

**Bureau of Land Management**  
**COMMUNICATION SITE STIPULATIONS**

**AZA-006237**  
**Cochise County Government Services**

1. The Tucson Field Manager or its designee is the Authorized Officer (AO), as defined by 43 CFR 2920.0-5(c).
2. "Lessee," or "holder," means Cochise County Government Services, and any and all assignees that may be of record, including all agents, contractors, sub-contractors, and employees.
3. "Lease," means the right-of-way, license, grant, permit, or other permission granted by the United States to the lessee for the use of public lands and resources.
4. Holder shall follow all criteria contained in the U.S. Fish and Wildlife Service's guidelines "Service Guidance on the Siting, Construction, Operation and Decommissioning of Communication Towers" (2000), in the construction, operation, maintenance, and termination of the facility. This information is contained on the following website:  
[https://www.fws.gov/habitatconservation/com\\_tow\\_guidelines.pdf](https://www.fws.gov/habitatconservation/com_tow_guidelines.pdf)
5. Fences not directly related to the security of the telecommunication equipment or structures are not permitted. Any fencing material shall be approved, prior to installation, by the authorized officer. Metallic fencing shall be grounded to standards contained in Motorola's publication "Standards and Guidelines for Communications Sites R56", most recent edition (a.k.a., Motorola R56 standards).
6. The antenna support structures (towers) shall be constructed of galvanized steel, and shall be self-supporting unless otherwise approved by the BLM authorized officer. All towers shall meet Electronics Industries Associated Standard RS-222G, Structural Standards for Steel Antenna Towers. All metallic structural materials shall be galvanized, plated, or coated. Dissimilar metals will not be placed in contact with each other in such a manner that could create a galvanic junction.
7. The 2015 FAA revised Obstruction Marking and Lighting Advisory Circular AC70/7460-IL encourages all existing tower owners to replace non-flashing lights with flashing lights (revised primarily to reduce impacts to migratory birds). If in compliance with the FAA requirements, the new 115' tower should not have any lights. If lights are required, the lights shall be flashing lights.
8. Per the 2016 FWS Communication Tower Recommendations per the FAA advisory:
  - 1) Schedule all vegetation removal and maintenance activities outside the breeding bird season to reduce the risk of bird take.
  - 2) Prevent the introduction of invasive plants during construction by using on native and local seed stock and using wash stations prior to entering.

- 3) Tower design with guy-wires should include daytime visual markers or bird flight diverters installed on the guy-wires to prevent daytime collisions.
  - 4) No tower lighting if less than 200' in height is the preferred option if FAA regulations and lighting standards permit. Choose minimum intensity strobes; do not use solid or pulsating red incandescent lights on towers.
  - 5) Security lighting should be motion- or heat-sensitive, down-shielded, and of a minimum intensity to reduce nighttime bird attraction and eliminate constant nighttime illumination while still allowing safe nighttime access to the site.
  - 6) Towers no longer in use, not re-licensed by the FCC for use, or obsolete should be removed within 12 months of cessation of use, preferably sooner.
9. Construction of the facility must be complete and the facility operational within six months from the effective date of this authorization unless an extension is approved in writing by the BLM authorized officer.
  10. Upon completion of construction activities and installation of equipment, but prior to turning on equipment except for test purposes, holder shall submit to the BLM authorized officer, a statement certifying that the improvements authorized by this amendment are constructed and operated according to Motorola R56 Standards (latest edition). Such statement shall be signed by an individual certified to conduct R56 inspections, and shall be accompanied by the individual's certification.
  11. The holder's building and appurtenances shall be painted (or manufactured) to blend with the natural color of the landscape. The color shall be approved in advance by the BLM authorized officer.
  12. The holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation. Any vegetation removal should be first searched for bird nests and delayed if necessary until eggs and nestlings are fledged.
  13. All existing improvements disturbed during construction (e.g. roads, parking spaces, etc.) shall be reconstructed to their original condition following completion of construction activities, as determined by the BLM authorized officer.
  14. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during operations shall be left intact and undisturbed; all work in the area shall stop immediately and the AO shall be notified immediately. Commencement of operations shall be allowed upon clearance by the AO.
  15. If, in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; Stat. 3048; 25 U.S.C. 3001) are discovered by the

holder, or any person working on his behalf, on public or Federal lands, the holder shall stop operations in the immediate area of the discovery, protect the remains and objects and immediately notify the AO of the discovery. The holder shall continue to protect the immediate area of the discovery until notified by the AO that operations may resume.

16. The holder agrees to accommodate the entry/development of other compatible communication uses of the facility on a first-come, first-served basis. If an applicant agrees to comply with all the terms and conditions for use of the site contained herein, obtains a Federal Communications Commission or Interdepartmental Radio Advisory Committee authorization, and there is space available, the holder may not refuse to enter into a use agreement with the applicant. Exceptions to this requirement will be made by the BLM authorized officer on a case-by-case basis.
17. All equipment in the facility must be clearly posted with the owner's name and operating frequency.
18. The holder shall ensure that the BLM serial number assigned to this authorization is posted on the door of the holder's building in letters that are at least 1.5 inches high.
19. All areas authorized under this Lease shall be maintained in a sanitary condition at all time; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, spare or damaged radio equipment/antennas/cables, excess construction materials, refuse, oil drums, petroleum products, ashes, vegetative debris, and equipment.
20. No concentrated beam of energy shall be allowed to pass through any commonly occupied building, nor shall it pass through another user's electronic facility or antenna system. Structures and antennas shall not be constructed or placed in such a manner as to block an existing concentrated beam of energy.
21. The BLM reserves the right to authorize joint use by other electronic communication users of this site, together with the roads and the power, telephone and other auxiliary utility service lines installed and operated by the holder, upon payment by such users to the holder of a just and equitable portion of the costs of installation, maintenance and operation; provided that such joint use will conform to sound engineering practices.
22. The holder shall join the Mule Mountain Users Group Association and remain a member in good standing. Within 90 days from the effective date of this grant, the holder shall provide the authorized officer with evidence of membership. Failure of the holder to join the Mule Mountain Users Group Association and remain a member in good standing shall constitute sufficient grounds for termination of this authorization.

23. The holder agrees not to install or allow the installation of any radio facilities or support facilities not specified in this Lease within the area authorized and covered by this Lease, without advance notification and written approval of the BLM authorized officer.
24. The holder understands that this Lease authorizes specific communication facilities to be constructed, maintained and operated on public lands. This Lease does not grant in any way the exclusive development/use rights to a specific plot of land, as those rights are reserved to the United States in Federal regulations at 43 CFR 2800.
25. At least 120 days prior to termination of the authorization, the lessee shall contact the BLM authorized officer to arrange a joint inspection of the Lease. This inspection will be held to agree to an acceptable termination and rehabilitation plan. This plan shall be prepared by the holder and shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, top-soiling, or revegetation. The authorized officer must approve the plan in writing prior to the lessee's commencement of any termination activities.