

**MINUTE ITEM**

This Calendar Item No. C26  
was approved as Minute Item  
No. 26 by the State Lands  
Commission by a vote of 3  
to 0 at its 8/3/94  
meeting.

**CALENDAR ITEM**

**C26**

S 14, 18

08/03/94  
WP 7603 PRC 7603  
J. SMITH

**AMENDMENT OF GENERAL PERMIT - RIGHT-OF-WAY USE**

**APPLICANT:**

American Telephone and Telegraph Company  
340 Kimble Avenue, Room 210  
Morristown, New Jersey 07960-1995

**LAND USE:**

Installation, operation and maintenance of a fiber optic  
cable for telecommunication signals.

**ORIGINAL PERMIT TERMS:**

Area, Type Land And Location:

A 30± acre parcel of tide and submerged land in the Pacific  
Ocean at Los Osos, San Luis Obispo County.

**Initial Period:**

Continuous use, plus one (1) year, beginning  
January 10, 1992.

**Consideration:**

Exempt, pursuant to Section 7901, Public Utilities Code  
per annum; five-year rent review.

**PROPOSED PERMIT TERMS:**

Area, Type Land and Location:

Three parcels of tide and submerged land comprising a  
total area of 82± acres, as described in Exhibit "A"  
attached.

**Period:**

Amended term to be continuous use, plus one (1) year,  
effective August 3, 1994.

All other terms and conditions of original permit remain in  
full force and effect.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Filing fee and processing costs 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.

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AB 884:

09/14/94

**OTHER PERTINENT INFORMATION:**

1. On January 8, 1992, the Commission authorized issuance of a General Permit - Right-of-Way Use (PRC 7603) to American Telephone and Telegraph Company (AT&T) for installation, operation and maintenance of a fiber optic cable, extending across a 30± acre parcel of tide and submerged land in the Pacific Ocean, as part of a long distance telephone system from San Luis Obispo County to Hawaii. The project involved the construction of four offshore directionally bored pipes. One pipe was to be utilized for the laying of cable at that time and the remaining three pipes were to facilitate future cable landings.
2. In October 1993, upon completion of the as-built plans, Commission staff was advised by AT&T's engineers that the project extended outside the authorized right-of-way. In addition, staff was advised that AT&T was now proposing to lay addition cables within the existing offshore bore pipes.
3. On December 21, 1993, AT&T submitted an application to amend their existing lease (PRC 7603) to accommodate the widening of the easement area and the laying of additional cable.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as ND 656, State Clearinghouse No. 94051054. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

Staff of the Commission received comments from the United States Department of the Interior, Minerals Management Service, the California Department of Fish and Game, San Luis Obispo County Air Pollution Control District (APCD) and the California Coastal Commission. In response to the APCD concerns, two additional mitigation measures were developed and have been incorporated into the project description (Exhibit "D"). Commission staff then prepared a

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revised Mitigation Monitoring and Reporting Plan which includes the additional project modifications, attached hereto as Exhibit "F". Commission staff has also responded to the Coastal Commission's concerns and has been advised that the Commission staff recommendations, as proposed, are acceptable.

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
6. A Mitigation Monitoring Plan has been prepared in conformance with the provisions of the CEQA. (Section 21081.6, P.R.C.)
7. Both San Luis Obispo County and the State Department of Parks and Recreation have advised AT&T that this new project is authorized under existing permits. The California Regional Water Quality Control Board has advised AT&T that the project does not require a water quality certification.

**APPROVALS OBTAINED:**

San Luis Obispo County, State Department of Parks and Recreation.

**FURTHER APPROVALS REQUIRED:**

State Lands Commission; U.S. Army Corps of Engineers, California Coastal Commission.

**EXHIBITS:**

- A. Land Description
- B. Location and Site Map
- C. ND 656
- D. Additional Mitigation Measures
- E. Mitigation Monitoring and Reporting Plan

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, ND 656, STATE CLEARINGHOUSE NO. 94051054, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN AND THE COMMENTS RECEIVED IN RESPONSE THERETO.
2. ADOPT THE ADDITIONAL MITIGATION MEASURES, ATTACHED HERETO AS EXHIBIT "D".
3. ADOPT THE PROPOSED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS REVISED AND APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. ADOPT THE REVISED MITIGATION MONITORING AND REPORTING PLAN, ATTACHED HERETO AS EXHIBIT "E".
5. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
6. AUTHORIZE ISSUANCE TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF AN AMENDMENT EFFECTIVE AUGUST 3, 1994, OF A CONTINUOUS USE, PLUS ONE (1) YEAR GENERAL PERMIT - RIGHT-OF-WAY USE (PRC 7603); PURSUANT TO THE PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODE; TO ACCOMMODATE WIDENING OF EASEMENT AREA AND THE LAYING OF ADDITIONAL CABLE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS OF ORIGINAL PERMIT REMAIN IN FULL FORCE AND EFFECT.

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LAND DESCRIPTION

PARCEL A

A strip of tide and submerged land located in the Pacific Ocean, south of Morro Bay, San Luis Obispo County, California.

Said strip of land is 520 feet in width, 235 feet northerly and 285 feet southerly of the following described line: Commencing at the U.S.G.S. Triangulation Station "ZARD" at 2307478.415N, 5703608.744E; thence N71°35'11"E, 1124.32' to the Sandspit Beach Manhole at 2307833.56N, 5704675.50E; thence N68°56'15"W to a point on the mean high water mark of the Pacific Ocean said point being the POINT OF BEGINNING; thence continuing N68°56'15"W, 2,790'+/- to a point at 2309380N, 5700660E, being the end of the herein described line, said point being the end of bore pipe #2.

PARCEL B

A strip of submerged land located in the Pacific Ocean, south of Morro Bay, San Luis Obispo County, California.

Said strip of land is 50 feet in width, 25 feet each side of the following described centerline: Commencing at the end of bore pipe #2, described in Parcel A above, being the POINT OF BEGINNING; thence N57°43'28"W, 225' to a point at 2309500N, 5700470E; thence N37°34'07"W, 164' to a point at 2309630N, 5700370E; thence N51°37'57"W, 306' to a point at 2309820N, 5700130E; thence N59° 2'10"W, 117' to a point at 2309880N, 5700030E; thence N37°34' 7"W, 164' to a point at 2310010N, 5699930E; thence N37°52'30"W, 228' to a point at 2310190N, 5699790E; thence N45° 0' 0"W, 269' to a point at 2310380N, 5699600E; thence N59° 2'10"W, 117' to a point at 2310440N, 5699500E; thence N49° 5'08"W, 198' to a point at 2310570N, 5699350E; thence N36°52'12"W, 150' to a point at 2310690N, 5699260E; thence N21° 2'15"W, 139' to a point at 2310820N, 5699210E; thence N59° 2'10"W, 117' to a point at 2310880N, 5699110E; thence N37°52'30"W, 228' to a point at 2311060N, 5698970E; thence N 0° 0' 0"W, 70' to a point at 2311130N, 5698970E; thence N90° 0' 0"W, 50' to a point at 2311130N, 5698920E; thence N 0° 0' 0"W, 120' to a point at 2311250N, 5698920E; thence S39°48'20"W, 78' to a point at 2311190N, 5698870E; thence N90° 0' 0"W, 50' to a point at 2311190N, 5698820E; thence N47° 7'16"W, 191' to a point at 2311320N, 5698680E; thence N59° 2'10"W, 233' to a point at 2311440N, 5698480E; thence N35°32'16"W, 86' to a point at 2311510N, 5698430E; thence N36°52'12"W, 150' to a point at 2311630N, 5698340E; thence N68°11'55"W, 162' to a point at 2311690N, 5698190E; thence N65°54'27"W, 7153' to a point at 2314610N, 5691660E; thence N77°11'24"W to a point on the offshore ownership boundary of the State of California and the end of the herein described centerline.

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PARCEL C

A strip of submerged land located in the Pacific Ocean, south of Morro Bay, San Luis Obispo County, California.

Said strip of land is 50 feet in width, 25 feet each side of the following described centerline: Commencing at "ZARD" described in Parcel A above; thence N61°20'31"W, 3360' to a point at 2309090N, 5700660E, said point being the end of bore pipe #1 and the POINT OF BEGINNING; thence N89°40'13"W to a point on the offshore ownership boundary of the State of California and the end of the herein described centerline.

PARCEL D

A strip of submerged land located in the Pacific Ocean, south of Morro Bay, San Luis Obispo County, California.

Said strip of land is 50 feet in width, 25 feet each side of the following described centerline: Commencing at "ZARD" described in Parcel A above; thence N52°59'41"W, 3392' to a point at 2309520N, 5700900E, said point being the end of bore pipe #4 and the POINT OF BEGINNING; thence N43°27'27"W, 11558' to a point at 2317910N, 5692950E, thence N42°51'41"W, 1705' to a point at 2319160N, 5691790E, thence N47°38'33"W, to a point on the offshore ownership boundary of the State of California and the end of the herein described centerline.

This description is based on the California State Plane Coordinate System, Zone 5, North American Datum of 1983. Coordinates and distances are given in U.S. survey feet.

END OF DESCRIPTION

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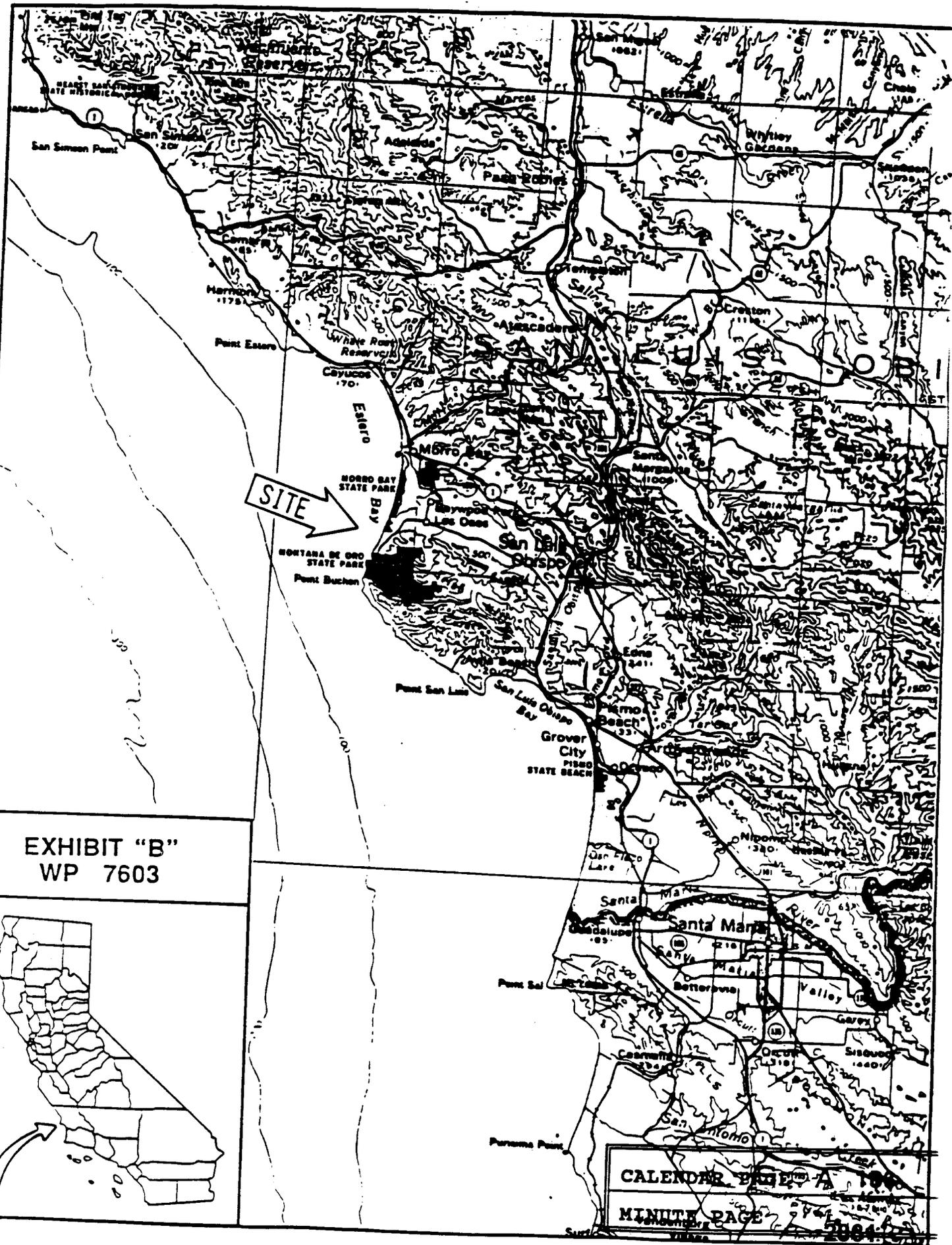


EXHIBIT "B"  
WP 7603



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**Proposed Negative Declaration  
for the  
Installation of AT&T TPC-5  
Submarine Cables  
on the Continental Shelf  
Offshore San Luis Obispo County,  
California**

**SCH No. 94051054**

**May 1994**

*Prepared for*

California State Lands Commission  
Division of Environmental Planning and Management  
Staff Contact: Judy Brown  
(916) 324-4715

*Prepared by*

Science Applications International Corporation  
816 State Street, Suite 500  
Santa Barbara, CA 93101

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**Proposed Negative Declaration  
for the Installation of AT&T TPC-5  
Submarine Cables on the Continental Shelf  
Offshore San Luis Obispo County, California**

**State Clearing House #94051054**

**May 1994**

**Prepared for**

**California State Lands Commission  
Division of Environmental Planning and Management  
1807 13th Street  
Sacramento, CA 95814  
Staff Contact: Judy Brown  
(916) 324-4715**

**Prepared by**

**Science Applications International Corporation  
Environmental Programs Division  
816 State Street, Suite 500  
Santa Barbara, California 93101**

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**STATE LANDS COMMISSION**

LEO T. McCARTHY, *Leutenant Governor*  
GRAY DAVIS, *Controller*  
RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, CA 95834  
ROBERT C. NIGHT  
Executive Officer

**PROPOSED NEGATIVE DECLARATION**

File: PRC 7603

ND 656

SCH No. 94051054

Project Title: A T & T TPC-5 Fiber Optic Cable Project  
Project Proponent: A T & T  
Project Location: Montana de Oro State Park, San Luis Obispo County  
Project Description: Installation of two new telecommunications lightguide systems servicing both Hawaii and Oregon.  
Contact Person: Judy Brown Telephone: (916) 324-4715

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

Based upon the attached Initial Study, it has been found that:

that project will not have a significant effect on the environment.

mitigation measures included in the project will avoid potentially significant effects.

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**Environmental Impact Assessment Checklist**

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

PRC 7603

File Ref.:

ND 656  
SCH No. 9401

I. BACKGROUND INFORMATION

- A. Applicant: AT&T  
340 Kimble Avenue, Room 240  
Morristown, NJ 07960-1995
- B. Checklist Date: 05 / 04 / 94
- C. Contact Person: Judy Brown, Division of Environmental Planning and Management  
Telephone: ( 916 ) 324-4715
- D. Purpose: Installation of two new fiber optic cables (offshore) from  
San Luis Obispo County to Hawaii and Oregon, respectively.
- E. Location: Beginning at Montana de Oro State Park, both cable routes  
proceeding westerly to the edge of the continental shelf
- F. Description: See accompanying document for details.
- G. Persons Contacted: See listing at end of accompanying document

II ENVIRONMENTAL IMPACTS. (Explain all "yes" and "maybe" answers)

A Earth Will the proposal result in:	Yes	Maybe
1 Unstable earth conditions or changes in geologic substructures? .....	<input type="checkbox"/>	<input type="checkbox"/>
2 Disruptions, displacements, compaction, or overcovering of the soil? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Change in topography or ground surface relief features? .....	<input type="checkbox"/>	<input type="checkbox"/>
4 The destruction, covering, or modification of any unique geologic or physical features? .....	<input type="checkbox"/>	<input type="checkbox"/>
5 Any increase in wind or water erosion of soils, either on or off the site? .....	<input type="checkbox"/>	<input type="checkbox"/>
6 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 cove? .....	<input type="checkbox"/>	<input type="checkbox"/>
7 Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? .....	<input type="checkbox"/>	<input type="checkbox"/>

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B. *Air*. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. *Water*. Will the proposal result in:

- 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. *Plant Life*. Will the proposal result in:

- 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

E. *Animal Life*. Will the proposal result in:

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. *Noise*. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

G. *Light and Glare*. Will the proposal result in:

- 1. The production of new light or glare?

H. *Land Use*. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. *Natural Resources*. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

		Yes	Maybe	
<b>J. Risk of Upset.</b> Does the proposal result in:				
1.	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? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Possible interference with emergency response plan or an emergency evacuation plan? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>K. Population.</b> Will the proposal result in:				
1.	The alteration, distribution, density, or growth rate of the human population of the area? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>L. Housing.</b> Will the proposal result in:				
1.	Affecting existing housing, or create a demand for additional housing? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>M. Transportation/Circulation.</b> Will the proposal result in:				
1.	Generation of substantial additional vehicular movement? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Affecting existing parking facilities, or create a demand for new parking? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Substantial impact upon existing transportation systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Alterations to present patterns of circulation or movement of people and/or goods? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Alterations to waterborne, rail, or air traffic? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>N. Public Services.</b> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:				
1.	Fire protection? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Police protection? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Schools? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Parks and other recreational facilities? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Maintenance of public facilities, including roads? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Other governmental services? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>O. Energy.</b> Will the proposal result in:				
1.	Use of substantial amounts of fuel or energy? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Substantial increase in demand upon existing sources of energy, or require the development of new sources? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>P. Utilities.</b> Will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
1.	Power or natural gas? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Communication systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Water? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Sewer or septic tanks? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Storm water drainage? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.	Solid waste and disposal? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Q. Human Health.</b> Will the proposal result in:				
1.	Creation of any health hazard or potential health hazard (excluding mental health)? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Exposure of people to potential health hazards? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>R. Aesthetics.</b> Will the proposal result in:				
1.	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? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>S. Recreation.</b> Will the proposal result in:				
1.	An impact upon the quality or quantity of existing recreational opportunities? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?   X
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?   X
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?   X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?   X

Yes    No    Yes    No

**U. Mandatory Findings of Significance.**

1. Does the project have the potential to degrade the quality of the environment, 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
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?   X
3. Does the project have impacts which are individually limited, but cumulatively considerable?   X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?   X

Yes    No    Yes    No

**II. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)**

-SEE ATTACHED-

**V. PRELIMINARY DETERMINATION**

On the basis of this initial evaluation:

- I find 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 will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Date 05/16/94

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For the State Lands Department PAGE 2871

*James A. Brown*

**Supporting Documentation**

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## 1.0 INTRODUCTION

This document provides project information and analyzes in support of the Environmental Impact Assessment Checklist. It is intended to satisfy requirements of the California Environmental Quality Act (CEQA) and to inform state and federal permit decisions on the Phase II offshore portion of the AT&T TPC-5 Project. The State Lands Commission is the CEQA Lead Agency for this project.

This evaluation is focused on the potential environmental impacts of the project within State Tidelands, from 0 to 3 nautical miles (nmi) offshore. To facilitate consistency with the permitting requirements of the U.S. Army Corps of Engineers (USACE) under Section 10 of the Rivers and Harbors Act, and the California Coastal Commission (CCC) under the California Coastal Act, additional descriptive and analytical information is provided on the project beyond the 3 nmi limit, sufficient to address possible impacts *within* 3 nmi. Discussions with USACE and CCC representatives have confirmed their needs to consider possible impacts due to project activities beyond 3 nmi offshore. For these agencies' purposes, however, there is no specific requirement to extend the analysis a fixed distance beyond 3 nmi, e.g., 6 or 12 miles offshore (personal communications, S. Monowitz and T. Welch 1994).

AT&T's TPC-5 Project is a two-phase project, with Phase I including onshore activities and use of facilities (parking/staging area, cable conduits) previously constructed for the AT&T HAW-5 Project. Phase I onshore activities have been reviewed and permitted by San Luis Obispo County and the California Department of Parks and Recreation as being within the scope of the previous HAW-5 environmental review and permits (personal communication, D. Sears 1994; Appendix B, Appendix D). Brief description of Phase I onshore activities, which are being completed during the spring of 1994 (personal communication, B. Brungardt 1994) is provided below.

Relevant baseline information and many applicable details on project construction are contained within the County of San Luis Obispo's Negative Declaration for the previous HAW-5 Project (Morro Group 1991 [Document Nos. D900132D, ED90-848, SCH #91091070]). In preparing this evaluation, extensive use has been made of that document, of additional applicant-supplied information, other environmental documents, especially the San Miguel Project Final EIS/EIR (URS 1987 [SCH #85042406]), and interviews as noted below.

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## 2.0 PROJECT DESCRIPTION

### 2.1 OVERVIEW AND TENTATIVE SCHEDULE

AT&T proposes to install two new telecommunications lightguide systems servicing both Hawaii and Oregon that will terminate at AT&T's San Luis Obispo junction (Figure 1). This project, designated TPC-5, includes two phases. Phase I involves pulling two sets of power and fiber optic cables into an existing 10.5-mile overland conduit system that extends from the San Luis Obispo junction to the Sandspit Beach parking area in Montaña de Oro State Park. Phase I has been reviewed and permitted by the County of San Luis Obispo and California Department of Parks and Recreation, and is being completed during the spring of 1994 (Appendix B; Appendix D). For the remainder of this document, the focus is on Phase II of the TPC-5 Project; all discussion of "the project" refers to Phase II.

During Phase II, each of two armored fiber optic cables will be pulled from a cable ship into the existing bore pipes - located 4 feet beneath the sea bottom approximately 0.5 nmi offshore - and conduit to the manhole at the parking area (Figure 2). Subsequently, the cable ship will proceed seaward, laying/burying each cable on the ocean floor along the prescribed routes (Figure 3) to the edge of the continental shelf at depths of 1,400 m (765 fm), 40-50 nmi offshore, where the cables would be buoyed for later recovery and direct bottom laying to Hawaii.

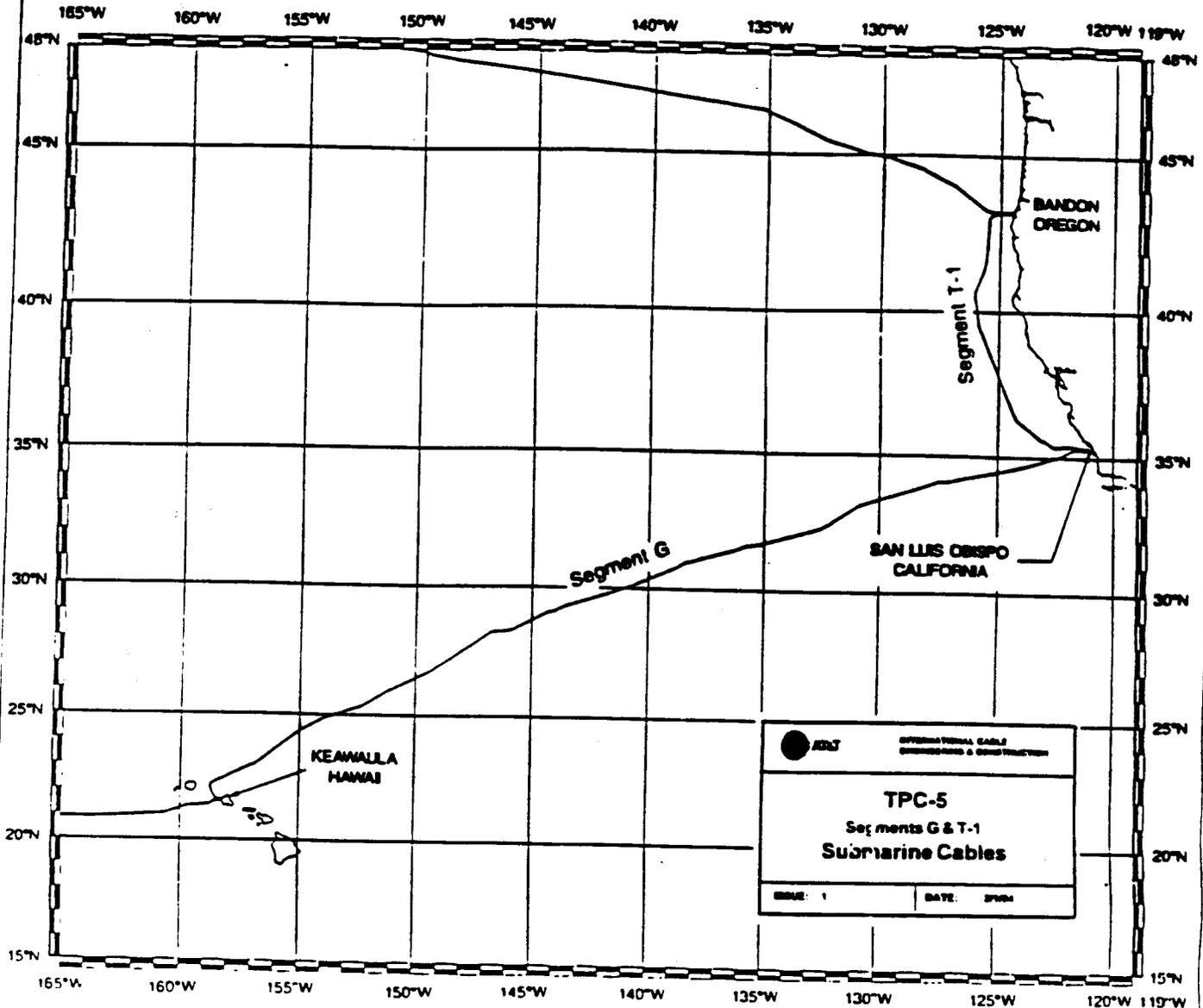
Project construction will take approximately 1 month to complete and is scheduled to occur between September 1 and November 30, 1994, depending on receipt of all permits, AT&T's selection of the near-shore and shore-end contractor and final scheduling decisions by AT&T. Offshore activities would be preceded by onshore cable pulling and splicing as described below. The two cable segments, T1 (to Bandon, Oregon) and G (to Keawaula, Hawaii), will be installed sequentially, using the same procedures. Upon arrival, the cable ship will anchor at the offshore bore pipe exit for 2-3 days while cable pulling and splicing take place. The subsequent cable laying/burying operation is expected to traverse State Tidelands in approximately 1 day, and to require 1-2 weeks to complete cable installation out to the 1,400m isobath. The ship will then return to the bore exit and install the second cable.

Further detail on each aspect of the project is provided below.

### 2.2 CABLE DESIGN AND ROUTE DESCRIPTIONS

The cables are armored depending upon depth and the need for protection from damage. Cable armoring provides strength to ensure against breakage from any foreseeable causes, such as commercial fishing, and burial in such areas further minimizes the potential for damage to fishing gear. AT&T has coordinated route alignments and installation procedures with Morro Bay fishermen to lessen potential conflicts where feasible (personal communications, J. Giannini and G. Perek 1994). Cable alignments are published on nautical charts. AT&T requests, but cannot require, avoidance of fishing near the cables. Cable owners are required under international law to pay compensation for any gear sacrificed to avoid injuring a submarine cable, provided such a loss is properly documented. If a fisherman is advised to slip his gear, AT&T will provide detailed instructions for presenting a claim (personal communication, G. Perek 1994).

Nearshore portions are double-armored for maximum strength and protection. The double-armored cable is 2 inches (51mm) in diameter and is wrapped with two bands of tar-coated (for water proofing and corrosion resistance) galvanized steel wire, as well as inner and outer bands of tar-coated nylon yarn. Segment T1 is double-armored to a depth of 60m, approximately 3nmi offshore, whereas segment G is double-armored to a depth of 6 nmi offshore.



**Figure 1**  
**AT&T TPC-5 SUBMARINE CABLE ROUTES**

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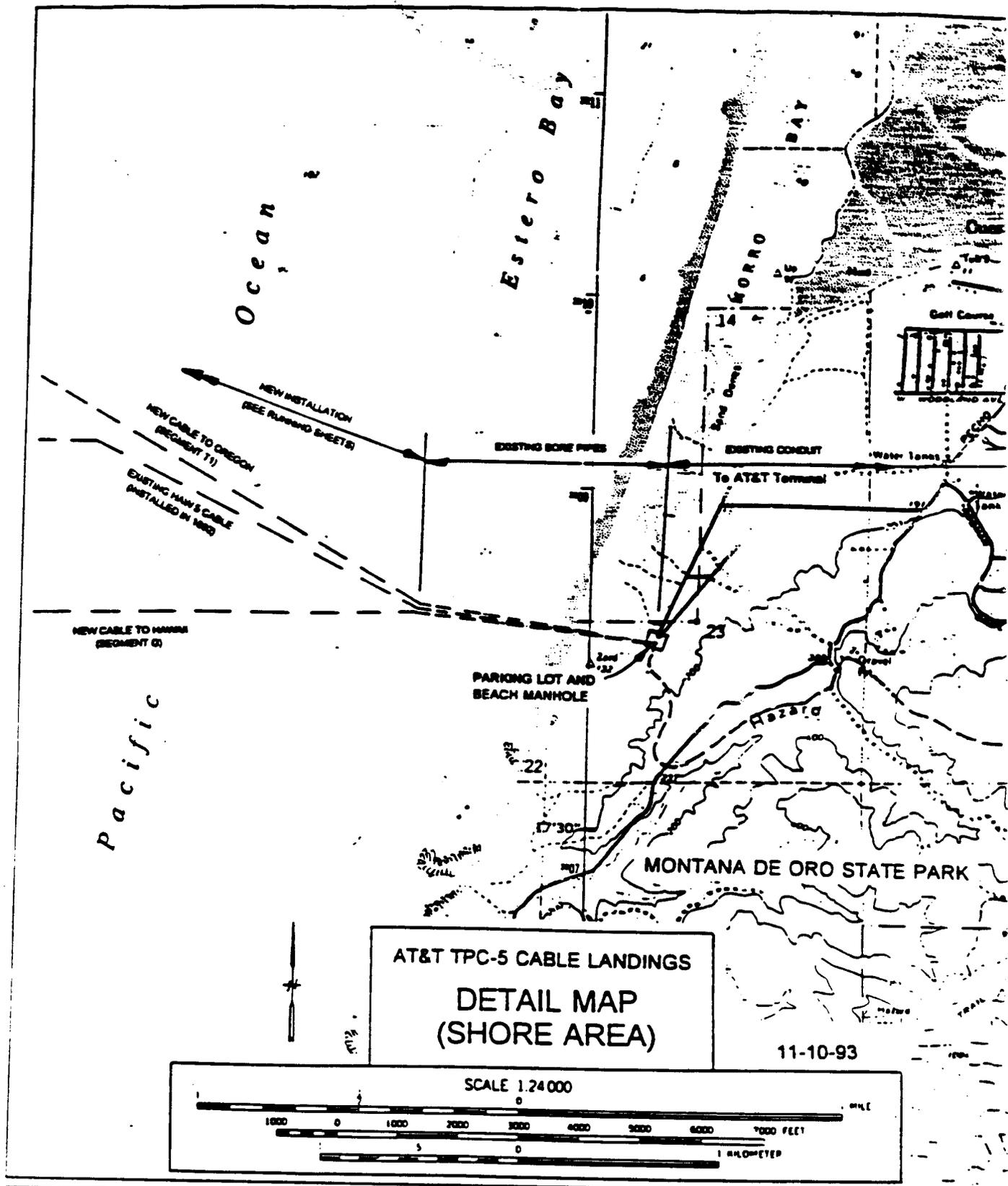


Figure 2  
 ONSHORE TO NEARSHORE PORTION OF AT&T TPC-5 PROJECT

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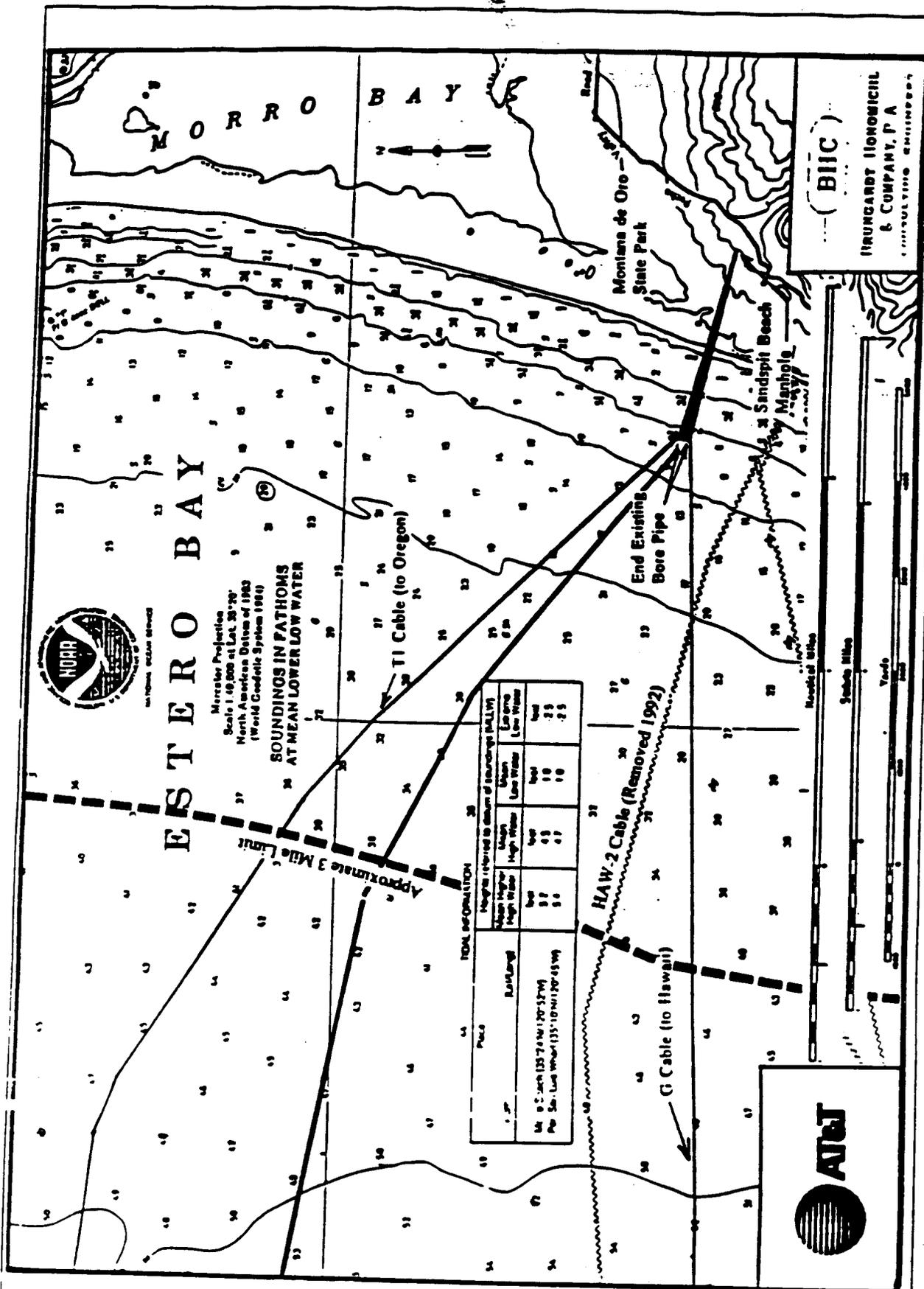


Figure 3  
AT&T TPC-5 SUBMARINE CABLE ROUTES NEARSHORE

offshore. At progressively greater depths, out to a depth of 1,400m, 40-50 nmi offshore, either single-armor (1.66 inch = 42mm diameter), or a light-weight armor design (1.5 inch = 38mm diameter) are used. Both of these types are wrapped with a single band of tar-coated steel wires. Cable specifications are contained in Appendix C.

Tables 1 and 2 provide cable "running sheets" to the edge of the continental shelf. Cable routes have been designed to minimize, to the extent practicable, the need to traverse rock outcrops.

Surveys of the cable routes were conducted by Seafloor Surveys International (SSI) for AT&T using the Sys120 Side-Scan Sonar System (Appendix C; additional background provided in Morro Group 1991, incorporated herein by reference). Previous side scan sonar and remote-operated vehicle (ROV) survey data from the HAW-5 project, as well as data obtained from Pacific Gas & Electric, were also used by SSI to interpret seafloor geology in the vicinity of the cable routes. The resulting geologic interpretations along the cable routes out to just beyond 3 nmi and 6 nmi, respectively, are shown in Figures 4 and 5.

Other than in areas where hand-burial is used (see below), cable installation will be accomplished using a Sea Plow (Appendix C) which is towed along the bottom by the cable ship at the surface. In general, the cables will be laid across the surface in rocky areas. In soft-bottom areas of sufficient areal extent and sediment depth the cables will be plowed (4 feet deep) into the sediment. Rock outcrops will be avoided wherever possible, based upon the operator's observation of bottom conditions using the Sea Plow's instruments during cable installation. The plow shank will be raised, and the cable laid directly across the surface, wherever rock or other obstructions are encountered and are too large to steer around.

Surveys indicate unconsolidated sediments surrounding the bore exit points at depths of 10m. The cables will be hand-buried by divers for the first 100m or so emerging from the bore pipes. Thereafter the Sea Plow would be deployed. Segment T1 crosses a small rocky area approximately 1nmi offshore (depth of 25m), and encounters extensive outcroppings of sedimentary rock from approximately 1.2 to 2 nmi offshore (depths of 30-50m). The remainder of segment T1 is in unconsolidated sediments and is expected to be plowed out to the 1,000m isobath (approximately 35 nmi offshore). Approximately 6 nmi offshore, the cable route passes north of a prominent outcrop which rises above the surrounding seafloor and is known as Ship Rock (shown on Figure 5).

Segment G encounters extensive outcrops of sedimentary rock between approximately 1.7 and 3 nmi offshore (depths of 50-80m). Subsequently, except for a narrow outcrop approximately 4.2 nmi offshore, segment G crosses unconsolidated sediments and could probably be plowed to the 1,000m isobath, about 40 nmi offshore. Segment G crosses and nearly parallels the former route of the HAW-2 cable, which was removed in 1992 (Figure 5).

### 2.3 ONSHORE ACTIVITY (CABLE LANDING)

The cable landing will involve excavating an approximately 2-x-20-foot trench to expose the end of each bore pipe and pulling in the cables with assistance from a winch and turning wheel. Support equipment will include a backhoe, compressor, motor, and pickup trucks. The parking lot will need to be closed during this phase of the project. Mr. David Sears, Superintendent of Montaña de Oro State Park, is aware of this requirement that has been anticipated since the HAW-5 project. As for Phase I of the TPC-5 Project, this activity is considered to be within the scope of the existing HAW-5 permit, subject to the same conditions of approval (Appendix B; Appendix D). Excavations will be backfilled and compacted, and the parking lot surface will be restored following completion of the cable pulling operation. Finally, both cables will be spliced to the overland cables in the beach manhole. This onshore activity will take approximately two to three weeks to complete.

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Table 1

AT&T TPC-5 CABLE RUNNING SHEET, SEGMENT T-1  
 From San Luis Obispo, California  
 To Bandon, Oregon

Pos. No.	Latitude		Longitude		Depth (m)	ROUTE DISTANCE (km)		Percent Slack	Length of Cable (km)	Total Cable Length (km)	Cable Type*	Remarks
	DD MM.MM	N	DD MM.MM	-W/+E		Between	Total					
1	35 18.02		-120 52.35		0	0	0.000		0.000	0.000		
2	35 18.2753		-120 53.112		10	1.248	1.248	2.0	1.273	1.273	DA	Beach splice
3	35 19.62		-120 54.76		56	3.524	4.772	2.0	3.595	4.868	DA	End conduit #1
4	35 19.82		-120 55.0		60	0.519	5.291	0.5	0.521	5.389	DA	
5	35 20.166		-120 55.492		70	0.982	6.273	0.5	0.987	6.376	SA	
6	35 20.53		-120 56.18		75	1.241	7.514	0.5	1.247	7.623	SA	
7	35 21.08		-120 57.29		90	1.965	9.479	0.5	1.975	9.598	SA	
8	35 21.19		-120 57.63		90	0.554	10.033	0.5	0.557	10.155	SA	
9	35 21.27		-120 58.54		95	1.386	11.420	0.5	1.393	11.548	SA	
10	35 21.4		-121 0.22		130	2.556	13.976	0.5	2.569	14.117	SA	
11	35 21.46		-121 1.0		160	1.187	15.163	0.5	1.193	15.310	SA	
12	35 21.55		-121 5.32		260	6.546	21.709	0.5	6.579	21.889	LWA	
13	35 22.0		-121 8.9		335	5.486	27.195	0.5	5.514	27.403	LWA	
14	35 23.7		-121 23.7		705	22.632	49.827	0.5	22.745	50.148	LWA	
15	35 24.55		-121 33.5		1000	14.920	64.747	0.5	14.995	65.143	LWA	
16	35 24.8		-121 36.3		1100	4.264	69.011	2.5	4.370	69.513	LWA	
17	35 24.3		-121 50.5		1400	21.517	90.528	2.5	22.055	91.568	LWA	

\* DA = Double armor  
 SA = Single armor  
 LWA = Light weight armor

Table 2

AT&T TPC-5 CABLE RUNNING SHEET, SEGMENT G  
 From San Luis Obispo, California  
 To Keawaula, Hawaii

Pos. No.	Latitude DD MM.MM N	Longitude DD MM.MM -W/E	Depth (m)	ROUTE DISTANCE (km)		Percent Slack	Length of Cable (km)	Total Cable Length (km)	Cable Type*	Remarks
				Between	Total					
1	35 18.02	-120 52.35		0	0.000		0.000	0.000		
2	35 18.2026	-120 53.158	5	1.271	1.271	2.0	1.297	1.297	DA	Beach splice End conduit #3
3	35 18.13	-120 57.0	80	5.825	7.096	2.0	5.941	7.238	DA	
4	35 18.125	-120 57.19	85	0.288	7.384	2.0	0.294	7.532	DA	
5	35 18.11	-120 57.96	95	1.168	8.552	0.5	1.173	8.705	DA	
6	35 18.1	-120 58.22	102	0.395	8.946	0.5	0.397	9.102	DA	
7	35 18.1	-120 58.31	103	0.136	9.083	0.5	0.137	9.239	DA	
8	35 18.0	-121 4.8	275	9.840	18.922	0.5	9.889	19.128	LWA	
9	35 16.79	-121 24.8	800	30.404	49.326	0.5	30.556	49.684	LWA	
10	35 16.32	-121 41.25	1000	24.959	74.285	0.5	25.084	74.768	LWA	
11	35 15.5	-121 43.2	1250	3.323	77.609	2.0	3.390	78.157	LWA	
12	35 14.66	-121 45.494	1400	3.810	81.419	2.0	3.887	82.044	LWA	

DA = Double armor  
 LWA = Light weight armor



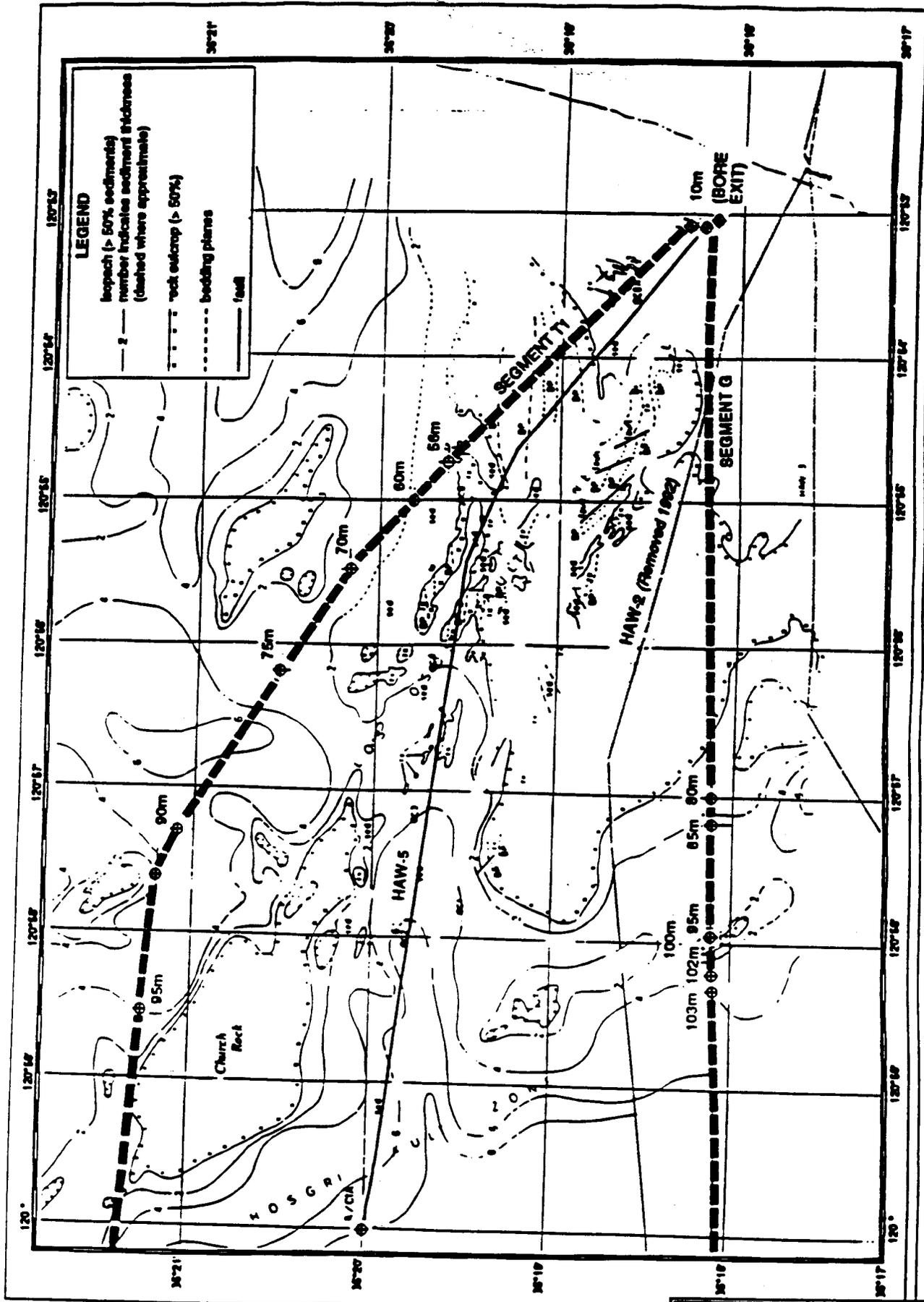


Figure 6  
SEAFLOOR GEOLOGY ALONG AT1 PC-5 CABLE ROUTES - TO 6NMI OFFSHORE

## 2.4 OFFSHORE ACTIVITY

Offshore activity will involve feeding two fiber optic cables off the stern of a ship to be pulled through the existing bore pipes (Figure 6). After the cables have been pulled into the beach manhole and temporarily anchored, a plow sled will be deployed (Figure 7), and the cables will be plowed or laid, depending on seafloor geology as described previously (see also below), along predetermined courses toward destinations in Hawaii and Oregon. Plowing operations will be performed separately and will take approximately one week each to complete. Beyond the 1,400m isobath, where buried protection is no longer required, each cable will be directly laid on the sea floor until it approaches its terminal destination.

### 2.4.1 Cable Pull

A cable-laying ship will position itself approximately 300 feet seaward of the end of the existing directional bore pipe into which the cable will be pulled. Divers will then be dispatched to excavate the sea floor sediment away from the end of the bore pipe using pressurized water jets. Approximately 100 ft<sup>2</sup> of seafloor (previously disturbed during HAW-5 construction) would be disturbed at each bore pipe by this activity. After jetting to expose the ends of the bore pipes (currently about 4 feet deep), the cap will be removed and a steel pulling cable will be retrieved from the ship and attached to a nylon pull rope.

Ship personnel will attach the pulling cable to the armored fiber optic cable that is carried on board the ship. With assistance from a pulling winch on shore, the fiber optic cable will be lowered off the stern of the ship and will be pulled through the bore pipe into the beach manhole. As the cable is pulled shoreward through the exit point, the divers will lubricate the cable with "Vitalite," a non-water soluble, petroleum-based lubricant with the consistency of Vaseline. It is anticipated that 50 to 100 gallons of the lubricant will be used per bore pipe. When the pulling operation is complete, the divers will jet in the cable between the exit point and the point beneath the ship where cable plowing operations will take place. The jetted trench will be approximately 2 feet deep and 2 feet wide.

This procedure will be repeated for both cables. The entire cable pulling operation will take two to three weeks to complete.

### 2.4.2 Cable Lay

Once the cable has been spliced and anchored on shore, the cable plowing operation will begin. The Sea Plow will be lowered from the cable ship to the sea floor and the fiber optic cable will be inserted into the sled's hollow plow shank. The cable will be buried 48 inches deep.

Plowing will proceed at a rate of 0.4 to 0.7 knots, depending on the sea floor conditions. Where rock outcrops are encountered, the plow shank will be raised and the cable laid directly on the rock surface. Minor course corrections may be made based upon the operator's observations of bottom conditions using the Sea Plow's instruments (Appendix C). No rock sawing will be performed, and the cable will not be mechanically anchored to the rock.

The cable will be plowed for approximately 50 nmi, which will take approximately one week. The cable will then be buoyed temporarily and the ship will return to repeat this process for the second cable. After the cables have been plowed, divers will return to the ends of the bore pipes and retrobury the cable and pipe ends to a depth of 48 inches. Beyond approximately 1,400m depth (40-50 nmi), both cables will be laid directly on the sea floor.

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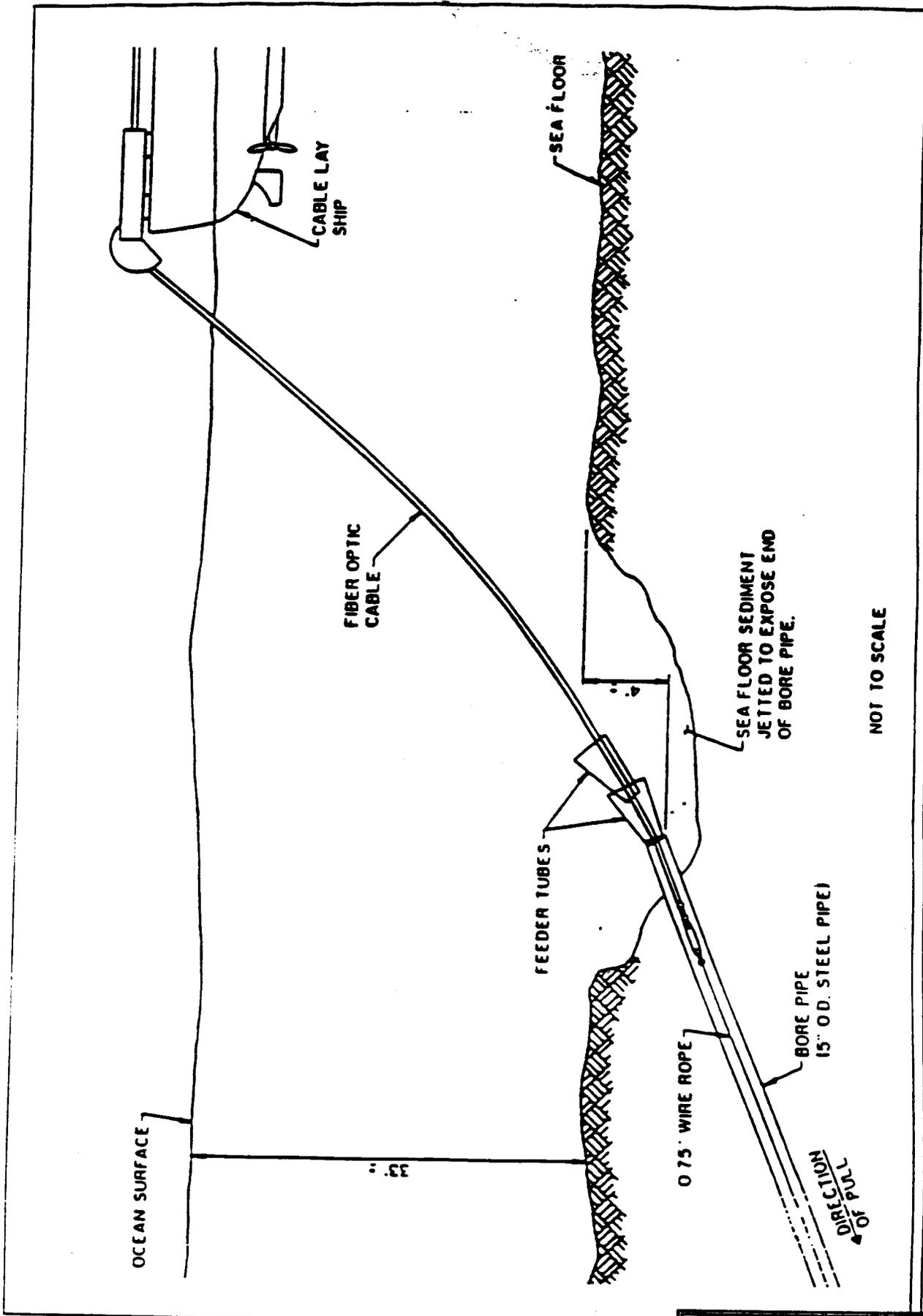
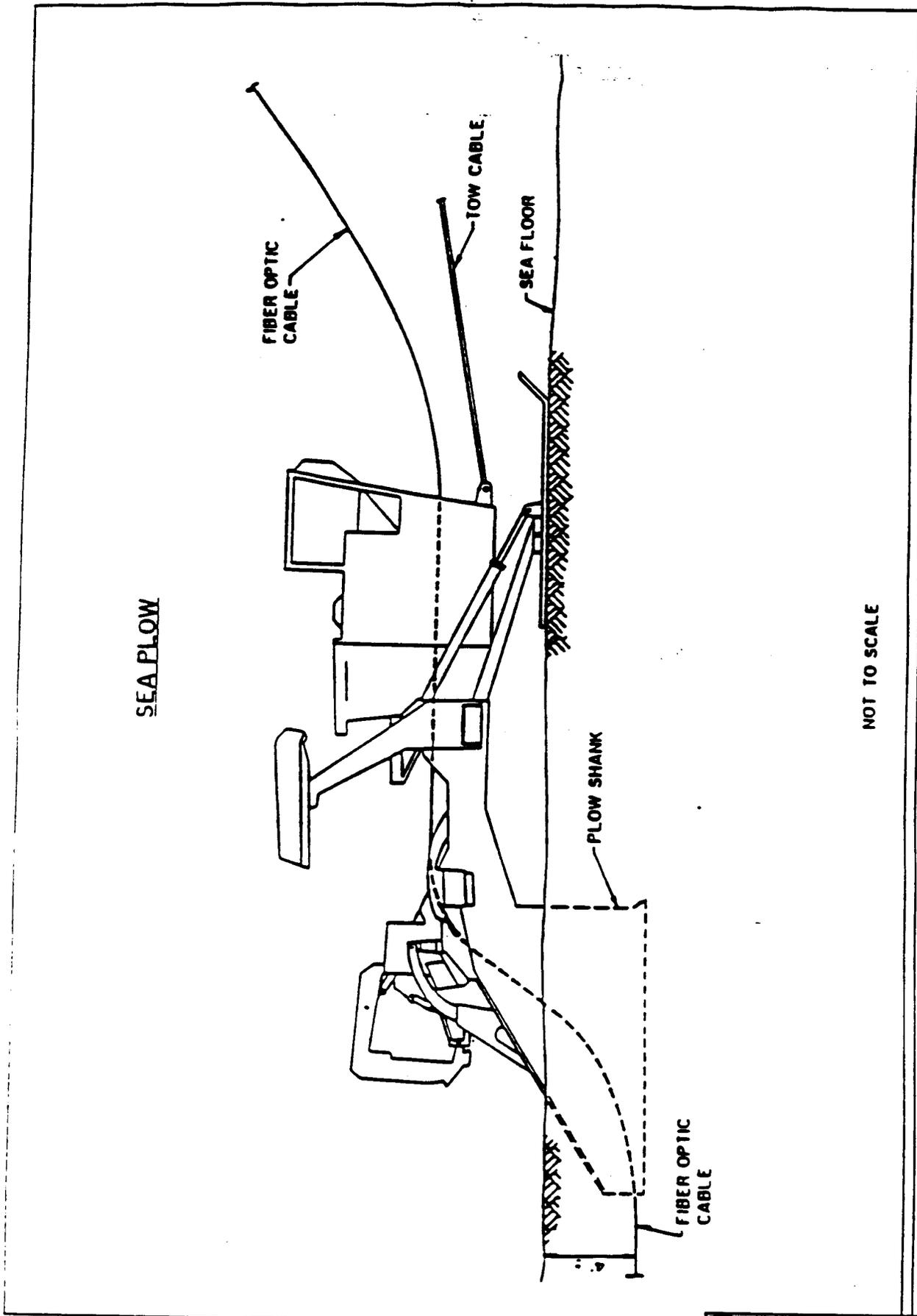


Figure 6  
CABLE P BACK OPERATION



NOT TO SCALE

Figure 7  
CABLE PLOWING OPERATION

## 2.5 POST-INSTALLATION ACTIVITIES

The cable will require no maintenance or inspection once installed. All monitoring will be performed from the onshore terminal facility in San Luis Obispo. Repairs would be made as needed.

## 2.6 MITIGATION MEASURES INCORPORATED INTO THE PROJECT

Measures 1 through 6 below have been required by the USACE and are hereby incorporated into the description of this project. Measures 7 through 9 were developed during the course of this review, have been accepted by AT&T, and are also hereby incorporated into the project.

1. The permitted activity shall not interfere with the public's right to free navigation on all navigable waters of the United States.
2. The permittee shall notify the Commander (oan) Eleventh Coast Guard District, 501 West Ocean Boulevard, Long Beach, California 90802, (310) 980-4300 ext. 501 at least two weeks prior to start of activity. The notification should include the following information:
  - a. The location of the work site.
  - b. The size and type of equipment that will be performing the work.
  - c. Name and radio call signs for working vessels, if applicable.
  - d. Telephone number for on-site contact with project engineers.
  - e. The schedule for completing the project.
3. To prevent any effect on the southern sea otter (*Enhydra lustris nereis*), a biologist familiar with sea otter behavior shall be on site at all times during construction to watch for otters. Should otters be sighted in close proximity to the project area, the applicant shall cease operations until the otter(s) leave the project area.
4. To document compliance with condition #3, the applicant shall submit a report no later than 30 days after cable installations are completed. The report shall include a description of otters observed, observation times and locations as well as behavior, and all actions taken to avoid affecting the otter. Copies of the report shall be sent to the Corps of Engineers and to Mr. Craig Faanes, Field Supervisor, USFWS Ventura Field Office, 2140 Eastman Avenue, Suite 100, Ventura, California 93003.
5. If rock outcroppings are encountered, the cable shall be laid directly on the rock surface. No rock sawing shall be performed and cable installation shall not be mechanically anchored to the rock.
6. No new facilities shall be constructed.
7. AT&T will adhere to all applicable conditions of approval for San Luis Obispo County's previous permitting of onshore activities associated with the HAW-5 and TPC-5 Projects.
8. If it is required to flush out the bore pipes pursuant to the cable landing and pulling operations, potable water will be used.
9. Any equipment lost overboard or left on the seafloor shall be recovered.

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### 3.0 ENVIRONMENTAL SETTING AND PROJECT IMPACTS

To facilitate cross-reference, this section follows the outline of the Environmental Impact Assessment Checklist.

#### A. EARTH

##### *Environmental Setting*

The previous HAW-5 document (Morro Group 1991) provided background on regional and project-area geology that is incorporated herein by reference. Additional information is found in the San Miguel Project Final EIS/EIR (URS 1986). As discussed previously, Figures 4 and 5 provide generalized descriptions of seafloor conditions along the cable routes. The salient features of shoreline and seafloor geology within the nearshore portion of the project are briefly described in the following paragraphs.

The shoreline of San Luis Obispo County is characterized by uplifted sedimentary rocks associated with the continental shelf. The onshore portion of the project is on old, wind blown sand, formed into dunes and stabilized by perennial vegetation. The nearest rock outcrops on the shoreline are approximately 0.5 mile south of the beach parking area. Rocky shoreline predominates beginning at Islay Creek and continuing southward around Point Buchon.

The immediate nearshore area surrounding the bore exits is characterized by thick deposits of coarse sands, cobbles, and shell fragments which are poorly sorted due to the dynamic surf-zone environment, characterized by strong waves and currents. Sedimentary rock outcroppings appear frequently from approximately 1 nmi to 3 nmi offshore at depths of approximately 30m to 60m. The rocks are folded and faulted due to movement along the Los Osos and Hosgri fault zones (Figures 4 and 5). Rock outcrops are interspersed with sedimentary deposits of silts and sandy silts (Morro Group 1991). Approximately 6 nmi offshore between the areas traversed by the HAW-5 cable and proposed TPC-5 segment T-1 is a prominent outcrop known as "Ship Rock" that rises to a depth of approximately 60m, whereas the surrounding seafloor is at a depth of approximately 100m.

Proceeding farther offshore, the cable alignments traverse the sediment-filled Santa Maria Basin as the continental slope descends gradually to depths of approximately 1,400m at 40-50 nmi offshore. Approximately 30 nmi west-southwest of the cable landing, in an area skirted by TPC-5 segment G is the northern end of the Santa Lucia Bank, which rises to depths of approximately 500m, some 50-100m shallower than the inshore basin.

##### *Project Impacts*

#### 1. Earth Conditions

No unstable structures or changes in geologic substructures would occur.

#### 2. Soil Displacement

The initial jetting away of sediment to expose the bore pipes and to retrobury the cable entails a very localized displacement of sediment along the seafloor. Given the dynamic nearshore environment, this disturbance is insignificant. Otherwise, the design of the Sea Plow minimizes sediment displacement during cable installation, as sediments are replaced as the cable is plowed in.

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**3. Topography**

There would be no effect on topography owing to the small size of the cables and their manner of installation (no alteration of rocky bottom features).

**4. Unique Features**

The project would have no effect on unique offshore geologic features.

**5. Erosion**

The project would not increase erosion.

**6. Sedimentation**

Sedimentation effects due to hand-jetting of sediments at the bore exits would be negligible in the dynamic nearshore environment. The Sea Plow effectively minimizes sediment disruption during cable plowing.

**7. Geologic Hazards**

Although active faults are present near the cable alignments, no submarine canyons or other potentially unstable areas such as might be affected by landslides are traversed. Hence movement along the fault zones poses no risk of damage to the cables.

**B. AIR**

*Environmental Setting*

Air quality in the project area is generally good, due to a high frequency of sea breezes and lack of substantial emission sources. The EPA has designated all areas of the United States as having air quality better than (attainment) or worse than (nonattainment) the National Ambient Air Quality Standards (NAAQS). Presently, San Luis Obispo County is in attainment of all NAAQS. The California Air Resources Board (ARB) also designates areas within the state as either in attainment or nonattainment of the California Ambient Air Quality Standards (CAAQS). Presently, San Luis Obispo County is in nonattainment of the CAAQS for ozone (O<sub>3</sub>) and particulate matter less than 10 microns in diameter (PM<sub>10</sub>) and in attainment for nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and carbon monoxide (CO).

*Project Impacts*

**1. Emissions**

Onshore activities have been previously permitted by the County, and any applicable air quality conditions of the County's permit will be followed.

Air quality impacts from offshore construction activities would occur from combustive emissions due to the operation of a cable laying vessel and associated support craft. Emissions from these activities would be short term and would occur for about 17 days in the San Luis Obispo County region. The following San Luis Obispo County Air Pollution Control District (APCD) thresholds are used to determine the significance of project emissions: (1) 185 pounds per day of reactive organic gases (ROG) or nitrogen oxides (NO<sub>x</sub>) or (2) 2.5 tons of ROG or NO<sub>x</sub> during a calendar quarter (APCD 1994). Exceedance of one of these thresholds would require mitigation measures to minimize emissions. Daily and total emissions

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are shown in Tables 3 and 4, respectively. A summary of data used to generate these emissions are presented in Tables 5 and 6.

The data in Table 3 shows that NO<sub>x</sub> emissions would exceed the APCD emission threshold of 185 pounds per day during each construction activity. Additionally, Table 4 shows that total NO<sub>x</sub> emissions for offshore construction would exceed the APCD emission threshold of 2.5 tons during a calendar quarter. Therefore, mitigation measures would be required to reduce NO<sub>x</sub> emissions.

The most feasible and effective way to mitigate NO<sub>x</sub> emissions during offshore construction would be to retard injection timing on diesel-powered engines by two degrees. Implementation of this measure would reduce NO<sub>x</sub> emissions by 15 percent (Southwest Research Institute 1991). The effect of this mitigation measure is presented in Tables 3 and 4. Further reductions in NO<sub>x</sub> emissions would be difficult to achieve during construction activities, due to the nature of project emission sources: implementation of additional NO<sub>x</sub> control measures could affect the reliability and safety of vessel operations. Therefore, it is expected that the implementation of injection timing retard on all diesel-powered engines would satisfy APCD mitigation requirements. As a result, the short-term air quality impacts from project offshore construction would be insignificant.

Implementation of mitigation measures recommended by the APCD for onshore construction would produce insignificant air quality impacts from this activity (Morro Group 1991). Impacts from both onshore and offshore construction, in combination, would remain insignificant.

2. Odors

No objectionable odors are expected to be created by the project.

3. Air Movement

The project would have no effect on air movement or local climate.

C. WATER

*Environmental Setting*

Oceanographic conditions in the project area described in the previous HAW-5 document (Morro Group 1991) and by URS (1986). Nearshore conditions are dynamic, characterized by strong winds and associated waves and surface currents. Farther offshore to the edge of the continental shelf, the California Current system predominates. The system is composed of the generally offshore, southward flowing California current at the surface, a deep water undercurrent which flows northward and sometimes surfaces during fall and winter, and the inshore Davidson current, which flows northward from October to April.

*Project Impacts*

1. Currents

The project would not affect oceanographic currents.

2. Drainage & Runoff

No effect on drainage or runoff would arise.

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**Table 3. Daily Emissions for Offshore Construction Activities.**

Activity/ Equipment Type	Pounds Per Day						
	TOG	ROG	CO	NOx	SO2	PM	PM10
<b>Deploy and Bury Cable</b>							
Cable Lay Vessel	25.0	24.0	84.0	188.8	317.6	44.5	42.7
Tug Boat	33.3	32.0	51.1	296.8	20.8	24.0	23.1
Tug Boat	12.6	12.1	19.3	112.1	7.8	9.1	8.7
Work Boat	2.5	2.4	3.9	22.4	1.6	1.8	1.7
Activity Emissions	73.4	70.4	158.3	620.2	347.8	79.4	76.3
Mitigated Emissions				527.2			
<b>Cable Plowing/Lay</b>							
Cable Lay Vessel	93.8	90.0	315.1	708.1	1,191.2	166.9	160.2
Activity Emissions	93.8	90.0	315.1	708.1	1,191.2	166.9	160.2
Mitigated Emissions				601.9			
<b>Vessel Return</b>							
Cable Lay Vessel	62.5	60.0	210.1	472.1	794.1	111.3	106.8
Activity Emissions	62.5	60.0	210.1	472.1	794.1	111.3	106.8
Mitigated Emissions				401.3			

**Table 4. Total Emissions for Offshore Construction Activities.**

Activity/ Equipment Type	Total Tons						
	TOG	ROG	CO	NOx	SO2	PM	PM10
<b>Deploy and Bury Cable</b>							
Cable Lay Vessel	0.1	0.1	0.3	0.6	1.0	0.1	0.1
Tug Boat	0.1	0.1	0.2	0.9	0.1	0.1	0.1
Tug Boat	0.0	0.0	0.0	0.1	0.0	0.0	0.0
Work Boat	0.0	0.0	0.0	0.1	0.0	0.0	0.0
Activity Emissions	0.2	0.2	0.4	1.6	1.0	0.2	0.2
<b>Cable Plowing/Lay</b>							
Cable Lay Vessel	0.5	0.5	1.6	3.5	6.0	0.8	0.8
Activity Emissions	0.5	0.5	1.6	3.5	6.0	0.8	0.8
<b>Vessel Return</b>							
Cable Lay Vessel	0.0	0.0	0.1	0.2	0.4	0.1	0.1
Activity Emissions	0.0	0.0	0.1	0.2	0.4	0.1	0.1
Total Emissions	0.7	0.7	2.1	5.4	7.4	1.1	1.1
Mitigated Emissions				4.6			

**Table 5. Emission Source Data for Offshore Construction Activities.**

<i>Activity/ Equipment Type</i>	<i>HorsePower (Hp)</i>	<i>Load Factor</i>	<i>Number Active</i>	<i>Hp-Hrs</i>	<i>Gall/Hr</i>	<i>Hours /Day</i>	<i>Work Days</i>	<i>Total Fuel Usage</i>
<b>Deploy and Bury Cable</b>								
Cable Lay Vessel	5000	0.20	1	1000	56	24	6	8093
Tug Boat	2400	0.45	1	1080	61	12	6	4370
Tug Boat	850	0.72	1	612	34	8	2	550
Work Boat	340	0.72	1	245	14	4	6	330
<b>Cable Plowing/Lay</b>								
Cable Lay Vessel	5000	0.75	1	3750	211	24	10	50580
<b>Vessel Return</b>								
Cable Lay Vessel	5000	1.00	1	5000	281	12	1	3372

**Table 6. Emission Factors for the TPCS Project**

<i>Equipment Type</i>	<i>Fuel Type</i>	<i>Emission Factors (Pounds/1000 Gallons)</i>							<i>Source</i>
		<i>TOG</i>	<i>ROG</i>	<i>CO</i>	<i>NOx</i>	<i>SO2</i>	<i>PM</i>	<i>PM10</i>	
Ocean Going Vessels	D	18.5	17.8	62.3	140.0	235.5	33.0	31.7	(a)
Tug/Crew Boats	D	45.7	43.9	70.2	407.5	28.5	33.0	31.7	(b)

Notes: (a) Department of Transportation 1987. Port Emission Model.

(b) ARB 1984, except SO2/PM from Scott Environmental Technology 1981.

**3. Flooding**

The project would not affect flooding.

**4. Surface Water Quantity**

The project would not affect surface water quantity.

**5. Water Quality**

The project will cause very localized disruption of sediments. In areas of greatest disruption, i.e. at the ends of the bore pipes, sediments are relatively coarse, and strong currents would quickly disperse any suspended sediments. Hence no effects on turbidity are expected. During the cable pulling operation, it may be necessary to flush the bore pipes. AT&T has committed to using potable water if it is necessary to flush the bore pipes. No accumulation of material in the bore pipes is expected other than naturally occurring sediment, hence this discharge would not significantly affect marine water quality. The Regional Water Quality Control Board has confirmed that no permit or certification will be required for these activities (personal communication, A. White 1994; Appendix B).

**6. Ground Water Flow**

The project would not affect ground water flow.

**7. Ground Water Quantity**

The project would not affect ground water quantity.

**8. Water Supply**

The project would not affect public water supplies.

**9. Water-Related Hazards**

The project would not result in any public exposure to water-related hazards.

**10. Thermal Springs**

No thermal springs are known from the project area; no effects would occur in any case.

**D. PLANT LIFE**

*Environmental Setting*

Neither surf grasses nor eelgrass are expected in the sandy bottom habitat from the bore exit out to the rock outcrops, owing both to depth and substrate instability. The rock outcrops in deeper water (25-60m depth) are expected to support sparse algal growth, owing to reduced light due to depth and turbidity, although small patches of kelp may be present on rock outcrops at inshore locations. The nearest kelp beds, which probably contain both giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis leutkiana*), as well as palm kelp (*Pterygophora californica*), are associated with the rocky shoreline - which continues offshore - 1.5-2 miles south at Islay Point, and more extensively further south around Point Buchon (e.g., URS 1986).

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## *Project Impacts*

### 1. Diversity

No effect on the abundance or diversity of marine plants is expected, owing to the small diameter of the cables and the manner of installation, which is non-destructive to rock outcrops.

### 2. Unique, Rare, or Endangered Plants

No unique, rare, or endangered plants are known or expected to be present in areas potentially affected by the project.

### 3. Species Introductions

The project has no potential for the transport or introduction of new species into the waters offshore San Luis Obispo County.

### 4. Agriculture

Oysters are cultivated in Morro Bay, but there are no agri- or aquaculture operations in the vicinity that could be affected by the project.

## E. ANIMAL LIFE

### *Environmental Setting*

Pismo clams (*Tivela stultorum*) occur in shallower waters in the project area. At the shallower depths crossed by the project, sand dollar beds (*Dendraster excentricus*) are likely to be encountered, and large concentrations of white urchins (*Lytechinus* spp.) may occur along the cable route. Infaunal organisms that would be anticipated include a variety of amphipods, burrowing gastropods and clams, both tube-dwelling and errant polychaetes, brittle stars, and sea stars. Flatfishes (sanddabs, halibut, etc.) are especially prominent in this habitat (e.g., URS 1986).

The rock outcrops in deeper water (100- to 200-foot depths) are expected to support sparse algal growth, owing to reduced light. Benthic communities are expected to be dominated by encrusting or colonial invertebrates, including a variety of sponges, anemones, gorgonians, tube-dwelling polychaetes, bryozoans, tunicates, and solitary corals. Associated mobile fauna typically include gastropods, amphipods, crabs, seastars, brittle stars, and demersal fishes such as rockfishes (*Sebastes* spp.).

The region surrounding the project, including Morro Bay and the rocky coastline of Point Buchon, includes important habitat for seabirds, sea otters and sea lions, and cetaceans (Dohl et al. 1983). The closest specific areas of importance include, for seabirds, the sandy beach and mudflat habitats inshore of the project and in Morro Bay; for sea lions, the rocky shoreline to the south, beginning in the area of Islay Point; and for sea otters, rocky areas and kelp beds to the south, also beginning at Islay Point, although sea otters are common in the nearshore areas off Sandspit Beach (author, personal observations; personal communication, R. Hardy 1994). Cetaceans that may be encountered in nearshore areas include harbor porpoises (during winter and spring), and gray whales (during the southward [December-January] migration).

## **Project Impacts**

### **1. Animal Abundance and Diversity**

Due to the small size of the cables, and relatively non-destructive, temporary activities associated with cable installation, no significant impact on animal abundance and diversity is expected.

The SeaPlow VI would cause surficial disturbance in a corridor at least 20 feet wide (the width of the vessel), and would slice a 4-foot deep furrow during cable burying. This operation would cause some mortality to infaunal invertebrates, but would not substantially alter the seafloor. Wave- and current-induced turbulence and bioturbation are expected to thoroughly remix sediments within a few months following construction. It is expected that macroinvertebrates would recolonize the disturbed corridor primarily by immigration from adjoining areas, and that population densities within the disturbed area would be indistinguishable from surrounding areas within several months to a year.

The laying of the cable over rock outcrops in deeper water would disrupt epibenthic communities, possibly crushing and/or dislodging invertebrates in a corridor several feet wide. Given prevailing turbidity and the depth of the outcrops, neither kelps nor associated macroinvertebrates (e.g., abalone) are expected. Localized crushing or dislodging of small, sessile or relatively sedentary macroinvertebrates would occur. Affected populations would be expected to recover via immigration, asexual propagation, and larval recruitment within approximately 1 year. Sessile species may experience repeated, localized disturbances throughout the life of the cable if the cable sways due to wave and current action. The cable would remain as a permanent feature on the bottom in this habitat, with either adverse or beneficial effects, the latter resulting from the provision of shelter, depending on the species.

Human activity at the surface could temporarily disturb marine birds and mammals in the immediate vicinity. The routing of the cable avoids sensitive habitats such as sandy beach, rocky intertidal, and kelp bed habitats. The rate of construction across State Tidelands and beyond (0.4 to 0.7 knots) would be slow enough to allow fishes and marine birds and mammals to avoid areas of disturbance, yet would only briefly (i.e. minutes to, at most, a few hours) interfere with the use of benthic, water column, and surface habitat areas along the cable route.

### **2. Unique, Rare, or Endangered Animals**

In response to the U.S. Fish and Wildlife and U.S. Army Corps of Engineers stipulations for offshore construction, measures to protect the southern sea otter from incidental disturbance during cable installation have been incorporated into the project by AT&T (section 2.5 of this document). Discussion with representatives of these agencies (personal communications, T. Welch and M. Linday 1994) and with officials of the California Department of Fish and Game (personal communications, R. Nitsos and R. Hardy 1994), and National Marine Fisheries Service (personal communication J. Bybee 1994) confirms these agencies do not believe the project would significantly affect marine wildlife, including sensitive species.

### **3. Species Introductions, Effects on Migration**

As noted previously, the project has no potential to cause the introduction of foreign species. The rate of progress of the cable ship (0.4-0.7 knots) is slow relative to the swimming speeds of marine mammals that could be present, and the ship itself and towed Sea Plow would be conspicuous but small and easily swum around by any marine mammals in the vicinity. Hence no impacts on migration are expected.

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#### 4. Deterioration of Habitat

Cable installation would represent a very localized, temporary and insignificant disturbance in marine habitats. The cables themselves may provide an additional microhabitat feature within the sedimentary or rock outcrop habitats, without materially affecting overall habitat quality.

#### F. NOISE

##### *Environmental Setting*

Montaña de Oro State Beach is a popular recreation site. No noise measurements are available, but background noise is considerable owing to strong winds and surf.

##### *Project Impacts*

##### 1. Effect on Existing Noise Levels

Noise generated by the project would be short-term and intermittent, and would not substantially affect noise levels on the beach. Underwater noise during cable installation could constitute a very transient and hence insignificant disturbance to marine wildlife. Noise has not been an issue in connection with HAW-5 or Phase I of the TPC-5 Project. Accordingly, impacts are considered insignificant.

##### 2. Severe Noise Levels

The project has no potential to expose people to severe noise levels.

#### G. LIGHT AND GLARE

##### *Environmental Setting*

Existing offshore lighting in the project area is associated with intermittent ship traffic.

##### *Project Impacts*

Lighted ships will be visible in the nearshore area intermittently during the one-month cable installation period. Because of the temporary nature of new lighting, the impact is considered insignificant.

#### H. LAND USE (INCLUDING STATE TIDELANDS)

##### *Environmental Setting*

There are 3 National Marine Sanctuaries offshore central California- Monterey Bay, Point Reyes-Farallon Islands, and Cordell Bank. The legal boundaries of these sanctuaries (published under CFR Title 15, Parts 936, 942, and 944) were compared with the T-1 cable running sheet to confirm that cable installation activity will not occur within a marine sanctuary.

Regional offshore economic activities, in areas traversed by the TPC-5 cable routes, were reviewed in the previous HAW-5 document (Morro Group 1991). The Santa Maria Basin is known to contain oil and gas fields, and there are active leases in federal waters crossed by the project (also reviewed by URS [1986]), but no production or exploration is occurring at present in areas crossed by the cable routes. Future activity on these leases is possible, but unlikely to begin before late 1995 (personal communication, C. Fusaro 1994).

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Commercial and sport fishing activity in the Morro Bay area were reviewed in the HAW-5 document (Morro Group 1991). Other useful summaries are found in a recent Minerals Management Service publication (MBC 1989), and in the San Miguel Project Final EIS/EIR (URS 1986). Regional fisheries information (from MBC 1989) is included in Appendix C.

The Morro Bay fishing fleet is primarily composed of hook and line vessels, but the majority of the landed catch comes from trawling. The remaining vessels are trawling, trapping (crab), diving (abalone and urchins), and gill netting vessels. These vessels are equipped with a wide variety of gear types, including drift gill nets, set nets, trawl, hook and line (trolling and long line), purse seine, traps, and diving.

Approximately 10 local vessels are occupied by set net fishing, which takes place primarily within the 55-meter depth contour. The gill net fleet generally work inshore of 130 kilometers offshore and on the Santa Lucia Bank for rockfish.

Trawling is the predominant type of fishing in the area, occupying the work of approximately 22 local vessels. Trawling occurs between 70 and 1,100 meters depth, and not closer than 5 kilometers from shore. Halibut and sole trawling occur primarily in the months from September through March.

Trolling for albacore is an important industry during the late summer and fall (July through October). Salmon are fished from May through August. Other hook and line fishing occurs in water depths of less than 440 meters.

Purse seines fish along the coast for squid and fish such as anchovy and mackerel. Crab are trapped in water depths up to 110 meters. A few fishermen dive for abalone, but this fishing has become restricted due to natural depletion. Oysters are currently being farmed in the Morro Bay area. Sport fishing also occurs out of Morro Bay.

There is limited set net and trap fishing in the project area. Trap fishing for rock and dungeness crabs on offshore rocky bottoms from 20-100m depth occurs in winter months. Trawling does not occur over the State Tidelands crossed by the cable route. Trawling in deeper waters 10-40 nmi offshore over soft bottom habitats is the most important commercial fishing activity in the project area, the Santa Lucia Bank being an area of concentrated fishing activity for Dover and rex sole (MBC 1989; personal communication, J. Giannini 1994). Segment G skirts the northern end of this area, as did the old HAW-2 cable, which was removed in 1992.

Another area of particular interest for recreational and commercial fishing offshore San Luis Obispo County is Church Rock, just south of the T-1 cable alignment about 6 nmi offshore. Fishing here is primarily for rockfish using hook and line (personal communication, R. Hardy 1994).

#### *Project Impacts*

AT&T has worked to lessen potential conflicts with the local fishing industry (personal communications, J. Giannini and G. Perek 1994). The project has incorporated measures to ensure adequate notification to fishermen and other shipping activity during and after cable installation, including all measures previously implemented on the HAW-5 project (section 2.5 of this document). As discussed in the project description, cable design and installation procedures minimize the possibility of cable damage or entanglement of fishing gear. In conclusion, the project would not significantly affect commercial fishing or other uses of the marine environment.

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## **I. NATURAL RESOURCES**

### *Environmental Setting*

Refer to discussion of the previous section.

### *Project Impacts*

#### **1. Use of Natural Resources**

The project would not materially affect the use of natural resources.

#### **2. Nonrenewable Natural Resources**

The project would not affect any nonrenewable natural resources.

## **J. RISK OF UPSET**

### *Environmental Setting and Project Impacts*

#### **1. Release of Hazardous Substances**

Given coordination of the project with the Coast Guard and precautionary noticing to mariners, an accident during the one-time activities associated with cable installation is extremely unlikely and consequences in any case would not be severe. No conflicts with established shipping traffic are foreseen. A reasonable comparison in terms of environmental consequences is with the San Miguel Project Final EIS/EIR (URS 1986), wherein the risk of upset due to support boat accidents throughout the life of the project was considered fully mitigated by reducing the length of trips between project facilities and the support base. As cable installation is a one-time, relatively short-term activity, the risk of upset is considered minimal. In a worst case, i.e. foundering of one of the project vessels or detachment of the Sea Plow, there could be spillage of fuel oil into ocean waters and loss of equipment on the sea bottom. AT&T has committed to retrieving any lost equipment to ensure that no obstructions are inadvertently placed on the seafloor. Given the extremely low probability and relatively minor consequences of upset during cable installation, the overall risk is considered insignificant.

#### **2. Interference with Emergency Response**

The project would not affect emergency response.

## **K. POPULATION**

### *Environmental Setting and Project Impacts*

The project would not affect population density or growth rate.

## **L. HOUSING**

### *Environmental Setting and Project Impacts*

The project would not affect housing.

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**M. TRANSPORTATION/CIRCULATION**

*Environmental Setting and Project Impacts*

Refer to previous discussion under Land Use. The project would temporarily affect oceangoing traffic. Given precautionary noticing and coordination with the Coast Guard, this is not considered a significant impact.

**N. PUBLIC SERVICES**

*Environmental Setting and Project Impacts*

Use of State Parks' property has been previously permitted and all relevant conditions of approval will be followed. The project has no foreseeable effect on other governmental services, including areas of fire, police protection, schools, and roads.

**O. ENERGY**

*Environmental Setting and Project Impacts*

The project does not result in substantial use of or demand for energy resources.

**P. UTILITIES**

*Environmental Setting and Project Impacts*

The necessary connections to utility power have been installed as part of the HAW-5 Project and during Phase I of the TPC-5 Project. No impacts on power, natural gas, communications systems, water, sewer, storm drainage, or solid waste will occur.

**Q. HUMAN HEALTH**

*Environmental Setting and Project Impacts*

The project will not result in the creation of any health hazards or in the exposure of people to potential health hazards.

**R. AESTHETICS**

*Environmental Setting and Project Impacts*

Views of the marine environment from the shoreline of Montaña de Oro State Park are essentially pristine but for seagoing traffic. The project will result in human activity and vessel traffic in a very small area of the nearshore marine environment intermittently over a period of one month. This is more likely to be of casual interest than offensive to viewers, given public information on the project. Based on the temporary nature and small scale of activities, the impact in any case is considered insignificant.

**S. RECREATION**

*Environmental Setting and Project Impacts*

Recreational activities of relevance to this evaluation include public use of Montaña de Oro State Park, and recreational boating and fishing offshore. As discussed in previous sections,

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onshore activities have been coordinated with State Park personnel and are authorized under the previously issued HAW-5 permit (personal communication, D. Sears 1994). All corresponding conditions of approval will be satisfied. As discussed under Land Use (section H above), there would be temporary very localized effects on boating and fishing activities. These effects are not considered significant.

## **T. CULTURAL RESOURCES**

### *Environmental Setting*

There are no known prehistoric or historic cultural resources along the offshore cable routes. USACE and State Lands Commission archaeological staff have reviewed existing databases and found no historic/archaeological sites along the cable routes (Appendix B). Onshore work has been previously reviewed and permitted to the satisfaction of State Parks (personal communication, D. Sears 1994). The State Office of Historic Preservation was contacted regarding the project and indicated their need to review the environmental document before reaching a conclusion (personal communication, C. Caesar 1994).

As discussed in the previous HAW-5 document (Morro Group 1991), there have been at least 5 shipwrecks in the general area of Morro Bay. This information is consistent with the MMS database on shipwrecks between Morro Bay and the Mexican Border (Pierson et al. 1987). The locational data are imprecise, but there are no indications that these shipwrecks are in the vicinity of the cable route.

The information available indicates an extremely low likelihood of any cultural resources being occurring along the offshore cable route. Seafloor survey data from ROV, sidescan sonar, seismic subbottom profiling, and magnetometer have not detected any anomalies that might be cultural resources, although there remains a (remote) possibility of encountering objects that could be cultural resources (Morro Group 1991).

### *Project Impacts*

#### **1. Prehistoric or Historic Archaeological Sites**

The possibility of encountering cultural resources during cable installation is considered remote. In addition, as discussed under the project description (see Appendix C; also Morro Group 1991 for additional discussion), the Sea Plow VI deploys a detection system that enables the operators to see and avoid (go around) buried obstructions, such as shipwrecks, that could be cultural resources. Finally, low-impact construction methods in areas of hard bottom, in conjunction with the small size (1-2 inch diameter) of the cables, effectively eliminate possible adverse effects on objects that might rest on areas of hard bottom. Therefore, the project would not result in the alteration or destruction of an archaeological site.

#### **2. Adverse Physical or Aesthetic Effects to Cultural Resources**

Based on the foregoing, the project would not have adverse physical or aesthetic effects on cultural resources.

#### **3. Ethnic Cultural Values**

No effects on ethnic cultural values are known or expected.

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**4. Religious Sites**

No effects on religious sites are known or expected.

**U. MANDATORY FINDINGS OF SIGNIFICANCE**

**1. Environmental Quality**

The foregoing project information and analyses indicate that the project, with mitigations as incorporated into the project description, does not have the potential to degrade the quality of the environment, adversely affect fish and wildlife populations or sensitive plant or animal species, or eliminate important examples of California history or prehistory.

**2. Short-Term Gains vs Long-Term Goals**

The project does not entail the sacrifice of long-term environmental goals for short-term gains.

**3. Cumulative Impacts**

The project does not have cumulatively significant impacts.

**4. Human Effects**

The project will not have substantial adverse effects, either directly or indirectly, on human beings.

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**APPENDIX A**  
**MITIGATION MONITORING**  
**AND REPORTING PLAN**

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## 5.0 PERSONS AND AGENCIES CONTACTED

- Brown, Judy.** Project Manager, Division of Environmental Planning and Management, State Lands Commission, Sacramento, CA.
- Brungardt, Bill.** P.E. and President, Brungardt Honomichl & Company (Engineering Consultant to AT&T), Overland Park, KS.
- Bybee, James.** Northern California Coordinator, U.S. Department of Commerce National Marine Fisheries Service, Long Beach, CA.
- Caesar, Clarence.** Historic Archaeologist, State Office of Historic Preservation, Sacramento, CA.
- Fusaro, Craig.** Oil/Fisheries Liaison Office, Santa Barbara, CA.
- Giannini, Jody.** Morro Bay Fishermen's Association, Morro Bay, CA.
- Hardy, Robert.** Biologist, California Department of Fish and Game, Morro Bay, CA.
- Lindsay, Marie.** Staff Biologist, U.S. Fish and Wildlife Service, Ventura, CA.
- Monowitz, Steve.** Planner, California Coastal Commission, Santa Cruz, CA.
- Nitsos, Richard.** California Department of Fish and Game, Long Beach, CA.
- Perek, Gene.** Pacific Supervisor, AT&T Submarine Cable Protection, Morristown, NJ.
- Reents, Mary.** Planner, The Morro Group, Los Osos, CA.
- Sears, David.** Superintendent, Montaña de Oro State Park.
- Welch, Tiffany.** U.S. Army Corps of Engineers, Ventura Regulatory Field Office, Ventura, CA.
- White, Adam.** Regional Water Quality Control Board, San Luis Obispo, CA.

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**APPENDIX A:**

**MITIGATION MONITORING AND REPORTING PLAN**

**ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

**General**

The applicant has incorporated a number of mitigation measures into the project description. Strict adherence to these measures and to other specifications, procedures, and commitments set forth in the project description, subject to amendment as agreed upon by AT&T and the State Lands Commission, is required. Failure to meet this requirement could result in unanticipated, and potentially significant impacts and is cause for permit revocation. The State Lands Commission shall review and/or monitor project implementation as necessary to ensure consistency with the project description and assumptions upon which this environmental analysis was based. AT&T shall provide documentation in support of compliance upon reasonable request from the State Lands Commission.

**Air Quality**

1. **MITIGATION MEASURE:** To mitigate short-term adverse impacts of cable installation activities on air quality offshore San Luis Obispo County, injection timing on diesel-powered engines shall be retarded by two degrees. Prior to initiation of construction, AT&T shall provide to the State Lands Commission written evidence of its contractors' compliance with this measure.

**MITIGATION MONITORING:** The State Lands Commission shall review AT&T's submittal for compliance with this requirement.

**Marine Transportation/Fishing**

2. **MITIGATION MEASURE:** AT&T shall notify the Commander (oan) Eleventh Coast Guard District, 501 West Ocean Boulevard, Long Beach, California 90802, (310) 980-4300, ext. 501 at least two weeks prior to start of activity. The notification should include the following information:
  - a. The location of the work site.
  - b. The size and type of equipment that will be performing the work.
  - c. Name and radio call signs for working vessels, if applicable.
  - d. Telephone number for on-site contact with project engineers.
  - e. The schedule for completing the project.

**MITIGATION MONITORING:** Prior to the start of offshore construction, the State Lands Commission shall confirm AT&T's notification of the Coast Guard as required by this measure.

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**Biology**

3. **MITIGATION MEASURE:** To prevent any effect on the southern sea otter (*Enhydra lutris nereis*), a biologist familiar with sea otter behavior shall be on-site at all times during construction to watch for otters. Should otters be sighted in close proximity to the project area, the applicant shall cease operations until the otter(s) leave the vicinity of the project area.

To document compliance, the applicant shall submit a report no later than 30 days after cable installations are completed. The report shall include a description of otters observed, observation times and locations as well as behavior, and all actions taken to avoid affecting the otter. Copies of the report shall be sent to the Corps of Engineers and to Mr. Craig Faanes, Field Supervisor, USFWS Ventura Field Office, 2140 Eastman Avenue, Suite 100, Ventura, CA 93003.

**MITIGATION MONITORING:** Prior to the start of offshore construction, the State Lands Commissions shall confirm with USFWS that AT&T is meeting this requirement. AT&T shall submit a copy of the compliance report mentioned above to the State Lands Commission. The State Lands Commission shall confirm the acceptability of the report with USFWS.

**Onshore Activities**

4. **MITIGATION MEASURE:** During onshore activities, AT&T shall adhere to all applicable conditions issued in conjunction with County of San Luis Obispo Development Plan/Coastal Permit #D900132D and the Temporary Use Permit issued by the California Department of Parks and Recreation, and to subsequent additions or modifications as deemed necessary for the TPC-5 Project by these agencies.

**MITIGATION MONITORING:** Prior to, during, and upon completion of cable installation for the TPC-5 Project, the State Lands Commission shall confer with San Luis Obispo County and Montaña de Oro State Park to confirm AT&T's compliance with all applicable conditions.

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**APPENDIX B**  
**CORRESPONDENCE RECEIVED**

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Michael Andre Donnell  
Senior Attorney

Room 3235B3  
295 North Maple Avenue  
Basking Ridge, NJ 07920  
908 221-8379

December 23, 1992

Ms. Donna R. Searcy, Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: TPC-5 Network Cable Landing License  
File No. S-C-L-92-005

Dear Ms. Searcy:

Paragraph 10(7) of the TPC-5 Network Cable Landing License granted by the Federal Communications Commission on November 12, 1992 and released November 25, 1992 requires that the terms and conditions upon which the TPC-5 Network Cable Landing License is granted shall be accepted by the Licensee by filing a letter with the Secretary, Federal Communications Commission within thirty days of the release of the order. Pursuant to that requirement, American Telephone and Telegraph Company hereby accepts the terms and conditions upon which the above-referenced TPC-5 Network Cable Landing License was granted and issued to it.

Respectfully submitted,

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

*Michael Andre Donnell*

cc: Mr. G. Li  
All parties of record

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

AMERICAN TELEPHONE  
AND TELEGRAPH  
COMPANY  
CICI, INC.  
GTE HAWAIIAN  
TELEPHONE COMPANY  
INCORPORATED  
IT&E OVERSEAS, INC.  
MCI INTERNATIONAL, INC.  
SPRINT COMMUNICATIONS  
COMPANY LIMITED  
PARTNERSHIP  
TRT/FTC  
COMMUNICATIONS, INC.

File No. S-C-L-92-005

Joint Application for a  
License to Land and Operate  
a High Capacity Digital  
Submarine Cable Network  
Between and Among the  
United States Mainland,  
the State of Hawaii,  
the Island of Guam  
and Japan

CABLE LANDING LICENSE

Adopted: November 12, 1992; Released: November 25, 1992

By the Chief, Common Carrier Bureau:

1. On June 4, 1992, seven United States international service carriers (hereinafter referred to as Joint Applicants)<sup>1</sup> filed the above-captioned Joint Application requesting authority pursuant to "An Act Relating to the Landing and Operation of Submarine Cables in the United States," 47 U.S.C. §§34-39, to land and operate a high capacity digital submarine cable network known as the

TPC-5 Cable Network (TPC-5), extending between an among the United States Mainland, the State of Hawaii, the Island of Guam, and Japan.

2. The Joint Application was placed on public notice on June 10, 1992. STC Submarine Systems Inc. (STC) comments requesting the Commission to condition the cable landing license and the accompanying Section 214 authorization.<sup>2</sup> The Joint Applicants<sup>3</sup> filed a Reply to which STC subsequently responded. For the reasons discussed below, we grant this application.

The TPC-5 Cable Network

3. TPC-5 will land at Coos Bay, Oregon (U.S.), San Luis Obispo, California (U.S.), Keawaula, Hawaii (U.S.), Tumon Bay, Guam (U.S.), and extend to Miyazaki and Ninomiya, Japan. The proposed cable network consists of twelve segments.<sup>4</sup>

4. TPC-5 will employ the latest SL2000 technology operating at 4.8 Gigabits per second (Gbit/s) on each of the two fiber pairs. One fiber pair will be used for service while the other will be used for restoration. The "loop" configuration of TPC-5, along with the fully redundant restoration pair, provides 100 percent fiber-on-fiber restoration and route diversity within the network, resulting in a much higher circuit reliability. The operating capacity of 4.8 Gbit/s for each pair, service and restoration, consists of 32 Basic System Modules (BSM) operating at 155 Megabits per second (Mbit/s), with each BSM consisting of 63 Minimum Investment Units (MIUs).<sup>5</sup> The design capacity per fiber pair is 2,016 MIUs. For voice services, digital circuit multiplication equipment (DCME) can be employed to derive about 150 virtual voice paths from each MIU.

5. The proposed cable network will be owned by Joint Applicants and 37 foreign telecommunications administrations and entities in the following locations: Argentina, Australia, Austria, Belgium, Canada, China, Denmark, Finland, France, Germany, Hong Kong, Ireland, Indonesia, Italy, Japan, Korea, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Norway, Peru, Philippines, Portugal, Singapore, Sweden, Switzerland, Taiwan, Turkey and the United Kingdom.

6. Although expressly supporting the construction of TPC-5, STC requests the Commission to condition approval of the cable landing license and accompanying Section 214 authorization by requiring the Joint Applicants to use a fair and open procurement process in awarding the construction contracts for TPC-5 as it did in *Pacific Telecom Cable*.<sup>6</sup> As we decided in TPC-4, given competitive market circumstances, we can find no public interest benefit to involving the Commission in the management of the TPC-

<sup>1</sup> The Joint Applicants include American Telephone and Telegraph Company (AT&T), CICI, Inc. d/b/a IDB International (IDB), GTE Hawaiian Telephone Company, Inc. (HTC), IT&E Overseas, Inc. (IT&E), MCI International, Inc. (MCI), Sprint Communications Company Limited Partnership (Sprint), and TRT/FTC Communications, Inc. (TRT/FTC).

<sup>2</sup> See File No. ITC-92-179.

<sup>3</sup> Sprint and MCI did not join in this reply.

<sup>4</sup> Segments A, B, C, D, E, and F, are, respectively, the new cable station at Coos Bay, Oregon; the cable station at San Luis Obispo; the cable station at Keawaula, Hawaii; the cable station at Tumon Bay, Guam; the cable station at Miyazaki, Japan; and the cable station at Ninomiya, Japan. Segment G is the whole of

the submarine cable network linking Segments B and C. Segment H is the whole of the submarine cable network linking Segments C and D. Segment I is the whole of the submarine cable network linking Segments D and E. Segment J is the whole of the submarine cable network linking Segments E and F. Segment T1 is the whole of the submarine cable network linking Segments A and B. Segment T2 is the whole of the submarine cable network linking Segments G and H.

<sup>5</sup> A MIU is a 2.048 Mbit/s digital stream jointly assigned between two partners or wholly assigned to a party which used for purposes of ownership allocation.

<sup>6</sup> *Pacific Telecom Cable, Inc.*, 2 FCC Rcd 2696 (1992) (conditional license); 4

5 procurement decisions and do not believe that it is necessary to condition the grant of TPC-5 on assurances of competitive procurement practices.<sup>7</sup>

7. Pursuant to our obligations under 47 U.S.C. §§34-39, the Department of State, after having coordinated with the National Telecommunications and Information Administration and the Defense Information Systems Agency, has approved the landing of TPC-5 in the United States.<sup>8</sup>

8. Based on the information provided by the Joint Applicants, we conclude that the grant of the requested authorization will not have a significant effect on the environment as defined in Section 1.1307 of the Commission's Rules and Regulations implementing the National Environmental Policy Act of 1969, 42 U.S.C. §§4321-4335 (1976).<sup>9</sup> Consequently, no environmental assessment is required to be submitted with this Joint Application under Section 1.1311 of the Commission's Rules.

9. Concurrent with consideration of this application, this Commission has granted the Joint Applicants authority under Section 214 of the Communications Act of 1934, as amended, to construct and operate TPC-5 (DA 92-1559, adopted November 12, 1992, File No. 1-T-C-92-179). As detailed in the companion Section 214 authorization of TPC-5, we find that the proposed TPC-5 Cable Network is in the public interest, and we find that this application requesting a cable landing license should be granted.

#### Ordering Clauses

10. Accordingly, this Commission HEREBY GRANTS AND ISSUES under the provisions of "An Act Relating to the Landing and Operation of Submarine Cables in the United States," 47 U.S.C. §§34-39, and pursuant to authority delegated to this Commission under Executive Order No. 10530, dated May 10, 1954, 3 C.F.R. 1954-1958 Comp., p.189 (1961), *reprints in* 3 U.S.C.A. §301 at 1052 (1985), to the Joint Applicants (AT&T, IDB, HTC, IT&E, MCIL, Sprint and TRT/FTC) a license to land and operate one high capacity digital submarine cable, having a capacity of 4.8 Ghz per fiber pair, extending between Coos Bay, Oregon (U.S.), San Luis Obispo, California (U.S.), Keawaula, Hawaii (U.S.), Tumon Bay, Guam (U.S.), Miyazaki, Japan and Ninomiya, Japan. This license is subject to: (1) "An Act Relating to the Landing and Operation of Submarine Cables in the United States," 47 U.S.C. §§34-39; (2) the Communications Act of 1934, as amended, 47 U.S.C. §§151-609; (3) subsequent applicable acts; (4) any treaties or conventions relating to communications to which the United States of America is now or may hereafter become a party; (5) any actions by the Commission or the Congress of the United States of America rescinding, changing, modifying, or amending any rights accruing to any person, and (6) the following conditions:

(1) The location of the cable within the territorial waters of the United States of America, its territories and possessions, and upon the foreshore thereof, shall be in conformity with plans approved by the Sec-

retary of the Army, and the cable shall be moved or shifted by the Licensees at their expense upon the request of the Secretary of the Army whenever he or she considers such course necessary in the public interest, for reasons of national defense, or for the maintenance or improvement of harbors for navigational purposes;

(2) The Licensees shall at all times comply with any requirements of the United States' Government authorities regarding the location and concealment of the cable facilities, buildings, and apparatus with a view to protecting and safeguarding the cable from injury or destruction by enemies of the United States of America;

(3) The Licensees or any persons or companies directly or indirectly controlling them or controlled by them or under direct or indirect common control with any of them shall not acquire or enjoy an right, for the purpose of handling traffic to or from the United States, its territories or possessions, to land, connect or operate cables or landlines, to construct or operate radio stations, or to interchange traffic, which is denied to any other United States company by reason of any concession, contract, understanding, or working arrangement to which the Licensees or any persons or companies controlling them or controlled by them are parties;

(4) Neither this license, nor the rights granted hereunder shall be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of or disposed of indirectly by transfer of control of the Licensees to any persons, unless the Federal Communications Commission shall give prior consent in writing;

(5) This license is revocable after due notice and opportunity for hearing by the Federal Communications Commission in the event of breach or nonfulfillment of any requirements specified in Section 214 of "An Act Relating to the Landing and Operation of Submarine Cables of the United States," 47 U.S.C. §§34-39, or for failure to comply with the terms of the authorization;

(6) The Licensees shall notify the Commission in writing of the date on which the cable is placed in service; and this license shall expire 25 years from that date, unless renewed or extended upon proper applications duly filed no less than six months prior to the expiration date; and, upon expiration of the license, all rights granted under it shall be terminated; and

(7) The terms and conditions upon which this license is given shall be accepted by the Licensees by filing a letter with the Secretary, Federal Communications Commission, Washington, D.C. 20554, within 30 days of the release of this order.

<sup>7</sup> See *American Telephone & Telegraph, et al.*, 4 FCC Rcd 10446 at 8 (1989) (TPC-4 Decision). See also TPC-5 Section 214 authorization, para. 22 and 23, DA 92-1559, adopted November 12, 1992.

<sup>8</sup> Letter from Michael T.N. Fitch, Senior Deputy U.S. Coordinator and Director for the Bureau of International Communica-

tions and Information Policy, Department of State to George Li, Chief, International Facilities Division, Common Carriage Bureau, Federal Communications Commission (October 1992).

<sup>9</sup> See Section 214 Application, File No. 1-T-C-92-179, at p. 2

11. IT IS FURTHER ORDERED that STC's request to condition the TPC-5 cable landing license is hereby denied.

12. This order is issued under Section 0.291 of the Rules and is effective upon adoption. Petitions for consideration under Section 1.106 or applications for review under Section 1.115 of the Rules may be filed within 30 days of public notice of this order (see Section 1.14(b)(2)).

**FEDERAL COMMUNICATIONS COMMISSION**

**Cheryl A. Tritt**  
Chief, Common Carrier Bureau

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# Department of Planning and Building San Luis Obispo County

Alex Hinds, Director  
Bryce Tingle, Assistant Director  
Barney McCoy, Chief Building Official  
Norma Salisbury, Administrative Services Officer  
Ellen Carroll, Environmental Coordinator

January 12, 1994

Bill A. Brungardt, P.E.  
Brungardt Honomichl Consulting Engineers  
8575 West 110th Street Suite 210  
Overland Park, KS. 66210

Dear Mr. Brungardt:

I reviewed the project description you submitted on December 10, 1993 and the scope of work for mitigation monitoring with Mary Reents of the Morro Group today and have found both to be acceptable.

Please proceed at your earliest convenience with the project start up portion of the project so that we can better avoid the winter storms. I understand that there will be a pre-construction meeting the first week in February to review the development plan permit and environmental monitoring aspects of the project with the work crew and project managers. Mary and I will be reviewing the final construction schedule and the scope of work with the AT&T group at that meeting.

As we discussed earlier, the Department of Planning and Building remains concerned about the timing of this work relative to what will undoubtedly be intermittent winter storms, the impact on the vegetation along the cable route, as well as visual impacts. The mitigation monitor will be working with AT&T to ensure that every effort is made to minimize disruption of vegetation and top soil, although some revegetation will likely be necessary. Some work staging may be necessary if the soil becomes too saturated, and stop work is likely during periods of heavy precipitation.

We will be working with you to re-evaluate the route after completion. The condition of the improvements (especially the water bars along the Ridge Trail), and the extent of revegetation will be documented so that AT&T can begin the revegetation program and make repairs to drainage and erosion control improvements.

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As you know the Department of Planning and Building has interpreted your request to lay additional cable in the existing conduit to be a continuation of this project for which you currently have a valid development plan and coastal development permit, subject to those same conditions of approval.

Please call me at (805) 781-5621 if you have questions or concerns.

Sincerely,

  
Terry Wahler, Senior Planner  
Development Review Section

Rec 1-12-94

cc: Earl Dalrymple  
Kevin Doyle  
file

tw A:AT&TBB.1tr

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LOS ANGELES DISTRICT  
U.S. ARMY CORPS OF ENGINEERS

## NOTICE OF APPLICATION FOR LOP

Public Notice/Application No. 94-250-TW  
Comment Period: January 13, 1994 through January 28, 1994

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### Applicant(s)

AT&T  
340 Kimble Avenue, Room 210  
Morristown, NJ 07960-1995  
(201) 326-4820

### Contact

Brungardt Honomichl & Company, P.A.  
8575 West 110th Street, Suite 210  
Overland Park, KS 66210  
(913) 345-1516

### Location

In the Pacific Ocean extending from Montana de Oro State Park, San Luis Obispo to Keawaula, Hawaii and Bandon, Oregon.

### Activity

Installation of two new offshore fiber optic cables (see attached drawings). For more information see page 3 of this notice.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 10, River and Harbor Act of 1899 (33 U.S.C. 403). Comments should be mailed to:

U.S. Army Corps of Engineers  
Ventura Regulatory Field Office  
ATTN: CESPL-CO-R-94-250-TW  
2151 Alessandro Drive, Suite 100  
Ventura, California 93001

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## Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof, among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion, and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

## Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Coastal Zone Management- The applicant shall certify that the proposed activity complies with and shall be conducted in a manner that is consistent with the approved State Coastal Zone Management Program.

Cultural Resources- A cultural resources review conducted by Corps archaeological staff indicates no historic/archaeological site(s) located near the proposed activity.

Endangered Species- Although the southern sea otter (Enhydra lutris nereis) a federally-listed species may be present in the area, preliminary determinations indicate that the proposed activity would not affect this species. Therefore, formal consultation under Section 7(c) of the Endangered Species Act is not required.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

## Proposed Activity for Which a Permit is Required

AT&T proposes to pull two armored fiber optic cables through existing offshore bore pipes (COE file no. 91-136-SG) into an existing manhole at the Sandspit Beach Parking Area at Montana de Oro State Park. This would then be followed by cable lays from San Luis Obispo to the destination

point in Hawaii and regon.

Additional Project Information

The proposed project would be conducted in two phases as follows:

**Phase I: On-shore Activities (non-jurisdictional):**

At Montana de Oro State Park a 2' x 20' trench would be excavated to expose the end of each bore pipe and pulling in the cables with assistance from a winch and turning wheel.

All activities would be confined to the parking lot surface. Excavations would be backfilled and compacted and the parking lot surface restored following completion of the cable pulling operations. Operations would require approximately 2 to 3 weeks to complete.

**Phase II: Offshore Activities (jurisdictional from the plane of Mean High Water to the seaward limit of the territorial seas):**

Expose ends of bore pipes (currently 4 feet deep) with pressurized water jets and feed the two fiber optic cables off the stern of a ship for the pulling operation. After the cables have been pulled into the beach manhole and temporarily anchored, a plow shed would be deployed. The cables would be plowed to a 4 foot depth for approximately 40 miles, thereafter the cable would be directly laid on the seafloor for the remaining distance. Upon completion of the cable laying, the bore pipes would be reburied to their original depths by jetting the material on-site.

If during the plowing operations rock outcroppings are encountered, the cable would be laid directly on the rock surface. No rock sawing would be performed and the cable would not be mechanically anchored to the rock.

No new facilities would be constructed.

Proposed Special Conditions

No special conditions have been proposed by the applicant at this time.

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Commenting agencies (California Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Marine Fisheries, California Coastal Commission, and the U.S. Coast Guard) are requested to reply by January 28, 1994. The proposed project is being reviewed for a Letter of Permission (LOP). Agencies not responding by January 28, 1994 will be assumed to have no objection to issuance of an LOP for the proposed project.

For additional information please call Ms. Tiffany Welch of my staff at (805) 641-2935. This public notice is issued by the Chief, Regulatory Branch.

**DEPARTMENT OF PARKS AND RECREATION**

San Luis Obispo Coast District  
3220 S. Higuera St., Suite 311  
San Luis Obispo, CA 93401  
(805) 549-3312

February 1, 1994

Bill A. Brungardt  
Brungardt Honomichl & Co.  
8575 West 110th St., Ste 210  
Overland Park, KS 66210

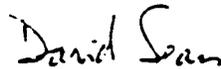
Dear Mr. Brungardt:

By this letter I am again extending the "Temporary Use Permit" issued for American Telephone and Telegraph (AT&T) for an additional year. The new expiration date becomes January 7, 1995.

All conditions and standards contained in this agreement remain in effect for the extended time period.

If you have any questions, please call me at (805) 549-3312.

Sincerely,



David L. Sears  
District Superintendent

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DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT, CORPS OF ENGINEERS

P.O. BOX 2711

LOS ANGELES, CALIFORNIA 90003-2711

REPLY TO  
ATTENTION OF  
Office of the Chief  
Regulatory Branch

FEB 2 1994

AT&T  
c/o Burngardt Honomichl & Company, P.A.  
8575 West 110th Street, Suite 210  
Overland Park, KS 66210

Gentlemen:

We have received the attached letters of comment in response to our Notice of Application for a Letter of Permission No. 94-250-TW. These letters are being provided only for your information and a response is not expected from you. Nevertheless, you may provide your views, in writing, for our files if you wish.

If you have any questions, please contact Ms. Tiffany Welch of my staff at (805) 641-2935.

Sincerely,

David J. Castanon  
Chief, North Coast Section

Enclosures

Rec. 2-7-94

cc: Earl Dalrymple  
Chris Brungardt  
Bill Brungardt  
Environmental Consultant  
file

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