



United States Department of the Interior



FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES

Ventura Field Office

2140 Eastman Avenue, Suite 100

Ventura, California 93003

January 28, 1994

David Castanon, Section Chief
U.S. Army Corps of Engineers
Ventura Regulatory Field Office
2151 Alessandro Drive, Suite 100
Ventura, California 93001

Attention: Tiffany Welch

Subject: Notice of Application for a Letter of Permission to Install Two Fiber Optic Cables Offshore of Montana de Oro State Park, San Luis Obispo County, California (94-250-TW)

Dear Mr. Castanon:

The U.S. Fish and Wildlife Service (Service) has reviewed the referenced notice dated January 13, 1994. The project applicant, AT&T, proposes to install two fiber optic cables from Montana de Oro State Park, San Luis Obispo County, California to Keawalua, Hawaii and Brandon, Oregon. These comments have been prepared under the authority of, and in accordance with, the provisions of the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e; 46 Stat. 401), and other authorities mandating Department of the Interior concern for environmental values.

AT&T proposes to use existing bore pipes, which extend offshore into Estero Bay from the parking area at Sandspit Beach, to facilitate the installation of the cables. First, both ends of the bore pipes would be exposed. The cables would then be deployed from an offshore ship and pulled on-shore through the bore pipes. When the on-shore end is anchored, the ship will simultaneously lay and bury the cables for approximately 40 miles. Thereafter, the cables would be laid directly on the seafloor until the destination point is reached.

The southern sea otter (*Enhydra lutris nereis*), a federally listed species, has been observed in Estero Bay and the proposed project area by Service, National Biological Survey, and California Department of Fish and Game biologists. Based on information received from these sources, we believe that the proposed activity may cause intentional or incidental mortality of southern sea otters, temporary displacement

David Castanon, Section Chief

2

otters, and subsequent effects on adjacent southern sea otter populations.

Please note that the take of any southern sea otters, including through harassment, is prohibited, and may occur only under the authority of the Service through authorizations pursuant to sections 7, for Federal actions, or 10(a)(1)(B), for actions without a Federal nexus, as mandated in the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544, 87 Stat. 884)(Act). Furthermore, section 7(b)(4)(C) of the Act specifies that incidental take of an endangered or threatened marine mammal must be authorized under section 101(a)(5) of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361-1407)(MMPA). Therefore, until the requirements of section 7(b)(4)(c) of the Act and section 101(a)(5) of the MMPA are met, no incidental take can be authorized.

Our experience with actions such as that proposed by AT&T has been that the activities associated with project implementation are likely to cause southern sea otters to leave the area. In some cases, intentional harassment of southern sea otters has been necessary to ensure that they are not injured by human activities. Under a worst case scenario, a southern sea otter could be killed during the activity permitted by the Corps.

Therefore, the Service recommends that the Corps initiate formal consultation with the Service pursuant to section 7 of the Act, to ensure that southern sea otters are not taken illegally at any time during project implementation. To reduce the need for repeated consultations, we believe that it would be useful to consult on a variety of activities, such as the repair of breakwaters, docks, and other facilities, that are likely to have very minor adverse impacts on southern sea otters, and that can be mitigated through a standard set of terms and conditions. The biological opinion that would result from such a consultation could authorize the intentional and incidental harassment of southern sea otters that may occur within a given project area.

The Service believes the course of action that we have proposed with regard to consulting on routine activities within the range of the southern sea otter would reduce the workload placed upon our staffs. The issuance of an incidental take statement for the harassment of southern sea otters would also ensure that the Corps has fulfilled its obligations under section 7 of the Act and should lend assurances to project proponents that their activities would not be in violation of the Act.

We look forward to additional coordination with you and your staff on this proposed project and to discussing a programmatic approach to section 7 compliance.

CALENDAR PAGE	246
MINUTE PAGE	2021

David Castanon, Section Chief

3

If you have any questions regarding this letter, please contact Ms. Marie Lindsey of my staff at 805/644-1766.

Sincerely,



Craig Faanes
Field Supervisor

CALENDAR PAGE 247

MINUTE PAGE 2922

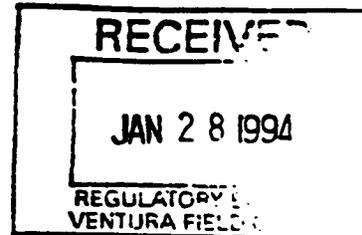


UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213
TEL (310) 980-4000; FAX (310) 980-4018

January 27, 1994

F/SW021:RSH

Colonel R.L. VanAntwerp
District Engineer
Los Angeles District
U.S. Army Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053-2325

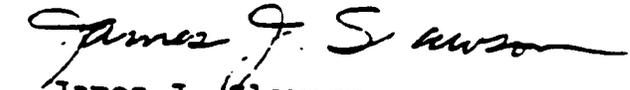


Dear Colonel VanAntwerp:

We do not have any objections to the issuance of a permit for the following Letter Of Permission (LOP).

94-250-TW-AT&T

Sincerely,


James J. Slawson
Chief, Habitat Conservation
Division

CC:
USFWS
EPA
CDFG
COE-Ventura

CALENDAR PAGE 248

MINUTE PAGE

2023



MEMORANDUM OF CALL

Previous editions usable

TO: TW

YOU WERE CALLED BY- YOU WERE VISITED BY-

Clyde Morris

OF (Organization) USEPA

PLEASE PHONE FTS AUTOVON

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT MESSAGE

No objection for 94-250-TW

RECEIVED BY TW DATE 1/21 TIME

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101-11.6 GPO : 1990 O - 276-977

MEMORANDUM OF CALL

Previous editions usable

TO: TW

YOU WERE CALLED BY- YOU WERE VISITED BY-

Dick Nitso

OF (Organization) CDFG

PLEASE PHONE FTS AUTOVON

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT MESSAGE

No objection on 94-250-TW

RECEIVED BY TW DATE 1/24 TIME

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101-11.6 GPO : 1990 O - 276-977

MEMORANDUM OF CALL

Previous editions usable

TO: TW

YOU WERE CALLED BY- YOU WERE VISITED BY-

J. Martin

OF (Organization) USCE (can-br)

PLEASE PHONE FTS AUTOVON

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT MESSAGE

No objection provided we include local Notice to Mariners condition

CALENDAR PAGE 249 MINUTE PAGE 2924

RECEIVED BY TW DATE 1/24 TIME

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101-11.6 GPO : 1990 O - 276-977



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3711
LOS ANGELES, CALIFORNIA 90003-3711

MAR - 2 1994

REPLY TO
ATTENTION OF

Office of the Chief
Regulatory Branch

AT&T

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

Gentlemen:

Reference is made to your application dated December 30, 1993 (File No. 94-250-TW) for a Department of the Army authorization to install two new offshore fiber optic cables in the Pacific Ocean extending from Montana de Oro State Park, San Luis Obispo to Keawaula, Hawaii and Bandon, Oregon.

While this activity, along with the attached special conditions, meets the general terms and conditions for authorization under a Letter of Permission at 33 CFR Part 325.2(e)(1), we note that you have not obtained consistency certification, or waiver thereof, pursuant to section 307 of the Coastal Zone Management Act (CZMA), from the California Coastal Commission (CCC). Therefore, your application is denied without prejudice.

Your project cannot be authorized until the requirements at 33 CFR 320.3(b), 320.4(h) and 325.2(b)(2)(ii) are satisfied. These requirements can be satisfied by obtaining CZMA consistency certification, or obtaining evidence that six months have passed since you applied to the CCC for CZMA consistency certification. Be aware that any conditions on your CZMA consistency certification will become conditions on your Letter of Permission, unless the Corps of Engineers determines that such conditions do not comply with the provisions of 33 CFR 325.4. In the latter case, the Corps of Engineers will consider the conditional certification administratively denied.

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

Sincerely,

John A. Gill
John A. Gill
Chief, Regulatory Branch

Enclosure

Rec 3-6-94

cc E A Dalrymple AT&T

CALENDAR PAGE	250
MINUTE PAGE	2925

SPECIAL CONDITIONS FOR 94-250-TW

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 affect 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.

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, CA 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.

CALENDAR PAGE	251
MINUTE PAGE	2926

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —
CENTRAL COAST REGION



81 HIGUERA STREET, SUITE 200
SAN LUIS OBISPO, CA 93401-3427
(805) 549-3147

April 4, 1994

Kevin Doyle
Brungardt Honomichl & Co., P.A.
8575 West 110th Street, Suite 210
Overland Park, KS 66210

Dear Mr. Doyle:

**SECTION 401 WATER QUALITY CERTIFICATION APPLICATION, TPC-5 CABLE LANDING PROJECT,
SAN LUIS OBISPO COUNTY**

Staff has reviewed your application for the subject project and has the following comments.

Your application describes project activity as the installation of two fiber optic cables from an existing manhole at Montana De Oro State Park. The cables will be buried in 4 feet of ocean bottom sediment out to 40 miles by use of a large plow sled towed by a boat. Forty miles out, the cables will be laid directly on bottom with final termination being in Oregon and Hawaii.

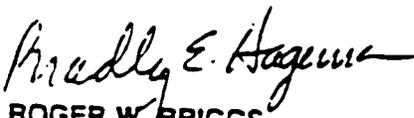
Through conversations with the Army Corps of Engineers, Ventura Field Branch, it is our understanding that this project is subject to a letter of permission under 40 CFR 325 and accordingly, does not require a water quality certification.

The Board does have the authority to require a report of Waste Discharge for the project. However, staff does not feel requirements are needed for the project, as currently proposed. Staff's recommendation of waiver will be presented to the Regional Board at the Board meeting scheduled for May.

In addition, you must notify the Regional Board, pursuant to Section 13260 of the Water Code, if substantial project changes result in un-mitigated adverse impacts to water quality.

If you questions, please contact Adam White (805) 549-3694 between the hours of 8-10 a.m. and 1-5 p.m. Monday through Friday.

Sincerely,

for 
ROGER W. BRIGGS
Assistant Executive Officer

AWV:tpc5.crt

cc: Stan Martinson
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130

Dept. of The Army
U.S. Corps of Engineers
Regulatory Branch
2151 Alessandro Drive
Ventura, CA 93003

CALENDAR PAGE 252

MINUTE PAGE

2927

cc: EARL DALRYMPLE
BILL BRUNGARDT
FILE 3.2

Memorandum

April 18, 1994

File: PRC 7603

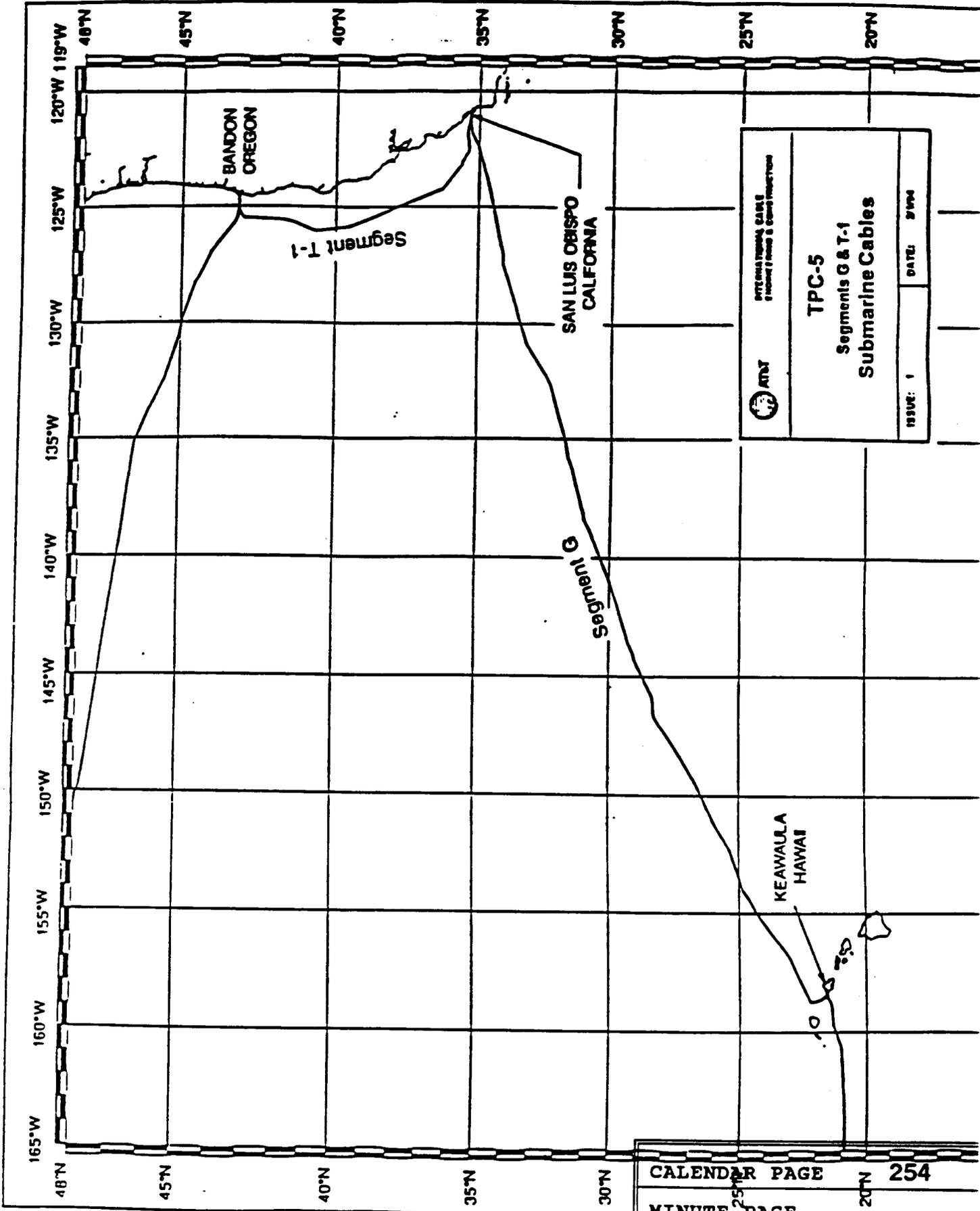
TO: Judy Brown

FROM: Kirk Walker SUBJECT: Review of AT&T Fiber Optic Cable Alignment of TPC-5 for
Potential Shipwreck Locations

I have reviewed AT&T's proposed cable route for this project, and find that the proposed cable route will parallel a previously placed fiber optic cable to well beyond the State's three-mile limit. The route as identified on the drawing dated February 1, 1994, entitled AT&T International Cable Engineering & Construction, TPC-5 Segments G & T-1, Submarine Cables, has been checked against the State Lands Commission's Shipwreck Database, and that the proposed cable route would not impact any known shipwrecks.

CALENDAR PAGE 253

MINUTE PAGE 2028



 INTERNATIONAL CABLE & TELEPHONE CONSTRUCTION	TPC-5 Segments G & T-1 Submarine Cables	
	ISSUE: 1	DATE: 9/64

APPENDIX C
SUPPORTING TECHNICAL INFORMATION

CALENDAR PAGE	255
MINUTE PAGE	2930

Commercial and Partyboat Fisheries of the Morro Bay Region
(from MBC 1989)
(page 1 of 3)

<i>Species</i>	<i>Description</i>
<i>Invertebrates</i>	
Rock Crab	The Dungeness fishery decreases south of the Monterey Bay region and is replaced by a trap fishery for three species of <i>Cancer</i> collectively referred to as rock crabs. Although <i>Cancer anthonyi</i> is common in sedimentary areas, most trapping for <i>C. productus</i> and <i>C. antennarius</i> occurs in rocky areas in water depths from 10 to 50 fathoms (fm). Areas of particularly heavy fishing are between Cape San Martin and Point Estero; from Morro Rock to Point Buchon; from Pismo Beach to Point Arguello; and from Point Arguello to Point Conception.
Lobster	Commercial lobster trapping in this region is limited to the nearshore areas (to 20 fm) between Points Conception and Arguello. Extensive lobster fishing occurs south of Point Conception; however, water temperature and severe weather conditions limit this fishery north of Point Conception.
Ocean Shrimp	Area C, which extends from Pigeon Point south, constitutes the southernmost ocean shrimp bed in California. Although one of the largest, Area C is generally the least productive of all of the California ocean shrimp beds. Bed C extends from Lion Rock on the Point Buchon peninsula to Purisima Point, in water depths of 70 to 130 fm. This bed like all others has a green mud bottom, a habitat preferred by this species throughout its geographic range.
Abalone and Urchins	Commercial fisheries for these species are limited to rocky areas in the vicinity of kelp beds of the region. Historically, abalone have been taken between Point Buchon and Port San Luis (to 20 fm); sea otters in this area may have limited most recent catches. Between Points Arguello and Conception and when weather permits, there are good areas to depths of 20 fm. The urchin fishery has recently expanded into several more northern regions. Urchin harvesting is limited to rocky areas to depths of 20 fm; centers of production in this region include Point Buchon and between Points Arguello and Conception.
<i>Fishes</i>	
Dover Sole	Found within the rockfish grounds in the summer, Dover sole are caught by trawl primarily between Lopez Point and Alder Creek and from Point Sierra Nevada to Cambria in 100 to 300 fm. Dover sole are also fished extensively from 200 to 500 fm on the Santa Lucia Bank.

CALENDAR PAGE 256

MINUTE PAGE 2034

Commercial and Partyboat Fisheries of the Morro Bay Region
(from MBC 1989)
(page 2 of 3)

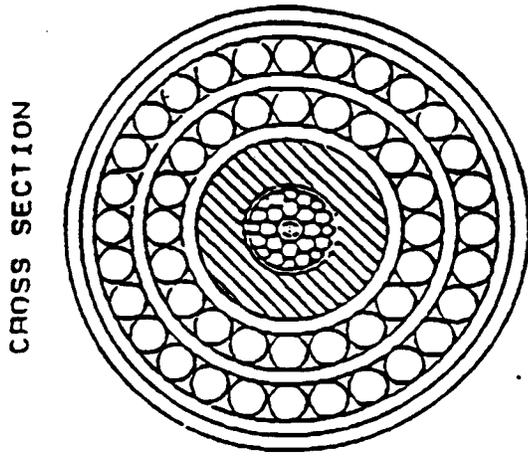
<i>Species</i>	<i>Description</i>
<i>Fishes (cont.)</i>	
Rex Sole	Occurring along the inner depth range of Dover sole in the southern portion of the region, this species is commonly trawl-caught 200 to 300 fm on the Santa Lucia Bank and between Point Sal and Point Arguello.
Petrale Sole	This species is trawled inshore of the rex and Dover sole ground and is limited to depths of approximately 70 to 200 fm, between Points Purisima and Arguello and off Point Sal.
Halibut	North of Point Arguello, trawling is only allowed outside the 3-mile limit. Within the region, halibut are commercially harvested in water depths from 2 to approximately 45 fm; trawling occurs generally from Point Arguello to Port San Luis from the 3-mile limit to 45 fm. Within the 3-mile limit, set netting and trammel netting are popular. Historically important areas within the region include those between Ragged Point and Point San Luis (2 to 20 fm); from Pismo Beach to Oso Flaco Lake; and between Points Sal and Purisima (3 to 20 fm). Sandy bottoms between Points Purisima and Conception have been important for set gear.
Rockfish	<p>Trawling, hook-and-line, trolling, and deep water set nets are utilized to capture this group throughout the region, in water depths from 50 to 300 fm. Rocky or steep-bottom areas are not usually trawled but are fished by hook and line and set net fishermen. Rockfish trawling during winter is concentrated south of Morro Bay, particularly between the Santa Maria River and Point Purisima from the 3-mi limit to 200 fm. South to Point Arguello, rockfish are also caught with English and petrale sole. Summer trawl grounds range from Cambria to Point Sierra Nevada, and from Alder Creek to Lopez Point. Hook-and-lining extends from Lopez Point to Ragged Point in water depths to 150 fm and in untrawlable areas south of the Santa Lucia Bank and on the Bank itself in water depths up to 250 fm. An historically important rockfish trawl and hook-and-line area extends through the "Finger Canyons" between Point Arguello and Point Conception in 50 to 120 fm of water. Set nets have also been utilized around Point Sal.</p> <p>Sport rockfishing extends from Piedras Blancas to Point Sal, especially around San Simeon; between San Simeon and Point Estero; at a rocky reef off Morro Bay (50 fm); and from Point Buchon to Point San Luis. Most partyboat activity for rockfish is in less than 30 fm</p>

CALENDAR PAGE	257
MINUTE PAGE	2932

Commercial and Partyboat Fisheries of the Morro Bay Region
(from MBC 1989)
(page 3 of 3)

<i>Species</i>	<i>Description</i>
<i>Fishes (cont.)</i>	
Swordfish and Thresher Shark	Although more productive areas are south of Point Conception, there are several productive areas for drift-netting in this region. Thresher shark are commonly taken around upwelling areas offshore Point Buchon and off Point Sal, while swordfish are occasionally targeted (particularly in warm water years) between Point Sur and Piedras Blancas, and between Morro Bay and Point Sal. Swordfish are also taken on the southwest edge of the Santa Lucia Bank, west of the Santa Lucia Escarpment.

CALENDAR PAGE	258
MINUTE PAGE	2933



CROSS SECTION

CABLE PROPERTIES

OUTER DIAMETER	51.0 mm	2.010 in
STORAGE FACTOR	96.1 c/KN	177.9 c/lbM
MAXIMUM WORKING LOAD	33,112 kg	73,000 lbs
BREAKING STRENGTH	44,225 kg	97,500 lbs

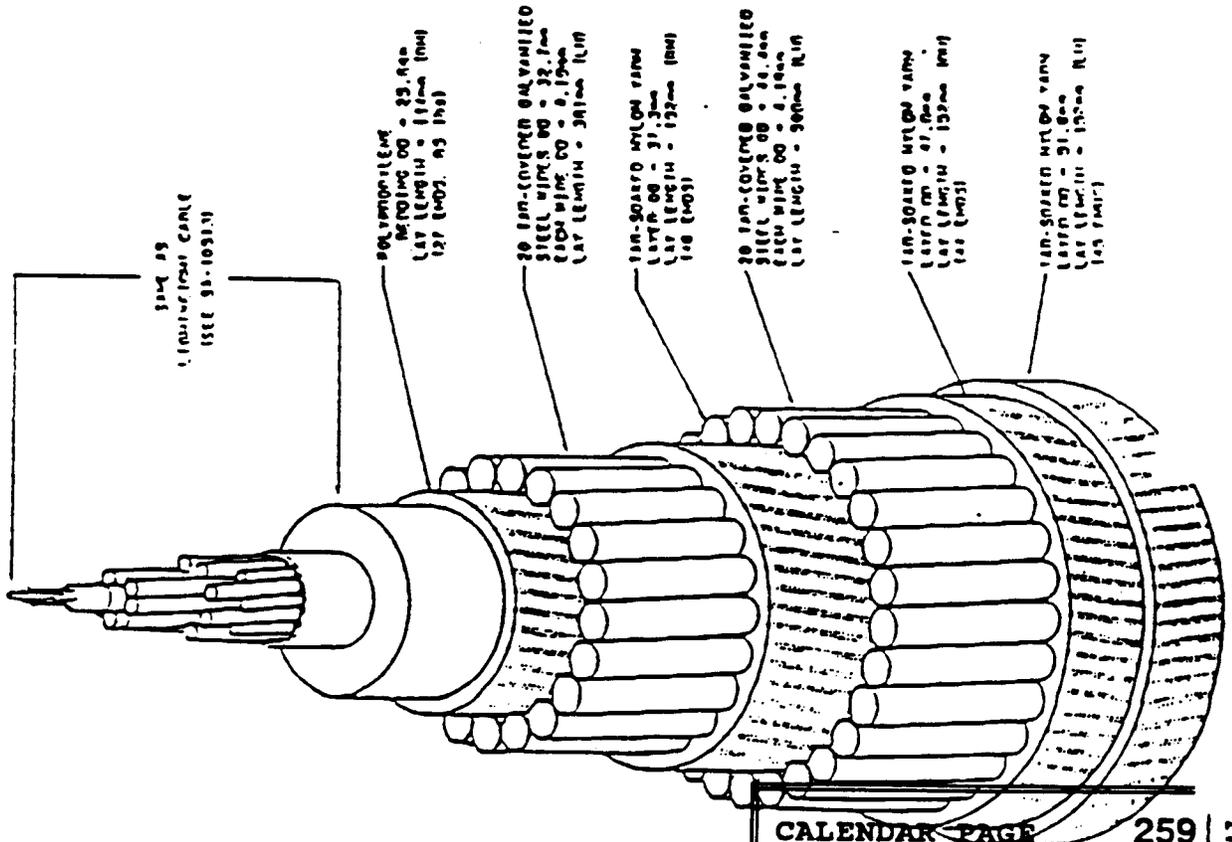
kg/km	lbs/km	lbs/ft	lbs./MM
0.016	15.926	4.500	27.078
WEIGHT IN AIR			
5.233	11.501	3.530	21.440
WEIGHT IN SEA WATER			

CROSS SECTION OF CABLE
FOR SL SUBMARINE SYSTEMS
DA
(DOUBLE ARMORED)
WITH SPECS. MS-23158 L71

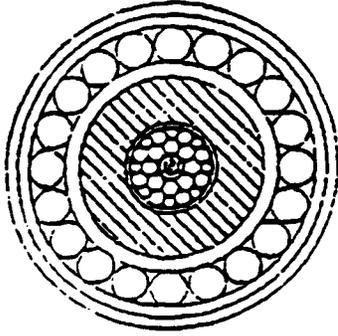
DATE	ISSUED ON	BY	DATE
02	1981	CCS	01/19/90

SA (Production) (Cable)
SA (Inspection) (Inspection)

NOTES:
* - AT 1.5x MINIMUM BENDING RADIUS.



CROSS SECTION



CABLE PROPERTIES

OUTER DIAMETER	38 Ø mm	1.500 in
STORAGE FACTOR	53.5 cf/kg	99.1 cf/kN
MAXIMUM WORKING LOAD	14,969 kg	33,000 lbf
BREAKING STRENGTH	18,416 kg	40,500 lbf

WEIGHT IN AIR	kg/km	lbs/km	lbf/ft	lbs/in
	3.270	7.190	2.280	1.1052
WEIGHT IN SEA WATER	kg/km	lbs/km	lbf/ft	lbs/in
	2.470	5.446	1.660	10.095

CROSS SECTION OF CABLE FOR SL SUBMARINE SYSTEMS

LWA

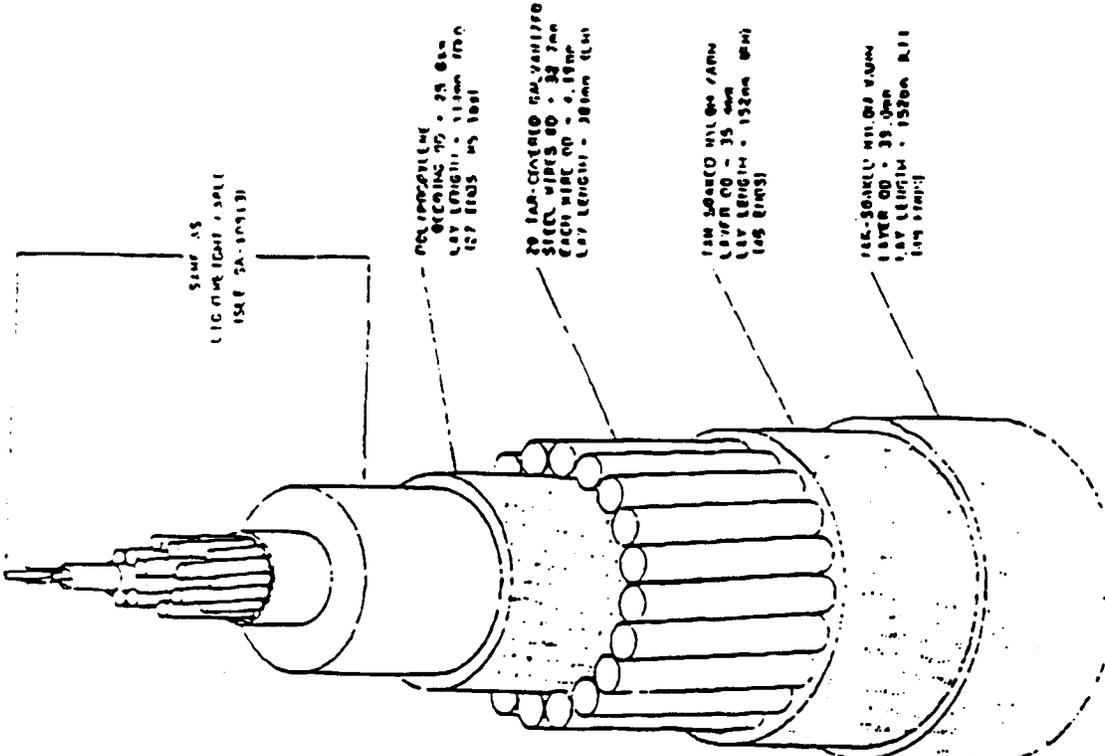
(LIGHT WIRE ARMORED)

WITH SPEC. MKS-2319M (3)

REV.	DATE	BY	CHKD.	DATE
02		JCH	BCS	01/19/90
DESIGNED BY: [Signature]				
DRAWN BY: [Signature]				
SA - 10515				

NOTES:

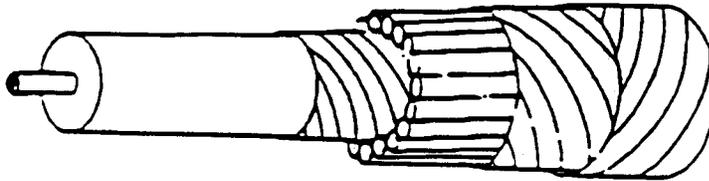
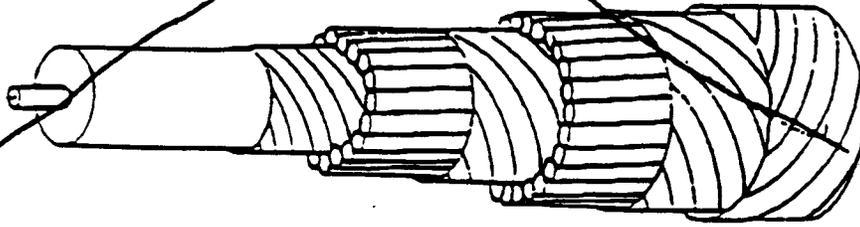
- 1. AT 1 CM MINIMUM BENDING RADIUS



SA -

**SL DOUBLE ARMORED
L7 (KS-23158)**

**SL SINGLE ARMORED
L5 (KS-23158)**



KS-23157 BASIC DEEP WATER CABLE

JUTE BEDDING PER MS-23327 L1
(ONE SERVING WITH 114-mm [4.5-INCH]
RIGHT-HAND LAY)

20 1/2 IN.-COVERED STEEL ARMOR WIRES
PER MS-16226 L4 1300-mm [51-INCH]
LEFT-HAND LAY FLOOD WITH MS-16224 L1

SECOND JUTE BEDDING PER MS-23327 L1
(ONE SERVING WITH 132-mm [5.2-INCH]
RIGHT-HAND LAY)

28 1/2 IN.-COVERED STEEL ARMOR WIRES
PER MS-16226 L4 1300-mm [51-INCH]
LEFT-HAND LAY FLOOD WITH MS-16224 L1

NYLON TARN COVERING PER MS-23328 L2
(ONE SERVING WITH 152-mm [6.0-INCH]
RIGHT-HAND LAY, FLOOD WITH MS-16224 L1
AND ONE SERVING
WITH 152-mm [6.0-
INCH] LEFT-HAND
LAY, FLOOD WITH
MS-16224 L1)

KS-23157 BASIC DEEP WATER CABLE

JUTE BEDDING PER MS-23327 L2
(ONE SERVING WITH 114-mm [4.5-INCH]
RIGHT-HAND LAY)

17 1/2 IN.-COVERED STEEL ARMOR WIRES
PER MS-16226 L4 1300-mm [51-INCH]
LEFT-HAND LAY FLOOD WITH MS-16224 L1

NYLON TARN COVERING PER MS-23328 L2
(ONE SERVING WITH 140-mm [5.5-INCH]
RIGHT-HAND LAY, FLOOD WITH MS-16224 L1
AND ONE SERVING WITH 140-mm [5.5-INCH]
LEFT-HAND LAY, FLOOD WITH MS-16224 L1)

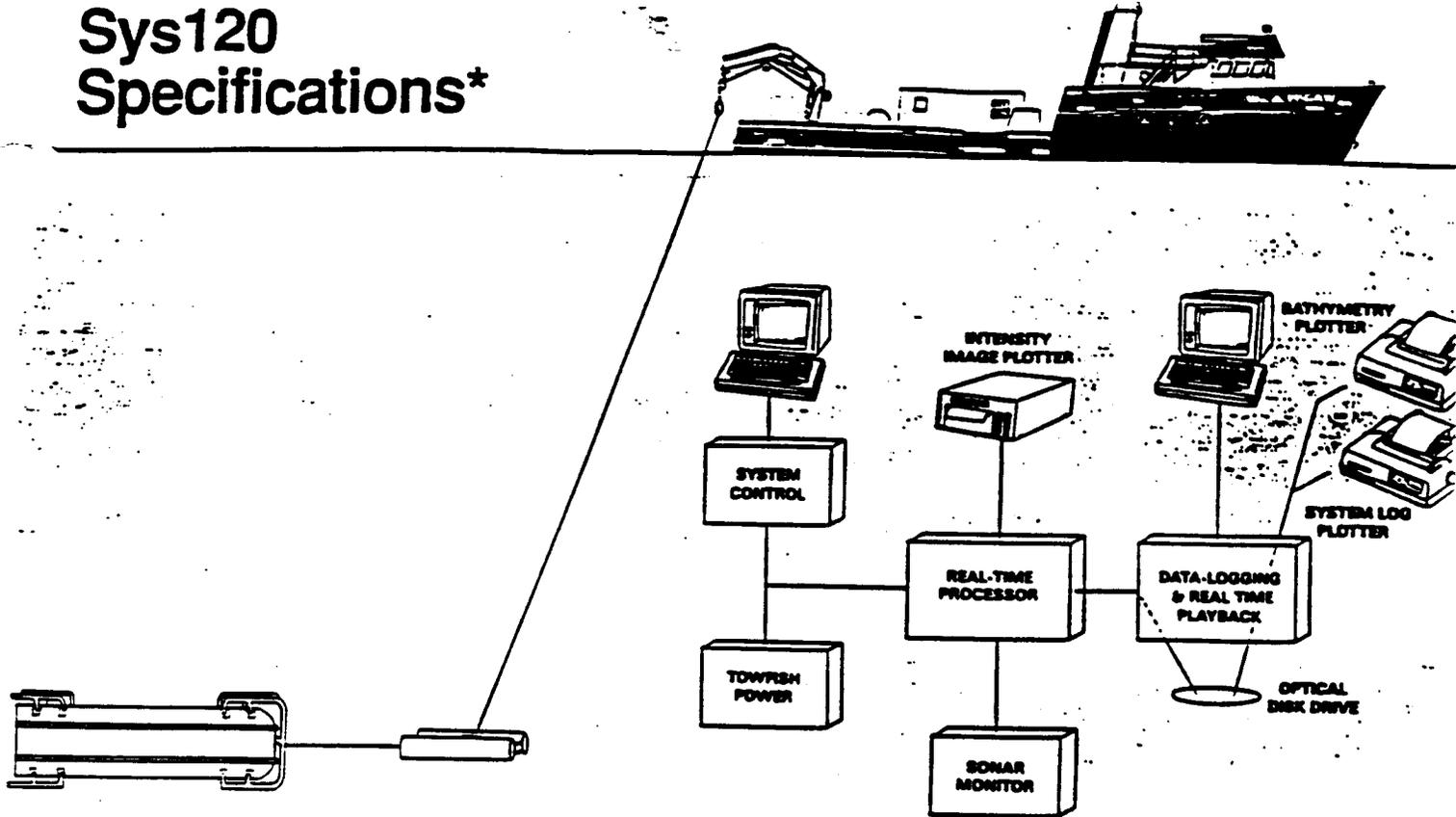
CROSS SECTION OF CABLE TYPES
USED FOR SL SYSTEMS

SA B DA

WIRE SPEC.	DIAMETER	WIRE	QUANTITY
MS-16226	1300	20 1/2	20
MS-16224	1300	28 1/2	28
MS-23327	132	2	2
MS-23328	152	2	2
BRANCHES NOT TO SCALE			
DATE	BY	SA	25

SL TYPE	DIAMETER (INCHES)	WEIGHT PER 1,000 FEET IN AIR	WEIGHT PER 1,000 FEET IN WATER	MIDDEPTH TENSILE STRENGTH (POUNDS)	TENSILE FACTOR	WEIGHTS PER 1,000 FEET	
						INSULATION	ARMOR
L5	1.85	2870	1830	137	0.55	203	30,710
L7	2.3	4300	2510	137	0.55	203	30,710

Sys120 Specifications*



Side-scan

Operating frequency: 120 kHz
 Beam width (along track): 2.0°
 Output power: ≈ 220 dB re 1 μ Pa at 1 meter
 Ping rate: 1 to 10 per second
 Tow depth: 1 to 3,000 meters
 Tow altitude: 5% to 50% of swath width (2.5 to 400 meters)
 Water depth: 3 to 1,400 meters (Coaxial tow cable)
 3 to 3,400 meters (Fiber optic tow cable)
 Data logging format: Optical disk

Intensity imaging system

Data source: Side-scan acoustics
 Image format: Slant-range and speed-corrected
 Swath width: 50, 100, 200, 500, or 1,000 m
 Pixel size: 2.5 to 50 cm (2,048 pixels total)
 Min. identifiable object: 0.5 to 50 meters
 Min. detectable object: 2 cm

Bathymetric system

Data source: Side-scan acoustics
 Display format: Color-encoded and speed-corrected (Depths plots from approx. 250 discrete depth measurements per ping)
 Swath width: 3.4 x altitude
 Accuracy: $>2\%$ of altitude
 Resolution: $>0.5\%$ of altitude

Magnetometer system

Sensor: Three perpendicular components in separate, passively oriented tow body
 Sensitivity: Intensity (gamma) per component
 Sample rate: 1 per ping
 Range: 0 to $\pm 60,000$ ntesia per component

Subbottom system

Display format: Surface-referenced (Adjustable amount of water column removable)
 Operating frequency: 6.5 kHz
 Power output: ≈ 195 dB re 1 μ Pa at 1 meter
 Ping length: 300 μ s
 Depth resolution: 40 μ s (One sample interval)
 Max. penetration: 41 msec (1,024 samples at 40 μ sec per sample)

Support requirements

Min. ship size: 30 meters l.o.a.
 Mobile operations center:
 Power: 208 or 440 Vac; 3 phase; 60 Hz; 5 kVA
 Deck area: 20 ft. long ISO container
 Exterior deck area: 10 sq. meters
 Deck power: 208 or 440 Vac; 3 phase; 60 Hz; 20 kVA
 Min. survey crew: 3 people
 Shipping: Standard 20 ft. sea containers

Data acquisition options

Swath widths and ping rates are ship-controlled and operator-selectable to provide optimum resolution for various water depths and survey objectives. Intensity Image Width is constant for any width setting.

Intensity Image Width	Altitude Range	Ping Rep. Rate	Pixel Size
50 m	2.5-25 m	10/sec	2.5 cm
100 m	5.0-50 m	10/sec	5 cm
200 m	10-100 m	5/sec	10 cm
500 m	25-250 m	2/sec	25 cm
1,000 m	50-400 m	1/sec	50 cm

*Due to our ongoing commitment to advancing technology, specifications are subject to change.



Sys120 Towfish
 Weight: 200 kg
 Length: 3 meters
 (Magnetometer in foreground)

Seafloor Surveys International, Inc.

Sys120 Side-Scan Sonar System

The advanced imaging/
 mapping system
 with superior seafloor
 coverage

The Sys120 from Seafloor
 Surveys International, Inc. is a
 high-resolution side-scan sonar
 system for fresh and salt water
 field studies. Using acoustic
 energy reflected from depths of
 3 to 1,400 meters (3 to 3,400
 meters with fiber optic tow

cable), the system delivers simul-
 taneous real-time images and
 industry standard bathymetric
 maps. Bathymetry data from the
 Sys120 is regionally more accu-
 rate than narrow-beam echo
 sounder data because observa-
 tional coverage of the seafloor is
 more complete. Depths through-
 out the swath are measured, so
 no data interpolation is needed.

The Sys120 towfish is equipped
 with a 6.5 kHz subbottom pro-
 filer, providing superior resolution
 profiles of sediment structure in
 the uppermost meters of the

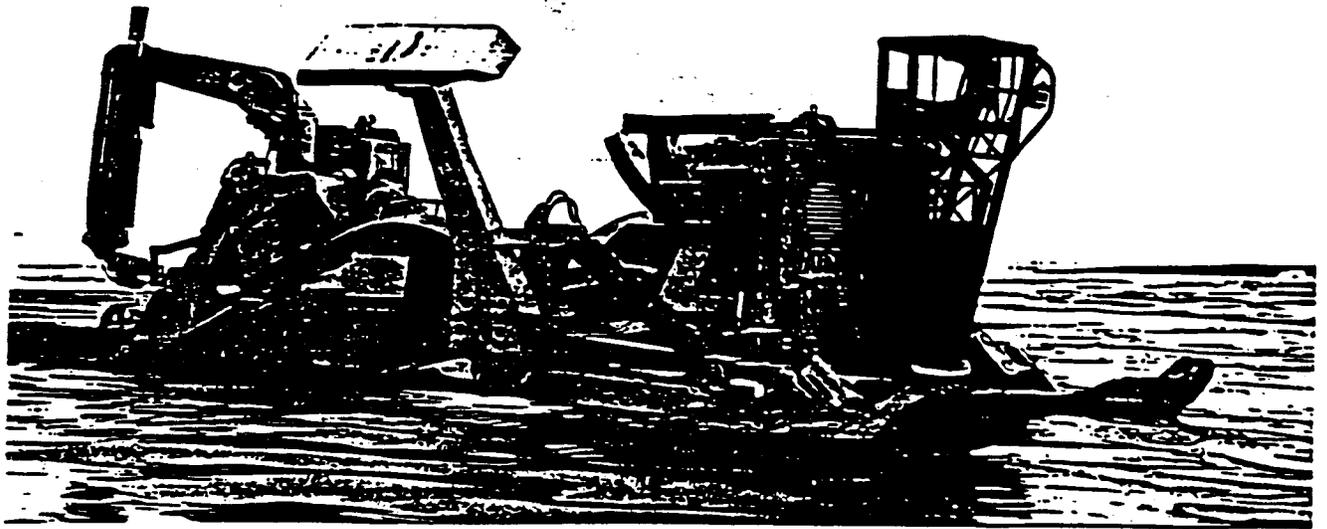
seafloor. Mounted in the tow-
 with the side-scan array, the
 transducer precisely correlates
 subbottom data with bathymetry
 and side-scan images. The sub-
 bottom profiler transmits at the
 same time as the side-scan and
 both sets of signals are digitized,
 telemetered, and logged on
 an optical disk for safe reliable
 storage. An additional towfish-
 mounted magnetometer pro-
 vides data for confident identifi-
 cation of seafloor anomalies.

Pier 66, 2201 Alaskan Way
 Seattle, Washington 98121 USA
 (206) 441-9305
 Telex: 49601196 SSI UD
 FAX: (206) 441-9308

1221 Kapiolani Blvd., PH-40
 Honolulu, Hawaii 96814
 (808) 537-9561
 Telex: 984709 SSI UD
 FAX: (808) 523-5958

TABLE 3-11

CALENDAR PAGE	263
MINUTE	2938



Specifications

SEA PLOW VI

Trench Depth	: 0—1.2m	Cable Cutter	: Up to 100mm wire rope
Cable Size	: Up to 100mm OD	Hydraulic System	: 15kW electro-hydraulic power pack serving 35 functions
Repeater Size	: Up to 400mm OD	Instrumentation	: 22 transducers 10 contact closures, 5 moisture detectors 3 echo sounders and a compass
Cable Burial Depth	: Up to 1.1m cover	Surveillance	: Obstacle avoidance sonar, hydrophone, 3 B&W SIT cameras and 4 lights
Repeater Burial Depth	: Up to 0.7m cover	Emergency Systems	: Sonar triggered cable eject Two emergency lift ropes
Water Depth	: 0—1000m	Soil Types	: 5kPa mud to soft rock
Operating Modes	: Diverless simultaneous lay and burial, post lay burial	Crane/Grab	: 4 function 5tm crane with 3 function cable grab
Tow Method	: Surface tow with optimum 10 degrees inclination of tow rope at plow		
Tow Force	: Normal operating 30—50t maximum 75t		
Operating Speed	: Up to 2 knots		
Weight	: 25t		
Dimensions	: 10.5m long, 6.0m wide, 4.5m high		
Steering Angle	: +/- 12 degrees		

TRANSPACIFIC COMMUNICATIONS INCORPORATED

412 Mt. Kemble Avenue, Room N410
Morristown, New Jersey 07960
Phone (201) 644-6244
Telex 201102 · Fax (201) 644-7530

CALENDAR PAGE 264

INDEX PAGE 2930

APPENDIX D
PREVIOUSLY ISSUED PERMITS AND CONDITIONS

CALENDAR PAGE	265
MINUTE PAGE	2940

STATE OF CALIFORNIA - RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION

TEMPORARY USE PERMIT

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

Montaña de Oro State Park

This permit is entered into this 8th day of January, 1992, by and between the STATE OF CALIFORNIA, acting by and through the Department of Parks and Recreation, hereinafter called STATE, and AT&T Communications Inc., acting on behalf of AMERICAN TELEPHONE AND TELEGRAPH COMPANY, Interstate Division, and AT&T Communications of California Inc., hereinafter called PERMITTEE.

PERMITTEE is hereby granted permission to use, subject to the terms and conditions set forth below, for a renewable term of one year commencing on January 8, 1992 and ending January 7, 1993, that portion of Montaña de Oro State Park described more fully in Exhibit "1" and hereinafter referred to as Premises. All exhibits by this reference are made a part hereof.

This permit is issued for the purpose of allowing PERMITTEE temporary use of noted Premises to allow for the implementation of the fiber optic cable installation project as reviewed and approved on November 14, 1991, by the San Luis Obispo County Planning Commission, through Development Plan/Coastal Permit D900132D. Noted project includes the replacement of an existing AT&T cable with a fiber optic cable necessitating the partial realignment of an

1 existing easement, habitat mitigation, restoration efforts, construc-
2 tion of public access improvements, and other related improvements
3 and measures as specified in County Permit D900132D and this
4 Temporary Use Permit issued by STATE.

5
6 This permit is issued upon the following conditions:

- 7
- 8 1. That the Premises be used only for the purposes specified
9 above. All activities permitted under this temporary use
10 permit shall be guided by the principle that the primary use
11 of noted Premises is for the permanent preservation and
12 protection of the recreational and resource values
13 associated with the subject park lands.
 - 14
15 2 The San Luis Obispo County Development Plan/Coastal
16 Development Permit No. D900132D, approved on November 14,
17 1991, is herein incorporated by reference into this
18 Temporary Use Permit. The conditions contained in STATE'S
19 Temporary Use Permit are in addition to and do not take the
20 place of, those conditions or special requirements contained
21 in the San Luis Obispo County Development Plan No. D900132D.
 - 22
23 3 STATE and PERMITTEE agree to initiate action leading to the
24 granting of a permanent re-aligned easement through Montaña
25 de Oro State Park understanding that PERMITTEE shall quit
26 claim to STATE all portions of the existing AT&T easement
27 within Montaña de Oro State Park except for those portions

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described in Exhibit "A", commonly known and referenced to as the "white elephant" portion, and the coastal bluff cable blow out portion of the existing easement.

4. Prior to the commencement of phase II construction activity as defined in the County Permit, PERMITTEE shall provide STATE with copies of all final plans required by County Permit D900132D including, but not limited to, the construction schedule, monitoring plans, revegetation plans, revised site plans, final road and parking lot design plans and all other plans that address those aspects of the fiber optic cable installation project which are located within Montaña de Oro State Park. All final plans addressing those aspects of this project that are located within Montaña de Oro State Park are subject to the review and approval by the District Superintendent for the San Luis Obispo District of the California State Parks System.

5. PERMITTEE, in the exercise of the privileges herein granted, shall at all times, comply with all applicable laws, rules and regulations including, but not limited to, rules and regulations for the State Park System now in effect or hereinafter adopted.

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6. STATE expressly reserves the right to the use of said Premises in any manner, provided such use does not unreasonably interfere with the use of the permit area herein granted.

7. This permission is subject to all valid and existing contracts, leases, licenses, encumbrances, and claims of title which may affect said property; and the use of the word "grant" herein shall not be construed as a covenant against the existence of any thereof.

8. PERMITTEE hereby waives all claims and recourse against STATE, for loss or damage to persons or property arising from, growing out of, or in any way connected with or incident to this permit except claims arising from the sole negligence of STATE, its officers, agents, and employees. PERMITTEE shall indemnify, save harmless, and defend STATE, its officers, agents, and employees against any and all claims, demands, damages, costs, expenses, or liability costs arising out of PERMITTEE's construction activities under this permit except for liability arising out of the sole negligence of STATE, its officers, agents, or employees.

9. All construction related activities to be undertaken by PERMITTEE are confined to those areas of the premises specifically approved by STATE. As required by County

1 Permit D900132D, prior to the initiation of construction
2 activity, identified construction areas will be delineated
3 on-ground by staking. Site specific delineation of all
4 construction areas shall be reviewed and approved by the
5 District Superintendent or his designated representative
6 prior to the commencement of construction. STATE may
7 declare and collect damages from PERMITTEE for any
8 disturbance of any area outside of approved construction
9 areas and may impose a penalty fee, not to exceed twenty-
10 five (\$25.00) dollars per square yard, for any serious
11 disturbance of any area outside of approved construction
12 areas as determined by the District Superintendent.
13

14 10. Subject to the approval of the District Superintendent, this
15 permit, allows for the ingress and egress of construction
16 equipment and personnel over existing unimproved State Park
17 roads known as the Army Road and "A" Road which lead to the
18 proposed staging area/parking lot as identified in Exhibit
19 "B". Nothing in this permit authorizes or encourages
20 trespass across private property.
21

22 11. PERMITTEE shall be solely responsible for repairing any and
23 all damage to all park roads, areas and facilities utilized
24 by PERMITTEE that are damaged by PERMITTEE during the course
25 of construction related activity. All such repairs shall be
26 carried out in a manner satisfactory to STATE.
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12. In the event that PERMITTEE shall at any time be in default in respect to any of the conditions set forth herein, STATE may immediately order PERMITTEE to stop all construction activities affected by the default until such default is cured. STATE may at its option declare this Permit and all rights of PERMITTEE hereunder forfeited and terminated, provided however, before any forfeiture shall be declared hereunder by reason of default as aforesaid, STATE shall cause to be given to PERMITTEE a written notice specifying the particulars wherein PERMITTEE is in default and demanding performance in accordance with the terms of this permit. If within fifteen (15) days after such notice is received, PERMITTEE shall fully comply therewith or in good faith shall have commenced the work necessary to comply therewith and thereafter diligently prosecutes such work to timely completion to the satisfaction of the State Park District Superintendent, no forfeiture by reason of breach shall be declared hereunder. However in the event of failure by PERMITTEE to comply with such notice or to diligently or timely prosecute the work necessary to comply with the notice to the satisfaction of the State Park District Superintendent, STATE may then declare and effect a forfeiture by reason of the default therein specified.

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CALENDAR PAGE	271
MINUTE PAGE	2946

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13. Upon termination of this permit, PERMITTEE shall remove all construction related property and equipment upon said premises unless STATE agrees to allow said equipment to remain in place.

14. PERMITTEE, in conjunction with STATE, is required to develop and implement a five-year post-construction monitoring program of re-vegetation and erosion control for all construction, laydown and storage areas utilized by PERMITTEE. The standards for the five-year post-construction monitoring program shall be incorporated into the erosion control and revegetation plans required by County Permit. Noted plans and monitoring program shall also address those portions of the existing easement known as the "White Elephant" and the coastal bluff cable blowout area as shown on Exhibit "A". Should monitoring reveal that restoration goals are not met, PERMITTEE, in conjunction with STATE, shall undertake appropriate remedial actions as directed by District Superintendent.

15. PERMITTEE shall, at all times during the term of this permit, require its contractors performing work pursuant to this permit to maintain in full force and effect, a policy of public liability and property damage insurance as follows:

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This policy is to be in an amount not less than five million dollars (\$5,000,000.00) providing coverage for Public Liability (each accident and aggregate) and Property Damage Liability, and in a form satisfactory to STATE, and a complete and signed copy of a Certificate of Insurance thereof shall be submitted to STATE prior to the execution of this permit.

Insurance policies shall contain the following special endorsement:

"The State of California, California State Park and Recreation Commission, Department of Parks and Recreation, their officers, employees, and agents, are hereby declared to be additional insureds under the terms of this policy, both as to the activities of the PERMITTEE and as to the activities of the STATE, the State Park and Recreation Commission, the Department of Parks and Recreation, their officers, employees and agents, as related to the activities contemplated in this permit."

This insurance policy will not be reduced or cancelled without thirty (30) days prior written notice to the Department of Parks and Recreation. The STATE is not liable for the payment of any premiums or assessments on this policy.

CALENDAR PAGE	273
MINUTE PAGE	2948

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This cancellation provision shall not be construed in derogation of the duty of the PERMITTEE to furnish insurance during the entire term of the permit. In the event PERMITTEE fails to keep in effect at all times insurance coverage as herein provided, STATE may, in addition to any other remedies it may have, terminate this permit and all privileges PERMITTEE may have hereunder.

Notwithstanding the foregoing, PERMITTEE may self-insure for any or all of the matters set forth above, upon adequate proof of such self-insurance to STATE.

16. Prior to commencement of "phase II" construction, PERMITTEE, in conjunction with STATE shall prepare a plan to determine the location of vehicular barrier gates to be provided for, constructed and installed by PERMITTEE. Noted gates, designed to standards specified by STATE, shall be installed at key locations on the Premises to preclude unauthorized vehicular access over the easement route and at other locations as determined by the District Superintendent.

17. If archeological resources are discovered during construction within Montaña de Oro State Park, all work within 150 feet of the find shall be immediately halted and STATE shall be immediately notified. The significance of any archeological find shall be determined by STATE's professional archeologist. Appropriate mitigation measures

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shall be formulated by STATE and PERMITTEE jointly within five (5) working days and will be implemented by PERMITTEE.

18. No hazardous materials or petroleum products in excess of 55 gallons shall be stored within State Park Property.

19. PERMITTEE shall secure the consent of the STATE as to the route or routes to be utilized for the purposes of temporary ingress and egress through Montaña de Oro State Park for all future activities pertaining to installation, maintenance, repair, replacement, inspection, change of size or removal of said cables and appurtenant facilities. PERMITTEE however, shall not be denied reasonable ingress and egress for the purposes so noted. Such right of ingress and egress shall at all times be exercised in a manner which will cause the least damage to the property of the STATE and shall be subject to a permit to be issued by District Superintendent.

20. Proposed access road to be constructed from Pecho Road to proposed parking lot shall be paved 20 ft. in width with two foot graveled shoulders. Subject to County approval, proposed 50 car parking lot may be surfaced by "chip seal" until such time as the final installation of cables does occurs whereupon subject parking lot shall be paved.

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- 21. PERMITTEE shall provide STATE with five (5) picnic tables of a design and standard identified in Exhibit "C" to be installed adjacent to the proposed 50 car parking area.

- 22. PERMITTEE shall construct a rest room facility of a design and standard identified in Exhibit "D" to be located adjacent to the proposed 50 car parking lot area.

- 23. PERMITTEE shall provide for and coordinate the installation of permanent underground electrical power lines, related appurtenances and telephone lines and pay telephone to serve the parking lot/recreational access site. Electrical power line shall be designed to a load standard as determined by the District Superintendent

- 24. PERMITTEE shall provide to STATE the sum of ten thousand dollars (\$10,000.00) to be utilize by STATE for the design, development, and placement of public safety, regulatory, and customized resource interpretive signs and panels to be installed at locations determined by the District Superintendent. PERMITTEE shall be allowed by STATE to place, or cause to be placed, its logo and a statement on any or all interpretive signs on or near the construction areas of this project.

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25. PERMITTEE shall pay STATE an administration processing fee to reimburse STATE for all administrative costs associated with the review and analysis of this project including the processing of subject Temporary Use Permit. The fee, in the amount of twenty-two thousand seven hundred seventy seven dollars (\$22,777.00) shall be delivered to the California Department of Parks and Recreation, San Luis Obispo Coast District, prior to issuance of permit.

26. PERMITTEE shall pay STATE a mitigation/monitoring/ planning fee to reimburse STATE for costs associated with construction, monitoring requirements, costs associated with the post-construction mitigation monitoring activity, and for costs associated with the preparation by STATE, of comprehensive signing, fencing, and trail plans to conform to the requirements of County Permit D900132D. The fee, in the amount of twenty nine thousand one hundred sixty-four dollars (\$29,164.00) shall be delivered to the California Department of Parks and Recreation, San Luis Obispo Coast District, prior to issuance of permit. Sole control and responsibility for the use of said funds rest with STATE, and any persons retained, contracts executed, or liability incurred as a consequence of the use of said funds shall rest solely with STATE.

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27. Amendment or change to this permit will require written approval by STATE's representative and an authorized representative of PERMITEE. STATE's representatives will be as follows in priority order:

- A. District Superintendent, San Luis Obispo Coast District
- B. Regional Land Agent, Central Coast Region

28. Any notice, demand, or request required or authorized by this Permit to be given or made to or upon PERMITEE shall be deemed properly given or made if delivered by U.S. Postal Service to AT&T, 101 E. Orangethorpe Street, Anaheim, CA 92801, Attention: John McComb, Project Engineer. Said notice shall become effective upon receipt. Nothing herein contained shall preclude the giving of any such notice by personal service.

29. Any notice, demand, payment, or request required or authorized by this permit to be given or made to or upon STATE shall be deemed properly given or made if delivered by U.S. Postal Service to the California Department of Parks and Recreation, San Luis Obispo Coast District, District Superintendent, 3220 South Higuera Street, Suite 311, San Luis Obispo, CA 93401. Said notice shall become effective upon receipt. Nothing herein contained shall preclude the giving of any such notice by personal service.

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STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

AT&T COMPANY USA

APPROVED:

APPROVED:

By: David Seas

By: [Signature]

Title: District Superintendent

Title: Plant Engineer

APPROVAL RECOMMENDED:

~~APPROVAL~~

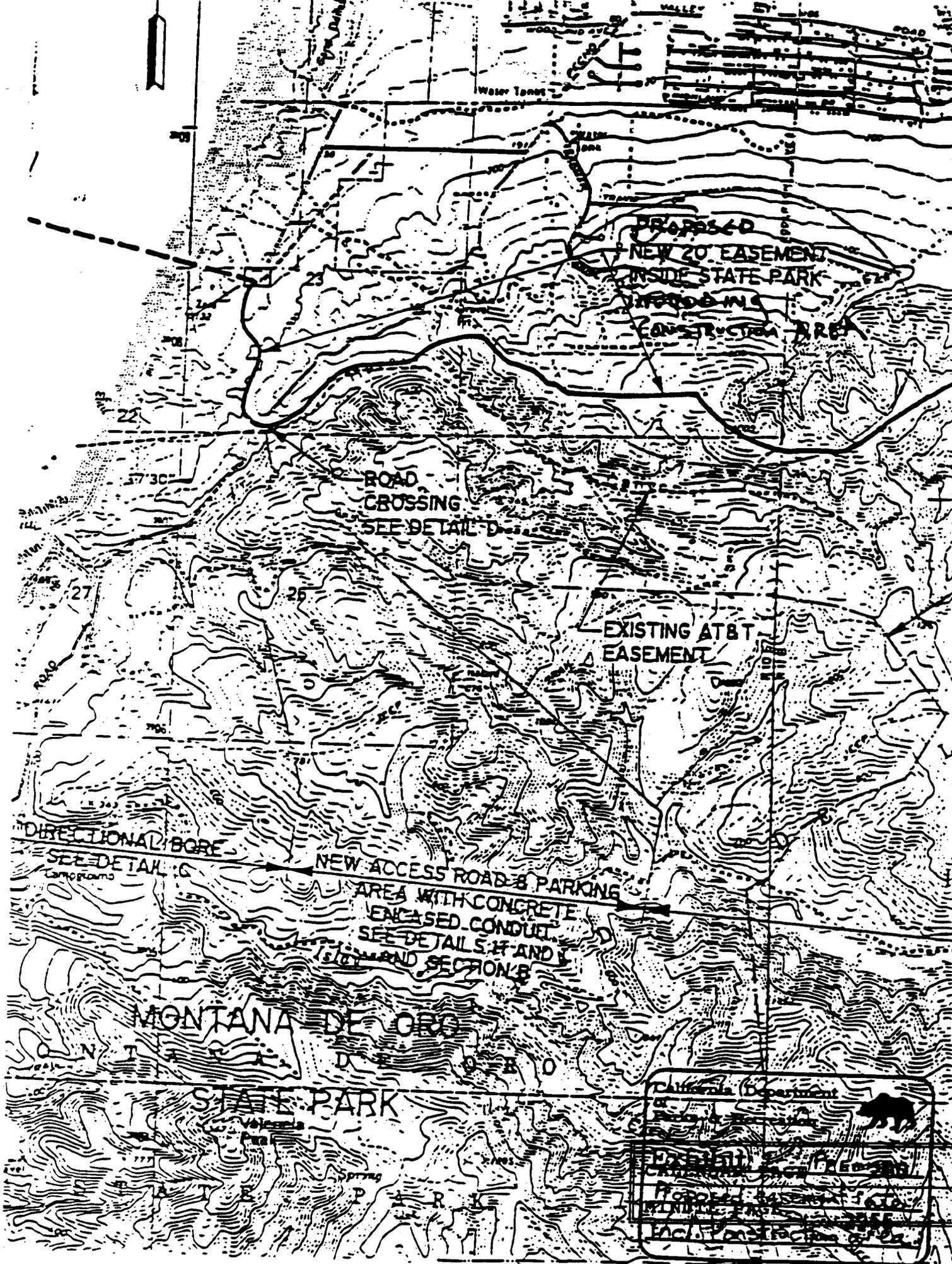
RECOMMENDED:

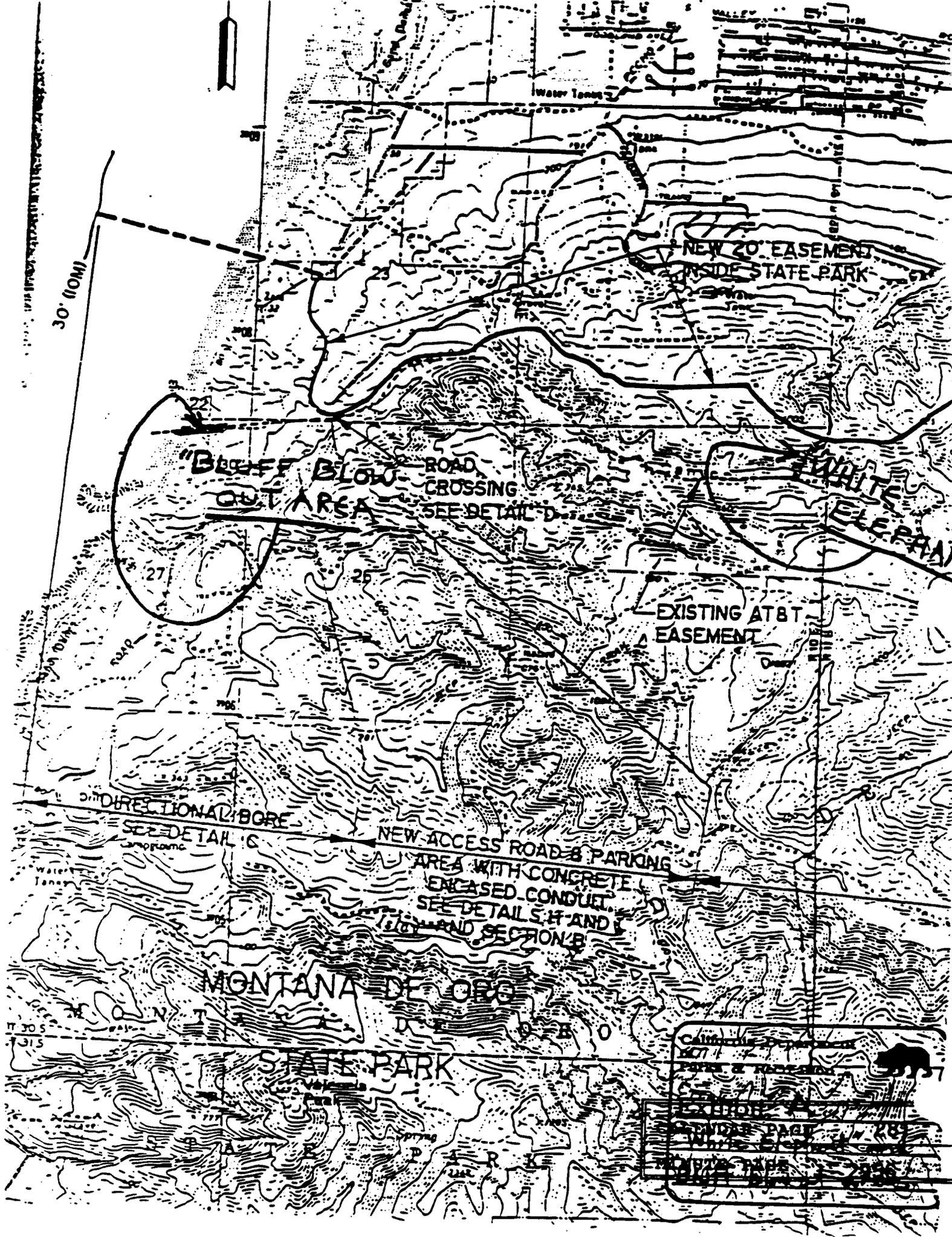
By: Victor S. Roth Jr.

~~By: _____~~

Title: REGIONAL LAW AGENT

~~Title: _____~~





30' (10M)

Water Tank

NEW 20' EASEMENT
INSIDE STATE PARK

"BUFF BLOW"
ROAD CROSSING
SEE DETAIL D

EXISTING AT&T
EASEMENT

DIRECTIONAL BORE
SEE DETAIL C

NEW ACCESS ROAD B PARKING
AREA WITH CONCRETE
ENCASED CONDUIT
SEE DETAILS H AND I
AND SECTION B

MONTANA DE ORO

STATE PARK

California Department of Parks and Recreation
 STATE PARK
 EXHIBIT
 MONTANA DE ORO STATE PARK
 1989

Water Tank

ARMY ROAD

LA ROAD

NEW 20' EASEMENT
INSIDE STATE PARK

30' (10M)

ROAD CROSSING
SEE DETAIL D

EXISTING AT&T
EASEMENT

DIRECTIONAL BORE
SEE DETAIL C

NEW ACCESS ROAD & PARKING
AREA WITH CONCRETE
EMBASED CONDUIT
SEE DETAILS E, F AND
ROAD SECTION B

MONTANA DE ORO

STATE PARK

California Department of
Parks & Recreation

STATE OF CALIFORNIA

DEPARTMENT OF PARKS & RECREATION

DESIGNATION OF A NEW ACCESS ROAD AND PARKING AREA WITH CONCRETE EMBASED CONDUIT

PROJECT NO. 100-100-100-100

DATE: 10/10/10

SCALE: 1" = 100'

PROJECT LOCATION: MONTANA DE ORO STATE PARK

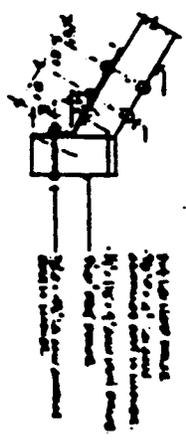
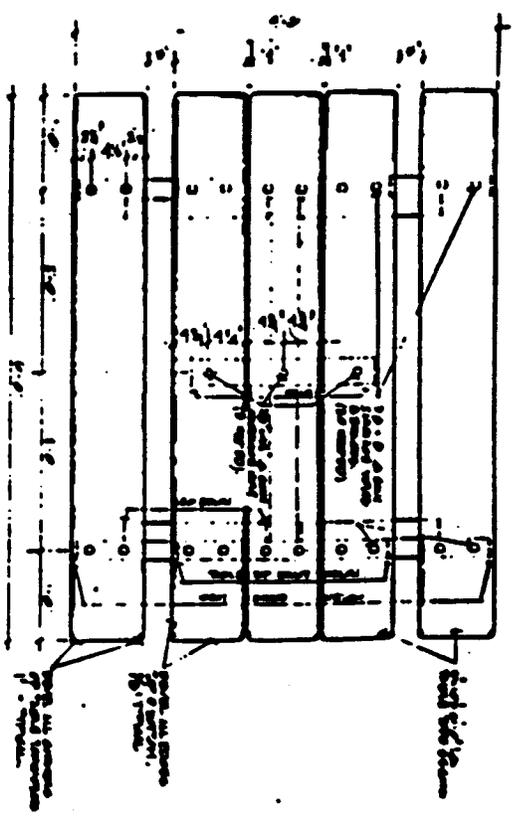
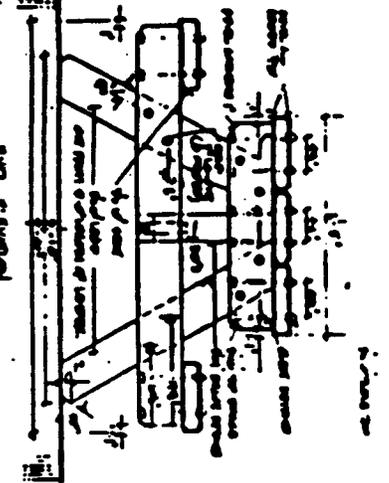
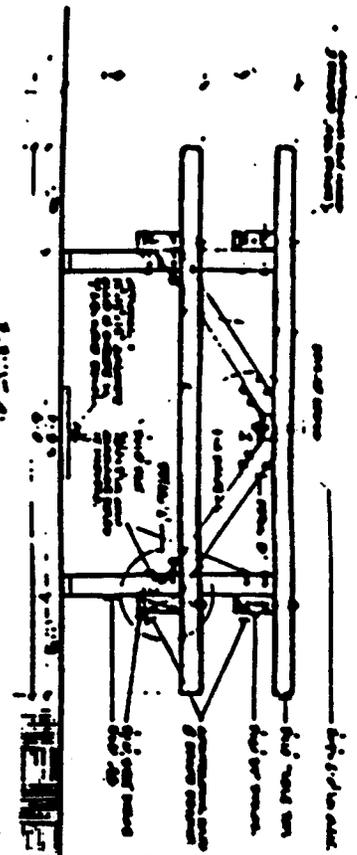


FIG. 1. Detail of leg and cross brace.



FIG. 2. Detail of seat and cross brace.

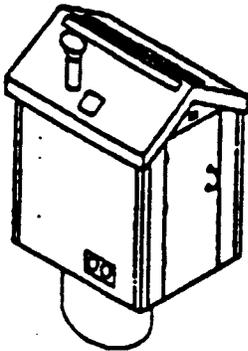
- NOTES:
1. All angles to be cut dimensional length, minimum 1/8\"/>
 2. All lumber to be covered with leaded zinc paint, 1/2\"/>
 3. All wood-paving nails to be 1 1/2\"/>
 4. All bolts shall be cut and galvanized steel.
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NO.	DESCRIPTION
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Exhibit C
Picnic table
design

"The Californian"

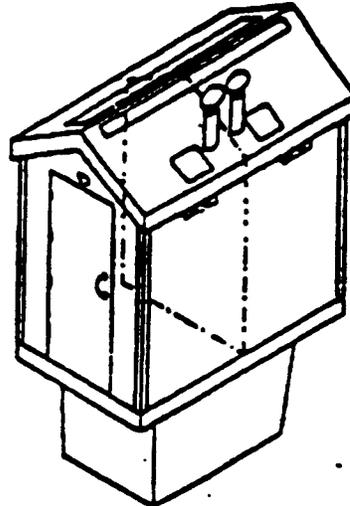
Pre-Fabricated Buildings



MODEL "CA 250"

WIDTH 45 1/2"
 DEPTH 47"
 EX. HEIGHT 80"
 IN. HEIGHT 78"
 DOOR 25"x72"

FOR WATERLESS MODELS
 140-S, 250-R and 350-R



MODEL "CA 935-DE"

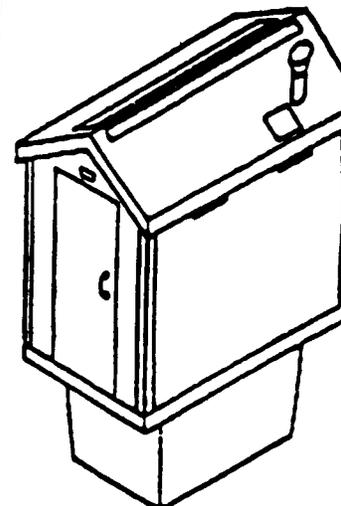
THIS DUAL ENTRY MODEL
 OFFERS TWO 24-SQUARE FT.
 USER COMPARTMENTS, EACH
 WITH ITS OWN PRIVATE
 ENTRANCE

FOR
 SHASTA WATERLESS MODELS
 748-S and 935-S

EXTERIOR: Width 61"
 Length 51"
 Height 78"

INTERIOR: Width 50"
 Length 50"
 Height 72"

DOOR: 34" x 60"



MODEL "CA 935-HC"

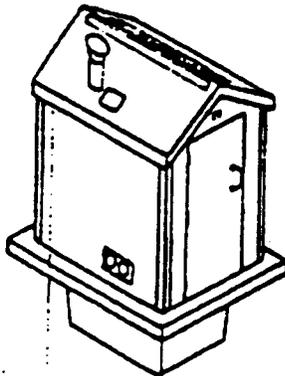
THIS HANDICAPPED
 ACCESSIBLE MODEL OFFERS
 48 SQUARE FEET INTERIOR
 FLOOR SPACE.

FOR
 SHASTA WATERLESS MODELS
 748-S and 935-S

EXTERIOR: Width 61"
 Length 51"
 Height 78"

INTERIOR: Width 60"
 Length 50"
 Height 72"

DOOR: 34" x 60"



MODEL "CA 935"

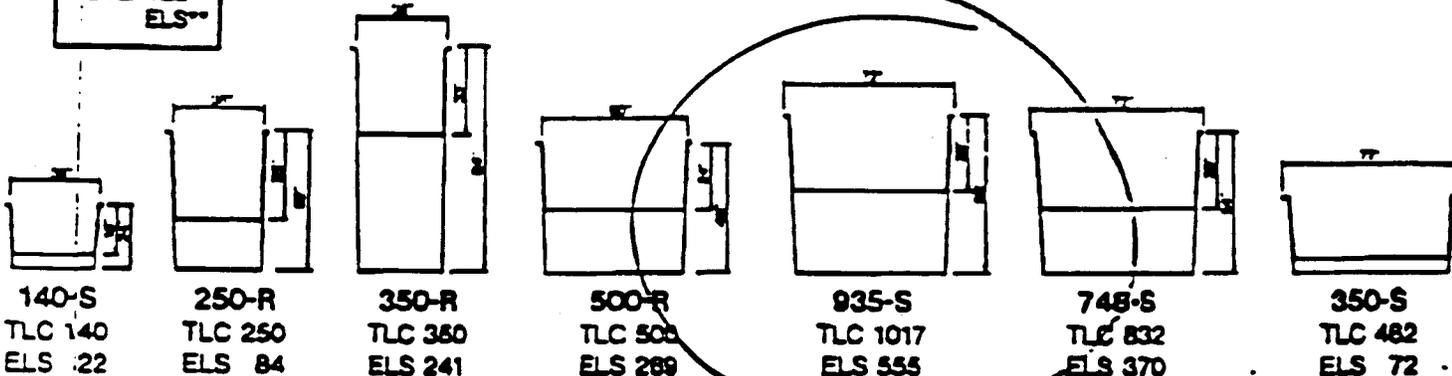
WIDTH 45 1/2"
 DEPTH 47"
 EX. HEIGHT 82"
 IN. HEIGHT 78"
 DOOR 25"x72"
 FLOOR 5'6"x5'6"

FOR
 WATERLESS MODELS
 800-R, 350-S,
 748-S and 935-S

ALL "THE CALIFORNIAN" PRE-FABRICATED
 BUILDINGS HAVE THE DEEP GRAINED LOOK AND
 FEEL OF REAL WOOD AND SHAKE SHINGLES.

The Shasta WATERLESS - SANITATION SYSTEMS

NOTE: TLC*
 ELS**



*TOTAL LIQUID CAPACITY IN GALLONS

**EFFECTIVE LIQUID STORAGE BELOW INNER TANK IN GALLONS



MAILING ADDRESS
 P.O. BOX 2243
 REDDING, CA
 96099

TEL (916) 241-1492
 FAX (916) 241-1496

of
 Parks & Recreation

CALIFORNIA PAGE D 284

MINUTE REST ROOMS 2050

Facility

CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)
12/23/91

PRODUCER CP1132-1
Marsh & McLennan, Inc.
1221 Avenue of the Americas
New York, NY 10020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** AMERICAN RIDGE INSURANCE COMPANY
- COMPANY LETTER **B** Planet Insurance Co.
- COMPANY LETTER **C** Natl Union Fire Ins Co of Pittsburg American Ridge Ins. Co.
- COMPANY LETTER **D** Self Insured Retention Hartford Accident and Indemnity
- COMPANY LETTER **E** Employers Reinsurance Corporation

INSURED
American Telephone and Telegraph Company
550 Madison Ave.
New York, N.Y. 10022

COVERAGES

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE (MM/DD/YY)	POLICY EXPIRATION (MM/DD/YY)	LIABILITY LIMITS IN THOUSANDS		
						EACH OCCURRENCE	AGGREGATE
A	GENERAL LIABILITY	GL-2-01-01-91	09/01/91	09/01/92	BODILY INJURY	\$	\$
	<input checked="" type="checkbox"/> COMPREHENSIVE FORM				PROPERTY DAMAGE	\$	\$
	<input checked="" type="checkbox"/> PREMISES/OPERATIONS				BI & PD COMBINED	\$ 2500	\$ 2500
	<input checked="" type="checkbox"/> UNDERGROUND EXPLOSION & COLLAPSE HAZARD				PERSONAL INJURY		\$
	<input checked="" type="checkbox"/> PRODUCTS/COMPLETED OPERATIONS CONTRACTUAL						
	<input checked="" type="checkbox"/> INDEPENDENT CONTRACTORS						
	<input checked="" type="checkbox"/> BROAD FORM PROPERTY DAMAGE						
B	AUTOMOBILE LIABILITY	NO. NKA 0100157 00 NKA 0100158 00	09/01/91	09/01/92	BODILY INJURY (PER PERSON)	\$	
	<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (PER ACCIDENT)	\$	
	<input type="checkbox"/> ALL OWNED AUTOS (OTHER THAN) (PRIV. PASS.)				PROPERTY DAMAGE	\$	
	<input type="checkbox"/> HIRED AUTOS				BI & PD COMBINED	\$ 2500	
C	EXCESS LIABILITY	BE3083792 XSO-2-10-15-91	10/15/91	10/15/92	BI & PD COMBINED	\$ 5000	\$ 5000
	<input checked="" type="checkbox"/> UMBRELLA FORM						
D	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY	SELF INSURED RETENTION \$500,000	1/1/92	1/1/93	STATUTORY		
		10WBML 5801E (CALIF.)	4/1/91	4/1/92	\$500,000 (EACH ACCIDENT)		
		10WERML 4221E (TEX)	3/1/91	3/1/92	\$500,000 (DISEASE-POLICY LIMIT)		
E	OTHER	C 12902 R6	8/1/91	8/1/92	\$4,500		

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS All Operations of the Insured. WORK PERMIT FOR MONTANA D ORD STATE PARK, SAN LUIS OBISPO COUNTY, CA

CERTIFICATE HOLDER
STATE OF CALIFORNIA
DEPT. OF PARKS & RECREATION
CENTRAL COAST REGION HEADQUARTERS

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL DAYS WRITTEN NOTICE TO THE COORDINATOR OF THE 286 BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY OR ITS AGENTS OR REPRESENTATIVES.
AUTHORIZED REPRESENTATIVE

MINUTE PAGE 2860

ATTACHED TO AND FORMING PART OF CERT. # CP1132-1

The State of California, California State Park and Recreation Commission, Department of Parks and Recreation, their officers, employees, and agents, are hereby declared to be additional insureds under the terms of this policy, both as to the activities of the PERMITTEE and as to the activities of the STATE, the State Park and Recreation Commission, the Department of Parks and Recreation, their officers, employees and agents, as related to the activities contemplated in this permit.

CALENDAR PAGE	286
MINUTE PAGE	2961

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

November 14, 1991

PRESENT: Commissioners Anna Alexander, Shirley Bianchi, Don
Kaefer, David Oakley, Susan Ostrov, Chairman Ken
Schwartz

ABSENT: None

RESOLUTION NO. 91-89
RESOLUTION RELATIVE TO THE GRANTING
OF A DEVELOPMENT PLAN

WHEREAS, The County Planning Commission of the County of San Luis Obispo, State of California, did, on the 14th day of November, 1991, grant a Development Plan to AT&T COMMUNICATIONS OF CALIFORNIA, INC./CLARK WHITTEN-COATES FIELD SERVICE, INC. to allow approval of a fiber optic cable project (onshore and offshore) within a typical easement width of approximately 30 feet and a typical trench width of 24 inches for a distance of approximately 10.5 miles, running from the existing AT&T facility on Los Osos Valley Road near Foothill Boulevard, through an existing easement paralleling Sycamore Canyon and Clark Valley, south of Los Osos, through the northern portion of Montana De Oro, and offshore for a distance of approximately three miles. County File Number: D900132D.

WHEREAS, The Planning Commission, after considering the facts relating to said application, approves this Permit subject to the Findings listed in Exhibit A.

WHEREAS, The Planning Commission, after considering the facts

CALENDAR PAGE 287

MINUTE PAGE 2962

EXHIBIT A
FINDINGS

- A. The project approved by this Development Plan is consistent with the San Luis Obispo County Coastal Zone Land Use Element and Inland Land Use Ordinance of the general plan because fiber optic cables are permissible land uses within the Agriculture, Recreation, and Rural Lands land use categories, and related improvements associated with this project are also consistent with the general plan. The parking lot and boardwalk improvements are consistent with overall park use.
- B. As conditioned herein, the proposed project or use satisfies all applicable provisions of Titles 22 and 23 of the County Code.
- C. The establishment and subsequent operation or conduct of the use will not because of the circumstances and conditions applied in the particular case be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project included in this request will include appropriate measures to mitigate any ill-effects associated with development ongoing use and maintenance activities associated with this project.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its ultimate development because the easement is located in remote rural areas and will restore disturbed areas to the greatest extent feasible.
- E. The improvements for the beach access parking lot and boardwalk approved under this development plan will not in and of themselves generate a volume of traffic beyond the safe capacity of all roads providing access to the project either existing or to be improved with the project because the project is located on Pecho Road which is currently capable of handling the (existing) traffic associated with the project. In addition, the project involves no new facilities which would generate additional traffic, but rather involves the relocation of an existing visitor access area from Army Road to the new area.
- F. The site design and development incorporate adequate measures to ensure that archaeological resources will be acceptably and adequately protected because the applicant will stop work in the event historical resources are discovered.
- G. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the

environmental effects of the project, and on the basis of the expanded initial study and all comments received there is no substantial evidence that the proposed project will have a significant effect on the environment.

- H. The project is consistent with the relevant policies of the following chapters in the Coastal Plan Policies Document: Shoreline Access, Recreation and Visitor Serving Facilities, Environmentally Sensitive Habitats, Coastal Watersheds, Visual and Scenic Resources, Hazards, Archaeology, Air Quality; because the project successfully balances the two goals of facilitating public access and preserving the park's environmental resources.
- I. The projects approved with this development plan are consistent with the following goals and policies of the ESTERO AREA PLAN: 3. PUBLIC FACILITIES AND SERVICES: RECREATION SERVICES; CHAPTER 4. CIRCULATION - A. ROADS - Pecho Road; B. OTHER TRANSPORTATION MODES - Transit, Bikeways; C. PLANNING AREA CIRCULATION PROGRAMS - Areawide - 4. Scenic Corridors - Pecho Road, South Bay - 3. Trails; CHAPTER 6 LAND USE - Recreation; with the conditions of approval.
- J. The proposed beach access improvements are consistent with Coastal Policies of the Local Coastal Plan as replacement vehicular access for the Army Road closure.
- K. The portion of the proposed project within the Montana de Oro State Park is consistent with those portions of the Park General Plan applicable to and approved by Development Plan/Coastal Development Permit D900119D
- L. The project is consistent with the Local Coastal Plan as it pertains to Sensitive Resource Areas as follows:
- (1) The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.
 - (2) Natural features and topography have been considered in the design and siting of all proposed physical improvements.
 - (3) Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
 - (4) The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil

erosion, and sedimentation of streams through undue surface runoff.

M. The project is consistent with the Local Coastal Plan as it pertains to Environmentally Sensitive Habitats as follows:

- (1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat because although some habitat disruption will occur in the southern portion of the habitat area, a more extensive area in the northern portion of the habitat known as Army Road will be closed to vehicular access and; an extensive habitat restoration project will be made possible.
- (2) The proposed use will not significantly disrupt the environment because although it will involve an access road along the easement route West of Pecho Road and a parking area, vehicular and human disturbance will be controlled, minimizing long term disturbance in this area and; the project will make extensive habitat restoration possible at Army Road and; thereby allow for overall enhancement of the environment in the long term.

EXHIBIT D900132D:B
CONDITIONS OF APPROVAL

Approved Use

1. This approval authorizes trenching and horizontal boring for installation of a fiber optic cable from the County's western jurisdictional boundary easterly for approximately 10.5 miles to the AT&T facility located on Los Osos Valley Road; involving realignment of portions of the easement for the cable; a 50 space parking lot; boardwalk trail over the stabilized dunes to the beach, including continuous fencing and signing of the boardwalk; and habitat restoration and revegetation for all portions of the cable route with environmental monitoring. Project development and ongoing use shall be consistent with those portions of the Park General Plan applicable to and approved by the Master Development Plan/Coastal Development Permit (D900119D). The project shall be consistent with revised plans listed herein as well as the negative declaration/expanded initial study which further defines environmental mitigation measures for the project. For the purposes of administering various aspects of the project the following phases will be followed:

Phase I - Horizontal bore from bore site to ocean including some enlarging of the existing denuded area at the bore site.

Phase II - Trenching from bore site east to Pecho Road with subsequent construction of a roadway, parking lot, boardwalk to the beach, restrooms, fencing, signing program and revegetation program.

Phase III - Trenching and cable placement under Pecho Road, along existing cable route and along a new route along Rim Trail. Also included is the continuation of trenching eastward to the boundary of Montana de Oro Park. This phase also includes a revegetation program.

Phase IV - This Phase includes the Los Osos Creek dry crossing and the area between Phase III and Phase IV; and a revegetation program.

Phase V - Includes the remaining portion of the project east of Los Osos Creek to the AT&T facility on Los Osos Valley Road; and a revegetation program.

Phases I through III shall be followed sequentially. Phases IV and V may proceed simultaneously with Phases I through III, subject to the additional requirements of the conditions listed below.

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CALENDAR PAGE 292

MINUTE PAGE

2067

local hire for construction and environmental mitigations activities authorized in this Development Plan to maximize the employment of local residents where feasible.

Construction Schedule

2. Prior to commencing construction of any of the above phases, the applicant shall submit a construction schedule indicating the construction periods proposed and revegetation schedule.

Mitigation Monitoring

3. Prior to commencing construction of each phase the applicant shall retain a mitigation monitor approved by the Environmental Coordinator. The mitigation monitor shall submit a monitoring Plan to the Environmental Coordinator prior to construction for review and approval.

Staking of Disturbance Areas

4. Prior to commencing construction activities or any clearing in preparation for construction staging, for each phase, the applicant shall stake with lath and flag all areas proposed for disturbance to form construction control lines. Any disturbance outside of these areas shall be prohibited and construction crews shall be so informed.

Clearance and Inspection

5. Prior to commencing construction activities or any clearing in preparation for construction staging, the applicant shall obtain a letter of release from the Environmental Coordinator after field inspection of construction control staking by the Environmental Coordinator, State Parks and the mitigation monitor.

Revised Site Plan

Phase II Area Precise Plans

6. Prior to commencing construction of Phase II the applicant shall submit a set of precise plans to function as a revised site plan (including project detail plans) for all areas included within this Phase (see condition number 1 above). The revised site plan shall be at a scale to show sufficient detail of all aspects of the proposed improvements and shall include but not be limited to the following:
 - (a) A practical Plan and Profile for the road leading from Pecho Road to the Parking Lot.
 - (b) A parking lot detail to show the location of 50 parking spaces, fencing, signing the location of the restrooms and an interior planter area to be used to establish

plants to make the parking lot more aesthetically pleasing and in keeping with surrounding vegetation. Native vegetation shall be selected in conjunction with State Parks and the County, and shall be established during the revegetation portion of the project, prior to commencing with Phase III. The parking lot shall include bicycle racks to accommodate at least 25 bicycles.

- (c) A site detail (or details) for the boardwalk to the beach showing width, height, anchoring, and length.
- (d) A comprehensive fencing plan to ensure that visitors are contained within the parking lot, road and boardwalk areas and that human intrusion into sensitive habitats is minimized to the greatest extent feasible.
- (e) A comprehensive signing plan coordinated with State Parks, to indicate that hiking is not allowed outside of fenced areas and to ensure that the public understands the sensitive nature of the surrounding habitat.

Phase II Area Overall Site Plan

- 7. Prior to commencing construction activities or any clearing in preparation for construction staging, the applicant shall submit a revised site plan for the area within Phase II the precise alignment of the cable route (realignment).

Ongoing Management of Beach Parking Lot and Boardwalk

- 8. The ongoing management of this area shall be in accordance with the Montana de Oro Park Plan with the additional mitigation measures established in these conditions of approval. If degradation due to human use occurs additional mitigation shall be initiated, including but not limited to gating of the roadway to limit hours of use or possible closure for sufficient periods of time to allow recovery. Annual progress reports shall evaluate the overall condition of this area as required by the conditions of approval for the Master Development Plan/Coastal Development Permit. Evaluation shall be by the Department of Parks and Recreation in conjunction with the county and any other appropriate agencies.

Agency Clearance

- 9. Prior to construction in any Phase, the applicant shall obtain clearance from the following agencies:

- Army Corps of Engineers
- State Lands Commission
- Coastal Commission (for coastal development permit)
- Regional Water Quality Control Board
- State Department of Fish and Game
- State Department of Parks and Recreation.

CALENDAR PAGE 294

MINUTE PAGE

~~2960~~

-California Department of Forestry

If approved by the Director of the Department of Planning and Building and the Environmental Coordinator, the applicant may submit the above clearance letters/ permits for areas immediately effected by their review, corresponding to the Phase in question, subject to State and Federal Laws governing required agency reviews.

Army Road Closure and Habitat Regeneration

10. The beach parking lot and related improvements shall be coordinated with the Army Road rehabilitation program and shall be subject to the State Park General Plan and Coastal Development Permit.

Grading and Drainage Review for Parking Lot

11. Submit grading, drainage and erosion control plans prepared in accordance with requirements of Section 23.05.044 of the County Coastal Land Use Ordinance to the Department of Planning and Building for review and approval prior to any construction activities along the cable route. If so required, review of the plan shall be subject to inspection and checking agreement with the Engineering Department and/or the plan shall be prepared by a registered civil engineer. Grading and Drainage Permits may be phased at the discretion of the Senior Building Official and the Environmental Coordinator. The plans shall provide for the following:
 - a. protection of coastal streams and wetlands.
 - b. protection of terrestrial habitat.
 - c. drainage devices within the beach parking lot shall include traps for petroleum residue.
 - d. minimizing removal of vegetation.
 - e. maximum feasible erosion control.
 - f. maximum feasible control of sedimentation.
 - g. all environmental mitigation measures listed in the mitigation measures listed below and as further defined in the negative declaration/expanded initial study.

Archaeological Resource Protection

12. If archaeological resources or human remains are accidentally discovered during construction, County shall be notified, work shall be halted within 50 meters (150 feet) of the find, until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate

CALENDAR PAGE 295

MINUTE PAGE

2970

mitigation measures (if necessary) shall be formulated and will be outlined within 48 hours of discovery, and will be implemented. If any archaeological evidence is discovered during earthwork, only the area that shows signs of evidence is affected, and construction activities can proceed outside the affected area, subject to monitoring requirements.

Effective Approval Period

13. This development plan/coastal development permit approval is valid for 36 months. Time extensions may be granted if requested by the applicant in accordance with the requirements of the Land Use Ordinance. Should portions of the project not be completed by that time a separate development plan shall be required to obtain approval of the remaining portions of the project.

Environmental Mitigation Measures

14. The applicant shall adhere to and incorporate the following measures into the proposed project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. Any other changes made to the project may require a new environmental determination. The following measures further refine and complement the previously listed conditions and are not to be considered duplicate requirements:

a) MITIGATION MONITORING

Environmental Monitor.

- 1) Prior to commencing any construction or vegetation removal an Environmental Monitor approved by the County shall be hired at the applicant's expense to oversee construction activities and mitigation measure implementation. The monitor shall submit a work program to the Planning and Building Department for review and approval prior to issuance of grading and final land use permits. The work program shall include timing of proposed activities, methods used to monitor activities, criteria for evaluation, and timing of reports to the County Planning and Building Department. The reports shall detail the applicant's compliance with conditions of approval and the mitigation measures outlined in the project Negative Declaration. In the event that filed conditions warrant changes in design, the Environmental Monitor shall have the authority to stop work on the project until the redesign has been reviewed and approved by the Planning and Building Department.
- 2) The County Environmental Monitor shall oversee the entire length of the project. However, the California Department of Parks and Recreation have indicated that they wish to utilize their Environmental Monitor to monitor all construction activities within the limits of Montana de Oro State Park. The county's Environmental Monitor will coordinate monitoring

activities with the state park monitor. Within the state park, the state park monitor will be the principal monitor, and will be responsible for keeping the county Environmental Monitor appraised of compliance with the conditions set forth in this statement. The county monitor will be allowed to observe construction activities within the state park and will be responsible for informing the state park monitor if AT&T is not complying with county conditions. It will be up to the state park monitor to ensure compliance with the county conditions as well as state park conditions within the state park boundary.

b) MITIGATION MEASURES INCLUDED IN THE PROJECT BY AT&T

- 1) General Construction Measures. The applicant has committed to general construction measures as listed in Chapter III of the Onshore portion of the Expanded Initial Study. These construction measures shall be incorporated into the project to provide mitigation to reduce a variety of impacts.

c) SOILS AND EROSION

- 1) Erosion of Cut and Fill Slopes. In order to reduce the potential erosion of cut and fill slopes, the angle of the cut and fill slopes shall be decreased from the standard of 2:1 (horizontal to vertical) to 3:1 west of Pecho Valley Road. This will increase the area of disturbance, but it will decrease erosion prior to revegetation and will also facilitate revegetation.
- 2) Erosion Control East of Pecho Valley Road. Potential increased erosion in the segment underlain by sand east of Pecho Valley road along Rim Trail shall be controlled by providing waterbars at intervals no greater than 200 feet. Providing periodic diversion of runoff from the trail will reduce the rate of erosion now occurring along this segment.
- 3) Erosion Control West of Pecho Valley Road. The potential for increased erosion resulting from an increase in concentrated runoff from the access road shall be mitigated by:
 - (a) Designing, to the satisfaction of the Department of Parks and Recreation, the access road west of Pecho Valley Road to shed runoff as sheet flow; or, 2) collecting runoff from the access road west of Pecho Valley Road and conveying it to canyon bottoms below the active knick points in non-erosive devices, providing energy dissipators at points of release; or 3), collecting runoff from that part of the access road downslope from the two major canyons and conveying it to the parking area where it can infiltrate into the sand, and provision of berms as necessary to retain runoff in the vicinity of the parking area, or conveying all the runoff from

CALENDAR PAGE 297

the parking area.

(b) Applicant shall prepare a detailed Grading and Drainage Plan for the area west of Pecho Valley Road, and submit it to the Department of Planning and Building for joint review and approval by the Environmental Coordinator and the Department of Parks and Recreation prior to commencing with any construction.

6) Creek Crossings. At any creek crossing, the conduits shall be installed when the creek is not flowing and rain is not forecast during the time necessary to complete the crossing.

d) BIOLOGICAL RESOURCES

1) Revegetation Plan. The applicant shall prepare a revegetation plan for all disturbed areas of the project. A qualified botanist acceptable to the county and the Department of Parks and Recreation shall review and make recommendations regarding the revegetation plan before implementation. The revegetation plan shall include the following measures:

2) General Mitigation Measures applying to all routes and improvements.

(a) Any revegetation shall utilize seeds or cuttings collected from adjacent areas.

(b) As practicable, revegetation shall occur within the same vicinity as the vegetation to be removed. If it is not possible to revegetate in the same vicinity, then the revegetation shall occur at designated locations as stipulated in the revegetation plan. Unless specified, eucalyptus and other non-native species need not be replanted, but shall be replaced with native species as specified in the revegetation plan.

(c) Arroyo de la Cruz manzanita, Morro manzanita and coast live oak trees shall be replaced at a ratio of 5:1, with plants established from cuttings or seeds collected from the local population. The revegetation areas for manzanita shall be 1) in cleared areas adjacent to the right of way or within the right of way if it is not to be used for maintenance; or 2), in other areas designated by the Environmental Monitor (such as in areas that have been cleared of eucalyptus, trails to be abandoned or other suitable areas requiring revegetation).

(d) The revegetation plan shall include the following:

-Species to be replanted and source of seeds and plants to be used.

CALENDAR PAGE	298
MINUTE PAGE	2073

-Location of the revegetation areas

-Timetable for revegetation

-Method of revegetation (such as the size of plants, soil amendments, special techniques needed to ensure successful replanting, etc.).

-Irrigation method where needed

-Method to verify that replanting has been successful

-The standard county procedures for oak tree preservation shall be included

- (e) Prior to commencement of construction activities, the applicant shall be required to clearly mark all of the trees to be removed during construction as well as any trees that will be trimmed. In the case of manzanita, the marking can be accomplished by stringing colored surveyors tape to denote the areas there plants will be affected.
- (f) Any oak trees, or manzanita that are within ten feet of an area to be graded, not including those to be removed, shall be temporarily marked for protection (e.g., flagged with a different color surveyors tape). The purpose of the marking is to act as a reminder to the construction crew that these areas are not to be disturbed during grading. Marking shall be completed prior to commencement of any grading operations within the affected segment of the line (eg. the rim trail).
- (g) During construction, the operation of heavy equipment shall avoid the area within the driplines of oaks. Such equipment shall not be parked under these trees in order to prevent oily residue from leaking into the root zone and to avoid soil compaction in this area.
- (h) All trenching shall take place outside of the dripline and root zone of all oak trees. Remedial measures ensuring the health of these trees (i.e., pruning to eliminated growth stress) shall also be specified in the revegetation plan. If it is not possible to avoid the driplines of oak trees, the tree shall be considered damaged and shall be replaced as required in item #3 above.
- (i) The Environmental Monitor shall record all trees that are impacted by removal, cutting and grading. The monitor will be responsible for monitoring the health of the replanted trees until it is determined that they can survive on their own, a minimum period of five years.
- (j) The width of the disturbance necessary for construction shall be kept to a minimum. It should be noted that the 299

applicant shall be required to replace all vegetation removed during construction, specifically with a 5:1 replacement of oak trees and manzanita a revegetation with an appropriate mix of native seeds and plants. If the Environmental Monitor deems that the width of the disturbance is excessive, work shall cease until it can be determined what the appropriate width should be. AT&T has indicated that the width of disturbance would no exceed 40 feet at crossings and in areas of difficult terrain, and would average 30 feet along the majority of the line. In areas of sensitive vegetation, it is possible to reduce the width of disturbance to 10 feet depending on terrain conditions.

3) SLO Junction to Clark Valley Road.

- (a) *Stipa pulchra* (purple needle-grass), *Stipa Lepida* (slender needle-grass) seeds shall be included in the revegetation plans for grasslands between SLO junction and Clark Valley Road.
- (b) In areas of coastal scrub and Arroyo de la Cruz manzanita, the route shall follow existing roads or trails as closely as possible to reduce vegetation removal. Revegetation shall be with fast growing herbs and shall include shrubs native to the local coastal scrub community.
- (c) In areas of chaparral, construction shall follow the existing road, and disturb the vegetation along the side as little as possible.
- (d) The new trench shall be realigned downslope from the serpentine outcrop located approximately 0.75 miles west of the SLO junction, and the outcrop shall be left undisturbed. The actual location of the route shall be marked by the applicant, and checked by a qualified botanist prior to construction.

4) Clark Valley Road to Los Osos Creek

- (a) The existing road west of Clark Valley Road shall be followed where feasible to avoid the oaks and shrubs.
- (b) All Morro manzanitas along the route shall be flagged and avoided where possible.

5) Los Osos Creek Crossing

- (a) Creek and riparian vegetation shall be disrupted as little as possible at the Los Osos Creek Crossing. The area disturbed shall be revegetated with plants native to the riparian zone as listed in the revegetation plan.

willows should be included.

- 6) Los Osos Creek Crossing to 0.2 Miles West of the Eastern Boundary of Montana De Oro State Park
- (a) The alignment shall follow the existing open pathway through the oaks. All disturbance would be as far away from the trunks as possible and outside the dripline.
 - (b) The line shall be routed upslope from the wet area shown in Figure V-4 of the Onshore portion of the Expanded Initial Study, and modifications to drainage patterns during construction should be avoided.
- 7) 0.2 Miles West of the Eastern Boundary of Montana De Oro State Park to Hazard Canyon Road
- (a) Where Rim Trail is wide, no brush removal should be required and significant disruption to the root systems can be avoided. Trimming of manzanitas along the side of the trail may be required, but shall be kept to a minimum following proper pruning procedures.
 - (b) Since the Rim Trail will be maintained as an access road for maintenance purposes and will require removal of manzanitas and trimming of manzanitas, maintenance will result in a long term loss of coverage. In order to mitigate this long term loss, particularly canopy loss, the applicant shall remove an area of eucalyptus canopy equal to the area of Morro manzanita canopy that will be required to continue the maintenance of the road. To determine the area of eucalyptus canopy to be removed, the applicant, in the revegetation plan, will map the total area of Morro manzanita to be removed on the Rim Trail and equate this removal to square feet of total coverage. This will allow field verification of the exact area of manzanita canopy that can be equated to eucalyptus canopy to be removed.
 - (c) The State Department of Parks and Recreation has identified certain stands of non-plantation eucalyptus in natural habitat area near the proposed line that should be removed in order to provide additional habitat for Morro manzanita. For example, there are areas just east of Pecho Valley Road where Eucalyptus trees could be removed and Morro manzanita reestablished. These areas are clearly good habitat for manzanita as shown by the maritime chaparral in the fringe areas around the grove and scattered in the understory of the grove.
 - (d) Once the area of manzanita canopy removal has been determined, the areas of eucalyptus canopy to be removed shall be determined after consultation with the Department of Parks and Recreation. Where the eucalyptus canopy to be removed

CALENDAR PAGE to be 301

MINUTE PAGE

2976

removed, is greater than the amount of manzanita calculated for removal, the entire stand should be removed if the majority of canopy is designated for removal.

- (e) The location of the eucalyptus stand and the amount of canopy to be removed shall be included as part of the revegetation plan, and the area of canopy of eucalyptus to manzanita removal can be adjusted during construction with approval of the Environmental Monitor. The eucalyptus removal shall occur during or immediately after construction of the Rim Trail portion of the line.
- (f) Once eucalyptus removal has occurred the applicant may utilize this area for revegetation with manzanita. This manzanita can be with those plantings required in the 5:1 replacement of manzanita removed in the project right of way.
- (g) The alignment shall be routed outside the wetland area, and modifications to drainage patterns during construction should be avoided. If modifications to drainage patterns during construction cannot be avoided, the Environmental Monitor shall be informed prior to any alterations to drainage. The Environmental Monitor shall determine, in consultation with State Parks and Recreation and any necessary specialists, if the proposed alterations are necessary, and appropriate mitigation shall be determined at that time.
- 8) Hazard Canyon Road to Pecho Valley Road
- (a) Morro manzanitas in this area shall be replaced with plants established from cuttings or seeds collected from the local population. Other plants used in the revegetation should include shrubs and herbs native to the local chaparral community.
- 9) Pecho Valley Road to the Parking Area
- (a) The State Department of Parks and Recreation is proposing to restrict vehicle access to their portion of Army Road. The applicant shall be required to prepare a restoration plan for Army Road within the park. This plan will be prepared in consultation with a biologist with expertise in Morro Bay kangaroo rat habitats. The plan shall be reviewed by the State Department of Parks and Recreation and the U.S. Fish and Wildlife Service and shall be approved by the Environmental Coordinator's Office. The plan shall include the following:
- (b) Area within the park to be affected by the restoration plan shall be equal to the area disturbed by AT&T activities.

- (c) The plan shall include fencing of the State Parks boundary in the vicinity of Army Road.
- (d) Remnants of road base along "A" Road and Army Road on State Park property shall be removed and transported to the future parking lot at the proposed boring site. This activity can be implemented after completion of the offshore boring and cable installation or at the time of construction of the parking lot.
- (e) Any remaining compacted road areas within the park shall be ripped and contoured so that these areas can be revegetated.
- (f) The plan shall include a revegetation plan for the road areas within the park to be affected and, where appropriate, an exotic plant removal plan such that the road areas can be returned to natural habitat.
- (g) Areas of cut and fill shall be revegetation as soon as feasible after construction of the access road within the park. Revegetation shall include plants native and indigenous to the local area. A qualified botanist shall review and make recommendations regarding the revegetation mix before implementation.
- (h) All Morro manzanitas and dune almonds removed shall be replaced at a ratio of 5:1 with plants established from cuttings or seeds collected from the local population. Other plants used in the revegetation shall include shrubs and herbs native to the local chaparral/coastal dune scrub community. A qualified botanist shall review and make recommendations regarding the revegetation mix before implementation. No introduced species shall be included.
- (i) The access road shall be constructed to its full width as part of the proposed project to avoid recurrence of impacts at such time as the road were to be widened.
- (j) Banded Dune Snail. Prior to construction of the segment of the project within 1,000 feet of the parking area (boring site), the limits of disturbance in this segment should be staked and flagged by the applicant, and this area should be re-surveyed for the presence of banded dune snails. Should any banded dune snails be found in this area, they should be removed and placed in suitable habitat west of the project area.
- (k) Morro Blue Butterfly. The long-term loss of Morro blue butterfly habitat can be mitigated by closing the Army Road. Revegetation of areas within this portion of the project shall include silver beach lupine in the revegetation plan. Short-term losses of habitat in areas of cut and fill can be mitigated by including silver beach

lupine in the revegetation of these slopes.

e) ARCHAEOLOGICAL RESOURCES

- 1) Pre-construction meeting. A pre-construction meeting shall be conducted by a qualified archaeologist to advise the construction crew of conditions to be aware of that may indicate the presence of a significant archaeological site.
- 2) CA-SLO-798. CA-SLO-798 shall be avoided by re-routing the alignment along one of several alternatives. Alternative C (one of three alternative routes to avoid the site) as shown on Figure 1 of the archaeological report contained in the file, shall be the preferred route.
- 3) A qualified archaeologist and Native American observer shall be present to monitor construction in Sensitive Area 1 as designated in the confidential archaeological report available with the Office of Environmental Coordinator to mitigate potential impacts to CA-SLO-787.

f) VISUAL RESOURCES

- 1) Cable realignment. Significant adverse visual effects resulting from trenching throughout the Morro manzanita shall be minimized by moving the cable crossing approximately 50 feet northeast and following the marked horse trail shown on the Expanded Initial Study Figure V-8, bottom and Figure IV-6.

EXHIBIT "D"

ADDITIONAL MITIGATION MEASURES
AT&T TPC-5 SUBMARINE CABLE PROJECT
SAN LUIS OBISPO COUNTY

Air Quality

IMPACT: Short-term adverse impacts of cable installation on air quality offshore San Luis Obispo County.

MITIGATION MEASURE:

Injection timing on diesel powered vessels and construction equipment shall be retarded by four degrees prior to and throughout cable installation. The injection timing on the cable-lay vessel, Sentinel, will be retarded by three degrees throughout cable installation. AT&T's implementation of this measure shall be verified by a qualified independent inspector or mechanic. AT&T will report such written verification to the State Lands Commission and the San Luis Obispo County APCD.

MITIGATION MEASURE:

Onshore equipment shall use low-sulfur/low-aromatic (ARB) diesel fuel. During its stop at Port Hueneme, the cable-laying vessel, Sentinel, shall bunker a sufficient amount of low-sulfur EPA diesel to complete project activities offshore San Luis Obispo County. Copies of contractor specifications, receipts or other documentation in support of compliance shall be provided to the State Lands Commission and the San Luis Obispo County APCD.

CALENDAR PAGE 305

MINUTE PAGE 2980

EXHIBIT "F"

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 commitment 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

- 1a. MITIGATION MEASURE: To mitigate short-term adverse impacts of cable installation on air quality offshore San Luis Obispo County, injection timing on diesel-powered vessels and construction equipment shall be retarded by four degrees prior to and throughout cable installation. The injection timing on the cable-lay vessel, Sentinel, shall be retarded by three degrees throughout cable installation. AT&T's implementation of this measure shall be verified by a qualified independent inspector or mechanic who will report to the State Lands Commission and the San Luis Obispo County APCD. An acceptable inspector/mechanic may be hired by AT&T, in which case his or her qualifications shall be pre-approved by the State Lands Commission and the APCD.

MITIGATION MONITORING: The State Lands Commission and San Luis Obispo County APCD shall receive confirmation of compliance from an independent inspector/mechanic prior to AT&T's initiation of cable laying activities.

- 1b. MITIGATION MEASURE: Onshore equipment shall use low-sulfur/low-aromatic (ARB) diesel fuel. During its stop at Port Hueneme, the cable-laying vessel, Sentinel, shall bunker a sufficient amount of low-sulfur EPA diesel to complete project activities offshore San Luis Obispo County. Copies of contractor specifications, receipts or other documentation in support of compliance shall be provided to the State Lands Commission and San Luis Obispo County APCD.

MITIGATION MONITORING: The State Lands Commission and San Luis Obispo County APCD shall review AT&T's documentation of 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.

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 Commission 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 Montana de Oro State Park to confirm AT&T's compliance with all applicable conditions.

NO CALENDAR PAGE NUMBER

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