

**FINDING OF NO SIGNIFICANT IMPACT
FOR THE
PSL-47/47A SUBLEASE CELL TOWER PROJECT**

AGENCY: Bureau of Indian Affairs

ACTIONS: Finding of No Significant Impact

SUMMARY:

The Agua Caliente Development Authority (Lessor and/or Tribe) submitted a request to the Bureau of Indian Affairs (BIA) for approval of a Sublease (pursuant to master lease PSL-47/47A) between Lessor and AT&T Mobility, LLC (Lessee). The purpose of the sublease is for the construction, operation, and maintenance of a cell tower and related facilities within a golf course owned and operated by the Tribe (Proposed Action). The proposed cell tower would be located at 1097 East Murray Canyon Drive, Palm Springs, Riverside County, California (the Subject Property), which is located on the Agua Caliente Band of Cahuilla Indians Reservation. Based upon the entire administrative record including analysis in a March 26, 2021 Environmental Assessment (EA), the BIA makes a finding of no significant impact (FONSI) for the Proposed Action. This finding constitutes a determination the Proposed Action is not a Federal action significantly affecting the quality of the human environment. Therefore, in accordance with Section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C § 4321 et seq., an Environmental Impact Statement (EIS) is not required.

PURPOSE AND NEED:

There is little to no coverage for AT&T in this area of the Subject Property. Thus, there is a need for additional AT&T cellular coverage in the area. Additionally, the Tribe has a need to generate income for its varied governmental needs and expenses. BIA is required to review and approve leases and subleases on tribal land and this approval triggers BIA compliance with NEPA.

ALTERNATIVES CONSIDERED:

Two alternatives are analyzed in the EA: the Proposed Action and the No Action Alternative. The Proposed Action is summarized above and includes the construction of a 54-foot tall mono-palm cell tower with associated antennas and equipment mounted on the tower. An associated generator and equipment cabinets will be enclosed within a stick-built equipment shelter within a new 16-foot by 25-foot lease area. Power and telco conduit will be routed underground from the site to supply sources. The power route will extend approximately 100 feet to the power source and then an additional approximately 800 feet to an existing Telco pedestal to the east past Goldenrod Lane.

The Proposed Action would best meet the purpose and need and therefore has been identified as the Preferred Alternative. Under the No Action Alternative, no federal actions would occur, and the cell tower would not be constructed. Additional details regarding the Proposed Action and the No Action Alternative can be found in EA Sections 3 and 4.

ENVIRONMENTAL IMPACTS:

Potential impacts to land resources, water resources; biological resources; cultural resources; land use; and visual resources; were evaluated in the EA, with the following conclusions (see EA Sections 5, 6, and 7 for detailed analysis and for specific mitigation measures):

Land Resources

Land resources impacts could occur during the construction of the project. Mitigation measures detailed in EA Section 7 would ensure land resources impacts are less than significant.

Water Resources

Impacts to water resources would occur during construction of the project. Mitigation measures detailed in EA Section 7 would ensure land resources impacts are less than significant.

Biological Resources

Impacts to biological resources would occur from the development of the project. Mitigation measures detailed in EA Section 7 would ensure impacts to biological resources are less than significant.

Cultural Resources

Impacts to cultural resources could occur from the development of the project. Mitigation measures detailed in EA Section 7 would ensure impacts to cultural resources are less than significant.

Land Use

Impacts to land use would occur during construction and operation of the project. No significant impacts would occur.

Aesthetics

Impacts to aesthetics would occur from the development and operation of the project. No significant impact would occur.

PUBLIC AVAILABILITY:

A Notice of Availability for the EA and this FONSI has been provided to agencies, organizations, and interested parties. These documents have been made available for a 15-day review period. BIA will take no administrative action on the Proposed Action prior to expiration of the review period and review of any comments received.

DETERMINATION:

It has been determined that the proposed Federal action to approve a sublease for the construction, maintenance, and operation of a cell tower at 1097 East Murray Canyon Drive does not constitute a major federal action that would significantly affect the quality of the human environment. Therefore, in accordance with Section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C § 4321 et seq., an Environmental Impact Statement is not required. This determination is supported by the aforementioned findings described in this FONSI and the analysis contained in the entire administrative record, including the December 2018 EA, and the mitigation imposed. This fulfills the requirements of NEPA as set out in the Council on Environmental Quality Regulations for Implementing NEPA (40 C.F.R. 1500–1508), and the BIA NEPA Guidebook (59 IAM 3-H, August, 2012).

Approved:

Date:

Superintendent
Palm Springs Agency Office
Bureau of Indian Affairs, Pacific Region