

**CALENDAR ITEM
C24**

A 80
S 37

04/09/02
WP 8256.9
J. Porter

AMENDMENT OF A PERMIT FOR A TELEPHONE LINE RIGHT OF WAY

PERMITTEE:

AT&T Corp.
1200 Peachtree Street, NE, Room 2015
Atlanta, Georgia 30390

AREA, LAND TYPE, AND LOCATION:

Sovereign lands crossing the Colorado River at the Ehrenberg Bridge in Riverside County.

AUTHORIZED USE:

The installation, operation, maintenance and use of one 8-inch steel casing containing six 1.5-inch HDPE conduits and one fiber optics cable that will be installed within one of the HDPE conduits.

PERMIT TERM:

Effective February 5, 2001, until termination of the Permit.

CONSIDERATION:

No monetary consideration shall be charged for the placement, use and maintenance of fiber optics cables or other similar transmission devices placed by those qualifying under the scope of Section 7901 of the California Public Utilities Code.

PROPOSED AMENDMENT:

Amend Permit No. PRC 8256.9 to accommodate a change from the installation of one 8-inch steel casing attached to the existing Highway bridge to two 5-inch casings containing three 1.5-inch HDPE conduits each and one fiber optics cable to be installed within one of the HDPE conduits. All other terms and conditions of the Permit shall remain in effect without amendment.

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OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. Pursuant to the California Public Utilities Code (CPUC) Section 7901 (PUC §7901), telephone corporations may construct and operate lines and equipment along and upon any public road, highway, or the navigable waters of the State, without compensation, provided the lines and facilities do not interfere with the public use. The Applicant, by and through its wholly-owned subsidiary, AT&T Communications of California, Inc., has continuously provided in-State long distance services within California since January 1, 1984 and is authorized by the California Public Utilities Commission to provide competitive local exchange services in the State pursuant to Certificate of Public Convenience and Necessity (CPCN) No. U5002.
3. At its meeting on February 5, 2001, the Commission, pursuant to Minute Item 15, authorized issuance to AT&T Corp. of Permit No. PRC 8256.9, a Permit for a Telephone Line Right of Way. The Permit allows the Permittee to use sovereign lands crossing the Colorado River at the Ehrenberg Bridge in Riverside County for the installation, operation, maintenance and use of one 8-inch steel casing containing six 1.5-inch HDPE conduits and one fiber optics cable installed within one of the HDPE conduits. At the request of the California Department of Transportation, AT&T Corp. proposes to amend the Permit to instead allow the installation, operation, maintenance and use of two 5-inch steel casings each containing three 1.5-inch HDPE conduits and one fiber optics cable to be installed within one of the conduits.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15025), the staff prepared a Mitigated Negative Declaration identified as CSLC ND 704, State Clearinghouse No. 2000121026. Such Mitigated Negative Declaration was prepared and circulated for public review pursuant to the provisions of the CEQA. The California State Lands Commission adopted the Mitigated Negative Declaration for the AT&T Fiber Optics Cable Project on February 5, 2001.

Based upon the Initial Study, the Mitigated Negative Declaration, and the comments received in response thereto, there was no substantial evidence that the project would have a significant effect on the

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environment; Title 14, California Code of Regulations, section 15074(b).

A Mitigation Monitoring Program was prepared in conformance with the provisions of the CEQA (Public Resources Code section 21081.6).

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources code Sections 6370, et seq. Based upon the staff's consultation with the person's nominating such lands and through the CEQA review process, it is the Staff's opinion that the project, as proposed is consistent with its use classification.

APPROVALS OBTAINED:

California Department of Transportation

EXHIBITS:

- A. Location Map
- B. Legal Description
- C. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

August 12, 2002

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CERTIFY THAT A PROPOSED MITIGATED NEGATIVE DECLARATION, CSLC ND NO. 704, STATE CLEARINGHOUSE NO. 2000121026, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA, THAT THE COMMISSION REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN AND IN THE COMMENTS RECEIVED IN RESPONSE THERETO, THAT THE MITIGATED NEGATIVE DECLARATION REFLECTS THE COMMISSION'S INDEPENDENT JUDGMENT AND ANALYSIS, AND THAT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM WERE ADOPTED BY THE CSLC ON FEBRUARY 5, 2001.

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FIND THAT THE INFORMATION CONTAINED IN THE CITED MITIGATED NEGATIVE DECLARATION REMAINS VALID FOR THE CONSIDERATION OF THE PROPOSED PERMIT AMENDMENT.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF PERMIT NO. PRC 8256.9, A PERMIT FOR A TELEPHONE LINE RIGHT OF WAY, OF LANDS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MARCH 1, 2002, TO ACCOMMODATE A CHANGE FROM THE INSTALLATION OF ONE 8-INCH STEEL CASING TO TWO 5-INCH STEEL CASINGS CONTAINING THREE 1.5-INCH HDPE CONDUITS EACH AND ONE FIBER OPTICS CABLE TO BE INSTALLED WITHIN ONE OF THE HDPE CONDUITS; ALL OTHER TERMS AND CONDITIONS OF THE PERMIT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.