MINUTE ITEM

This Calendar Item No. C7 was approved as Minute Item No. 2 by the State Lands Commission by a vote of 3 to 0 at its 5/23/85 meeting.

CALENDAR ITEM

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GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: MCI Telecommunications Corporation
Attn: Mr. Dean R. Johnson
601 South 12th Street
Arlington, Virginia 22202

AREA, TYPE LAND AND LOCATION:
Undetermined acreage, Consumnes River, (Sacramento County); Mokelumne River (Sacramento/San Joaquin Counties), San Joaquin River (San Joaquin County), and Alameda Creek (Alameda County). It is estimated, however, that each of the four crossings is an average of 1" x 150', or 12.5 square feet per crossing.

LAND USE: Installation and use of a 1" diameter fiber optic cable to be attached to existing railroad bridge structures.

TERMS OF PROPOSED LEASE:
Initial period: Indefinite term beginning June 1, 1985.

CONSIDERATION: Exempt by Law, Section 7901, Public Utilities Code.

APPLICANT STATUS:
Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

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STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

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

C. Public Utilities Code: Section 7901

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The annual rental value of each of the four sites is $100, for a total of $400.

2. The applicant plans to install a 130 mile fibre optic cable from Hayward to the Sacramento vicinity as part of a long-distance telephone system.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 381, State Clearinghouse No. 85040219. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS PENDING:

United States Corps of Engineers, United States Department of the Interior, State Reclamation Board, State Fish and Game, Counties of Sacramento, Alameda and San Joaquin, and Communities of Sacramento, Livermore, Stockton, Pleasanton, Fremont, Union City, and Hayward.

EXHIBITS:

A. Land Description.
B. Location Map.
C. Proposed Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 381, STATE CLEARINGHOUSE NO. 85040219, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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

3. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.

4. AUTHORIZE ISSUANCE TO MCI TELECOMMUNICATIONS CORPORATION OF A RIGHT-OF-WAY, FOR AN INDEFINITE TERM, BEGINNING JUNE 1, 1985; PURSUANT TO THE PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODES FOR THE INSTALLATION AND USE OF A FIBRE OPTIC CABLE TO BE ATTACHED TO EXISTING RAILROAD BRIDGES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

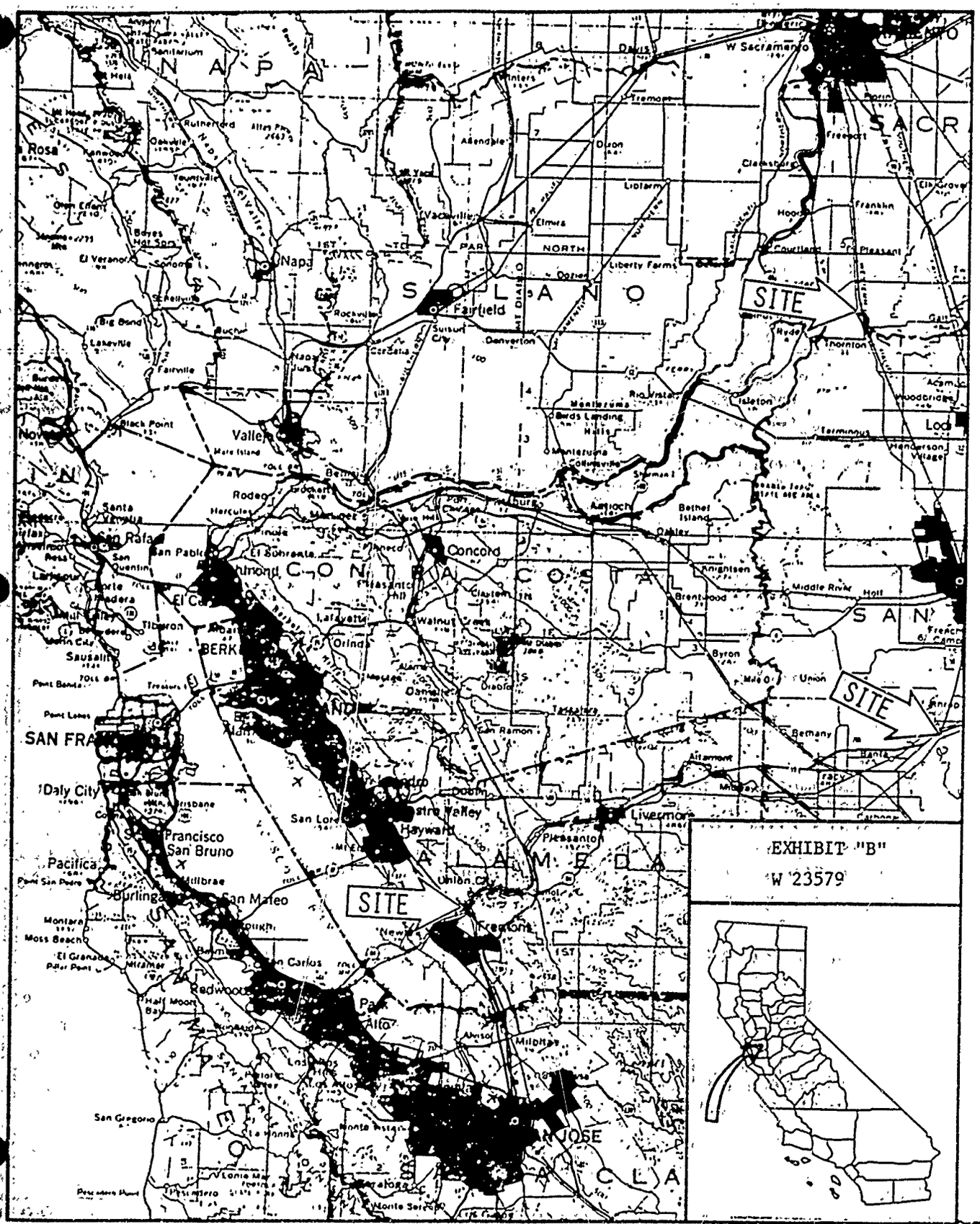
EXHIBIT "A"

LAND DESCRIPTION W 23579

Four strips of California State sovereign land lying immediately beneath a fiber optic cable located within the operating right-of-way of the Western Pacific Railroad between Hayward and Sacramento, California, said strips being located in the bed of Alameda Creek, Alameda County, at Railroad Mile Post 29.24; in the bed of the San Joaquin River, San Joaquin County, at Railroad Mile Post 80.24; in the bed of the Mokelumne River, Sacramento and San Joaquin Counties, at Railroad Mile Post 116.07; and in the bed of the Consumnes River, Sacramento County, at Railroad Mile Post 116.28.

END OF DESCRIPTION

PREPARED APRIL 19, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.



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STATE OF CALIFORNIA
STATE LANDS COMMISSION

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95

PROPOSED NEGATIVE DECLARATION

EIR ND 381

File Ref.: 23579

SCH#: 85040219

Project Title: MCI Fiber Optic Telecommunication System Installation

Project Proponent: MCI Telecommunication Corp.

Project Location: A linear project running along and within the Western Pacific Railroad right-of-way from Sacramento, south and westerly through Stockton, to a point within the City of Hayward.

Project Description: Installation, operation, and maintenance of a fiber optic telecommunication system - a telephone system.

Contact Person: Ted T. Fukushima Telephone: (916) 322-7813

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

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

[x] the project will not have a significant effect on the environment.

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

EXHIBIT "C"

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STATE LANDS COMMISSION

Date Filed: / /

File Ref.:

ENVIRONMENTAL IMPACT ASSESSMENT FORM — Part I

(To be completed by applicant)
FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant

MCI Telecommunications Corp.
601 S. 12th Street
Arlington, Va. 22202
(703) 486-4985

b. Contact person if other than applicant:

Dean R. Johnson
601 S. 12th Street
Arlington, Va. 22202
(703) 685-9615

2. a. Project location: (Please reference to nearest town or community and include county)

A linear project running along and within the Western Pacific Railroad right-of-way from Sacramento, Ca., south and westerly to a point within the city of Hayward, Ca. See Exhibit "A".

b. Assessor's parcel number: N/A

3. Existing zoning of project site: see attached comments

4. Existing land use of project site: Mainline track & facilities of the Western Pacific Railroad.

5. Proposed use of site: For the placement, operation, and maintenance of a fiber optic telecommunication system - a telephone system. This system will be an integral part of MCI's long distance telephone network. Additionally, it will serve as part of the railroads communication system.

6. Other permits required: see attached comments

B. PROJECT DESCRIPTION

1. For building construction projects, complete "ATTACHMENT A".

2. For non-building construction projects: Describe fully, the proposed activity, its purpose and intended use, e.g. for proposed mineral prospecting permits, include the number of test holes, size of holes, amount of material to be excavated, maximum surface area of disturbance, hole locations, depth of holes, etc. Attach plans or other drawings as necessary.

(see attached comments)

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C. ENVIRONMENTAL SETTING

1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures.

(see attached comments)

2. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.).

(see attached commnets)

D. ENVIRONMENTAL IMPACT ASSESSMENT

Answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe". (Attach additional sheets as necessary)

Will the project involve:	YES	MAYBE	NO
1. a change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?	☐	☐	☒
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	☐	☐	☒
3. a change in pattern, scale, or character of the general area of project?	☐	☐	☒
4. a significant effect on plant or animal life?	☐	☒	☐
5. significant amounts of solid waste or litter?	☐	☐	☒
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	☐	☐	☒
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	☐	☒	☐
8. a change in existing noise or vibration levels in the vicinity?	☐	☒	☐
9. construction on filled land or on slope of 10 percent or more?	☒	☐	☐
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	☐	☐	☒
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	☐	☐	☒
12. an increase in follis fuel consumption (electricity, oil, natural gas, etc.)?	☒	☐	☐
13. a larger project or a series of projects?	☐	☒	☐

E. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 2-27-85 Signed: [signature]

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ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
Form 69.3 (11/82)

A. GENERAL INFORMATION

3. Existing zoning of project site:

Zoning varies along the railroad corridor. At no place, or time, is the placement of the fiber optic telecommunication cable affected by zoning. What is affected are six (6) signal relay stations (repeater or regenerator sites) located and regularly spaced along the project route. All sites have been located, discussed with appropriate governmental units, and conform with local zoning requirements.

Site Name	Location	Zoning	Permitted Use
Point Pleasant	S29-T7N-R5E SE corner of WPRR/ Sims Road intersection	AR-10 Agricultural/ Residential	yes (conditional use)
Kingdon	S17-T3N-R6E SE corner of WPRR/ De Vries Rd. intersection	GA-40 General Agriculture	yes
Manteca	S25-T1S-R6E NE corner of WPRR/ Louise Ave. intersection	1-PA interium protected Agriculture	yes
Tracy	S7-T3S-R5E SW Corner of WPRR/ Corral Hollow Road intersection	GA-40 General Agriculture	yes
Livermore	S9-T3S-R2E NE corner of WPRR/1st intersection (1st St. now dead-ends at WPRR)	CG Commercial General	approved
Niles	S21-T4S-R1W N. off of Shinn Road within the WPRR Depot at Fremont	CG Commercial General	yes

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
Form 69.3 (11/82)

A. GENERAL INFORMATION

6. Other permits required:

I. Road crossings: cable placement beneath roads intersecting the WPRR at grade level.

	AGENCY	Status
o	Sacramento City	Permit(s) tentatively approved
o	Sacramento County	Permit(s) tentatively approved
o	CDOT (Cal Tran)	Agency contacted, requirements obtained, request(s) submitted
o	Stockton	Permit(s) conditionally approved
o	San Joaquin County	Permit(s) approved
o	Alameda County	Permit(s) approved
o	Livermore	Permit(s) approved
o	Pleasanton	Permit(s) approved
o	Fremont	Permit(s) approved
o	Union City	Permit(s) approved

II. Repeater sites: Consists of two small steel shelters (11'x18' & 8' x 10') which will reorganize and relay telephone signals. Each site requires zoning/site plan approval and building permits.

	AGENCY	Status
o	Sacramento County (1 site-Point Pleasant)	agency contacted, requirements obtained, civil engineering drawings prepared, filing for compliance & permit by March 1985.
o	San Joaquin County (3 sites-Kingdon, Manteca, Tracy)	same as above except filing for permit by March 1985.

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A. GENERAL INFORMATION

6. Other permits required (cont.):

o Livermore (1 site-Livermore)	have obtained tentative site plan approval; final approval expected in March 1985
o Fremont (1 site-Niles)	Approved 2-14-85

III. Water/Environmental Crossings: cable placement through streams, creeks, rivers, and other affected waterways & lands.

AGENCY	Status
o US Army Corps of Engineers	Agency contacted, requirements obtained, permitting process underway.
o US Department of Interior Reclamation Board	Permit approved for Delta-Mendota canal crossing
o State of California Water Resources Department Reclamation Board	Agency contacted, requirements obtained, permitting process underway
o State of California Department of Water Resources Division of Land and R/W	same as above
o State of California Department of Fish & Game	same as above
o State of California State Lands Commission	same as above (lead agency for CEQA compliance)
o San Joaquin Conservation District	sent copies of plans as submitted to and requested by the Department of Fish and Game.

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
Form 69.3 (11/82)

B. PROJECT DESCRIPTION

2. Describe fully the proposed activity ...

This project involves the Consructiton of a fiber optic telecommunication system; a long distance telephone system. By so doing MCI will provide direct state-of-the-art telephone service to and between the Sacramento, Stockton/Modesto, and San Francisco Bay areas.

Once in operation, the system will provide the service capacity needed to better handle the present and anticipated user demands resulting from equal access; a process whereby residents of specified areas of the country, at predetermined times can select the long distance telephone company (common carrier) they wish to use. These areas and times have been identified and set through Federal action resulting from the divestiture of AT&T. The Stockton area will receive equal access this spring.

Geographically, the route will run east and north from Hayward, through Stockton and Sacramento to a point just north of the Sacramento county line; a distance of approximately 130 miles. The exact route will lie within the operating right-of-way of the Western Pacific Railroad (WPRR). Through an agreement with the Union Pacific Railroad (UPRR) and its subsidiaries, which includes the WPRR, MCI acquired the right to construct, operate, and maintain the referenced project upon railroad right-of-way. (See Exhibit "A").

Two components will essentially comprise the fiber optic system: a cable and repeater sites. The cable, having a diameter of approximately 5/8 inch, contains a number of glass fibers through which telephone messages are transmitted in the form of light impulses or lightwaves. The repeater sites act as signal relay or regenerator stations. As transmitted telephone signals weaken over distance, these sites will reorganize, reamplify and transmit the strengthened signal along the cable to the next site. A site consists of two small steel shelters (11'x18' and 8'x10') and a buried 500 gallon "UL" approved diesel tank, all being enclosed in a 24'x82' chain link fenced compound. One shelter contains electronic equipment, the second contains a diesel fueled generator to power the equipment during periods of local power outages. (See Exhibit "B").

Cable will be buried within the right-of-way paralleling the WPRR track at varying distances off the its centerline. In general, the cable will be located at the toe of slope off the

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B. PROJECT DESCRIPTION

2. Describe fully the proposed activity (cont.)...

elevated track bed. An approximate depth of forty-two (42) inches will be maintained along this route with variations as necessary to either avoid buried obstacles or to comply with permit requirements for road, rail, levee and water crossings. Repeater sites will be spaced approximately every twenty (20) miles. System construction will involve the placement of cable along the track, beneath, through, or over roads, waterways, and levees; and the placement of six (6) repeater sites. All associated materials and construction activities will take place within the railroad right-of-way.

There are three methods for placing the cable beneath the ground: direct burial; trenching or backhoeing; and jack and bore. The first two methods are primarily used for placing cable along tracks and for crossing waterways. Levee crossings usually involve only the second method. While the last method is used for road and rail crossings, at grade level. This method is also sometimes used for stream and levee crossings. A fourth method, jetting, will be used in only one instance, the burial of cable across the Paradise Cut river crossing. Exhibit "C" describes these various construction methods.

Two additional methods are employed when the cable is above ground: attachment to bridges; and attachment to poles. Bridge attachments are used, where possible, to cross waterways, roads, and rail lines. Pole attachments can also be used for water, rail, and road crossings; as well as for placing cable laterally along railroad tracks. Of all the methods, this one is the least desirable, and only used when absolutely necessary. For this project there is one such necessity occuring where the WPRR track crosses over both Altamont Pass Road and Southern Pacific Railroad (SPRR) tracks (abandoned), located east of Livermore at the western edge of the Altamont Mountain area.

C. ENVIRONMENTAL SETTING

1. Describe project site (cont.)...

Within the Altamont and Niles Canyon areas there is a greater diversity of elevational differences within the railroad right-of-way. The Altamont Mountains are characterized by "cut and fill" areas (photo 6 & 7); cuts through hills, fills in depressions. This practice of "cut and fill" produces a relatively level and workable grade for the rail system. The right-of-way through the Niles Canyon varies from that of the Altamont region in that there are no cut and fill areas. Also, as this area runs along the canyon floor, essentially paralleling the Niles Canyon Road, it is more uniformly level than the Altamont area; though not as level as the previous route. Again most elevational differences occur at railroad overpasses (stream and road). There are two railroad tunnels within the canyon through which the fiber optic cable will be placed.

A major noticable difference between the Niles Canyon and Altamont areas is the vegetation. Scrub bushes and tree varieties are found along the canyon, while low grass like vegetation is found throughout the Altamont region. In the East Bay portion of the route, little vegetation exists other than some low weedy type bushes and grass cover. Passing into and through the San Joaquin and Sacramento Valleys, the vegetation within the right-of-way is again comprised primarily of small bushes and grass with occasional trees.

While the right-of-way does support a community of plants, as well as animals, they are of a nature which permits their survival within an environment of an operating railroad system, one requiring constant use, inspection, maintenance, and repair. In such an environment they are subject to periodic alterations and eliminations. It is common practice for the railroad to control the growth of vegetation within the right-of-way primarily for fire prevention, to avoid the fouling of railroad equipment and to maintain functioning drainage systems.

No cultural or historical features were noted within the project site. Its scenic aspects are that of an operating railroad.

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
Form 69.3 (11/82)

C. ENVIRONMENTAL SETTING

2. Describe surrounding properties ...

Given the project length, the types of land use, vegetation, and scenic aspects displayed by adjacent properties are many and varied. From the rice fields north of Sacramento, to the residential housing in Sacramento, to railroad yards in Sacramento and Stockton, to the vineyards in the valley west of Lodi, to the protected wetlands at the juncture of the Mokelumne and Cosumnes Rivers, to the open grazing lands in the Altamont Mountains, to the commercial buildings of Livermore and Pleasanton, to the densly treed narrow area of the Niles Canyon, into the cities of Fremont, Union City, and Hayward, a wide range of urban, suburban and rural uses are found. Categorically, there are industrial, commercial, residential et al, land uses. The itensity of use ranges from simple-family to apartment residential; from light to moderate industry; from low to high agricultural; including vacant lands of all types having varying degrees of developability.

Excepting those developed city areas, there are very few structures of any type adjacent to the project site. Slightly more than sixty (60) percent of the project route passes through rural, sparsely populated agricultural, grazing and undeveloped lands.

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
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C. ENVIRONMENTAL SETTING

1. Describe project site ....

The project site, being completely upon and within the operating right-of-way of the Western Pacific Railroad consists of the railroad's mainline track, spur tracks, rail yards, and all items needed and associated with railroad use (i.e. signal switch boxes, communication poles and lines, crossing gates, work crew stations, office buildings, etc.).

The topography of the route running from west to east has a gradual and continuous rise, peaking at Altamont Pass and then descending into the San Joaquin Valley where there are few elevation changes. The 130 mile route, running east to west, is uniformly flat through both the Sacramento and San Joaquin Valleys; ascending several hundred feet to Altamont Pass and descending a like amount through the Livermore Valley and the Niles Canyon; then into the middle portion of the East Bay where again the route is fairly level. (See Exhibit "D"). Included in Exhibit "E" are photographic examples of the topography (also vegetation) along the route. The location of these photographs are referenced to Exhibit "C" as well as the route map, Exhibit "A".

As exampled in photographs 1-6 the route from the northern terminous to the California Acqueduct is level with minor exceptions occuring at some river crossings. As graphically indicated, the tracks will rise and fall approximately 600-700 feet between the San Joaquin Valley and the East Bay. This elevational change is fairly constant with grades never exceeding 1.00 percent; usually varying between .40 and .80. Percentages for grades along the remainder of the route are approximately .40 for the East Bay and .07 for the San Joaquin and Sacramento Valleys.

The elevation within the railroad right-of-way will have some variances as few areas are literally flat. Through all areas but the Altamont Mountains and Niles Canyon, there are few and only minor elevational irregularities. These primarily result from drainage ditches or swales, grade separations at road crossings, and river crossings (See photos 8, 9, and 10).

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
Form 69.3 (11/82)

D. ENVIRONMENTAL IMPACT ASSESSMENT

4. A significant effect on plant or animal life?

It is felt that the nature of the fiber optic project will not have a significant effect on plant or animal life. While there will be some effect it will be very minor and temporary at worst. Along the rail system, excluding water crossings, only vegetation able to survive within the railroad environment, mostly grasses and low bushes, will be affected. Cable placement through water crossings will of course effect indigenous acquatic vegetation. Here too, the effect should be minimal and temporary.

The nature of this project and construction techniques will eliminate any significant effects to the vegetation. Where cable will be buried across stream beds (water crossings) a trench approximately 2' x 5' will be cut through the banks and bottoms. A backhoe, located atop the embankments, will scoop out the trench and place the removed material on an upland site. Cable will then be laid within the trench and the removed material replaced, returning the stream area, as nearly as possible, to its original condition. Disturbed embankment areas shall be restored and s\abilize through the use of seeded mats, rip rap, or other materials as might be required by permitting agencies. The construction time for a typical crossing takes from one to two hours. All crossing work is completed daily.

Cable placement along railroad lines, aside fror water crossings, is primarily accomplished through the use of a vibratory plow vehicle. This machine automatically creates an opening in the soil, places the cable, and closes the soil opening. This opening is created by a vibrating plow blade which merely loosens and separates the soil enough to allow for the direct burial of the cable. This area of disturbance is from 6-12 inches in width and should visual disappear within 2-3 days.

As the vehicle, has tracks versus wheels, there will be additional ground disturbance on either side of the cabled area; this too is minimal and usually disappears within 2-8 weeks. As the speed of the vehicle will not exceed 4 mph during any cabling work, the potential for increased soil disturbance is further reduced.

D. ENVIRONMENTAL IMPACT ASSESSMENT (cont.)....

For those areas where impediments are encountered (i.e., gas lines, utility lines, culverts, etc.) either hand trenching and/or backhoe operations will be used. It is hopefully evident that the referenced construction techniques, when viewed in light of the condition and nature of the project site, indeed do not significantly effect associated plant or animal life.

7. a change in ...water quality...

The project will neither produce changes in water quantity nor alter existing drainage patterns before, during, or after construction. Water quality, will be effected very minimally and only concerns increased turbidity. This increase would occur at stream crossings where, as previously mentioned, a narrow trench would be dug and refilled upon placement of the cable. The increases in turbidity should be slight due to both the small amount of material temporarily removed and replaced, and the shortness of time required to complete the procedure. For all such work, turbidity control screens or other acceptable and/required devices and methods will be employed.

Only one other item might have any effect, this involves the repeater sites (relay stations) and ground water quality. At each site, a "UL" approved 500 gallon diesel fuel tank containing No. 2 diesel fuel, will be buried. This fuel serves as a backup power source, allowing for continuous operation of the relay equipment in the event of a local power loss. The tank and all construction and installation methods will meet California codes. Building permits will be approved and obtained from the local regulatory agencies. It is again felt that the expressed changes which will occur do not pose any dangers to the environment of the project site or surrounding areas.

8. a change in existing noise or vibration ...

The project will not create a change in the levels of existing noise or vibration presently experienced within the area. The present use of the project corridor, a railroad system, produces noise and vibration which exceed all such levels attributed to the cable construction process. The duration of construction noise will increase over that typically experienced along most of the railroad corridor. However, these noises will be fleeting as work is not confined to any one area for longer than a day or two except at repeater sites where construction usually take about 1 week.

D. ENVIRONMENTAL IMPACT ASSESSMENT (cont.)....

9. construction on filled land or on slope of 10 percent or more?

Construction within these types of areas are associated with stream and levee crossings. The method of stream crossings has been described previously. The permitting for and method of construction through levees is presently being handled with the Water Resource's Reclamation Board. Any modification to intended construction techniques will be handled in concert with the regulatory agencies.

12. an increase in fossil fuel consumption ...

Two types of increases will result. The first is temporary and concerns the use of fuels needed to power construction equipment. As the type of construction is relatively "light", the project should not cause any noticeable increased demand for fuels within the area.

The second increased use is permanent. Each of the three repeaters sites will obtain its electrical operating power from local utility companies. Each site will be served by a minimum 110v line or a maximum 220v line.

13. A larger Project or a Series of Projects?

The referenced project is an independent project designed to meet the user demands of the Stockton/Modesto area. This service area will be tied into MCI's nationwide telephone network via Sacramento and Hayward.

As MCI continues to expand its nationwide fiber optic network, to meet increasing user demands, at least one other project would tie into this one. Each project is independent and does not would not, present any cumulative environmental impacts.

C

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

REPLY TO ATTENTION OF

March 11, 1985

Regulatory Section (8922)

MCI Telecommunications Corporation
Route Development 059/081
601 South 12th Street
Arlington, Virginia 22202

Gentlemen:

You are hereby authorized by the Secretary of the Army to install an underwater telephone cable, in Walker Slough (Mile 1.70), at Section 23, Township 1 North, Range 6 East, M.D.B. & M. The project is as shown on the enclosed drawings marked "MCI Telecommunications-Walker Slough Crossing", dated February 27, 1985, and subject to the enclosed conditions.

Your attention is directed to Condition (n) requesting the District Engineer to be notified of the commencement and completion of the construction work. Two franked post cards are enclosed to facilitate your compliance with this requirement. Please fill out and mail one of the cards when your construction work begins. When the work is completed, fill out and mail the second card. Also enclosed is a notice of authorization to be displayed at the work site.

The State Department of Fish and Game has asked us to inform you of the necessity to obtain a Streambed Alteration Agreement for the project. For further information, you should contact Fish and Game at 1701 Nimbus Road, Rancho Cordova, California 95670, telephone (916) 355-0978.

Thank you for your cooperation and if you have any questions, please contact our Regulatory Section, Room 6540, or telephone (916) 440-2324.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

Art Champ
Chief, Regulatory Section

Enclosures

Copies Furnished: without Enclosures

Mr. Bob Mapes, Environmental Services, Region II, Department of Fish and Game, 1701 Nimbus Road, Rancho Cordova, California 95670
Ms. Peggy Kohl, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-2727, Sacramento, California 95825
Ms. Paget Leh, N.O.A.A., 3150 Paradise Drive, Tiburon, California 94920
Mr. Don Hirschenhofer, 726 Buckskin Trail, Arlington, Texas 76015

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C

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

REPLY TO
ATTENTION OF

March 11, 1985

Regulatory Section (8921)

MCI Telecommunications Corporation
Route Development 059/081
601 South 12th Street
Arlington, Virginia 22202

Gentlemen:

You are hereby authorized by the Secretary of the Army to install an underwater telephone cable, in French Camp Slough (Mile 2.90), at Section 13, Township 1 North, Range 6 East, M.D.B. & M. The project is as shown on the enclosed drawings marked "MCI Telecommunications-French Camp Slough Crossing", dated February 27, 1985, and subject to the enclosed conditions.

Your attention is directed to Condition (n) requesting the District Engineer to be notified of the commencement and completion of the construction work. Two franked post cards are enclosed to facilitate your compliance with this requirement. Please fill out and mail one of the cards when your construction work begins. When the work is completed, fill out and mail the second card. Also enclosed is a notice of authorization to be displayed at the work site.

The State Department of Fish and Game has asked us to inform you of the necessity to obtain a Streambed Alteration Agreement for the project. For further information, you should contact Fish and Game at 1701 Nimbus Road, Rancho Cordova, California 95670, telephone (916) 355-0978.

Thank you for your cooperation and if you have any questions, please contact our Regulatory Section, Room 6540, or telephone (916) 440-2324.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

Art Champ
Chief, Regulatory Section

Enclosures

Copies Furnished: without Enclosures

Mr. Bob Mapes, Environmental Services, Region II, Department of Fish and Game, 1701 Nimbus Road, Rancho Cordova, California 95670
Ms. Peggy Kohl, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-2727, Sacramento, California 95825
Ms. Paget Leh, N.O.A.A., 3150 Paradise Drive, Tiburon, California 94920
Mr. Don Hirschenhofer, 726 Buckskin Trail, Arlington, Texas 76015

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DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

REPLY TO ATTENTION OF

March 11, 1985

Regulatory Section (8924)

M.C.I. Telecommunications Corporation
Route Development 059/081
601 South 12th Street
Arlington, Virginia 22202

Gentlemen:

You are authorized by the Secretary of the Army to install an underwater telephone cable, in Paradise Cut (Mile 6.65), at Section 26, Township 2 North, Range 6 East, M.D.B. & M. The project is as shown on the enclosed drawings marked "M.C.I. Telecommunications - Paradise Cut Crossing", dated February 27, 1985, and subject to the enclosed conditions.

Your attention is directed to Condition (n) requesting the District Engineer to be notified of the commencement and completion of the construction work. Two franked post cards are enclosed to facilitate your compliance with this requirement. Please fill out and mail one of the cards when your construction work begins. When work is completed, fill out and mail the second card. Also enclosed is a notice of authorization to be displayed at the work site.

The State Department of Fish and Game has asked us to inform you of the necessity to obtain a Streambed Alteration Agreement for the project. For further information you should contact Fish and Game, at 1701 Nimbus Road, Rancho Cordova, California 95670, telephone (916) 355-0978.

Thank you for your cooperation and if you have any questions, please write to our Regulatory Section, Room 6540, or telephone (916) 440-2324.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

Art Champ
Chief, Regulatory Section

Enclosures

Copies Furnished: without Enclosures

> Mr. Don Hirschenhofer, 726 Buckskin Trail, Arlington, Texas 76015
Mr. Bob Mapes, Environmental Services, Region II, Department of Fish and Game, 1701 Nimbus Road, Rancho Cordova, California 95670
Ms. Peggy Kohl, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-2727, Sacramento, California 95825
Ms. Paget Lehr, N.O.A.A., 3150 Paradise Drive, Tiburon, California 94920

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C

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

REPLY TO
ATTENTION OF

March 11, 1985

Regulatory Section (8923)

M.C.I. Telecommunications Corporation
Route Deve[illegible]nt 059/081
601 South [illegible]treet
Arlington, [illegible]ia 22202

Gentlemen:

You are authorized by the Secretary of the Army to install an underwater telephone cable, in Tom Paine Slough (Mile 11.32), at Section 16, Township 2 North, Range 6 East, M.D.B. & M. The project is as shown on the enclosed drawings marked "M.C.I. Telecommunications - Tom Paine Slough Crossing", dated February 27, 1985, and subject to the enclosed conditions.

Your attention is directed to Condition (n) requesting the District Engineer to be notified of the commencement and completion of the construction work. Two franked post cards are enclosed to facilitate your compliance with this requirement. Please fill out and mail one of the cards when your construction work begins. When work is completed, fill out and mail the second card. Also enclosed is a notice of authorization to be displayed at the work site.

The State Department of Fish and Game has asked us to inform you of the necessity to obtain a Streambed Alteration Agreement for the project. For further information you should contact Fish and Game, at 1701 Nimbus Road, Rancho Cordova, California 95670, telephone (916) 355-0978.

Thank you for your cooperation and if you have any questions, please write to our Regulatory Section, Room 6540, or telephone (916) 440-2324.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

Art Champ
Chief, Regulatory Section

Enclosures

Copies Furnished: without Enclosures

Mr. Don Hirschenhofer, 726 Buckskin Trail, Arlington, Texas 760[illegible]5
Mr. Bob Mapes, Environmental Services, Region II, Department of Fish and Game, 1701 Nimbus Road, Rancho Cordova, California 95670
Ms. Peggy Kohl, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-2727, Sacramento, California 95825
Mr. Paget Leh, N.O.A.A., 3150 Paradise Drive, Tiburon, California 94920

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Notification No. 11-43-85 THP No. _____

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and Telecommunication Corporation (MCI) of Arlington, State of Virginia, hereinafter called the operator, is as follows:

WHEREAS, pursuant to Section 1603 of California Fish and Game Code, the operator, on the 24 day of January, 19 85, notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: See Attachment, in the County of Various, State of California, S. ____ T. ____ R. ____.

WHEREAS, The Department (represented by Mike Meinz has made an inspection of subject area on the 20 day of February, 19 85, and) has determined that such operations may substantially adversely affect existing fish and wildlife resources including: warmwater fish habitats

THEREFORE, the Department hereby proposes measures to protect fish and wildlife during the operator's work. The operator hereby agrees to accept the following recommendations as part of his work: Numbers 1,2,3,4,8,10,19,21,&22 from the list of recommendations on the back of this page and the following special recommendations:

1. All work in or near the stream or lake shall be confined to the period all year.

Areas of Concerns:

1. Paradise Cut, French Camp Slough, silt barriers should be constructed.
2. In areas adjacent to streams where "Trenching" or "Backhoeing" is done, top soil should be protected and returned.
3. In all areas, stream banks should be stabilized: seed mats, replanting of willows, etc.
4. No adult trees will be destroyed.

If the operator's work changes from that stated in the notification specified above, this agreement is no longer valid and a new notification shall be submitted to the Department of Fish and Game. Failure to comply with the provisions of this agreement and with other pertinent Code Sections, including but not limited to Fish and Game Code Sections 5650, 5652 and 5948, may result in prosecution.

Nothing in this agreement authorizes the operator to trespass on any land or property, nor does it relieve the operator of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated agreement does not necessarily constitute Department of Fish and Game endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This agreement becomes effective on Effective upon receipt of payment and terminates December 31, 1985.

Operator Phillip Hoover

Title Project Manager

Organization MCI Telecommunications Corp

Date 3/2/85

Department Representative Mike Meinz

Title Biologist

Department of Fish and Game, State of California

Date 2/20/85

*If inspection was not made, cross out words within parentheses.

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FG 1060 (REV. 7-81)

RECOMMENDATIONS

1. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portions of any stream channel or lake margin within the high water mark of the stream or lake shall be restored to as near their original condition as possible.

2. Restoration shall include the revegetation of stripped or exposed areas.

3. Rock, riprap, or other erosion protection shall be placed in areas where vegetation cannot reasonably be expected to become reestablished.

4. Installation of bridges, culverts, or other structures shall be such that water flow is not impaired and upstream or downstream passage of fish is assured at all times. Bottoms of temporary culverts shall be placed at or below stream channel grade. Bottoms of permanent culverts shall be placed below stream channel grade.

5. Plans for design of concrete sills and other features that could potentially impede fish migrations must be approved by Department engineers.

6. When any dam (any artificial obstruction) is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fishlife below the dam.

7. An adequate fish passage facility must be incorporated into any barrier that obstructs fish passage.

8. Any temporary dam (any artificial obstruction) constructed shall only be built from material such as clean gravel which will cause little or no siltation.

9. No equipment will be operated in live stream channels.

10. Equipment shall not be operated in the stream channels of flowing live streams except as may be necessary to construct crossings or barriers and fills at channel changes.

11. When work in a flowing stream is unavoidable, the entire streamflow shall be diverted around the work area by a barrier, temporary culvert, and/or a new channel capable of permitting upstream and downstream fish movement. Construction of the barrier and/or the new channel shall normally begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. Channel bank or barrier construction shall be adequate to prevent seepage into or from the work area. Channel banks or barriers shall not be made of earth or other substances subject to erosion unless first enclosed by sheet piling, rock riprap, or other protective material. The enclosure and the supportive material shall be removed when the work is completed and the removal shall normally proceed from downstream in an upstream direction.

12. Temporary fills shall be constructed of nonerodible materials and shall be removed immediately upon work completion.

13. Equipment shall not be operated in the lake or its margin except during excavation and as may be necessary to construct barriers or fills. If work in the lake is unavoidable, a curtain enclosure to prevent siltation of the lake beyond the immediate working area shall be installed. The enclosure and any supportive material shall be removed when the work is completed.

14. Silt settling basins shall be located away from the stream or lake to prevent discolored, silt-bearing water from reaching the stream or lake.

15. Preparation shall be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

16. Wash water containing mud or silt from aggregate washing or other operations shall not be allowed to enter a lake or flowing streams.

17. a) A silt catchment basin shall be constructed across the stream immediately below the project site. This catchment basin shall be constructed of gravel which is free from mud or silt.

    b) Upon completion of the project and after all flowing water in the area is clear of turbidity, the gravel along with the trapped sediment shall be removed from the stream.

18. If operations require moving of equipment across a flowing stream, such operations shall be conducted without substantially increasing stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or rock fill crossing as specified in comments below:

19. If a stream channel has been altered during the operations, its low flow channel shall be returned as nearly as possible to its natural state without creating a possible future bank erosion problem, or a flat wide channel or sluice-like area. If a lake margin has been altered, it shall be returned as nearly as possible to its natural state without creating a future bank erosion problem. The gradient of the streambed or lake margin shall be as nearly as possible the same gradient as existed prior to disturbance.

20. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.

21. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

22. The operator will notify the Department of Fish and Game of the date of commencement of operations and the date of completion of operations at least five days prior to such completion.

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: _____

I. BACKGROUND INFORMATION

A. Applicant: MCI Telecommunications Corporation
601 South 12th Street
Arlington, VA 22202

B. Checklist Date: 4 / 2 / 85

C. Contact Person: Ted T. Fukushima
Telephone: (916) 322-7813

D. Purpose: To provide direct "state-of-the-art" telephone service to and between the Sacramento, Stockton/Modesto, and San Francisco Bay areas.

E. Location: East and north from the City of Hayward, through Stockton and Sacramento to a point just north of the Sacramento County line.

F. Description: See attached EXHIBIT "A".

G. Persons Contacted: Earle Cummings – Department of Fish & Game
Charles D. Vierra – Caltrans
Art Funamura – Caltrans
Mel Schwartz – Reclamation Board

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

A. *Earth.* Will the proposal result in:	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?			x
2. Disruptions, displacements, compaction, or overcovering of the soil?	x		
3. Change in topography or ground surface relief features?			x
4. The destruction, covering, or modification of any unique geologic or physical features?			x
5. Any increase in wind or water erosion of soils, either on or off the site?		x	
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?		x	
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?		x	

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	Yes	Maybe	No
B. *Air.* Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?			x
2. The creation of objectionable odors?			x
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?			x
C. *Water.* Will the proposal result in:			
1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?			x
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?			x
3. Alterations to the course or flow of flood waters?			x
4. Change in the amount of surface water in any water body?			x
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?		x	
6. Alteration of the direction or rate of flow of ground waters?			x
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?			x
8. Substantial reduction in the amount of water otherwise available for public water supplies?			x
9. Exposure of people or property to water related hazards such as flooding or tidal waves?			x
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?			x
D. *Plant Life.* Will the proposal result in:			
1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?			x
2. Reduction of the numbers of any unique, rare or endangered species of plants?			x
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?			x
4. Reduction in acreage of any agricultural crop?			x
E. *Animal Life.* Will the proposal result in			
1. Change in the diversity of species or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?			x
2. Reduction of the numbers of any unique, rare or endangered species of animals?			x
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?			x
4. Deterioration to existing fish or wildlife habitat?			x
F. *Noise.* Will the proposal result in:			
1. Increase in existing noise levels?		x	
2. Exposure of people to severe noise levels?			x
G. *Light and Glare.* Will the proposal result in			
1. The production of new light or glare?			x
H. *Land Use.* Will the proposal result in			
1. A substantial alteration of the present or planned land use of an area?			x
I. *Natural Resources.* Will the proposal result in			
1. Increase in the rate of use of any natural resources?			x
2. Substantial depletion of any nonrenewable resources?			x

	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?	☐	☐	☒
2. Possible interference with emergency response plan or an emergency evacuation plan?	☐	☐	☒
K. *Population.* Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	☐	☐	☒
L. *Housing.* Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	☐	☐	☒
M. *Transportation/Circulation.* Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	☐	☐	☒
2. Affecting existing parking facilities, or create a demand for new parking?	☐	☐	☒
3. Substantial impact upon existing transportation systems?	☐	☐	☒
4. Alterations to present patterns of circulation or movement of people and/or goods?	☐	☐	☒
5. Alterations to waterborne, rail, or air traffic?	☐	☐	☒
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	☐	☐	☒
N. *Public Services.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
1. Fire protection?	☐	☐	☒
2. Police protection?	☐	☐	☒
3. Schools?	☐	☐	☒
4. Parks and other recreational facilities?	☐	☐	☒
5. Maintenance of public facilities, including roads?	☐	☐	☒
6. Other governmental services?	☐	☐	☒
O. *Energy.* Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	☐	☐	☒
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	☐	☐	☒
P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	☐	☐	☒
2. Communication systems?	☒	☐	☐
3. Water?	☐	☐	☒
4. Sewer or septic tanks?	☐	☐	☒
5. Storm water drainage?	☐	☐	☒
6. Solid waste and disposal?	☐	☐	☒
Q. *Human Health.* Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	☐	☐	☒
2. Exposure of people to potential health hazards?	☐	☐	☒
R. *Aesthetics.* Will the proposal result in:			
1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	☐	☐	☒
S. *Recreation.* Will the proposal result in			
1. An impact upon the quality or quantity of existing recreational opportunities?	☐	☐	☒

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	Yes	Maybe	No
T. *Cultural Resources.*			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	[ ]	[ ]	[x]
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	[ ]	[ ]	[x]
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	[ ]	[ ]	[x]
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	[ ]	[ ]	[x]
U. *Mandatory Findings of Significance.*			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	[ ]	[ ]	[x]
2. Does the project have the potential to achieve short term, to the disadvantage of long-term, environmental goals?	[ ]	[ ]	[x]
3. Does the project have impacts which are individually limited, but cumulatively considerable?	[ ]	[ ]	[x]
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	[ ]	[ ]	[x]

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

A2, A5, A6, C5, F1 : Impacts will occur in these areas during the construction phase however, they will be very minimal and of short duration.

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

[ ] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

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

Date: / /

For the State Lands Commission

ATTACHMENT "A"

B. PROJECT DESCRIPTION

2. Describe fully the proposed activity ...

This project involves the construciton of a fiber optic telecommunication system; a long distance telephone system. By so doing MCI will provide direct state-of-the-art telephone service to and between the Sacramento, Stockton/Modesto, and San Francisco Bay areas.

Once in operation, the system will provide the service capacity needed to better handle the present and anticipated user demands resulting from equal access; a process whereby residents of specified areas of the country, at predetermined times can select the long distance telephone company (common carrier) they wish to use. These areas and times have been identified and set through Federal action resulting from the divestiture of AT&T. The Stockton area will receive equal access this spring.

Geographically, the route will run east and north from Hayward, through Stockton and Sacramento to a point just north of the Sacramento county line; a distance of approximately 130 miles. The exact route will lie within the operating right-of-way of the Western Pacific Railroad (WPRR). Through an agreement with the Union Pacific Railroad (UPRR) and its subsidiaries, which includes the WPRR, MCI acquired the right to construct, operate, and maintain the referenced project upon railroad right-of-way. (See Exhibit "A").

Two components will essentially comprise the fiber optic system: a cable and repeater sites. The cable, having a diameter of approximately 5/8 inch, contains a number of glass fibers through which telephone messages are transmitted in the form of light impulses or lightwaves. The repeater sites act as signal relay or regenerator stations. As transmitted telephone signals weaken over distance, these sites will reorganize, reamplify and transmit the strengthened signal along the cable to the next site. A site consists of two small steel shelters (11'x18' and 8'x10') and a buried 500 gallon "UL" approved diesel tank, all being enclosed in a 24'x82' chain link fenced compound. One shelter contains electronic equipment, the second contains a diesel fueled generator to power the equipment during periods of local power outages. (See Exhibit "B").

Cable will be buried within the right-of-way paralleling the WPRR track at varying distances off the its centerline. In general, the cable will be located at the toe of slope off the

B. PROJECT DESCRIPTION

2. Describe fully the proposed activity (cont.)...

elevated track bed. An approximate depth of forty-two (42) inches will be maintained along this route with variations as necessary to either avoid buried obstacles or to comply with permit requirements for road, rail, levee and water crossings. Repeater sites will be spaced approximately every twenty (20) miles. System construction will involve the placement of cable along the track, beneath, through, or over roads, waterways, and levees; and the placement of six (6) repeater sites. All associated materials and construction activities will take place within the railroad right-of-way.

There are three methods for placing the cable beneath the ground: direct burial; trenching or backhoeing; and jack and bore. The first two methods are primarily used for placing cable along tracks and for crossing waterways. Levee crossings usually involve only the second method. While the last method is used for road and rail crossings, at grade level. This method is also sometimes used for stream and levee crossings. A fourth method, jetting, will be used in only one instance, the burial of cable across the Paradise Cut river crossing. Exhibit "C" describes these various construction methods.

Two additional methods are employed when the cable is above ground: attachment to bridges; and attachment to poles. Bridge attachments are used, where possible, to cross waterways, roads, and rail lines. Pole attahcments can also be used for water, rail, and road crossings; as well as for placing cable laterally along railroad tracks. Of all the methods, this one is the least desirable, and only used when absolutely necessary. For this project there is one such necessity occuring where the WPRR track crosses over both Altamont Pass Road and Southern Pacific Railroad (SPRR) tracks (abandoned), located east of Livermore at the western edge of the Altamont Mountain area.