

**MINUTE ITEM**

This Calendar Item No. C20  
was approved as Minute Item  
No. C20 by the State Lands  
Commission by a vote of 3  
to 0 at its 8-22-90  
meeting.

**CALENDAR ITEM**

A 80

**C 2 0**

PRC 7428

08/22/90

S 37

W 24438

Dugal

**RIGHT-OF-WAY LEASE**

**APPLICANT:** American Telephone and Telegraph Company (AT&T)  
4430 Rosewood Drive, #3680  
P. O. Box 9084  
Pleasanton, California 94566-9083

**AREA, TYPE LAND AND LOCATION:**  
Five strips of State school land, totalling  
9.8+ acres, which is approximately 4.38 miles  
in length, 20 feet wide, plus a temporary  
construction right-of-way of ten feet on each  
side, near Salton City, Imperial County.

**LAND USE:** Installation and maintenance of a fiber optic  
communication cable.

**TERMS OF PROPOSED LEASE:**

Initial period: Thirty (30) years beginning  
August 1, 1990.

Public liability insurance: Combined single  
limit coverage of \$1,000,000.

**CONSIDERATION:** \$500 per annum, payable five years in advance  
and shall be due every five years for the  
remainder of the lease term; with the State  
reserving the right to fix a different rental  
on each fifth anniversary of the lease.

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:

Filing fee and the first five years' rent have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;  
Title 14, Div. 6.

AB 884: 12/13/90.

OTHER PERTINENT INFORMATION:

- 1. AT&T's proposed buried fiber optic communication cable will provide connectivity and growth capacity from the Imperial County area to the rest of AT&T's network. This is needed for both existing and future AT&T clients.

The proposed cable route is primarily located within or adjacent to existing public road and transmission right-of-ways. The right-of-way will cross five strips of State school land totalling 9.8± acres or 4.38 miles in length. There will be no repeater stations located on State land.

- 2. A Negative Declaration was prepared and adopted for this project by Imperial County. The State Lands Commission's staff has reviewed such document.

APPROVALS OBTAINED:

County of Imperial and Bureau of Land Management.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

- 1 FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY IMPERIAL COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

CALENDAR ITEM NO. C 2 0 (CONT'D)

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO AT&T OF A 30-YEAR RIGHT-OF-WAY LEASE, BEGINNING AUGUST 1, 1990; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$500, PAYABLE FIVE YEARS IN ADVANCE AND SHALL BE DUE EVERY FIVE YEARS FOR THE REMAINDER OF THE LEASE TERM, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

**EXHIBIT "A"**  
**LAND DESCRIPTION**

W 24438

Five (5) strips of State owned school lands in Imperial County, California, said strips being 20 feet wide, the centerline of said strips lying immediately beneath the fiber optic cable within the following described parcels:

**PARCEL 1**

The S 1/2 of the NW 1/4, the N 1/2 of the SW 1/4, and the SE 1/4 of Section 28,  
T10S, R9E, SBM.

**PARCEL 2**

The N 1/2 of Lot 1 of the NW 1/4, the N 1/2 of Lot 2 of the NW 1/4, and the N 1/2 of the  
NE 1/4 of Section 30, T10S, R9E, SBM.

**PARCEL 3**

The N 1/2 of the NE 1/4 of Section 34, T10S, R9E, SBM.

SUBJECT TO: PRC 3752.2, Road R/W lease to Imperial County and PRC 6837.2, geothermal  
lease to Union Oil Co. of California.

**PARCEL 4**

Lot 2 of the NE 1/4 and the E 1/2 of Lot 1 of the NE 1/4 of Section 4, T11S, R10E, SBM.

SUBJECT TO: PRC 6837.2, Geothermal lease to Union Oil Co. of California.

**PARCEL 5**

The W 1/2 of the NE 1/4, the E 1/2 of the NW 1/4, and the SE 1/4 of Section 10,  
T11S, R10E, SBM.

SUBJECT TO: PRC 6837.2, Geothermal lease to Union Oil Co. of California.

**END OF DESCRIPTION**

**PREPARED OCTOBER 24, 1989 BY BIU 1.**

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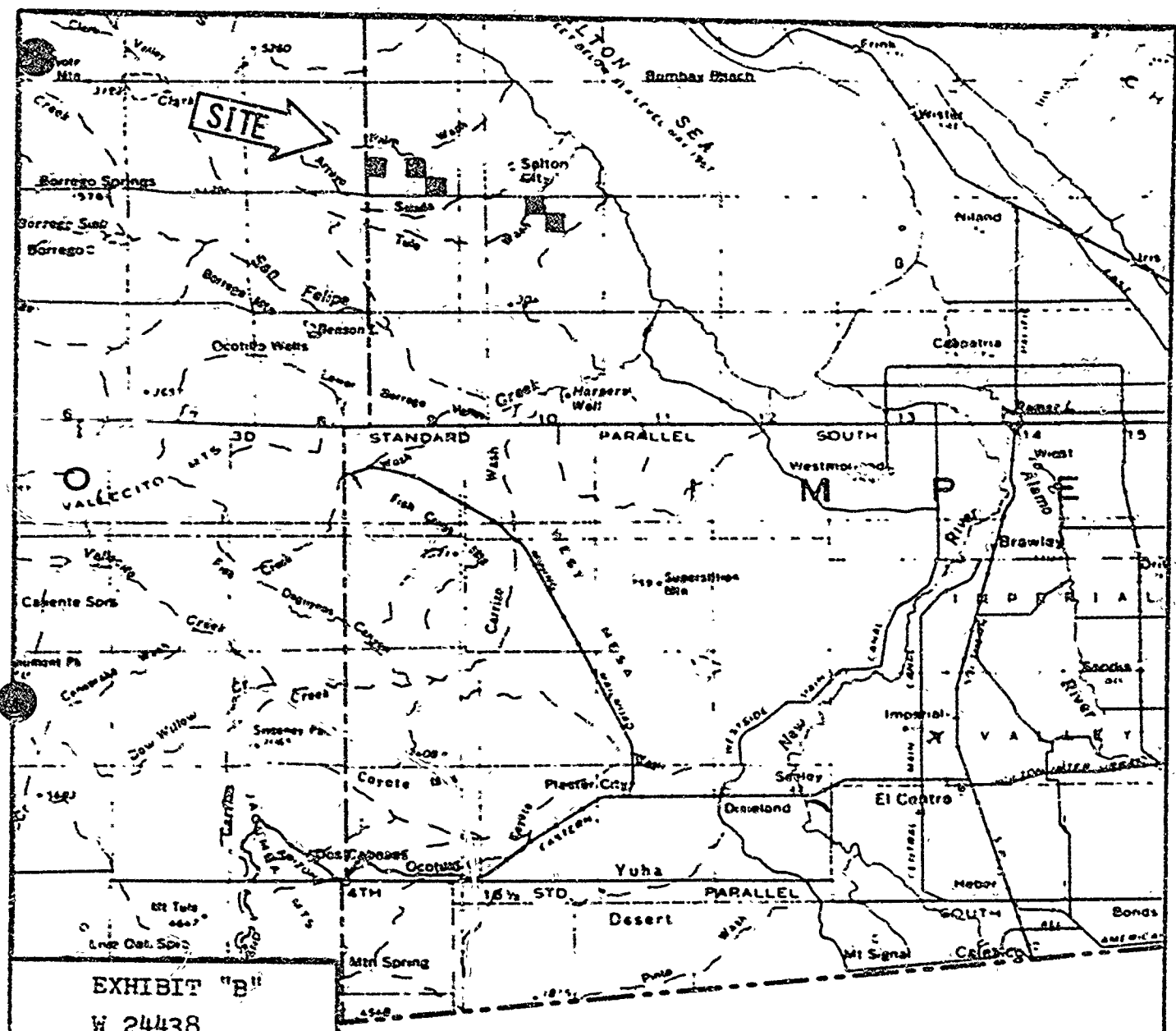


EXHIBIT "B"  
W 24438



X I C

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Notice of Determination

Appendix H

EXHIBIT C

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) Imperial
939 Main Street
(Address)
El Centro, CA 92243

XX County Clerk
County of Imperial
939 Main Street
El Centro, CA 92243



Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

American Telephone & Telegraph (AT & T) Conditional Use Permit #903-90
Project Title

N/A Nancy Blackburn (619) 339-4236
State Clearinghouse Number Lead Agency Arta Code/Telephone/Extension
(If submitted to Clearinghouse) Contact Person

5 West Keystone, 65.2 mile route originating at approx. State Route 22 and the San
Project Location (include county) Diego County Line, traversing Imperial County southeasterly
to the City of Calexico.

Project Description:

Construction, operation and maintenance of a buried fiber optic communication
cable and associated facilities, including two (2) regenerator stations.

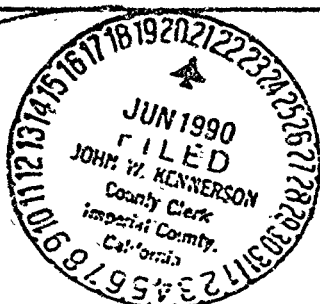
This is to advise that the Imperial County Planning Commission has approved the above described project on
June 13, 1990 and has made the following determinations regarding the above described project
(Date)

- 1. The project [ ] will [x] will not have a significant effect on the environment.
2. [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[x] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ ] were [x] were not made a condition of the approval of the project.
4. A statement of Overriding Considerations [ ] was [x] was not adopted for this project.
5. Findings [x] were [ ] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Signature (Public Agency) Date Title
June 20, 1990 Planning Director

Date received for filing at OPR:



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# PROJECT REPORT

TO THE **E.E.C. - Initial Study** I.S.# 3047-90

DATE: April 12, 1990 TIME: 9:00 a.m. AGENDA NO:

APPLICANTS NAME American Telephone & Telegraph SUPERVISOR D. J  
OWNERS NAME Variety/Holly Sugar Corporation  
PROJECT TYPE Placement of Fiber Optic Facilities, CUP #903-90  
PROJECT ADDRESS Through Imperial County  
GEN. LOCATION 65 mile route  
LEGAL N/A  
DESCRIPTION:  
ASSESS. PAR. NO. 0403J00501 PARCEL SIZE N/A  
EXISTING ZONE H/A ADJ ZONING N/A  
GENERAL PLAN X CONSISTENT INCONSISTENT MAY BE/FINDINGS

## COMMENTS FROM:

PUBLIC WORKS None in file  
E.H.S./HEALTH None in file  
A.G./A.P.C.D. None in file  
FIRE/O.E.S. None in file  
COUNSEL None in file  
OTHER In file regarding easement

## PROTEST REC.

YES NO NUMBER

E.E.C. DECISION DATE April 12, 1990 I.S. NUMBER 3047-90

NEG. DEC. E.I.R. OTHER N.A.

COMMISSION DEC. APPROVED DENIED DATE

STAFF RECOMMENDATION:

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JURG HEUBERGER  
PLANNING DIRECTOR

FILE I.D. ATT&T  
IMPERIAL COUNTY  
Planning Department

American Telephone & Telegraph Company (ATT&T) have submitted an application to the County for Conditional Use Permit #903-90, for a re-generator station to be located on a piece of property owned by Holly Sugar Corporation, south of Keystone on the east side of State Highway 86. This Initial Study is for the overall ATT&T Fiber Optic Cable Project consisting of construction, operation and maintenance of a buried fiber optic communication cable and associated facilities, including two regeneration stations, one at the Holly Sugar site and a second in the City of Calexico. The fiber optic cable is .5 inch in diameter and could be directly buried in most location, at a depth of 36 inches to 48 inches or as deemed appropriate.

The proposed route is 65.2 miles originating at the ATT&T tower site (Salton Microwave Station), just west of the Imperial County line in San Diego County at the approximate intersection of State Route 22. The Route traverses Imperial County southeasterly and ends in the City of Calexico.

ATT&T has had ENSR Consulting and Engineering prepare an Environmental Assessment/Initial Study and has submitted this document as the project description and analysis. The County of Imperial in conjunction with the BLM is acting as the Lead Agency for the CEQA review of this project.

NE/sm/jf/P67/ATTTDESC

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**ENVIRONMENTAL IMPACT ANALYSIS:**

	YES	MAYBE	NO
<b>1. Earth - Will the proposal result in:</b>			
a. Change in topography or ground surface relief features?	___	X	___
b. Unstable earth conditions or changes in geologic substructures?	___	___	X
c. The destruction, covering or modification of any unique geologic or stratigraphic features?	___	X	___
d. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	___	___	X
e. Disruptions, displacements, excavation, or overexcavation of the soil?	X	___	___
f. Any increase in wind or water erosion of soils, either on or off the site?	___	___	X
g. 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 lagoon?	___	___	X
<b>2. Air: Will the proposal result in:</b>			
a. Substantial air emissions or deterioration of ambient air quality?	___	X	___
b. The creation of objectionable odors?	___	___	X
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	___	___	X
<b>3. Water: Will the proposal result in:</b>			
a. Alteration of the direction or rate of flow of ground waters?	___	X	___
b. Change in the quantity of ground waters, either through direct conditions or indirectly, or through interception of an aquifer by cuts or excavations?	___	X	___
c. Changes in quantity, or the course or direction of water movement, in either marine or fresh waters?	___	___	X
d. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	___	X	___
e. Alterations to the course or flow of flood waters?	___	___	X
f. Changes in the amount of surface water in any water body?	___	___	X
g. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	___	X	___
h. Substantial reduction in the amount of water otherwise available for public water supply?	___	___	X
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	___	___	X
<b>4. Plant Life: Will the proposal result in:</b>			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grasses, vines, and aquatic plants)?	___	___	X
b. Reduction of the numbers of any unique, rare, or endangered species of plants?	___	___	X
c. Introduction of new species of plants into an area, or in a barrier to the normal recolonization of existing species?	___	___	X
d. Reduction in acreage of any agricultural crop?	___	___	X
e. Alteration to the type of crops grown on adjacent land?	___	___	X
f. Disruption or elimination of certain agricultural operations or cultural practices on adjacent land?	___	___	X
<b>5. Animal Life: Will the proposal result in:</b>			
a. Change in the diversity of species, or number of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	___	___	X
b. Reduction of the numbers of any unique, rare or endangered species of animals?	___	X	___
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	___	___	X
d. Deterioration to existing fish or wildlife habitat?	___	X	___
<b>6. Noise: Will the proposal result in:</b>			
a. Increases in existing noise levels?	X	___	___
b. Exposure of people to severe noise levels?	___	X	___
<b>7. Light &amp; Glare: Will the proposal produce new light or glare?</b>	___	___	X
<b>8. Land Use: Will the proposal result in a substantial alteration of the present or planned land use of an area?</b>	___	___	X

	YES	MAYBE	NO
9. Natural Resources: Will the proposal result in an increase in the rate or use of any natural resources?	___	___	X
10. Risk of Hazard: Will the proposal involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, coal-tar, chemicals, or radiation) in the event of an accident or upset conditions?	___	___	X
b. Possible interferences with an emergency response plan or an emergency evacuation plan?	___	___	X
11. Population: Will the proposal alter the location, distribution, density or growth rate of the human population of an area?	___	___	X
12. Housing: Will the proposal affect existing housing or create a demand for additional housing?	___	___	X
13. Transportation/Circulation: Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	___	___	X
b. Effects on existing parking facilities, or demand for new parking?	___	___	X
c. Substantial impact upon existing transportation systems?	___	___	X
d. Alterations to present patterns of circulation or movement of people and/or goods?	___	___	X
e. Alterations to waterways, rail or air traffic?	___	___	X
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? <i>temporarily</i>	___	X	___
14. 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:			
a. Fire protection?	___	___	X
b. Police protection?	___	___	X
c. Schools?	___	___	X
d. Parks or other recreational facilities?	___	___	X
e. Maintenance of public facilities, including roads?	___	X	___
f. Other governmental services?	___	___	X
15. Energy: Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	___	___	X
b. Substantial increase in demand on existing sources of energy, or require the development of new sources of energy?	___	___	X
16. Utilities: Will the proposal result in a need for new systems or substantial alterations to any of the following?			
a. Power or natural gas?	___	X	___
b. Communications systems?	X	___	___
c. Water?	___	___	X
d. Sewer or toilet tanks?	___	___	X
e. Storm water drainage?	___	___	X
f. Solid waste and disposal?	___	___	X
17. Human Health: Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (including mental health)?	___	___	X
b. Excessure of needs to potential health hazards?	___	___	X
18. Aesthetics: Will the proposal result in 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?	___	___	X
19. Recreation: Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	___	___	X

20. Cultural Resources: Will the proposal result in:

YES    MAYBE    NO

- a. Alteration of or destruction of a significant archaeological, prehistorical or historical site, structure, object or building? \_\_\_ \_\_\_ X
- b. An alteration of, or destruction of, a significant paleontological site? \_\_\_ \_\_\_ X
- c. Physical change which would affect unique ethnic cultural values? \_\_\_ \_\_\_ X
- d. Restrict existing religious or sacred uses within the potential impact area? \_\_\_ \_\_\_ X

21. MANDATORY FINDINGS OF SIGNIFICANCE:

- a. DOES THE PROJECT HAVE THE POTENTIAL TO DECREASE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF A FISH OR WILDLIFE SPECIES, REDUCE A FISH OR WILDLIFE POPULATION TO 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 EARLY PERIODS OF CALIFORNIA HISTORY OR PREHISTORY? \_\_\_ \_\_\_ X
- b. DOES THE PROJECT HAVE THE POTENTIAL TO ACHIEVE SHORT-TERM, TO THE DISADVANTAGE OF LONG-TERM, ENVIRONMENTAL GOALS? (A SHORT-TERM IMPACT ON THE ENVIRONMENT IS ONE WHICH OCCURS IN A RELATIVELY BRIEF DEFINITIVE PERIOD OF TIME WHILE LONG-TERM IMPACTS WILL ENDURE WELL INTO THE FUTURE). \_\_\_ \_\_\_ X
- c. DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT COLLECTIVELY CONSIDERABLE? (A PROJECT MAY IMPACT TWO OR MORE SEPARATE RESOURCES IF THE IMPACT ON EACH RESOURCE IS RELATIVELY SMALL, BUT WHEN THE EFFECT OF THE TOTAL OF THESE IMPACTS ON THE ENVIRONMENT IS SIGNIFICANT). \_\_\_ \_\_\_ X
- d. DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS TO HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY? \_\_\_ \_\_\_ X

(Discussion of ENVIRONMENTAL EVALUATION, i.e. explanation of answers marked "yes" or "some" is attached hereto.)

E.E.C. DETERMINATION

(To be completed by the Environmental Evaluation Committee on the basis of the results found in the Initial Study.)

- \_\_\_ After Review of the Initial Study, the Environmental Evaluation Committee has:
- \_\_\_ found that the activity is within the scope of a previously-approved EIS document, and that no new environmental document is required.
- X found the proposed project COULD have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- \_\_\_ found 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 the attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- \_\_\_ found the proposed project SHOULD have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 4/12/90 [Signature]  
Planning Director/ECC Chairman

FILE:  
 \_\_\_\_\_ Public Works  
 \_\_\_\_\_ EIS  
 \_\_\_\_\_ CES  
 \_\_\_\_\_ APCD  
 \_\_\_\_\_ Planning

revisions.doc (Revised 4/29)

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## OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET  
SACRAMENTO, CA 95814

RECEIVED

JUN 14 1990

IMPERIAL COUNTY  
BUILDING DIVISION

May 30, 1990

Nancy Blackburn  
Imperial County Plng. Dept.  
939 Main Street  
El Centro, CA 92243

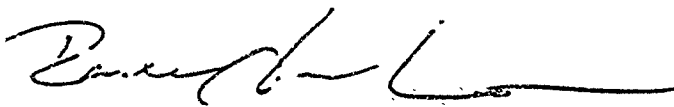
Subject: AT &amp; T, SCH# 90010421

Dear Ms. Blackburn:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for state environmental documents, pursuant to the California Environmental Quality Act.

Please call Barbara Ceran at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse on this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

David C. Nunenkamp  
Deputy Director, Permit Assistance

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