Mailed 8/27/2001

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Decision 01-08-052 August 23, 2001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Williams Communications, LLC, a Delaware Limited Liability Company, for Authority to Construct Specified Telecommunications Facilities.	Application 01-02-033 (Filed February 28, 2001)

O P I N I O N

1. Summary

Williams Communications, Inc. LLC[1] (applicant, or Williams) seeks modification of Decision (D.) 99-10-062 to permit construction of five regeneration facilities located at or near applicant's fiber optic systems between the cities of Riverside and San Diego. The Commission's environmental staff reviewed the proposed construction and has prepared a negative declaration finding that the project will not have a significant effect on the environment. The application is unopposed. This decision approves the application and adopts the negative declaration.

2. Background

In D.99-10-062, Williams was granted authority to operate as a facilities-based interexchange carrier using fiber optic cable facilities that it

[1] Applicant's name has changed. D.00-12-001 reflects the name change resulting from the conversion of Williams Communications, Inc., dba Vyvx, Inc. to a limited liability company.

would erect or install on existing structures. We also approved a mitigated negative declaration prepared by our staff pursuant to the California Environmental Quality Act (CEQA), Pub. Resources Code §§ 21000, et seq.

After the issuance of D.99-10-062, Williams filed petitions to modify the decision on two separate occasions. The petitions sought Commission environmental review pursuant to CEQA for (1) modifications to portions of one of the routes approved earlier, and (2) addition of fiber optic facilities between the cities of Riverside and San Diego. For both projects, potential significant environmental impacts were identified and, as before, revisions that would avoid or mitigate the impacts to a less than significant level had been directed by our staff and agreed to by applicant.

The two petitions for modification, along with mitigated negative declarations, were approved by the Commission in D.00-06-035 and D.00-08-017. These two decisions also addressed the scope of Williams' existing authority. While Williams originally believed that its existing authority included the five regeneration sites that are the subject of this application, the company on the advice of our environmental staff agreed to seek this further approval.

3. Environmental Review

Because a signal on a fiber optic strand must be amplified, or boosted, approximately every 40 miles and reconstructed, or "cleaned up," every 140 to 200 miles, Williams plans to install the five regenerators at locations in Palmdale, Herald, Claremont, Tulare and Ontario. Earlier, Williams had planned a site in Fontana, but by its amended application filed on June 29, 2001, it substituted the Ontario site for the Fontana one.

A regenerator station houses the electrical equipment that reconstructs and boosts the optical signal. Typical stations consist of three to eight 12x30-foot

precast concrete buildings lined up side by side on a concrete pad. Each building comes from the manufacturer equipped with heating, ventilation and air conditioning units to maintain steady temperature for the electronic equipment.

Four of the buildings will be located within fenced areas. Each building will be unstaffed and locked, and will have an overhead security light and a small light over the door. A diesel generator will be installed for emergency back-up power. The Ontario facility will be installed inside an existing commercial building in a strip mall.

When required, each project site individually received a discretionary permit from the appropriate local agencies. When approving a permit, each agency evaluated the regeneration site and its applicability to CEQA. The Herald and Palmdale sites were approved with a CEQA negative declaration by the local agencies. The Tulare and Claremont sites were deemed exempt from CEQA by the local agencies. The Ontario site does not require a discretionary permit from the City of Ontario since it is located entirely within an existing building.

Because the Commission must issue a Certificate of Public Convenience and Necessity for all five sites, we have decided to combine the development of all five stations as one project and reissue a CEQA document integrating all actions together. This review incorporates the previous CEQA reviews and the requirements for conditional use permits imposed by the local agencies.

Based on its assessment of the application, the Commission staff prepared a draft negative declaration generally describing the project and the potential environmental effects. The draft negative declaration was sent to various city and county planning agencies, and public notice of the draft was circulated widely. The draft also was submitted to the Governor's Office of Planning and

Research where it was circulated to affected state agencies for review and comment.

Public comments on the draft declaration were reviewed and answered, as necessary. The Commission staff then finalized the negative declaration. The final negative declaration is attached to this decision as Attachment A.

4. Discussion

Applicant states that modification of D.99-10-062 to include the five regeneration stations will enable applicant to construct facilities necessary for it to operate fiber already installed in existing facilities. The fiber optic system promises enhanced telecommunications services for California customers. We conclude that the proposed addition of five regeneration stations will not have potentially significant adverse environmental impacts. Therefore, we will modify D.99-10-062 to permit the construction.

5. Comments on Draft Decision

This is an uncontested matter in which the decision grants the requested relief. Therefore, pursuant to Pub. Util. Code § 311(g)(2) the otherwise applicable 30-day period for public review and comment is being waived.

In Resolution ALJ 176-3059, dated March 15, 2001, the Commission preliminarily categorized this proceeding as ratesetting, and preliminarily determined that hearings were not necessary. Based on the record, we conclude that a public hearing is not necessary, nor is it necessary to alter the preliminary determinations in Resolution ALJ 176-3059.

Findings of Fact

1. Notice of this application to modify D.99-10-062 appeared in the Daily Calendar on March 7, 2001.

2. No protests have been filed.

3. A hearing is not required.

4. In D.99-05-022 and D.99-10-062, we determined that applicant was qualified to provide resale and facilities-based interexchange telecommunications service.

5. The five regenerator sites which are the subject of this application are necessary for the proper functioning of facilities previously approved.

6. Due to a question as to whether these regenerator facilities were within the scope of previously granted authority, this application was filed to ensure required approvals were obtained.

7. The final negative declaration was prepared in compliance with and pursuant to CEQA.

8. The final negative declaration represents the Commission's independent judgment.

Conclusions of Law

1. Applicant's proposed project will not have potentially significant adverse environmental impacts.

2. The final negative declaration attached hereto as Attachment A should be adopted pursuant to CEQA.

3. Applicant's construction project addressed in the final negative declaration should be approved.

4. Because of the public interest in interexchange services, the following order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. Decision (D.) 99-10-062 is modified to allow Williams Communications, LLC (applicant) to construct the facilities addressed in the final negative declaration, included as Attachment A, subject to the terms and conditions set forth below and in D.99-05-022 and in D.99-10-062.

2. The final negative declaration is adopted pursuant to the California Environmental Quality Act.

3. Applicant shall enter into a cost reimbursement agreement with the Commission for expenses accrued in implementing the negative declaration. Compliance with this agreement is a condition of approval of this decision.

4. The Energy Division, Environmental Projects Unit, shall have the authority to issue a Stop Work Order on the entire project, or portions thereof, for the purpose of ensuring compliance with the negative declaration. Construction may not resume without a Notice to Proceed issued by the Environmental Projects Unit of the Energy Division.

5. Applicant shall send a copy of this decision to concerned local permitting agencies not later than 30 days from the date of this order.

6. The application is granted, to the extent set forth above.

7. This proceeding is closed.

This order is effective today.

Dated August 23, 2001, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
RICHARD A. BILAS
CARL W. WOOD
GEOFFREY F. BROWN
Commissioners

ATTACHMENT A

A.01-02-033 ALJ/GEW/avs*

CALIFORNIA PUBLIC UTILITIES COMMISSION
Williams Communications, Inc.
Five Regeneration Stations Project

INITIAL STUDY
and
FINAL NEGATIVE DECLARATION
(Filing Number A.01-02-033)

As the lead agency for complying with the California Environmental Quality Act (CEQA), the California Public Utilities Commission, Energy Division (CPUC), completed a Draft Initial Study and Draft Negative Declaration (DIS/DND) for the Williams Communications, Inc. proposal to install five regeneration stations in the following local jurisdictions: County of Sacramento; City of Tulare; City of Claremont; City of Ontario; and City of Palmdale.

In July of 2001, the CPUC provided a Notice of Availability to all adjacent property owners of the proposed action. Copies of the DIS/DND were provided to the State Clearinghouse, and to planning departments in the county and cities noted above. The 30-day public review period began on July 11 and ended on August 10, 2001. No written comments were received.

FINDINGS

Based on the analysis presented in the Initial Study and Negative Declaration, the CPUC finds that the Williams Communications Five Regeneration Stations Project will not have a significant effect on the environment. The preparation of an environmental impact report pursuant to CEQA (Division 13 of the Public Resources Code of the State of California) is not required.

/s/ NATALIE WALSH
Natalie Walsh, Program Manager
Analysis Branch
Energy Division

August 13, 2001
Date

A.01-02-033 ALJ/GEW/avs*

California Public Utilities Commission

FINAL CEQA INITIAL STUDY

ENVIRONMENTAL CHECKLIST

1. **Project title:**

   Williams Communications Five Regenerations Stations

2. **Lead agency name and address:**

   California Public Utilities Commission
   505 Van Ness Avenue
   San Francisco, California 94102

3. **Contact person and phone number:**

   Nicolas Procos, CPUC Project Manager

4. **Project location:**

   Herald Site - Sacramento County, Alta Mesa Road, 3000 feet north of Simmerhorn Road
   Tulare Site - City of Tulare, east side of J St., south of Pleasant Avenue
   Claremont Site - City of Claremont, 451 W. Arrow Highway
   Ontario Site - City of Ontario, 350 South Milliken Avenue
   Palmdale Site - City of Palmdale, 456 feet north of Avenue Q on the west side of 17th St. East
   (See attached maps)

5. **Project sponsor=s name and address:**

   Williams Communications, Inc
   110 West 7th Street
   Tulsa, Oklahoma 74119-3000
   Attention: Douglas Mitchell

6. **General plan designation:**

   Herald Site - Agricultural
   Tulare Site - Commercial
   Claremont Site – Office Professional
   Ontario Site – Planned Industrial
   Palmdale Site - Industrial

7. **Zoning:**

   Herald Site - Agricultural (AG-80)
   Tulare Site – Commercial (C4)
   Claremont Site – Community Professional
   Ontario Site – Office Industrial
   Palmdale Site - Light Industrial (M-1)

8. **Description of project**: Because a signal on a fiber optic strand must be amplified (i.e., boosted) approximately every 40 miles and reconstructed, or "cleaned up," every 140 to 200 miles, Williams plans to install five regenerators at the site locations described in this Initial Study. A regenerator station houses the electrical equipment that reconstructs and boosts the optical signal. Typical stations consist of three to eight, 12 by 30 foot precast concrete buildings lined up side by side on a concrete pad. Each building comes from the manufacturer equipped with one or two heating, ventilation, and air conditioning units to maintain a steady temperature for the electronic equipment. These units operate from the same electrical source as the rest of the station.

The buildings will be located within a fenced area. The unstaffed, locked facility requires commercial electric power and periodic maintenance. Each station will have an overhead security light and a small light over the door. A diesel generator will be installed for emergency back-up power. The Ontario Station facility will be installed inside an existing commercial building in a strip mall. Conduit and cable will be installed by boring from the fiber mainline right-of-way, under the parking lot, into the building.

9. **Surrounding land uses and setting:** (Briefly describe the project=s surroundings.)

Herald Site – scattered single-family residence and agricultural activities
Tulare Site - Commercial
Claremont Site – single-family, commercial and office
Ontario Site – Commercial and office
Palmdale Site – single-family, commercial and light industrial

10. **Other public agencies whose approval is required:** (e.g., permits, financing approval, or participation agreement.)

Where required, each project site individually received a discretionary permit from the appropriate local agencies. When approving a permit, each jurisdiction listed below evaluated their regeneration site project and its applicability to the California Environmental Quality Act (CEQA). The Herald and Palmdale sites were approved with a CEQA Negative Declaration and two sites were determined to be exempt from CEQA. The Ontario site does not require a discretionary permit from the City of Ontario and has not received any previous CEQA action. Because the CPUC must issue a Certificate of Public Convenience and Necessity for all five sites, it decided to combine the development of all five stations sites as one project and reissue a CEQA document integrating all actions together. This review incorporates the previous CEQA reviews and the information in the list of supporting information sources at the end of this document. The following permits have been issued for these sites:

Project	Previous CEQA Action	Discretionary Permit	Approval
Sacramento Co. Herald Site	Negative Declaration	Conditional Use Permit	January 29, 2000 00-UPP-VAZ-0544
City of Tulare Tulare Site	Exempt	Conditional Use Permit	October 2, 2000 #2000-26
City of Palmdale Palmdale Site	Negative Declaration	Conditional Use Permit	December 7, 2000 #00-08
City of Claremont Claremont Site	Exempt	Conditional Use Permit	January 31, 2001 #00-C08
City of Ontario Ontario Site	None	No Conditional Use Permit Required	N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a APotentially Significant Impact@ as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there a significant effect in this case because revisions to the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a Apotentially significant impact@ or Apotentially mitigated@ impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

/s/ NATALIE WALSH — August 13, 2001
Signature — Date
Natalie Walsh — For
Printed Name
California Public Utilities Commission, Energy Division

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact

I. AESTHETICS - Would the project:

a. Have a substantial adverse effect on a scenic vista? ☐ ☐ ☐ ■

None of the project sites and their associated facilities will have a substantial effect on a scenic vista.

b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☐ ■

None of the project sites and their associated facilities will substantially damage scenic resources.

c. Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ■ ☐

The visual character of the Herald, Palmdale and Claremont sites will be changed. The applicant will mitigate these changes by modifying the shape of the structures and/or by placingperimeter walls as required by the conditional use permits.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☐ ■

The project will not result in any new source of light or glare that would adversely affect views in the area.

II. AGRICULTURAL RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ■

Only the Herald site is located on agricultural land. The Sacramento County NegativeDeclaration stated that the site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance nor does it contain prime soils.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? ☐ ☐ ☐ ■

No Williamson Act contracts apply to any of the sites. The Herald site

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact

was not consistent with its agricultural zoning and was made consistent with issuance of a Conditional Use Permit.

c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? ☐ ☐ ☐ ■

The Herald site will not involve other changes that could result in conversion of additional agricultural land to non-agricultural uses.

III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☐ ■

The project will not result in any net increase of any criteria pollutant for applicable air quality plans.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☐ ☐ ■

The project will not violate any air standard or contribute to other air violations.

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)? ☐ ☐ ☐ ■

The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project regions are in non-attainment.

d. Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☐ ■

The project will not expose sensitive receptors to pollutant concentrations in excess of standards.

e. Create objectionable odors affecting a substantial number of people? ☐ ☐ ☐ ■

The project is not expected to cause objectionable odors.

IV. BIOLOGICAL RESOURCES - Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as ☐ ☐ ☐ ■

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.				
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	■
The project will not have a substantial adverse impact on any riparian or sensitive natural community.				
c. Have a substantial adverse effect on federally protected wet-lands as defined by Section 404 of the Clean Water Act (incl., but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, other means?	☐	☐	☐	■
No wetland will be adversely affected by development of any of the five project sites.				
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	■
None of the sites will interfere with wildlife corridors or impede the use of wildlife nursery sites.				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
The project sites will not conflict with any local policies or ordances protecting wildlife resources.				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■
The project sites will not conflict with any adopted HCPs, NCCPs or other approved conservation plans.				

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
V. CULTURAL RESOURCES - Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	■
The proposed stations would affect no historic resource.				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	☐	☐	■	☐
Upon review by archaeological consultants, no cultural resources were identified within or adjacent to any site from field inspections and a record search. Because of the potential for an unanticipated find uncovered during construction, mitigation is recommended to establish procedures to stop work.				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■
No paleontological resource or unique geologic feature would be affected by the proposed stations.				
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■
The mitigation for (b) will also apply forunanticipated finds of human remains.				
VI. GEOLOGY AND SOILS - Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	■
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
All five sites are located outside of Alquist-Priolo Zones.				
ii) Strong seismic ground shaking?	☐	☐	☐	■
The project would be constructed in conformance with the Uniform Building code and individual county standards to mitigate for seismic concerns on-site.				
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
The project would be constructed in conformance with the Uniform Building code and individual county standards to mitigate for seismic concerns on-site.				

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
iv) Landslides?	☐	☐	☐	■

Landslides will not affect the project because of the lack of slopes.

b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■

The project will not result in substantial soil erosion or lost of topsoil.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	■

The project sites are not located on unstable soils which could potentially become unstable as a result of the project.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	■

All of the sites are located on low to moderate expansive soils. The proposed project would be constructed in conformance with the Uniform Building Code and County of Tulare standards to avoid risks to life.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	■

The project sites do not require septic systems or waste water disposal.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■

The project stations do not routinely transport, use or dispose of hazardous materials.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■

The project stores diesel fuel for a generator in each station.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-	☐	☐	☐	■

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
The project stations do not involve the use or handling of hazardous materials.				
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■
The project stations are not located on a known hazardous materials site.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	■
The project stations are not located within two miles of a public airport.				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	■
The project stations are not located within the vicinity of any private airstrips.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
The project will not interfere with any known emergency response or evacuation plan.				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	■	☐
The project stations are unmanned.				
VIII. HYDROLOGY AND WATER QUALITY - Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	■
The project will not violate any known water standard or discharge requirements.				

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	■

The project will not deplete groundwater or interfere with groundwater recharge.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	■

The project will not result in any substantial change in drainage patterns including alteration of stream courses leading to substantial erosion or siltation.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	■

The project will not result in any substantial change in drainage patterns including alteration of stream courses resulting in flooding.

e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	■

The project will not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems.

f. Otherwise substantially degrade water quality?	☐	☐	☐	■

The project will not substantially degrade water quality.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	■

No housing is associated with the project sites.

h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	■

Development of the project sites will not impede or redirect flood flows.

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	■
The project sites will not expose people or be exposed to significant actions resulting from flooding or failure of a levee or dam.				
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	■
The project sites will not be susceptible to a seiche, tsunami, or mudflow.				

IX. LAND USE AND PLANNING - Would the project:

a. Physically divide an established community?	☐	☐	☐	■
The project sites are on relatively small parcels and would not require the relocation of any streets or community service facilities or have any other effects that would disrupt or divide the physical arrangements of the communities.				
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	■	☐
The project stations have been considered consistent with general plans and zoning except for the Herald site where a conditional use permit was issued to allow the facility in the Ag-80 agricultural zone.				
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	☐	☐	☐	■
No approved plans conflict with any of the five project sites.				

MINERAL RESOURCES - Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
No valuable mineral resources are known to be located any of the project sites.				
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■
No important mineral resources are delineated in the general plans for any of the project sites.				

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
XI. NOISE - Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	■
The stations will be designed accordance with the conditional use permits or building permit requirements addressing required noise standards.				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	■
The project will not result in exposure to or generation of excessive vibration or noise levels.				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	■
No permanent increase in ambient noise levels will occur from the project.				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
Project construction will result in a temporary increase in ambient noise levels in the vicinity of the project during construction.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■
The project sites would not expose workers to excessiveairport noise levels; people will not reside at the stations.				
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■
The project sites are not located in the vicinity of private airstrips.				
XII. POPULATION AND HOUSING - Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	■

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ■

The project stations will not displace any people.

XIII. PUBLIC SERVICES

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

Police protection? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

Schools? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

Parks? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

Other public facilities? ☐ ☐ ☐ ■

The project stations are unmanned facilities. No population would be added to site environs or region by project implementation.

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
XIV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■
The project stations are unmanned and would not increase the use of nearby recreational facilities.				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■
The project stations does not include any construction or expansion of recreational facilities.				
XV. TRANSPORTATION/TRAFFIC - Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	■	☐
Construction traffic will increase adjacent access roads temporarily during installation of each station.				
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	■
The projects sites will be unmanned and will not exceed and level of service standard.				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	■
The project sites will have not effect on air traffic patterns.				
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact

The project sites would not conflict with any design features found on existing thoroughfares, and since the sites are unmanned, no incompatible effects hazardous to existing conditions should occur..

e. Result in inadequate emergency access? ☐ ☐ ☐ ■

Emergency access and access to nearby uses would be maintained during project construction and during project operation at all sites.

f. Result in inadequate parking capacity? ☐ ☐ ☐ ■

Sufficient parking and staging area would be provided on-site for all construction activities and project operation. No off site parking would be required.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ☐ ☐ ☐ ■

The project would be an unmanned facility and therefore would not create a need for alternative transportation. The station sites would not conflict with known transportation polices, plans or programs.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☐ ■

The projects sites have no requirements for wastewater treatment.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ■

The projects sites will be unmanned and have no requirements for new facilities or expansion of existing facilities.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ■

The projects sites have no requirements for new facilities or expansion of existing facilities.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ☐ ☐ ☐ ■

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
The projects sites will be unmanned and have no water supply requirements.				
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	☐	☐	☐	■
The projects sites will be unmanned and have no wastewater requirements.				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?	☐	☐	☐	■
The project sites will be unmanned and have no solid waste disposal needs.				
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■
The project sites will be unmanned and have no solid waste disposal needs.				

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	■
The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife specie, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory.				
b. Does the project have impacts that are individually limited, but cumulatively considerable? (Acumulatively considerable") means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	■	☐

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	No Impact
Development of the proposed project sites would contribute to cumulative impacts in the local communities, but these impacts would not be cumulatively considerable when viewed in connection with other past, current, and future projects in each community				
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	■

The project will cause no adverse effects to human beings.

Supporting Information Sources:

Herald Site

Jones & Stokes, 2000. FCC Checklist and Report, Williams Communications, Inc. Herald Regenerator Facility Site.

County of Sacramento, 2001. Initial Study and Negative Declaration, Herald Fiber Optics Site Use permit and Variance.

County of Sacramento, 2001. Conditional Use Permit, Herald Fiber Optics Site.

California Department of Fish and Game, 2001. California Natural Diversity Database (CNDDB), May.

Tulare Site

Jones & Stokes, 2000. FCC Checklist and Report, Williams Communications, Inc. Tulare Regenerator Facility Site.

City of Tulare, 2000. §15332 Exemption, Resolution No. 3078.

City of Tulare, 2000. Conditional Use Permit, Tulare Fiber Optics Site.

EDAW, Inc. 2001. Resource Field Review for Tulare Regenerator Site. May.

EDAW, Inc. 2001. Project file review, Tulare Planning Department, Tulare Regenerator Site. May.

EDAW, Inc. 2001. Personal communication with Mark Kielty, Senior Planner, City of Tulare, May.

California Department of Fish and Game, 2001. California Natural Diversity Database (CNDDB), May.

Palmdale Site

Jones & Stokes, 2000. FCC Checklist and Report, Williams Communications, Inc. Palmdale Regenerator Facility Site.

City of Palmdale, 2000. Initial Study and Negative Declaration, Palmdale Fiber Optic Regenerator Facility.

City of Palmdale, 2000. Conditional Use Permit, Tulare Fiber Optics Site.

California Department of Fish and Game, 2001. California Natural Diversity Database (CNDDB), May.

Claremont Site

Jones & Stokes, 2000. FCC Checklist and Report, Williams Communications, Inc. Claremont Regenerator Facility Site.

City of Claremont, 2000. Claremont Planning Commission, §15303.C Exemption. December.

City of Claremont, 2000. Conditional Use Permit, Claremont Fiber Optics Site. December.

EDAW, Inc. 2001. Resource Field Review for Claremont Regenerator Site. May.

EDAW, Inc. 2001. Project file review, Claremont Planning Department, Claremont Regenerator Site. May.

EDAW, Inc. 2001. Personal communication with Chris Veirs, Assistant Planner, City of Claremont, May.

California Department of Fish and Game, 2001. California Natural Diversity Database (CNDDB), May.

Ontario Site

Jones & Stokes, 2001. Checklist , Williams Communications, Inc. Ontario Regenerator Facility Site.

EDAW, Inc. 2001. Personal communication with Luis Batres, City of Ontario Planning Department, July.

LIST OF PROJECT AND ENVIRONMENTAL DESIGN CONSIDERATIONS

1. AESTHETICS

The stations would be located on each parcel as required by the local jurisdiction and conditional use permits to help blend into the surroundings. Specific building designs and perimeter walls will be installed as required by the conditional use permit issued by the local agency.

2. AGRICULTURAL RESOURCES

Each project conforms to the existing zoning except for the Herald Site, which has now conformed through issuance of the Sacramento County Conditional Use Permit.

3. AIR QUALITY

Dust suppression measures would be used during project construction to minimize particulate emissions. No other design considerations or mitigation measures would be required.

4. BIOLOGICAL RESOURCES

Except for the Ontario Site, which is in an existing building, the four remaining sites were survey by Jones and Stokes Associates, Inc. for biological resources. No biological issues were found.

5. CULTURAL RESOURCES

Cultural resource surveys were performed on each site and no significant archaeological or historical resources were discovered. If unanticipated cultural resource finds are discovered to exist on a site, construction must be halted and a cultural resource specialist will determine a course of action (i.e. data recovery) to reduce potential impacts to a level less than significant.

6. GEOLOGY AND SOILS

Each regeneration station would be constructed in conformance with the Uniform Building Code and each county/city standards to avoid erosion and seismic concerns.

7. HAZARDS AND HAZARDOUS MATERIALS

Hazardous material use on each site during construction would be in conformance with all federal, state, and local regulations. Clearing, grading and rocking of the each station site will help reduce any fire hazard from project operation.

8. HYDROLOGY

None required.

9. LAND USE PLANNING

To avoid potential conflicts with surrounding land uses, community character, and aesthetics (see #1), each site is designed with low facility heights, setbacks from property lines, and in most cases perimeter walls. All project sites are conformance with existing land use plans and zoning.

10. MINERAL RESOURCES

None required.

11. NOISE

Construction noise will be limited to daylight hours and would not exceed County Noise Ordinance standards. The stations will be designed to operate in accordance with the noise standard conditions provided in the conditional use permits or building permits.

12. POPULATION AND HOUSING

None required.

13. PUBLIC SERVICES

None required.

14. RECREATION

None required.

15. TRANSPORTATION/TRAFFIC

To avoid potential conflicts with construction activities, existing street traffic will be directed by flagmen and the posting of warning signs. Once each site perimeter has been established, all construction activities will occur inside the site boundaries, away from existing traffic.

16. UTILITIES AND SERVICE SYSTEMS

None required.

17. MANDATORY FINDINGS OF SIGNIFICANCE

None required.

PROJECT LOCATION MAPS
(See CPUC Formal Files for Proj. Loc. Maps)