

CALENDAR ITEM

C12

A 34

08/22/08

WP 7264.2

S 18

M. Clark

**CONSIDER CERTIFICATION OF A MITIGATED NEGATIVE DECLARATION
AND AMENDMENT OF A GENERAL LEASE – RIGHT OF WAY USE**

LESSEE:

AT&T Corp., a wholly-owned subsidiary of SBC Communications, Inc.
3001 Cobb Parkway, NW-Room 162
Atlanta, GA 30339

AREA, LAND TYPE, AND LOCATION:

Three parcels of school lands totaling 1.70 acres, more or less, located in portions of Section 16, T16N, R13E, SBM; Section 36, T16N, R11E, SBM; Section 36, T15N, R9E, SBM, between Barstow and Mountain Pass, San Bernardino County.

EXISTING AUTHORIZED USE:

Use and maintenance of an existing buried fiber optic communication cable and subsurface warning tape.

EXISTING LEASE TERM:

30 years, beginning November 30, 1988.

EXISTING CONSIDERATION:

\$500 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

1. Amend the Lease by replacing Section 1 (Basic Provisions) with the following terms:
 - a. **Authorized Use and Improvements:** Authorize the construction, operation, use, and maintenance of a 0.7-inch diameter fiber optic communications cable encased in one of three bundled one and one-half inch diameter high density polyethylene conduits and subsurface warning tape; the retention of existing warning marker posts; a 20-foot temporary construction work area; and the

CALENDAR ITEM NO. **C12** (CONT'D)

decommissioning and abandonment in place of an existing 0.5-inch diameter direct buried (not in conduit) fiber optic communication cable and subsurface warning tape.

- b. **Temporary Construction Term:** A two-year term beginning August 22, 2008, for the use of a temporary construction work area located on Parcel 2.
 - c. **Consideration:** \$684 annual rent effective November 30, 2008; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.
 - d. **Construction Dates:** Construction may begin no sooner than August 22, 2008 and must be completed no later than August 31, 2010.
 - e. **Liability Insurance:** Liability insurance of no less than \$2,000,000.
 - f. **Surety:** Surety bond or other security in the amount of no less than \$5,000.
- 2. Amend the lease by replacing Section 2 (Special Provisions) with specific provisions for construction activities and the abandonment in place and eventual removal of the existing direct buried cable.
 - 3. Amend the lease by replacing Section 3 (Lease Description).
 - 4. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

- 1. Lessee has the right to use the lands adjoining the lease premises.
- 2. On December 13, 1988, the Commission authorized a 30-year General Lease – Right of Way Use, to the American Telephone and Telegraph Company for the installation and maintenance of a direct buried fiber optic communications cable. On August 22, 1990, the Commission approved an amendment of the Lease to include a third parcel of State-owned school land crossed by the fiber optic communication cable. This Lease was subsequently assigned to AT&T Corp. (AT&T), a wholly-owned subsidiary of SBC Communications, effective November 18, 2005. The Lease will expire November 29, 2018. The Lessee has applied for an amendment to its existing Lease to install a new conduit encased fiber

CALENDAR ITEM NO. **C12** (CONT'D)

optic communication cable and subsurface warning tape, and to decommission and abandon in place the existing direct buried fiber optic communication cable and subsurface warning tape within Parcel 2 of the Lease Premises.

3. The Lessee is proposing to perform new construction and maintenance activities on a 190-mile fiber optic communication cable (cable) route running from Las Vegas, Nevada, to Victorville, California, to replace cable that is nearing the end of its useful life. The proposed project will rehabilitate the existing facilities and provide for future expansion. The new construction portion of the project will involve approximately 32.56 miles in California. It will also consist of decommissioning and abandoning the existing direct buried cable and subsurface warning tape in place and installing new conduit encased cable and subsurface warning tape. In addition, the Lessee is proposing to place 77 new access vaults and 77 new marker posts along the California side of the route, none of which will be located on the Lease Premises.
4. The proposed new construction and decommissioning/abandonment in place of the existing cable will occur within only one of three parcels of State school land under lease (Parcel 2 as described in the revised Section 3 of the Lease) covering approximately 1,863 linear feet, between Halloran Summit and Cima Road in San Bernardino County. All construction on State lands will take place within Parcel 2 of the Lease Premises which consists of an existing ten-foot-wide right-of-way located within an existing 24-foot wide dirt access road. The proposed Amendment will authorize the use of a 20-foot temporary construction work area which will parallel the Lease Premises. The term of the use of the temporary construction work area will be from August 22, 2008, to no later than August 21, 2010. Temporary improvements are not anticipated to be installed during the construction process.
5. The California portion of the project includes installation of new conduit by plowing and trenching; however, horizontal directional drilling (HDD) may be required to install conduit under road crossings, utilities, dry washes, or extremely rocky terrain. The construction of the cable on the Lease Premises does not anticipate any HDD activities. On the Lease Premises, the conduit will be buried at a depth of approximately four feet and will be buried within two to six feet of the existing cable. After the conduit is installed, cable will be pulled or blown through one of the three empty conduits. The Lessee currently has no plans to use the two additional conduits, but is proposing to install the conduits so that the Lease Premises will not have to be disturbed if a need for additional cable arises

CALENDAR ITEM NO. **C12** (CONT'D)

in the future. The proposed Amendment requires the Lessee to obtain approval from the Commission prior to installing additional cables within the two additional conduits. The existing warning marker posts, located throughout the Lease Premises and proposed and existing subsurface warning tape that parallel the cable provide a warning to the public that fiber optic cable is buried below. The marker posts also allow engineers to scan the road for the cable location without having to resort to ground-disturbing activities.

6. Construction is scheduled to begin in fall of 2008 and may take up to six months to complete. After construction is complete, construction debris will be removed and the Lease Premises will be restored to pre-existing conditions, including vegetation restoration.
7. The Lease will also be amended to 1) revise the annual rent from \$500 to \$684; 2) provide for construction limiting dates; 3) an increase the liability insurance requirement from \$1,000,000 to \$2,000,000; 4) require a Surety Bond or other security in the amount of \$5,000; 5) and replace section 3 (Land Description).

ENVIRONMENTAL INFORMATION:

1. The staffs of the Bureau of Land Management and the CSLC, joint federal and state lead agencies, have completed work on a joint Final Environmental Assessment/ Mitigated Negative Declaration (Final EA /MND). The Final EA /MND was prepared pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), and a 20-day public review period was provided from July 15, 2008 to August 4, 2008. Seven comments were received from the following: the Applicant's consultant (Chambers Group, Inc.), the Applicant's attorney (Allen Matkins Leck Gamble Mallory & Natsis LLP), the Colorado River Board of California, the Mojave Desert Air Quality Management District, the Native American Heritage Commission, the Department of Toxic Substances Control and the State Clearinghouse and Planning Unit.
2. The Final EA /MND has identified potential impacts to the Desert Tortoise (listed as threatened under both the federal endangered species act (FESA) and the California endangered species act (CESA)) , Mojave Ground Squirrel (listed as threatened under CESA) and their habitats, recreation, traffic and vegetation and provides the mitigation measures necessary to reduce all the potential impacts to a less than significant level.

CALENDAR ITEM NO. **C12** (CONT'D)

3. On May 20, 2008, the United States Fish and Wildlife Services (Service) issued a Biological Opinion (BO) for the project concluding that, "After reviewing its current status, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, it is the Service's biological opinion that the Bureau's proposed issuance of a right-of-way grant to AT&T to replace fiber optic cables is not likely to jeopardize the continued existence of the desert tortoise. We reached this conclusion because the proposed action will affect a very small amount of suitable habitat and very few desert tortoises. In addition, AT&T will implement numerous measures to avoid, minimize and reduce the potential adverse effects of the action on the desert tortoise."

Staff of the CSLC and the California Department of Fish and Game (CDFG) have reviewed the BO. The CDFG will rely on the Final EA /MND, in combination with the BO to issue a 2081 "incidental take" permit to AT&T for the project. CDFG will monitor future cable maintenance activity. The mitigation measures contained in the Final EA/MND and the BO are contained in the Mitigation Monitoring Program for the proposed replacement project.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15025), the staff has prepared a Proposed Mitigated Negative Declaration identified as CSLC ND 746, State Clearinghouse No. 2008071076. Such proposed Mitigated Negative Declaration was prepared and circulated for public review pursuant to the provisions of the CEQA.

Based upon the Initial Study, the Proposed Mitigated Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment; Title 14, California Code of Regulations, section 15074 (b). A Mitigation Monitoring Program has been prepared in conformance with the provisions of the CEQA (Public Resources Code section 21081.6).

5. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all state school lands and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the

CALENDAR ITEM NO. **C12** (CONT'D)

finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

APPROVALS OBTAINED:

U.S. Fish and Wildlife Service

FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers, Bureau of Land Management, California
Department of Fish and Game, California Regional Water Quality Control Board,
State Historic Preservation Office, and the County of San Bernardino

EXHIBITS:

- A. Site and Location Map
- B. Land Description
- C. Mitigation Monitoring Plan
- D. Public Comments

PERMIT STREAMLINING ACT DEADLINE:

October 20, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CERTIFY THAT A PROPOSED MITIGATED NEGATIVE DECLARATION, CSLC ND NO. 746, STATE CLEARINGHOUSE NO. 2008071076 WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA, THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN AND IN THE COMMENTS RECEIVED IN RESPONSE THERETO AND THAT THE MITIGATED NEGATIVE DECLARATION REFLECTS THE COMMISSION'S INDEPENDENT JUDGMENT AND ANALYSIS.

ADOPT THE PROPOSED MITIGATED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

AUTHORIZATION:

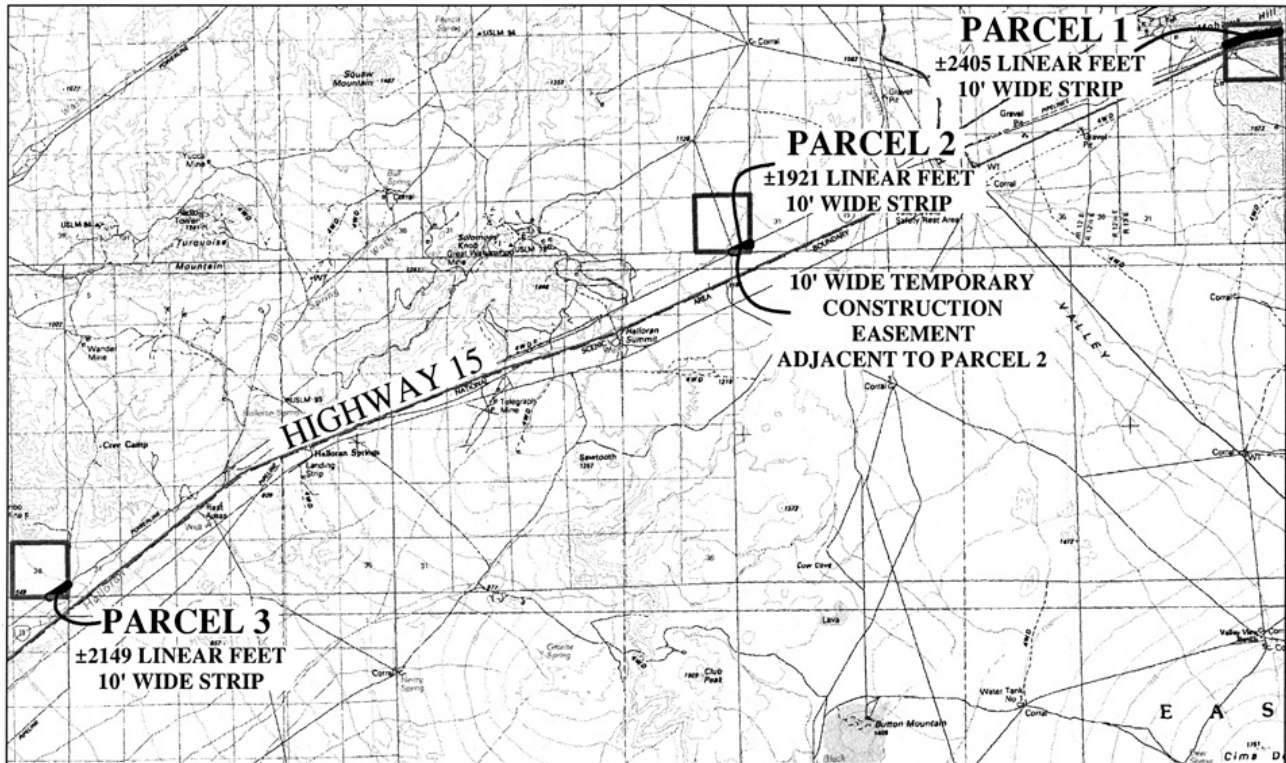
AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7264.2, A
GENERAL LEASE – RIGHT OF WAY USE, OF SCHOOL LANDS, FOR

CALENDAR ITEM NO. **C12** (CONT'D)

THE CONSTRUCTION, OPERATION, USE, AND MAINTENANCE OF A 0.7-INCH DIAMETER FIBER OPTIC COMMUNICATION CABLE ENCASED IN ONE OF THREE BUNDLED ONE AND ONE-HALF INCH DIAMETER HIGH DENSITY POLYETHYLENE CONDUITS AND SUBSURFACE WARNING TAPES; FOR THE RETENTION OF EXISTING WARNING MARKER POSTS; FOR THE DECOMMISSIONING AND ABANDONMENT IN PLACE OF AN EXISTING DIRECT BURIED FIBER OPTIC COMMUNICATION CABLE AND SUBSURFACE WARNING TAPE AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND DESCRIBED ON EXHIBIT B ATTACHED AND BY REFERENCE MADE A PART HEREOF; FOR THE USE OF A 20-FOOT TEMPORARY CONSTRUCTION WORK AREA FOR A TERM OF TWO YEARS BEGINNING AUGUST 22, 2008 AS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT C ATTACHED AND BY REFERENCE MADE A PART HEREOF; A REVISION IN THE RENT FROM \$500 PER YEAR TO \$684, EFFECTIVE NOVEMBER 30, 2008; FOR CONSTRUCTION LIMITING DATES; FOR AN INCREASE IN THE LIABILITY INSURANCE COVERAGE TO \$2,000,000; FOR THE ADDITION OF A SURETY BOND OR OTHER SECURITY IN THE AMOUNT OF \$5,000; FOR ADDITIONAL SPECIAL PROVISIONS FOR CONSTRUCTION ACTIVITIES, ABANDONMENT IN PLACE AND EVENTUAL REMOVAL OF THE AUTHORIZED IMPROVEMENTS; AND FOR THE REPLACEMENT OF SECTION 3 (LAND DESCRIPTION); ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

SITE



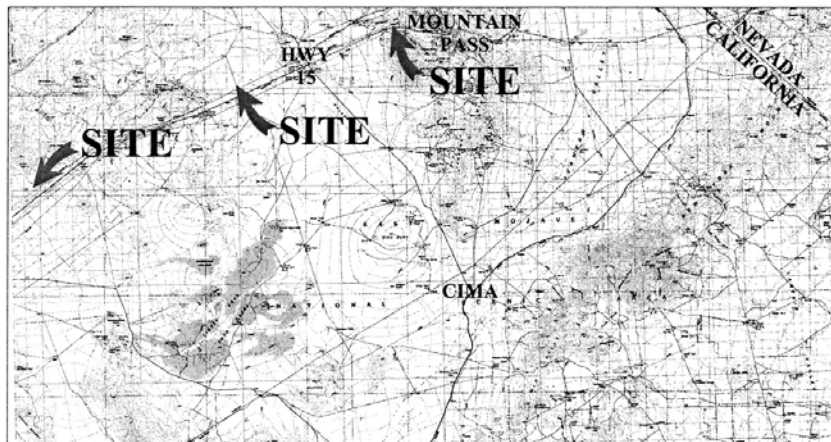
Three Bundled 1½" Conduits Encasing One 0.7" Fiber Optic Communication Cable

SCHOOL LANDS

Portions of - Section 16, T16N, R13E, SBM; Section 36, T16N,
R11E, SBM; Section 36, T15N, R9E, SBM.

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 7264.2
AT&T
GENERAL LEASE
RIGHT OF WAY USE
SAN BERNARDINO COUNTY



MJF 5/31/07

SECTION 6.0 - MITIGATION MONITORING, COMPLIANCE, AND REPORTING PROGRAM

As the Lead Agency under the California Environmental Quality Act (CEQA), the California State Lands Commission (CSLC) is required to adopt a program for reporting or monitoring the implementation of mitigation measures for this Proposed Project, if it is approved, to ensure that the adopted mitigation measures are implemented as defined in this Environmental Assessment/Mitigated Negative Declaration. This Lead Agency responsibility originates in Public Resources Code Section 21081.6(a) (Findings), and the State CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

6.1 MONITORING AUTHORITY

The purpose of a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. A MMCRP can be a working guide to facilitate not only the implementation of mitigation measures by the Proposed Project proponent, but also the monitoring, compliance, and reporting activities of the CSLC and any monitors it may designate. Because the majority of the Proposed Project is located on land managed by the Bureau of Land Management (BLM), the CSLC and BLM will work cooperatively together in ensuring compliance with the applicant-proposed measures (APMs) and mitigation measures (MMs) during Proposed Project construction.

The CSLC may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies, such as affected jurisdictions and cities and the California Department of Fish and Game (CDFG). The number of construction monitors assigned to the Proposed Project would depend on the number of concurrent construction activities and their locations. The CSLC or its designee(s), however, would ensure that each person delegated any duties or responsibilities is qualified to monitor compliance.

Any mitigation measure study or plan that requires the approval of the CSLC must allow adequate review time. When a mitigation measure requires that a mitigation program be developed during the design phase of the Proposed Project, the Project applicant must submit the final program to the CSLC for review and approval at least 30 days before construction begins, with some exceptions. Other agencies and jurisdictions may require additional review time. It is the responsibility of the Project applicant to ensure that appropriate responsible agency reviews and approvals are obtained prior to construction.

The CSLC or its designee would also ensure that any deviation from the procedures identified under the monitoring program is approved by the CSLC. Any deviation and its correction shall be reported immediately to the CSLC or its designee by the CSLC environmental monitor assigned to the Proposed Project.

6.2 ENFORCEMENT RESPONSIBILITY

The BLM is responsible for enforcement of the procedures adopted for monitoring on federal public lands. The CSLC is responsible for enforcing the adopted procedures on non-federal land.

6.3 MITIGATION COMPLIANCE RESPONSIBILITY

AT&T is responsible for successfully implementing all APMs and the mitigation measures in the MMCRP. It is also responsible for ensuring that these requirements are met by all of its construction contractors and field personnel. Standards for successful mitigation are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Other mitigation measures include detailed success criteria. Additional mitigation success thresholds would be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

6.4 GENERAL MONITORING PROCEDURES

6.4.1 CSLC Environmental Monitors

Many of the monitoring procedures would be conducted during the construction phase of the Proposed Project. The CSLC environmental monitor(s), identified as CSLC monitors, are responsible for ensuring that the mitigation monitoring procedures are implemented during the construction process in coordination with AT&T. To oversee the monitoring procedures and to ensure success, the environmental monitor assigned to each construction segment must be on site during that portion of construction that has the potential to create a significant environmental impact or other impact for which mitigation is required. The environmental monitor is responsible for ensuring that all procedures specified in the monitoring program are followed.

6.4.2 AT&T Monitors

AT&T would have several monitors on site, which have been identified as Biological Monitors and/or AT&T monitors, to fulfill specific mitigation measures and ensure that construction crews both adhere to the measures and minimize impacts throughout the construction process. AT&T monitors would notify the construction contractor of any activity that deviates from this MMCRP and immediately inform CSLC monitors of any non-compliance or incident occurring on the Proposed Project. In addition, AT&T monitors would keep a daily log documenting compliance with the MMCRP.

6.4.3 Construction Personnel

A key feature contributing to the success of mitigation monitoring would be obtaining the full cooperation of construction personnel and supervisors. Many of the mitigation measures require action on the part of the construction supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures, would be taken:

- Procedures to be followed by construction companies hired to do the work would be written into contracts between AT&T and any construction contractors.
- Procedures to be followed by construction crews would be written into a separate document that all construction personnel would be asked to sign, denoting agreement.
- One or more preconstruction meetings would be held to inform and train all construction personnel about the requirements of the MMCRP.
- A written summary of mitigation monitoring procedures would be provided to construction supervisors for all mitigation measures requiring their attention.

6.5 GENERAL REPORT PROCEDURES AND PUBLIC ACCESS TO RECORDS

6.5.1 General Reporting Procedures

Site visits and specified monitoring procedures performed by other individuals would be reported to the CSLC environmental monitor assigned to the relevant construction segment. A monitoring record form would be submitted to the CSLC monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the CSLC monitor. A checklist would be developed and maintained by the CSLC monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The CSLC monitor would note any problems that may occur and take appropriate action to rectify the problems. AT&T monitors would complete daily logs and provide a biweekly compliance report to the CSLC summarizing the construction status, outlook for the next 2 weeks, and any non-compliances or incidents observed and how they were rectified.

6.5.2 Public Access to Records

The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports would be made available for public inspection by the CSLC or its designee upon request.

6.6 MITIGATION MONITORING AND REPORTING TABLE

This section contains Table 6-1: Mitigation Monitoring and Reporting Table for each environmental impact area and is intended to be used to track compliance with the APMs and the mitigation measures adopted by the CSLC. The table includes measures that must be implemented during construction, monitoring and reporting action, effectiveness criteria, responsible agency, and timing for implementation of the measures. The table includes both APMs as presented in Section 2.4 Applicant-Proposed Measures, as well as mitigation measures deemed necessary by the CSLC to reduce impacts to a less than significant level.

Table 6-1: Mitigation Monitoring and Reporting Table

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
Vegetation						
APM-VEG-01	No ground clearing or grading of vegetation shall be conducted to prepare for and during construction activities. Plant root systems shall not be affected by plowing/trenching activities since these activities shall occur within existing roads only. No sensitive vegetation shall be removed. If sensitive plant species, such as cacti and succulents are within an impact area, the restoration specialist shall remove and temporarily relocate the species to a "nursery area" until safe to return to the immediate area where the sensitive vegetation was originally found utilizing BLM-approved transplanting methods as outlined in Appendix E - Succulent Transplanting Plan. Disturbance of vegetation outside of the road, but within the temporary construction right-of-way (ROW), shall be limited to crushing vegetation to minimize root damage to vegetation.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure no vegetation is cleared and cacti and succulents are not impacted; CSLC monitors to verify	No vegetation is removed and sensitive plant species are not impacted or relocated	CSLC, CDFG, BLM	Prior to and during construction

¹ APM stands for applicant-proposed measure. MM stands for mitigation measure.

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-VEG-02	Surface stabilization and reclamation shall be accomplished by removing all construction debris from the Project area and returning the soil to its original contours. Vegetation restoration shall be accomplished by the use of native seeding only.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure all disturbed areas are restored; CSLC monitors to verify	All disturbed areas are restored and seeded	CSLC, BLM	During and after construction
APM-VEG-03	All Project activities shall be confined to the Project ROW and approved access roads and storage areas. If unforeseen circumstances require disturbance beyond the Project ROW, AT&T shall notify the CDFG and BLM immediately. BLM shall notify the United States Fish and Wildlife Service (USFWS).	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure all vehicles remain in approved work areas; CSLC monitors to verify	No disturbance occurs outside of the ROW and approved temporary work areas	CDFG, BLM, USFWS, CSLC	During construction
APM-VEG-04	Sidcasting into vegetated shoulder areas shall be minimized to the extent feasible. In vegetated shoulder areas where sidcasting cannot be avoided, a tarp shall be placed to cover the vegetation prior to sidcasting to ensure vegetation is not removed during the replacements of soil back into the trench.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No plant root systems are damaged	CSLC, BLM, USFWS, CDFG	During construction
MM-VEG-01	Post-Project monitoring assessments of success criteria, including equal or greater ground cover percentage compared to the surrounding undisturbed areas; for newly seeded areas would be implemented. This post-Project monitoring would occur for 3 years during the spring flowering period. If the percent coverage is not greater than or equal to the surrounding native vegetation, the areas would be reseeded and	Any Project areas that are seeded	AT&T monitors to perform assessments and submit report to the CSLC and BLM; CSLC and BLM staff to review reports	All disturbed areas are returned to preconstruction conditions or better within 3 to 5 years	CSLC, BLM	After construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	monitored for an additional 2 years. A Revegetation Monitoring Report would be prepared and submitted to the CSLC and BLM for each monitoring year.					
MM-VEG-02	Prior to removing any cactus or yucca, the plant shall be inspected by a biologist qualified to determine if nesting birds, such as cactus wren or other passerine bird species, are occupying or nesting in or around the plant if the removal is to occur between February 15 and July 30.	All Project areas where cacti or yucca removal is necessary	Biologists to implement measure as described; CSLC monitors to verify	No nests fail as a result of Project activities	CSLC, BLM	During construction
MM-VEG-03	If 80 percent survivorship is not observed and the replacement plantings were not sufficient to counteract the losses, remedial planting shall be implemented. For every full-sized mature plant that was lost, 10 seedlings of the same species shall be planted in the vicinity of the original planting and with similar soil conditions. Replacement planting success shall be surveyed again after 2 years to ensure that a minimum of 50 percent survivorship of is achieved. If 50 percent survivorship of replacement plantings is not achieved, 10 seedlings of the same species shall be planted again in the vicinity of the original planting and with similar soil conditions.	All Project areas where cacti or yucca removal is necessary	Biologists to implement measure as described; AT&T to provide biannual monitoring reports; CSLC monitors to verify	Success criteria as identified in the measure is met	CSLC, BLM	After construction
MM-VEG-04	The biannual reports prepared in accordance with the Succulent Transplanting Plan, which shall describe any remedial actions taken, shall be submitted to the CSLC and the BLM.	All Project areas where cacti or yucca removal is necessary	Biologists to implement measure as described; AT&T to provide biannual monitoring reports; CSLC monitors to verify	Success criteria as identified in the measure is met	CSLC, BLM	After construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
Wildlife						
APM-WLD-01	<p>Biological Monitors shall be present with each construction team for all construction activities. Three construction teams (two Biological Monitors per team) in total are anticipated for Project construction. Only personnel authorized by the BLM, CDFG, and USFWS may handle desert tortoises. When a listed species is moved, the Authorized Biologist shall be responsible for taking appropriate measures to ensure that the animal is not exposed to temperature extremes, which could be harmful. The biologist shall be responsible for assisting crews in compliance with protection measures, performing surveys in front of crews as needed to locate and avoid desert tortoise, and monitoring compliance. Biologists (Qualified Monitors) for the desert tortoise shall be present during all construction activities along the Project area to help avoid the take of individual animals and to minimize disturbance to the habitat. The Qualified Monitors shall conduct daily inspections of the fiber optic replacement activities site and shall ensure compliance with the management measures. A field contact representative (FCR) shall be responsible for overseeing compliance with protective measures and stipulations for the desert tortoise and for coordinating on compliance with the BLM. The FCR shall be on site during all Project activities. The FCR shall have the authority to halt all Project activities that are in violation of the stipulations, which the FCR shall have a</p>	All Project areas	<p>AT&T to implement measure as defined; Resumes of qualified biologists to be submitted to the CDFG, USFWS, and BLM for approval; AT&T monitors to ensure construction activities adhere to stipulations of the Biological Opinion; CSLC monitors to verify and report to BLM, USFWS, and CDFG</p>	No desert tortoise are harmed	BLM, USFWS, CDFG	Prior to and during construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	copy of while work is being conducted. The FCR may be a crew chief, or a field supervisor, a Project manager, any employee of the Project proponent, or a contract biologist.					
APM-WLD-02	Authorized Biologists (USFWS and CDFG approved) shall conduct surveys for the presence of desert tortoise a maximum of 48 hours before ground-disturbing work is initiated in areas of high desert tortoise density (Appendix A - Biological Evaluation). In addition, clearance surveys shall be performed directly ahead of construction Project activities as they occur along the Project route. Survey methodology shall consist of walking the entire length of the Project activity area. The surveys shall concentrate on detecting live tortoise, tracks, and cover sites. At a minimum, the survey shall include all areas that shall be subjected to disturbance or overland travel and a 50-foot buffer around those areas. All desert tortoise burrows/pailets within the Project areas shall be marked in such a manner so as the equipment operators shall be able to identify and avoid such burrows. Flagging these locations shall be performed prior to replacement activities planned each week, and flagging shall be distinctive to distinguish between an occupied burrow and an unoccupied burrow. All trenches and holes shall be inspected daily for entrapped animals. The Biological Monitors shall be supplied with the equipment necessary to facilitate removal for any entrapped wildlife. The equipment	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure construction activities adhere to stipulations of the Biological Opinion; CSLC monitors to verify and report to BLM, USFWS and CDFG	No desert tortoise are harmed	BLM, USFWS, CDFG	Prior to and during construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	shall minimally include catch net, heavy gloves, rubber gloves, and materials (plywood) to effectively block animal access to holes and trenches.					
APM-WLD-C3	Operators of heavy equipment (such as plow trucks conducting surface-disturbing activities) shall be accompanied by a Biological Monitor when working in desert tortoise habitat during all construction activities. The monitor shall walk in front of the equipment during its operation and shall have the responsibility and authority to halt all Project activity should danger to a desert tortoise arise. Work shall proceed only after hazards to the desert tortoise are removed, the desert tortoise is no longer at risk, or the Qualified Monitor has moved the desert tortoise from harm's way. The monitors shall be present throughout to ensure compliance with the protection measures and terms and conditions of the USFWS Biological Opinion and CDFG Incidental Take Permit. Any trenches temporarily created shall be covered with native soil material or shall be platted with steel plates at the end of each workday. All trenches shall be inspected for desert tortoise occupancy before soil is refilled. All reasonable efforts shall be made to allow any entrapped animals to escape.	All Project areas	AT&T to implement measure as defined, AT&T monitors to ensure construction activities adhere to stipulations of the Biological Opinion; CSLC monitors to verify and report to BLM, USFWS, and CDFG	No desert tortoise are harmed by construction vehicular or equipment movement	BLM, USFWS, CDFG	During construction
APM-WLD-C4	Encounters with a listed species shall be reported to the Authorized Biologist. These biologists shall maintain records of all listed species encountered during Project activities. This information shall include the following for each individual: the locations (narrative, vegetation type, and maps).	All Project areas	AT&T monitors to implement measure as defined; Records to be provided to the CSLC, BLM, USFWS and	All encounters with listed species are documented	BLM, USFWS, CDFG	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	<p>dates of observations; general conditions of health, and apparent injuries and state of healing; if moved, location moved from and location moved to (for desert tortoises, whether animals voided their bladders); and diagnostic markings (i.e., identification numbers or, on desert tortoises, marked lateral scutes).</p>		CDFG upon request			
APM-WLD-05	<p>If desert tortoise must be moved from harm's way during any Project activities, persons authorized by the BLM, USFWS and CDFG to handle desert tortoise shall implement the following procedures:</p> <ul style="list-style-type: none"> - The Authorized Biologist shall handle a desert tortoise only when necessary. New latex gloves shall be used when handling each desert tortoise to avoid transfers of infectious diseases between animals. - Desert tortoises shall be moved the minimum distance possible within appropriate habitat to ensure their safety. Desert tortoises shall not be moved in excess of 1,000 feet for adults or 300 feet for juveniles and hatchlings. - The Authorized Biologist(s) shall follow the appropriate protocols outlined in "Guidelines for Handling Desert Tortoises during Construction Projects: (Desert Tortoise Council 1994). - Desert tortoises that are found above ground and need to be moved from harm's way shall be placed in the shade of a shrub. 	All Project areas	Authorized Biologists to implement; CLSC monitors to verify and report to BLM, USFWS, and CDFG	Only Authorized Biologists handle desert tortoise in accordance with proper procedures	BLM, USFWS, CDFG	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	The Authorized Biologist shall have the authority to halt all non-emergency Project activity should danger to a desert tortoise or other species arise. Work shall proceed only after hazards to the listed species are removed, the species is no longer at risk, or the species has been moved from harm's way by the Authorized Biologist.					
APM-WLD-06	Upon locating a dead or injured listed species, AT&T shall notify the BLM, USFWS, and CDFG. Written notification shall be made within 15 days of the date and time of the finding or incident (if known), location of the carcass, a photograph, cause of death (if known), and other pertinent information. Animals injured through AT&T activities shall be transported to an authorized veterinarian for treatment at the expense of AT&T. If an injured desert tortoise, harmed by other than Project activities, is found, the desert tortoise shall be taken to a USFWS/CDFG authorized veterinarian. If an injured animal recovers from injury, the BLM, CDFG, and USFWS shall be contacted for final disposition of the animal. If AT&T, its employees, contractor or agents kills or injures an individual of a listed species status, or finds any such animal dead, injured or entrapped, AT&T shall immediately notify the BLM. Any animal that may have been killed as a result of Project activities shall be turned over to the BLM and a written report detailing the date, time, location, and general circumstances under which it was found shall be	All Project areas	AT&T to provide notification of injured or dead species to the BLM, USFWS, CDFG, and CSLC; Authorized Biologists to transport injured species to authorized veterinarian	Any injured or dead listed species are properly treated and reported	BLM, USFWS, CDFG	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-WLD-07	submitted to the BLM no later than 3 business days following the incident. Authorized/Qualified biologists shall flag areas with the extant soils, vegetation types (habitat) and topography considered generally suitable for the Mohave ground squirrel along Segment 3 to alert the construction crews to avoid those areas. The Biologists shall walk ahead of the equipment prior to ground-disturbing activities. In addition, clearance surveys for Mohave ground squirrel shall be conducted by the biologists in areas with potential for Mohave ground squirrel (see Appendix B - Mohave Ground Squirrel Habitat Assessment) no more than 48 hours prior to construction activities occurring along this segment.	Segment 3	AT&T to implement measure as defined; Resumes of qualified biologists and agency concurrence to be submitted to the CDFG for approval prior to construction	No Mohave ground squirrels are harmed	CDFG, BLM	Prior to and during construction
APM-WLD-08	The proposed cable installation Project shall not disturb habitats adjacent to the existing dirt road, thereby minimizing the potential for any take of any Mohave ground squirrel that might be in the Segment 3 area. The presence of a field Biological Monitor during the installation process shall insure that intrusions into the adjacent desert habitats do not occur.	Segment 3	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify and report to CDFG	No Mohave ground squirrels are harmed	CDFG, BLM	During construction
APM-WLD-09	The specific location for the installation of underground cable marker posts shall be established by the Biological Monitor such that no small mammal burrows shall be disturbed by this activity.	Segment 3	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No Mohave ground squirrels are harmed	CDFG, BLM	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-WLD-10	Although occurrence of the Mohave Ground Squirrel is not anticipated, should one be observed, under no circumstance shall Project personnel, including the Biologists, be allowed to touch or otherwise disturb the animal.	Segment 3	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No Mohave ground squirrels are touched	CDFG, BLM	During construction
APM-WLD-11	Biologists monitoring the area of Project activity for desert tortoises and Mohave ground squirrels shall be required to be on the vigilant outlook for any other species, and shall be authorized to temporarily halt or redirect Project activities to the extent necessary to keep any observed wildlife out of harm's way.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure construction adheres to all measures for protection of wildlife; CSLC monitors to verify	No wildlife are harmed	CSLC, USFWS, CDFG, BLM	Prior to and during construction
APM-WLD-12	The Project applicant shall retain a qualified Biological Monitor (USFWS, CDFG, and BLM approved) to supervise all construction activities located within or near sensitive communities and/or known special-status plant species. All sensitive resources shall be clearly marked prior to the start of work in each sub-segment. To reduce potential impacts to sensitive biological resources during construction activities, the following measures shall be implemented throughout construction: - The Biological Monitor shall conduct brief environmental training sessions for work crews prior to commencement of construction within or directly adjacent to sensitive areas. The training session shall discuss local	All Project areas	AT&T to implement measure as defined; Resumes of qualified biologists to be provided to the USFWS, CDFG, and BLM for approval prior to construction; Biweekly compliance reports to be submitted to the CSLC; Training sign-in sheets to be provided to the CSLC with	All Project personnel are trained; All sensitive resources are marked; No sensitive biological resources are harmed	CSLC, USFWS, CDFG, BLM	Prior to and during construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	state, and federal statutes, advise construction personnel on the biological value and protected status of those areas, and discuss various measures for minimizing potential construction-related impacts; and The Biological Monitor shall visit construction zones located within or near sensitive areas at a frequency and duration determined by the appropriate agency and based on construction timing and sensitivity of resources at issue.		biweekly compliance status reports; CSLC monitors to verify			
APM-WLD-13	Desert tortoises shall be handled only by a biologist authorized by the USFWS and approved by the BLM (Authorized Biologist) and only when necessary. The Project applicant shall submit the names of proposed Authorized Biologists and Biological Monitors to the BLM, CSLC, and CDFG at least 30 days prior to the onset of construction activities. No construction activities shall begin until an Authorized Biologist is approved. All construction activities shall be monitored by the Biological Monitors to identify and assure compliance with the Biological Opinion for desert tortoise within the Project area. The Authorized Biologist shall determine avoidance measures as warranted and address any unforeseen issues and potential conflicts that may emerge from the implementation of construction activities. The Biological Monitor shall oversee the construction personnel regarding the protocol for working in desert tortoise habitat and flag any sensitive	All Project areas	AT&T to implement measure as defined; Resumes of qualified biologists to be submitted to the USFWS and BLM for approval; Biological monitors to ensure construction activities adhere to stipulations of the Biological Opinion; CSLC monitors to verify	Only Authorized Biologists handle desert tortoise	BLM, USFWS, CDFG	Prior to and during construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	areas for avoidance, such as boring site set up, installation of manholes and vaults, plowing and trenching segments, and monitor conduit and fiber optic line installation. In addition, the Biological Monitor shall inspect den and burrow excavations for any potentially trapped wildlife and, if necessary, remove the trapped wildlife from harm's way.					
APM-WLD-14	A post-Project report identifying all activities affecting the desert tortoise shall be submitted to the USFWS Ventura Office, BLM Needles Field Office, and the CDFG Bishop Office.	All Project areas	AT&T to implement measure as defined; A copy of the post-Project report would be submitted to the CSLC within 60 days following the completion of construction	Desert tortoise are only handled by Authorized Biologists	BLM, USFWS, CDFG	During and after construction
APM-WLD-15	All contractors, crewmembers, engineering inspectors and Biological Monitors shall inspect for desert tortoises resting in the shade under vehicles and equipment prior to moving any equipment. If a desert tortoise is present, the worker(s), under the direction of the Biological Monitor, shall carefully move the vehicle only when necessary and if the desert tortoise shall not be injured by moving the vehicle. If this is not possible, the worker(s) shall wait for the desert tortoise to move out from under the vehicle before moving the vehicle, or the Authorized Biologist shall carefully move the desert tortoise using the protocol methods (Desert Tortoise Council 1999).	All Project areas	AT&T to implement measure as defined; AT&T monitors to inspect under equipment and vehicles; CSLC monitors to verify	No desert tortoise are harmed by vehicle movement	BLM, USFWS, CDFG	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-WLD-16	Firearms and domestic dogs shall be prohibited from work areas.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No wildlife are injured or harassed by domestic species associated with the Project	CSLC	During construction
APM-WLD-17	Trash and food items shall be disposed of promptly in predator-proof containers with re-sealable lids. Trash containers shall be removed at the end of each workday.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Wildlife species are not attracted to the Project work areas due to on-site garbage	CSLC	During construction
Invasive and Noxious Weeds						
APM-NOX-01	The Biological Monitor shall survey the Project corridor, including access roads, for populations of invasive and noxious weeds prior to the start of construction. Populations of invasive and noxious weeds within 50 feet or less of the ROW in the areas of narrow roads or access zones shall be flagged prior to construction. Construction activities in all other segments shall be restricted to the existing roads.	All Project areas	AT&T to implement measure as defined; Results of surveys to be provided to CSLC with biweekly compliance status report	Noxious weed populations are flagged and avoided	CSLC, BLM	Prior to and during construction
APM-NOX-02	The construction contractor shall implement control measures for invasive and noxious weeds as defined in the BLM management guidelines and the Noxious Weed Management Plan (Appendix D - Noxious Weed Management Plan), including specific measures to control the introduction and spread of noxious weeds in the Project corridor; worker training, specifications and inspection procedures	All Project areas	AT&T to implement measure as defined; A copy of training program to be provided to the CSLC prior to construction; Results of post-construction	Populations of noxious weeds are the same or reduced after Project implementation	CSLC, BLM	Prior to, during, and after construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	for construction materials and equipment used in the Project corridor; post-construction monitoring for noxious weeds; and eradication and control methods, subject to BLM approval.		monitoring to be provided to the CSLC			
APM-NOX-03	To prevent contamination into new habitat, the construction superintendent shall establish wash stations in staging areas to remove any seeds that may have attached to construction vehicles.	All Project areas	AT&T monitors to inspect and monitor the use of wash stations; CSLC monitors to verify	All construction vehicles are washed as appropriate	CSLC, BLM	During construction
APM-NOX-04	Construction personnel shall power wash construction vehicles and equipment, including body, bumpers and undercarriages, at the staging area wash stations prior to moving the equipment on site and beginning earthmoving activities.	All Project areas	AT&T to implement measure as defined; CSLC monitors to verify	Populations of noxious weeds are the same or reduced after Project implementation	CSLC, BLM	During construction
APM-NOX-05	When vehicles and equipment are washed, a log shall be kept stating the location, date and time, types of equipment, and methods used. The crewmember who washed the vehicle shall sign the log. Written logs shall be included in the Biological Monitor's monitoring reports.	All Project areas	AT&T to implement measure as defined; AT&T to provide log to the CSLC with the biweekly compliance status report	Populations of noxious weeds are the same or reduced after Project implementation	CSLC, BLM	During construction
APM-NOX-06	The construction superintendent shall use certified weed-free erosion control materials (i.e., straw bales) during grading and construction activities to control surface runoff.	All Project areas	AT&T to implement measure as defined; AT&T to provide certifications to the CSLC	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	CSLC, BLM	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-NOX-07	All gravel and fill material required during Project construction and maintenance shall be certified weed free.	All Project areas	AT&T to implement measure as defined; AT&T to provide certifications to the CSLC	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	CSLC, BLM	During construction
APM-NOX-08	The Project applicant shall be responsible for implementing an invasive species-monitoring program to identify and remove any invasive species. Post-Project monitoring shall be implemented for invasive vegetation and shall occur within the spring flowering period of the following year.	All Project areas	AT&T to implement measure as defined; Results of post-construction monitoring to be submitted to the CSLC for review	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	CSLC, BLM	After construction
MM-NOX-01	All areas within the Proposed Project footprint shall be monitored annually for invasive infestations by a qualified personnel approved by the BLM for a minimum of 5 years after the completion of the Proposed Project.	All Project areas	AT&T to implement measure as defined; Results of post-construction monitoring to be submitted to the BLM for review	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	BLM	After construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
MM-NOX-02	Annual monitoring reports detailing the annual surveys shall be submitted to the BLM and CSLC.	All Project areas	AT&T to implement measure as defined; Results of post-construction monitoring to be submitted to the BLM for review	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	BLM	After construction
MM-NOX-03	All wash stations shall be located at least 100 feet away from natural drainages and be surrounded by weed-free hay bales to catch runoff seed; which shall be properly disposed of.	At wash station locations throughout the Project area	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	BLM	After construction
MM-NOX-04	Plastic sheeting or other materials, at least 10 feet in height, shall enclose all blowdown stations to reduce wind-blown seed dispersal.	At blowdown station locations throughout the Project area	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Populations of noxious weeds are the same or reduced after Project implementation; No new weed species are introduced to the area	BLM	After construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
MM-NOX-05	The environmental awareness training shall include a section on the importance of preventing the spread of invasive and noxious weeds, including impacts to wildlife, native vegetation, and the spread of wildfire.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	All personnel are aware of the importance of preventing the spread of noxious weeds	BLM	After construction
MM-NOX-06	AT&T shall provide the species list, application rate, and spacing for the restoration seed mix to the BLM for approval.	All Project areas to be seeded	AT&T to implement measure as defined; BLM to review and approve seed mix	Seeded areas are restored per BLM requirements	BLM	During and/or after construction
Noise						
APM-NO-01	The construction superintendent shall ensure compliance with San Bernardino County Municipal Code Section 83.01.080(g)(3) timing requirements within noise-sensitive areas. The Project proponent shall utilize standard construction equipment that complies with established noise standards.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Construction complies with San Bernardino County Municipal Code Section 83.01.080(g)(3)	CSLC, BLM	During construction
Air Quality						
APM-AIR-01	The construction superintendent shall cease all earth moving or excavation activities during periods of high winds (i.e., winds greater than 20 miles per hour averaged over one hour).	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure no earth moving activities occur during periods of high winds; CSLC monitors to verify	No dust is generated during high winds	CSLC, BLM	During construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-AIR-02	The construction superintendent shall sufficiently water or secure all material transported off-site to control the release of dust.	All Project areas	AT&T to implement measure as defined; AT&T monitor to ensure all haul materials are watered down or secured; CSLC monitors to verify	Dust is not generated from haul trucks	CSLC, BLM	During construction
APM-AIR-03	The construction superintendent shall control fugitive dust emissions by limiting all on-site construction vehicle speeds to 20 mph.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure project speed limits are observed; CSLC monitors to verify	Fugitive dust from Project vehicles does not exceed that of other on-site vehicles	CSLC, BLM	During construction
APM-AIR-04	The construction superintendent shall control Ozone precursor emissions from mobile equipment by keeping all engines in good condition and in proper tune according to manufacturer's specifications.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No construction equipment is visibly observed emitting pollution above California state regulations	CSLC, BLM	During construction
APM-AIR-05	The construction superintendent shall monitor on-site mobile equipment, which shall not be left idling for periods longer than 5 minutes.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Vehicle idling for non-essential equipment is limited to 5 minutes	CSLC, BLM	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
Surface and Groundwater						
APM-WTR-01	All laydown areas shall be located at least 100 feet from drainages. No refueling, equipment repair, or lubrication activities shall be allowed within a laydown area. A construction Stormwater Pollution Prevention Plan (SWPPP) is included herein as Appendix H - Stormwater Pollution Prevention Plan.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance with SWPPP, Horizontal Directional Drilling; Contingency and Resource Protection Plan, and all conditions of the CDFG 1600 Agreement; CSLC monitors and Regional Water Quality Control Board (RWQCB) staff to verify	No construction materials enter nearby waterways	CDFG, BLM, RWQCB	Prior to, during, and after construction
APM-WTR-02	All stipulations found in the streambed alteration agreement for the Project (Section 1602 of the California Fish and Game Code) shall be strictly followed. The utilization of directional boring, if required, shall adhere to the Horizontal Directional Drilling: Contingency and Resource Protection Plan (Appendix I - Horizontal Directional Drilling: Contingency and Resource Protection Plan).	All Project areas	AT&T to implement measure; AT&T monitors to ensure compliance; CSLC monitors to verify	No sensitive waterbodies are impacted by Project construction	CDFG	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-WTR-03	Conservation measures proposed for dry wash crossings include the immediate implementation of stabilization measures along the stream bank and floodplain upon completion of construction; no placement of artificial flow obstructions within the stream bank or channel; avoid areas of stream crossing at bends, in areas of undercut berms, or in unstable bank areas. A monitor shall be present during construction activities to ensure compliance with protection measures. AT&T shall inspect the fiber optic cable line after storm events to identify erosion or stability issues. No manholes or access vaults shall be installed within the streambeds or stream bank areas.	All Project areas	AT&T to implement measure; AT&T monitors to ensure compliance; CSLC monitors to verify	No construction materials or sediment enter nearby waterways	CDFG	During construction
APM-WTR-04	<p>The Project applicant has prepared a SWPPP to address controlling construction related erosion and sedimentation and has obtained a National Pollutant Discharge Elimination System permit from the RWQCB stipulating permissible waste discharge requirements. The SWPPP addresses:</p> <ul style="list-style-type: none"> - identification of potential sources of pollutants and toxic materials; - identification of Best Management Practices (BMPs) for stormwater contact minimization, construction material distribution and access, equipment storage, vehicle maintenance and cleaning areas; - erosion and sediment control measures for wet- and dry-season activities; 	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance with SWPPP; CSLC monitors and RWQCB staff to verify	No erosion or sedimentation occurs off site	RWQCB	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	<ul style="list-style-type: none"> - temporary and permanent erosion control techniques, sediment control on public roads, wind erosion, and non-stormwater management techniques; and - waste management/disposal methods. 					
APM-WTR-05	The construction superintendent shall be responsible for constructing and installing all BMPs outlined in the SWPPP to limit sediment movement. Flow dissipation and sediment-control structures shall also be constructed in appropriate locations. Small sediment areas, designed for catching runoff and storing sediment from exposed and erodible surfaces, shall be built prior to construction start-up where they are deemed necessary. These structures shall be maintained and cleaned out as often as necessary for as long as erodible surfaces were exposed. Small weed-free hay bale dams shall be placed below slopes as temporary erosion control measures.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance with SWPPP; CSLC monitors and RWQCB staff to verify	No erosion or sedimentation occurs off site	RWQCB	During construction
APM-WTR-06	The Project applicant shall follow the Spill Prevention and Contingency Plan (Appendix G - Spill Prevention and Contingency Plan), which outlines the storage and use of hazardous materials, the prevention of spill incidents, and emergency response procedures. The plan also describes the various chemicals to be stored and used on the Project site (i.e., fertilizers, cable lubricants, etc.). This plan also establishes procedures and methods to transport, store, and clean up a spill involving hazardous materials in compliance with state and county regulations and ordinances. In addition, the	All Project areas	AT&T to implement plan as specified and remain in compliance with all county, state, and federal regulations; AT&T monitors to ensure compliance; CSLC monitors to verify	All hazardous materials are properly stored and all spills are properly cleaned up and disposed of	RWQCB	Prior to and during construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	plan outlines construction measures and operational procedures to follow in the event of an emergency.					
APM-WTR-07	<p>All horizontal directional drilling crewmembers shall be familiar with and be prepared to implement all aspects of the Horizontal Directional Drilling: Contingency and Resource Protection Plan (Appendix I - Horizontal Directional Drilling: Contingency and Resource Protection Plan).</p>	Horizontal directional drilling sites	AT&T to train horizontal directional drilling contractor on Contingency and Resource Protection Plan; Copies of training sign-in sheets to be provided to CSLC	Impacts to sensitive resources from horizontal directional drilling operations do not occur	CSLC, BLM	Prior to and during construction
APM-WTR-08	<p>Directional boring of cable routes shall be monitored for potential day-lighting of drill lubricant, and proper equipment staging, travel or use during construction or cable attachment activities. To reduce potential impacts to sensitive biological resources that could occur during boring activities and impacts associated with sedimentation, noise, lighting, and improper equipment use, the following measures shall be implemented during construction:</p> <p>During boring activities, the bore crew shall strictly monitor drilling fluid pressures and down gradient of water crossing sites to identify seeps, and inspect the bore route periodically. If drill-lubricant material surfaces along the route, the crew shall immediately stop work, implement clean-up operations, and notify the Authorized Biologist, the Biological Monitor, and appropriate regulatory agencies. The</p>	Horizontal directional drilling sites	AT&T to implement measure as defined; AT&T monitors to inspect horizontal directional drilling activities and document compliance; CSLC monitors to verify	Impacts to sensitive resources from horizontal directional drilling operations do not occur	CSLC, BLM	Prior to and during construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	<p>Biological Monitor shall closely monitor all clean-up efforts to ensure that disturbance to vegetation is minimized, and closely supervise the use of any equipment during clean-up operations.</p> <ul style="list-style-type: none"> - No boring activities shall be conducted during nighttime hours to reduce the potential for drill-lubricant seeps to go unnoticed in the dark, unless approved by local or permitting agency. - Appropriate materials for clean-up of drill-lubricant shall be retained on the site throughout the duration of construction. - The limits of all construction areas, access routes, and adjacent sensitive resources shall be clearly marked and all vehicles and equipment shall be restricted to within the defined area. - The use of heavy equipment directly adjacent to sensitive communities, known special status plant or wildlife locations shall be avoided. 					
APM-WTR-09	<p>Upon completion of construction activities at access, staging, and emergency access areas, the contractor shall replace all erosion-resistant materials disturbed by construction activities to pre-Project contours or to the satisfaction of the BLM.</p>	All Project areas	AT&T to implement measure; AT&T monitors to ensure compliance; CSLC monitors to verify	Pre-construction contours are returned	BLM, CSLC	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
MM-WTR-01	Prior to construction, AT&T shall amend the SWPPP to include specific detail on when and where BMPs must be installed, including a map depicting the location of the BMPs. The map shall also illustrate the work areas, site perimeter (i.e., limits of disturbance or ROW width), access roads, access points from paved roads, relevant drainage areas, and materials storage yards	All Project areas	AT&T to implement measure; AT&T to submit amended SWPPP to the CSLC to verify	No erosion or sedimentation occurs off site	RWQCB	Prior to construction
MM-WTR-02	<p>The Project applicant shall notify the CSLC and the BLM at least 60 days in advance of any horizontal directional drilling activity used to avoid impacts to water resources, including flowing water, dry washes, drainages, or other water resource areas. The conduit shall be installed with a minimum depth of 35 feet below ground level, unless a site specific geotechnical investigation recommends a shallower depth. The notification shall include:</p> <ul style="list-style-type: none"> Engineering design drawings as issued for construction, certified by a California Registered Civil/Structural Engineer, showing cable conduit horizontal alignment with key control points referenced to the California Coordinate System (CCS83) and vertical profile data with elevations referenced to Mean Lower Low Water datum where applicable or otherwise, to the local vertical control datum. The drawings are to provide information such as tie-in details, conduit grade and material specifications, minimum bend radius, cathodic protection information (if 	All Project areas where horizontal directional drilling will occur	AT&T to implement measure; AT&T to provide notification to the CSLC and BLM	Impacts to sensitive resources from horizontal directional drilling operations do not occur	BLM, CSLC	Prior to construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	<p>any), co-ordinates of the entry and exit points, etc. Also, the CSLC's lease boundaries need to be delineated on the drawings.</p> <ul style="list-style-type: none"> - A site specific geotechnical report certified by a California registered Geotechnical Engineer, including boring logs, and confirmation of the fitness of purpose of the proposed drilling program and any geotechnical recommendations for safe horizontal directional drilling installation. - A set of calculations to determine the required pulling load during pullback operations including any buoyancy control plan (if required), to successfully install the conduit. - A detailed drilling program together with detailed specifications of the boring machine to be used including the maximum pulling and snubbing capabilities, the directional survey methods to be used including equipment and controls, allowable bore deviation tolerances, verification that the completed bore is within the lease ROW and achieves the required clearance, etc. - Detailed specifications of the mud system and a complete listing of additives to be used including a copy of the Material Safety Data Sheet for 					

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
	<p>the drilling mud.</p> <ul style="list-style-type: none"> - A detailed drilling mud program and a frac-out contingency plan. - Additionally, any abandonment contingency plans in case the boring operations are forced to be suspended and a partially completed bore hole abandoned. - Also, include a plot plan depicting the location of the entry pit, exit hole, where equipment and materials will be stored, and where refueling of equipment will be performed. <p>AT&T shall implement their Horizontal Directional Drilling: Contingency and Resource Protection Plan, dated July 2007, during all drilling operations.</p>					
MM-WTR-03	<p>All incidents in which a release to the surface of drilling materials has been detected shall be reported promptly to the on-site monitor, who will be responsible in turn for reporting all incidents to the appropriate agencies. All releases shall be reported to the BLM and CSLC within 24 hours. All releases to drainages, waterways, or other sensitive habitats shall be immediately reported to the BLM, CSLC, U.S. Army Corps of Engineers (ACOE), USFWS, CDFG, and RWQCB.</p>	All Project areas where horizontal directional drilling will occur	AT&T to implement measure as defined	Impacts to sensitive resources from horizontal directional drilling operations do not occur	BLM, CSLC, ACOE, USFWS, CDFG, RWQCB	During construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
Health and Safety/Hazardous Materials						
APM-HAZ-01	The Project applicant and construction superintendent shall be subject to the Occupational Safety Health Administration (OSHA), which sets forth mandatory health and safety standards for construction sites. These standards include mandatory incident reporting, weekly tailgate meetings, and monthly safety meetings with the contractor to discuss potential health and safety issues. In addition, the construction superintendent shall be responsible for verifying that all construction personnel working on the Project site are legal citizens of the USA or possess approved employment visas.	All Project areas	AT&T to implement measure as defined	No Project personnel are injured by construction activities	OSHA	During construction
APM-HAZ-02	The contractor shall follow WATCH guidelines.	All Project areas	AT&T to implement measure as defined	No Project personnel are injured by construction activities	OSHA	During construction
APM-HAZ-03	The Project applicant or contractor shall obtain all required permits.	All Project areas	AT&T to obtain permits as necessary; Copies of all permits would be made available to the CSLC prior to construction	Hazardous materials are handled in accordance with applicable regulations	CSLC	Prior to construction
APM-HAZ-04	All excavations shall be backfilled and/or covered at the end of each workday.	All Project areas	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	No one falls into an open trench	CSLC	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
The applicant shall implement the Spill Prevention and Contingency Plan (Appendix G - Spill Prevention and Contingency Plan) as discussed in APM-WTR-07						
Cultural Resources						
APM-CUL-01	If buried cultural materials are identified during construction activities, the construction superintendent shall halt all work in that area until a qualified archaeologist can evaluate the nature and significance of the finds. Upon discovery of potential human skeletal remains, all activity in the area of discovery shall cease immediately. The County Coroner shall be notified immediately (within 24 hours) to make a determination as to human or nonhuman skeletal remains, and the circumstances, manner and cause of death. At the same time, the BLM and/or C-SLC shall also be notified of the discovery. If the Coroner determines that the remains are Native American, the BLM, and/or the applicant shall contact the Native American Heritage Commission to identify a Most Likely Descendant. The BLM shall also notify the potentially affected Tribe(s).	All Project areas	AT&T to implement measure as defined and notify the C-SLC and BLM of any cultural resource identified during construction	Significant cultural resources are not damaged or destroyed by construction activities	BLM	During construction
APM-CUL-02	In the event of discovered looting or disturbance of resources, all responsible parties shall be reported to the BLM and C-SLC and local authorities for legal action pursuant to the approved cultural resources monitoring plan.	All Project areas	AT&T to notify and report any disturbance to cultural resources to BLM and C-SLC.	Disturbance to cultural resources is prevented or adequately mitigated	BLM, C-SLC	During construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
MM-CUL-01	An exclusion fence shall be installed around CA-SBR-304 prior to Proposed Project construction in the area. Proper signage that reads, "Exclusion Zone, No Access", shall be hung on the exclusion fence.	Segment 3	AT&T to implement measure as defined; AT&T monitors to ensure compliance; CSLC monitors to verify	Disturbance to cultural resources is prevented	BLM, CSLC	Prior to construction
MM-CUL-02	A qualified archaeological monitor shall be on site during construction activities that involve trenching along the ROW in Ivanpah Dry Lake and adjacent alluvial fans out to a distance of 1 mile from the shoreline	Segment 1	AT&T to implement measure as defined	Disturbance to cultural resources is prevented or adequately mitigated	BLM, CSLC	During construction
Transportation						
APM-TRA-01	Traffic detour signs and/or personnel shall be posted to direct traffic during the staged construction period.	Work within roadways	AT&T to post detour signs	No traffic accidents occur as a result of construction	County of San Bernardino, Town of Apple Valley, City of Victorville, BLM	During construction
APM-TRA-02	The contractor shall maintain traffic control in compliance with the encroachment permit.	All Project areas	AT&T to obtain permit and implement conditions	No traffic accidents occur as a result of construction	County of San Bernardino, Town of Apple Valley, City of Victorville, BLM	Prior to and during construction

APM/MM Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
APM-TRA-03	Multiple work crews shall be adequately distanced to avoid back-to-back construction zones.	Work within roadways	AT&T to implement measure as defined	No traffic is substantially delayed	County of San Bernardino, Town of Apple Valley, City of Victorville, BLM	During construction
APM-TRA-04	The contractor shall post adequate signing to notify traffic of construction equipment that may slow down traffic, and notify of approaching construction zone.	All Project areas	AT&T to implement measure as defined	Signage is in place and traffic disruption is minimized	County of San Bernardino, Town of Apple Valley, City of Victorville, BLM	During construction
MM-TRA-01	All property owners and residents on streets where construction would occur would be notified at least 2 weeks in advance of the start of construction on their street. Advance public notification would include postings of notices, informational mailers, and appropriate signage.	Segment 3.	AT&T to implement measure as defined; AT&T to provide a copy of the notification to the CSCLC	No residents indicate they were not notified of the construction plans	CSLC	Prior to construction
Recreation						
MM-REC-01	Project construction would be scheduled to not occur during organized recreational events.	Segments 1 and 2	AT&T to coordinate with the BLM regarding organized events and schedule construction accordingly; AT&T to provide event schedules to the CSCLC in advance of construction for	No organized recreational events overlap with construction	BLM	Prior to construction

APM/MM ¹ Number	APM/MM	Location	Implementation Action	Effectiveness Criteria	Responsible Agency(ies)	Timing
MM-REC-02	Proper signage would be posted along the fiber optic cable line through the Stoddard Valley Off-Highway Vehicle Recreational Area, Ivanpah Dry Lake, and at the entrance to the Primm Valley Golf Club at least 2 weeks prior to construction in these areas. The signage would include contact information, a description of construction activities, and the construction schedule.	Segments 1 and 3	AT&T to install signage; CSLC monitors to verify	Signage is in place in advance of construction activities in recreational areas	BLM, CSLC	Prior to and during construction
Utilities						
APM-UTL-01	The contractor shall notify Underground Service Alert (USA) to identify existing utilities and mark them in the field and notify local utilities of planned work activities.	All Project areas	AT&T will contact USA; Other utilities will mark their facilities; CSLC monitors will verify in the field	No existing underground utilities are interrupted due to construction of the Project	CSLC	Prior to and during construction