

Specific Award Conditions

Award Number: NT10BIX5570158

Amendment Number: 27

1) Special Award Conditions for LA RICS's supplemental environmental assessment #5

This BTOP Grant Special Award Condition establishes requirements applicable to implementation of the Los Angeles Regional Interoperable Communications System Joint Powers Authority (LA-RICS) Long Term Evolution Project. The funding of the Grant is dependent on compliance with the provisions of this Special Award Condition (SAC). This SAC is based on the Final Environmental Assessment (EA), Supplemental EA #1 (SEA1), Supplemental EA #2 (SEA2), Supplemental EA #3 (SEA3), Supplemental EA #4 (SEA4), and Supplemental EA #5 (SEA5) documentation and supersedes the previous SAC issued with Amendment 26 on October 25, 2019.

Post-award environmental reviews of the Proposed Action included consultation with regulatory agencies related to the protection of biological and historic and cultural resources. These consultations identified specific protocols or environmental protection measures. These protocols or protective measures may be either required or recommended to be included in the implementation of the Proposed Action to minimize potential impacts to biological resources and effects on historic and cultural resources. The protocols and measures are listed below.

Note that this SAC does not distinguish requirements identified during the consultations from recommendations that were also provided. LA-RICS shall implement the identified protocols and measures without regard to this distinction and advise the Federal Program Officer (FPO) immediately if any issues arise related to the ability to comply fully with any requirement or recommendation listed below.

For each protocol or measure listed, LA-RICS shall include the following information in its periodic report to the FPO administering the grant:

- a. Specifically where and when the protocol has been used or a measure has been implemented during the reporting period, and
- b. Whether full compliance with the protocol or measure was achieved.

The FPO may, if they determine necessary, require additional information to ensure compliance with the protocol or measure. If, at any time, LA-RICS has questions or requires clarification regarding any of these protocols or measures, it shall notify the FPO, who will coordinate with the appropriate regulatory authority to provide the necessary information.

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Biological Resource Protection Protocols and Measures

As discussed throughout SEA5, nine of the fourteen sites included in the Proposed Action have been previously subjected to federal agency review under NEPA by the National Telecommunications and Information Administration (NTIA) (sites LVRNPD and MNTBLPD); Federal Emergency Management Agency (FEMA) (site LACFDEL2); and the U.S. Forest Service (USFS) (sites BUR1-2, LPC2, MML2, PRG2, WMP2, and WTR2). NTIA has reviewed

the analysis and adopted/incorporated by reference the prior reviews completed for these sites. NTIA has reviewed all nine sites for any changes that may have taken place since the previous analyses and determined that there were no changes for biological resources. Furthermore, based on the environmental analysis completed of sites COUG, CWAT2, POLA1, POLA2, and SCHCYN and implementation of the recommended protective measures and construction management requirements (CMRs), no significant impacts from construction, operation, or maintenance of installation equipment are anticipated.

A series of biological CMRs, found in Appendix A-1 of the SEA5, have been developed to minimize or avoid potential effects to biological resources (BIO), including federally protected species, during construction and operation of the LTE system and are included in the project design for each site (BIO CMR 1, 7, 8, 10, 11, 17, and 18). The construction contractor will be required to provide biologists with appropriate expertise to perform pre-construction surveys and monitor construction activities and supervise implementation of the biological CMRs. The biologists provided by the construction contractor will be approved by LA-RICS.

Historic and Cultural Resource Protection Protocols and Measures

As discussed throughout SEA5, seven of the fourteen sites included in the Proposed Action have been previously subjected to federal agency review under NHPA by FEMA (site LACFDEL2) and the USFS (sites BUR1-2, LPC2, MML2, PRG2, WMP2, and WTR2). NTIA has reviewed the analysis and consultations and adopted/incorporated by reference the prior reviews completed for these sites. NTIA has reviewed all seven sites for any changes that may have taken place since the previous analyses and determined that there were no changes for historic resources.

On August 5, 2019, NTIA provided information about the seven sites (sites COUG, CWAT2, LVRNPD1, MNTBLPD1, POLA1, POLA1, and SCHCYN), a description of the direct and indirect areas of potential effect, maps, photos, and descriptions of any historic properties identified and evaluation efforts, through the Federal Communication Commission's (FCC) Tower Construction Notification System (TCNS), to nine federally recognized tribes interested in the Proposed Action's geographical location in California. Consultation was completed on September 27, 2019, with no issues or concerns expressed by any of the tribes.

In addition, a record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed to determine if sacred lands or other resources of significance to the Native American community were known to exist in proximity to the Proposed Action. No tribal resources were identified as part of this record search; however, NAHC provided additional January 2020 Los Angeles Regional Interoperable Communications System Joint Powers Authority LA-RICS Long Term Evolution Project

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contact information for six California non-federally recognized tribes/groups potentially interested in the Proposed Action areas. These tribes were provided information about all seven project sites through direct mailings on August 5, 2019. The information provided to each tribe was the same as the data uploaded into the TCNS system for each of the federally recognized tribes. The consultation process was completed on September 27, 2019 and no information regarding additional tribal resources was received.

NTIA initiated consultation with the California State Historic Preservation Officer (SHPO) for the Proposed Action. This submittal included detailed information about the Proposed Action, a description of the direct and indirect areas of potential effect, maps, photos, descriptions of any historic properties identified and evaluation efforts, tribal and public consultation efforts and results, and determinations of effects for each LTE site.

No National Register of Historic Places (NRHP)-listed or -eligible prehistoric or historic archaeological resources were identified within the direct area of potential effect (APE) at sites COUG, CWAT2, LVRNPD, MNTBLPD, POLA1, POLA2, or SCHCYN. No NRHP-listed or -eligible archaeological resources were identified within the indirect APE at the sites; however, one archaeological resource, which is a California Historical Landmark (the Mojave Road), was identified within the indirect APE at site COUG. This resource is located too distant to be either physically or visually affected by the proposed new monopole; therefore, there will be no effects on historic properties. By letter dated November 4, 2019, the SHPO concurred that the undertaking would have no adverse effect on historic properties related to archaeological resources.

No NRHP-listed or -eligible architectural resources were identified within the direct APE at sites COUG, CWAT2, LVRNPD, MNTBLPD, POLA1, POLA2, and SCHCYN. NRHP-listed or -eligible architectural resources were identified within the indirect APE at sites COUG and LVRNPD. Two previously recorded NRHP-eligible architectural resources are within the indirect APE of the COUG project site (the Covina Fire Station and the Holy Trinity Episcopal Church). These resources are located too distant to be either physically or visually affected by the proposed new monopole; therefore, there will be no effects on historic properties. Three previously recorded NRHP-eligible architectural resources and 10 previously unrecorded/unevaluated architectural resources are located within the viewshed of the indirect APE at the LVRNPD project site. Given their historic age and the proximity of the resources to the proposed new monopole, the 10 newly identified architectural resources have been treated as eligible for inclusion in the NRHP. Given the dense urban environment and the presence of numerous existing visible antennas and microwave dishes on the roof of the LVRNPD site, effects would be minimal; and any impacts from implementation of the Proposed Action would have no adverse effects on historic properties. By letter dated November 4, 2019, the SHPO concurred that the undertaking would have no adverse effects on historic properties related to architectural resources.

Furthermore, site LACFDEL2 was determined to be exempt from Section 106 of the National Historic Preservation Act due to the Federal Communications Commission's First Amendment to January 2020 Los Angeles Regional Interoperable Communications System Joint Powers Authority LA-RICS Long Term Evolution Project

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Nationwide Programmatic Agreement for the Collocation of Wireless Antennas. No significant direct or indirect impacts are anticipated; therefore, no further review is required.

A series of cultural resource management (CRM) CMRs have been developed to minimize or avoid potential effects to cultural resources, including archaeological and architectural resources, during construction and operation of the LTE system and are included in the project design for

each site. The construction contractor will be required to provide qualified archaeologists with appropriate expertise to monitor construction activities and implement the CRM CMRs (CRM CMRs 3 and 4). The archaeologists provided by the construction contractor will be approved by LA-RICS.

Additional Protection Protocols and Measures (as applicable)

1. LA-RICS will follow permitting and regulatory requirements outlined and required by the Federal Aviation Administration, Federal Communications Commission, and other applicable state and local agencies for all Proposed Action activities.
2. LA-RICS will adhere to all mitigation measures related to noise in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
3. LA-RICS will adhere to all mitigation measures related to air quality (AIR MM 1) in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
4. LA-RICS will adhere to all mitigation measures related to geology and soils (GEO MM 1-2) in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
5. LA-RICS will adhere to all mitigation measures and CMRs (BIO CMR 1-19) related to biological resources in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
6. LA-RICS will adhere to all mitigation measures and CMRs (CRM CMR 1-6) related to cultural resources in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
7. LA-RICS will adhere to all mitigation measures related to aesthetic and visual resources (AES MM 1-3) in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
8. LA-RICS will adhere to all mitigation measures related to infrastructure (TRANS MM 1) in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.
9. LA-RICS will adhere to all mitigation measures related to human health and safety (HAZ MM 1-3 and 5) in the Final EA, SEA1, SEA2, SEA3, SEA4, and SEA5.

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1 Mitigation measures related to human health and safety had been previously referred to using the nomenclature HS in the Final EA. In SEA1 and with the inclusion of HAZ MM 5, the nomenclature was switched to HAZ for all human health and safety mitigation measures. Therefore, HS and HAZ should be considered synonymous, and HAZ should be used going forward for all human health and safety mitigation measures.

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Additional mitigation measures identified in the SEA5 as being required to avoid potential significant environmental impacts:

None