

# PROPONENT'S ENVIRONMENTAL ASSESSMENT – ZAYO PRINEVILLE-TO-RENO FIBER OPTIC PROJECT

## Executive Summary

### 1.0 EXECUTIVE SUMMARY

#### 1.1 PROPOSED PROJECT SUMMARY

Zayo Group, LLC (applicant), a California telephone corporation, proposes the construction and operation of an underground fiber optic network from Prineville, Oregon, to Reno, Nevada (project), spanning 433.8 miles. The purpose is to improve the quality of rural broadband in south-central Oregon, northeastern California, and northwestern Nevada, and to make affordable broadband internet services available to currently underserved communities in these areas.

The portion of the project that crosses California would extend ~~493.9194~~ 194 miles across portions of Modoc, Lassen, and Sierra Counties. The running line generally follows United States Highway 395 (US 395) but also county roads between the communities of Standish and Buntingville in Lassen County, California, where it follows Standish Buntingville Road (Lassen County Road A3) for 7.35 miles and Cummings Road for 1.15 miles before returning to the right-of-way parallel to US 395.

Conduit to house the new fiber optic cable would be buried using a combination of plowing or trenching construction techniques. Alternatively, horizontal directional drilling would be used to cross water bodies and roads, and where necessary to avoid existing infrastructure or biological or cultural resources. For some water- or road-crossing locations, the conduit may be affixed to the side or underside of bridges. Ancillary equipment would be installed at three small buildings that would serve as amplifier sites (In-Line Amplifiers [ILAs]). Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations. All construction activities would be conducted in compliance with California Department of Transportation (Caltrans) requirements and county longitudinal utility encroachment permit procedures.

#### 1.2 LAND OWNERSHIP AND RIGHT-OF-WAY REQUIREMENTS

The project would be located along US 395 within the right-of-way managed by Caltrans and would require an encroachment permit from Caltrans. The lands underlying the Caltrans right-of-way are ~~owned~~ or administered by various state, federal, and private entities, including the U.S. Bureau of Land Management (BLM), the U.S. Forest Service, the U.S. Fish and Wildlife Service (USFWS), the California State Lands Commission, and several tribal entities. An 8-mile segment of the running line would deviate from US 395 and run along Standish Buntingville Road (Lassen County Road A3) and Cummings Road between the communities of Standish and Buntingville in Lassen County, California. In this location, the underlying land is owned by Lassen County.

##### 1.2.1 New, Existing, and Temporary Rights-of-Way or Easements

The running line and associated ancillary equipment would be placed within existing Caltrans and county-maintained roadway rights-of-way and on private property. These existing rights-of-way range from 60 to 1,500 feet wide. No new or modified rights-of-way would be required to accommodate construction of the



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project. The project would not change any existing land uses or displace any properties, and no temporary rights-of-way would be required. Easements will be obtained for underlying rights, including the California State Lands Commission, BLM, the U.S. Forest Service (USFS), and the Bureau of Indian Affairs (BIA). Leases would be obtained for components located on private land. ~~New easements would be required for the portions of the running line that traverse the Bureau of Indian Affairs' XL Rancheria, the Modoc Wildlife Refuge, and BLM land.~~

### 1.2.2 Rights-of-Way or Easement Applications

The applicant would apply for an encroachment permit from Caltrans for construction within the US 395 right-of-way, and permits from Lassen, Modoc, and Sierra Counties for construction within county road rights-of-way. Easements will be obtained for underlying rights, including the California State Lands Commission, BLM, USFS, and the Bureau of Indian Affairs BIA. Leases would be obtained for components located on private land ~~Easements will be obtained for underlying rights, including the California State Lands Commission, BLM, the U.S. Forest Service, and the Bureau of Indian Affairs.~~

## 1.3 AREAS OF CONTROVERSY

There are no known areas of controversy and no major issues that must be resolved related to the project.

## 1.4 SUMMARY OF IMPACTS

Project impacts are primarily construction-related, and the project has been planned and engineered to avoid or minimize the largely-temporary environmental impacts. Applicant-Proposed Measures (APMs) would be implemented to further avoid or minimize impacts on environmental resources, ensuring that any remaining impacts would be less than significant. These APMs are identified in the respective resource sections within Section 5.0 and are summarized in Section 3.0, Proposed Project Description.

## 1.5 SUMMARY OF ALTERNATIVES

To avoid and minimize all environmental impacts, the running line and associated ancillary equipment have been located within or immediately adjacent to an existing transportation corridor (i.e., right-of-way) and thereby minimizing impacts to undisturbed sensitive environmental resources. In addition, selection of ILAs, staging areas, and material storage yards prioritized locations within the existing roadway right-of-way or on previously disturbed parcels.

The exact placement of the running line within the existing transportation corridor has changed over several years of agency coordination and in response to environmental surveys that were conducted in 2019 and 2020. As such, the applicant rejected or dismissed design alternatives that would potentially impact sensitive environmental resources and rerouted the alignment, chose an alternative construction method, or potentially placed the running line in a less sensitive area closer to the edge of pavement.



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The project as proposed in Section 3.0, Proposed Project Description, would be the “best fit” running line because it was designed to maximize avoidance of sensitive environmental resources, particularly cultural and biological resources, while still meeting the project objectives.

Under the No Project Alternative, the fiber optic line would not be granted authorization by the California Public Utilities Commission (CPUC) to provide broadband capacity to rural communities. The project would not provide connectivity between the network hub in Prineville and the communities of Bend and La Pine in Oregon; Alturas, Lakeview, and Susanville in California; and the greater Reno/Sparks metropolitan area in Nevada. These communities would not experience improved reliability of current telecom services.

## 1.6 PRE-FILING CONSULTATION AND PUBLIC OUTREACH SUMMARY

### 1.6.1 Bureau of Land Management

Stantec Consulting Services Inc. (Stantec) corresponded with Larry Ashton of BLM's Deschutes Field Office on April 10, 2020, during which Mr. Ashton noted that the two California districts crossed by the project would be preparing wildlife clearance documents outlining the BLM's concerns regarding potential project impacts on biological resources and would provide recommendations to avoid or minimize impacts. Mr. Ashton also indicated that the project would likely result in a “No Effect” determination for all potential federal Endangered Species Act-listed species in California, including Carson wandering skipper.

On May 1, 2020, Stantec received the wildlife clearance document from Melissa Nelson of the Eagle Lake Field Office via Larry Ashton. The following summarizes the comments and recommendations from Ms. Nelson. Ms. Nelson referred the applicant to sections of the *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment* (BLM 2015) for information pertaining to greater sage-grouse avoidance, and minimization and mitigation strategies for construction of the project. She also indicated that greater sage-grouse habitat and other pertinent data would be provided when possible, and that habitat mitigation for greater sage-grouse may be required.

On May 1, 2020, Stantec received the wildlife clearance document from the Katrina Krause of the Sierra Front Field Office via Larry Ashton. Ms. Krause summarized the special status species that may be affected where Sierra Front Field Office lands in Nevada and California overlap the project, which include burrowing owls, raptors and other migratory birds, and some reptiles (specifics not provided). Greater sage-grouse habitat is present within the project area, but there are no known leks in proximity to the project, and seasonal restrictions do not apply.

On May 28, 2020, Stantec received the wildlife clearance document from the Applegate Field Office via Larry Ashton. Mr. Ashton noted that, given the linear nature of the project along US 395, the project would not significantly impact greater sage-grouse, no seasonal restrictions or mitigation measures were recommended, and because the field office is outside of the range of Carson wandering skipper, no seasonal restrictions or mitigation measures were recommended. In addition, Mr. Ashton noted that the California Natural Diversity Database reports a Swainson's hawk nest within 50 meters of the road on the



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east side of US 395 about 5.5 miles south of Alturas. The nest should be considered active until it is formally surveyed, and if active, a 0.5-mile line-of-sight-buffer should be applied. Impacts would be minimal outside of the species' breeding season (April 15 to August 15), but Mr. Ashton suggested that the applicant move the route to the west side of the road in this area if flexibility allows.

### 1.6.2 California Department of Fish and Wildlife

Stantec met with California Department of Fish and Wildlife (CDFW) in Redding, California, on August 29, 2019, to provide the agency with project background, a summary of field surveys underway, and California Environmental Quality Act history pertinent to the project segment. During that meeting, CDFW requested a Swainson's hawk survey be undertaken; that the project avoid sandhill crane nesting areas; that avoidance, rather than translocation, be the preferred mitigation for potential impacts to special status plants; that a "frac-out" response plan be developed; and that analyses include invasive species.

Stantec met with CDFW (Amy Henderson and Adam McKannay) on March 2, 2020, in Redding, California, to provide an overview of the completed 2019 biological field surveys and the surveys planned for 2020. CDFW recommended that Stantec biologists use the Nevada or Utah survey protocol for pygmy rabbits, that a protocol-level preconstruction Swainson's hawk survey be conducted, that biologists look for bank swallows in the Long Valley Creek area during surveys, and that biologists coordinate with BLM for greater sage-grouse lek information.

### 1.6.3 California Department of Transportation

On behalf of the applicant, Stantec has been coordinating frequently with Caltrans since early 2019. Agency-applicant meetings and calls were held on July 17, August 29, September 16, September 19, October 24, November 20, and December 20, 2019. As one of two public agencies with the greatest responsibility for approving the project, initial conversations centered on the potential for Caltrans to serve as California Environmental Quality Act (CEQA) lead. Other topics discussed included the potential for the applicant to co-locate fiber optic with other providers, routes to CEQA compliance, potential impacts to cultural sites along US 395, the timing and process of Caltrans' encroachment permit relative to the CEQA process, contracting mechanisms, the positioning of the telecom running line in relation to highway pavement, cultural and biological survey methods, and public and tribal outreach requirements.

### 1.6.4 Native American Heritage Commission

On October 11, 2019, the applicant contacted the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File for the full length of the project right-of-way in California. The NAHC responded on October 29, 2019, to report positive findings and urged contact with the Alturas Rancheria of Pit River Indians for further information. The NAHC also suggested contact with the following tribes and bands: Alturas Rancheria of Pit River Indians, Fort Bidwell Indian Community of Paiute, Greenville Rancheria of Maidu Indians, Honey Lake Maidu, Pit River Tribe of California, Susanville Indian Rancheria, Tsi Akim Maidu, United Auburn Indian Community of the Auburn Rancheria, and the Washoe Tribe of Nevada and California. Stantec has contacted the following tribes and bands about this project: Washoe Tribe of Nevada and California, Fort Bidwell Indian Community of Paiute, Pit



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River Tribe of California, Susanville Indian Rancheria, Honey Lake Maidu, Greenville Rancheria of Maidu Indians, Cedarville Rancheria of Northern Paiute, and the Alturas Rancheria of Pit River Indians.

### 1.6.5 U.S. Fish and Wildlife Service

On October 23, 2019, USFWS provided Stantec with lists of Federal Endangered Species Act-protected plant, fish, and wildlife species, including candidate and proposed species that are known or have the potential to occur in the Biological Resources Survey Area (BRSA). The BRSA is within the jurisdictions of two USFWS field offices, Klamath Falls and Reno, both of which provided official species lists for this project. Stantec obtained updated official species lists from the USFWS on June 9, 2020.

## 1.7 CONCLUSIONS

This Proponent's Environmental Assessment describes the environmental setting, regulations, and APMs for minimizing potential effects and evaluates potential environmental impacts that could result from construction or operation and maintenance of the project. With implementation of the APMs, all potential project-related impacts would be avoided or would be less than significant.

## 1.8 REMAINING ISSUES

There are no known major issues that remain to be resolved related to the project.



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