



United States
Department of
Agriculture

Forest
Service

Cleveland National
Forest

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File Code: 2720

Date: January 30, 2003

Subject: Anti-perching Devices at Communication Sites

Dear Cleveland National Forest Communication Facility Owner:

In 1998, the Southwest Center For Biological Diversity filed suit against the United States Forest Service for alleged violations of the Endangered Species Act. The lawsuit specifically addressed the failure to consult with the United States Fish and Wildlife Service concerning the effects of implementing existing Forest Plans for the Los Padres, Cleveland, Angeles, and San Bernardino National Forests on Threatened and Endangered species.

On March 1, 2000, The United States District Court for the Southern District of California approved a Stipulation of Dismissal between the Center and the Forest Service. Item 5 of the terms and conditions of the document stipulate that, "*the USFS will require the installation of anti-perching devices on all microwave sites within the four national forests at issue in this case*". As a result, the Forest Service has been required to prevent or minimize the chances for raptors to perch on communication facilities, especially radiating parabolic dish antennas, at communication sites on National Forest System (NFS) land.

Your authorization is affected by the Stipulation of Dismissal and will require compliance under the Terms and Conditions in Section IV (Liabilities) Item B, which requires that "*The Lessee shall comply with all applicable Federal, State, and local laws, regulations, and standards, including, but not limited to, the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., the Comprehensive Environmental Response, Control and Liability Act, 42 U.S.C. 9601 et seq., and other relevant environmental laws, (including The Endangered Species Act and the Migratory Bird Treaty Act), as well as public health and safety laws and other laws relating to the siting, construction, operation, and maintenance of any facility improvement, or equipment on the property*".

Our goal is to prevent perching of raptors at locations where concentrated radio frequencies may occur, such as near the antenna or in direct line with security fences or support facility rooflines. Radomes (covers) shield the antenna and are an effective anti-perching device for the feed-horn, the strongest source of radio frequencies. The Cleveland National Forest has installed gray radomes on all agency microwave dish antennas.

We now require all holders of Communication Special Use authorizations (as well as their customers and tenants) with radiating parabolic dish antennas to install anti-perching devices.



Non-reflective gray radomes with an inconspicuous manufacturer's trademark satisfy this requirement and are the preferred choice of the Forest Service. Fences and other structures at your facility where concentrated radio frequencies may occur must also be equipped with devices to prevent perching.

For your reference, some commercial companies providing anti-perching materials include:

- Nixalite of America (www.nixalite.com)
- Bird-B-Gone, Inc. (www.birdbgone.com)
- Bird Barrier America, Inc. (www.birdbarrier.com)
- Microbee Pest Control (www.microbee.co.uk)
- Bird-X, Inc. (www.birdx.com)

Many Special Use authorization holders have already installed anti-perching devices at sites on other Southern California Forests and some have already started work on the Cleveland National Forest. **To help us protect wildlife resources and continue to authorize use at communication sites, please complete all necessary alterations prior to June 1st, 2003. Submit photo documentation by site name to this office to confirm completion of the work and fulfill this requirement of your authorization.**

Thank you for your cooperation. Please contact Rich Tobin, Lands Specialist at (858) 674-2904, or Craig Cowie, Recreation/Lands Staff Officer at (858) 674-2977 if you have questions or need additional information.

Sincerely,



ANNE S. FEGE, Ph.D.
Forest Supervisor

Cc: Trabuco RD
Descanso RD
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