

ENVIRONMENTAL CHECKLIST

1. Facility Title:

Level 3 Communications Infrastructure Project, Gaviota Workaround

2. Lead Agency Name and Address:

California Public Utilities Commission
505 Van Ness Avenue, San Francisco, CA 94102
(415) 703-2782

3. Contact Person and Phone Number:

Bill Vander Lyn, Level 3 Communications
6689 Owens Drive, Suite A, Pleasanton, CA 94588
(925) 398-3040

4. Facility Location:

The Gaviota Workaround is located approximately five miles east of Gaviota, in western Santa Barbara County. Fiber optic cable will be installed partially within an existing private road and partially in County property, adjacent to the north side of U.S. Highway 101, for a distance of approximately 2,755 feet. The portion of the Gaviota Workaround that is evaluated herein begins at the intersection of Calle Real, a county road, and the county landfill access road. It proceeds east approximately 250 feet, where an approximately 370 foot bore allows it to pass under Canada De La Pita. It then proceeds approximately 2,135 feet, on a seldom used, dirt road along the fenceline between the U.S. Highway 101 right of way and agricultural lands. This portion of the Gaviota Workaround, evaluated herein, ends near the on-ramp to US Highway 101 at Arroyo Quemado. A vicinity map of the site is provided as Figure 12-1. Additional site maps are available in the PEA (PEA, 2000, following p. 12-43)

Vicinity Map

5. Project Proponent's Name and Address:

Level 3 Communications, LLC ("Level 3")
1450 Infinite Drive, Louisville, CO 80027 (303) 926-3000

6. General Plan Designation: Agriculture-II (100 acres)

7. Zoning: Agriculture-II (320 acres)

8. Description of Facility:

The project evaluated in this Environmental Checklist includes the following off-utility-corridor element:

The Gaviota Workaround is located approximately five miles east of Gaviota, in western Santa Barbara County. The workaround involves a permanent easement that is five feet wide, and a temporary easement for construction purposes that is 20 feet wide. It is located adjacent to the north side of U.S. Highway 101 (U.S. 101). Throughout most of Santa Barbara County, the fiber optic running line is located in the Union Pacific Railroad (UPRR) Right-of-Way (ROW), or other existing utility corridors. However, at a point four miles east of Gaviota, the running line deviates from the UPRR ROW utility corridor due to construction constraints. At this location, the cable will be directionally bored beneath Arroyo Honda, and then towards the railroad and U.S. 101 to the north side of the freeway, where it joins with Calle Real, a County road. It then proceeds east on Calle Real, adjacent to a utility corridor, to the County landfill access road.

The workaround begins where Calle Real ends at the County landfill access road. It will run east for a total distance of approximately 2,755 feet to a point where it meets the on-ramp to U.S. 101 at Arroyo Quemado. Beginning at the end of Calle Real, the workaround crosses one jurisdictional streambed, Canada de la Pita, prior to terminating at Arroyo Quemado. There are no sensitive receptors located in close proximity to the Gaviota Workaround, much of which proceeds through undeveloped areas.

Site development will begin with pre-construction surveys as required to mark environmentally sensitive areas as depicted on County resource maps and as identified in a recent focused biological survey (PEA, 2000, p. 12-2) for avoidance. One hundred meter buffer zones or setbacks will be established between the construction zone and riparian areas, except where a stream must be crossed. Structures are proposed within stream corridors only where there is no alternative feasible route, consistent with County Local Coastal Plan (LCP) Policy 9-38 (PEA, 2000, p. 12-2). As required, brush will be cleared and the area of cable placement will be grubbed. Policy 9-40 requires that riparian plants shall be revegetated with local native plants (PEA, 2000, p. 12-2). A 20 foot-wide construction area will be defined.

The fiber optic cable will be installed along the workaround by plowing, trenching or directional boring to a depth of approximately five feet and a width of one foot. The specific technique will vary depending upon site conditions. In all circumstances, ground disturbance will be kept to an absolute minimum, with natural features to be preserved to the maximum extent feasible consistent with County LCP 3-14. A "spider" plow may be used when wet, soft or restricted areas are encountered. The directional boring method will be used to avoid surface disturbance in identified Environmental Sensitive Habitat (ESH) areas, consistent with PRC Section 30240 and LCP Policy 2-11 requiring all development adjacent to ESH to be regulated to avoid adverse

-related facilities, or between March 1999 to March 2003.

- Current projects that include those which have been approved by the lead agency and have had their environmental document signed, approved, and/or certified.
- Potential projects that have been formally submitted to the lead agency and which are defined well enough to discern where they are, what they are (type of land use), and how big they are (acres, dwelling units, square footage, etc.). Although these submitted, but not approved projects are considered “speculative” under CEQA, they give an indication of potential future development around the facility site.

Table 1 of the PEA indicates that there are no current projects planned within a 2 mile radius of the workaround. Two future projects are identified in the table, including: the Tajiguas Landfill Expansion Project, located approximately ¼ mile north of the workaround; and, the Rancho Tajiguas Lot Line Adjustment Project, located an estimated 1 mile west of the workaround. The latter project could result in the development of 17 new residences.

9. Surrounding Land Uses and Environmental Setting:

The site is bordered to the north, east, and west by agricultural land and on the south by the US Highway 101 right-of-way. The workaround crosses one jurisdictional along its 2755 foot length. Further north is a county landfill and to the northwest is vacant land used as a receiving and sorting point for the landfill. Resource-specific baseline settings are provided in Sections I – XVI of this checklist.

10. Other Agencies Whose Approval is Required:

The site is located within the jurisdiction of the County of Santa Barbara. It is also located within the Santa Barbara County Air Pollution Control District (SBCAPCD).

Specific local policies relevant to each of the sixteen environmental impact issue areas are provided in Table 2 of the PEA (PEA, 2000, follows p.12-43). When there are no relevant and applicable policies, this fact is stated with an explanation. Sources for the policies are provided at the end of the listing.

A Minor Conditional Use Permit (CUP), Development Plan (DP), and a Coastal Development Permit (CDP) will be required by the County of Santa Barbara for the construction and operation of the Gaviota Workaround. Utility lines are subject to the following performance standards:

- Utilities shall be placed underground in new developments in accordance with the rules and regulation of the CPUC, and the County’s Local Coastal Plan (LCP), Policy 4-7, except where cost of undergrounding would be so high as to deny service
- Water, gas, sewer, or electrical transmission and distribution lines which cross fault lines shall be subject to additional safety standards, including emergency shutoff where applicable, in accordance with appropriate CPUC Regulations the County LCP, Policy 3-9 (PEA, 2000, pp. 12-3 – 12-4).

11. Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | | | | |
|--|-------------------------------|--|------------------------------------|--|------------------------|
| | Aesthetics | | Agricultural Resources | | Air Quality |
| | Biological Resources | | Cultural Resources | | Geology/Soils |
| | Hazards & Hazardous Materials | | Hydrology/Water Quality | | Land Use/Planning |
| | Mineral Resources | | Noise | | Population/Housing |
| | Public Services | | Recreation | | Transportation/Traffic |
| | Utilities/Service Systems | | Mandatory Findings of Significance | | |

12. Determination:

On the basis of the analysis of this Initial Study, the proposed facility would not have a significant effect on the environment because the Environmental Commitments described below would be incorporated into the design and construction of the facility. A Negative Declaration would apply to this facility.

The proposed facility is part of the project addressed in a Application for Modification of an existing Certificate of Public Convenience and Necessity (CPCN) (Decision No. 98-03-066). That CPCN Decision was supported by a Mitigated Negative Declaration that included mitigation measures to be implemented in the construction and operation of the previously approved telecommunications facilities within existing utility rights-of-way. The project will incorporate all of the mitigation measures outlined in the previous Decision, as well as those of this environmental review, into its design and construction of the project. Therefore, the actions previously imposed as mitigation measures in the CPCN Decision are now Environmental Commitments for the facility addressed herein. In summary, these Environmental Commitments include:

- Measures to mitigate potential impacts to various resources
- All required local, regional, state and federal approvals and permits required for construction and operation of the project
- Coordination with local and resource management agencies
- Notifications of adjacent property owners
- Coordination with other utility projects in the area
- Documentation and reporting of compliance.

A complete list of mitigation measures from the previous Negative Declaration is provided in Appendix E of the PEA (PEA, 2000, Volume 3). The site-specific details of how the proponent will implement these Environmental Commitments are provided by resource in the checklist that follows this section.

On the basis of this initial evaluation:

| | |
|--|--|
| | I find that 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

Signature

Date

13. Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.

- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and,
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

XII. POPULATION AND HOUSING

Setting

The workaround is located within Santa Barbara County (County). The estimated population of the County, as of January, 1998, is 398,000 (PEA, 2000, p. 12-31). There are no residential buildings in the vicinity of the workaround.

Evaluation

| | | | | |
|---|--|---|--|--|
| a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | Potentially Significant Impact <input type="checkbox"/> | Less than Significant with Mitigation Incorporation <input type="checkbox"/> | Less than Significant Impact <input type="checkbox"/> | No Impact <input checked="" type="checkbox"/> |
|---|--|---|--|--|

a) No impact. The proposed project would neither create new housing nor extend roads or other infrastructure that would induce population growth.

| | | | | |
|---|--|---|--|--|
| b) Would the project displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere? | Potentially Significant Impact <input type="checkbox"/> | Less than Significant with Mitigation Incorporation <input type="checkbox"/> | Less than Significant Impact <input type="checkbox"/> | No Impact <input checked="" type="checkbox"/> |
|---|--|---|--|--|

b) No impact. The project does not include the removal of any residences, and would therefore not displace existing housing units. Replacement housing would not be necessary.

| | | | | |
|---|--|---|--|--|
| c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | Potentially Significant Impact <input type="checkbox"/> | Less than Significant with Mitigation Incorporation <input type="checkbox"/> | Less than Significant Impact <input type="checkbox"/> | No Impact <input checked="" type="checkbox"/> |
|---|--|---|--|--|

c) No impact. The project does not include the removal of any residential dwellings and would not displace any people. Replacement housing would not, therefore, be necessary.