MINUTE ITEM
This Calendar Item No. C20
was approved as Minute Item
No. C20 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-90
meeting.

CALENDAR ITEM

A 80

S 37

C 20 PRC 7428 08/22/90
W 24438
Dugal

RIGHT-OF-WAY LEASE

APPLICANT: American Telephone and Telegraph Company (AT&T)
4430 Rosewood Drive, #3686
P. O. Box 9084
Pleasanton, California 94566-9083

AREA, TYPE LAND AND LOCATION:
Five strips of State school land, totalling 9.8± acres, which is approximately 4.38 miles in length, 20 feet wide, plus a temporary construction right-of-way of ten feet on each side, near Salton City, Imperial County.

LAND USE: Installation and maintenance of a fiber optic communication cable.

TERMS OF PROPOSED LEASE:
Initial period: Thirty (30) years beginning August 1, 1990.

Public liability insurance: Combined single limit coverage of $1,000,000.

CONSIDERATION: $500 per annum, payable five years in advance and shall be due every five years for the remainder of the lease term; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

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CALENDAR ITEM NO. C 20 (CONT'D)

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:
Filing fee and the first five years' rent have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 12/13/90.

OTHER PERTINENT INFORMATION:
1. AT&T's proposed buried fiber optic communication cable will provide connectivity and growth capacity from the Imperial County area to the rest of AT&T's network. This is needed for both existing and future AT&T clients.

The proposed cable route is primarily located within or adjacent to existing public road and transmission right-of-ways. The right-of-way will cross five strips of State school land totalling 9.8± acres or 4.38 miles in length. There will be no repeater stations located on State land.

2. A Negative Declaration was prepared and adopted for this project by Imperial County. The State Lands Commission's staff has reviewed such document.

APPROVALS OBTAINED:
County of Imperial and Bureau of Land Management.

EXHIBITS:
A. Land Description.
B. Location Map.
C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1 FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY IMPERIAL COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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CALENDAR ITEM NO. C 2 0 (CONT'D)

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. AUTHORIZE ISSUANCE TO AT&T OF A 30-YEAR RIGHT-OF-WAY LEASE, BEGINNING AUGUST 1, 1990; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $500, PAYABLE FIVE YEARS IN ADVANCE AND SHALL BE DUE EVERY FIVE YEARS FOR THE REMAINDER OF THE LEASE TERM, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

W 24438

Five (5) strips of State owned school lands in Imperial County, California, said strips being 20 feet wide, the centerline of said strips lying immediately beneath the fiber optic cable within the following described parcels:

PARCEL 1

The S 1/2 of the NW 1/4, the N 1/2 of the SW 1/4, and the SE 1/4 of Section 28, T10S, R9E, SBM.

PARCEL 2

The N 1/2 of Lot 1 of the NW 1/4, the N 1/2 of Lot 2 of the NW 1/4, and the N 1/2 of the NE 1/4 of Section 30, T10S, R9E, SBM.

PARCEL 3

The N 1/2 of the NE 1/4 of Section 34,T10S, R9E, SBM.

SUBJECT TO: PRC 3752.2, Road R/W lease to Imperial County and PRC 6837.2, geothermal lease to Union Oil Co. of California.

PARCEL 4

Lot 2 of the NE 1/4 and the E 1/2 of Lot 1 of the NE 1/4 of Section 4, T11S, R10E, SBM.

SUBJECT TO: PRC 6837.2, Geothermal lease to Union Oil Co. of California.

PARCEL 5

The W 1/2 of the NE 1/4, the E 1/2 of the NW 1/4, and the SE 1/4 of Section 10, T11S, R10E, SBM.

SUBJECT TO: PRC 6837.2, Geothermal lease to Union Oil Co. of California.

END OF DESCRIPTION

PREPARED OCTOBER 24, 1989 BY BIU 1.

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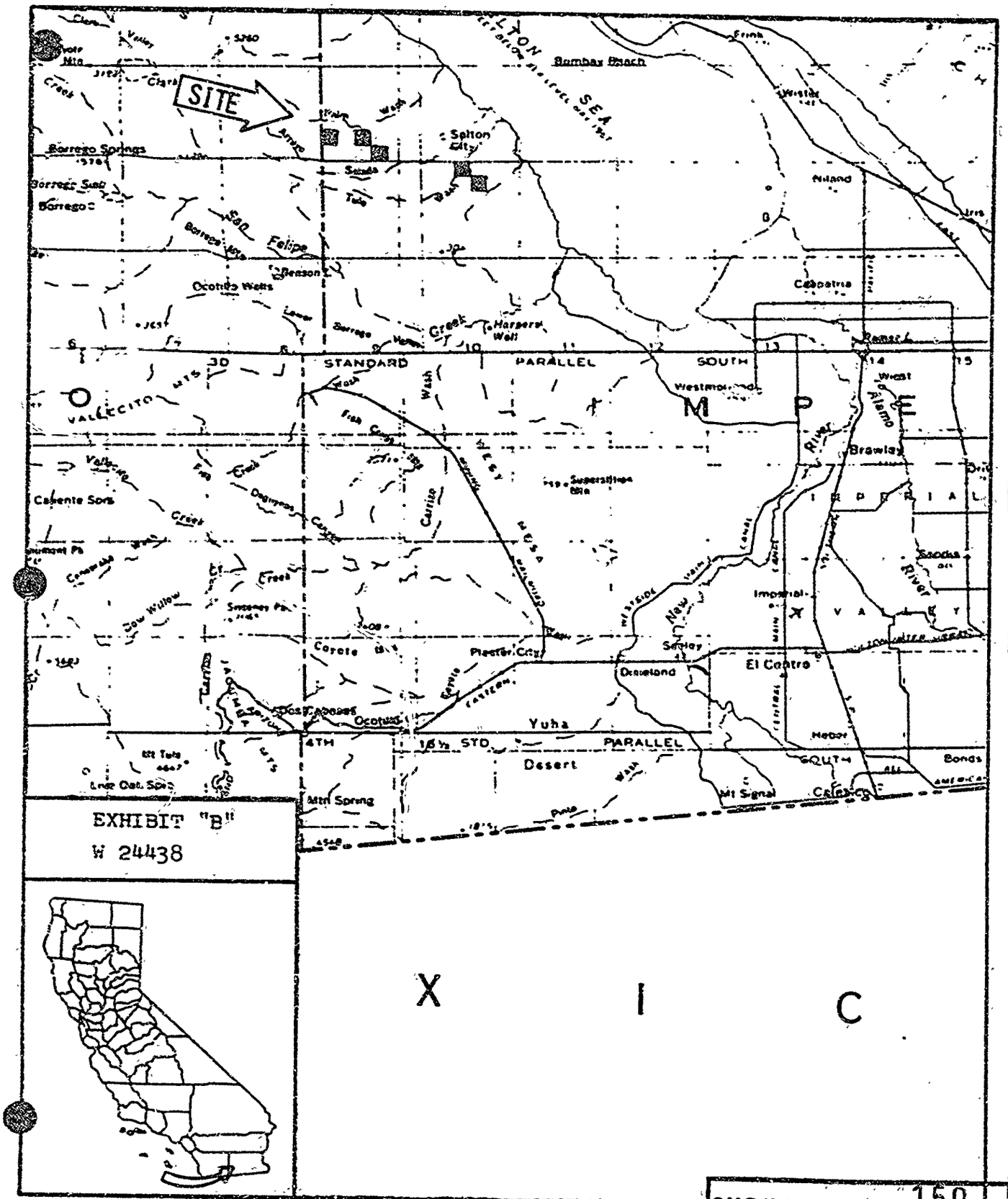

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Notice of Determination

Appendix H

EXHIBIT C

To: ___ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

XX County Clerk
County of Imperial
939 Main Street
El Centro, CA 92243

From: (Public Agency) Imperial
939 Main Street
(Address)
El Centro, CA 92243

JUN 13 1990
POSTED
JOHN W. KENNERSON
County Clerk
Imperial County,
California

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

American Telephone & Telegraph (AT & T) — Conditional Use Permit #903-90
Project Title

N/A	Nancy Blackburn	(619) 339-4236
State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

Project Location (include county): 5 West Keystone, 65.2 mile route originating at approx. State Route 22 and the San Diego County Line, traversing Imperial County Southeasterly to the City of Calexico.

Project Description:

Construction, operation and maintenance of a buried fiber optic communication cable and associated facilities, including two (2) regenerator stations.

This is to advise that the Imperial County Planning Commission has approved the above described project on June 13, 1990 (Date) and has made the following determinations regarding the above described project:

(☒ Lead Agency ☐ Responsible Agency)

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
5. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Signature (Public Agency)	June 20, 1990	Planning Director
	Date	*Title*

Date received for filing at OPR:

JUN 1990
FILED
JOHN W. KENNERSON
County Clerk
Imperial County,
California

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PROJECT REPORT

TO THE E.E.C.–Initial Study I.S.# 3047-9

DATE: April 12, 1990 TIME: 9:00 a.m. AGENDA NO:

APPLICANTS NAME: American Telephone & Telegraph SUPERVISOR D. 3

OWNERS NAME: Variety/Holly Sugar Corporation

PROJECT TYPE: Placement of Fiber Optic Facilities, CUP #903-90

PROJECT ADDRESS: Through Imperial County

GEN. LOCATION: 65 mile route

LEGAL DESCRIPTION: N/A

ASSESS. PAR. NO.: 040330050l PARCEL SIZE: N/A

EXISTING ZONE: N/A ADJ ZONING: N/A

GENERAL PLAN: X CONSISTENT INCONSISTENT MAY BE/FINDINGS

COMMENTS FROM:

PUBLIC WORKS	None in file
E.H.S./HEALTH	None in file
A.G./A.P.C.D.	None in file
FIRE/O.E.S.	None in file
COUNSEL	None in file
OTHER	In file regarding easement

PROTEST REC. YES NO NUMBER

E.E.C. DECISION DATE April 12, 1990 I.S. NUMBER 3047-90

NEG. DEC. E.I.R. OTHER N.A.

COMMISSION DEC. APPROVED DENIED DATE

STAFF RECOMMENDATION:

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JURG HEUBERGER
PLANNING DIRECTOR

FILE I.D. ATT&T

IMPERIAL COUNTY
Planning Department

American Telephone & Telegraph Company (ATT&T) have submitted an application to the County for Conditional Use Permit #903-90, for a re-generator station to be located on a piece of property owned by Holly Sugar Corporation, south of Keystone on the east side of State Highway 86. This Initial Study is for the overall ATT&T Fiber Optic Cable Project consisting of construction, operation and maintenance of a buried fiber optic communication cable and associated facilities, including two regeneration stations, one at the Holly Sugar site and a second in the City of Calexico. The fiber optic cable is .5 inch in diameter and could be directly buried in most location, at a depth of 36 inches to 48 inches or as deemed appropriate.

The proposed route is 65.2 miles originating at the ATT&T tower site (Salton Microwave Station), just west of the Imperial County line in San Diego County at the approximate intersection of State Route 22. The Route traverses Imperial County southeasterly and ends in the City of Calexico.

ATT&T has had ENSR Consulting and Engineering prepare an Environmental Assessment/Initial Study and has submitted this document as the project description and analysis. The County of Imperial in conjunction with the BLM is acting as the Lead Agency for the CEQA review of this project.

NB/sm/jf/P67/ATTTDESC

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ENVIRONMENTAL IMPACT ANALYSIS:

	YES	MAYBE	NO
1. Earth - Will the proposal result in:			
a. Change in topography or ground surface relief features?		X	
b. Unstable earth conditions or changes in geologic substructures?			X
c. The destruction, covering or modification of any unique geologic or physical features?		X	
d. Exposure of people or property to geologic hazards such earthquakes, landslides, mudslides, ground failure, or similar hazards?			X
e. Disruptions, displacements, compaction, or overcovering of the soil?	X		
f. Any increase in wind or water erosion of soils, either on or off the site?			X
g. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?			X
2. Air: Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?		X	
b. The creation of objectionable odors?			X
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?			X
3. Water: Will the proposal result in:			
a. Alteration of the direction or rate of flow of ground waters?		X	
b. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?		X	
c. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?			X
d. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?		X	
e. Alterations to the course or flow of flood waters?			X
f. Change in the amount of surface water in any water body?			X
g. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?		X	
h. Substantial reduction in the amount of water otherwise available for public water supplies?			X
i. Exposure of people or property to water related hazards such as flooding or tidal waves?			X
4. Plant Life: Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?			X
b. Reduction of the numbers of any unique, rare, or endangered species of plants?			X
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?			X
d. Reduction in acreage of any agricultural crop?			X
e. Alteration in the type of crops grown on adjacent land?			X
f. Limiting or eliminating certain agricultural operations or cultural practices on adjoining land?			X
5. Animal Life: Will the proposal result in:			
a. Change in the diversity of species, or number of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?			X
b. Reduction of the numbers of any unique, rare or endangered species of animals?		X	
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?			X
d. Deterioration to existing fish or wildlife habitat?		X	
6. Noise: Will the proposal result in:			
a. Increases in existing noise levels?	X		
b. Exposure of people to severe noise levels?		X	
7. Light & Glare: Will the proposal produce new light or glare?			X
8. Land Use: Will the proposal result in a substantial alteration of the present or planned land use of an area?			X

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		YES	MAYBE	NO
9.	Natural Resources: Will the proposal result in an increase in the rate or use of any natural resources?			X
10.	Risk of Upset: Will the proposal involve:			
	a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?			X
	b. Possible interference with an emergency response plan or an emergency evacuation plan?			X
11.	Population: Will the proposal alter the location, distribution, density or growth rate of the human population of an area?			X
12.	Housing: Will the proposal affect existing housing or create a demand for additional housing?			X
13.	Transportation/Circulation: Will the proposal result in:			
	a. Generation of substantial additional vehicular movement?			X
	b. Effects on existing parking facilities, or demand for new parking?			X
	c. Substantial impact upon existing transportation systems?			X
	d. Alterations to present patterns of circulation or movement of people and/or goods?			X
	e. Alterations to waterborne, rail or air traffic?			X
	f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? temporarily		X	
14.	Public Services: Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
	a. Fire protection?			X
	b. Police protection?			X
	c. Schools?			X
	d. Parks or other recreational facilities?			X
	e. Maintenance of public facilities, including roads?		X	
	f. Other governmental services?			X
15.	Energy: Will the proposal result in:			
	a. Use of substantial amounts of fuel or energy?			X
	b. Substantial increase in demand on existing sources of energy, or require the development of new sources of energy?			X
16.	Utilities: Will the proposal result in a need for new systems or substantial alterations to any of the following?			
	a. Power or natural gas?		X	
	b. Communications systems?	X		
	c. Water?			X
	d. Sewer or septic tanks?			X
	e. Storm water drainage?			X
	f. Solid waste and disposal?			X
17.	Human Health: Will the proposal result in:			
	a. Creation of any health hazard or potential health hazard (excluding mental health)?			X
	b. Exposure of people to potential health hazards?			X
18.	Aesthetics: Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?			X
19.	Recreation: Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?			X

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20. Cultural Resources: Will the proposal result in:

	YES	MAYBE	NO
a. Alteration of or destruction of a significant archaeological, prehistorical or historical site, structure, object or building?			X
b. An alteration of, or destruction of, a significant paleontological site?			X
c. Physical change which would affect unique ethnic cultural values?			X
d. Restrict existing religious or sacred uses within the potential impact area?			X

21. MANDATORY FINDINGS OF SIGNIFICANCE:

	YES	MAYBE	NO
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?			X
b. DOES THE PROJECT HAVE THE POTENTIAL TO ACHIEVE SHORT-TERM, TO THE DISADVANTAGE OF LONG-TERM, ENVIRONMENTAL GOALS? (A SHORT-TERM IMPACT ON THE ENVIRONMENT IS ONE WHICH OCCURS IN A RELATIVELY BRIEF DEFINITIVE PERIOD OF TIME WHILE LONG-TERM IMPACTS WILL ENDURE WELL INTO THE FUTURE).			X
c. DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (A PROJECT MAY IMPACT TWO OR MORE SEPARATE RESOURCES, BUT THE IMPACT ON EACH RESOURCE IS RELATIVELY SMALL, BUT WHERE THE EFFECT OF THE TOTAL OF THOSE IMPACTS ON THE ENVIRONMENT IS SIGNIFICANT).			X
d. DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?			X

(DISCUSSION OF ENVIRONMENTAL EVALUATION, i.e. explanations of answers marked "yes" or "maybe" is attached hereto:)

E.E.C. DETERMINATION

(To be completed by the Environmental Evaluation Committee on the basis of the results found in the Initial Study.)

_____ After Review of the Initial Study, the Environmental Evaluation Committee has:

_____ Found that the activity is within the scope of a previously-approved CEDA document, and that no new environmental document is required.

X Found the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION WILL BE PREPARED.

_____ Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

_____ Found the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 4/12/90

[signature]
[illegible]
Planning Director/EEC Chairman

VOTE:

Y	N	
X		Public Works
X		EDA
X		GES
X		APCD
X		Planning

ecefors.doc/(Revised 6/89)

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STATE OF CALIFORNIA—OFFICE OF THE GOVERNOR

GEORGE DEUKMEJIAN, Governor

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814

RECEIVED
JUN 04 1990
IMPERIAL COUNTY
BUILDING DIVISION

May 30, 1990

Nancy Blackburn
Imperial County Plng. Dept.
939 Main Street
El Centro, CA 92243

Subject: AT & T, SCH# 90010421

Dear Ms. Blackburn:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Barbara Ceran at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

David C. Nunenkamp
Deputy Director, Permit Assistance

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