

February 9, 2015

docket@energy.ca.gov

California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

RE: DRECP NEPA/CEQA – Interconnect Towers LLC Comments for the Draft Desert Renewable Energy Conservation Plan (DRECP) and Draft Environmental Impact Statement / Environmental Impact Report

Dear Mr. Beale (DRECP Acting Director), Mr. Flint (CEC DRECP Program Manager) & Vicki Campbell (BLM DRECP Program Manager):

Interconnect Towers, LLC (ICT) and team are generally supportive of the DRECP and the conservation measures taken by the cooperating agencies to preserve the public landscape of our desert wilderness for future generations to come. We would also like to commend the people involved in the production of this document for the work produced and the many hours of commitment dedicated to this effort.

However, ICT does have serious concerns regarding the DRECP & Draft EIS/EIR and the proposed impacts to the future development of necessary wireless broadband communication infrastructure (WBCI) on federal lands.

It has been noted in our review of the plan that there has not been consideration given to the new development of WBCI for purposes of network densification and reliability. To define WBCI for future context in this letter, WBCI is inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site.

In the past 4 years new federal and state legislation has been introduced to expand the nation's communication/data networks. This coupled with significant increases in consumer and commercial wireless broadband usage has necessitated the expansion of WBCI nationwide. Much of the legislation is directed to expanding the nation's WBCI to provide internet to rural communities, support emergency services, aid in disaster relief and enhance public safety.

It is noted that the Draft DRECP is proposing to amend the U.S. Bureau of Land Management's (BLM's) California Desert Conservation Area Plan (CDCA) along with other Resource Management Plans (RMP's), create new land designations, conservation areas and expand existing Areas of Critical Environmental Concern (ACECs). While ICT understands that conservation commensurate with new lands being developed for renewable energy is necessary, ICT was

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

surprised to find new restrictions and designations that would ultimately prohibit or additionally restrict the development of new wireless broadband communication sites.

The development of new wireless broadband communication sites is key to the reliability of existing wireless broadband communication networks. Currently, there are many high-traffic, high-use, frequently traveled portions of Southern California that are devoid of wireless coverage or insufficiently served. Coupled with the increase in consumer, commercial and government wireless usage, new wireless broadband communication sites are needed to ensure the reliability of existing wireless networks. Currently, in Southern California, there are many locations that are already feeling the impacts of over capacitated wireless broadband communication sites. Users notice these over capacitated areas mostly when a call drops or when a call does not connect even though the communication device displays a 'full-signal'. These 'voice connection' issues will become more prevalent as usage growth continues. Restricted data speeds, or the lack of data transmission altogether will continue to plague networks as bandwidth availability becomes saturated.

Implications resulting in the implementation of the DRECP in the current draft state, with limited consideration given to the future communication requirements of the American public, legislature and first-responder agencies would be neglectful. In rural areas and traveled highways with complex terrain constraints, federal lands are the last viable siting option for the development of new wireless broadband communication sites. Implementing a "new development not allowed (*Table II.3-50 CDCA Plan and DRECP Preferred Alternative Crosswalk*)" allocation or implementing additional restrictions to federal lands for wireless broadband communication sites will have long-lasting negative impacts.

ICT specifically does not support any language, designation or allocation in the DRECP that would negatively impact the timeframe and federal permitting process required to develop new wireless broadband communication sites. ICT does support the new development of strategically located multi-tenant wireless broadband communication sites on federal lands. ICT supports and implements best management practices in the new development of multi-tenant wireless broadband communication sites.

The future expansion of WBCI in a timely and responsible manner will have a positive impact on:

- The reliability, abilities and functionality of first-responder agencies;
- Functionality and reliability of federal enforcement agencies, ie., Bureau of Land Management, U.S Border Patrol, Department of Homeland Security, Drug Enforcement Administration, Federal Emergency Management Agency, etc.;
- American consumers;
- Educational Institutions;
- State and Federal economy.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

The following information is supporting information that is necessary to consider in contribution to our concerns and substantive comments stated within this document.

1. ICT Company Overview:

Interconnect Towers LLC (ICT) is a Wireless Carrier “Preferred Vendor” for the nation’s largest Carriers and a Facility Manager of multi-use, multi-tenant wireless broadband communication sites on federal lands across the southwestern United States since 1998. Specifically, ICT provides wireless broadband communication infrastructure facilities to wireless telecommunication providers, federal/state/county agencies and rural broadband providers.

The locations of ICT’s facilities, both existing and proposed are selected by:

- Wireless communication constraints necessitating network densification;
- Wireless carrier demands;
- Private consumer demands;
- First-Responder and Federal/State enforcement agency demands.

Demands from either of these aforementioned parties are generated when:

- Wireless broadband coverage has become unreliable based on heavy use, thus requiring network densification;
- Populated locations (rural communities, seasonal communities, large event gatherings) or heavy vehicle use areas (highways, freeways, roads, etc.) have no coverage.

ICT works collaboratively with their clients and the federal land management agencies to minimize tower site locations and their associated impacts to federal lands while maximizing the benefits of a strategically located multi-use facilities, fully engineered to service the needs of multiple tenants utilizing present and future technologies.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

2. Wireless Broadband Trends 2014 - 2019:

The Consumer Wireless Communication Industry is witnessing unprecedented growth. This growth is being driven by the adoption of internet connected mobile devices such as, smartphones, tablets, wearable electronic devices, laptop computers and soon to be automobiles. The growth in the use of devices has significantly raised the demand for wireless broadband communication services.

While this growth is somewhat consumer driven, a significant portion of the demand comes from enhanced fleet management systems, public safety communication networks, first responders and federal enforcement agencies. As it applies to Emergency Services and wireless communications, the FCC states the following: *“The number of 911 calls placed by people using wireless phones has significantly increased in recent years. It is estimated that about 70 percent of 911 calls are placed from wireless phones, and that percentage is growing. For many Americans, the ability to call 911 for help in an emergency is one of the main reasons they own a wireless phone.”* – <http://transition.fcc.gov/cgb/consumerfacts/wireless911srcv.pdf>

According to a recent February 3, 2015 report released by Cisco Systems Inc., the future years between 2014 and 2019 will see unprecedented growth in mobile data use, both in the United States and on a worldwide scale.

Cisco (NASDAQ: CSCO) is \$149 Billion market cap company headquartered in San Jose, California and is a worldwide leader in IT. More information about Cisco is located at: <http://www.cisco.com/web/about/index.html>

The following data has been extracted from the February 3, 2015, “Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2014 -2019”. This PDF report can be downloaded for viewing at: http://www.cisco.com/c/en/us/solutions/collateral/service-provider/visual-networking-index-vni/white_paper_c11-520862.pdf

- *As reported by CTIA, mobile data traffic grew 120% in 2013.*
- *North American mobile traffic grew 63% in 2014.*
- *Global mobile data traffic grew 69 percent in 2014.*
- *Last year’s mobile data traffic was nearly 30 times the size of the entire global Internet in 2000.*
- *Almost half a billion (497 million) mobile devices and connections were added in 2014*
- *The number of mobile-connected devices exceeded the world’s population in 2014.*
- *Global mobile data traffic will increase nearly tenfold between 2014 and 2019*
- *Mobile network connection speeds will increase more than twofold by 2019*

As can be noted from the data shown above, the reliability of the nation’s wireless broadband networks depends on expanding the WBCI.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

3. Wireless Broadband in the State of California:

The State of California has recognized the need for broadband propagation within the State along with the benefits, both socially and economically for rural areas. The State of California Broadband and Digital Literacy Office (<http://www.cio.ca.gov/broadband/>) acknowledges this fact in the following Vision Statement:

- “While our state is a leader in developing broadband infrastructure, thousands of Californians remain off-line. Broadband is vital to our economic future. The Broadband and Digital Literacy Offices.”

For many rural areas in California, fixed wireline broadband is not available. **It should be recognized that some of the largest statistics for communities without access or with underserved access to wireline broadband are within the seven (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino & San Diego) counties participating in and affected by the DRECP.**

Table – California Public Utilities Commission, June 16, 2014

State of California Fixed Broadband Availability (Revised June 16, 2014)		
California County	Underserved Households	Unserviced Households
Imperial	5,115	1,595
Inyo	470	2,093
Kern	15,120	10,663
Los Angeles	3,928	4,334
Riverside	15,939	8,352
San Bernardino	17,491	15,406
San Diego	6,967	8,522

For rural communities that are underserved or without access to wireline broadband, wireless broadband is the next viable option. However, as is demonstrated by the attached maps, much of the wireless broadband in these areas also falls into underserved or unserved category, thus requiring further build-out of wireless broadband infrastructure. For a visual representation of Wireless Broadband Availability within the seven counties affected by the DRECP, please refer to the two maps attached hereto, published by the California Public Utility Commission, published November 18, 2014:

(<http://www.cpuc.ca.gov/PUC/Telco/Information+for+providing+service/Broadband+Availability+Maps.htm>)

- Map A: State of California – Fixed Wireless Broadband Availability
- Map B: State of California – Mobile Broadband Availability

27762 Antonio Parkway, L1-471
Ladera Ranch, California 92694

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

4. Federal Broadband Communication Infrastructure Legislation:

The following are Federal initiatives, executive orders and legislation which necessitates the development of new wireless communication infrastructure and the densification of existing infrastructure. It appears that the planning of the DRECP & Draft EIS/EIR did not plan for, identify or recognize the implementation of the following:

- **(Federal) February 10, 2011, National Wireless Initiative**
 - Launched by President Obama to extend next-generation wireless coverage to 98 percent of the U.S. population and calling on Congress to support a wireless spectrum auction.

- **(Federal) June 14, 2012, Executive Order (E.O.) No. 13616, “Accelerating Broadband Infrastructure Deployment”**
 - Facilitate wired and wireless broadband infrastructure deployment on Federal lands, buildings, and ROW, federally assisted highways, and tribal and individual Indian trust lands, particularly in underserved communities.

 - Noted by the Federal Property Working Group Progress Report dated August 2013, stated the following:
 - *“Broadband infrastructure deployment faces a number of challenges, including policy challenges (e.g., inconsistent agency requirements), procedural challenges (e.g., differing forms/applications and processes), physical challenges (e.g., access to Federal lands and buildings), legal and regulatory restrictions (e.g., laws requiring specific actions by agencies, considerations related to Tribal Nations, and environmental compliance), and technological challenges (e.g., varying agency use of online tools).”*

 - *“As a result of agencies’ and bureaus’ different missions, applicants must often contend with varying documentation requirements and review criteria across Federal departments and/or agencies, or between a single agency’s regional offices and its headquarters.”*

- **(Federal) February 22, 2012, the Middle Class Tax Relief and Job Creation Act created the First Responder Network Authority (FirstNet)**
 - FirstNet is an independent authority within the U.S. Department of Commerce’s National Telecommunications and Information Administration. The law gives FirstNet the mission to build, operate and maintain the first high-speed, nationwide wireless broadband network dedicated to public safety. FirstNet will provide a single interoperable platform for emergency and daily public safety communications.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

5. ICT Comments on the DRECP & Draft EIS/EIR

1) NEPA 40 CFR Part 1501.7 – Scoping (a)(1) - “...and other interested parties...”

- a. Notices in the Federal Register relating to the Notice of Intent and the Notice of Availability all refer to the “Desert Renewable Energy Conservation Plan”. **The title, label, heading and basic description of the plan is misleading to the public and to industry.** The wireless communication industry has only recently, in February of 2015 been alerted to the potential negative impact of the Draft DRECP on the new development of wireless broadband communication facilities (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*). Notice of the Draft DRECP and its potential negative impact on the industry was received via communication with BLM Field Offices staff relating to recently filed applications for new development.
- b. It should be noted **that the very title of this plan**, “Desert Renewable Energy Conservation Plan” along with the description of the DRECP in the Federal Register Notice, 09/26/2014, under Supplementary Information which states, “...an integrated interagency plan for permitting renewable energy and transmission development...”, **does not support the realistic intent of the Draft DRECP to disallow, restrict or alter the conditions under which the ‘new development’ of wireless broadband communication sites** (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM’s California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP’s), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs) **may be developed in the future.** Expansion of ACEC’s must comply with public notification requirements as required in BLM Manual Section 1613.3 and 1613.4.
- c. Of the Stakeholder Committee created to inform the DRECP Director and the REAT on Plan development, **there is no representation from the Wireless Communication Industry or any company or carrier associated with industry.**
- d. Of the Stakeholder Committee created to inform the DRECP Director and the REAT on Plan development **there is no representation from Federal or State Agencies with an interest in wireless broadband communication infrastructure.**

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

- e. It is unclear if the Scoping of the DRECP & Draft EIS/EIR made an effort to include stakeholders/industries outside of the Renewable Energy / Electrical Utility industries for comments relating to infrastructure other than generation and transmission of electrical energy.

2) NEPA 40 CFR 1502.13 – Purpose and Need

- a. The DRECP & Draft EIS/EIR does not appear to reference any of the Federal Communication Infrastructure Initiatives/Legislation mentioned in Section 4 of this comment letter. Neither does the plan show any data, maps, tables or figures referencing and or addressing the need through planning procedures to provide language supporting the new construction or densification of wireless broadband infrastructure on federal lands in Southern California. The absence of such data reflects that the BLM does not have a clear understanding of the ‘Need’ to consider such data to balance and sustain multiple-use in amendments to the BLM’s California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP’s), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs)
- b. Under the aforementioned context of *Item 5.2.b*, BLM is not in compliance with the BLM Mission Statement or the cited statement in the DRECP & Draft EIS/EIR, 1.1.2 Bureau of Land Management Purpose and Need, “Comply with all applicable federal laws, including the BLM’s obligation to manage the public lands consistent with the Federal Land Policy and Management Act’s (FLPMA) multiple-use.....”

3) Missing Information

- a. Under the circumstance of the current Comment Period for the DRECP & Draft EIS/EIR closing on February 23, 2015 and based on 1) ambiguity of the Plan’s title, label, heading and basic description as described in the Federal Register notices and executive summary of the DRECP & Draft EIS/EIR; 2) lack of public awareness/understanding of the ‘Planned’ impacts to new wireless broadband communication sites under the agency preferred alternative; 3) insufficient notification and awareness by the wireless communication industry and industry associations; it can be stated that there is insufficient and missing information in the DRECP & Draft EIS/EIR in the form of comments (Public, Industry Government Agency) and industry data relevant to BLM Land Use Planning decisions that would impact the sustained operation, reliability and growth of the wireless broadband communication infrastructure on federal lands.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

- b. The DRECP & Draft EIS/EIR does not appear **does not appear to identify, evaluate or include** any of the *Federal Broadband Communication Infrastructure Legislation* mentioned in Section 4 of this comment letter. Neither does the Plan appear to depict GIS data, maps, exhibits or figures referencing and or addressing the initiative through land use planning procedures to comply with said legislation referenced in said Section 4.
- c. The DRECP & Draft EIS/EIR **does not appear to identify, evaluate or analyze the supporting data** relevant and required by a NEPA analysis to support a recommendation or decision to disallow, restrict or alter the conditions under which the 'new development' of wireless broadband communication sites (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM's California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP's), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs). The supporting data being inclusive of the following, but not limited to:
- i. Existing wireless broadband communication sites.
 - ii. Carrier Coverage Maps indicating the need for the new development of a wireless broadband communication site.
 - iii. Coverage and reliability data indicating the need for network densification through new development of a wireless broadband communication site.
 - iv. Data relevant to the growing demand for wireless broadband services and the single-option of locating new wireless broadband communication sites on federal land due to the unavailability of private lands.
 - v. Data relevant to the industry growth trends as outlined in Section 2 that will impact the reliability and functionality of existing wireless broadband communication sites, thus necessitating the development of new wireless broadband communication sites.
 - vi. Data identifying high-car count areas, recreational use areas (such as OHV) and other critical areas that may have insufficient coverage or no coverage to support consumer communications, fleet management, emergency response communications and law enforcement communications.
 - vii. Data identifying the need for distribution transmission to support the redundant electrical requirements of new wireless broadband communication sites.
 - viii. Data identifying both types of tower structures and tower heights that would optimize and promote the use of multiple tenant communication facilities.
 - ix. Socioeconomic data relating to wireless broadband availability and accessibility.

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

- d. The DRECP & Draft EIS/EIR does not appear to identify, evaluate or analyze the 1) socioeconomic impacts to the general public or 2) potential public health and safety impacts to the general public, first-responders and federal/state enforcement agencies as is relevant and required by a NEPA analysis to support a recommendation or decision to disallow, restrict or alter the conditions under which the 'new development' of wireless broadband communication sites (*inclusive of but not limited to wireless broadband communication multi-tenant sites, fiber optic communication lines, microwave repeaters, access roads and low voltage electrical distribution lines; all appurtenant accessories to a multi-tenant wireless broadband communication site*) by vehicle of amendments to the BLM's California Desert Conservation Area Plan (CDCA), multiple other cited Resource Management Plans (RMP's), new land designations, conservation areas or the expansion of existing Areas of Critical Environmental Concern (ACECs).
- e. ICT could not find in the DRECP Draft EIS/EIR where a clearly defined discussion of the expansion areas of existing ACEC's are consistent with the relevance and importance criteria for which the original ACEC was designated. (*BLM Manual Section 1613.1*)

4) Issues Requiring Clarification or Modification (Applies to Preferred Alternative but also to any Alternatives brought forward.

a. Appendix E of DRECP & Draft EIS/EIR

i. "...consistent with small project thresholds (i.e., <2 acres)"

1. Less than 2 Acres is not be large enough to facilitate the redundant electrical requirements required by new multi-tenant wireless broadband communication sites. Grid power supplemented with fossil fuel generation or solar PV generation may require a larger surface area. Suggest 'Less than 3 Acres' and clearly state that this acreage limitation is not inclusive of acreage for site accessories (ie. Access roads, distribution lines, etc.).
2. Less than 2 Acres is not be large enough to facilitate the construction of multi-tenant wireless broadband communication facilities. Larger buildings, increased space for electrical generation, tower location and grounding setbacks require a larger surface area. Suggest 'Less than 3 Acres' and clearly state that this acreage limitation is not inclusive of acreage for site accessories (ie. Access roads, distribution lines, etc.).

InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

b. Table II.3-50 CDCA Plan and DRECP Preferred Alternative Crosswalk

- i. Land Use, Communication Sites, DRECP Allocations, “New Development is not allowed. Maintenance, retrofitting for newer technology, and operation of existing or previously approved facilities is allowed.”
 1. As noted in 5.3 Missing Data and Section 4 both within this comment letter, the DRECP & Draft EIS/EIR **does not appear to contain sufficient data to support a decision/guideline** of “New Development is not allowed”. Suggest revising language to state, “New Development may be allowed.”

c. Throughout the DRECP & Draft EIS/EIR document

- i. References throughout the document refer to “lattice steel towers” and “steel monopoles”. Clarification is suggested that these references refer only to transmission structures (towers) and not to multi-tenant wireless broadband communication towers. Multi-tenant wireless broadband communication facilities require lattice tower designs with a height of less than 200 feet to accommodate multiple tenants. This feature ideally eliminates the need for several ‘single-carrier’ steel monopole towers interspersed on federal lands and encourages co-location to multi-tenant facilities.
- ii. References throughout the document refer to new ‘electrical power pole structures’, ‘electrical distribution lines’ or limit the permitting of new low voltage electrical distribution lines. To meet the redundant power requirements for multi-tenant wireless broadband communication facilities, new low voltage electrical distribution lines are sometimes required. Clarification is suggested to allow new low voltage electrical distribution structures or the extension of existing low voltage electrical distribution lines when they are associated with the new development of multi-tenant wireless broadband communication sites.
- iii. References throughout the document reference new ‘roads’. In some cases, helicopter access is possible but not entirely feasible for the amount of transportation activities, reliability response and security requirements associated with multi-tenant wireless broadband communication sites. New, low impact roads are most of the time required. Clarification is suggested to allow ‘new’ roads or the extension of existing roads when they are associated with the new development multi-tenant wireless broadband communication facilities.

- **End of Comments** -

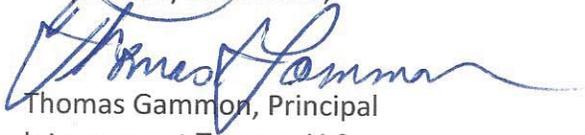
InterConnect Towers LLC

InterConnecting Wireless Coverage on Federal Land Since 1998

ICT is appreciative of this opportunity to comment publicly on the DRECP & Draft EIS/EIR document. The work and effort of so many that went into this document is noted and appreciated. It is the hope of ICT and our industry partners that the governmental agencies responsible for the generation of this document consider our comments and concerns.

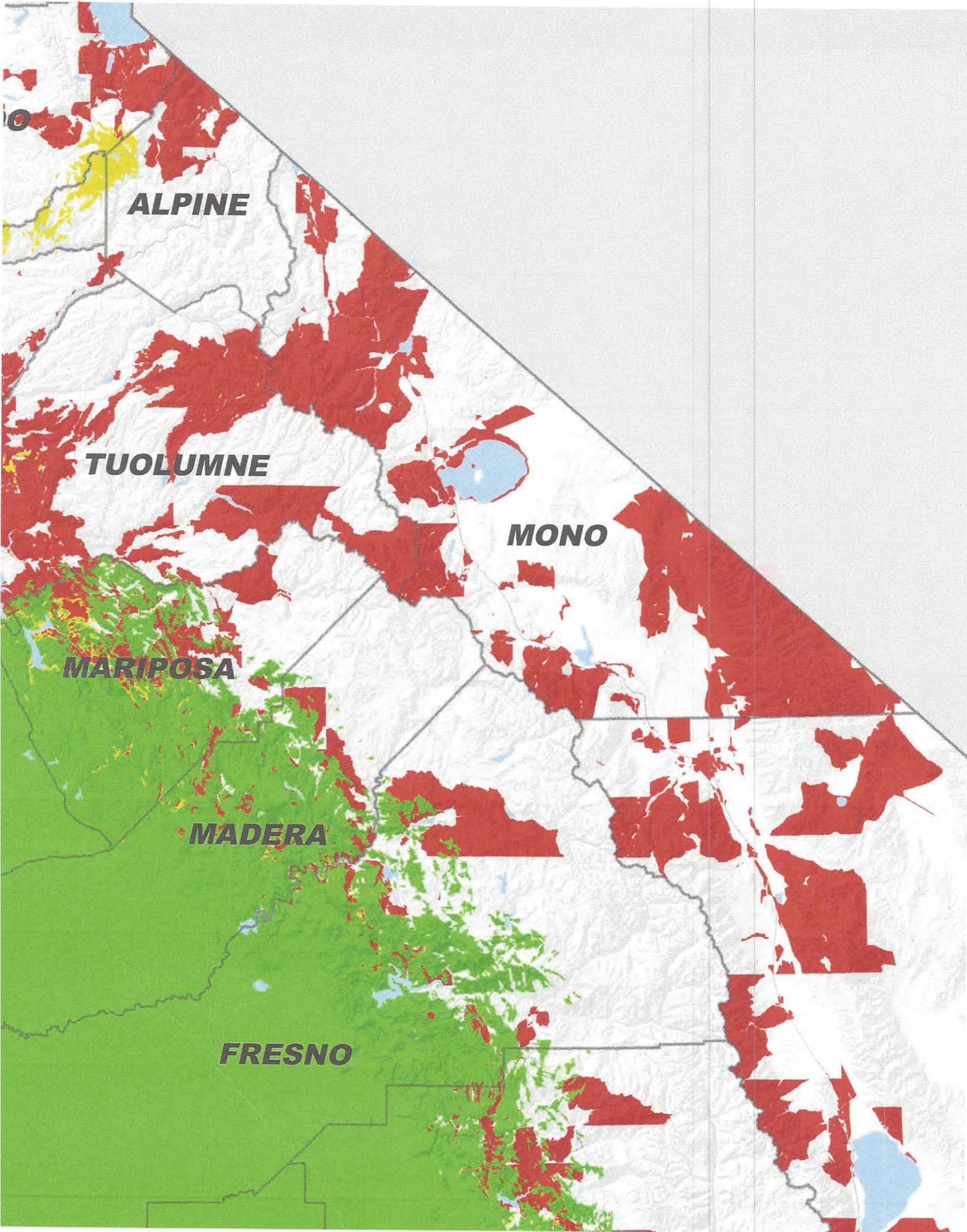
Conservation is a necessary aspect of land use planning for the continued enjoyment of our planet for generations to come. ICT supports the preservation of our wilderness and pristine natural landscapes in balance with human safety. Our communication infrastructure today sustains the electronic devices we use to communicate over all aspects of life. Our needs for conservation must be balanced with our needs for communication as communication is the fundamental fabric of a healthy society.

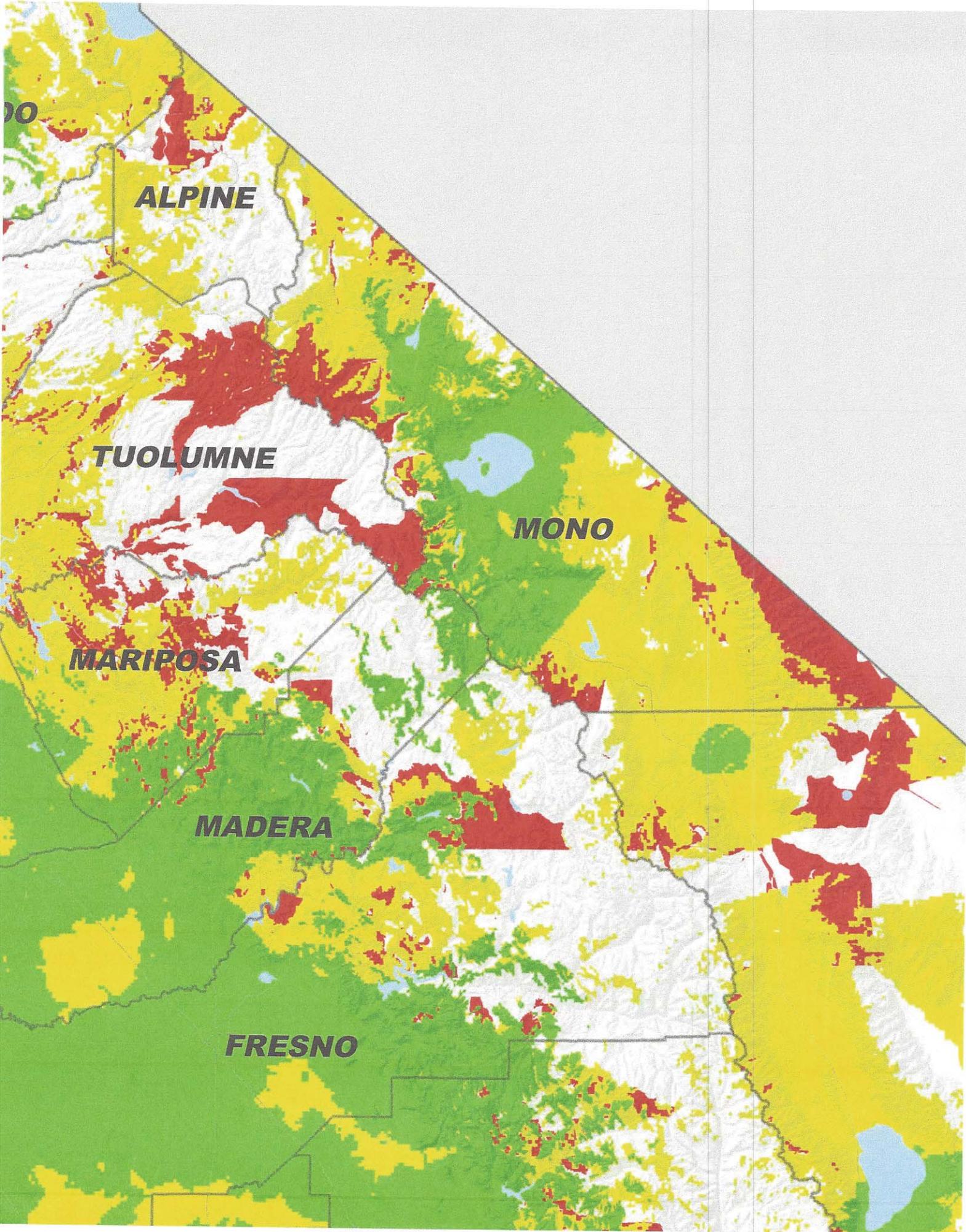
Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Thomas Gammon", written over the typed name.

Thomas Gammon, Principal
Interconnect Towers, LLC

ATTACHMENTS





ALPINE

TUOLUMNE

MONO

MARIPOSA

MADERA

FRESNO