MINUTE ITEM
This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 1-21-88
meeting.

CALENDAR ITEM

C 5

A 2

S 2

01/21/88
WP 1833 PRC 7166
Lane

GENERAL PERMIT - RIGHT-OF-WAY USE

APPLICANT: AT & T Communications
P.O. Box 121
Pleasanton, California 95466

AREA, TYPE LAND AND LOCATION:
A 4.42-acre parcel of tide and submerged land in the Pacific Ocean north of Manchester, Mendocino County.

LAND USE: Right-of-Way, ten feet wide, for a submarine lightguide cable.

TERMS OF PROPOSED PERMIT:
Special: Continuous use plus one year from November 1, 1987.

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

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003, and Public Utilities Code 7901

APPLICANT STATUS:
Applicant is owner and permittee of upland

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Money to reimburse environmental document preparation time, 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. Section 7901, Public Utilities Code.

AB 884: 04/22/87.

OTHER PERTINENT INFORMATION:

1. The project calls for trench placement of a fiber optic cable in the Pacific Ocean for approximately 40 miles; from that point to Hawaii, the cable will be on the ocean floor. This cable will replace and update existing cable covered by PRC 1833 which crosses the Pacific Ocean. When the new cable is in place and tested for reliability, AT&T plans to request abandonment of the old cable and termination of the lease for that site.

2. On the upland, to minimize impacts to a population of Point Arena Mountain Beaver, a directional bore method of cable placement will be utilized below the beaver habitat. To reflect this change an amended negative declaration was prepared and circulated.

3. The annual rental value of the site is estimated to be $676.

4. 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 and a Proposed Amended Negative Declaration identified as EIR ND 424, State Clearinghouse No. 87081105. Such Proposed Negative Declaration and Amended 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 as amended, 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))

5. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

APPROVALS OBTAINED:

United States Army Corps of Engineers; County of Mendocino; Department of Fish and Game; and Department of Parks and Recreation.

FURTHER APPROVALS REQUIRED:

California Coastal Commission.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION AND AMENDED NEGATIVE DECLARATION, EIR ND 424, STATE CLEARINGHOUSE NO. 87081105, WERE 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 AMENDED AND APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. FIND THAT THE SIGNIFICANT ENVIRONMENTAL VALUES ORIGINALLY IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ., ARE NOT WITHIN THE PROJECT SITE AND WILL NOT BE AFFECTED BY THE PROPOSED PROJECT.

4. AUTHORIZE ISSUANCE TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF A GENERAL PERMIT - RIGHT-OF-WAY USE, BEGINNING NOVEMBER 1, 1987; IN CONSIDERATION OF A PERIOD OF CONTINUOUS USE, PLUS ONE YEAR, WHICH IS EXEMPT FROM CONSIDERATION PURSUANT TO SECTION 7901, PUBLIC UTILITIES CODE; FOR THE CONSTRUCTION AND MAINTENANCE OF A SUBMARINE LIGHTGUIDE CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A" WP 1833

LAND DESCRIPTION

A 10 foot strip of tide and submerged land located in the Pacific Ocean, north of Point Arena, Mendocino County, California, lying 5 feet on each side of the described centerline:

COMMENCING at a point at Latitude 38° 58.92' N, Longitude 123° 42.35' W; thence northwesterly on an azimuth of 306.3° to the ordinary high water mark of the Pacific Ocean and the POINT OF BEGINNING; thence continuing northwesterly on the azimuth of 306.3, 12,410 feet; thence northwesterly on an azimuth of 315.3° to a point on the offshore ownership boundary of the State of California as determined according to the decree entered by the United States Supreme Court in United States v. California, Original No.5 on Jan. 31, 1966, 382US488, and the end of the herein described line.

This description is based upon the California Coordinate System of 1927, Zone 2.

END OF DESCRIPTION

PREPARED AUGUST 6, 1987 BY BIU #1

0535b

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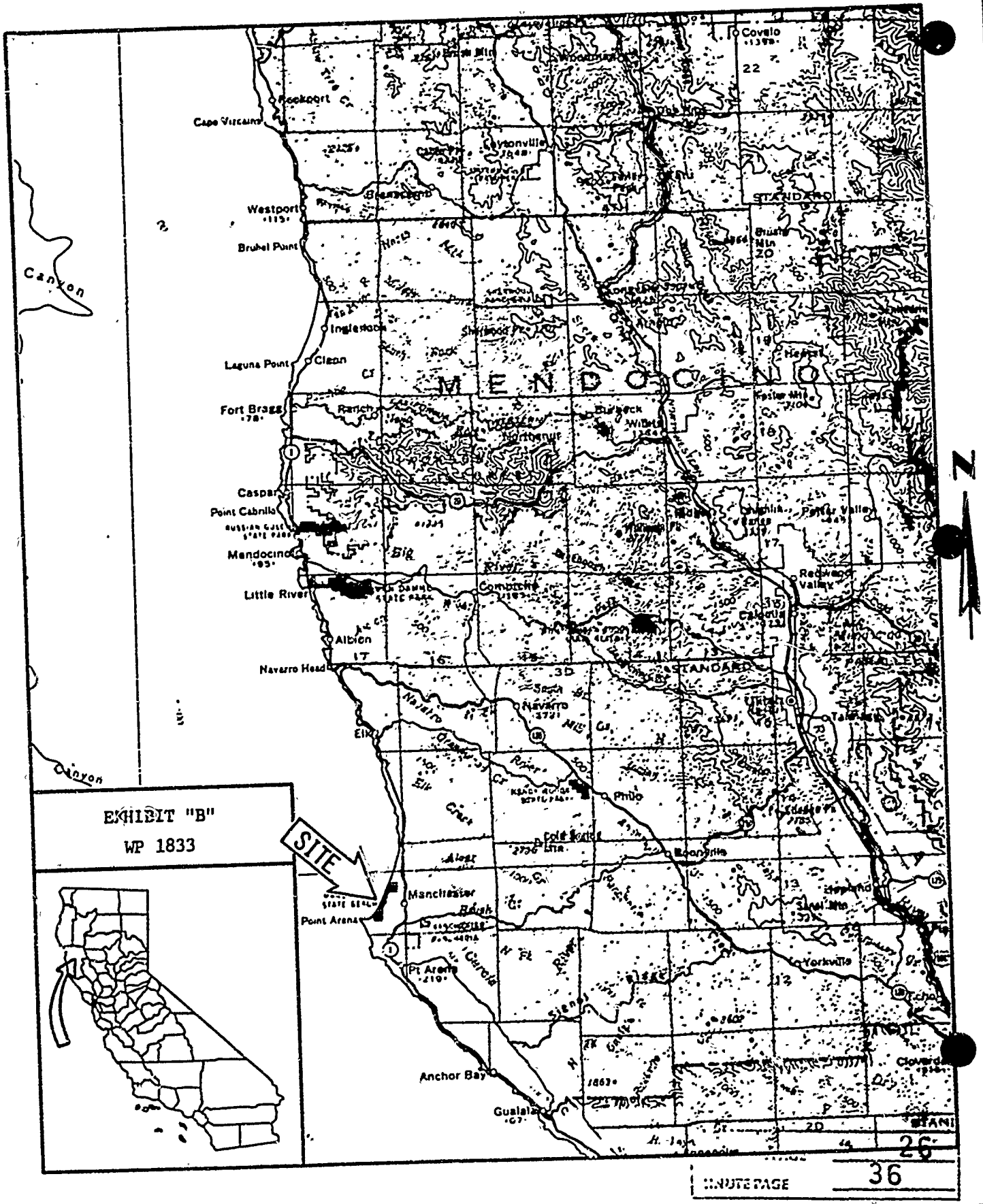
EXHIBIT "B"
WP 1833
SITE
MENDOCINO
Covelo
Rockport
Cape Vizcaino
Westport
Brubel Point
Inglenook
Laguna Point
Clean
Fort Bragg
Caspar
Point Cabrillo
Mendocino
Little River
Albion
Navarro Head
Navarro
Philo
Boonville
Manchester
Point Arena
Pt Arena
Yorkville
Anchor Bay
Gualala
Cloverdale
Redwood Valley
Potter Valley
Ukiah
Talmage
STANDARD
N

STATE OF CALIFORNIA STATE LANDS COMMISSION GEORGE DEUKMEJIAN, Governor

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

EXHIBIT "C"

AMENDED

PROPOSED NEGATIVE DECLARATION

EIR ND 424

File Ref.: WP 1833

SCH#: 87081105

Project Title: AT&T Pt. Arena - Hawaii Fiber Optic Cable

Project Proponent: AT&T

Project Location: Pt. Arena, Mendocino County, to Hawaii

Project Description: AT&T proposes installation of a 2" diameter fiber optic cable from Pt. Arena to Hawaii. The cable will be directionally bored underneath a Pt. Arena Mountain Beaver habitat, then trenched to the edge of the Outer Continental Shelf (approximately 40 miles). From that point to Hawaii, the cable will lie on the ocean floor.

Contact Person: Dan Cohen Telephone: (916) 324-8497

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.

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Form 13.17 (10/86)

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

CLAIRE T. DEDRICK
Executive Officer

December 22, 1987
File Ref: WP 1833

AMENDED
NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION
(Section 21092 PRC)

An application for the following described project is currently being processed by the staff of the State Lands Commission:

Project Title: AT&T Pt. Arena - Hawaii Fiber Optic Cable

Project Proponent: AT&T

Project Location: Pt. Arena, Mendocino County, to Hawaii.

Project Description: AT&T proposes installation of a 2" diameter fiber optic cable from Pt. Arena to Hawaii. The cable will be directionally based underneath a Pt. Arena Mountain Beaver habitat, then trenched to the edge of the OCS (approximately 40 miles). From that point to Hawaii the cable will lie on the ocean floor.

Contact Person: Dan Cohen Telephone: (916) 324-8497

A Negative Declaration identified as EIR ND 424, State Clearinghouse No. 8708 1105 has been prepared pursuant to the requirements of the California Environmental Quality Act.

The above described document will be considered for adoption at a regular meeting of the STATE LANDS COMMISSION scheduled for January 21, 1988, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. Anyone interested in this matter is invited to comment on the document by written response prior to the meeting or by personal appearance at the meeting. Persons wishing to appear at the meeting should call (916) 322-4107 so that time can be allotted for such appearance.

CLAIRE T. DEDRICK
Executive Officer

cc: G. Pelka

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STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

CLAIRE T. DEDRICK
Executive Officer

File Ref.: WP 1833
SCH. NO. 87081105

December 22, 1987

AMENDED NEGATIVE DECLARATION

NOTE: A Negative Declaration for proposed placement of a fiber optic cable by AT&T from Point Arena, Mendocino County, to Hawaii was circulated in October, 1987. The staff of the State Lands Commission (SLC) received a comment from the Department of Parks and Recreation (DPR) concerning a population of Pt. Arena Mountain Beaver existing in the project area. Subsequent meetings and discussions between SLC staff, the project proponent, and interested agencies and individuals -- including an on-site meeting by all concerned parties on November 6, 1987 -- have caused AT&T to amend its project description. It is perceived by SLC staff that this amendment will minimize or eliminate the potential impacts on the beaver and/or its habitat which may have occurred had the original project description been employed.

Project Description

- The planned grounding bed will be relocated southward, out of the designated habitat area of the beaver.
- A directional bore method will be utilized, replacing the planned trench/backfill method. The directional bore will pass under the beaver habitat, at the greatest depth possible to avoid burrows and minimize noise and vibration.
- No construction will occur during the February and March breeding season.
- Only required, construction-related activities will be permitted in the subject area during the term of the project.

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- AT&T will manage its property in a manner consistent with conservation of the Mountain Beaver, including but not limited to:

  a) minimization of use of unnecessary foot trails;

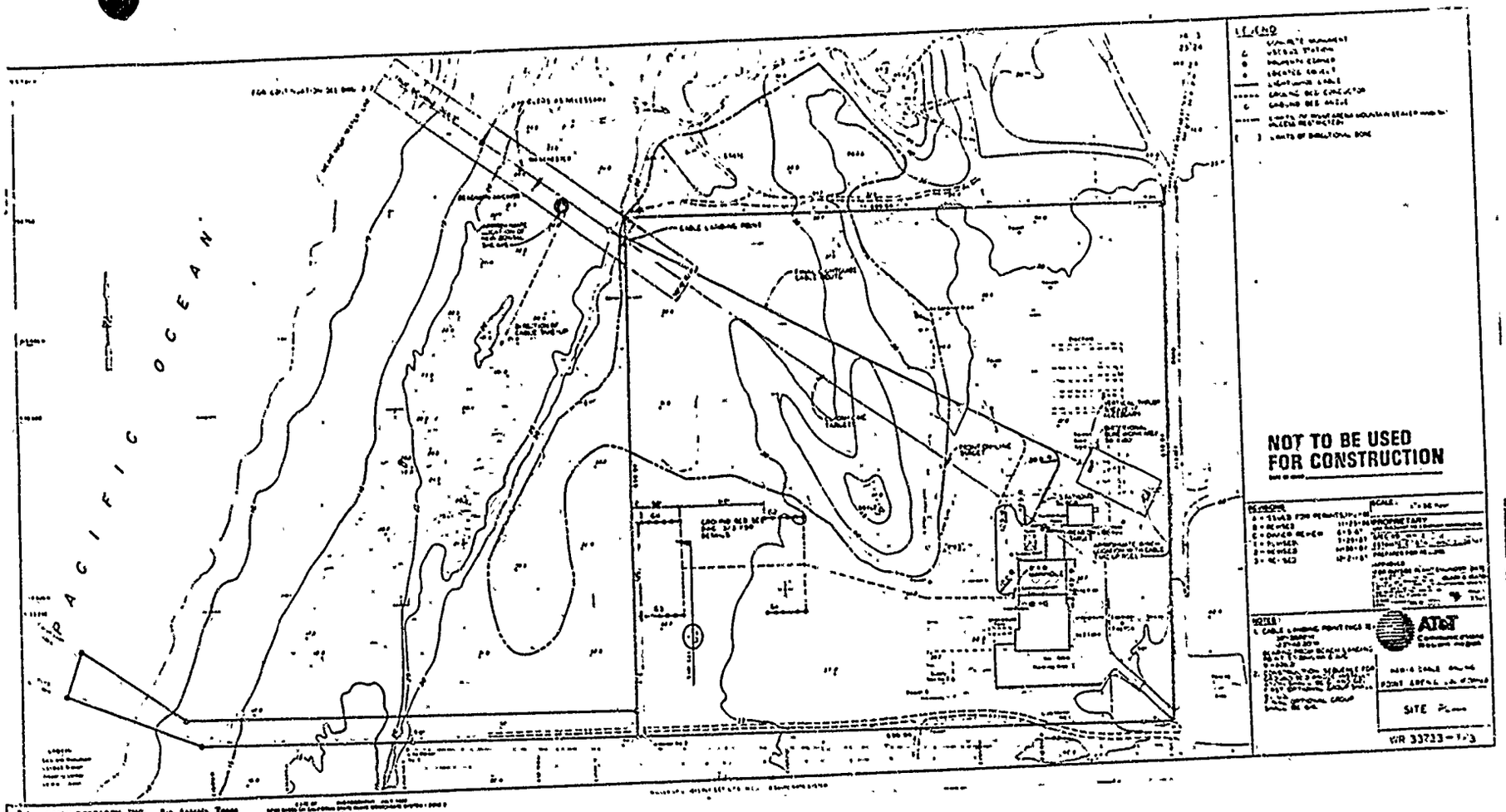
  b) avoidance of burrows and vegetation in the habitat area;

  c) repair and maintenance of the fencing around its property.

- AT&T will permit a biologist(s) from SLC, DPR, and/or the Department of Fish and Game access to its property during construction to monitor activities.

- Subsequent to project completion, AT&T will cooperate with authorized agencies/individuals wishing to access AT&T's property to monitor and study the Mountain Beaver in its habitat. Such access will be arranged in advance through the AT&T supervisor at the Pt. Arena facility.

- Subsequent to project completion, AT&T will consult with the Department of Fish and Game prior to undertaking any activities which may cause potential impacts to the Mountain Beaver and/or its habitat.



TRW SYSTEMS GROUP

TRW RESEARCH, INC. San Antonio, Texas

STANDARD FORM 41
PRESCRIBED BY GSA
FPMR (41 CFR) 101-11.6

STANDARD PAGE
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STATE OF CALIFORNIA
STATE LANDS COMMISSION

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

Date: 9/17/87

File Ref.: WP 1853

SCH No.: 87081105

TO: All Interested parties/Responsible Agencies

SUBJECT: Review of Negative Declaration Pursuant to Section 15073 of the State CEQA Guidelines (14 Cal. Adm. Code)

An application is currently being processed by the staff of the State Lands Commission for the following described project:

Project Title: AT&T Point Arena - Hawaii Cable

Project Proponent: AT&T

Project Location: Point Arena, Mendocino County, to Hawaii

Project Description: Placement of a 2-inch diameter fiber optic cable in a trench to the edge of the outer continental shelf (approximately 40 miles); from that point to Hawaii, the cable will lie on the ocean floor.

A Negative Declaration has been prepared for the project pursuant to the requirements of Section 15070 of the State CEQA Guidelines and is attached for your review. Your comments are requested by October 19, 1987. Please address your comments to the State Lands Commission office shown above, with attention to the undersigned. Should you have any questions, you may call me at (916)322-7813. Your cooperation in this matter is greatly appreciated.

ATTACHMENT

FOR TED T. FUKUSHIMA
Division of Research & Planning

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[illegible]	42

STATE OF CALIFORNIA–STATE LANDS COMMISSION GEORGE DEUKMEJIAN, *Governor*

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

PROPOSED NEGATIVE DECLARATION

EIR ND 424

File Ref.: WP 1833

SCH#: 87081105

roject Title: AT & T Pt. Arena - Hawaii Cable

roject Proponent: AT & T

roject Location: Pt. Arena, Mendocino County, to Hawaii

roject Description: Placement of a 2-inch diameter fiber optic cable in a trench to the edge of the outer continental shelf (approximately 40 miles); from that point to Hawaii, the cable will lie on the ocean floor.

ontact Person: Dan Cohen Telephone: (916) 324-8497

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

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

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

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

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STATE OF CALIFORNIA—STATE LANDS COMMISSION

GEORGE DEUKMEJIAN, *Governor*

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

To: All Interested Agencies and Parties

Date: August 11, 1987

File Ref.: WP 1833

SCH No.: 87081105

Subject: CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3

The State Lands Commission is the Lead Agency for the purpose of the California Environmental Quality Act for the proposed project described below and in the attached material:

Project Title: AT&T Pt. Arena - Hawaii Cable

Project Proponent: AT&T

Project Location: Pt. Arena, Mendocino County, to Hawaii

Project Description: Placement of a 2-inch diameter fiber optic cable in a trench to the edge of the Outer Continental Shelf (approximately 40 miles); from that point to Hawaii, the cable will lie on the ocean floor.

Pursuant to Public Resources Code Sections 21080.1, 21080.2, and 21080.3, we request the position of your agency/organization as to whether an Environmental Impact Report(EIR) or a Negative Declaration(ND) should be prepared for this project. Please be specific as to whether you believe the document required is an EIR or ND.

In order to assure timely processing of this application, we further request that you respond by September 10, 1987. Should you have any questions, please telephone the undersigned at (916) 324-8497. Thank you very much for your cooperation in this regard.

ATTACHMENT

Dan Cohen
Environmental Specialist

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Form 59.36a (11/84)

STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: WP 1833

I. BACKGROUND INFORMATION

A. Applicant: AT&T
Agent: Coates Field Service, Inc.
AT&T Bldg., 1425 Champa, Room 180
Denver, CO 80202

B. Checklist Date: 8 / 4 / 87.

C. Contact Person: Dan Cohen
Telephone: (916) 324-8497

D. Purpose: To provide a state-of-the-art fiber optic communication cable to replace an existing coaxial cable.

E. Location: Pacific Ocean, from the Manchester Beach area in Mendocino County to Hawaii.

F. Description: AT&T proposes to lay a 2-inch diameter fiber optic cable in a trench from AT&T's facility at Point Arena to the edge of the Outer Continental Shelf (approximately 40 mi); from that point to Hawaii, the cable will lie on the ocean floor (see more extensive project description, infra)

G. Persons Contacted: State Clearinghouse - Designated State agencies through this consultation

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?	☐	☐	☒
2. Disruptions, displacements, compaction, or overcovering of the soil?	☒	☐	☐
3. Change in topography or ground surface relief features?	☐	☐	☒
4. The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	☒
5. Any increase in wind or water erosion of soils, either on or off the site?	☐	☐	☒
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?	☐	☐	☒
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	☐	☐	☒

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

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	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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MINUTE PAGE 47

AT&T ENVIRONMENTAL IMPACT ASSESSMENT
POINT ARENA, CALIFORNIA TO MAKAHA, HAWAII
SUBMARINE LIGHTGUIDE (FIBER-OPTIC) CABLE HAW-4

PROJECT DESCRIPTION

A consortium of U.S. and Canadian firms, with AT&T as principal, proposes to construct, maintain and operate a submarine lightguide (fiber-optic) communication cable (Haw-4) between the existing AT&T facilities at Point Arena, Ca., and Makaha, Hawaii on the island of Oahu.

The project consists of laying a 2 inch diameter fiber-optic communication cable in a trench from AT&T's facility at Point Arena, to the edge of the outer continental shelf, i.e. approximately 40 miles. Between the outer continental shelf and Hawaii, the cable will lie on the ocean floor.

On AT&T's property, a trench will be dug to a minimum depth of 4 feet using either a trencher or a backhoe with a crew of about 10 workers plus an Engineer-Inspector.

From the edge of AT&T's property (see copy of enclosed sketch for details) at the existing SCARF line, a trench will be dug for a distance of 362.5 feet to the mean low water line. The trench will have a minimum depth of six (6) feet. In this area, shoring will be used as required by OSHA safety standards. From this point to a water depth of 60 feet, the cable will be retro-buried by divers using water jetting equipment. The trench depth will gradually decrease six feet (at the mean low water line) to 2 feet. At ocean depths greater than 60 feet, cable burial will be accomplished by use of a tethered unmanned remote controlled piece of equipment called a SCARAB (see enclosed description of the SCARAB). The SCARAB will be operated from the cable ship long lines and will be used to dig a trench 2 feet deep to the edge of the outer continental shelf.

EXHIBIT 38
MINUTE PAGE 48

	Yes	Maybe	No
Cultural Resources.			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	☐	☐	☒
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	☐	☐	☒
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☒
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	☐	☐	☒
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?	☐	☐	☒
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☒
3. Does the project have impacts which are individually limited, but cumulatively considerable?	☐	☐	☒
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒

DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

A.2: A trench (minimum 6-foot depth) will be dug from AT&T's property to the mean low water line (approximately 363 feet), the cable will be buried, and the trench back-filled. From the MLWL to a water depth of 60 feet, the cable will be retro-buried with water jetting equipment (trench depth decreasing from 6 feet to 2 feet). At depth greater than 60 feet the cable will be buried in a 2 foot trench by a tethered unmanned remote device ("SCARAB" - see enclosed description). All trenches will be back-filled. All surface contours will be restored, and beachfront plants will be replaced.

C.5: Trenching activities will cause some turbidity on the ocean floor. Such impacts, however, will be very minor and of short duration.

F.1: The onshore trenching activities will cause a minimal, short-term, unavoidable increase in existing noise.

M.1, 5: The cable ship, diver support vessels, and tugboats will add to existing boat traffic, but are not anticipated to cause significant impacts.

P.2: Alteration will occur through installation of an improved telecommunications system.

PRELIMINARY DETERMINATION - To be made at the conclusion of the consultation period.

On the basis of this initial evaluation:

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

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

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

Date: 8/14/87

Dan Cohen, Env. Specialist
For the State Lands Commission

CALENDAR PAGE 39
MINUTE PAGE 49

The SCARAB travels over the cable and uses water jets to excavate a 2 foot deep trench in the soil on the ocean floor. The cable then falls into the trench and is covered with soil by the natural movement of the sea water.

The cable construction operation will start with the cable ship, long lines (CSLL) sitting approximately one-half mile off-shore. The CSLL will carry all the cable necessary for the project (cable segments have been previously spliced with signal regenerator modules to form one continuous cable).
The CSLL will be assisted by diver support vessels and two tugboats; one large, one small. The large tugboat will stay by the CSLL and steady it during pulling operations. The small tugboat will pick up the cable from the CSLL and tow the cable to transfer buoy temporails anchored off the beach. The communications cable will be supported by floats placed at 30 foot intervals. A 3/4 inch solid wire rope cable will be attached to the communications cable and used to pull it into the trench.

Shore end landing equipment will be set up on AT&T's property. The shore end landing equipment will consist of a deadman anchor, two on-line targets, and a winch. A beach sheave and it's attendant tractor will probably not be used. Communications during the cable pulling operation will be by VHF radio.
After the cable is pulled from the ship to the on-shore facility, it will be tested and placed in the previously dug trench.

The trench will then be immediately back-filled. Original ground contours will be restored and beach front plants will be replaced.

The cable pulling crew will consist of approximately 10 laborers, 8 divers and associated support and supervisory personnel.

No permanent above ground structures will be left after construction. Temporary above ground structures including excavation sheeting and shoring, cable ship alignment targets (see attached sketch), cable winch supports, and cable sheaves will be reused.

The on-shore trenching activities are scheduled to begin on April 25, 1988. Cable pulling will begin on May 19, 1988. Burial and final clean up and grading will be completed by June 1, 1988. During this period, limited access will be permitted across the beach except for a period of approximately five days during final trench excavation, cable pulling, and initial trench back-filling operations.

Once in operation, the fiber optic communication cable will be in continuous use for a minimum of 30 years.

The fiber optic communication cable replaces an existing coaxial communication cable. The old cable will be abandoned in place.

DESCRIPTION OF THE EXISTING ENVIRONMENT

The proposed routing of the cable across beach property not owned by AT&T will be on a 50 foot wide by 362.5 feet long (to the mean low water line) right-of-way.

See the enclosed geotechnical survey for the offshore portion of the project.

Also, see enclosed map of the ocean floor in fathoms.

ENVIRONMENTAL IMPACT

Because of the location and nature of the on-shore construction, there will be little or no impact to air quality, visual resources, surface and ground water quantity or quality, land contours, vegetation, soil or soil stability. Noise levels will not change - except briefly during construction. There will be a minor increase of water turbidity on the ocean floor due to trenching activities during construction. There is no known impact to populations of fish, plant, animal or marine life, including any threatened and/or endangered species, or national interest species. No kelp beds were encountered.

AT&T requested and received a listing of all species from the California Department of Fish and Game's Natural Diversity data base covering the shoreline and adjacent inland areas. This has been reviewed by the Department and no impacts were identified. The listing was prepared for the Point Arena to Dunnigan portion of AT&T's lightguide network, but covered the cable landing area on the shoreline.

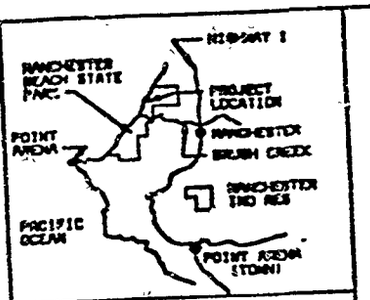
No area will be disturbed having cultural resource values. Ann Peak and Associates have completed cultural clearances for the on-shore portion of cable as part of the Point Arena to Dunnigan project previously submitted to the State Lands Commission. There will be a highly beneficial impact to the American public in having reliable communication and data service. Also, the cost of the project construction will have a beneficial impact on the local economy.

Application for permits have been filed with the U.S. Corps of Engineers (they have verbally stated that upon approval by the California Costal Commission, they will grant their Dredge and Fill Permit), the California Coastal Commission

(which will wait until after a Negative Declaration is filed by State Lands and grant of permits by Mendocino County), and Mendocino County (they will wait until after the Negative Declaration is filed). The California Department of Parks and Recreation has also been contacted.

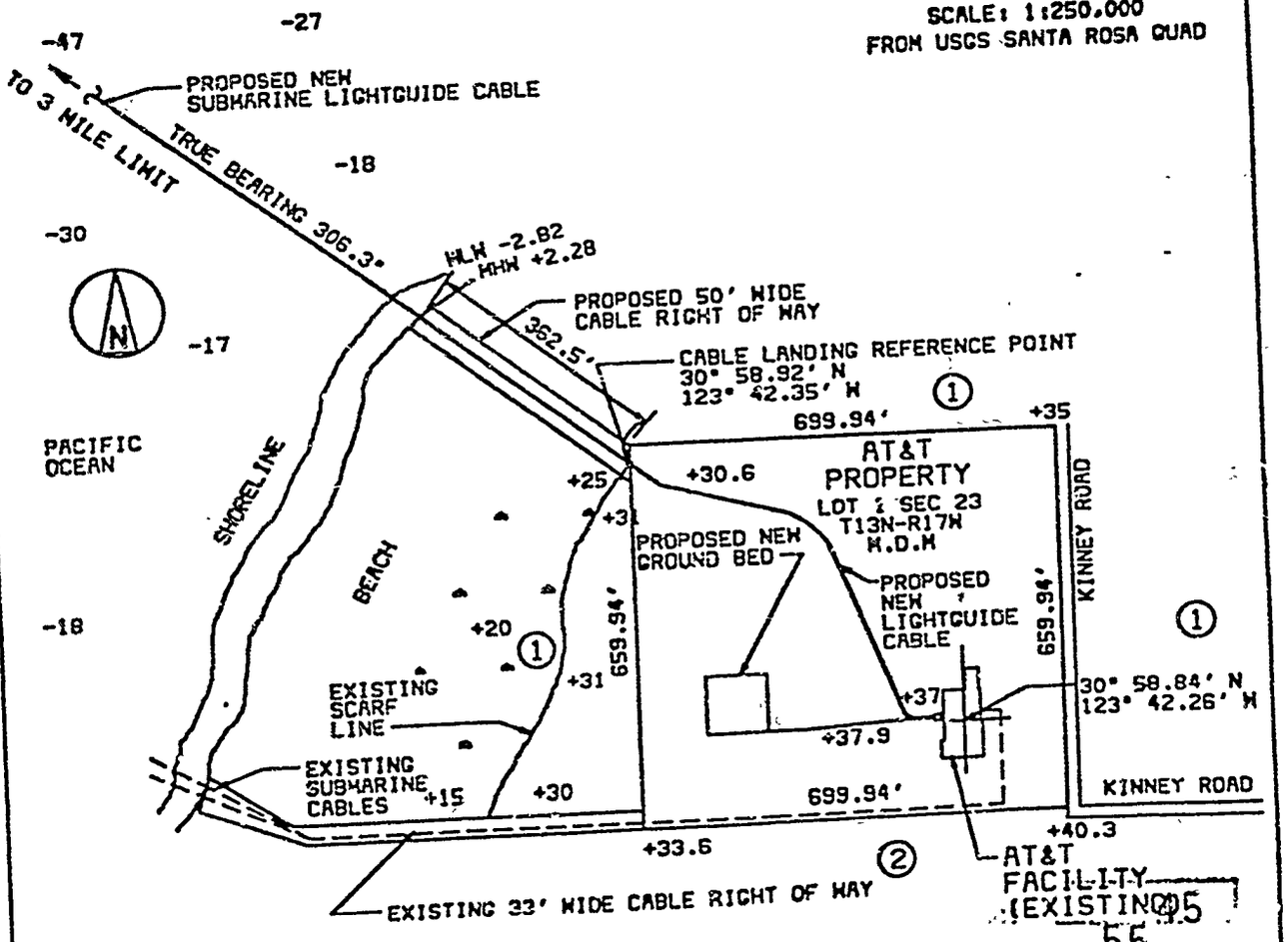
NOTES:

1. ELEVATIONS ARE IN FEET REFERENCE TO MSL.
2. AT&T = AMERICAN TELEPHONE AND TELEGRAPH COMPANY
3. MSL = MEAN SEA LEVEL
   MLW = MEAN LOW WATER
   MHW = MEAN HIGH WATER
4. CABLE BURIED 4' DEEP ON AT&T PROPERTY
5. PROJECT LOCATED APPROXIMATELY 1.25 MILES FROM MANCHESTER, CA.



VICINITY MAP

SCALE: 1:250,000
FROM USGS SANTA ROSA QUAD



PERMIT 1

55

PURPOSE: INSTALLATION OF A SUBMARINE LIGHTGUIDE CABLE BETWEEN CALIFORNIA AND HAWAII

DATUM: MSL

ADJACENT PROPERTY OWNERS:

1. STATE OF CALIFORNIA DEPT OF PARKS & REC.
2. ~~JAMES P. BIRCCI~~

PLAN VIEW

0 300' 600'

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

5925 W. LAS POSITAS BLVD
ROOM C1033
PLEASANTON, CALIFORNIA
94566-0207

PROPOSED SUBMARINE LIGHTGUIDE CABLE INSTALLATION

IN: PACIFIC OCEAN AND BEACH AREA

AT: AT&T FACILITY NEAR MANCHESTER CALIFORNIA

COUNTY OF: MENDOCINO

APPLICATION BY: AT&T

SHEET 1 OF 3 DATE 11-25-86

PERMIT2

PURPOSE: INSTALLATION OF A SUBMARINE LIGHTGUIDE CABLE BETWEEN CALIFORNIA AND HAWAII

DATUM: MSL

CABLE PLAN & PROFILE

MLW LINE OUT TO THREE MILE LIMIT

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

5925 W. LAS POSITAS BLVD
ROOM G1033
PLEASANTON, CALIFORNIA
94566-0207

PROPOSED SUBMARINE LIGHTGUIDE CABLE INSTALLATION

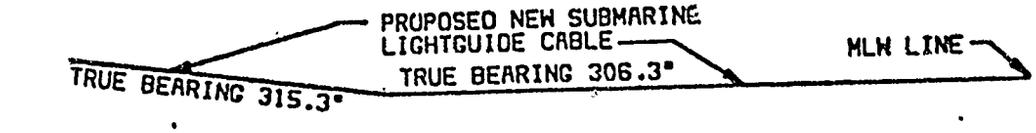
IN: PACIFIC OCEAN AND BEACH AREA

AT: AT&T FACILITY NEAR MANCHESTER CALIFORNIA

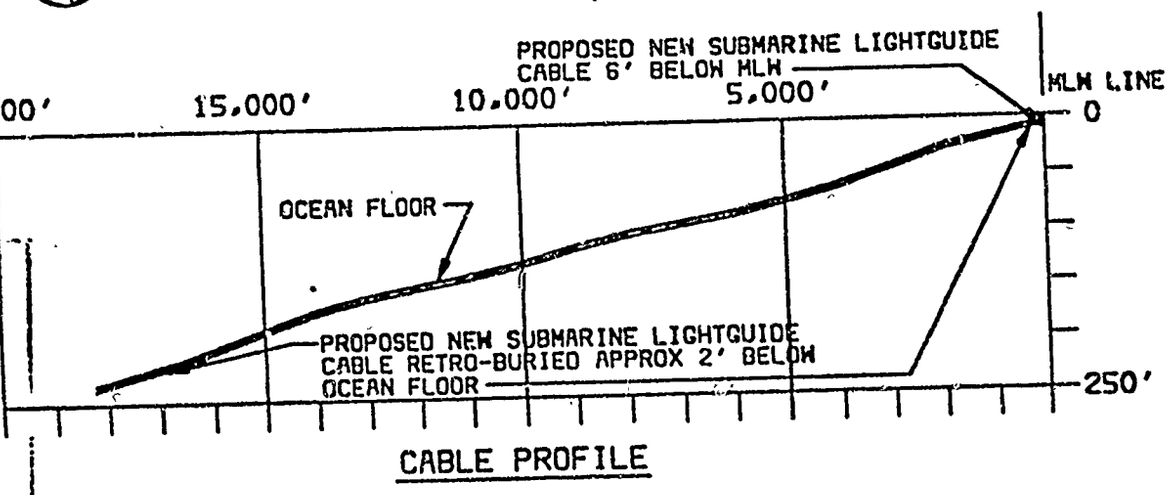
COUNTY OF: MENDOCINO

APPLICATION BY: AT&T

SHEET 2 OF 3 DATE 11-25-86



CABLE PLAN



CABLE PROFILE

HORIZONTAL SCALE
0 5,000' 10,000'

VERTICAL SCALE
0 250'

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   MHW = MEAN HIGH WATER
4. CABLE BURIED 4' DEEP ON AT&T PROPERTY
5. PROJECT LOCATED APPROXIMATELY 2.25 MILES FROM MANCHESTER, CA.

NOTES:

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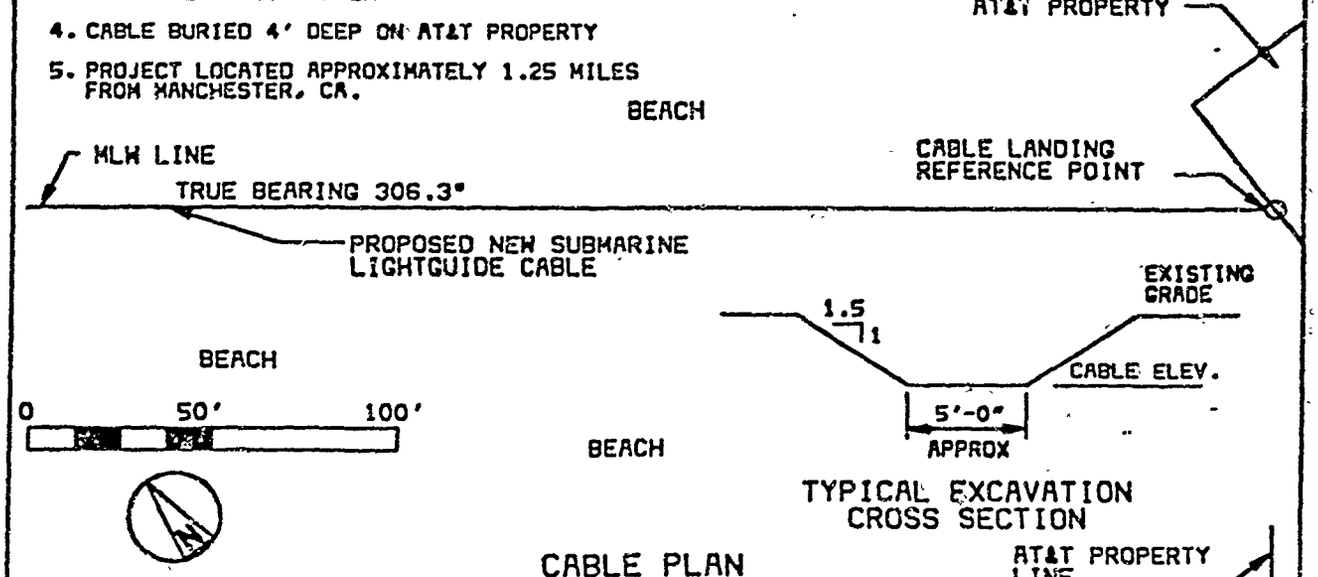
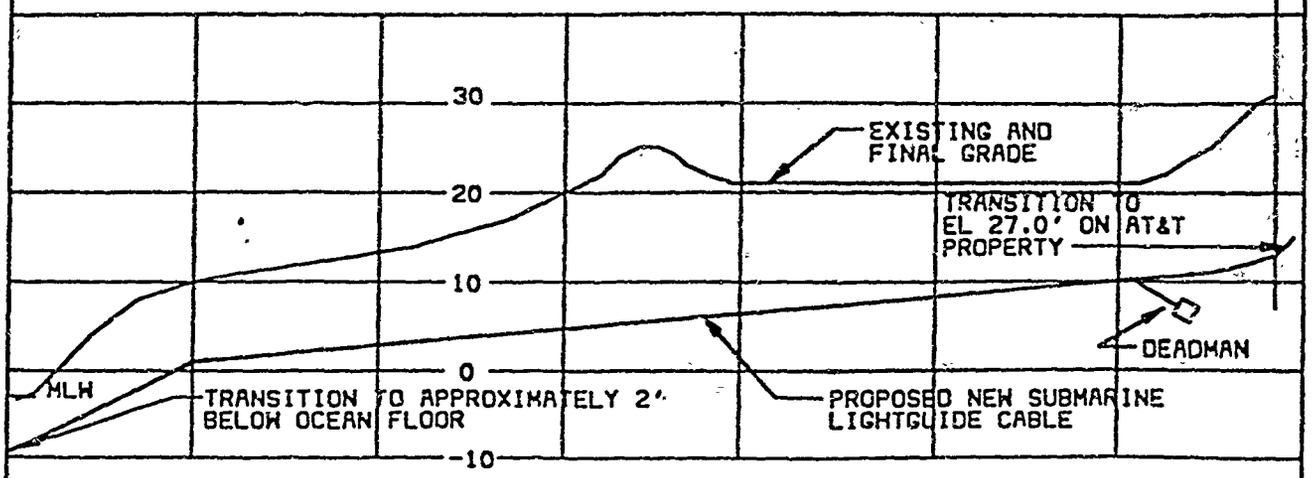


CABLE PLAN



CABLE PROFILE

PURPOSE: INSTALLATION OF A SUBMARINE LIGHTGUIDE CABLE BETWEEN CALIFORNIA AND HAWAII

DATUM: MSL

PERMIT3

PAGE 57 47

CABLE PLAN & PROFILE

MLW LINE TO AT&T PROPERTY LINE

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

5925 W. LAS POSITAS BLVD
ROOM G1033
PLEASANTON, CALIFORNIA
94566-0207

PROPOSED SUBMARINE LIGHTGUIDE CABLE INSTALLATION

IN: PACIFIC OCEAN AND BEACH AREA

AT: AT&T FACILITY NEAR MANCHESTER CALIFORNIA

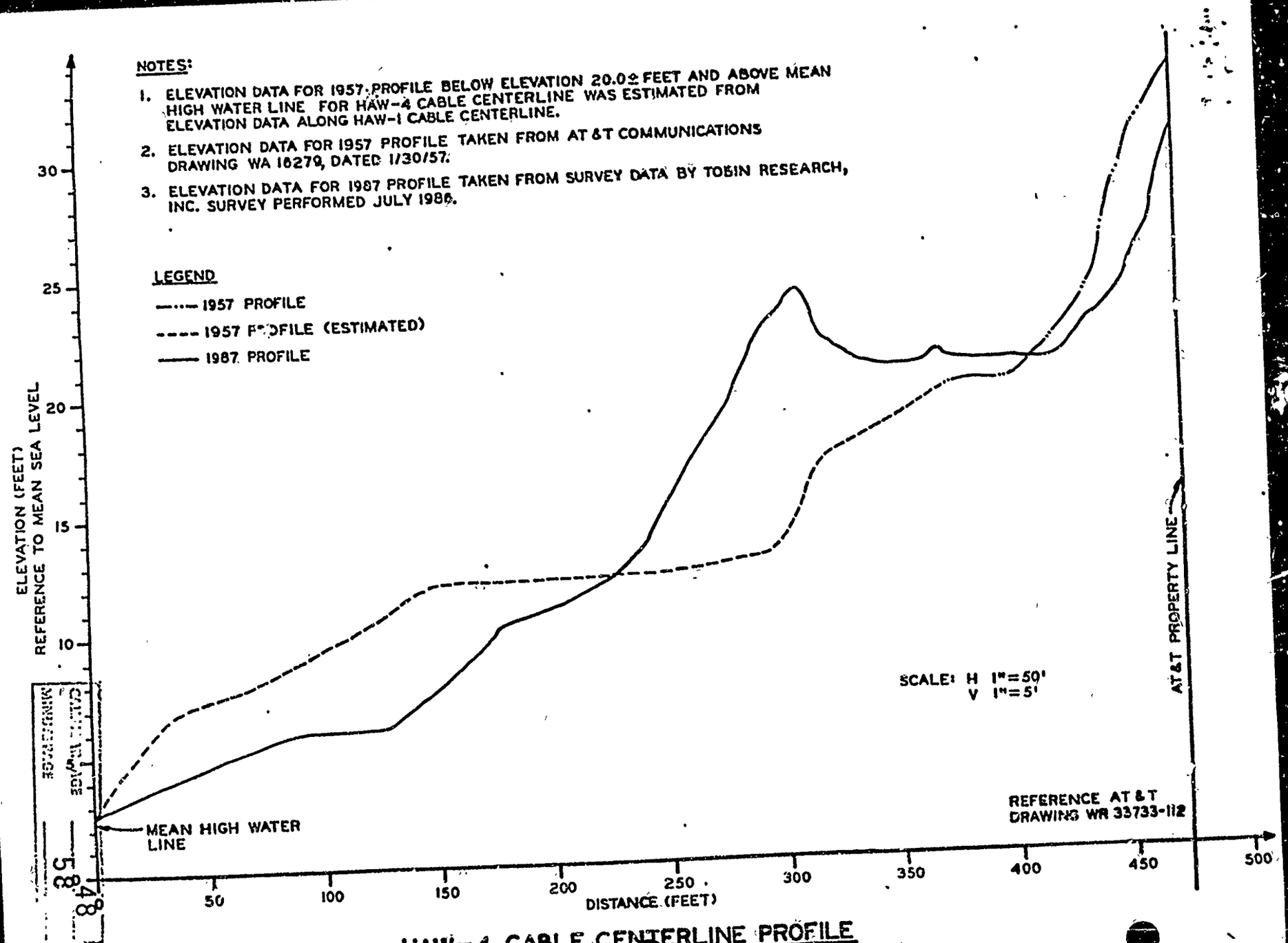
COUNTY OF: MENDOCINO

APPLICATION BY: AT&T

SHEET 3 OF 3 DATE 11-25-86

NOTES:

1. ELEVATION DATA FOR 1957 PROFILE BELOW ELEVATION 20.0± FEET AND ABOVE MEAN HIGH WATER LINE FOR HAW-4 CABLE CENTERLINE WAS ESTIMATED FROM ELEVATION DATA ALONG HAW-1 CABLE CENTERLINE.
2. ELEVATION DATA FOR 1957 PROFILE TAKEN FROM AT&T COMMUNICATIONS DRAWING WA 16279, DATED 1/30/57.
3. ELEVATION DATA FOR 1987 PROFILE TAKEN FROM SURVEY DATA BY TOBIN RESEARCH, INC. SURVEY PERFORMED JULY 1986.



HAW-4 CABLE CENTERLINE PROFILE
AT&T PROPERTY LINE TO MEAN HIGH WATER LINE

FINAL REPORT

HAW-4 CABLE ROUTE SURVEY
U.S. CONTINENTAL SHELF AND SLOPE

for

AT&T
MORRISTOWN, NEW JERSEY

by

ALPINE OCEAN SEISMIC SURVEY, INC.
NORWOOD, NEW JERSEY