field Office	Jim McClure-Jerry Peak	PL 114-46	8/7/2015	1	23,916
ID	Boise District	Little Jacks Creek	PL 111-11	3/30/2009	1	50,930
ID	Boise District	North Fork Owyhee	PL 111-11	3/30/2009	1	43,391
ID	Boise District	Owyhee River	PL 111-11	3/30/2009	1	267,137
ID	Boise District	Pole Creek	PL 111-11	3/30/2009	1	12,529
ID	Idaho Falls	White Clouds	PL 114-46	8/7/2015	1	450

<i>State Total</i>					9	541,728
MT	Dillon Field Office	Lee Metcalf-Bear Trap Canyon Unit	PL 98-140	10/31/1983	1	6,347

<i>State Total</i>					1	6,347
NV	Las Vegas Field Office	Arrow Canyon	PL 107-282	11/6/2002	1	27,502
NV	Ely District	Becky Peak	PL 109-432	12/20/2006	1	18,119
NV	Ely District	Big Rocks	PL 108-424	11/30/2004	1	12,930
NV	Winnemucca District	Black Rock Desert	PL 107-63	12/21/2000	1	314,835
NV	Ely District	Bristlecone	PL 109-432	12/20/2006	1	14,095
NV	Winnemucca District	Calico Mountains	PL 107-63	12/21/2000	1	64,968

<i>State Total</i>					1	6,347
NV	Ely District	Clover Mountains	PL 108-424	11/30/2004	1	85,668
NV	Ely District	Delamar Mountains	PL 108-424	11/30/2004	1	111,066
NV	Winnemucca District	East Fork High Rock Canyon	PL 107-63	12/21/2000	1	52,618
NV	Las Vegas Field Office	Eldorado	PL 107-282	11/6/2002	1	5,766
NV	Ely District	Far South Egans	PL 108-424	11/30/2004	1	36,299
NV	Ely District	Fortification Range	PL 108-424	11/30/2004	1	30,539
NV	Ely District	Goshute Canyon	PL 109-432	12/20/2006	1	42,544
NV	Ely District	Government Peak	PL 109-432	12/20/2006	1	6,313
NV	Winnemucca District	High Rock Canyon	PL 109-432	12/20/2006	1	46,465
NV	Winnemucca District	High Rock Lake	PL 107-63	12/21/2000	1	59,107
NV	Ely District	Highland Ridge	PL 107-63	12/21/2000	1	68,623
NV	Las Vegas Field Office	Ireteba Peaks	PL 107-282	11/6/2002	1	10,332
NV	Las Vegas Field Office	Jumbo Springs	PL 107-282	11/6/2002	1	4,760
NV	Las Vegas Field Office	La Madre Mountain	PL 107-282	11/6/2002	1	27,896
NV	Las Vegas Field Office	Lime Canyon	PL 107-282	11/6/2002	1	23,710
NV	Winnemucca District	Little High Rock Canyon	PL 107-63	12/21/2000	1	48,355
NV	Ely District	Meadow Valley Range	PL 108-424	11/30/2004	1	123,508
NV	Ely District	Mormon Mountains	PL 108-424	11/30/2004	1	157,716
NV	Las Vegas Field Office	Mt. Charleston	PL 108-424	11/30/2004	1	2,178
NV	Ely District	Mount Grafton	PL 107-282	11/6/2002	1	78,754
NV	Ely District	Mt. Irish	PL 109-432	12/20/2006	1	28,274
NV	Ely District	Mt. Moriah	PL 109-432	12/5/1989	1	8,708
NV	Las Vegas Field Office	Muddy Mountains	PL 107-282	11/6/2002	1	44,633
NV	Winnemucca District	North Black Rock Range	PL 107-63	12/21/2000	1	30,648
NV	Winnemucca District	North Jackson Mountains	PL 107-63	12/21/2000	1	23,439
NV	Las Vegas Field Office	North McCullough	PL 107-282	11/6/2002	1	14,779
NV	Winnemucca District	Pahute Peak	PL 107-63	12/21/2000	1	56,890
NV	Ely District	Parsnip Peak	PL 108-424	11/30/2004	1	43,512
NV	Winnemucca District	Pine Forest Range	PL 113-291	12/19/2014	1	24,015
NV	Las Vegas Field Office	Rainbow Mountain	PL 107-282	11/6/2002	1	20,184
NV	Ely District	South Egan Range	PL 109-432	12/20/2006	1	67,214
NV	Winnemucca District	South Jackson Mountains	PL 107-63	12/21/2000	1	54,536
NV	Las Vegas Field Office	South McCullough	PL 107-282	11/6/2002	1	43,996
NV	Ely District	South Pahroc Range	PL 108-424	11/30/2004	1	25,671
NV	Las Vegas Field Office	Spirit Mountain	PL 107-282	11/6/2002	1	553
NV	Ely District	Tunnel Spring	PL 108-424	11/30/2004	1	5,341
NV	Las Vegas Field Office	Wee Thump Joshua Tree	PL 107-282	11/6/2002	1	6,489
NV	Ely District	Weepah Spring	PL 108-424	11/30/2004	1	51,305
NV	Ely District	White Rock Range	PL 108-424	11/30/2004	1	24,249
NV	Ely District	Worthington Mountains	PL 108-424	11/30/2004	1	30,594

<i>State Total</i>					46	2,079,696
NM	Farmington Field Office	Bisti/De-Na-Zin	PL 98-603, PL 104-333	10/30/1984, 11/12/1996	1	41,170
NM	Rio Puerco Field Office	Cebolla	PL 100-225	12/31/1987	1	61,600
NM	Rio Puerco Field Office	Ojito	PL 109-94	10/26/2005	1	11,823
NM	Taos Field Office	Sabinoso	PL 111-11	3/30/2009	1	16,030
NM	Rio Puerco Field Office	West Malpais	PL 100-225	12/31/1987	1	39,540

<i>State Total</i>					5	170,163
OR	Vale District	Hells Canyon	PL 98-328	6/26/1984	1	946
OR	Prineville District	Lower White River	PL 111-11	3/30/2009	1	1,124
OR	Prineville District	Oregon Badlands	PL 111-11	3/30/2009	1	29,182
OR	Cascade Siskiyou National M.	Soda Mountain	PL 111-11	3/30/2009	1	24,707
OR	Prineville District	Spring Basin	PL 111-11	3/30/2009	1	6,404
OR	Burns District	Steens Mountain	PL 106-399	10/30/2000	1	170,202
OR	Salem District	Table Rock	PL 98-328	6/26/1984	1	5,784
OR	Medford District	Wild Rogue	PL 95-237	2/24/1978	1	8,604

<i>State Total</i>					8	246,953
UT	St. George Field Office	Bear Trap Canyon	PL 111-11	3/30/2009	1	40
UT	Cedar City Field Office	Beaver Dam Mountains (15,000 in AZ)	PL 98-406	8/28/1984	1	3,667
UT	St. George Field Office	Blackridge	PL 106-353	10/24/2000	1	13,107
UT	Moab Field Office	Black Ridge Canyons (70,380 in CO)	PL 111-11	3/30/2009	1	5,099
UT	St. George Field Office	Canaan Mountain	PL 111-11	3/30/2009	1	44,447
UT	Salt Lake Field Office	Cedar Mountains	PL 109-163	1/6/2006	1	99,428
UT	St. George Field Office	Cottonwood Canyon	PL 111-11	3/30/2009	1	11,667
UT	St. George Field Office	Cougar Canyon	PL 111-11	3/30/2009	1	10,648
UT	St. George Field Office	Deep Creek	PL 111-11	3/30/2009	1	3,291
UT	St. George Field Office	Deep Creek North	PL 111-11	3/30/2009	1	4,478
UT	St. George Field Office	Doc's Pass	PL 111-11	3/30/2009	1	18,216
UT	St. George Field Office	Goose Creek	PL 111-11	3/30/2009	1	93
UT	St. George Field Office	LaVerkin Creek	PL 111-11	3/30/2009	1	453
UT	Kanab Field Office	Paria Canyon-Vermilion Cliffs (89,400 in AZ)	PL 98-406	8/28/1984	1	21,416
UT	St. George Field Office	Red Butte	PL 111-11	3/30/2009	1	1,535
UT	St. George Field Office	Red Mountain	PL 111-11	3/30/2009	1	18,689
UT	St. George Field Office	Slaughter Creek	PL 111-11	3/30/2009	1	4,047
UT	St. George Field Office	Taylor Creek	PL 111-11	3/30/2009	1	35

<i>State Total</i>						
WA	Spokane District	Juniper Dunes	PL 98-339	7/3/1984	1	7,140

NOTE: Three wildernesses are in more than one state. These are listed under each state, but are only counted once in the total tally of wilderness areas.
Table updated October 2016.

Attachment 14 National Landscape Conservation System: Wilderness Study Areas (WSAs)

Pursuant to the Federal Land Policy and Management Act of 1976, the BLM reviewed the roadless areas it managed to determine if they met certain standards for wildness. In 1980, after an extensive public involvement process, the BLM determined that about 25 million acres of lands met these standards, which were then designated as WSAs. Since that time Congress has reviewed some of these areas and has designated some as wilderness areas and has released others for non-wilderness uses. Until Congress makes a final determination on a WSA, the area is managed as a wilderness area—where the construction of new broadband infrastructure is prohibited.

State	WSA Name	Date of Suitability Recommendation	Date of WSA Designation	Public Law	Units	Acres
AK	Central Arctic Management Area	NA			1	260,000

<i>State Total</i>					1	260,000
AZ	Baker Canyon	NA		PL 94-579 (FLPMA) Sec. 603	1	4,812
AZ	Cactus Plain	Jun-05		PL 94-579 (FLPMA) Sec. 603	1	59,118

<i>State Total</i>					2	63,930
CA	Agua Tibia	Jun-05		PL 94-579 (FLPMA) Sec. 202	1	344
CA	Avawatz Mountains	NA	Oct-94	PL 103-433	1	49,838
CA	Bear Canyon	Jan-79		PL 94-579 (FLPMA) Sec. 202	1	318
CA	Bear Mountain	Jan-79		PL 94-579 (FLPMA) Sec. 202	1	4,023
CA	Beauty Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	3,830
CA	Big Butte	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	1,500
CA	Bitterbrush ISA	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	640
CA	Black Mountain	NA	Dec-79	PL 94-579 (FLPMA) Sec. 202	1	150
CA	Bodie	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	16,482
CA	Bodie Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	23,934
CA	Buffalo Hills	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	856
CA	Cady Mountains	NA	Oct-94	PL 103-433	1	84,400
CA	Caliente Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	17,590
CA	Carrizo Gorge	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	890
CA	Carson Iceberg	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	550
CA	Casa Diablo	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	5,325
CA	Cerro Gordo	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	5,800
CA	Chidago Canyon	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	19,702
CA	Crater Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	7,069
CA	Death Valley 17	NA	Oct-94	PL 103-433	1	46,218

<i>State Total</i>					2	63,930
CA	Dry Valley Rim	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	18,131
CA	Eden Valley	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	6,166
CA	Excelsior	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	9,383
CA	Fish Slough	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	14,700
CA	Five Springs	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	47,823
CA	Garcia Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	80
CA	Great Falls Basin	NA	Oct-94	PL 103-433	1	7,867
CA	Hauser Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	5,540
CA	Independence Creek	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	6,458
CA	Kingston Range	NA	Oct-94	PL 103-433	1	39,750
CA	Lava	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	10,770
CA	Machesna	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	70
CA	Merced River	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	12,959
CA	Milk Ranch/Case Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	8,970
CA	Moses	NA	Dec-79	PL 94-579 (FLPMA) Sec. 202	1	558
CA	Mount Biedeman	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	13,069
CA	Owens Peak	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	310
CA	Panoche Hills North	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	6,631
CA	Panoche Hills South	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	11,229
CA	Pinto Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	9,484
CA	Pit River Canyon	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	11,724
CA	Piute Cypress ISA	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	3,453
CA	Rockhouse (a)	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	130
CA	Rocky Creek/Cache Creek	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	6,570
CA	Sacatar Meadows	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	140
CA	San Benito Mountain ISA	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	1,500
CA	San Felipe Hills	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	5,325
CA	San Ysidro Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	2,125
CA	Sawtooth Mountains A	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	3,883
CA	Sawtooth Mountains C	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	600
CA	Scodie	NA	Dec-79	PL 94-579 (FLPMA) Sec. 202	1	420
CA	Sheep Ridge	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	5,102
CA	Skedaddle	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	61,421
CA	Slinkard	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	6,268
CA	Soda Mountains	NA	Oct-94	PL 103-433	1	80,430
CA	South Warner Contiguous	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	4,330

<i>State Total</i>					2	63,930
CA	Southern Inyo	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	4,900
CA	Symmes Creek	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	7,694
CA	Table Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	1,018
CA	Thatcher Ridge	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	130
CA	Timbered Crater & Baker Cypress ISA	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	17,896
CA	Tule Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	16,998
CA	Tunnison Mountain	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	19,884
CA	Twin Peaks	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	25,677
CA	Volcanic Tablelands	Jul-91		PL 94-579 (FLPMA) Sec. 603	1	12,499
CA	White Mountains	NA	Oct-94	PL 103-433	1	1,700
CA	Yolla Bolly Contiguous	Jul-91		PL 94-579 (FLPMA) Sec. 202	1	646

<i>State Total</i>					67	821,870
CO	Adobe Badlands	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	10,425
CO	American Flats	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	3,306
CO	Ant Hills	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	4,354
CO	Beaver Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	26,150
CO	Bill Hare Gulch	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	76
CO	Black Canyon	NA		PL 94-579 (FLPMA) Sec. 202	1	1,430
CO	Black Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	9,932
CO	Black Ridge Canyons	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	0
CO	Browns Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	6,614
CO	Bull Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,777
CO	Bull Gulch	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	15,000
CO	Cahone Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	8,960
CO	Camel Back	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	10,402
CO	Castle Peak	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	11,940
CO	Chew Winter Camp	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	1,320
CO	Cross Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,580
CO	Cross Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	14,081
CO	Demaree Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	21,050
CO	Diamond Breaks	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	31,480
CO	Dolores River Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	28,668
CO	Dominguez Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	2,086
CO	Eagle Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	330
CO	Hack Lake	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	10

<i>State Total</i>					67	821,870
CO	Handies Peak	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	16,664
CO	High Mesa Grassland	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	680
CO	Little Book Cliffs	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	26,525
CO	Lower Grape Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,220
CO	McIntyre Hills	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	16,650
CO	McKenna Peak	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	19,398
CO	Menefee Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	7,089
CO	Needle Rock	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	80
CO	North Sand Hills	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	791
CO	Oil Spring Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	17,740
CO	Papa Keal	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	366
CO	Peterson Draw	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	5,160
CO	Platte River Contiguous	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	30
CO	Powderhorn	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	7,022
CO	Rare Lizard and Snake	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	443
CO	Red Cloud Peak	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	36,722
CO	San Luis Hills	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	10,240
CO	Sewemup Mesa	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	19,140
CO	Skull Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	13,740
CO	Squaw/Papoose Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	4,611
CO	The Palisade	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	26,050
CO	Troublesome	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	8,250
CO	Upper Grape Creek	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	10,200
CO	Vale of Tears	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	7,420
CO	Weber Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	6,303
CO	Weminuche Contiguous	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	1,840
CO	West Cold Spring	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	14,482
CO	Whitehead Gulch	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	1,500
CO	Willow Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	13,368
CO	Windy Gulch	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	12,274

<i>State Total</i>					53	546,969
ID	Appendicitis Hill	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	25,376
ID	Bear Den Butte	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	5,419
ID	Black Butte	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	3,893
ID	Black Canyon (I)	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	10,609

<i>State Total</i>					53	546,969
ID	Black Canyon (II)	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	5,534
ID	Borah Peak	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	3,941
ID	Box Creek	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	439
ID	Burnt Creek	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	23,829
ID	Cedar Butte	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	36,390
ID	China Cup Butte ISA	1985		PL 94-579 (FLPMA) Sec. 603	1	166
ID	Crystal Lake	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	8,893
ID	Deer Creek	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	8,071
ID	Eighteen Mile	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	25,015
ID	Friedman Creek	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	9,424
ID	Goldburg	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	3,946
ID	Gooding City of Rocks East	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	14,317
ID	Gooding City of Rocks West	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	6,656
ID	Grandmother Mountain	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	11,825
ID	Great Rift ISA	1985		PL 94-579 (FLPMA) Sec. 603	1	46,632
ID	Hawley Mountain	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	16,807
ID	Hell's Half Acre	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	67,751
ID	Henry's Lake	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	338
ID	King Hill Creek	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	28,218
ID	Lava	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	23,276
ID	Little City of Rocks	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	6,606
ID	Little Deer	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	13,936
ID	Little Wood River	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	4,183
ID	Lower Salmon Falls Creek	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	3,282
ID	Marshall Mountain	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	5,527
ID	Petticoat Peak	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	11,192
ID	Raven's Eye	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	31,319
ID	Sand Butte	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	21,399
ID	Sand Mountain	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	21,709
ID	Selkirk Crest	Sep-92		PL 94-579 (FLPMA) Sec. 202	1	622
ID	Shale Butte	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	15,560
ID	Shoshone	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	6,757
ID	Snake River Islands	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	341
ID	Snowhole Rapids	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	5,336
ID	White Knob Mountains	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	10,047
ID	Worm Creek	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	39

<i>State Total</i>					40	544,620
MT	Antelope Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	12,350
MT	Axolotl Lakes	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	7,804
MT	Bell/Limekiln Canyons	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	9,650
MT	Big Horn Tack-On	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	2,470
MT	Billy Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	3,450
MT	Bitter Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	59,660
MT	Black Sage	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	5,926
MT	Blacktail Mountains	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	17,479
MT	Bridge Coulee	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	5,900
MT	Burnt Lodge	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	13,730
MT	Burnt Timber Canyon	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	3,430
MT	Centennial Mountains	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	27,691
MT	Cow Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	34,050
MT	Dog Creek South	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	5,150
MT	East Fork Blacktail Deer Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	6,230
MT	Elkhorn	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	3,585
MT	Ervin Ridge	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	10,200
MT	Farlin Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	1,139
MT	Henneberry Ridge	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	9,806
MT	Hidden Pasture Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	15,509
MT	Hoodoo Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,380
MT	Humbug Spires	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,175
MT	Musselshell Breaks	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	8,650
MT	Pryor Mountain	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	12,575
MT	Quigg West	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	520
MT	Ruby Mountains	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	26,611
MT	Seven Blackfoot	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	20,250
MT	Sleeping Giant/Sheep Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	10,454
MT	Square Butte	Jan-93		PL 94-579 (FLPMA) Sec. 202	1	1,947
MT	Stafford	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	4,800
MT	Terry Badlands	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	44,910
MT	Twin Coulee	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	6,870
MT	Wales Creek	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	11,580
MT	Woodhawk	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	8,100
MT	Yellowstone River Island	Jan-93		PL 94-579 (FLPMA) Sec. 603	1	53

<i>State Total</i>					35	435,084
NV	Antelope Range	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	43,700
NV	Augusta Mountains	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	89,372
NV	Bad Lands	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	9,426
NV	Blue Eagle	May-92		PL 94-579 (FLPMA) Sec. 603	1	59,560
NV	Bluebell	May-92		PL 94-579 (FLPMA) Sec. 603	1	55,665
NV	Buffalo Hills	May-92		PL 94-579 (FLPMA) Sec. 603	1	45,287
NV	Burbank Canyons	May-92		PL 94-579 (FLPMA) Sec. 202	1	13,395
NV	Cedar Ridge	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	10,009
NV	China Mountain	May-92		PL 94-579 (FLPMA) Sec. 603	1	10,358
NV	Clan Alpine Mountains	May-92		PL 94-579 (FLPMA) Sec. 603	1	196,128
NV	Desatoya Mountains	May-92		PL 94-579 (FLPMA) Sec. 603	1	51,402
NV	Disaster Peak	May-92		PL 94-579 (FLPMA) Sec. 603	1	13,200
NV	Dry Valley Rim	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	76,177
NV	Fandango	May-92		PL 94-579 (FLPMA) Sec. 603	1	530
NV	Five Springs	May-92		PL 94-579 (FLPMA) Sec. 603	1	1,383
NV	Fox Range	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	75,404
NV	Gabbs Valley Range	May-92		PL 94-579 (FLPMA) Sec. 603	1	79,600
NV	Goshute Canyon	May-92		PL 94-579 (FLPMA) Sec. 603	1	362
NV	Goshute Peak	May-92		PL 94-579 (FLPMA) Sec. 603	1	69,770
NV	Grapevine Mountains	May-92		PL 94-579 (FLPMA) Sec. 603	1	66,800
NV	Job Peak	May-92		PL 94-579 (FLPMA) Sec. 603	1	90,209
NV	Kawich	May-92		PL 94-579 (FLPMA) Sec. 603	1	54,320
NV	Lahonton Cutthroat Trout	May-92		PL 94-579 (FLPMA) Sec. 202	1	12,316
NV	Little Humboldt River	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	42,213
NV	Massacre Rim	May-92		PL 94-579 (FLPMA) Sec. 603	1	101,290
NV	Million Hills	May-92		PL 94-579 (FLPMA) Sec. 603	1	21,296
NV	Morey Peak	May-92		PL 94-579 (FLPMA) Sec. 603	1	5,070
NV	Mount Limbo	May-92		PL 94-579 (FLPMA) Sec. 603	1	23,752
NV	Mount Stirling	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	5,600
NV	Mountain Meadow ISA	May-92		PL 94-579 (FLPMA) Sec. 603	1	22
NV	North Fork of the Little Humboldt River	May-92		PL 94-579 (FLPMA) Sec. 603	1	69,683
NV	Owyhee Canyon	May-92		PL 94-579 (FLPMA) Sec. 603	1	21,875
NV	Palisade Mesa	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	99,550
NV	Park Range	May-92		PL 94-579 (FLPMA) Sec. 603	1	47,268
NV	Pigeon Spring	May-92		PL 94-579 (FLPMA) Sec. 603	1	3,575

<i>State Total</i>					35	435,084
NV	Pinyon Joshua ISA	May-92		PL 94-579 (FLPMA) Sec. 603	1	560
NV	Pole Creek	May-92		PL 94-579 (FLPMA) Sec. 603	1	12,969
NV	Poodle Mountain	May-92		PL 94-579 (FLPMA) Sec. 603	1	142,050
NV	Pueblo Mountains	May-92		PL 94-579 (FLPMA) Sec. 202	1	600
NV	Queer Mountain	May-92		PL 94-579 (FLPMA) Sec. 202	1	81,550
NV	Rawhide Mountain	May-92		PL 94-579 (FLPMA) Sec. 603	1	64,360
NV	Red Spring	May-92		PL 94-579 (FLPMA) Sec. 202	1	7,847
NV	Resting Springs	May-92		PL 94-579 (FLPMA) Sec. 603	1	3,850
NV	Riordan's Well	May-92		PL 94-579 (FLPMA) Sec. 603	1	57,002
NV	Roberts Mountain	May-92		PL 94-579 (FLPMA) Sec. 202	1	15,090
NV	Rough Hills	May-92		PL 94-579 (FLPMA) Sec. 603	1	6,685
NV	Selenite Mountains	May-92		PL 94-579 (FLPMA) Sec. 603	1	32,041
NV	Sheldon Contiguous	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	23,700
NV	Silver Peak Range	May-92		PL 94-579 (FLPMA) Sec. 603	1	33,900
NV	Simpson Park	Sep-92		PL 94-579 (FLPMA) Sec. 603	1	49,670
NV	Skedaddle	May-92		PL 94-579 (FLPMA) Sec. 603	1	589
NV	South Fork Owyhee River	May-92		PL 94-579 (FLPMA) Sec. 603	1	7,842
NV	South Pequop	May-92		PL 94-579 (FLPMA) Sec. 603	1	41,090
NV	South Reveille	May-92		PL 94-579 (FLPMA) Sec. 603	1	106,200
NV	Stillwater Range	May-92		PL 94-579 (FLPMA) Sec. 603	1	94,607
NV	The Wall	May-92		PL 94-579 (FLPMA) Sec. 603	1	38,000
NV	Tobin Range	May-92		PL 94-579 (FLPMA) Sec. 603	1	13,107
NV	Twin Peaks	May-92		PL 94-579 (FLPMA) Sec. 603	1	65,114
NV	Virgin Mountain ISA	May-92		PL 94-579 (FLPMA) Sec. 603	1	6,560
NV	Wall Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	46,305

<i>State Total</i>					60	2,516,855
NM	Aden Lava Flow	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	25,287
NM	Ah-Shi-Sle-Pah	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	6,563
NM	Alama Hueco Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	16,264
NM	Antelope	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	20,710
NM	Apache Box	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	932
NM	Apache Box Add-On		Dec-93	PL 94-579 (FLPMA) Sec. 202	0	6,229
NM	Big Hatchet Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	65,872
NM	Blue Creek	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	14,896
NM	Brokeoff Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	31,606

<i>State Total</i>					60	2,516,855
NM	Cabazon	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	8,159
NM	Canyons		Jan-91	PL 94-579 (FLPMA) Sec. 202	1	3,930
NM	Carrizozo Lava Flow	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	10,690
NM	Cedar Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	14,911
NM	Chain of Craters	1991	Dec-87	PL 100-225	1	18,300
NM	Chamisa	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	16,602
NM	Continental Divide	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	68,761
NM	Cooke's Range	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	20,248
NM	Cowboy Spring	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	6,699
NM	Culp Canyon	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	10,937
NM	Devil's Backbone	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	8,904
NM	Devil's Den Canyon	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 202	1	320
NM	Devil's Reach		Nov-80	PL 94-579 (FLPMA) Sec. 202	1	860
NM	Eagle Peak	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	43,960
NM	El Malpais	Sep-92	1976	PL 94-579 (FLPMA) Sec. 603	1	21,300
NM	Empedrado	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	9,007
NM	Florida Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	22,336
NM	Gila Lower Box	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	8,555
NM	Gray Peak	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	14,678
NM	Guadalupe Canyon	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	4,146
NM	Horse Mountain	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	5,032
NM	Hoverrocker	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	22
NM	Ignacio Chavez	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	33,609
NM	Jornada del Muerto	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	31,147
NM	La Lena	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	11,718
NM	Las Uvas Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	11,067
NM	Little Black Peak	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	15,469
NM	Lonesome Ridge	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 202	1	3,505
NM	Manzano	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 202	1	881
NM	Mathers	Sep-92	1976	PL 94-579 (FLPMA) Sec. 603	1	362
NM	McKittrick Canyon	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	200
NM	Mesita Blanca	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	19,414
NM	Mount Riley	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	8,488
NM	Mudgetts	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 202	1	2,941
NM	Ojito	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	124
NM	Organ Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	7,283

<i>State Total</i>					60	2,516,855
NM	Organ Needles		Dec-93	PL 94-579 (FLPMA) Sec. 202	1	7,604
NM	Peloncillo Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	4,061
NM	Peña Blanca		Dec-93	PL 94-579 (FLPMA) Sec. 202	1	4,444
NM	Petaca Pinta	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	11,668
NM	Presilla	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	8,680
NM	Rio Chama	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	12,671
NM	Robledo Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	12,946
NM	San Antonio	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	7,050
NM	Sierra de las Canas	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	12,838
NM	Sierra Ladrones	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	45,308
NM	Stallion	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	24,238
NM	Veranito	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	7,206
NM	West Potrillo Mountains	Sep-92	Nov-80	PL 94-579 (FLPMA) Sec. 603	1	148,697

<i>State Total</i>					57	960,335
OR	Abert Rim	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	25,105
OR	Aldrich Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	9,127
OR	Alvord Desert	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	236,276
OR	Basque Hills	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	140,271
OR	Beaver Dam Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	19,080
OR	Blitzen River	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	31,914
OR	Blue Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,581
OR	Bowden Hills	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	59,031
OR	Brewer Spruce	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	208
OR	Bridge Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	14,322
OR	Camp Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	19,880
OR	Castle Rock	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,151
OR	Cedar Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	33,433
OR	Clarks Butte	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	31,291
OR	Cottonwood Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	8,110
OR	Cougar Well	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	19,345
OR	Deschutes Canyon - Steelhead Falls	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	3,192
OR	Devil's Garden Lava Bed	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	28,163
OR	Diablo Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	118,693
OR	Disaster Peak	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	17,376
OR	Douglas-Fir	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	579

<i>State Total</i>					57	960,335
OR	Dry Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	23,353
OR	Dry Creek Buttes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	51,285
OR	East Alvord	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	22,142
OR	Fifteenmile Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	50,352
OR	Fish Creek Rim	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	19,141
OR	Four Craters Lava Bed	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,474
OR	Gerry Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	22,289
OR	Gold Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	13,591
OR	Guano Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,557
OR	Hampton Butte	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,246
OR	Hawk Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	69,741
OR	Heath Lake	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	21,199
OR	High Steens	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	14,092
OR	Home Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	1,178
OR	Homestead	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,615
OR	Honeycombs	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	38,771
OR	Indian Creek	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	211
OR	Jordan Craters	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	27,761
OR	Little Sink	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	80
OR	Lookous Butte	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	66,194
OR	Lost Forest	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	8,084
OR	Lower John Day	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	25,406
OR	Lower Owyhee Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	74,767
OR	Lower Stonehouse	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,460
OR	Mahogany Ridge	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	27,365
OR	Malheur River-Bluebucket Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	5,543
OR	McGraw Creek	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	505
OR	Mountain Lakes	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	340
OR	North Fork	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	11,398
OR	North Pole Ridge	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,317
OR	Oregon Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	42,071
OR	Orejana Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	24,147
OR	Owyhee Breaks	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	13,108
OR	Owyhee River Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	187,344
OR	Palomino Hills	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	54,256
OR	Pats Cabin	NA		PL 94-579 (FLPMA) Sec. 202	1	9,817

<i>State Total</i>					57	960,335
OR	Pine Creek	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	211
OR	Pueblo Mountains	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	73,433
OR	Red Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	15,649
OR	Rincon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	108,485
OR	Saddle Butte	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	85,766
OR	Sage Hen Hills	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	7,974
OR	Sand Dunes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	16,478
OR	Sand Hollow	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	9,368
OR	Sheep Gulch	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	730
OR	Sheep Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,247
OR	Sheepshead Mountains	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	52,793
OR	Slocum Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,530
OR	South Fork	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	20,341
OR	South Fork Donner Und Blitzen	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	27,980
OR	Spaulding	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	68,411
OR	Sperry Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	5,296
OR	Squaw Ridge Lava Bed	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	28,673
OR	Stonehouse	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	22,763
OR	Sutton Mountain	NA		PL 94-579 (FLPMA) Sec. 202	1	28,878
OR	Table Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	40,051
OR	Thirtymile	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,624
OR	Twelvemile Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	28,111
OR	Upper Leslie Gulch	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	2,911
OR	Upper West Little Owyhee	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	61,489
OR	West Peak	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	8,593
OR	Western Juniper	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	609
OR	Wild Horse Basin	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,967
OR	Wildcat Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	34,746
OR	Willow Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	29,853
OR	Winter Range	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	15,501

<i>State Total</i>					87	2,645,791
UT	Behind the Rocks	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	13,065
UT	Black Ridge Canyon West	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	52
UT	Book Cliffs Mountain Browse	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	399
UT	Bridger Jack Mesa	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	6,333

<i>State Total</i>					87	2,645,791
UT	Bull Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	599
UT	Bull Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	13,138
UT	Burning Hills	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	65,710
UT	Butler Wash	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	24,277
UT	Canaan Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	4,985
UT	Carcass Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	48,628
UT	Cheesebox Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	14,831
UT	Coal Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	60,755
UT	Conger Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	20,161
UT	Crack Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	26,303
UT	Cross Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	949
UT	Daniels Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	2,516
UT	Dark Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	67,825
UT	Death Ridge	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	66,286
UT	Deep Creek Mountains	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	79,144
UT	Desolation Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	294,581
UT	Devils Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	9,142
UT	Devil's Garden	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	633
UT	Diamond Breaks	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	3,926
UT	Dirty Devel	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	71,883
UT	Escalante Canyon Tract 1	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	364
UT	Escalante Canyons Tract 5	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	761
UT	Fiddler Butte	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	73,360
UT	Fifty Mile Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	160,833
UT	Fish Creek Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	46,102
UT	Fish Springs	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	57,609
UT	Floy Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	72,282
UT	Flume Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	50,628
UT	Fremont Gorge	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	2,843
UT	French Spring-Happy Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	24,306
UT	Grand Gulch	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	105,213
UT	Horseshoe Canyon (North)	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	13,502
UT	Horseshoe Canyon (South)	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	39,842
UT	Howell Peak	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	27,545
UT	Indian Creek	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	6,554
UT	Jack Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	7,203

<i>State Total</i>					87	2,645,791
UT	King Top	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	92,847
UT	Link Flats	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	882
UT	Little Rockies	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	40,733
UT	Lost Spring Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	1,625
UT	Mancos Mesa	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	50,889
UT	Mexican Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	58,326
UT	Mill Creek Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	9,866
UT	Moquith Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	15,249
UT	Mt. Ellen-Blue Hills	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	81,363
UT	Mt. Hillers	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	19,277
UT	Mt. Pennell	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	77,137
UT	Mud Spring Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	40,573
UT	Muddy Creek	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	30,521
UT	Mule Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	6,171
UT	Negro Bill Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	7,560
UT	North Escalante Canyons/The Gulch	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	127,459
UT	North Fork Virgin River	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	1,080
UT	North Stansbury Mountains	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	10,786
UT	Notch Peak	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	57,296
UT	Orderville Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	1,952
UT	Paria Hackberry	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	145,828
UT	Paria Hackberry 202	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	402
UT	Parunuweap Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	30,907
UT	Phipps-Death Hollow	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	45,328
UT	Road Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	52,404
UT	Rockwell	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	9,342
UT	San Rafael Reef	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	59,051
UT	Scorpion	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	37,319
UT	Scott's Basin	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	8,265
UT	Sids Cabin 202	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	439
UT	Sids Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	75,216
UT	South Needles	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	160
UT	Spring Creek Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 202	1	4,333
UT	Spruce Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	20,353
UT	Squaw/Papoose Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	6,560
UT	Steep Creek	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	23,978

<i>State Total</i>					87	2,645,791
UT	Swasey Mountain	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	59,006
UT	The Blues	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	19,416
UT	The Cockscomb	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	9,921
UT	Turtle Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	33,379
UT	Wah Wah Mountains	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	49,429
UT	Wahweap	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	144,268
UT	West Cold Spring	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	3,283
UT	Westwater Canyon	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	30,066
UT	White Rock Range	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	3,767
UT	Winter Ridge	Jun-92		PL 94-579 (FLPMA) Sec. 603	1	43,322

<i>State Total</i>					86	3,232,402
WA	Chopaka Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	5,554

<i>State Total</i>					1	5,554
WY	Adobetown	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	85,710
WY	Alkali Basin/E Sand Dunes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,800
WY	Alkali Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,100
WY	Alkali Draw	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	16,990
WY	Bennett Mountains	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,003
WY	Big Horn Tack-On	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	80
WY	Bobcat Draw Badlands	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	17,150
WY	Buffalo Hump	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,300
WY	Cedar Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	21,560
WY	Copper Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,858
WY	Devil's Playground/Twin Buttes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	23,841
WY	Dubois Badlands	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	4,520
WY	Encampment River Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	4,547
WY	Ferris Mountains	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	22,245
WY	Fortification Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,419
WY	Gardner Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,423
WY	Honeycomb Buttes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	40,548
WY	Honeycombs	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	21,000
WY	Lake Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	13,865
WY	McCullough Peaks	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	24,570
WY	Medicine Lodge	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,740

<i>State Total</i>					1	5,554
WY	North Fork Powder River	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,089
WY	Oregon Buttes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	5,700
WY	Owl Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	710
WY	Prospect Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	1,145
WY	Pryor Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	4,352
WY	Raymond Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	32,936
WY	Red Butte	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	11,350
WY	Red Creek Badlands	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	8,020
WY	Red Lake	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	9,515
WY	Sand Dunes	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	26,309
WY	Scab Creek Primitive Area	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,636
WY	Sheep Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	23,250
WY	South Pinnacles	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	10,800
WY	Sweetwater Canyon	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	9,056
WY	Sweetwater Rocks (Lankin Dome)	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,316
WY	Sweetwater Rocks (Miller Springs)	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	6,429
WY	Sweetwater Rocks (Savage Peak)	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,041
WY	Sweetwater Rocks (Split Rock)	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	12,789
WY	Trapper Creek	Jul-92		PL 94-579 (FLPMA) Sec. 603	1	7,200
WY	Whiskey Mountain	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	487
WY	Whitehorse Creek	Jul-92		PL 94-579 (FLPMA) Sec. 202	1	4,002
<i>State Total</i>					42	574,401
Totals					517	12,607,811

NOTE: Fourteen WSAs are in more than one state. These are listed under each state, but are only counted once in the total tally of WSAs.

Table updated October 2016.

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October 6, 2017

David Bernhardt
Deputy Secretary
Department of the Interior
1849 C Street NW
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Dear Mr. Bernhardt:

Currently, rural communities and the high-traffic highways and freeways that connect them are devoid of wireless coverage or dramatically underserved. In areas with adequate service today, increasing consumer, commercial, and government wireless usage threatens to exceed the capacity of the existing wireless infrastructure. Restricted data speeds, or the lack of data transmission altogether, will continue to plague networks as bandwidth availability becomes saturated. New wireless broadband communication sites are needed to ensure the reliability of existing networks and to satisfy the country's insatiable appetite for more and better service.

Some of the best sites for such infrastructure are on public lands administered by the Bureau of Land Management ("BLM"). However the permitting requirements for these sorely needed infrastructure projects, in particular the increasingly burdensome approach to satisfying requirements under the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347 ("NEPA") and the limitations of land use plans that fail to recognize the imperative need for wireless infrastructure projects, are a significant impediment to the timely development of Rural Wireless Broadband ("RWB") communication infrastructure ("RWB CI") on public lands.

In the spirit of urgent necessity and collaborative problem-solving, we thus offer the following comments on behalf of Interconnect Towers LLC ("ICT") regarding the Department of the Interior's ("DOI's") response to Executive Order 13807, "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects" ("EO 13807") and its efforts to implement Secretary Order 3355 ("SO 3355"), which seeks to streamline NEPA reviews. ICT is a Preferred Vendor for the nation's largest wireless carriers. With 19 years of experience successfully navigating BLM's multiple-year permitting process under NEPA and operating facilities pursuant to BLM's right-of-way ("ROW") grants, ICT is a seasoned facility manager of multi-use, multi-tenant wireless broadband communication sites on federal lands across the southwestern United States. ICT provides wireless broadband communication infrastructure facilities to wireless telecommunication providers, federal/state/county agencies, and rural broadband providers. With almost two decades of experience with permitting RWB CI on public lands, ICT appreciates the opportunity to offer a few streamlining suggestions and comments as requested in SO 3355.

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David Bernhardt
October 6, 2017
Page 2

I. EXECUTIVE SUMMARY

As noted in a recent staff report prepared for the Congressional Subcommittee on Communications and Technology,

The importance of access to high speed internet access - also known as broadband - in modern American life and economy cannot be understated. Broadband has enabled near-instantaneous exchange of information across the country, revolutionizing how Americans communicate, conduct commerce, and participate in government.¹

Notwithstanding the increasingly critical role that wireless networks play in the personal and professional lives of Americans, however, infrastructure deployment efforts have struggled to keep up with demand. Facilities designed to support a “Can you hear me now” network servicing 8Kbs phone calls have been overwhelmed by demand from users asking “Can you see it now?” as they operate devices that require speeds of 1.5Mbs for video internet data traffic. Compounding problems, unmet demand is a particularly vexing issue in rural areas that could stand to benefit most from wireless connectivity, but find themselves on the wrong side of an increasing digital divide due to non-uniform development of network infrastructure.

Inadequate infrastructure is not a goal of the industry. They stand ready to build more towers and even cooperate with each other to co-locate facilities and minimize development. In particular, they seek to build on federal lands, which offer the ideal locations to reach underserved rural communities and shore up networks with more uniform coverage. Permitting such projects in a timely manner, however, has been increasingly challenging and painfully slow. ICT alone, for example, has 30 serialized applications across California, Nevada, and Arizona that have been pending since 2013 (See Attachment A).

As explained in more detail below, every administration since the dawn of commercial cellular communication, Democrat and Republican, has tried to streamline the permitting of broadband infrastructure. These efforts have resulted in long lists of ideas and little action. The following analysis describes the factual and legal support for concrete actions to improve permitting timelines and results, including:

- 1) Issue an Instruction Memorandum describing procedures for using an Environmental Assessment of a prescribed length to evaluate applications for right-of-way grants for cellular communications towers that meet specific criteria (generally, the criteria that are typical of such projects)
- 2) Start regulatory proceedings and/or draft legislation to create a categorical exemption pursuant to which BLM can approve applications for right-of-way grants for cellular communications towers
- 3) Clarify the limitations imposed by federal land use plans, especially the Desert Renewable Energy Conservation Plan, with respect to the development of cellular communications towers, using tools for technical corrections rather than renewed land use planning processes whenever possible

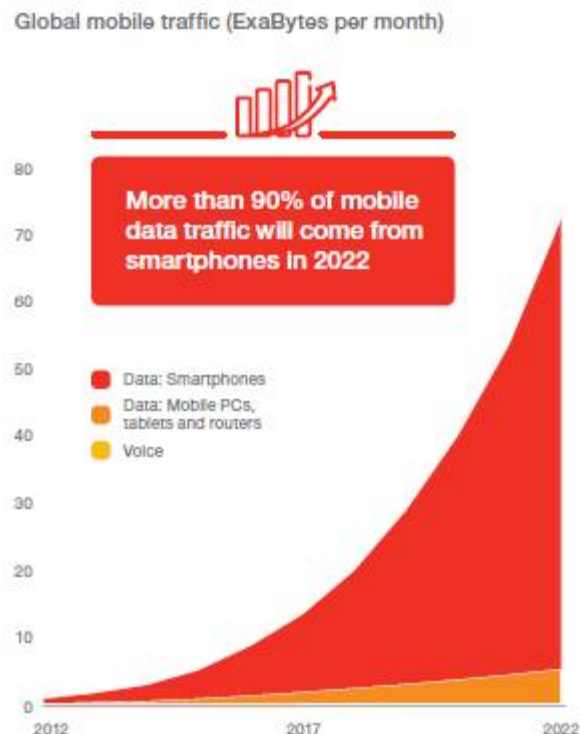
¹ U.S. House of Representatives, Committee on Energy and Commerce, Memo from Committee Majority Staff to Members, Subcommittee on Communications and Technology, re “Broadband: Deploying America’s 21st Century Infrastructure” (Mar. 17, 2017), <http://docs.house.gov/meetings/IF/IF16/20170321/105740/HHRG-115-IF16-20170321-SD002-U1.pdf>.

David Bernhardt
October 6, 2017
Page 3

- 4) Create online tools to track progress on pending applications
- 5) Establish a forum for regulators to exchange ideas on best practices

II. BACKGROUND ON RWB CI NEEDS

The widespread adoption of internet connected on mobile devices, such as smartphones, tablets, laptop computers and even automobiles, has significantly increased the demand for wireless broadband communication services on a scale and at a pace unlike anything we have seen before. Indeed, as evidenced by the charts below, wireless data traffic overtook wireless phone traffic in terms of volume in 2010 and has increased exponentially by comparison annually ever since. The “Can You Hear Me Now” network that ICT assisted the carriers in building on BLM land from 1998-2008 is now groaning under the stress of practices that demand “Can You See It Now” support.

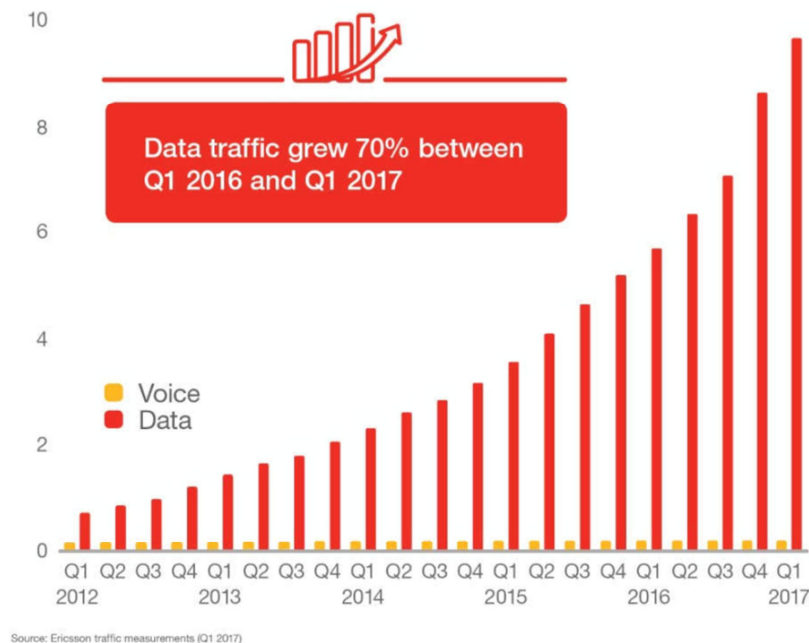


Ericsson Mobility Report (June 2017), <https://www.ericsson.com/assets/local/mobility-report/documents/2017/ericsson-mobility-report-june-2017.pdf>.

More specifically, in 2017 the traffic from wireless broadband devices on the wireless phone traffic networks is 50 times what was contemplated in 2008 (See Voice vs. Data Q-1 Ericsson “Traffic Measurement Chart” below). This represents a staggering 5000% growth since “Data Traffic” first showed up on wireless networks. Moreover, the latest reported information does not account for the recent (Q2

David Bernhardt
October 6, 2017
Page 4

2017) increase in unlimited data plans, a change that singlehandedly doubled data usage in the United States. Urgent action is needed to support the processing and granting of new multi-use, multi-tenant wireless communications sites, especially in rural areas dominated by BLM lands, to ensure that the infrastructure can support these growing needs.



In addition to consumer driven demand, enhanced fleet management systems, public safety communication networks, first responders (FirstNet specifically) and federal law enforcement agencies have also come to depend on RWB CI to serve their communities. The Federal Communications Commission (“FCC”) has observed that “[f]or many Americans, the ability to call 911 for help in an emergency is one of the main reasons they own a wireless phone.” (See <http://transition.fcc.gov/cgb/consumerfacts/wireless911srv.pdf>.)

Notwithstanding that consumers’ undeniable and insatiable demand for data warrants investment, the United States is increasingly falling behind other nations in terms of its ability to meet demand. In 2016, the United States ranked an unimpressive 42nd place in the world in terms of its broadband capabilities. In 2017, however, the United States fell even further to 44th place. (See “Ookla National Speed Test” (Sept. 7, 2017), <http://www.speedtest.net/reports/united-states/>.) The United States is not a global leader in technology and innovation when it comes to deploying RWB CI, a fact that is inconsistent with numerous federal policies that profess a commitment to supporting the country’s needed network capabilities.

The Obama Administration repeatedly signaled its commitment to RWB CI development in plans, policies, and executive orders issued over the past several years. In particular, the National Wireless Initiative (Feb. 10, 2011) aimed to make high-speed wireless services available to at least 98 percent of Americans and directly promoted the development of cellular transmission towers on public lands by investing

David Bernhardt
October 6, 2017
Page 5

\$5 billion of government funds in 4G build out in rural areas. The initiative also reformed the Universal Service Fund by reallocating funds currently supporting landline deployment to funding broadband expansion, doubling wireless spectrum available for mobile broadband by freeing up, and auctioning off, 500 MHz of spectrum, and investing \$10.7 billion to develop and deploy a nationwide wireless network for public safety. (President Obama Details Plan to Win the Future through Expanded Wireless Access: Fact Sheet (Feb. 10, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/02/10/president-obama-details-plan-win-future-through-expanded-wireless-access>). Executive Order 13604 (Improving Performance of Federal Permitting and Review of Infrastructure Projects (Mar. 22, 2012)) then directed agencies to “take all steps within their authority, consistent with available resources, to execute Federal permitting and review processes [of infrastructure projects] with maximum efficiency and effectiveness, ensuring the health, safety, and security of communities and the environment while supporting vital economic growth.” Adding to this, Executive Order 13616 (Accelerating Broadband Infrastructure Deployment (June 14, 2012)) proposed to “facilitate broadband deployment on Federal lands, buildings, and rights of way, federally assisted highways, and tribal and individual Indian trust lands (tribal lands), particularly in underserved communities.” These programs established working groups and steering committees all designed to “advance broadband deployment” by facilitating access to information, uniformity in permitting, the development of common forms and templates, and streamlining procedures for conducting consultations with Native American tribes under Section 106 of the National Historic Preservation Act (“NHPA”). In its final report submitted in 2013, the Working Group created by Executive Order 13616 noted that it was exploring means to “increase the appropriate consistency and standard use of categorical exclusions from NEPA review for broadband projects that would not normally result in significant environmental effects.” *Implementing Executive Order 13616: Progress on Accelerating Broadband Infrastructure Deployment* (Aug. 2013); see also Presidential Memoranda on “Speeding Infrastructure Development through More Efficient and Effective Permitting and Environmental Review” (Aug. 31, 2011); Presidential Memoranda on “Modernizing Federal Infrastructure Review and Permitting Regulations, Policies, and Procedures” (May 17, 2013).

These initiatives were followed by a March 23, 2015 memorandum on “Expanding Broadband Deployment and Adoption by Addressing Regulatory Barriers and Encouraging Investment and Training.” This memorandum established a policy “for executive departments and agencies having statutory authorities applicable to broadband deployment (agencies) to use all available and appropriate authorities to: identify and address regulatory barriers that may unduly impede either wired broadband deployment or the infrastructure to augment wireless broadband deployment; encourage further public and private investment in broadband networks and services; promote the adoption and meaningful use of broadband technology; and otherwise encourage or support broadband deployment, competition, and adoption in ways that promote the public interest.” The memorandum established a Broadband Opportunity Council, composed of representatives from several government agencies, to study ways to reduce regulatory burdens to broadband deployment. The Council’s August 20, 2015 report, “Broadband Opportunity Council Report and Recommendations,” identified four overarching recommendations: (1) Modernize Federal programs to expand program support for broadband investments; (2) Empower communities with tools and resources to attract broadband investment and promote meaningful use; (3) **Promote increased broadband deployment and competition through expanded access to Federal assets;** and (4) Improve data collection, analysis, and research on broadband.

The commitment – and need – to improve wireless services did not end with the recent change in administrations. The Advisory Council on Historic Preservation recently announced new procedures for review of “next-generation broadband projects on federal lands as required by Section 106 of the National Historic Preservation Act.” This permits federal agencies to review entire categories of “undertakings”

David Bernhardt
October 6, 2017
Page 6

rather than conducting separate Section 106 consultations/reviews for each individual undertaking. 82 Fed. Reg. 23818 (May 24, 2017). The FCC also recently initiated proposed rulemakings intended to decrease regulatory impediments to wireless network infrastructure investment and deployment. 82 Fed. Reg. 21761 (May 10, 2017) (Notice of Proposed Rulemaking and Notice of Inquiry (“NPRM” and “NOI,” respectively) entitled “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment”). Chief among the proposals being considered in the NPRM are initiatives to reexamine how the FCC approaches its responsibilities under NEPA and Section 106 of the NHPA. But as explained in greater detail below, there is still more work to be done.²

III. ISSUES WITH THE EXISTING PERMITTING PROCESS AND PROPOSED SOLUTIONS

EO 13807 and SO 3355 present a significant opportunity to make a meaningful dent in the nation’s lagging broadband network. Located along major transportation routes and encompassing several significant utility corridors, BLM lands are ideally situated to host critical wireless infrastructure. For a variety of reasons enumerated below, however, the permitting of RWB CI on federal lands has become needlessly complicated, especially in California, and networks are suffering as a result. The following discussion identifies how DOI and BLM can, consistent with the President’s directive in EO 13807 and in implementing SO 3355, significantly improve the permitting process.

A. Impediments to efficient and effective reviews

ICT has at least 13 applications for communications tower ROW grants in California alone that have been pending for over four years. (See Attachment A.) These are not speculative applications maintained for ulterior motives, as evidenced by the fact that ICT has dropped some applications where appropriate and invested in robust analyses for those that remain. Many of these applications were supported by complete environmental documentation not long after they were filed. However, years of additive requirements and changing demands have inflated what should be simple documents into 300+ page treatises that are still pending approval. The process should not be and need not be so demanding. If we hope to meet the explosive demand for cellular services, immediate changes are needed.

Excessive NEPA proceedings. Under NEPA, a federal agency undertaking comprising a “major Federal action” that might significantly affect “the quality of the human environment” must be evaluated via preparation of an Environmental Impact Statement (“EIS”). 42 U.S.C. § 4332(2)(C). As an initial matter, however, an agency can prepare a less detailed Environmental Assessment (“EA”) to assess the need for an EIS. 40 C.F.R. § 1501.4(b). Based on the conclusions in the EA, the reviewing agency may determine that in lieu of an EIS, it should issue a finding of no significant impact (“FONSI”) accompanied by “a convincing statement of reasons” to explain why a project’s impacts are insignificant.” *Id.* § 1501.4(e); *Wetlands Action Network v. U.S. Army Corps of Eng’rs*, 222 F.3d 1105, 1119 (9th Cir. 2000),

² In addition to regulatory and policy changes, the current administration has further suggested that it will commit government resources to broadband deployment efforts. See *White House Advisor Says Broadband Funding Is a Trump Goal*, Inside Towers (quoting Kelsey Guyselman, a policy advisor for the White House Office of Science and Technology Policy), https://insidetowers.com/cell-tower-news-white-house-advisor-says-broadband-funding-trump-goal/?utm_source=Inside+Towers+List&utm_campaign=b3554b45a2-EMAIL_CAMPAIGN_2017_09_21&utm_medium=email&utm_term=0_af16c4fc22-b3554b45a2-72592889&goal=0_af16c4fc22-b3554b45a2-72592889.

David Bernhardt
October 6, 2017
Page 7

overruled on other grounds by Wilderness Soc’y v. U.S. Forest Serv., 630 F.3d 1173, 1178-79 (9th Cir. 2011); *Blue Mountains Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1212 (9th Cir. 1998) (quoting *Save the Yaak Comm. v. Block*, 840 F.2d 714, 717 (9th Cir. 1988)).

To determine the significance of a proposed action’s impacts, an agency must consider the setting of the proposed action (context) and the severity of the impacts (intensity). 40 C.F.R. § 1508.27(a), (b). “Context simply delimits the scope of the agency’s action, including the interests affected.” *Nat’l Parks & Conservation Ass’n v. Babbitt*, 241 F.3d 722, 728, 731 (9th Cir. 2001), *overruled on other grounds by Winter v. Natural Res. Def. Council, Inc.*, 129 S. Ct. 365, 374 (2008). The latter consideration, intensity, “relates to the degree to which the agency action affects the locale and interests identified in the context part of the inquiry.” *Id.* This aspect of the action is examined according to one or more of ten different factors. 40 C.F.R. § 1508.27(b)(1)-(10).

Given that BLM has approved transmission lines covering several miles and power generation projects on hundreds of acres using EAs, it should come as no surprise that the ROW applications for cellular transmission tower projects also easily qualify for review using an EA, and as explained in more detail below, might even be categorically excluded from NEPA analysis. Impacting less than two acres, with narrow profile structures ranging from 80-196 feet in height and sited near existing roads whenever feasible, the impacts of cellular communications towers are limited – and even more so when sited in or near utility corridors already developed with substantially more impactful transmission lines. The effects of these isolated, compact towers are not “highly uncertain” nor do they “involve unique or unknown risks.” 40 C.F.R. § 1508.27(b)(4), (5). They are largely not controversial, because most are sited along highways and other developed areas where service is needed, away from areas with “[u]nique characteristics,” such as “proximity to historic or cultural resources, park lands, [] wetlands, [] or ecologically critical areas,” and are unlikely to “cause loss or destruction of significant scientific, cultural, or historic resources,” or affect endangered species. *Id.* § 1508.27(b)(3), (8), (9). The limited and isolated nature of the projects further limits their potential to have cumulative impacts. *Id.* § 1508.27(b)(7).

In the rare instances when a proposed tower threatens to cause significant environmental impacts, “[a]n agency’s decision to forego issuing an EIS may [still] be justified by the presence of mitigating measures.” *Wetlands Action Network*, 222 F.3d at 1121 (citing *Friends of Payette v. Horseshoe Bend Hydroelectric Co.*, 988 F.2d 989, 993 (9th Cir. 1993); *id.* at 1122 (“In order to issue a FONSI, [an agency] only need[s] to find that the mitigation measures would render any environmental impact resulting from the permit activity insignificant.”); see also *N. Alaska Envtl. Ctr. v. Kempthorne*, 457 F.3d 969, 979 (9th Cir. 2001) (observing that “NEPA does not require an agency to formulate and adopt a complete mitigation plan”; an agency must simply discuss all potential mitigation measures “in sufficient detail to ensure that environmental consequences have been fairly evaluated” (quoting *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 352 (1989); *City of Carmel-By-The-Sea v. U.S. Dep’t of Transp.*, 123 F.3d at 1142, 1154 (9th Cir. 1997))).

Notwithstanding a significant body of case law that would support frequent reliance on uncomplicated EAs for cellular tower projects, the permitting process administered by BLM has only grown increasingly more burdensome and time consuming. Documents that should be “no more than approximately 10-15 pages” sometimes rival the size of an EIS and take just as long (years) to complete. 46 Fed. Reg. 18026 (Mar. 23, 1981) (Council on Environmental Quality (“CEQ”), Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations, Question 36a). Although environmental requirements have expanded significantly since the publication of CEQ’s regulations, agencies, including

David Bernhardt
October 6, 2017
Page 8

BLM, as a consequence of EO 13807 and SO 3355 are obligated to reign in this process and reestablish a meaningful difference between the review required for projects suited to an EA and those that warrant an EIS. In particular, the deployment of RWB CI should not be mired in a protracted permitting proceeding that is not commensurate with the actual impacts of these projects.

BLM arguably already has the tools it needs to address the problems presented by drawn out and over analyzed EAs, as it could rely on the provisions of NEPA and CEQ's guidance to prepare simplified documents that are no more detailed than necessary to provide the functionality specified by CEQ. More specifically, EAs should be concise public documents that briefly discuss the environmental impacts of a proposed action and provide sufficient evidence for determining whether to prepare an EIS.

Given the importance of RWB CI deployment, however, we urge DOI and BLM to go further and publish an instruction memorandum that provides criteria for identifying cellular tower projects that are suited for analysis in an EA, sets reasonable timelines for completing such reviews, and makes a real commitment to meeting established timelines. The forthcoming page limitation for EAs required by SO 3355 will also be helpful, however we urge DOI to require that any exceedances of this limit (if allowed at all) be approved in advance and on a strict timeline to avoid significant delays that will inevitably result if agencies are allowed to first draft overlong documents, then wait for approval of a page extension and further redraft the EA if the extension is denied.

Uncertainty with how to implement unrelated land use plans. Another impediment to timely deployment of WCBI is the uncertainty that follows the adoption of sweeping land use plans designed to address specific issues related to discrete activities that have unintentional impacts on a larger population of individuals and entities that do business on public lands. In particular, the recent (October 2016) adoption of the Desert Renewable Energy Conservation Plan ("DRECP") in California spawned several new procedural and substantive obstacles, real and imagined, to the approval of proposed cellular towers on BLM lands.

BLM finalized the DRECP in October, 2016. As advertised, the DRECP was supposed to amend the 1980 California Desert Conservation Area ("CDCA") Plan to provide a new framework under which new applications for renewable energy projects would be considered and evaluated and make commensurate changes in natural resource conservation planning to ensure that development of renewable energy did not overtake the desert. However, the resultant plan, as interpreted now by the BLM, changed how lands in the CDCA are managed for resource conservation, regardless of other proposed uses.

ICT recognized the threat posed to the wireless communications industry by the DRECP and submitted comments alerting BLM to its many inherent problems on February 23, 2015. (See Attachment B, Comments of PCIA – The Wireless Infrastructure Association, including Comments of Interconnect Towers LLC, on the Draft EIS for the DRECP.) In particular, the Draft EIS (Table II.3-50, CDCA Plan and DRECP Preferred Alternative Crosswalk, at p. II.3-427) specified that new "Communication Sites" *would not be allowed* in Areas of Critical Environmental Concern ("ACECs"), National Landscape Conservation System ("NLCS") land that is not wilderness, Special Recreation Management Areas ("SRMAs") or Extensive Recreation Management Areas ("ERMAs"). These lands were largely designated as "Class L" under the CDCA land use plan, which permitted "lower intensity and carefully controlled multiple uses that do not significantly diminish resource values," specifically allowing communications projects. (DRECP Proposed Land Use Plan Amendment ("LUPA") and Final EIS at III.14-9.) Some of the covered SRMAs and ERMAs, however, were designated Class M or I, which respectively allowed a "wide variety of uses,

David Bernhardt
October 6, 2017
Page 9

such as mining, livestock grazing, recreation, and energy and utility development” and intensive, “concentrated human use.” (*Id.*) The CDCA Plan allowed for the development of new Communication Sites on Class L lands in designated areas and after study in an EA, and on Class M and I lands with NEPA review. (CDCA at p. 16.)

In the Final EIS for the DRECP, BLM provided pithy assurances that changes to the Draft were made to ensure that “[t]here is no general prohibition on wireless broadband infrastructure in Conservation Areas.” (DRECP Final EIS at p. E21-17 (Response to Comment (“RTC”) E21-2.) But elsewhere, BLM inconsistently represented that “[t]he DRECP is a LUPA focused on renewable energy and conservation, and would not alter any of BLM’s existing management actions with regard to telecommunications” and a few lines later asserted that “[w]hile [the] impact analysis focuses on effects of renewable energy projects, the construction and operation of other permitted uses of BLM land are also covered by the LUPA.” (*Compare id.* at p. E21-18 (RTC E21-9), *with id.* (RTC E21-11); *see also id.* at p. E49-19 (RTC E49-3) (“The DRECP LUPA does not stop future rural wireless broadband infrastructure. The only types of authorizations which are not allowed in some areas of the Plan are renewable energy and ancillary facilities. Note that in existing protected lands, such as designated Wilderness, restrictions on new authorizations may already be in place despite the LUPA.”).) While it might be true that, as a result of deleting Table II.3-50 entirely, the DRECP did not expressly prohibit new communication sites throughout large swaths of the CDCA, if BLM continues to consider changes made to the land use classification system and newly designated conservation areas when evaluating applications, it will have effectively foreclosed development without having considered the impact this change will have on a human environment that is increasingly dependent upon wireless services. (See DRECP Final EIS at p. IV.22-11 (cursory, one paragraph discussion of the “Impacts of the Ecological and Cultural Conservation and Recreation Designations” on Public Health, Safety and Services, which fails to consider impacts on availability of communication, or more specifically broadband, sites); *see also* DRECP Glossary at p. 14 (excluding “transmission in existing approved corridors” from the list of activities not authorized in “right-of-way exclusion areas”).) This result cannot be allowed, as it is inconsistent with the analysis supporting the approval of the DRECP.

Also contrary to BLM’s representations that the DRECP “would not alter any of BLM’s existing management actions with regard to telecommunications,” BLM has started requiring that the environmental analysis for pending applications include “Relevant Land Use Planning Amendment Conservation Management Actions.” In addition to designating low-conflict areas for renewable energy development, the DRECP also prescribes Conservation and Management Actions (“CMAs”), which BLM represents “were designed to achieve the goals and objectives for activities within the LUPA’s various land use allocations.” (DRECP Record of Decision (“ROD”) at p. 63.) CMAs “identify a specific set of avoidance, minimization, and compensation measures, and allowable and non-allowable actions for siting, design, pre-construction, construction, maintenance, implementation, operation and decommissioning activities on BLM-managed lands. The intent of these is to provide certainty on what avoidance and minimization measures, design features, and compensation/mitigation measures would be required for a particular action within any one of the LUPA’s land use allocation types.” (*Id.*) Although these definitions were worded broadly enough to encompass any “activity” BLM might approve, in light of the responses to comments documented above and the overall context of the DRECP – to create Development Focus Areas (“DFAs”) for *renewable energy projects* – the term must be understood to apply only to the types of projects that the DRECP considered. (See *also* DRECP ROD at ES-5 (explaining that the DRECP “designates approximately 388,000 acres of Development Focus Areas (DFA). These are areas with substantial energy generation potential, access to existing or planned transmission, and low resource conflicts. CMAs have been developed to provide certainty in order to help

David Bernhardt
October 6, 2017
Page 10

streamline and incentivize *utility-scale renewable energy generation* in these areas.”.) Indeed, most of the 370 CMAs could not possibly apply to cellular communications towers, and yet BLM forces applicants to go through the wasteful exercise of explaining why these provisions do not apply as part of the NEPA process, which contradicts a bedrock principle of the statute recognized in SO 3355 – such reviews should not be an exercise in generating paperwork.

To avoid interpreting the DRECP in a way that jeopardizes the entire plan (given that the statute of limitations for challenging the decision will not expire for years to come), we recommend that BLM take the following steps:

First, at a minimum, BLM should stop requiring developers to create an explanation for how the CMAs apply to communications projects. BLM represented that new management actions would not apply to communications facilities in the DRECP and it cannot now apply them, having failed to consider whether they are appropriate or warranted for such developments. To do so would clearly violate the informational purpose of the NEPA procedures BLM was required to follow before adopting the DRECP. See *Forest Guardians v. U.S. Fish & Wildlife Serv.*, 611 F.3d 692, 711 (10th Cir. 2010) (recognizing that NEPA has two aims: “First, it places upon an agency the obligation to consider every significant aspect of the environmental impact of a proposed action. Second, it ensures that the agency will inform the public that it has indeed considered environmental concerns in its decision-making process.” (quoting *Balt. Gas & Elec. Co. v. Natural Res. Def. Council, Inc.*, 462 U.S. 87, 97 (1983) (internal quotation marks omitted))).

Second, BLM needs to clarify, consistent with its response to ICT’s February 23, 2015 comments on the DRECP and the decision to delete the restrictions in Table II.3-50, that, as was the case with the Class L, M, and I lands from which they arose, telecommunication sites may be permitted after review under NEPA in ACECs, NLCS lands that are not wilderness, SRMAs, and ERMAs. The DRECP did not purport to change this practice, and to ensure that these areas are evaluated consistently across different field offices as they were prior to the implementation of the DRECP, BLM should issue clarifying guidance.

Finally, BLM needs to clarify that development caps established by the DRECP for renewable energy development impacts do not apply to small-scale telecommunication sites. As previously noted by ICT, many of the new ACECs established as part of the DRECP were not established in accordance with the more stringent public notice requirements applicable to their creation, nor were they supported by the rigorous analysis required by law. The development caps established for these ACECs were furthermore imposed without considering the full portfolio of uses that would be vying for remaining developable lands or how much area would actually be left for development in general (BLM has just recently begun this inventory). Because the DRECP only considered the impact of setting aside millions of acres for preservation from renewable energy development, without contemplating what would remain for other important infrastructure needs, the unprecedented mass designation and expansion of ACECs was not consistent with BLM’s core mission under the Federal Land Policy and Management Act to put public lands to their highest and best use.

At this point, the fact that BLM established sweeping “disturbance caps” of 0.5% or 1% for unspecified “BLM Special Status Species” without first calculating the precise acreage available is wreaking havoc on ROW applications, including RWB CI projects of only a few acres that will not noticeably move the dial on developed habitat and that offer overall environmental benefits by piggybacking on existing development

David Bernhardt
October 6, 2017
Page 11

(in particular, existing roads). Applications are being held up while BLM evaluates and spends millions of dollars attempting to calculate the “existing disturbance” to see if the actual impact of a new project, which in most cases is disproportionately small, would exceed or trip the allowed disturbance caps. The current implementation of this section of the DRECP on the inventory of federal lands available for development is freezing development on approximately 10 million acres in the California desert. Consistent with NEPA’s purpose to facilitate informed decision making, this is something that should have been done – was legally required to have been done – before BLM adopted the DRECP in the first instance. Notwithstanding that fact, given the incomplete information BLM relied on when imposing the caps in the first instance, it should not be problematic to exclude low-impact RWB CI projects from these limitations using BLM’s authority under 43 C.F.R. § 1610.6–5 to revise resource management plans, like the DRECP, in response to minor changes in data.

B. Additional/revised categorical exclusions for wireless infrastructure

Another option for addressing needless constraints on RWB CI permitting in the DRECP and beyond would be to adopt a new categorical exclusion (“CATEX”) applicable to their development. As noted above, the Broadband Deployment on Federal Property Working Group recognized in its 2013 progress report on implementing Executive Order 13616 that the use of CATEXs can meaningfully and appropriately reduce the amount of review time needed for broadband projects “in the absence of extraordinary circumstances such as historic properties, Tribal Nations’ sacred sites, endangered species, or wetlands.”³ Pursuant to 516 DM 11.9, BLM already has a CATEX for “Approval of Notices of Intent to conduct geophysical exploration of oil, gas, or geothermal [resources], when no temporary or new road construction is proposed.” Given the comparable size (footprint) of cellular tower projects and preference to locate them next to existing roads, this CATEX could be a model for low-impact tower development. The statutory CATEXs created by section 390 of the Energy Policy Act of 2005 for specific types of oil and gas exploration projects could also serve as a model for a cellular tower project CATEX.

C. Fixing America’s Surface Transportation (“FAST”) Act provisions that can apply to wireless infrastructure projects

In addition to changing the policies and procedures followed by BLM when administering NEPA for RWB CI project applications, other tools could be utilized, consistent with the spirit of EO 13807 and SO 3355, to facilitate streamlined permitting practices. Chief among these, the project coordination and management tools that various agencies have experimented with to improve environmental reviews should be applied to RWB CI projects to increase agency accountability and permitting efficiency. These programs, like the one established by title XLI of Division D of the Surface Transportation Reauthorization and Reform Act of 2015 (Public Law No. 114-94), more commonly known as the “Fixing America’s Surface Transportation Act,” or the “FAST Act,” have been reserved for particularly significant and complex infrastructure projects (e.g., projects with a total investment of more than \$200 million and that require the approval of several federal agencies). The isolated and suppositionally simple nature of RWB CI projects disqualifies them from such programs, but their importance to the public should overcome these considerations or alternatively put them in a class by themselves. Field offices should be sharing

³ Broadband Deployment on Federal Property Working Group, *Implementing Executive Order 13616: Progress on Accelerating Broadband Infrastructure Deployment, A Progress Report to the Steering Committee on Federal Infrastructure Permitting and Review Process Improvement* at 11-12 (Aug. 2013), https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/broadband_eo_implementation.pdf

David Bernhardt
October 6, 2017
Page 12

lessons learned to make permitting more efficient and BLM should be monitoring at a national level the progress being made on efforts to site more RWB CI on public lands. If regular coordination to ensure that the government is meeting the broadband development goals discussed in Part I of this letter is not feasible, BLM should, at a minimum, make information on filed, pending, and approved applications publicly available and track the agency's progress on approvals, as was done with renewable energy projects in response to the goals set forth in the Energy Policy Act of 2005.

IV. CONCLUSION

As observed by the FCC in its aforementioned NPRM, "[t]he deployment of next-generation wireless broadband has the potential to bring enormous benefits to the Nation's communities. By one assessment, the next generation of wireless broadband is expected to directly involve \$275 billion in new investment, and could help create 3 million new jobs and boost annual GDP by \$500 billion. . . . [B]y 2019, mobile data traffic in the U.S. will have grown by nearly six times over the traffic level that existed in 2014." No other infrastructure in the U.S. is experiencing remotely comparable growth and the stress that such growth places on already inadequate infrastructure can only be fixed by streamlining the BLM's Rural Wireless Broadband Communication Infrastructure Permitting Procedures.

ICT welcomes the opportunity to work with the BLM and the DOI to clarify and realign the agency's goals and priorities for RWB CI development on federal lands to ensure public land is available to meet national data service needs and to meet the Trump Administration's clear direction to streamline infrastructure permitting. We would appreciate the opportunity to discuss with you and your staff more detailed technical suggestions for improvements that could be made to specific policies to achieve these objectives.

Sincerely,



Jill E.C. Yung
for PAUL HASTINGS LLP

Attachment A: ICT Pending Applications

Attachment B: Comments of PCIA – The Wireless Infrastructure Association, including Comments of Interconnect Towers LLC, on the Draft EIS for the DRECP

cc: Michael Nedd, Acting Director, BLM
Peter Weiner, Paul Hastings LLP
Tom Gammon, President, ICT

Attachment A

[illegible]

INTERCONNECT TOWERS LLC												
5/25/2017	GEO STATE	LAND OFFICE	PREFIX	SERIAL #	SUFFIX	GeographicName	Case Disposition	Exp Date	Local Field Office	Lease/Grant HolderName	Billie Address	Billie Reference Identifier
	AZ	A		036053		Dome Rock	PENDING		Yuma F.O.	Interconnect Towers LLC	27762 antonio Pkwy L1-471 attn: Tom Gammon	
	AZ	A		036054			PENDING		Yuma F.O.	Interconnect Towers LLC		
	AZ	A		036401			PENDING		Kingman F.O.	Interconnect Towers LLC		
	AZ	A		036402			PENDING		Kingman F.O.	Interconnect Towers LLC		
	AZ	A		036403			PENDING		Kingman F.O.	Interconnect Towers LLC		
	AZ	A		036404			PENDING		Kingman F.O.	Interconnect Towers LLC		
	CA	CA		039370		Blind Hills	Authorized	4/6/2030	Needles F.O.	Interconnect Towers (ICT) LLC		Blind Hills
	CA	CA		040188		Monumental Pass	Authorized	7/17/2033	Needles F.O.	Interconnect Towers (ICT) LLC		Monumental Pass
	CA	CA		043440		Bridgeport	Authorized	8/11/2035	Bishop F.O.	Interconnect Towers LLC		Bridgeport
	CA	CA		051797		Ash Hill	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		053335		Big River	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		Proj-B516
	CA	CA		053336		Halloran Springs	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		053338		40-95	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		Proj-B516
	CA	CA		053787			PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		053815		I-40 Elbow	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		LVRWB12B5160
	CA	CA		053817		I-15 Nipton / Molycor	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		LVRWB12B5160
	CA	CA		053899		Barstow North	PENDING		Barstow F.O.	Interconnect Towers (ICT)		
	CA	CA		055184		Dillion Road	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		055185		Hwy 60	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		055186		Hwy 94	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		055188		I-8 Southbound	PENDING		El Centro F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		055190		I-8 Nouthbound	PENDING		El Centro	Interconnect Towers (ICT) LLC		
	CA	CA		055286		Outlet Center	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		055507		Spring Hills	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
	CA	CA		056668		Dale Evans	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
	NV	N		091519		Hiko Springs	PENDING		Division of Lands	Interconnect Towers		Hwy 163
	NV	N		091519	01		PENDING		Division of Lands	Interconnect Towers		
	NV	N		091523		Jean	PENDING		Division of Lands	Interconnect Towers		
	NV	N		091523	01		PENDING		Division of Lands	Interconnect Towers		
	NV	N		091524		Roach Lake	PENDING		Division of Lands	Interconnect Towers		Primm
	NV	N		091524	01		PENDING		Division of Lands	Interconnect Towers		
	NV	N		092338			PENDING		Division of Lands	Interconnect Towers		
	NV	N		092732			PENDING		Division of Lands	Interconnect Towers		

30+ RURAL WIRELESS BROADBAND COMM. SITES HAVE BEEN FILED AND SERIALIZED SINCE 2012 IN SOUTHERN CA, SO NEVADA AND NW ARIZONA

Attachment B



February 23, 2015

VIA ELECTRONIC FILING

docket@energy.ca.gov

California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

Re: DRECP NEPA/CEQA – Interconnect Towers LLC Comments for the Draft Desert Renewable Energy Conservation Plan (DRECP) and Draft Environmental Impact Statement / Environmental Impact Report

Dear Mr. Beale (DRECP Acting Director), Mr. Flint (CEC DRECP Program Manager) & Vicki Campbell (BLM DRECP Program Manager):

PCIA – The Wireless Infrastructure Association¹ has been recently alerted by one of our members, Interconnect Towers, LLC (ICT), of the potential negative impacts of the DRECP Draft Environmental Impact Statement / Environmental Impact Report on consumers across the country from possible material limitations in wireless broadband deployment to serve remote and central geographies effectively. Any material limitations to thoughtful deployment would conflict with top priorities of both Congress and the White House.

Our association has had little to no awareness of this document or the possible proposed negative impacts to the wireless broadband communication industry as we have known no more of the document content than its title as a “Renewable Energy Conservation Plan”.

Renewable energy planning should not impede the critically necessary development of wireless broadband communication infrastructure. Congress and the White House have recently acted to streamline broadband deployment on federal lands. Sections 6409(b)-(c) of the Middle Class Tax Relief and Job Creation Act of 2012 (“Spectrum Act”),² enacted in early 2012, addressed access to federal lands for the deployment of wireless broadband facilities, including requirements that the General Services Administration (“GSA”) develop application forms, master contracts, and cost-based fees for such access.

In June 2012, the Obama Administration published an executive order, “Accelerating Broadband Infrastructure Deployment” (“Executive Order”).³ The order established a Broadband Deployment on Federal Property Working Group (“Working Group”), “to ensure a coordinated and consistent approach

¹ PCIA – The Wireless Infrastructure Association is the principal organization representing the companies that build, design, own and manage telecommunications facilities throughout the world. Its over 200 members include carriers, infrastructure providers, and professional services firms.

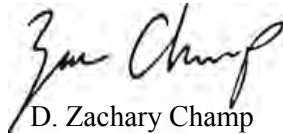
² Middle Class Tax Relief and Job Creation Act of 2012, 112 Pub. L. 96, Title VI, 126 Stat. 156, 206 (2012).

³ Accelerating Broadband Infrastructure Deployment, Exec. Order No. 13616, 77 Fed. Reg. 36903 (Jun. 14, 2012).

in implementing agency procedures, requirements, and policies related to access to Federal lands, buildings, and rights of way, federally assisted highways, and tribal lands to advance broadband deployment.”⁴

PCIA respectfully requests additional time to review this excessively large planning document along with further opportunity to provide constructive consideration to the land use planning decisions being sought as they relate to wireless communication infrastructure.

Respectfully Submitted,



D. Zachary Champ
Director of Government Affairs
PCIA – The Wireless Infrastructure Association
(703) 535-7407
zac.champ@pcia.com

Encl: (15) Letter of InterConnect Towers LLC (February 9, 2015)

⁴ *Id.*

InterConnect Towers LLC
InterConnecting Wireless Coverage on Federal Land Since 1998

February 9, 2015

docket@energy.ca.gov

California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

RE: DRECP NEPA/CEQA – Interconnect Towers LLC Comments for the Draft Desert Renewable Energy Conservation Plan (DRECP) and Draft Environmental Impact Statement / Environmental Impact Report

Dear Mr. Beale (DRECP Acting Director), Mr. Flint (CEC DRECP Program Manager) & Vicki Campbell (BLM DRECP Program Manager):

Interconnect Towers, LLC (ICT) and team are generally supportive of the DRECP and the conservation measures taken by the cooperating agencies to preserve the public landscape of our desert wilderness for future generations to come. We would also like to commend the people involved in the production of this document for the work produced and the many hours of commitment dedicated to this effort.

However, ICT does have serious concerns regarding the DRECP & Draft EIS/EIR and the proposed impacts to the future development of necessary wireless broadband communication infrastructure (WBCI) on federal lands.

It has been noted in our review of the plan that there has not been consideration given to the new development of WBCI for purposes of network densification and reliability. To define WBCI for future context in this letter, WBCI is inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site.

In the past 4 years new federal and state legislation has been introduced to expand the nation's communication/data networks. This coupled with significant increases in consumer and commercial wireless broadband usage has necessitated the expansion of WBCI nationwide. Much of the legislation is directed to expanding the nation's WBCI to provide internet to rural communities, support emergency services, aid in disaster relief and enhance public safety.

It is noted that the Draft DRECP is proposing to amend the U.S. Bureau of Land Management's (BLM's) California Desert Conservation Area Plan (CDCA) along with other Resource Management Plans (RMP's), create new land designations, conservation areas and expand existing Areas of Critical Environmental Concern (ACECs). While ICT understands that conservation commensurate with new lands being developed for renewable energy is necessary, ICT was

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Ladera Ranch, California 92694*

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surprised to find new restrictions and designations that would ultimately prohibit or additionally restrict the development of new wireless broadband communication sites.

The development of new wireless broadband communication sites is key to the reliability of existing wireless broadband communication networks. Currently, there are many high-traffic, high-use, frequently traveled portions of Southern California that are devoid of wireless coverage or insufficiently served. Coupled with the increase in consumer, commercial and government wireless usage, new wireless broadband communication sites are needed to ensure the reliability of existing wireless networks. Currently, in Southern California, there are many locations that are already feeling the impacts of over capacitated wireless broadband communication sites. Users notice these over capacitated areas mostly when a call drops or when a call does not connect even though the communication device displays a 'full-signal'. These 'voice connection' issues will become more prevalent as usage growth continues. Restricted data speeds, or the lack of data transmission altogether will continue to plague networks as bandwidth availability becomes saturated.

Implications resulting in the implementation of the DRECP in the current draft state, with limited consideration given to the future communication requirements of the American public, legislature and first-responder agencies would be neglectful. In rural areas and traveled highways with complex terrain constraints, federal lands are the last viable siting option for the development of new wireless broadband communication sites. Implementing a "new development not allowed (*Table II.3-50 CDCA Plan and DRECP Preferred Alternative Crosswalk*)" allocation or implementing additional restrictions to federal lands for wireless broadband communication sites will have long-lasting negative impacts.

ICT specifically does not support any language, designation or allocation in the DRECP that would negatively impact the timeframe and federal permitting process required to develop new wireless broadband communication sites. ICT does support the new development of strategically located multi-tenant wireless broadband communication sites on federal lands. ICT supports and implements best management practices in the new development of multi-tenant wireless broadband communication sites.

The future expansion of WBCI in a timely and responsible manner will have a positive impact on:

- The reliability, abilities and functionality of first-responder agencies;
- Functionality and reliability of federal enforcement agencies, ie., Bureau of Land Management, U.S Border Patrol, Department of Homeland Security, Drug Enforcement Administration, Federal Emergency Management Agency, etc.;
- American consumers;
- Educational Institutions;
- State and Federal economy.

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The following information is supporting information that is necessary to consider in contribution to our concerns and substantive comments stated within this document.

1. ICT Company Overview:

Interconnect Towers LLC (ICT) is a Wireless Carrier “Preferred Vendor” for the nation’s largest Carriers and a Facility Manager of multi-use, multi-tenant wireless broadband communication sites on federal lands across the southwestern United States since 1998. Specifically, ICT provides wireless broadband communication infrastructure facilities to wireless telecommunication providers, federal/state/county agencies and rural broadband providers.

The locations of ICT’s facilities, both existing and proposed are selected by:

- Wireless communication constraints necessitating network densification;
- Wireless carrier demands;
- Private consumer demands;
- First-Responder and Federal/State enforcement agency demands.

Demands from either of these aforementioned parties are generated when:

- Wireless broadband coverage has become unreliable based on heavy use, thus requiring network densification;
- Populated locations (rural communities, seasonal communities, large event gatherings) or heavy vehicle use areas (highways, freeways, roads, etc.) have no coverage.

ICT works collaboratively with their clients and the federal land management agencies to minimize tower site locations and their associated impacts to federal lands while maximizing the benefits of a strategically located multi-use facilities, fully engineered to service the needs of multiple tenants utilizing present and future technologies.

2. Wireless Broadband Trends 2014 - 2019:

The Consumer Wireless Communication Industry is witnessing unprecedented growth. This growth is being driven by the adoption of internet connected mobile devices such as, smartphones, tablets, wearable electronic devices, laptop computers and soon to be automobiles. The growth in the use of devices has significantly raised the demand for wireless broadband communication services.

While this growth is somewhat consumer driven, a significant portion of the demand comes from enhanced fleet management systems, public safety communication networks, first responders and federal enforcement agencies. As it applies to Emergency Services and wireless communications, the FCC states the following: *“The number of 911 calls placed by people using wireless phones has significantly increased in recent years. It is estimated that about 70 percent of 911 calls are placed from wireless phones, and that percentage is growing. For many Americans, the ability to call 911 for help in an emergency is one of the main reasons they own a wireless phone.”* – <http://transition.fcc.gov/cgb/consumerfacts/wireless911srvcs.pdf>

According to a recent February 3, 2015 report released by Cisco Systems Inc., the future years between 2014 and 2019 will see unprecedented growth in mobile data use, both in the United States and on a worldwide scale.

Cisco (NASDAQ: CSCO) is \$149 Billion market cap company headquartered in San Jose, California and is a worldwide leader in IT. More information about Cisco is located at: <http://www.cisco.com/web/about/index.html>

The following data has been extracted from the February 3, 2015, “Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2014 -2019”. This PDF report can be downloaded for viewing at: http://www.cisco.com/c/en/us/solutions/collateral/service-provider/visual-networking-index-vni/white_paper_c11-520862.pdf

- *As reported by CTIA, mobile data traffic grew 120% in 2013.*
- *North American mobile traffic grew 63% in 2014.*
- *Global mobile data traffic grew 69 percent in 2014.*
- *Last year’s mobile data traffic was nearly 30 times the size of the entire global Internet in 2000.*
- *Almost half a billion (497 million) mobile devices and connections were added in 2014*
- *The number of mobile-connected devices exceeded the world’s population in 2014.*
- *Global mobile data traffic will increase nearly tenfold between 2014 and 2019*
- *Mobile network connection speeds will increase more than twofold by 2019*

As can be noted from the data shown above, the reliability of the nation’s wireless broadband networks depends on expanding the WBCI.

3. Wireless Broadband in the State of California:

The State of California has recognized the need for broadband propagation within the State along with the benefits, both socially and economically for rural areas. The State of California Broadband and Digital Literacy Office (<http://www.cio.ca.gov/broadband/>) acknowledges this fact in the following Vision Statement:

- *“While our state is a leader in developing broadband infrastructure, thousands of Californians remain off-line. Broadband is vital to our economic future. The Broadband and Digital Literacy Offices.”*

For many rural areas in California, fixed wireline broadband is not available. **It should be recognized that some of the largest statistics for communities without access or with underserved access to wireline broadband are within the seven (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino & San Diego) counties participating in and affected by the DRECP.**

Table – California Public Utilities Commission, June 16, 2014

State of California Fixed Broadband Availability (Revised June 16, 2014)		
California County	Underserved Households	Unserved Households
Imperial	5,115	1,595
Inyo	470	2,093
Kern	15,120	10,663
Los Angeles	3,928	4,334
Riverside	15,939	8,352
San Bernardino	17,491	15,406
San Diego	6,967	8,522

For rural communities that are underserved or without access to wireline broadband, wireless broadband is the next viable option. However, as is demonstrated by the attached maps, much of the wireless broadband in these areas also falls into underserved or unserved category, thus requiring further build-out of wireless broadband infrastructure. For a visual representation of Wireless Broadband Availability within the seven counties affected by the DRECP, please refer to the two maps attached hereto, published by the California Public Utility Commission, published November 18, 2014:

(<http://www.cpuc.ca.gov/PUC/Telco/Information+for+providing+service/Broadband+Availability+Maps.htm>)

- Map A: State of California – Fixed Wireless Broadband Availability
- Map B: State of California – Mobile Broadband Availability

4. Federal Broadband Communication Infrastructure Legislation:

The following are Federal initiatives, executive orders and legislation which necessitates the development of new wireless communication infrastructure and the densification of existing infrastructure. It appears that the planning of the DRECP & Draft EIS/EIR did not plan for, identify or recognize the implementation of the following:

- **(Federal) February 10, 2011, National Wireless Initiative**
 - Launched by President Obama to extend next-generation wireless coverage to 98 percent of the U.S. population and calling on Congress to support a wireless spectrum auction.
- **(Federal) June 14, 2012, Executive Order (E.O.) No. 13616, “Accelerating Broadband Infrastructure Deployment”**
 - Facilitate wired and wireless broadband infrastructure deployment on Federal lands, buildings, and ROW, federally assisted highways, and tribal and individual Indian trust lands, particularly in underserved communities.
 - Noted by the Federal Property Working Group Progress Report dated August 2013, stated the following:
 - *“Broadband infrastructure deployment faces a number of challenges, including policy challenges (e.g., inconsistent agency requirements), procedural challenges (e.g., differing forms/applications and processes), physical challenges (e.g., access to Federal lands and buildings), legal and regulatory restrictions (e.g., laws requiring specific actions by agencies, considerations related to Tribal Nations, and environmental compliance), and technological challenges (e.g., varying agency use of online tools).”*
 - *“As a result of agencies’ and bureaus’ different missions, applicants must often contend with varying documentation requirements and review criteria across Federal departments and/or agencies, or between a single agency’s regional offices and its headquarters.”*
- **(Federal) February 22, 2012, the Middle Class Tax Relief and Job Creation Act created the First Responder Network Authority (FirstNet)**
 - FirstNet is an independent authority within the U.S. Department of Commerce’s National Telecommunications and Information Administration. The law gives FirstNet the mission to build, operate and maintain the first high-speed, nationwide wireless broadband network dedicated to public safety. FirstNet will provide a single interoperable platform for emergency and daily public safety communications.

5. ICT Comments on the DRECP & Draft EIS/EIR

1) NEPA 40 CFR Part 1501.7 – Scoping (a)(1) - “...and other interested parties...”

- a. Notices in the Federal Register relating to the Notice of Intent and the Notice of Availability all refer to the “Desert Renewable Energy Conservation Plan”. **The title, label, heading and basic description of the plan is misleading to the public and to industry.** The wireless communication industry has only recently, in February of 2015 been alerted to the potential negative impact of the Draft DRECP on the new development of wireless broadband communication facilities (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*). Notice of the Draft DRECP and it’s potential negative impact on the industry was received via communication with BLM Field Offices staff relating to recently filed applications for new development.
- b. It should be noted **that the very title of this plan**, “Desert Renewable Energy Conservation Plan” along with the description of the DRECP in the Federal Register Notice, 09/26/2014, under Supplementary Information which states, “...an integrated interagency plan for permitting renewable energy and transmission development...”, **does not support the realistic intent of the Draft DRECP to disallow, restrict or alter the conditions under which the ‘new development’ of wireless broadband communication sites** (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM’s California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP’s), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs) **may be developed in the future.** Expansion of ACEC’s must comply with public notification requirements as required in BLM Manual Section 1613.3 and 1613.4.
- c. Of the Stakeholder Committee created to inform the DRECP Director and the REAT on Plan development, **there is no representation from the Wireless Communication Industry or any company or carrier associated with industry.**
- d. Of the Stakeholder Committee created to inform the DRECP Director and the REAT on Plan development **there is no representation from Federal or State Agencies with an interest in wireless broadband communication infrastructure.**

- e. It is unclear if the Scoping of the DRECP & Draft EIS/EIR made an effort to include stakeholders/industries outside of the Renewable Energy / Electrical Utility industries for comments relating to infrastructure other than generation and transmission of electrical energy.

2) NEPA 40 CFR 1502.13 – Purpose and Need

- a. The DRECP & Draft EIS/EIR does not appear to reference any of the Federal Communication Infrastructure Initiatives/Legislation mentioned in Section 4 of this comment letter. Neither does the plan show any data, maps, tables or figures referencing and or addressing the need through planning procedures to provide language supporting the new construction or densification of wireless broadband infrastructure on federal lands in Southern California. The absence of such data reflects that the BLM does not have a clear understanding of the ‘Need’ to consider such data to balance and sustain multiple-use in amendments to the BLM’s California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP’s), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs)
- b. Under the aforementioned context of *Item 5.2.b*, BLM is not in compliance with the BLM Mission Statement or the cited statement in the DRECP & Draft EIS/EIR, I.1.2 Bureau of Land Management Purpose and Need, “*Comply with all applicable federal laws, including the BLM’s obligation to manage the public lands consistent with the Federal Land Policy and Management Act’s (FLPMA) multiple-use.....*”

3) Missing Information

- a. Under the circumstance of the current Comment Period for the DRECP & Draft EIS/EIR closing on February 23, 2015 and based on 1) ambiguity of the Plan’s title, label, heading and basic description as described in the Federal Register notices and executive summary of the DRECP & Draft EIS/EIR; 2) lack of public awareness/understanding of the ‘Planned’ impacts to new wireless broadband communication sites under the agency preferred alternative; 3) insufficient notification and awareness by the wireless communication industry and industry associations; it can be stated that there is insufficient and missing information in the DRECP & Draft EIS/EIR in the form of comments (Public, Industry Government Agency) and industry data relevant to BLM Land Use Planning decisions that would impact the sustained operation, reliability and growth of the wireless broadband communication infrastructure on federal lands.

- b. The DRECP & Draft EIS/EIR does not appear **does not appear to identify, evaluate or include** any of the *Federal Broadband Communication Infrastructure Legislation* mentioned in Section 4 of this comment letter. Neither does the Plan appear to depict GIS data, maps, exhibits or figures referencing and or addressing the initiative through land use planning procedures to comply with said legislation referenced in said Section 4.
- c. The DRECP & Draft EIS/EIR **does not appear to identify, evaluate or analyze the supporting data** relevant and required by a NEPA analysis to support a recommendation or decision to disallow, restrict or alter the conditions under which the 'new development' of wireless broadband communication sites (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM's California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP's), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs). The supporting data being inclusive of the following, but not limited to:
- i. Existing wireless broadband communication sites.
 - ii. Carrier Coverage Maps indicating the need for the new development of a wireless broadband communication site.
 - iii. Coverage and reliability data indicating the need for network densification through new development of a wireless broadband communication site.
 - iv. Data relevant to the growing demand for wireless broadband services and the single-option of locating new wireless broadband communication sites on federal land due to the unavailability of private lands.
 - v. Data relevant to the industry growth trends as outlined in Section 2 that will impact the reliability and functionality of existing wireless broadband communication sites, thus necessitating the development of new wireless broadband communication sites.
 - vi. Data identifying high-car count areas, recreational use areas (such as OHV) and other critical areas that may have insufficient coverage or no coverage to support consumer communications, fleet management, emergency response communications and law enforcement communications.
 - vii. Data identifying the need for distribution transmission to support the redundant electrical requirements of new wireless broadband communication sites.
 - viii. Data identifying both types of tower structures and tower heights that would optimize and promote the use of multiple tenant communication facilities.
 - ix. Socioeconomic data relating to wireless broadband availability and accessibility.

- d. The DRECP & Draft EIS/EIR does not appear to identify, evaluate or analyze the 1) socioeconomic impacts to the general public or 2) potential public health and safety impacts to the general public, first-responders and federal/state enforcement agencies as is relevant and required by a NEPA analysis to support a recommendation or decision to disallow, restrict or alter the conditions under which the 'new development' of wireless broadband communication sites (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM's California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP's), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs).
- e. ICT could not find in the DRECP Draft EIS/EIR where a clearly defined discussion of the expansion areas of existing ACEC's are consistent with the relevance and importance criteria for which the original ACEC was designated. (*BLM Manual Section 1613.1*)

4) Issues Requiring Clarification or Modification (Applies to Preferred Alternative but also to any Alternatives brought forward.

a. Appendix E of DRECP & Draft EIS/EIR

- i. "....consistent with small project thresholds (i.e., <2 acres)"
 - 1. Less than 2 Acres is not be large enough to facilitate the redundant electrical requirements required by new multi-tenant wireless broadband communication sites. Grid power supplemented with fossil fuel generation or solar PV generation may require a larger surface area. Suggest 'Less than 3 Acres' and clearly state that this acreage limitation is not inclusive of acreage for site accessories (ie. Access roads, distribution lines, etc.).
 - 2. Less than 2 Acres is not be large enough to facilitate the construction of multi-tenant wireless broadband communication facilities. Larger buildings, increased space for electrical generation, tower location and grounding setbacks require a larger surface area. Suggest 'Less than 3 Acres' and clearly state that this acreage limitation is not inclusive of acreage for site accessories (ie. Access roads, distribution lines, etc.).

b. Table II.3-50 CDCA Plan and DRECP Preferred Alternative Crosswalk

- i. Land Use, Communication Sites, DRECP Allocations, *“New Development is not allowed. Maintenance, retrofitting for newer technology, and operation of existing or previously approved facilities is allowed.”*
 - 1. As noted in 5.3 *Missing Data* and Section 4 both within this comment letter, the DRECP & Draft EIS/EIR **does not appear to contain sufficient data to support a decision/guideline** of “New Development is not allowed”. Suggest revising language to state, “New Development may be allowed.”

c. Throughout the DRECP & Draft EIS/EIR document

- i. References throughout the document refer to “lattice steel towers” and “steel monopoles”. Clarification is suggested that these references refer only to transmission structures (towers) and not to multi-tenant wireless broadband communication towers. Multi-tenant wireless broadband communication facilities require lattice tower designs with a height of less than 200 feet to accommodate multiple tenants. This feature ideally eliminates the need for several ‘single-carrier’ steel monopole towers interspersed on federal lands and encourages co-location to multi-tenant facilities.
- ii. References throughout the document refer to new ‘electrical power pole structures’, ‘electrical distribution lines’ or limit the permitting of new low voltage electrical distribution lines. To meet the redundant power requirements for multi-tenant wireless broadband communication facilities, new low voltage electrical distribution lines are sometimes required. Clarification is suggested to allow new low voltage electrical distribution structures or the extension of existing low voltage electrical distribution lines when they are associated with the new development of multi-tenant wireless broadband communication sites.
- iii. References throughout the document reference new ‘roads’. In some cases, helicopter access is possible but not entirely feasible for the amount of transportation activities, reliability response and security requirements associated with multi-tenant wireless broadband communication sites. New, low impact roads are most of the time required. Clarification is suggested to allow ‘new’ roads or the extension of existing roads when they are associated with the new development multi-tenant wireless broadband communication facilities.

- End of Comments -

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ICT is appreciative of this opportunity to comment publicly on the DRECP & Draft EIS/EIR document. The work and effort of so many that went into this document is noted and appreciated. It is the hope of ICT and our industry partners that the governmental agencies responsible for the generation of this document consider our comments and concerns.

Conservation is a necessary aspect of land use planning for the continued enjoyment of our planet for generations to come. ICT supports the preservation of our wilderness and pristine natural landscapes in balance with human safety. Our communication infrastructure today sustains the electronic devices we use to communicate over all aspects of life. Our needs for conservation must be balanced with our needs for communication as communication is the fundamental fabric of a healthy society.

Respectfully Submitted,

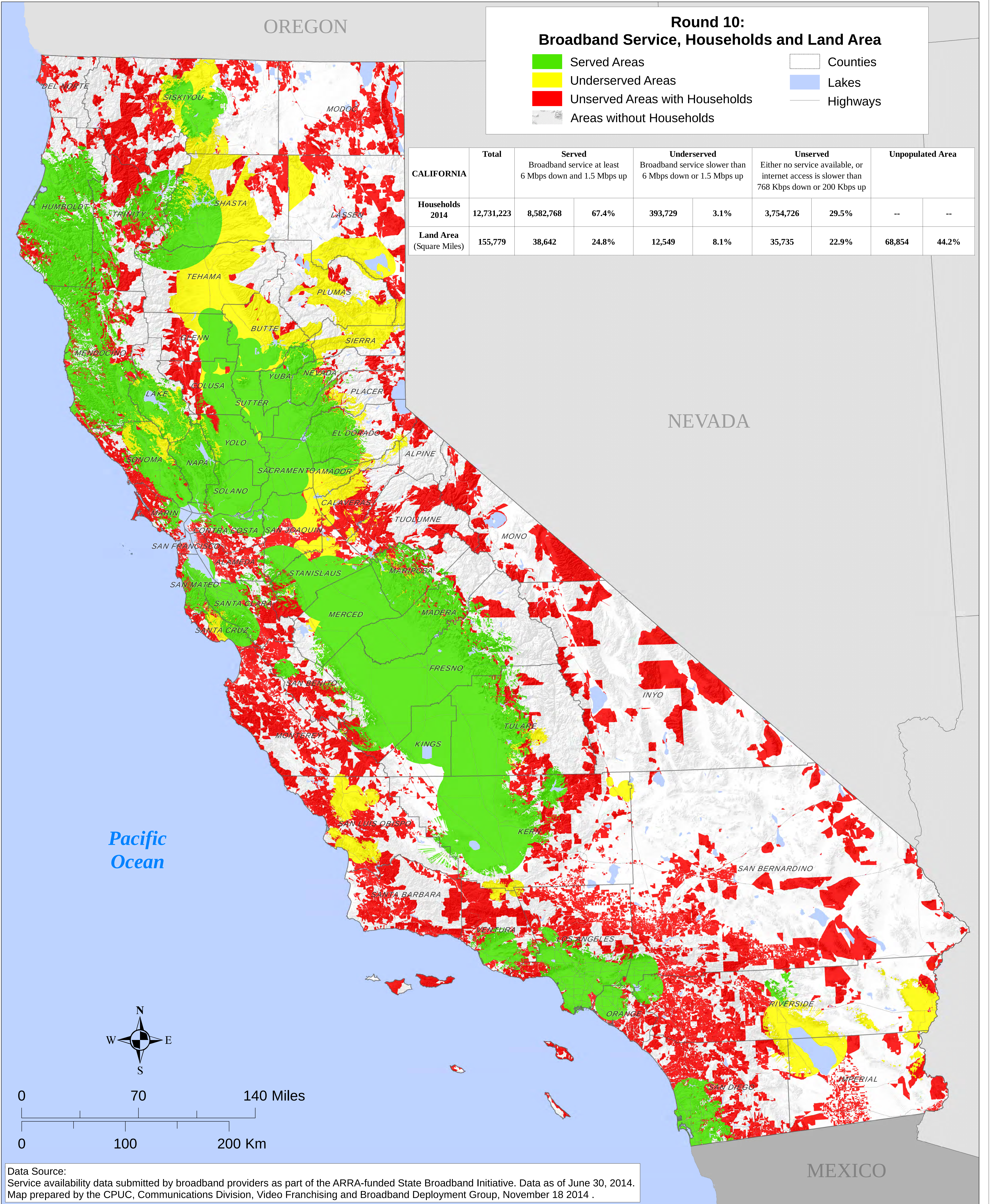
Thomas Gammon, Principal
Interconnect Towers, LLC

ATTACHMENTS



STATE OF CALIFORNIA

Fixed Wireless Broadband Availability



Round 10:
Broadband Service, Households and Land Area

Served Areas

Underserved Areas

Unserved Areas with Households

Areas without Households

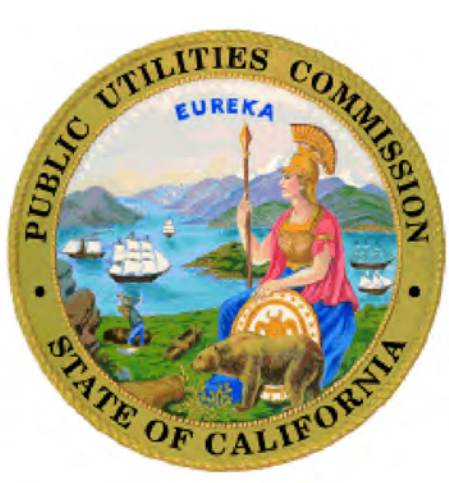
Counties

Lakes

Highways

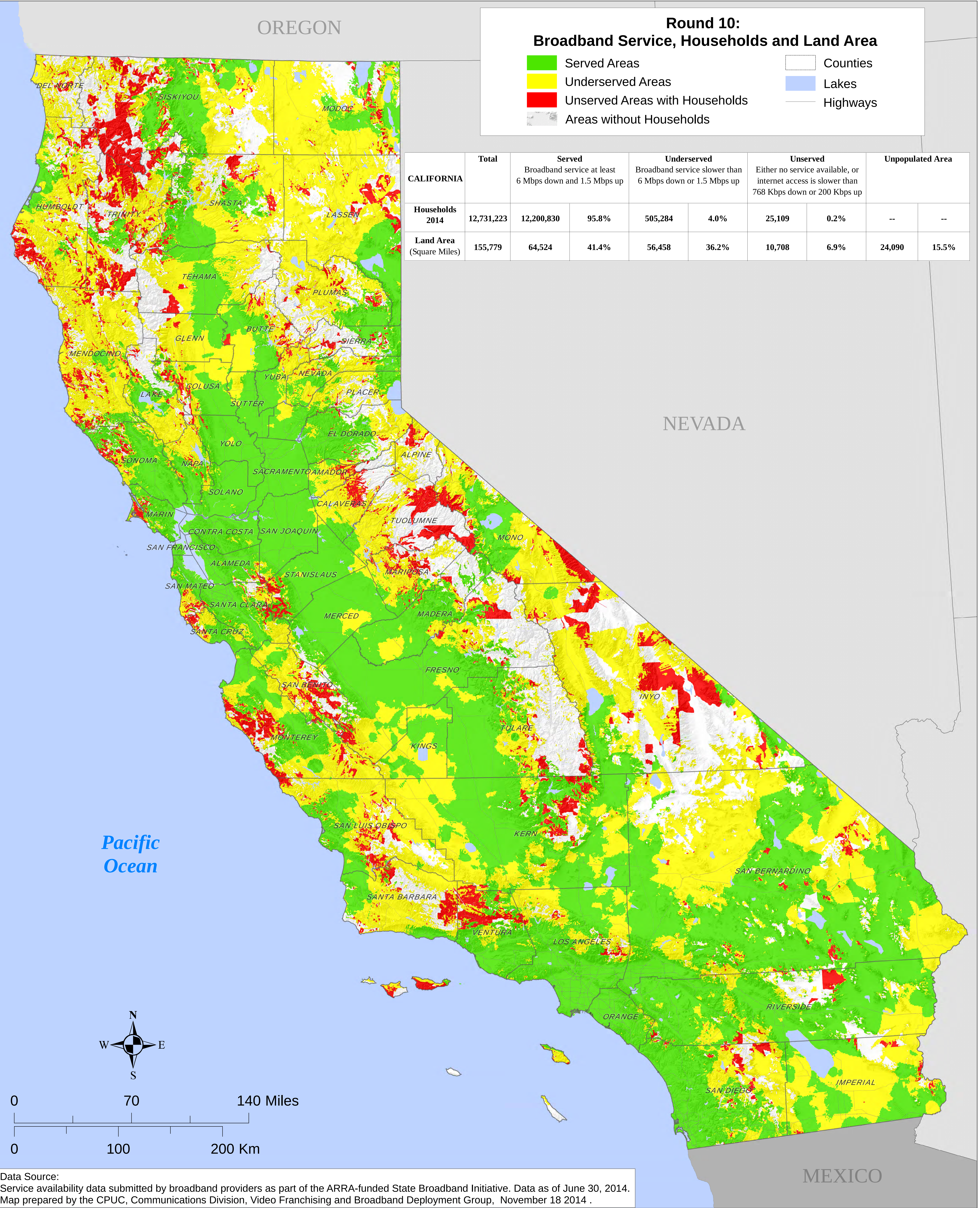
CALIFORNIA	Total	Served Broadband service at least 6 Mbps down and 1.5 Mbps up		Underserved Broadband service slower than 6 Mbps down or 1.5 Mbps up		Unserved Either no service available, or internet access is slower than 768 Kbps down or 200 Kbps up		Unpopulated Area	
Households 2014	12,731,223	8,582,768	67.4%	393,729	3.1%	3,754,726	29.5%	--	--
Land Area (Square Miles)	155,779	38,642	24.8%	12,549	8.1%	35,735	22.9%	68,854	44.2%

Data Source:
Service availability data submitted by broadband providers as part of the ARRA-funded State Broadband Initiative. Data as of June 30, 2014.
Map prepared by the CPUC, Communications Division, Video Franchising and Broadband Deployment Group, November 18 2014 .



STATE OF CALIFORNIA

Mobile Broadband Availability



From: **Weiner, Peter H.** <peterweiner@paulhastings.com>
Date: Tue, Jun 19, 2018 at 1:09 AM
Subject: [EXTERNAL] Expediting Permitting for Rural Wireless Broadband:
To: "Montgomery, Karen" <k15montg@blm.gov>, Katharine Macgregor <kate_macgregor@ios.doi.gov>
Cc: William Dove <william_dove@ios.doi.gov>, "Yung, Jill" <jillyung@paulhastings.com>

Thanks so much for holding the listening session with the Broadband industry on June 29th. Understanding that this is a late date with regard to your report due at the White House by July 7th, we thought it might be useful to highlight some issues and potential solutions for discussion.

Highlights

- The urgent need to upgrade America's Rural Wireless Broadband (RWB) system, both for emergency response and rural economic health, is obvious. Public land availability and efficient BLM processing of RWB applications is key to America's success.
- Local applications languish at field offices because of a lack of focus, prioritization, and senior management attention. We need mechanisms to assure action, accountability to management, and cooperation at each level of the process. **A strike force with weekly calls at the local/district level should be supplemented by monitoring and accountability up the management chain.**
- **A key obstacle is the advent of new Visual Resource Management designations (VRM II) and resulting local exclusion decisions.** RWB should be allowed within 1 mile of roads, even if with a stealth design.
- The **DRECP** was expressly intended not to apply to RWB, but has now been interpreted to apply. That decision stifles RWB in CA and should be reversed.
- **NEPA: BLM should adopt a Categorical Exclusion** for routine RWB sites and a short EA template where more activity is necessary.

Introduction

As you know, there is an irrefutable need for more towers to accommodate exponential growth in demand for wireless broadband services, as well as to ensure uniform coverage in rural areas on the wrong side of an increasing digital divide. Many of the best sites for filling holes in the existing network and shoring up existing service are on public lands, where a drawn out permitting process has interfered with timely deployment of critical infrastructure and the usefulness of a detailed analysis of project alternatives is limited due to practical siting constraints. Among other things, broadband towers are delicately engineered to assure line of sight communication between towers and capacity to allow multiple companies on each tower. Placement of towers to meet these requirements and avoid physical barriers must sometimes involve prominent locations (e.g. ridge tops, cliffs, etc.) or placement within certain sensitive areas (e.g. ACECs), etc. However, towers are never sited in wilderness areas.

We articulated a number of siting/permitting issues and potential solutions in two previous submissions to the Department (10/6/17 and 3/1/18). The first, and more general submission, was in response to the invitation accompanying Secretarial Order 3355 for streamlining ideas for permitting. That submission is attached. In addition to this email, we urge you to read our letter for more background and more detail. The reforms proposed in the comments, consistent with EO 13807 and SO 3355, could significantly improve the permitting process, resulting in something that is universally popular – better cell and data coverage often referred to as "Wireless Broadband". The second submission repeated some of this discussion, but then drilled down into permitting challenges recently created by the adoption of the DRECP. Because of attachment size, I will send that in a separate email. Since submitting these letters, we have had occasion to interact on a regular basis with parts of the CA Desert District, and have refined our thoughts further. The following discussion provides our most recent ideas for permitting improvements, laid out in a chronological sequence from application submission to ROW grant.

These comments offer concrete suggestions for change as well as a potential process for implementing that change. Whether BLM issues an IM, amends the BLM Handbook, or takes other action is, however, something BLM would be better positioned to assess. We note only that we believe that all of these suggestions can be implemented without a formal rule-making.

1. Strike Force: Focus and Priority

Progress cannot occur without focus and prioritization. For example, InterConnect Towers (ICT) had several Right of Way (ROW) applications languishing for years in certain California Field Offices. After the CA Desert District Manager established a *weekly* call to assess progress on each application, we have been successful in processing and issuance of several ROWs. Key to this progress is having District and Field Office management *and* resource specialists (biological and cultural) on each 30 minute call. This type of attention, and the understanding that the team as a whole must produce results, is essential. Having both supervisorial commitment and specialist commitment is the other key, because the lack of either resource dooms an application to long waits or the "bottom of the pile" of BLM priorities. The other key to progress will be Headquarters commitment to streamlining any required Application Serialization and CRA or "Processing Start" procedure. Surnaming has not been much of an issue, but the lack of review by district and State management, as well as headquarters, has resulted in a true lack of prioritization with local staff who have too much on their plate.

2. Pre-Application Meeting and Cost Recovery Agreement

Following an Applicant's Pre-Application meeting and submission of any Application Deficiencies noted or changes requested from that Meeting, a Filed Corrected "Complete SF-299 Application should be Serialized and issued a Cost Recovery Agreement (CRA) within 20 days. CRAs can now take months or years for a detailed estimate of costs, yet costs generally fall into the \$10,000-\$14,000 range. BLM should develop a template of probable costs, ask the applicant to sign a generic CRA that requires a \$12,000 payment immediately and more if needed, as is currently required. The CRA is key to further BLM work on the application.

3. Visual Resources

Visual Resource Issues are huge for Broadband, significantly delaying or blocking 30% or more of possible sites. BLM has increasingly designated areas near anthropogenic improvements (e.g. roads and power lines) as VRM II, which makes development difficult and is ineffective as a preservation tool in light of existing anthropogenic construction. Added to that problem is that some field offices actually prohibit such development, even if the tower to be built will be hidden from view or disguised (often called a “stealth” tower). BLM should issue an IM that clarifies that Broadband towers can be built in VRM II areas, either because of the Existing Area Disturbances (Roads) or overriding importance of having this communication pathway. As often occurs in urban neighborhood zoning, a stealth design (Water Tank, Pine or Eucalyptus tree, fiberglass Rock, etc. could be required).

4. ACEC Caps

Broadband applications have been delayed when BLM has not calculated the amount of existing disturbance in an ACEC relative to the cap on such disturbance (e.g. 1%). This is especially true in the DRECP (see below), but affects other areas as well. It would be very rare for a Broadband tower to cause a cap exceedance. BLM should issue an IM that requires field offices to process Broadband applications within ACECs.

5. DRECP

For the reasons set forth in our comments, BLM should issue an IM that exempts Broadband towers from the DRECP, consistent with the administrative record, to avoid all of the significant delays, costs, and obstacles to Broadband within the DRECP area.

6. NEPA

Categorical Exclusion for Routine Broadband Towers: BLM already has a CATEX for “Approval of Notices of Intent to conduct geophysical exploration of oil, gas, or geothermal [resources], when no temporary or new road construction is proposed.” Given the comparable size (footprint) of cellular tower projects and preference to locate them next to existing roads, this CATEX could be a model for low-impact tower development where an existing access road will be used. We suggest that BLM amend its Handbook or otherwise create a CATEX for such Broadband development. We note that the Handbook already provides that issuance of a CATEX does not prevent implementation of Section 106 or an assessment of biological resources. The Extraordinary Circumstances provisions which convert a CATEX to an EA do not apply unless significant impacts are found.

Short EA Template for Towers with New Access: An EA may be appropriate where significant construction of new access road is required. However, as indicated in our comments, EAs have become so detailed and lengthy that they defeat the whole reason for an EA. We suggest that BLM develop a template EA which can account for the usual impacts of such activities, including presumptive mitigation.

7. ROD Timing

BLM should issue an Order that contemplates issuance of a Broadband ROD within one year from the signing of a Cost Recovery Agreement.

We appreciate your consideration of these suggestions, as well as the more detailed comments in the attached letter, and look forward to working with you.

Thanks so much,
Peter

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July 2, 2018

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Honorable Ryan K. Zinke
Secretary of the Interior
1849 C Street, N.W.
Washington DC 20240

Re: **Alaska National Interest Land Conservation Act (ANILCA) / June 29th Rural
Broadband Industry Listening Session**

Dear Secretary Zinke:

GCI welcomes the opportunity to supplement the productive discussion at the Rural Broadband Industry Listening Session you and other leaders at the Department of Interior ("DOI") convened on June 28, 2018. We appreciate the Administration's focus on streamlining processes for sustainable broadband infrastructure deployment in rural America. Lowering the barriers to deployment while respecting statutory environmental protections will support additional private investment to improve the lives of rural Alaskans.

I. Unique Challenges of Providing Broadband in Rural Alaska

As the leading telecommunications provider in the United States Arctic, GCI has made an unparalleled commitment to Alaska, upon which we continually build, expand, and innovate. Founded in 1979 as a competitive long distance provider, GCI has grown through investment and technological innovation to become the largest communications provider in the state, offering an incredibly wide range of communications services, including mobile voice and data, residential and business Internet, terrestrial and satellite backhaul, cable television, broadcast television, and telemedicine and distance learning services. We have consistently proven our ability to adapt state-of-the-art technology to bring new and dramatically improved communications services across Alaska, including some of the most remote communities in the United States. From substantial advancements in landline voice services, to mobile voice services, to fixed and mobile broadband, GCI has consistently envisioned and accomplished major infrastructure investments to deliver commercial services to the region, relying on a variety of middle-mile technologies, including satellite, microwave, and fiber.

July 5, 2018
Page 2 of 9

GCI has invested well over \$2 billion in capital in Alaska since 1979, almost \$1.4 billion of that in the last decade. As a result of this investment, GCI currently serves over 100 locations above the Arctic boundary as defined by the Arctic Research and Policy Act (“ARPA”), in addition to many other remote areas in Alaska. GCI’s investment, combined with universal service support, enables rural Alaskans to connect with family and friends, to engage in civic activity, and to participate in the broader economy. Even more vitally, the infrastructure enables emergency response and delivers basic healthcare and educational services that would otherwise be unavailable in many rural communities. GCI’s existing network infrastructure also is a springboard from which we will consider additional investments in rural Alaska.

Providers like GCI must overcome significant challenges to bring broadband and other communications services to rural Alaska. Alaska is vast almost beyond comprehension, with a land area of 663,300 square miles.¹ GCI offers its existing mobile voice and data, residential and business Internet, and other services over a service footprint that would stretch from Michigan to Mexico and from the coast of Southern California to the coast of Northern Florida. Constructing telecommunications facilities in challenging terrain over such distances to deliver services to a relatively small number of people poses unique economic, logistical, and operational challenges.

Alaska’s overall population density is the lowest in the nation – 1.2 persons per square mile,² compared to 103.8 in the Lower 48.³ Densities in the Arctic are substantially lower still. For example, the North Slope Borough comprises a total land area of 88,695 square miles and is home to only 9,686 residents – just 0.1 person per square mile, or one-thousandth of the overall density of the Lower 48.⁴

Most communities in rural Alaska are accessible only by airplane, boat, or snow machine. Over 80 percent of Alaska’s communities are not connected to the road system.⁵ Despite that Alaska is over twice as large as Texas, Alaska has only 15,528 roadway miles, compared to 313,000 roadway miles in Texas – approximately 40 times as many road miles by geographic area in a state also known for its wide open spaces.⁶ Due to size and remoteness, until recently Alaska was the only state in the United States lacking digital imagery and elevation data at

¹ Alaska also has 6,640 miles of coastline, which is as much as all other states combined, or 33,804 miles if you include the coastline of islands and tidal areas. See https://en.wikipedia.org/wiki/List_of_U.S._states_by_coastline.

² See U.S. Census Bureau, *Statistical Abstract of the United States: 2012*, Table 14. State Population—Rank, Percent Change, and Population Density: 1980 to 2010, at <http://www.census.gov/compendia/statab/2012/tables/12s0014.pdf>.

³ See United States Census Bureau, Population Density for States and Puerto Rico, July 1, 2009, at <http://www.census.gov/popest/gallery/maps/popdens-2009.html>.

⁴ See United States Census Bureau, State & County QuickFacts, North Slope Borough, Alaska, at <http://quickfacts.census.gov/qfd/states/02/02185.html>.

⁵ See <https://www.commerce.alaska.gov/web/Portals/4/pub/AKMBPA2.pdf>.

⁶ See <http://www.ipsr.ku.edu/ksdata/ksah/trans/15trans3x.pdf>.

July 5, 2018
Page 3 of 9

nationally-accepted standards.⁷ Indeed, as recently as 2017, the U.S. had better topographical maps of Mars and the moon than it did of Alaska.⁸

In the vast areas of Alaska unconnected by roads, there is no intertied power grid and communities instead typically generate their own power, primarily through the use of diesel generators, often costing up to \$10 per gallon for fuel.⁹ As a result, power in these isolated areas can be extremely expensive. Many of these rural communities pay more than 50 cents per kWh,¹⁰ more than five times the national average for commercial retail electricity, with some paying between 60 and 90 cents per kWh for residential service.¹¹ These realities impact communications infrastructure and raise the costs of deploying broadband. For some middle-mile facilities that are not close to any established communities, GCI must install its own diesel generators and fly in thousands of gallons of diesel fuel per year, requiring 18 helicopter trips per refueling often across hundreds of miles of wilderness.

Further exacerbating these challenges is the harsh Alaskan weather, with temperatures ranging from 100° Fahrenheit in summer to –70° Fahrenheit in winter (and sometimes even colder).¹² The long winters limit the construction season to a few months each year, shorter than the construction seasons in any other part of the United States. As the Federal Communications Commission (“FCC”) has recognized, “[t]he unique challenges of bringing widespread service to Alaska are not present in any other state.”¹³ It is not uncommon for severe weather to delay

⁷ See <https://www.commerce.alaska.gov/web/Portals/4/pub/AMBP-I.pdf> at 6 (stating that, at that time, “NED data are not available with sufficient accuracy for over 95% of the state”).

⁸ <https://news.nationalgeographic.com/2016/09/alaska-has-finally-been-mapped-as-precisely-as-mars/>.

⁹ See Will Swagel, *Lowering the Cost of Rural Energy, Investments in Sustainability Save Millions*, Alaska Business Monthly, (Sept. 3, 2014), at <http://www.akbizmag.com/Alaska-Business-Monthly/September-2014/Lowering-the-Cost-of-Rural-Energy/>. Recently, utilities have begun adding wind turbines to the diesel systems, but these have generally slowed price increases rather than providing price reductions. There also are a small number of communities in rural Alaska that use hydroelectric or other renewable resources, but they are atypical.

¹⁰ See Alaska Village Electric Cooperative, *Table of Small Commercial Rates*, (effective as of Oct. 4, 2013) at <http://www.avec.org/downloads/Small%20Commercial%20Rates.pdf> and <http://avec.securesites.net/customer-service.php> (see Table of Small Commercial Rates).

¹¹ See *Average Retail Price of Electricity to Ultimate Customers by End-Use Sector, by State, Year-to-Date through September 2014 and 2013*, Table 5.3, U.S. Energy Information Administration (last visited Sept. 18, 2014), at <http://www.eia.gov/electricity/data.cfm#sales> (under Sales (consumption), revenue, prices and customers).

¹² See <https://www.eia.gov/state/analysis.php?sid=AK>.

¹³ Letter from Roger S. Noel, Chief, Mobility Division, WTB, FCC, to Cindy Hall, AWN, DA 17-548 (June 6, 2017) (“AWN 700 MHz Waiver Grant”). See also *Connect America Fund; Universal Service Reform—Mobility Fund; Connect America Fund—Alaska Plan*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 10139, 10162, ¶ 72 (2016) (Alaska Plan) (stating that these challenges include Alaska’s “remoteness, lack of roads, challenges and costs associated with transporting fuel, lack of scalability per community, satellite and backhaul availability, extreme weather conditions, challenging topography, and short construction season” and citing *Connect America Fund et al.*, Report and Order and Further Notice of

July 5, 2018
Page 4 of 9

GCI's ability to make repairs, especially for remote network facilities that can only be reached by bush plane or helicopter. In fact, this year one of GCI's fixed microwave towers in Askinuk, Alaska was still so covered in ice *in June* that our crews were unable to repair damaged equipment due to the risk of large blocks of ice falling on our workers. GCI has been providing service to the affected communities with satellite backup capacity until these necessary repairs can be made.

Notwithstanding these challenges, GCI continues to make progress bringing broadband to unserved communities in Alaska. We have pushed fiber optics deep into our network and have more fiber in our network than any other provider in Alaska. We brought Gigabit internet service to more than half of Alaska's population, and to every community in the state with more than 5,000 people. Off the road and electric grid in western Alaska, GCI has built a hybrid fiber and fixed microwave network that now delivers terrestrial (*i.e.*, non-satellite) broadband services to 84 communities spread across a region larger than most U.S. states, bringing the benefits of enhanced economic opportunity, public participation, and improvements to health, education, public safety and government services. The TERRA network utilizes fiber extensions where appropriate and microwave repeaters to connect parts of Alaska previously dependent on satellite middle-mile to the fiber backbone at true, low-latency broadband speeds for the first time. In 2012, GCI turned up the first phase of TERRA to connect Southwest Alaska to the fiber backbone in Anchorage. The TERRA network has brought fast broadband to parts of Alaska where it was unthinkable only a few years ago. GCI also has deployed mobile wireless facilities to more communities in Alaska than any other provider, frequently using satellite backhaul to provide connectivity in rural communities.

The low-hanging fruit—such as it is in Alaska—is gone and much more work remains to be done. *There are 105 communities in rural Alaska (plus another 193 census areas outside the boundaries of any officially named community) that are home to almost 10,000 people with no mobile wireless service at all.* The mobile connectivity in 92 additional communities provides only voice and at best 2G data service. And approximately half the people in Alaska lack access to terrestrial broadband service providing 15 Mbps download speeds and 2 Mbps upload speeds at home, far below the speeds now common in most of the rest of the United States and below the speeds often deemed to be the minimum speed of advanced communications services.¹⁴

II. The Need to Reduce Permitting Challenges

Expanding access to broadband means deploying communications infrastructure. Unfortunately, the U.S. federal government's restrictions on land use and its stringent permitting requirements complicate GCI's efforts to deploy the infrastructure best suited to upgrade or

Proposed Rulemaking, 26 FCC Rcd 17663, 17829, ¶ 507 (2011) (*USF/ICC Transformation Order*), *aff'd sub nom. FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014)).

¹⁴ The data above are based on GCI's analysis of information the FCC collects on Form 477. *See generally* <https://www.fcc.gov/general/broadband-deployment-data-fcc-form-477>.

July 5, 2018
Page 5 of 9

extend communications networks, and far too often raise our costs beyond the point that it no longer is economically rational to expand or upgrade our networks. These restrictions operate as a significant barrier to investment and slow or prevent the delivery of new and improved communications services to rural Alaska residents and businesses.

The U.S. federal government owns or administers over 60 percent of the total land in Alaska, and over 70 percent of the U.S. Arctic's land mass which represents rural Alaska, more than 184,000 square miles north of the ARPA boundary.¹⁵ Numerous federal laws limit human activity in the region, including the Alaska National Interest Lands Conservation Act, the National Wildlife Refuge System Administration Act, The National Wildlife Refuge System Improvement Act of 1997, the Wilderness Act, the Wild and Scenic Rivers Act, the Marine Mammals Protection Act, and the Arctic Refuge Comprehensive Conservation Plan. To the extent these laws allow access in the first place, the federal permitting processes for infrastructure projects on public lands as currently implemented raises costs, creating unpredictability and discouraging investment.

The impact land use restrictions have on broadband deployment can be illustrated by looking at where GCI has deployed fiber in rural Alaska. In 2012, GCI completed the installation of more than 400 miles of fiber between Homer and Levelock in southwest Alaska as part of the TERRA network described above. This fiber also connects the communities of Pedro Bay, Kokhanok, Igiugig, Newhalen, Iliamna, Nondalton and Port Alsworth. This investment in new network facilities was possible because the route between these communities primarily traverses state and wholly-owned Alaska Native land, and the state's environmental permitting regulations and other applicable requirements—while more than adequate to protect the natural environment—also made it economically feasible for GCI to install middle-mile fiber.

As described above, there is no shortage of technical and economic barriers to deploying technologically and economically sustainable broadband in rural Alaska. Nevertheless, in overland locations where fiber deployment may be technologically sustainable, a primary reason there is not more fiber in the TERRA network is that federal permitting requirements generally raise the costs of fiber deployment sufficiently that the project becomes infeasible. If GCI had faced the same permitting obstacles on the route between Homer and Levelock that apply on federal land, GCI almost certainly would not have been able to deploy fiber on this route. This is not to suggest that every rural community in Alaska will get fiber if permitting barriers are reduced. But providers will have the ability to pick the right transmission technology for a location based primarily on technological and economic factors rather than extraneous regulatory considerations.

¹⁵ Based on GCI's analysis, the federal government owns or manages approximately 69.6% of the land north of the ARPA boundary (184,378 square miles) and 70.5% of the land north of the Arctic Circle (110,880 square miles). See Alaska Department of Natural Resources, Information Resource Management, *General Land Status - January 2015 - All Attributes - Clipped to 1:63,360 Coastline* (Jan. 2015), at http://dnr.alaska.gov/mdfiles/gls_ac.html.

July 5, 2018
Page 6 of 9

III. Changing the Administration's Policy for How ANILCA Is Interpreted Could Create Game-Changing Opportunities

GCI recognizes and appreciates the steps the Administration has already taken to reduce the barriers federal permitting processes pose for broadband deployment. The Executive Order to establish discipline and accountability in the environmental review and permitting process for infrastructure projects is a welcome development,¹⁶ as is the Executive Order to streamline and expedite requests to locate broadband facilities in rural America,¹⁷ as well as the Presidential Memorandum for the Secretary of the Interior to support rural broadband development and adoption by increasing access to tower facilities and other infrastructure assets managed by DOI to the extent consistent with applicable law.¹⁸ We also see tangible results in the approval of the road to King Cove, an issue of significant importance for that community.

While GCI appreciates and supports all the progress that has been made to date, significant advances in communications capability in remote Alaska will require additional concrete changes and more tangible progress. We recognize that DOI has received a number of sensible recommendations for reform in this regard from other stakeholders. GCI is in accord with the broad industry consensus and supports those reforms including shot clocks with appropriate deemed granted provisions, common forms and application processes, improved transparency regarding the location of federal property that is suitable for broadband deployment, and other proposals.

We write separately to raise an Alaska-specific issue. In 1980, at the tail end of the Carter Administration just as President Reagan was coming into office, and after almost a decade of debate, Congress passed the Alaska National Interest Lands Conservation Act, or ANILCA. ANILCA set aside more than 100 million acres of federal land in Alaska in conservation system units (CSUs), adding significantly to existing federal land holdings that, as mentioned above, now comprise approximately 70 percent of the land in rural Alaska.

Because the federal government controls most of the land in the state, many of Alaska's remote communities are effectively "islands" surrounded by a sea of federal wilderness. In other parts of the United States, where federal permitting challenges make infrastructure deployment

¹⁶ See Exec. Order 13807, *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, 82 Fed. Reg. 40463 (Aug. 15, 2017), at <https://www.federalregister.gov/documents/2017/08/24/2017-18134/establishing-discipline-and-accountability-in-the-environmental-review-and-permitting-process-for>.

¹⁷ See Exec. Order 13821, *Streamlining and Expediting Requests To Locate Broadband Facilities in Rural America*, 83 Fed. Reg. 1507 (Jan. 8, 2018), at <https://www.federalregister.gov/documents/2018/01/11/2018-00553/streamlining-and-expediting-requests-to-locate-broadband-facilities-in-rural-america>.

¹⁸ See Memorandum for the Secretary of the Interior, *Supporting Broadband Tower Facilities in Rural America on Federal Properties Managed by the Department of the Interior*, 83 Fed. Reg. 1511 (Jan. 8, 2018), at <https://www.federalregister.gov/documents/2018/01/12/2018-00628/supporting-broadband-tower-facilities-in-rural-america-on-federal-properties-managed-by-the>.

July 5, 2018
Page 7 of 9

infeasible, providers can deliver the broadband connectivity the public depends on for commerce and modern society by incurring the extra expense of “building around” federal property. That is impossible in many areas of remote Alaska given the extent of federal land holdings.

In enacting ANILCA, Congress recognized rural Alaska communities need sustainable economic development, stating that “Alaska’s transportation and utility network is largely undeveloped and the future needs for transportation and utility systems in Alaska” require a regular and orderly permitting process for transportation and utility corridors.¹⁹ Title XI of ANILCA provides for transportation and utility corridors across federal land where private or state land is effectively surrounded by a conservation system unit or certain other categories of federal land.²⁰ The “transportation or utility systems” envisioned by ANILCA include roads, railroads, electric transmission systems, pipelines, and communications networks.²¹ As President Carter recognized when he signed ANILCA into law, Congress “struck a balance between Alaska’s economic interests and its natural beauty, its industry and its ecology.”²²

Unfortunately, the agencies charged with implementing ANILCA have not interpreted its provisions in a way that allows that legislative compromise to be realized. GCI’s experience is that ANILCA’s standards for agency decision are usually interpreted in an unduly strict manner. For instance, ANILCA directs the agency reviewing an Environmental Impact Statement (“EIS”) to evaluate “the need for, and economic feasibility of, the transportation or utility system” and “whether there are alternative routes or modes which would result in fewer or less severe adverse impacts upon the conservation system unit.”²³ Although the legislative language sounds reasonable in the abstract, GCI’s experience is that permitting agencies usually interpret this and similar language in ANILCA in ways that place unreasonably high burdens on providers to demonstrate that the terms of the statute are satisfied.

The compromise envisioned by Congress cannot be realized when federal agencies insist that a provider spend hundreds of thousands of dollars on a third party consultant to prove the obvious in a deployment to a community of only a few thousand people, or deny a hub community the fiber-based bandwidth it will need tomorrow because fixed wireless technology imposes fewer environmental impacts and is sufficient for today, or require burdensome check-the-box filings for an environmental review that has already been completed. The environmental, logistical, operational, and business challenges of providing broadband service in remote Alaska are hard enough. In developing a responsible business plan, GCI must already

¹⁹ 16 U.S.C. § 3161.

²⁰ 16 U.S.C. § 3170(b) (stating that the federal government must provide “adequate and feasible access for economic and other purposes to the concerned land” subject to reasonable regulation).

²¹ 16 U.S.C. § 3162(4)(v) (including as a “transportation or utility system” “systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communication”).

²² President Jimmy Carter, Signing Statement, Alaska National Interest Lands Conservation Act (Dec. 2, 1980), available at <http://www.presidency.ucsb.edu/ws/?pid=45539>.

²³ 16 C.F.R. § 3164(g)(2)(A), (B).

July 5, 2018
Page 8 of 9

contend with the difficulties of providing broadband service to a community of hundreds or a few thousand people hundreds of miles off the road system, across challenging terrain, faced with Arctic weather, and without an electric grid. Adding highly burdensome permitting requirements to this set of existing challenges will in most cases destroy the economic viability of proposed projects.

The unfortunate truth is that GCI cannot justify serious exploration of a whole host of potential projects that could bring cutting edge technology to remote Alaska. The business plan for such projects already must incorporate inherently high construction and operation costs and promises limited revenue potential due to scarce population. It often is a non-starter to consider adding to such a business plan the significant expense of a heavy-handed permitting process, the potential for permitting delays of even a few months could cause GCI to miss an entire construction season, the loss of the time-value of money over that lost year, and the potential for an unjustified denial with no economically feasible legal recourse. Burdensome regulatory permitting processes have meant that potential investment in new construction or upgrades to existing facilities fail to progress any further than our engineers' eager scribbling on a napkin or Post-it Note.

The losers are the American people. The connectivity that powers commerce, enriches lives, and ensures public safety across the United States has become so essential in the modern digital economy and popular culture that many people would never dream of leaving home without their smart phone, and almost none would open a new business if that location did not have fast and reliable internet service. Rural Alaskans have that same hunger for broadband, and rightly so. The very distance, climate, and geography characteristics that make it so uniquely difficult to provide service in Alaska also make fixed and mobile broadband so important to the safety and livelihoods of Alaskans. Broadband allows Alaska Natives in isolated communities to market handmade goods on Etsy and other platforms to buyers around the world. Broadband supports social platforms and video conference calls that strengthen the bonds that unite historically migratory people whose communities predate the international boundaries they now span, and allow those cultures to be shared and better appreciated by others. Reliable communications are critical to the free flow of commerce through Arctic ports and other industrial and scientific endeavors. Mobile phones keep people safe and facilitate search and rescue when snow machines, boats, or airplanes break down or when people get injured beyond the view of others who can help.

IV. Conclusion

GCI does not believe the Administration needs legislative revisions to ANILCA in order to streamline its regulatory reviews under that act and permit transportation and utility corridors that serve multiple interests. What policy the Administration applies to relevant permitting agencies under Title XI of ANILCA appears wholly within the Secretary's discretion. Streamlining these processes to address the problems outlines above could create game-changing opportunities for new investment in rural Alaska. If this Administration decides to move forward on these recommendations, GCI stands ready to assist in the coordination of Alaska

Secretary
Zinke

July 5, 2018
Page 9 of 9

stakeholders to find transportation and utility corridor routes that serve the needs of multiple stakeholders and minimize disruption to the environment.

Thank you for the opportunity to offer GCI's perspective and reflections on potential improvements to the Administration's implementation of ANILCA.

Respectfully submitted,



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cc: Jim Cason, Associate Deputy Secretary of the Interior
Susan Combs, Senior Advisor to the Secretary Acting Assistant Secretary for Fish and Wildlife and Parks
Kate MacGregor, Principal Deputy Assistant Secretary, Lands and Minerals Management
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Ryan Hambleton, Deputy Assistant Secretary, Fish Wildlife and Parks
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TRIBAL ENGAGEMENT NARRATIVE

Union Telephone Company d/b/a Union Wireless (“Union Wireless” or “Company”) is engaged with representatives of the Northern Arapaho and the Eastern Shoshone Tribes of the Wind River Reservation, Wyoming, to provide wired and wireless broadband and infrastructure services to both tribes, tribal enterprises, and tribal members.

I. Introduction

Union Wireless’s goal is to provide high quality telecommunications services to rural areas within its service area, including all of Wyoming, and parts of Colorado, Utah, Idaho and Montana. An important part of Union’s commitment to building connectivity in unserved and underserved parts of its territory is collaborating with tribal representatives to provide service to tribal nations. Union Wireless is accomplishing this goal by working cooperatively with both local tribal governments and tribal economic enterprises. The tribal Governments include the Northern Arapaho Business Council (NABC), Northern Arapaho Tribal Industries (NATI), the Eastern Shoshone Business Council (ESBC), the Wind River Intertribal Council, other departments within the tribal governments, and individual native-owned and operated economic entities. Union reports on tribal activities to the Bureau of Indian Affairs (BIA) Wind River Agency, as trustee of tribal reservation lands. The Wind River Intertribal Council acts as the governing body in relations with the BIA.

To aid its developments in Indian country, Union Wireless engaged EnerTribe, Inc.,¹ in 2016, a 100% native-owned consulting firm specializing in economic development and broadband infrastructure planning and build outs. Union uses EnerTribe to help manage several projects on the Wind River Reservation including communications tower construction, permitting, fiber builds along with agency and tribal coordination. EnerTribe assists tribal governments, government agencies and telecommunication providers with funding, planning (CEDS & broadband) and infrastructure builds. EnerTribe’s guidance has been critical in developing baseline trust and interdepartmental and governmental relations between the tribes and Union. This time-consuming but ultimately beneficial process was accomplished by implementing a cohesive strategy to develop joint fiber optic communications projects with both tribes. This strategy includes periodic onsite visits, regular attendance at and participation in tribal Council meetings, close interaction with tribal governmental agencies, department and tribal enterprise through a series of workshops and listening sessions to determine tribal the communications needs and capabilities.

II. Needs Assessment and Deployment Planning

Early in 2016, Union facilitated workshops with primary stakeholders responsible for communications development for the Northern Arapaho and Eastern Shoshone Tribes, their department heads and tribal enterprises. Anticipated needs for wireless and fiber optic infrastructure was discussed with stakeholders of both tribes leading to agreements for several projects including renewing existing wireless site locations and physical access rights, developing new wireless sites to increase coverage, and proposals for the development of linear fiber networks for the benefit of the tribes in partnership with Union. Significantly, in return for the right to retain access to one of four installed conduits for wireless backhaul purposes, Union committed to developing and constructing the linear networks to be granted to the ownership of the tribes. In 2017 Union donated a 40ft communications tower, hut and generator on a wireless site to the ownership of both tribes. As of July 2018, multiple agreements have been concluded with the tribes for site renewals, new developments and access, all with the approval of the Intertribal

¹ Forest James, President and CEO, forestjames@enertribe.com; www.enertribe.com

Council, and subject to the trusteeship of the BIA. Negotiations for final linear rights-of-way on tribal trust lands will be completed shortly, and construction of the linear network segments will commence later in 2018.

III. Feasibility / Sustainability Planning

Based on conversations with the tribes dating back as far as 2012, the feasibility of developing broadband on tribal lands depends on critical factors including, but not limited to: 1) serving locations inhabited by permanent residents; 2) reducing impact to tribal and private assets due to deployment of network infrastructure; 3) reducing installation and operational costs for each facility; and 4) developing efficient, actionable infrastructure maintenance for network assets.

In consideration of these factors, Union and tribal leaders strategically identify mutually beneficial projects to maximize capital for development and opportunities to serve this tribal lands now and in the future. Additionally Union has supported the tribe's in their efforts to maintain sovereignty by means of their own communications infrastructure.

IV. Processes for: Right-Of-Way, Land Use Permits, Facilities Siting, and Environmental Reviews

The Wind River Intertribal Council and the BIA review all rights-of-way, land use permits, facilities siting, and environmental reviews. In addition to submitting proposals to the Intertribal Council, Union also corresponds with each tribe's business council on all projects.

a. Right of Way Processes

For all development within tribal service areas, public record research occurs with the county and the BIA, to determine access requirements to the facility. For leases and easements on deeded lands (fee-simple lands), including those commencing from Federal, State or county public access roads, the Company negotiates with the landowner(s) of the property with oversight from the BIA or mediated by the BIA. For leases and easements on tribal-owned lands, including those commencing from federal, state or county public access roads, are reviewed by the Wind River Intertribal Council. All leases and easements are required to have tribally approved surveys and appraisals to verify fair market value and be recorded with the Bureau of Indian Affairs.

b. Land Use Permitting Requirements

Any Land Use permitting requirements are approved by the Wind River Intertribal Council.

c. Facilities Siting Rules

Site location is determined to provide the best coverage area based on the geography of the location as well as from population/area served while not infringing upon known sacred regions. In addition, landownership requirements, power location and access to the site is weighted for time frame construction feasibility. Site locations are approved by the Wind River Intertribal Council.

d. Environmental Reviews

Each site, without regard to ownership or jurisdictional requirements, are mandated for environmental review per (47 CFR § 1.1307). Input from Federal, State, Tribal, and Local entities are sought for review as well as public notice and hearings prior to site construction. If required, mitigation measures are implemented.

V. Cultural Preservation Reviews

Prior to site development, cultural studies are implemented from Federal/State agencies or from contracted approved cultural service firms. National Programmatic Agreement (36 CFR § 800.16(b)) guidelines are followed for the cultural review process. From these studies determination of any impact to any cultural, archeological or historical artifacts are addressed. The State Historic Preservation Office (SHPO) and Tribal Historic Preservation Office (THPO) review site locations and cultural studies. If no significant cultural impact is found, then concurrence with the study is given. If SHPO or THPO determine impact exists, then consultation is addressed at the site location for final determination. Once final concurrence is received site development proceeds. Union confirms concurrence letters for the Northern Arapaho and Eastern Shoshone THPO offices for all projects on the Wind River Indian Reservation.

Union and the BIA remain in consultation to determine if additional NEPA-related compliance required by their agency.

VI. Compliance with Tribal Business and Licensing Requirements

The Tribal Employment Rights Office (TERO) represents both tribes and oversees the majority of Tribal Business and Licensing Requirements on the Reservation. Union currently holds a business licenses with the Shoshone and Arapaho Tribes, and obtains temporary work permits for the construction of specific projects on tribal lands. In accordance with the work permit, Union will seek roughly a 50% tribal hire for the completion of this portion of the project. For any major drive testing off public roads on tribal lands, a trespass letter will be acquired from the Wind River Intertribal Council and Arapaho and Shoshone Fish and Game Department.

VII. Summary

Our mission at Union Wireless is to continue facilitating economic growth in Indian Country by working cooperatively with our tribal partners. The projects on the reservation are just a beginning of a long-term partnership between Union and the tribes in an effort to support economic growth.



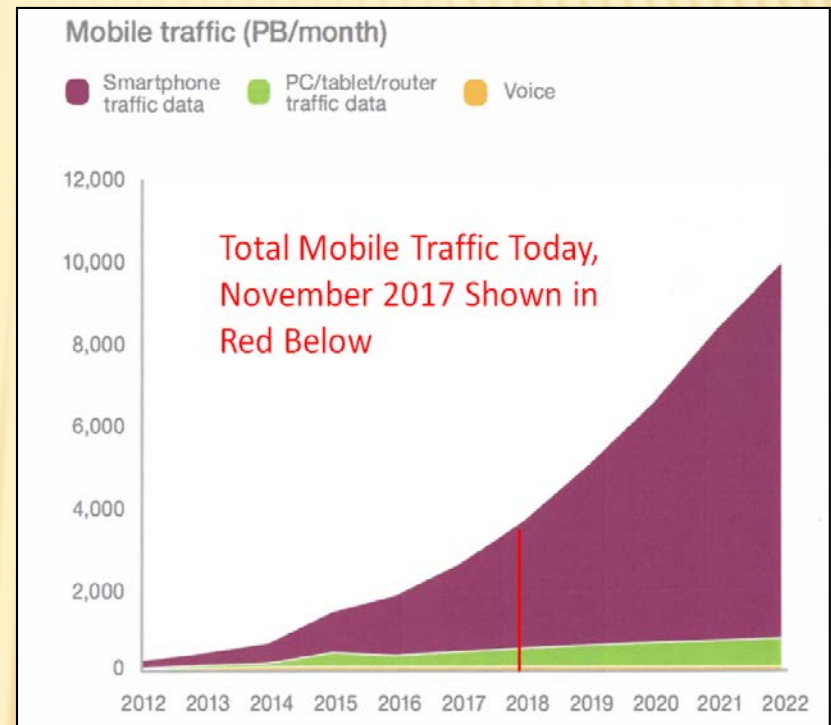
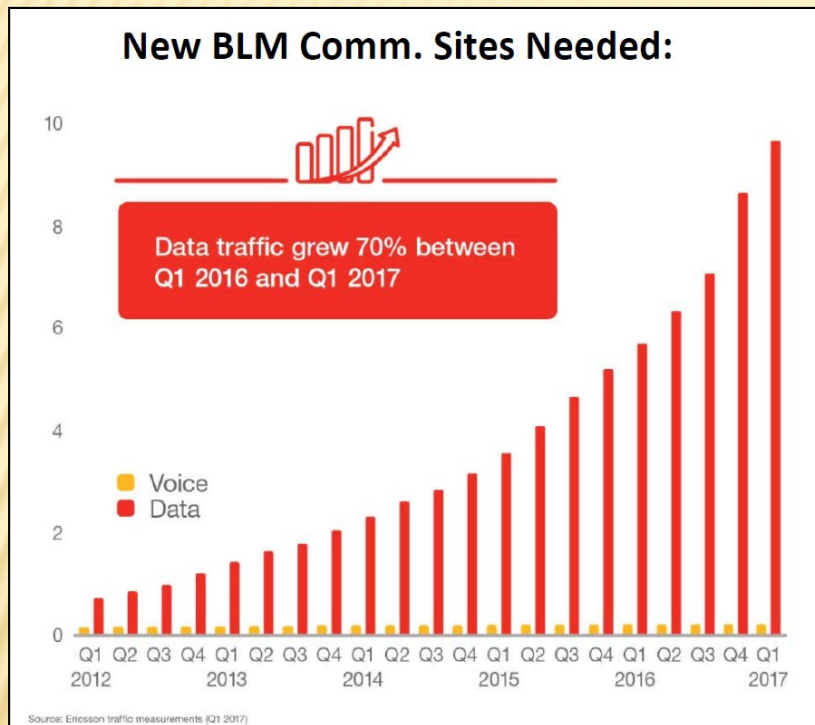
BLM Briefing

CELLULAR TOWER INFRASTRUCTURE PERMITTING ON PUBLIC LANDS

OVERVIEW OF INDUSTRY NEEDS

- Urgent need to upgrade America's Rural Wireless Broadband (RWB) system, both for emergency response and rural economic health. BLM land essential.
- A strike force with weekly calls at the local/district level should be supplemented by monitoring and accountability up the management chain. We need focus and priority in local offices, cooperation at District, State, and HQ levels.
- The SF-299 initial process should be streamlined. Cost Recovery Agreements should be standardized and issued within 20 days.
- NEPA complexity thwarts timely permitting. BLM should adopt a Categorical Exclusion for routine RWB sites and a short EA template where more activity is necessary. A CX does not prohibit Section 106 or other resource inquiries.
- New Visual Resource Management designations are a key obstacle. RWB should be allowed within 1 mile of roads, with a stealth design as appropriate.
- ACEC Caps are not likely to be triggered by RWB, and should not be considered.
- The DRECP was expressly intended not to apply to RWB, but has been interpreted by field offices to apply. BLM should clarify that the DRECP does not apply to RWB projects.
- BLM should commit to issuing RWB RODs in a year or less.

DIRE NEED FOR NEW SITES



- Demand is outpacing infrastructure deployment at an alarming rate.
- Pressure to offer unlimited data – and carriers conceding to do so – is said to have doubled data use overnight in Q-2 2017 (not shown).
- Rural communities are being left behind in the Digital Divide. BLM land is, by location, rural.
- Enhanced fleet management systems and public safety communication networks (FirstNet specifically) now depend on cellular.

POLICIES IN SUPPORT OF TOWER DEVELOPMENT

- **National Wireless Initiative (Feb. 10, 2011)** aimed to make high-speed wireless services available to at least 98% of Americans and directly promoted the development of cellular transmission towers on public lands by investing \$5 billion of government funds in 4G build out in rural areas.
- **Executive Order 13616 - Accelerating Broadband Infrastructure Deployment (June 14, 2012)** proposed to “facilitate broadband deployment on Federal lands, buildings, and rights of way, federally assisted highways, and tribal and individual Indian trust lands (tribal lands), particularly in underserved communities.”
- **Memorandum on “Expanding Broadband Deployment and Adoption by Addressing Regulatory Barriers and Encouraging Investment and Training” (Mar. 23, 2015).**
- The “**Streamlining Permitting to Enable Efficient Deployment of Broadband Infrastructure Act of 2017**” (SPEED Act), S. 1988. Bipartisan measure to streamline permitting process to expedite certain broadband towers.
- Yet the US saw its worldwide rank in mobile web speeds slide from 42nd to 44th in the last year. (See Sept. 7, 2017 Ookla Speed Report).

InterConnect Towers

PERMITTING PROCESS IMPEDING PROGRESS

INTERCONNECT TOWERS LLC											
5/25/2017											
GEO STATE	LAND OFFICE	PREFIX	SERIAL #	SUFFIX	Geographic Name	Case Disposition	Exp Date	Local Field Office	Lease/Grant Holder Name	Billie Address	Billie Reference Identifier
AZ	A		036053		Dome Rock	PENDING		Yuma F.O.	Interconnect Towers LLC	27762 antonio Pkwy L1-471 attn: Tom Gammon	
AZ	A		036054			PENDING		Yuma F.O.	Interconnect Towers LLC		
AZ	A		036401			PENDING		Kingman F.O.	Interconnect Towers LLC		
AZ	A		036402			PENDING		Kingman F.O.	Interconnect Towers LLC		
AZ	A		036403			PENDING		Kingman F.O.	Interconnect Towers LLC		
AZ	A		036404			PENDING		Kingman F.O.	Interconnect Towers LLC		
CA	CA		039370		Blind Hills	Authorized	4/6/2030	Needles F.O.	Interconnect Towers (ICT) LLC		Blind Hills
CA	CA		040188		Monumental Pass	Authorized	7/17/2033	Needles F.O.	Interconnect Towers (ICT) LLC		Monumental Pass
CA	CA		043440		Bridgeport	Authorized	8/11/2035	Bishop F.O.	Interconnect Towers LLC		Bridgeport
CA	CA		051797		Ash Hill	Authorized	5/9/2048	Needles F.O.	Interconnect Towers (ICT) LLC		
CA	CA		053335		Big River	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		Proj-B516
CA	CA		053336		Halloran Springs	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		
CA	CA		053338		40-95	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		Proj-B516
CA	CA		053787			PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
CA	CA		053815		I-40 Elbow	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		LVRWB12B5160
CA	CA		053817		I-15 Nipton / MolyCorp	PENDING		Needles F.O.	Interconnect Towers (ICT) LLC		LVRWB12B5160
CA	CA		053899		Barstow North	PENDING		Barstow F.O.	Interconnect Towers (ICT)		
CA	CA		055184		Dillion Road	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
CA	CA		055185		Hwy 60	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
CA	CA		055186		Hwy 94	PENDING		Palm Springs / S Coast F.O.	Interconnect Towers (ICT) LLC		
CA	CA		055188		I-8 Southbound	PENDING		El Centro F.O.	Interconnect Towers (ICT) LLC		
CA	CA		055190		I-8 Northbound	PENDING		El Centro	Interconnect Towers (ICT) LLC		
CA	CA		055286		Outlet Center	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
CA	CA		055507		Spring Hills	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
CA	CA		056668		Dale Evans	PENDING		Barstow F.O.	Interconnect Towers (ICT) LLC		
NV	N		091519		Hiko Springs	PENDING		Division of Lands	Interconnect Towers		Hwy 163
NV	N		091519	01		PENDING		Division of Lands	Interconnect Towers		
NV	N		091523		Jean	PENDING		Division of Lands	Interconnect Towers		
NV	N		091523	01		PENDING		Division of Lands	Interconnect Towers		
NV	N		091524		Roach Lake	PENDING		Division of Lands	Interconnect Towers		Primm
NV	N		091524	01		PENDING		Division of Lands	Interconnect Towers		
NV	N		092338			PENDING		Division of Lands	Interconnect Towers		
NV	N		092732			PENDING		Division of Lands	Interconnect Towers		

30+ RURAL WIRELESS BROADBAND COMM. SITES HAVE BEEN FILED AND SERIALIZED SINCE 2012 IN SOUTHERN CA, SO NEVADA AND NW ARIZONA

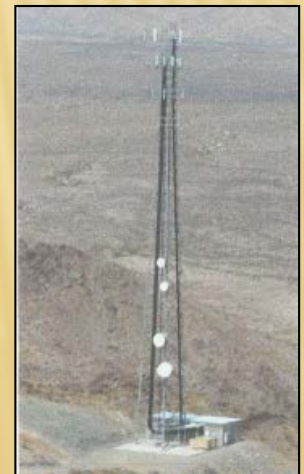
BLM CELL TOWERS – WHY THE DELAY?

- Agency bandwidth and experience. Applications are assigned to ever-changing generalists who are overburdened by a staggering amount of other project work and are unfamiliar with the minimal impacts of these projects.
- Land use plans adopted without regard for the specific nature of cell towers interfere with and even prohibit development at critical nodes.
- Administrative process has become bloated and slow. It can take years to get a cost recovery agreement in place and then years to develop a 300+ page environmental assessment.



MINIMAL IMPACT BUILDS SHOULD BE EASY

- [illegible]



REQUESTS FOR ASSISTANCE

Address Procedural Challenges:

- Create a categorical exemption from NEPA for cell tower projects. RWB is unlikely to trigger extraordinary circumstances. A CX still allows biological and cultural resource investigation.
- Commit to reasonable approval periods and page limits for EAs (i.e. eliminate current 70+ page EA's with 350+ pages of attachments taking years to process).
- Create online tracking tools, as used for other infrastructure projects, to improve transparency and accountability and form a “Comm Site Strike Force” to monitor applications, including supervisorial levels and subject specialists.
- Create a standard cost recovery agreement that is sufficient based on past experience and can be approved immediately, but can also be supplemented later.

Address Land Use Plan Challenges

- Issue guidance to the field offices (ideally an IM) clarifying that the DRECP does not apply to communications sites with serialized applications pending prior to the adoption of the DRECP.
- Exempt cell towers from ACEC development caps
- In VRM II areas with existing anthropogenic construction, allow development of cell towers, especially those that are hidden from view or disguised (often called a “stealth” tower).

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