

MBCA



morongo basin conservation association

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March 10, 2026

Via BLM National NEPA Register (ePlanning) and/or USPS Mail

BLM Director

ATTN: Protest Coordinator (HQ210)

PO Box 151029

Lakewood, CO 80215

**Re: PROTEST of Proposed Resource Management Plan Amendment / Final
Environmental Assessment**

**Morongo Canyon Highway 62 Multi-Tenant Wireless Broadband
Communications Site**

NEPA #: DOI-BLM-CA-D060-2020-0005-RMP-EA

To: Bureau of Land Management Director / Protest Coordinator (HQ210)

From: Morongo Basin Conservation Association (MBCA)

Protester name: Morongo Basin Conservation Association (MBCA)

Authorized signatory and title: Steve Bardwell, President, Morongo Basin
Conservation Association

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I. Resource Management Plan / Amendment Being Protested (Required Item)

MBCA protests the Proposed Resource Management Plan Amendment (RMPA) / Land Use Plan Amendment to the California Desert Conservation Area (CDCA) Plan and the accompanying Final Environmental Assessment (EA) for the Morongo Canyon Highway 62 Multi-Tenant Wireless Broadband Communications Site (proposal by InterConnect Towers LLC).

This proposal would authorize construction and operation of a communications site on public land (including access road and related facilities) and requires amending the CDCA Plan.

II. MBCA Interest and Standing (Required Item)

MBCA is a long-standing conservation organization working to protect the natural, scenic, cultural, and recreational values of the Morongo Basin and the California desert, including lands within and adjacent to the Sand to Snow National Monument, and habitat adjacent to the Big Morongo Canyon Area of Critical Environmental Concern (ACEC).

MBCA has standing to file this protest because MBCA previously participated in the planning process and submitted substantive comments on this project:

1. October 7, 2024 — MBCA signed on to a letter in opposition submitted via web portal on October 7, 2024 by Friends of Big Morongo Canyon Preserve, incorporating earlier comments and identifying errors, omissions, and inadequacies in the EA/LUPA and the proposed Visual Resource Management (VRM) reclassification. (*Attached as Exhibit A.*)
2. March 21, 2022 — MBCA signed on to a letter in opposition submitted on March 21, 2022 (2022 submissions referenced in the 10/7/2024 letter). (*Attached as Exhibit B.*)

Accordingly, MBCA “participated in the planning process” and has an interest that “is or may be adversely affected” by the planning decision, satisfying the protest standard described on the BLM project page.

III. How MBCA Will Be Adversely Affected (Required Item)

If approved, the project and plan amendment will adversely affect MBCA members and the public by:

- Degrading scenic and night-sky values and the rural character of Morongo Valley through industrial development on a visually prominent ridgeline with associated lighting and activity;
 - Harming biological resources, including Special Status plants and wildlife (documented occurrences) and habitat connectivity adjacent to the Big Morongo Canyon ACEC;
 - Increasing disturbance (noise, access, erosion/runoff risk, and potential OHV pressure) in an otherwise relatively wild and undisturbed setting;
 - Undermining land-use planning protections and precedent by weakening VRM classifications and Conservation and Management Actions (CMAs) intended to protect desert conservation lands, including within the CDCA Plan area and lands managed under DRECP LUPA decisions.
-

IV. Issues Being Protested (Required Item)

MBCA protests the Final EA and RMPA/LUPA on the following grounds (each independently sufficient, and collectively demonstrating legal deficiency under NEPA and inconsistency with governing land use plans):

Issue 1 — Failure to apply mandatory DRECP CMA LUPA-BIO-PLANT-2 (0.25-mile avoidance setback).

MBCA previously raised concerns regarding biological resources, Special Status species, and compliance with applicable Conservation and Management Actions during the planning process. Those concerns are further supported by the California Native Plant Society (CNPS) Mojave Desert Chapter's documented findings that multiple Special Status plant occurrences exist within 0.25 mile of the project footprint (and some within the footprint), as set forth in Exhibit C.

CNPS states LUPA-BIO-PLANT-2 mandates a 0.25-mile avoidance setback for Focus and BLM Special Status Species occurrences, yet the EA fails to apply it, rendering the decision inconsistent with the governing land use plan.

Issue 2 — Inaccurate baseline and improper deferral under LUPA-BIO-PLANT-3.

MBCA previously raised concerns regarding biological resources, baseline accuracy, and compliance with applicable Conservation and Management Actions during the planning process. Those concerns are further supported by CNPS's analysis that the EA/Biological Evaluation inaccurately states no Focus/BLM Special Status plants were recorded onsite and improperly defers compliance to future surveys. CNPS explains the EA does not quantify suitable habitat within the footprint, analyze acreage affected, evaluate cumulative impacts against the 1% cap, or demonstrate avoidance "to the extent feasible," contrary to NEPA's requirement to analyze impacts before issuing a decision.

Issue 3 — Failure to disclose and analyze known presence of Special Status wildlife

MBCA previously raised concerns regarding Special Status wildlife and adequacy of biological review during the planning process. Those concerns are further supported by CNPS's documentation that occurrence data (coordinates/photos) for Blainville's horned lizard (*Phrynosoma blainvillii*) were provided to BLM/consultants prior to the Final EA, yet the Biological Assessment states no sign/presence observed. MBCA protests the failure to incorporate credible, site-specific occurrence data into the affected environment and impact analysis.

Issue 4 — Improper VRM treatment / precedent-setting plan amendment.

MBCA strongly opposes any amendment that downgrades scenic protections to accommodate a visually disruptive industrial facility on a prominent ridgeline near sensitive conservation and recreation landscapes. Public comments (including the October 7, 2024 letter MBCA signed) documented that the tower "dominates the view" and conflicts with VRM objectives, and that downgrading VRM to permit the tower sets a harmful precedent for additional industrial development along this ridgeline and regionwide.

The Governor's consistency review posting describes the RMPA as modifying VRM class for the project area (from Class II to Class IV) to allow the facility. MBCA specifically protests the proposed amendment changing the project area's VRM classification from Class II to Class IV because it is inconsistent with desert conservation planning intent and improperly weakens scenic management standards to accommodate the project.

Issue 5 — Inadequate Purpose & Need / Failure to analyze feasible, lower-impact alternatives.

MBCA protests the EA's alternatives analysis as insufficient, including failure to rigorously evaluate co-location and rights-of-way alternatives (e.g., within Caltrans/utility corridors) that could meet stated communications goals with substantially less impact to public lands managed for conservation, scenic, recreation, and wildlife values.

Issue 6 — Inadequate analysis of noise, night-sky effects, and operational disturbance.

The project would introduce ongoing industrial noise (including nighttime generator/battery operations and maintenance traffic), as well as new night-sky illumination in a predominantly dark, rural environment. MBCA protests the EA's incomplete baseline, insufficient sensitive receptor analysis, and lack of enforceable mitigation for wildlife and nearby residents.

Issue 7 — Cumulative impacts and segmentation.

MBCA protests the EA's failure to fully analyze cumulative impacts associated with multi-tenant build-out, future co-location pressures enabled by new access infrastructure, and the precedent set by amending the land use plan/VRM protections for commercial pursuits.

Issue 8 — Cultural resources and tribal consultation concerns

MBCA protests the inadequacy of cultural resources analysis. Surveys are outdated relative to the current project configuration (including access road), and

where tribal consultation and local historical context are insufficiently documented.

Issue 9 — Soils, erosion, runoff, and steep-slope road impacts.

MBCA protests the lack of a robust slope/geology/soils analysis adequate to evaluate cut-and-fill, manufactured slopes, compaction, channelization, erosion, and runoff impacts from a new access road and graded facility footprint in steep terrain.

Issue 10 — Public safety trade-offs (including wildfire risk) not adequately analyzed.

While the EA emphasizes improved communications as a public safety benefit, MBCA protests the failure to analyze countervailing public safety risks, including wildfire risk associated with fuel storage/refueling, ignition sources, and tower interference with aerial suppression in rugged terrain.

V. Specific Parts of the Plan Being Protested (Required Item).

MBCA protests the following parts of the Final Environmental Assessment (EA) and Resource Management Plan Amendment (RMPA/LUPA):

- EA Section 1.2 (Purpose and Need for Action), page 1-3 — inadequate framing that prejudices the outcome;
- EA Section 1.4 (Land Use Plan Conformance), page 1-4 — improper treatment of conservation, recreation, and scenic management direction;
- EA Section 2.3 (Alternative B – Proposed Action (Site 1)), page 2-2 — incomplete project description and understated impact area;
- EA Section 2.6 (Alternatives Considered but Eliminated from Further Analysis), page 2-6 — inadequate analysis of co-location and ROW alternatives;
- EA Section 3.1 (Biological Resources), page 3-2 — failure to incorporate known occurrences, apply mandatory CMAs, and evaluate wildlife, bird, and bat impacts;

- EA Section 3.2 (Cultural Resources), page 3-21 — outdated or incomplete surveys and consultation;
- EA Section 3.3 (Soil Resources), page 3-25 — insufficient slope, runoff, and channelization analysis;
- EA Section 3.6 (Noise), page 3-32 — baseline and sensitive-receptor deficiencies and mismatch with operational realities;
- EA Section 3.7 (Visual Resources), page 3-35 — inaccurate simulations, Key Observation Points (KOPs), and improper VRM amendment;
- EA Section 3.8 (Socioeconomics), page 3-42 — inadequate treatment of economic effects, including impacts on nearby property values and rural community character;
- Acronyms and Abbreviations / Glossary, page iv — technical errors or terminology that create confusion regarding VRM and associated planning decisions.

To the extent cumulative impacts are discussed throughout the EA rather than in a standalone section, MBCA also protests the EA's inadequate cumulative impact analysis as reflected across the above resource sections and related appendices.

VI. Prior Documents Submitted by MBCA Addressing These Issues (Required Item)

MBCA previously participated in the planning process and submitted comments on this project. The following documents were submitted during the planning process and raised many of the issues identified in this protest:

- Exhibit A: Friends of Big Morongo Canyon Preserve letter (with MBCA sign-on), submitted via web portal October 7, 2024, incorporating detailed critique and identifying VRM and other deficiencies.
- Exhibit B: MBCA signed on to a prior letter submitted March 21, 2022 regarding an earlier iteration of this project and incorporated into the October 7, 2024 submission.

MBCA also attaches the February 25, 2026 CNPS Mojave Desert Chapter protest as supporting material:

- Exhibit C: California Native Plant Society (CNPS) Mojave Desert Chapter protest, dated February 25, 2026, documenting Special Status plant occurrences, CMA compliance failures, and the presence of Blainville’s horned lizard.

VII. Why the State Director’s Decision Is Wrong (Required Item).

The proposed RMPA/LUPA and Final EA are flawed because:

1. The proposed action is inconsistent with mandatory land use plan direction (DRECP LUPA CMAs) where documented Special Status plant occurrences trigger required avoidance setbacks and habitat impact limitations, yet the EA fails to apply and analyze these requirements (as detailed in CNPS Exhibit C).
2. It relies on incomplete or inaccurate baseline information despite credible, site-specific occurrence data submitted before the Final EA was issued (CNPS Exhibit C).
3. It fails NEPA’s “hard look” requirement by deferring key biological compliance and mitigation to post-approval surveys rather than evaluating impacts and feasibility before decision issuance.
4. It improperly weakens VRM/scenic protections to fit the project, rather than shaping the project (or selecting alternatives) to comply with existing landscape protection objectives, undermining CDCA/DRECP planning integrity and setting harmful precedent for future industrial proposals.
5. It inadequately evaluates feasible, lower-impact alternatives (co-location/ROW-based solutions), and understates cumulative impacts, including multi-tenant expansion and induced development enabled by new access infrastructure.

VIII. Remedy Requested.

MBCA respectfully requests that BLM:

1. Do not approve the proposed RMPA/LUPA unless and until these deficiencies are corrected;
2. Revise and supplement the EA and RMPA/LUPA to incorporate all documented Special Status plant and wildlife occurrences and fully analyze impacts;
3. Apply mandatory CMA LUPA-BIO-PLANT-2 0.25-mile avoidance setbacks and demonstrate compliance with LUPA-BIO-PLANT-3 with quantified suitable habitat and cumulative impact evaluation prior to any approval;
4. Redo visual/VRM analysis and reconsider any VRM reclassification, ensuring accurate simulations and full accounting of multi-tenant equipment and fencing;
5. Prepare an Environmental Impact Statement (EIS) if significant impacts cannot be mitigated or remain uncertain after proper analysis;
6. Reevaluate siting and alternatives prioritizing co-location and existing disturbed corridors rather than amending conservation planning protections to accommodate a private, commercial proposal on sensitive public lands.

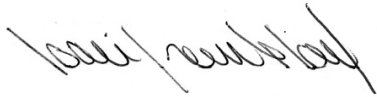
IX. Conclusion

MBCA is extremely concerned about the impacts this communications facility and associated plan amendment will have on habitat adjacent to the Big Morongo Canyon ACEC, scenic and night-sky values, and the precedent set by weakening VRM and conservation planning protections in the Sand to Snow region. For the reasons stated above and in the attached exhibits, MBCA formally protests the Proposed RMPA/LUPA and Final EA. This protest is timely filed within the 30-day protest period ending March 16, 2026.

Respectfully submitted,



Steve Bardwell
President, Morongo Basin Conservation Association



Joani Tremblay
Director, Morongo Basin Conservation Association

Exhibit A



FRIENDS OF
BIG MORONGO CANYON PRESERVE

October 7, 2024
Submitted via web portal

Dear Bureau of Land Management,

RE: The Morongo Canyon at Hwy 62 Multi-Tenant Wireless Broadband Communications Site
DOI-BLM-CA-D060-2020-0005-EA

The Friends of Big Morongo Canyon Preserve are extremely concerned about the effects that the Morongo Canyon at Highway 62 Multi-Tenant Wireless Broadband Communications Site will have on habitat adjacent to the Big Morongo Canyon Area of Critical Environmental Concern (ACEC) and on the precedent this VRM amendment and project will set in the region for the reason defined in the attachment.

These comments also incorporate the prior March 21, 2022 comments on the BLM's earlier iteration of this project which have not been addressed. The following submitted their comments in 2022:

Kevin Emmerich, Co-Founder, Basin and Range Watch
Steve Bardwell, President, Morongo Basin Conservation Association
Robin Kobaly, Director, The SummerTree Institute
Jack Thompson, Desert Regional Director, The Wildlands Conservancy
Kelly Herbinson and Cody Hanford, Joint Executive Directors, Mojave Desert Land Trust
Tasha LaDoux, Ph.D., Botanist
Arch McCulloch, Mojave Desert Chapter, California Native Plants Society

The undersigned individuals/organizations have fought long and hard for the designation and protection of Sand to Snow National Monument and strongly oppose this project's likely negative impacts to the Monument as well as the proposed plan amendment to alter a Conservation and Management Action for the Sand to Snow SRMA by changing the VRM classification.

Steve Bardwell, President, Morongo Basin Conservation Association
Linda Castro, Assistant Policy Director, CalWild
Laura Cuningham, Co-Founder, Basin and Range Watch
Kevin Emmerich, Co-Founder, Basin and Range Watch
Drew Feldman, San Bernardino Valley Audubon Society
Kelly Herbinson, Executive Director, Mojave Desert Land Trust
Robin Kobaly, Director, The SummerTree Institute
Jack Thompson, Desert Regional Director, The Wildlands Conservancy
Arch McCulloch, Mojave Desert Chapter, California Native Plant Society
David Miller, Co-founder and Member of the Board of Directors, Friends of Pioneertown

Maricela Rosales, California Associate Program Director, Conservation Lands Foundation
Claudia Sall, California Desert Coalition
Kevin Wong, Executive Director, Friends of Big Morongo Canyon Preserve

We appreciate your review of our material and welcome any questions or clarifying conversations with BLM. The health of our communities depends upon the informed collaboration of all concerned land managers and our community of experts, scientists, and residents. We hope you take our concerns and provided information into earnest consideration, as this is a serious matter to our community.



Kevin Wong
Executive Director
Friends of Big Morongo Canyon Preserve

The first draft of the Environmental Assessment and draft Land Use Plan Amendment contain a number of errors, omissions and inadequacies which must be addressed prior to any decision-making. This tower is so tall, it even **violates the management objective of VRM Class III**. The height of the tower "dominates the view". The objective of VRM Class III is to "partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer".

Finding the criteria for the downgrade in the EA/LUPA has been a real challenge. IT is inappropriate to downgrade a site to a Class III in order to approve construction of a visually disruptive structure on that land classification. A developer's profit doesn't seem to be a valid criterion for the class change, which also requires a plan amendment to the CA Desert Conservation Area Plan, as amended by the Desert Renewable Conservation Plan (DRECP).

1.1 PURPOSE AND NEED

1. The stated Purpose of the BLM, to give the Applicant an opportunity to construct, is predecisional and presumptuous. The purpose is to engage in the NEPA process to determine IF the applicant should be given that opportunity.
2. The BLM demonstrates need in Subsection 1.1.1 by merely directing the reader to authorization to consider the project under applicable statutes, regulations, and internal agency memoranda. The need for the BLM to approve this project is not adequately described and is separate and distinct from the commercial needs of the Applicant.
 - a. The EA should be revised to include the BLM's need for the project above and beyond their authorization and obligation to consider it.
 - b. The EA should explain why the BLM needs to consider a facility intended to serve areas within the Caltrans ROW and outside of BLM jurisdiction, yet the EA fails to evaluate alternatives within the Caltrans ROW that would more effectively meet the stated purpose.
3. As described in Section 1.1.2, the Applicant's desires to expand their broadband network to "offload wireless data to land-based fiber-optic infrastructure and provide redundant support via microwave" to the existing communication sites in Yucca Valley and Desert Hot Springs must be balanced by the needs of the public. The public benefits are not sufficiently described or quantified in the EA to overcome the potential consequences.
4. The EA fails to address the needs of the public. The community's needs for broadband are being met as service availability rapidly expands.
 - a. Morongo Valley already has a tall communications tower. The County Board of Supervisors approved funding in March 2022 for the CSA 70 TV-2 Tower Replacement Project, which will construct a new tower to accommodate multi-tenants serving the needs of the community. The County has also issued a

lease to Pacific Lightwave to provide broadband service at the current facility. The Applicant may wish to bid on the CSA 70 Tower Replacement Project as an alternative to the current location.

- b. Construction of a wireless distribution facility by Pacific Lightwave began on a nearby and taller hill in June 2024 (parcel 058410335), providing additional coverage to the community not yet reflected on FCC broadband mapping.
 - c. Earlier this year, SpaceX launched its first direct-to-phone satellites, designed to provide cell service anywhere in the world and help eliminate cellular dead zones. Described as “a cellphone tower in space,” this service will soon render terrestrial solutions unnecessary in remote locations.
 - d. With the needs of the community already being met by the aforementioned projects located off BLM-administered lands, the only problem that remains is the underserved segment of Highway 62 in the Morongo Grade. Current cell phones have SOS capabilities, which allow users to text emergency services via satellite even if they cannot connect to a cellular or wifi network. These services are currently available on the Morongo Grade. The authority of the BLM to address other perceived deficiencies in emergency communications within transportation corridors remains questionable.
5. In Section 1.1.3, the proposed Actions and LUPA cannot be justified under the guise of EO No. 13985 because the Morongo Valley community does not meet the definitions of “underserved”.
- a. [FCC National Broadband Map](#), updated 8/6/2024, indicates 100% coverage for Mobile Broadband in the community of Morongo Valley and classifies the community as “Served” with respect to Fixed Broadband.
 - b. The definition of “Underserved” cited on Page 1-4 references communities that have been systematically denied opportunities, exemplified by inequity. Yet later in the EA on Page 3-38, it’s stated that the community does not meet the criteria for environmental justice concern.
 - c. The unserved segment of Highway 62 in the Morongo Grade is located within the Caltrans right-of-way, which is arguably the most appropriate location for wireless infrastructure improvements, not on BLM lands within a Served community. Further, the applicant makes no guarantee that the proposed tower will effectively reach all areas of the Morongo Grade, where topographical challenges prevent signal transmission down to the highway at the bottom of a steep and winding canyon.
6. The LUPA Purpose and Need stated in Subsection 1.1.3 cites the Administration’s goal of creating union jobs, per E.O. No. 13985. However, the EA fails to demonstrate how the Project will advance this goal. The estimated construction workforce is only 4 people for a 45-day duration, and the Applicant has not committed to hiring union labor.

1.4 LAND USE PLAN CONFORMANCE

1. While the EA acknowledges that the project is located within a 0.5-mi proximity to the Sand to Snow National Monument boundary and the Big Morongo ACEC, it should also

be noted that the Sand to Snow National Monument entirely encompasses the community of Morongo Valley and thus the project site.

2. The EA should include the definition of Special Recreation Management Area (SRMA) provided by the DRECP LUPA, p. xxii:

Designation on BLM-administered lands that are recognized and managed for their recreation opportunities, unique value and importance. SRMAs are high-priority areas for outdoor recreation as defined in the BLM Land Use Planning Handbook H-1601-1 (2005). It is a public lands unit identified in land use plans to direct recreation funding and personnel to manage for a specific set of recreation activities, experiences, opportunities and benefits. Both land use plan decisions and subsequent implementing actions for recreation in each SRMA are geared to a strategically identified primary market— destination, community, or undeveloped areas.

3. In quoting the overarching goals of the SRMA, the EA fails to also include the following applicable goals and objectives pertaining to SRMA management, which can be found in the DRECP LUPA on p. 82:

Special Recreation Management Areas (SRMA). Protect SRMAs for their unique/special recreation values. Manage SRMAs for their targeted recreation activities, experiences and benefits. Maintain (and where possible enhance) the recreation setting characteristics – physical components of remoteness, naturalness and facilities; social components of contact, group size and evidence of use; and operational components of access, visitor services and management controls (refer to recreation setting characteristics matrix). Refer to the individual SRMA Special Unit Management Plans for SRMA/Recreation Management Zone specific objectives, management actions, and allowable uses.

4. Through the omission of these BLM policies, the EA implies that these lands are being treated as General Public Lands despite the fact that they're located within the Sand to Snow SRMA. The BLM has identified and designated these lands as a SRMA with the DRECP; therefore, it is not appropriate to treat these lands as General Public Lands (GPL).
5. In order to establish Land Use Plan conformance, the EA should evaluate the appropriateness of the Proposed Action in relation to the applicable Conservation and Management Actions (CMA) rather than broadly stating all CMAs will be addressed in the Appendix E, Applicant Proposed Measures.
6. The EA's claim that the Proposed Action addresses all applicable CMAs cannot be substantiated because some CMAs are not adequately addressed by applicant-proposed measures. See examples in applicable Chapter 3 subsections below.
7. The BLM website page on National Landscape Conservation System, offers history and links to the DRECP and states, "Phase II of the DRECP will focus on better aligning local, state, and federal renewable energy development and conservation plans, policies, and goals."
Community plans stating a strong desire to maintain a rural lifestyle and preserve the landscape were ignored. Local and County Government comments were not responded to.

8. National Landscape Conservation System webpage ends with, "The BLM is still evaluating how to manage the National Conservation Lands of the California Desert and how to subdivide these areas into specific units. This page will be updated with further information when it is available." BLM should not degrade a VRM when other plans have not been adopted, which purportedly are directed to preserve the landscape and give weight to community plans and local governments.

1.6 PLANNING AND RESOURCE ISSUES

1. Wildfire risk was a concern raised by the community during the Public Scoping period, but it is not addressed in the EA. The proposed project has a potential to increase the wildfire risk in the region, including by way of the following elements:
 - a. inclusion of 3,000 gal of fuel storage near homes;
 - b. 196' tall tower as an obstacle to air support during a wildfire;
 - c. far distance to an existing fire hydrant - over 1500' host pull from Matzene and Manana;
 - d. scarcity of resources (personnel, water, pressure); and
 - e. likely increase in unauthorized OHV.
2. Below photographs from Hess Fire on May 15, 2024 show low-flying aircraft and proposed project site from the same stationary vantage point at Conejo Rd/Hess Blvd;



Panorama from Hess Fire (above) and with Google Earth overlay representing height of tower as yellow line (below), based on tower coordinates of 34°2'29.69"N, 116°35'47.71"W and height at 3054' AMSL,

demonstrating the potential for tower to interfere with aerial support during fire suppression efforts

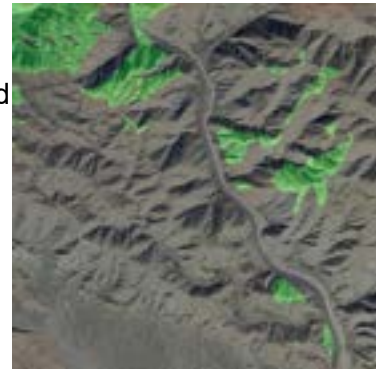
3. Public safety benefits of improved emergency access to cell service are touted throughout the EA but not evaluated in relation to the potential public safety impacts due to an increase in fire hazard in close proximity to a residential neighborhood.
 - a. The project's potential to save lives by reducing emergency response times is overstated and fails to mention other obstacles to access which exist on the Morongo Grade, such as bottlenecks without shoulders and lack of safe pull-outs.
 - b. There is no current data presented in EA to substantiate the claim that response times would decrease or to quantify the lives lost within cellular dead-zones.
4. The unknown health risks associated with a multi-tenant tower near homes was a concern raised but excluded from further discussion in the EA.
 - a. No scientific evidence has been presented to prove no adverse health effects will be imposed on nearby residents due to long-term exposure to RF radiation.
 - b. No mitigation measures have been proposed to overcome or insure against the potential risks.

2.2 PROPOSED ACTION

1. No rationale is given for a single-tower solution as opposed to a multi-site solution with lesser aggregate footprint.
2. Site Map in Appendix A, Figure 2-1 is outdated and inconsistent with Figure LS-1, Site and Access Survey provided in Appendix B.
3. The Site Map / Survey should indicate existing topography over the entire project area, grading limits, and locations of HVAC equipment or other sources of noise.
4. In the absence of a grading plan to establish the total impact area, the Area of Potential Effect (APE) in Table 2-1 is understated and inaccurate due to the omission of manufactured slopes.
5. Appendix B, Area Map points to a "Preferred Alternative" tower location near Highway 62 which was not evaluated in the EA.
6. The Appendix C Propagation Studies used to justify the proposed project are inadequate and do not clearly present the data in a manner that informs the public and decision makers.
 - a. Propagation maps are un-dated but referenced in a November 2022 document by ICT. A two-year-old study should not be considered current as a baseline representing existing conditions. Even the Tower Source exhibit has the date cropped out in the lower right.
 - b. Propagation maps are too low in resolution, so it's impossible to tell the signal strength down at the elevation of the highway at the bottom of a canyon. New exhibits should be provided with sufficient level of detail to confirm sufficient coverage at the level of motorists within the unserved areas of Morongo Grade. There is no explanation of what the colored values represent in the legend

nor what signal strength is needed for emergency responders to reliably pinpoint a motorist's location.

- c. Explain how the tower would be able to transmit a reliable signal without a direct line of sight down to the highway within Morongo Grade, as demonstrated by Viewshed Analysis in Appendix I. The highway would largely be within the geometric shadow cast by the winding, steep slopes of the canyon, as indicated by the lack of green shading over the highway.
7. The Description of Components in Appendix D is lacking information about the quantity and types of broadband and cellular which the facility is intended for, frequencies, power, and other data.



2.4 ALTERNATIVES CONSIDERED BUT ELIMINATED

1. The EA dismisses any alternatives located within designated Wilderness Areas but fails to explain why co-location in existing rights of way would not be permissible if they result in no additional environmental impacts.
2. The EA fails to explain why co-location on existing poles within the Caltrans ROW is not feasible for the Applicant, yet the feasibility of other alternatives not located on BLM-administered lands are evaluated in greater detail. For instance, in Appendix C, the Applicant provided a Propagation Map for the existing County tower site in order to eliminate it as an alternative, but no such map was provided for any other alternatives. Although a solution may not be within the authority of BLM to implement, it could still be presented as a viable alternative to meet the need which would be pursued by the Applicant or others with the appropriate agencies.
3. The EA fails to mention that BLM owns the land under which at least some of the Edison poles are located, as evidenced by BLM Case Serial Numbers CACA106280901 and CACA10601363.
 - a. Co-location on Edison poles should have been discussed in EA section 2.4.
 - i. If BLM considers themselves to be “managing” ROWs that they grant on their land, then this belongs in section 2.4.1.1 titled “Alternative Locations on BLM-managed Lands.”
 - ii. If BLM does not consider themselves to be “managing” ROWs that they grant on their land, then a new subsection is necessary, titled “Alternative Locations on BLM-owned but not BLM-managed Lands.”
 - b. When asked why Edison poles were not utilized, the reply from BLM was, “*The proponent is not seeking an easement with Edison at this time, due to the solar arrays component that would provide energy which is now included with the proposed action*”. It is unclear:
 - i. Why Edison poles were not an alternative discussed but were eliminated from consideration. It is also unclear why Edison power could not be used.

- ii. Why a lower impact site (along an existing road, flatter topography, by a fiber optic line, etc.) for a small solar array such as that discussed in Alternative B was not proposed. Electricity generated from solar could be sold to Edison and bought back down the line from Edison at co-located sites. Any other ancillary facilities could also be placed by the solar arrays in a lower impact area.
 - iii. Why other creative options such as that listed in subpoint *ii* did not emerge during agency review of public scoping comments and subsequent writing of the EA.
- 4. No explanation was provided for why co-location within existing utility ROWs on BLM land is not viable, yet co-location within the proposed new ICT ROW would be encouraged.
- 5. A greater effort should have been made to identify rights of way or facilities that could be upgraded as an alternative.
- 6. EA states that residential zoned lands will not provide the line of sight needed for wireless broadband; however, Pacific Lightwave recently installed broadband distribution on a higher-elevation hill near the project site (APN 058410335) to serve Morongo Valley residents and businesses.
- 7. In section 1.1.2 of the EA, it is discussed that the identified site is the only place in Morongo Valley where the applicant could broadcast above 1000 watts.
 - a. There is no explanation of what makes other sites unsuitable for this purpose. What limitations are in place elsewhere to prevent broadcast above 1000 watts?
 - b. Was the need to broadcast above 1000 watts one of the reasons why no other alternatives were chosen?
 - i. If the wattage requirement is one of the reasons why there were no alternative locations selected, then this fact should have been discussed in EA section 2.4. It makes all reasons given for eliminating alternative locations very misleading.

3.1 BIOLOGICAL RESOURCES

1. Table 3-1 lists the Special Status Species with potential to occur in the project vicinity. Though not observed by biologists during surveys, evidence of the following species has been recorded by residents in the vicinity, demonstrating the existence of an active wildlife corridor between Dry Morongo Creek, the project site, and Big Morongo Canyon Preserve and emphasizing the value of this land to native wildlife:



Desert tortoise
5-1-2024
49010 Mockingbird Ln
Distance 0.34 mi



Desert tortoise
5-18-2024
49010 Mockingbird Ln
Distance 0.34 mi



Desert tortoise
6-17-2023
48728 Park Ave
Distance 0.63 mi



Desert tortoise
5-22-2024
48728 Park Ave
Distance 0.63 mi



Cooper's hawk
10-11-2021
11568 Pinon Ave
Distance 0.14 mi



Mountain lion
9-1-2024
Adeline Wy/Mockingbird Ln
Distance 1.00 mi



Bobcat
9-3-2024
48283 Adeline Wy
Distance 0.85 mi



Bobcat
6-17-2022
11568 Pinon Ave
Distance 0.14 mi



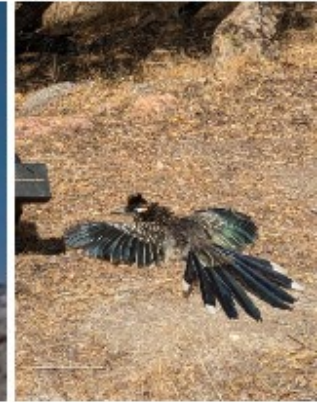
American badger
6-22-2024
10649 Malibu Trail
Distance 2.27 mi



Desert tortoise burrow
3-16-2022
34°2'27.3"N, 116°35'44.5"W
Distance 0.03 mi



Great horned owl
8-24-2024
11568 Pinon Ave
Distance 0.14 mi



Roadrunner
7-23-2024
11568 Pinon Ave
Distance 0.14 mi



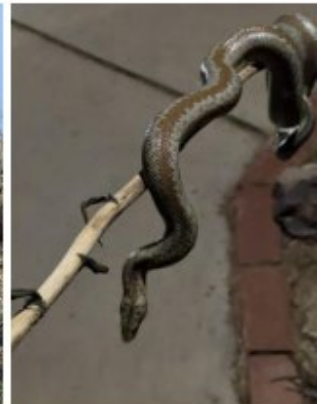
Black bear
7-24-2022
49224 Matzene Dr
Distance 0.31 mi



Banded gecko
6-9-2021
11568 Pinon Ave
Distance 0.14 mi



Bighorn sheep
1-10-2016
Hwy 62 in Morongo Grade
Distance 0.91 mi



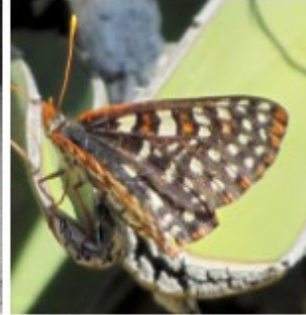
Rosy boa
7-23-2024
11568 Pinon Ave
Distance 0.14 mi



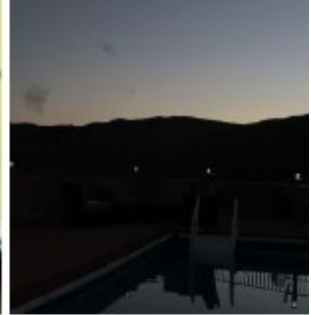
Mule deer
9-18-2020
47750 Mockingbird Ln
1.51 mi



Fox
9-1-2018
47750 Mockingbird Ln
1.51 mi



Checkerspot butterfly
4-11-2017
49010 Mockingbird Ln
Distance 0.34 mi



Bats
7-23-2020
48519 Park Ave
Distance 0.64 mi



Red diamondback rattlesnake
9-11-2023
48519 Park Ave
Distance 0.64 mi

2. Concerns about bats were raised during the scoping period, yet no bat survey was conducted to assess the potential impacts. Their ongoing presence within the study area is well-known among many neighboring residents.
3. Biological surveys do not specify time of day. Daytime photographs provided in Appendix E, Biology Report, suggest that surveys may not sufficiently account for presence of nocturnal wildlife.
4. Current records and citations should expand upon the Biological Surveys. The San Bernardino Valley Audubon Society (SBVAS) Chapter classifies the Big Morongo Canyon Preserve area as an Important Bird Area, "Avian use of the IBA is remarkable, and has been well known to ornithologists for decades. Its breeding bird community is unique and exceptionally rich, with over 70 nesting species documented from just a few hundred acres of habitat.

Long-term research into the breeding bird diversity, mainly by Gene Cardiff of the San Bernardino Co. Museum of Natural History, has estimated densities of more than 1,400 territories per square kilometer, one of the densest concentrations in North America. It currently boasts one of the largest populations of Brown-crested Flycatchers and Summer Tanagers in the state. The Federally-Endangered Least Bell's Vireos historically breed at BMCP. eBird data shows that Long-eared Owl has maintained a small breeding population within the willow forest for many years, and Yellow-billed Cuckoo has graced the IBA several times in past decades, suggesting it may be at least prospecting for breeding locations. Other riparian

obligates such as Yellow-breasted Chat nest in strong numbers both at the preserve and at Covington Park, with Vermilion Flycatchers nearly restricted to the latter site. This region (western Little San Bernardino Mtns.) is to be a contact zone between desert and coastal species (e.g., both Ladder-backed and Nuttall's Woodpecker, as well as hybrids, occur). During spring, songbirds migrating north through the state from the Colorado Desert stop here in huge numbers, particularly in late April, when there can be hundreds of flycatchers, warblers, tanagers and orioles at the oasis. Fall migration is more subdued, but can be impressive in September.”

5. Records from Christmas Bird Counts at Big Morongo Canyon Preserve in the last 5 yrs illustrate a “trend of declining numbers of birds. In other words, aggregate totals for individual bird species and overall counts and field surveys seem to be declining over time.” The EA fails to consider this cumulative impact of the proposed project on declining bird populations which are already threatened by the shrinking marshlands, as documented by Big Morongo Canyon Preserve Christmas Birds Counts as well as the Joshua Tree Christmas Bird Counts conducted by the SBVAS.
6. There is no analysis of the impact of operational noise on animals. Being a rural community, many properties nearby raise animals. Additionally, the project contains habitat for sensitive species and migratory birds. The potential impact of noise on wildlife needs to be disclosed.
7. The EA fails to address the potential impacts of solar arrays on migrating birds attracted to the project site due to confusing the reflective panels as water bodies.
8. No mitigations for solar panels or bird strike were addressed.
9. The EA fails to address the impact of a new, un-paved access road resulting in an increase in OHV traffic and consequently the increase in non-native species. OHV can easily circumvent the proposed access gate at Canyon House, and the BLM has demonstrated a history of their inability to protect public lands from OHV access.
10. Appendix E APMs cite the USFWS BMPs rather than actual Applicant Proposed Measures. Siting BMPs for new towers have not been met.
11. Desert Renewable Energy Plan, Land Use Planning Amendment - Conservation and Management (DRECP CMA LUPA-BIO-12) provides no specific measures to monitor or enforce CMAs to prevent impact from noise on special status species. Mitigation measures for noise should state definitively what will be done to leave no room for interpretation, i.e. "The Applicant shall locate stationary noise sources XX feet away from special status species or suitable habitat".
12. DRECP CMA LUPA-BIO-16 cannot be met entirely, as stated, due to proposed project siting within known bird and bat feeding areas, lack of co-location, and lack of compatible fencing.
13. DRECP CMA LUPA-BIO-VEG-1 and 5 should cite the current BLM standards for management of cactus, yucca, and succulents at time of writing to ensure the project is able to comply.
14. DRECP CMA SRMA-VEG-1 incorrectly mentions an OHV Open Area, but project parcels are in an area with limited OHV access, with no designated routes.
15. Appendix F, Biology Report, Section 4.4.5 incorrectly states the site is currently only 2% vegetated. Vegetation communities have recovered significantly since the 2016 and

2021 surveys.



11-6-2023, from 11568 Pinon Ave looking west with project site located on top of ridge

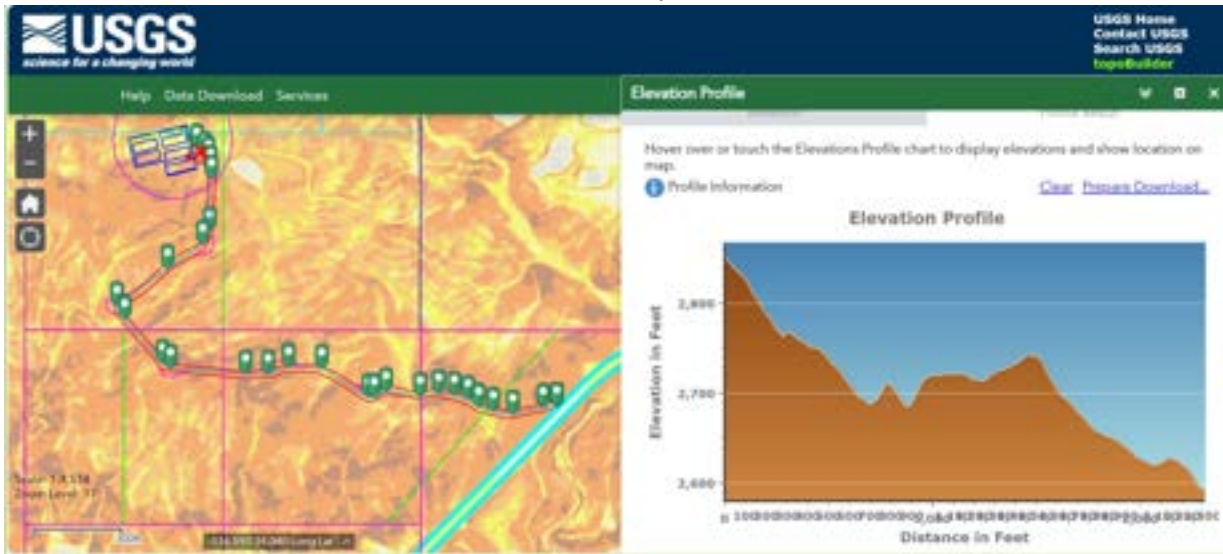
3.2 CULTURAL RESOURCES

1. Cultural resources survey was conducted in September 2016 and therefore does not evaluate the current design and access road nor the current status of cultural significance of the site and surrounding areas.
2. Local historians within the Morongo Basin weren't utilized. The historic Morongo Valley Inn located within ½ mi is absent from discussion, among other cultural assets which may be impacted.

3.4 SOIL RESOURCES

1. No slope analysis or geologic study has been provided to inform the road alignment, grading plan, impact analysis, or proposed mitigation/remediation measures.
2. Environmental Assessment Section 3.3 discusses geologic information, including exposed materials. Can that information be integrated in the discussion of soils in section 3.4. More information could be acquired this way, because section 3.4 only uses information on soils found some distance from Proposed Action.
3. Environmental Assessment Section 3.4 says that the project area* "likely" contains soil units which are similar to those found 2000 feet south (page 3-16). "Likely" is conjecture, not fact.
4. Table 3-2 on page 3-17 of Environmental Assessment Section 3.4 mentions slopes of 5-15%. It is unclear from the document which slopes are being referred to. Are they the slopes in the area 2000 feet south of the Project Area, or are they the slopes within the Project Area?

5. Table 3-2 on page 3-17 in Environmental Assessment Section 3.4 mentions slopes of 5-15%. The slopes within the proposed ROW were measured to be up to 33%. These slopes were measured several different ways:



Above: USGS National Map Viewer (<https://apps.nationalmap.gov/viewer/>) overlaid with the KMZ file provided by BLM. Also shown is the “Slope Map” layer from the USGS map, set at 50% transparency. The layer description says of Slope Map: “This server-side function will apply an on-the-fly process to the input elevation data to generate a color visualization of slope, where flat surfaces are gray, shallow slopes are yellow, and steep slopes are red-brown.” The Elevation Profile tool was used to map the elevation of the proposed access road. This was mapped from the proposed tower site down to canyon house, so the slope direction aligns with the map.

The proposed tower site is 262 feet higher than the proposed road start at Canyon House. The proposed access road would be about 2,347 feet long. If we averaged this slope, it is about 1 foot gain per 11 feet of road, or 11% grade. However, we can see that the slope is not constant. If we map from Canyon House just a bit up the proposed ROW, we see that the ROW would gain 33 feet within the first 100 feet from Canyon House Rd. and about 150 feet within the first 800 feet from Canyon House Rd (see figure below). This is a 33% and 18.75% slope, respectively. This slope is just what the road will cross, which is not necessarily the steepest slope direction. The steepest slopes are over 50%.



Above: the same map layers as the other USGS map, but with the elevation profile taken the opposite direction as the proposed ROW direction.



Above: the same map layers. This time, the slope was taken across the proposed ROW to show an example of slope steepness along where the ROW is proposed to be built.

6. Section 3.4 does not address soil runoff. The EA instead says that "potential effects to soil resources would be limited only to areas where these activities would occur" (page 3-17), which does not address soil effects as a direct result of grading. Manufactured slopes are often steeper than the natural condition, which would increase the potential for runoff.
7. Decreased water infiltration as a result of soil compaction is not addressed in the EA.
8. Increased water channelization is not addressed in this section or in the EA in general. Despite the steep slopes, water channelization does not presently occur along proposed ROW, but will likely occur from the following: access road and lease area drainage, increased slopes, slope cut and fill, and soil compaction. This is a non-exhaustive list.

The BLM is or should be aware of this potential issue given that it was raised in public scoping. Even if this issue is eliminated for analysis, this resource issue should be mentioned.

9. Applicant Proposed Measures (APMs) subsection only discusses how BMPs would "reduce construction-caused soil effects". Clarify the definition of "construction-caused" and whether it refers to any effect which can be connected to the construction or whether it only addresses the construction phase. Modification of this subsection is necessary to clearly and accurately describe the effects that the APMs would reduce.
10. How large is the expected disturbance area if slope cut and fill are included? If an area is not re-vegetated within a couple of years, it is considered a disturbance.
11. The "Environmental Consequences of the No Action Alternative" subsection says that the project site would "remain to have ... a high potential for drought soil conditions". This statement suggests that the proposed project may provide some benefit to alleviate the drought conditions, which is inaccurate, and should be rephrased or omitted.

3.5 SPECIAL AREA DESIGNATIONS

1. The EA does not discuss the impact of Land Withdrawal on recreation activities intended for the Sand to Snow SRMA.
 - a. Land Withdrawal is defined in The Federal Land Policy and Management Act of 1976 (FLPMA 43 USC 1702(j)) as: "withholding an area of Federal land from settlement, sale, location, or entry, under some or all of the general land laws, for the purpose of limiting activities under those laws in order to maintain other public values in the area or reserving the area for a particular public purpose or program; or transferring jurisdiction over an area of Federal land, other than "property" governed by the Federal Property and Administrative Services Act from one department, bureau or agency to another department, bureau or agency."
 - b. Fencing off a portion of the Project Area so that it is off-limits to recreation is a form of land withdrawal. This land closure category is legal closure to entry, and is entirely different from a parcel being closed to entry by vehicles.
 - c. The EA clearly shows that at least a portion of the proposed Project Area would be fenced off near the peak of a scenic ridgeline where trails currently exist, negatively affecting the quality of an area available for primary activities. Therefore, the amount and impact of Land Withdrawal to recreation areas must be thoroughly described.
2. 43 USC 1714 discusses how land may be withdrawn. The Proposed Action would fall under subchapter (d) "Withdrawals aggregating less than five thousand acres; procedure applicable". 43 USC 1714 (h) says that new withdrawals including those falling under subsection (d) shall not be put into place until after a public hearing. It is assumed that if withdrawal is being proposed to take place, a public hearing which explicitly identifies withdrawal as one of the conditions of this project will occur.

3.6 NOISE

1. The Noise Analysis in Appendix H incorrectly describes the proposed operation as having electrical supplied by a utility easement and makes no mention of the solar arrays proposed in Alternative A. Furthermore, the analysis is based upon the operation of generators only when power is not available and for less than 20 minutes daily. This operation describes Alternative B, not the Applicant-Preferred Alternative A, which would rely on solar arrays with batteries providing back-up for up to 6 hours each night. This significantly greater use of generators has the potential to be an ongoing nuisance during the most sensitive hours. Further, the increased use would result in more frequent refilling by fuel trucks, which is another source of noise and fire hazard. For these reasons alone, the entire noise analysis should be nullified and redone.
2. The Noise Analysis is based on noise modeling alone and not noise monitoring. Noise modeling is not sufficient for establishing baseline conditions.
 - a. Topography and terrain features affect how sound travels, which may not be taken into account in the noise analysis based solely on modeling.
 - b. Noise Study should be revised and recirculated to include data from noise monitoring.
 - c. Peak existing noise volumes are an unfair baseline because vehicular sources are generally fleeting whereas operational noise generated by the project would be more constant. Noise study should include ambient noise levels for comparison.
3. Not enough Sensitive Receptors were studied. Monitors should be located at several home sites, both vacant and occupied, as impacts to the human environment would extend into the future.
 - a. Table H-5 notes an incorrect distance to the Residence to the East of 792'. The actual distance is 430' to the property line and 698' to the structure.
 - b. The nearest Residence to the North of the project site is located a distance of 630' to property line and 730' to structure.
 - c. A vacant residential lot with a graded pad is located only 82' east of the project site. The noise impact to development potential of this residential lot is not evaluated.
 - d. The peak daytime noise reported at the single residential Sensitive Receptor located east of the tower site of 47 dB is not consistent with the actual conditions at that location. Actual noise is far quieter.
 - e. Other residences to the north and west, located farther from the highway, may have less ambient noise compared to residences to the east; thus, it cannot be concluded from the limited data provided that operational noise at the tower site will not exceed current ambient and peak volumes at any given residence.
4. Appendix H2 Noise Modeling and Calculations is absent and should be provided for public review.

3.7 VISUAL RESOURCES

1. Amending the RMP to downgrade the VRM class would undermine the land planning objectives which were [intended to protect our scenic values](#).

2. Key Observation Points (KOPs) fail to adequately portray the scenic value of existing conditions.
 - a. KOPs with telephone poles in foreground downplay the degree of change considering an affected resident would be viewing from within their home or a scenic vantage point as opposed to from the street. KOPs should try to avoid angles with utility poles or other obstructions in the foreground.
 - b. KOPs 2, 3, and 9 crop out or obscure the views of Mt San Jacinto and thus downplay the value of existing scenery.
 - c. No KOPs depict the impact to views from east of the tower looking towards San Geronio, such as from San Geronio Ave, Matzene Dr, Rosewood Ave, and Canyon House Rd.
 - d. KOP 4 does not depict the access road, grading, fencing, and solar arrays when they would likely be visible.
 - e. KOPs 2, 3, 4, and 9 would potentially have strong form and line contrast (not moderate) with equipment installed.
3. Visual Simulations fail to accurately depict the proposed facility components, thereby misleading the public as well as decision makers on the actual visual impact:
 - a. The equipment of multiple users is not shown in simulations yet are provided in the design specs. Because they can be permitted by BLM without a NEPA process, the cumulative visual impact of co-location/subleasing must be evaluated at this stage. Colors of equipment should be specified.
 - b. Shadows cast by the tower and its associated transmission equipment are not shown.
 - c. The sloped metal roof of the 20' x 40' equipment building is not depicted; therefore, the public cannot visualize the impact of glare or reflection.
 - d. The 8' tall fencing with barbed wire is absent from simulations. Encompassing a 25,000 square foot area, the fencing must not be disregarded.
4. Contrast Rating worksheets would likely have different results when all of the omitted components are considered, as the degree of contrast due to increased surface area would be stronger and potentially noncompliant with VRM Class III criteria.
5. Mitigation for the cumulative visual impact of equipment and other facility components (ie. camouflage or stealth towers) may not be possible or feasible.

3.8 ENVIRONMENTAL JUSTICE

1. EA fails to evaluate the attributes which make our community thrive economically. Visual resources are more vital to MV socioeconomics than improving cell reception on a relatively short stretch of dangerous highway.
 - a. Properties nearest to the tower site are arguably more remote with fewer broadband options than properties located farther away from the tower where fixed services are more readily available. However, the EA presents a weak argument that declining property values nearest to the tower can be negated by the overall economic benefit of faster internet speeds. The examples given are incongruent: a potential property value decline of 10-19% nearest the tower is hardly equivalent to an overall increase in property values of \$230 - \$661,

especially considering the community is already served according to FCC Broadband Maps.

- i. MV median home price: \$330k x 161 homes within .75 km x 19% decline in value = **\$10M potential burden.**
 - ii. MV total housing units: 1,960 x \$661 increase in value = **\$1.3M potential benefit**
 - b. Declines in property values are likely to be more significant than reported because the EA only correlates proximity and visibility of communication towers without taking into account the degradation of valuable scenery. For many MV property owners, the scenic unobstructed views are the primary selling feature.
 - c. Agritourism and ecotourism will also be negatively affected as customers will be more difficult to attract with the degraded views.
 - d. Impact to property values is downplayed and cannot be justified by adding another tall tower to an adequately-served community.
 - e. No mitigation measures have been offered to overcome the potential economic impacts. The economic benefit claims are negligible, if any at all, since the homes nearest to the tower site (most vulnerable to significant decline) already have access to broadband.
 - f. BLM has not disclosed the revenue which the right-of-way grant stands to generate over the lease period.
2. EPA EJSscreen is outdated and not centered on correct project coordinates. Results must be updated per coordinates 34°2'29.69"N, 116°35'47.71"W and to reflect the most currently-available data.
- a. Environmental Justice Indicators are at or above 50 percentiles for Ozone, NO₂, Lead, and Drinking Water Non-Compliance.
 - b. Socioeconomic Indicators are at or above 50 percentiles for all categories.
 - c. Health Indicators are above the State average. The potential health risk posed by the project was not evaluated.
 - d. Wildfire risk is above State and National averages. The associated increased risk posed by the project is not evaluated but would likely be exacerbated by the project.
 - e. Broadband Internet is not identified as a critical service gap and thus not a need that the community should shoulder the burden of.
3. Per current EJSscreen report, six different EJ indices exceed the national averages at the project site; therefore, Environmental Justice criteria for consideration should be met.
4. By definition, rural communities are deserving of "equity" per E.O. 13985, and the project will likely exacerbate the inequity by disproportionately burdening the population.

3.9 CUMULATIVE EFFECTS

1. The EA fails to acknowledge the impacts of the proposed equipment to be installed once the facility is subleased to multiple tenants. Tower design specs provided by the Applicant in Appendix B accommodate up to 8 tenants with 72 Panel Antennas at 8' x 1' and 6 H.P. Dishes at 6' diameter emitting 6 GHz at up to 316,000 watts each.

2. The EA is dismissive of potential cumulative impact of subsequent co-location of new facilities which may seek to locate along this right of way and scenic ridge.
 - a. Once the access road is constructed, a significant expense will no longer be necessary for future development proposals.
 - b. Amending the land plan and downgrading the VRM class could potentially result in more tall towers once the Project is constructed, as these actions pave the way for others to co-locate or gain access to this ridgeline without triggering the need for another plan amendment. The highest point on the tower is the most valuable and scarce, so other service providers may prefer to build their own facility rather than to sublease a lower position on this ICT tower. Wind turbines are another potential use.
3. The proposed actions will set a precedent that any Applicant can circumvent established resource protections for commercial pursuits by misappropriating Executive Orders and other federal agenda to justify plan amendments.
4. The EA inaccurately equates the impact of the Project on the solitude quality of wilderness to the cumulative impact of the future buildout of the community in accordance with the Comprehensive Plan.
 - a. Unlike gradual rural residential development and low-lying highway-oriented commercial growth, the proposed project would not adhere to the [Morongo Valley Community Action Guide](#) which seeks to preserve the rural character and natural environment.
 - b. The potential impacts to the solitude quality of wilderness are arguably greater with the industrial character of a 196' tall tower and 25,000 sf barbed-wire-enclosed compound located on a scenic ridgeline.

4.0 ORGANIZATIONS CONSULTED

1. E.O. 13985 Sec. 8. requires that federal agencies consult with “underserved” communities, but the BLM never engaged with the Morongo Valley CSD or other local representatives to discuss the community’s needs prior to accepting/processing any right of way applications.
2. The EA does not indicate whether any Tribal Consultations have occurred on-site.
 - a. The absence of records of cultural resources in this area is not indicative of a lack of tribal significance.
 - b. A site survey by tribal governments is prudent, especially prior to the BLM rendering a decision on the Proposed Actions and commencing construction.
3. Local and State fire protection authorities were not consulted to provide input on potential impacts to wildfire suppression and possible mitigation measures.
 - a. If local and state resources will be relied upon for fire protection at the project site, then their respective codes and standards shall be met by the proposed actions.
 - b. Confirm the availability of water and the potential need for new hydrants.
 - c. Confirm the availability of the gravel access road to both physically and structurally support fire department apparatus in accordance with SBC Fire Code Section 503, Fire Apparatus Access Roads. As designed, the proposed access

road is non-compliant with the minimum width and turn-around area, and not enough information has been provided to determine compliance with maximum grade and all-weather surface requirements. Additional area would likely be necessary in order to comply, thus increasing the APE, unless the SB County Fire Protection District approves alternative means.

- d. Determine the potential for increase in wildfire risk due to the addition of fuel storage, high voltage equipment, and refueling operations near homes given the availability of water resources.
- e. Determine the potential for the tower to interfere with aerial fire suppression efforts based on the effective vertical distance above ground for aerial support given the terrain, dry brush, and wind prone conditions.

OTHER TECHNICAL ERRORS THROUGHOUT

1. VRM has been incorrectly defined as “voltage regulator module” in the glossary and throughout the EA, as opposed to the correct definition of “Visual Resource Management.” Given that VRM is the most relevant issue to the LUPA, such an error demonstrates a lack of attention to detail by BLM staff which could lead to confusion among the public during this crucial and limited comment period.
2. The EA has several instances of citing potential beneficial effects to justify unrelated negative effects. This is in violation of 40 CFR 1501.3(d), which says that while one effect could be both beneficial and adverse, “agencies shall not offset an action's adverse effects with other beneficial effects to determine significance (for example, an agency may not offset an action's adverse effect on one species with its beneficial effect on another species).”
3. The presence of an unsigned Finding of No Significant Impact (FONSI) document on the BLM website is confusing to members of the public who are now erroneously under the impression that this project has been approved and will be moving forward without their input.

FINDINGS

The significance of impacts has been generally downplayed through omission of key information and the use of outdated resources. Because the impacts to Public Safety, Visual Resources, Environmental Justice, and Cumulative Effects are likely to be significant and unmitigable, this application should be rejected or, at the very least, a comprehensive Environmental Impact Study should be performed.

Exhibit B



Friends of Big Morongo Canyon Preserve

Dear BLM,

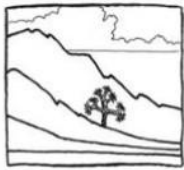
March 21, 2022

Via email only

RE: The Morongo Canyon at Hwy 62 Multi-Tenant Wireless Broadband Communications Site
DOI-BLM-CA-D060-2020-0005-EA

The Friends of Big Morongo Canyon Preserve are extremely concerned about the effects that the Morongo Canyon at Highway 62 Multi-Tenant Wireless Broadband Communications Site will have on habitat adjacent to the Big Morongo Canyon ACEC and on the precedent this VRM amendment and project will set in the region.

The undersigned individuals/organizations have fought long and hard for the designation of Sand to Snow National Monument and strongly oppose this project and the changing of the VRM classification.



Basin and Range Watch



Steve Bardwell, President

Kevin Emmerich
Co-Founder
Basin and Range Watch



Robin Kobaly, Director



Jack Thompson, Desert regional Director



Kelly Herbinson and Cody Hanford, Joint Executive Directors

Tasha LaDoux, Ph.D., Botanist

Arch McCulloch, Mojave Desert Chapter, California Native Plants Society

Exhibit C



MOJAVE DESERT CHAPTER
CALIFORNIA NATIVE PLANT SOCIETY

PROTEST BY THE CALIFORNIA NATIVE PLANT SOCIETY – Mojave Desert Chapter

Regarding **NEPA Number: DOI-BLM-CA-D060-2020-0005-RMP-EA Morongo Canyon at Highway 62 Multi-Tenant Wireless Broadband Communications Site** Environmental Assessment and RMP Amendment
BLM Palm Springs and S Coast Field Office

Submitted pursuant to 43 C.F.R. § 1610.5-2

February 25, 2026

I. Introduction and Standing

The California Native Plant Society (CNPS) Mojave Desert Chapter hereby protests the Environmental Assessment (EA) and Decision Record approving the proposed communications facility on Bureau of Land Management (BLM) parcels governed by the 2016 Desert Renewable Energy Conservation Plan Land Use Plan Amendment (DRECP LUPA).

CNPS is a statewide scientific and conservation organization dedicated to the protection of California's native flora and natural habitats. The following members of the CNPS Mojave Desert Chapter conducted field review of the project area on May 2, 2025:

- Arch McCulloch, CNPS Mojave Desert Chapter president
- Robin Kobaly, botanist and wildlife biologist (former BLM botanist for Ca Desert District)
- Christina Sanchez, botanist and CNPS Mojave Desert Chapter treasurer
- Sara Fernandez, CNPS Mojave Desert Chapter member
- Jane Fawke, CNPS Mojave Desert Chapter member

During our May 2 field survey, we encountered Ironwood biologists Matt Atkinson-Adams and Jenny Paulson, who were conducting surveys onsite for the BLM. Following the field survey and after observations were compiled, CNPS members subsequently transmitted via email documented occurrence data, including coordinates and photographs, for Special Status plant and wildlife species directly to the consulting biologist Matt Atkinson-Adams, and to BLM project manager Tamara Faust, on May 8 and August 5 respectively. Receipt was acknowledged by

both. This relevant new information was transmitted well in advance of the BLM's issuance of the Final EA on February 12, 2026. Accordingly, CNPS participated in the planning process and has standing to file this protest.

II. Failure to Apply Mandatory CMA LUPA-BIO-PLANT-2 (0.25-Mile Avoidance Setback)

A. Documented Special Status Plant Occurrences

CNPS members documented the following Special Status plant species within 0.25 mile of the project footprint for all action alternatives, with some occurrences located within the footprint itself:

- *Eschscholzia androuxii*
- *Dudleya saxosa*
- *Galium angustifolium* subsp. *gracillimum*

In addition, BLM's 2025 biological survey documented:

- *Saltugilia latimeri* (CRPR 1B.2; BLM Sensitive)

Under the DRECP LUPA definition of Special Status Species, plants with a California Rare Plant Rank (CRPR) of 1B qualify as BLM Sensitive species unless specifically excluded. *Dudleya saxosa* (CRPR 1B.3) and *Latimer's woodland-gilia* (CRPR 1B.2) meet this definition.

B. Required Avoidance Setback Not Applied

LUPA-BIO-PLANT-2 mandates:

Implement an avoidance setback of 0.25 mile for all Focus and BLM Special Status Species occurrences. Setbacks will be placed strategically adjacent to occurrences to protect ecological processes necessary to support the plant species.

The EA fails to apply this mandatory 0.25-mile avoidance setback to documented occurrences. Proper application of this CMA would preclude siting of the communications facility within the subject BLM parcels.

Failure to apply a mandatory Conservation and Management Action renders the decision inconsistent with the governing land use plan.

III. Improper Application of LUPA-BIO-PLANT-3 and Inaccurate Statement Regarding Special Status Plant Presence

A. EA Omission and Biological Evaluation Misstatement

The EA omits LUPA-BIO-PLANT-3 from the Applicant Proposed Measures. While the Biological Evaluation references LUPA-BIO-PLANT-3, it concludes:

“No Focus and BLM Special Status Species were recorded onsite. If special status plant species were to be documented during preconstruction surveys, setbacks will be implemented.”

This conclusion is contradicted by documented field observations provided to BLM prior to issuance of the Final EA.

As described above, Special Status plant occurrences were documented within 0.25 mile of all action alternatives, and some occur within the project footprint itself.

Accordingly, the statement that no Focus or BLM Special Status Species were recorded onsite is inaccurate and inconsistent with information in the agency’s possession.

B. LUPA-BIO-PLANT-3 Cannot Be Deferred to Future Surveys

LUPA-BIO-PLANT-3 provides:

Impacts to suitable habitat for Focus and BLM Special Status plant species should be avoided to the extent feasible and are limited to a maximum of 1% of their suitable habitat throughout the entire LUPA Decision Area, measured against DRECP modeled suitable habitat.

Rather than analyzing compliance at the siting stage, the Biological Evaluation improperly defers implementation to potential future preconstruction surveys.

Because:

- Documented Special Status plant occurrences exist within and adjacent to the footprint,
- CRPR 1B species are present,
- The EA acknowledges 17 Special Status plants with moderate or high potential to occur,

Compliance with LUPA-BIO-PLANT-3 must occur prior to project approval.

The EA does not:

- Quantify modeled suitable habitat within the footprint;
- Analyze acreage of suitable habitat affected;
- Evaluate cumulative impacts against the 1% cap;
- Demonstrate avoidance to the extent feasible.

Deferral of analysis to post-approval surveys does not satisfy NEPA's requirement to evaluate impacts before decision issuance.

C. Need for Comprehensive Seasonal Mapping

Given the documented presence of Special Status species and the acknowledged high habitat potential, comprehensive protocol-level botanical surveys during the appropriate blooming season are required to:

- Delineate the full extent of plant occurrences;
- Map population boundaries within the footprint and study area;
- Analyze suitable habitat consistent with DRECP modeling;
- Evaluate avoidance feasibility.

Without complete seasonal mapping, the EA relies on an incomplete baseline and cannot meaningfully apply LUPA-BIO-PLANT-3.

Note: The California Natural Resources Agency's (CNRA) document "*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*", Section 2: "Botanical Field Surveys" stresses,

"Conduct[ing] botanical field surveys in a manner which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present."

It then adds,

"Conduct botanical field surveys in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting. Space botanical field survey visits throughout the growing season to accurately determine what plants exist in the project area."

This usually involves multiple visits to the project area (e.g., in early, mid, and late-season) to capture the floristic diversity at a level necessary to determine if special status plants are present.¹³ The timing and number of visits necessary to determine if special status plants are present is determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which botanical field surveys are conducted.” (The footnote is a reference to U.S. Fish and Wildlife Service guidelines.)

These seem to be good practices for surveying plant populations, even if BLM is not overtly required to follow them.

IV. Failure to Disclose and Analyze Documented Presence of Blainville’s Horned Lizard

CNPS members documented the presence of:

- *Phrynosoma blainvillii*

Coordinates and photographs were transmitted to BLM and its consulting biologist prior to issuance of the Final EA.

The Biological Assessment states:

“No sign or presence observed in 2016, 2021, 2023, or 2025.”

This statement is inconsistent with occurrence information provided to the agency prior to decision issuance.

Because Blainville’s horned lizard is recognized as a Special Status species, BLM is required to:

- Incorporate the occurrence into the affected environment;
- Analyze direct and indirect impacts;
- Consider avoidance or mitigation;
- Or explain why the documented observation was not relied upon.

The EA does none of these.

An agency may not rely on incomplete or inaccurate baseline information when credible, site-specific occurrence data is available in the administrative record.

V. Remedy Requested

CNPS respectfully requests that BLM:

1. Vacate the Decision Record;
2. Revise and supplement the EA to:
 - Incorporate all documented Special Status plant occurrences;
 - Apply LUPA-BIO-PLANT-2 0.25-mile avoidance setbacks;
 - Conduct full analysis under LUPA-BIO-PLANT-3, including habitat quantification and cumulative impact evaluation;
 - Correct the record regarding documented presence of Blainville's horned lizard;
3. Conduct comprehensive seasonal botanical surveys and mapping prior to any siting approval;
4. Ensure full conformance with the 2016 DRECP LUPA and BLM Manual 6840;
5. Reevaluate project siting consistent with mandatory Conservation and Management Actions.

VI. Conclusion

The EA fails to apply mandatory DRECP Conservation and Management Actions triggered by documented occurrences of multiple BLM Special Status plant species and fails to disclose known presence of a Special Status wildlife species.

These omissions render the decision inconsistent with the governing land use plan and legally deficient under NEPA.

For these reasons, CNPS respectfully protests the decision.

Sincerely,

Arch McCulloch, President
CNPS Mojave Desert Chapter