

CALENDAR ITEM NO. C64 (CONT'D)

3. Pursuant to California Public Utilities Code Section 7901 (PUC §7901), telephone corporations may construct and operate lines and equipment along and upon any public road, highway or the navigable waters of the State, without payment of compensation, provided the lines and facilities do not interfere with the public use. Applicant has provided staff with a Certificate of Public Convenience and Necessity (CPCN) issued by the California Public Utilities Commission (CPUC) authorizing Applicant to offer resold and facilities-based intrastate, interexchange telephone services to the public in California.
4. A Mitigated Negative Declaration was prepared and adopted for that portion of the network within California by the CPUC. The California State Lands Commission (CSLC) staff has reviewed the document.

A Mitigation Monitoring Program was adopted by the CPUC. The CSLC adopted the Mitigation Monitoring Program at its meeting of December 3, 1999, upon approval of the Williams Communications, Inc., fiber optic cable route from Pittsburg to Sacramento.

The Mitigated Negative Declaration and Mitigation Monitoring Program are on file in the Sacramento office of the CSLC.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the 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 OBTAINED:

California Department of Fish and Game, California Public Utilities Commission, Regional Water Quality Control Board, Reclamation Board and U.S. Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

Union Pacific Railroad.

EXHIBIT:

- A. Location Map

CALENDAR ITEM NO. C64 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

September 27, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN AND HAS PREVIOUSLY ADOPTED BY ITS ACTION OF DECEMBER 3, 1999, THE APPROPRIATE MITIGATION MONITORING PROGRAM.

SIGNIFICANT LANDS INVENTORY FINDING:

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

FINDING OF NON-INTERFERENCE WITH PUBLIC USE PURSUANT TO PUBLIC UTILITIES CODE SECTION 7901:

FIND THAT THE AUTHORIZED IMPROVEMENTS WILL NOT UNREASONABLY INTERFERE WITH THE PUBLIC USE OF THE PREMISES OR INTERRUPT THE NAVIGATION OF THE UNDERLYING WATERS IF CARRIED OUT IN ACCORDANCE WITH THE TERMS, CONDITIONS AND COVENANTS OF THE PERMIT.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO WILLIAMS COMMUNICATIONS, INC., OF A PERMIT FOR TELEPHONE LINE RIGHT OF WAY FOR A TERM OF CONTINUOUS USE PLUS ONE YEAR, BEGINNING APRIL 20, 2000, FOR INSTALLATION, OPERATION AND MAINTENANCE OF A 10-INCH STEEL CONDUIT CONTAINING THREE 1.5-INCH INNERDUCTS AND ONE FIBER OPTIC CABLE HAVING 96 HAIR-THIN GLASS FIBERS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION; EXEMPT PURSUANT TO SECTION 7901 OF THE PUBLIC UTILITIES CODE.

