

Public Scoping Report

Environmental Impact Report

Zayo Prineville to Reno Fiber Optic Project

Lead Agency:

California Public Utilities Commission
Contact: Connie Chen
505 Van Ness Avenue
San Francisco, California 94102

April 2021



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

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LIST OF ACRONYMS

Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CDFW	California Department of Fish and Wildlife
CGP	Construction General Permit
CPCN	Certificate of Public Convenience and Necessity
CPUC	California Public Utilities Commission
CVRWQB	Central Valley Regional Water Quality Board
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ILA	In-Line Amplifier
NEPA	National Environmental Policy Act
NOP	Notice of Preparation
Project	Zayo's Prineville to Reno Fiber Optic Project
ROW	Right-of-Way
CSLC	California State Lands Commission

SECTION 1 OVERVIEW OF CEQA SCOPING PROCESS

1.1 Introduction

Zayo Group, LLC, (Zayo) (the Applicant) has submitted an application to the California Public Utilities Commission (CPUC) to modify its Certificate of Public Convenience and Necessity (CPCN) in connection with its proposed construction of fiber optics cable and specified telecommunication network facilities in areas that fall outside of the utility right-of-way (ROW). Specifically, Zayo seeks a modification of its CPCN to allow it to bury conduit and fiber optic cable along a 193 mile route primarily along the roadway edge of US 395 and immediately adjacent to existing utility rights of way from the Oregon border in the northeastern corner of the state down to the California-Nevada border near Reno. Zayo already holds a CPCN to operate as a Facilities-based Competitive Local Exchange Carrier (CLC), to offer resold local exchange services, and/or interLATA and intraLATA interexchange services. The CPCNs' grant of facilities-based authority allows for the construction of new fiber optic cable only in the existing utility rights-of-way. As Zayo's proposed project extends beyond the existing utility ROW into other rights of way, such as roads, in which the proposed fiber optic cable is to be laid, Zayo is required to petition the CPUC for modification of its CPCN.

Zayo's proposed fiber optics Project is subject to review under the California Environmental Quality Act (CEQA) because the Project requires discretionary approvals by state agencies that may affect the environment. The purpose of review under CEQA is to inform governmental decision-makers and the public about potentially significant environmental effects of proposed projects and possible ways to avoid or substantially reduce those impacts. The CPUC as the state lead agency has determined that an Environmental Impact Report (EIR) is the appropriate document for the Project.

This scoping report documents the CEQA scoping process and summarizes the public scoping comments received for the Project. The scoping report describes the scoping events and activities undertaken for the project and summarizes written and oral comments received on the CPUC's Notice of Preparation (NOP). This report informs the CPUC's determination of the range of issues and alternatives to be addressed in the EIR. Comments received during the scoping period will be used to:

- 1) Identify key issues to focus on the analysis
- 2) Identify reasonable alternatives to the Project
- 3) Analyze environmental impacts of the Project and alternatives
- 4) Identify ways to avoid or reduce environmental impacts
- 5) Inform the state agencies' decision-making processes

1.2 Summary of CEQA Scoping Process

The CEQA scoping process provides government agencies, Tribes, organizations, and members of the public the opportunity to identify environmental issues and alternatives for consideration in the EIR. The scoping process and results are an initial step in the environmental review process.

Pursuant to CEQA Guidelines §15082 (14 CCR 15000 et seq.), the CPUC published an NOP on March 8, 2021. The NOP serves as the official legal notice that a state agency is commencing preparation of an EIR. The NOP initiates the public scoping period for the EIR, provides information about the Project, and serves as an invitation to provide comments on the scope and content of the EIR. The NOP was filed with the State Clearinghouse and at the County Clerks for Lassen, Modoc, and Sierra counties. Additionally, the NOP was mailed to addresses of government agencies and other interested parties as well as the owners of properties within 300 feet of the Project area. The NOP was also made available to agencies and the public on CPUC's Project website: <https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>. The NOP for the Project is included as Appendix A.

The NOP was published in the *Lassen News* on March 5, 2021, in the *Mountain Messenger* on March 11, 2021 and the *Modoc County Record* on March 11, 2021 newspapers. The newspaper notices are included as Appendix B.

The CPUC maintains a fax number and an email address for the proposed Project through which the public, agencies, and other interested parties can contact the CEQA team and comment on the proposed Project. The CPUC also maintains a website with information and documents related to the proposed Project. This information was included in the NOP and newspaper notice and distributed at the public scoping meeting as part of the PowerPoint presentation. The project-specific email, fax, and website are as follows:

- Email: ZayoFiberOptic@ca-advantage.com
- Fax: (909) 307-0056
- Website: <https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>

During the NOP comment period, the CPUC held a public scoping meeting. Due to the COVID-19 pandemic, the meeting was held virtually. The scoping meeting took place on March 24, 2021, from 6:00 PM to 8:00 PM, via Zoom, a web conferencing platform that is used for audio and/or video conferencing. The CPUC provided a presentation explaining the EIR process, the CPUC's role throughout the process, and public participation opportunities. ECORP Consulting, Inc. (ECORP), as the CPUC's environmental consultant, provided information on the Prineville to Reno Fiber Optic Project and the CEQA process. The presentation is provided in Appendix C.

The scoping meeting provided government agencies and the public with an opportunity to receive information about the Project and the CEQA process. The meeting also provided a forum for receipt of oral and written comments. Fourteen people attended the virtual scoping meeting held over Zoom on March 24, 2021. The meeting attendees included representatives from local agencies and members of the public. Due to the virtual nature of the meeting, no sign-in sheet from the scoping meeting was provided. Four oral comments and several written comments were received at the meeting during the Q&A portion.

The scoping comment period ended on April 8, 2021. In total, eleven (11) letters were received: five from state agencies; one from a Tribe; and six from members of the public (see Table 1-1). These eleven letters

have been included in the CPUC’s CEQA Administrative Record for the Project, are documented in this scoping report, and will be considered in the drafting of the CEQA document.

1.3 Scoping Report Organization

This scoping report summarizes the comments and issues identified during the scoping period, including the public scoping meeting. The CPUC will review and consider all of the scoping comments received in preparing the CEQA document for the Project.

Section 1 provides a summary of the scoping process, a list of comment letters received, and an overall description of the organization of this report.

Section 2 provides summary information on the Applicant’s stated Project objectives and a description of the Project.

Section 3 provides a summary of the comments received and issues raised during the Project’s scoping period, including comments received during the public scoping meeting.

Section 4 provides a summary of future steps in the planning process and indicates opportunities for public participation in the environmental review process.

The Appendices that follow Section 4 include copies of notices, scoping meeting materials, scoping comments received, and other information.

1.4 Agencies, Organizations, Tribes, and Individuals Providing Scoping Comments

Government agencies; private and public organizations; Native American tribes; and the general public provided oral and written comments during the public scoping period. Written comments received during the public scoping meetings and in response to the NOP are included in Appendix D. In summary, Table 1-1 presents the agencies, organizations, and private citizens that provided comments during the CEQA scoping process organized in the chronological order they were received.

Table 1-1. Comments Received During Public Scoping Period

Commenting Agency, Tribe, Organization, or Individual	Date Received
Governmental Agencies	
Central Valley Regional Water Quality Control Board (Jarred Ferguson)	March 12, 2021
California Department of Transportation (Emiliano Pro)	April 7, 2021
California Department of Fish and Wildlife	April 8, 2021
California State Lands Commission (Randy Collins)	April 8, 2021
Tribes	
Pit River Tribe	April 8, 2021

Commenting Agency, Tribe, Organization, or Individual	Date Received
Individuals	
Ed Kleiner (Comstock Seed, LLC)	March 15, 2021
Sam Thorne	March 20, 2021 (email)
Tom Krauel	March 23, 2021 (email)
Doreen Smith-Power	March 30, 2021
John Gravier	April 5, 2021 (email)
Bill Madison	April 5, 2021 (email)

SECTION 2 SUMMARY OF THE PROJECT

2.1 Project Description

Zayo Group, LLC, 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 193.9 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 (Figure 1).

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.

SECTION 3 SUMMARY OF SCOPING COMMENTS

This section of the scoping report summarizes the comments raised by agencies, organizations, and members of the public not affiliated with a government agency, Tribe, or organization. Table 1-1 provides a list of commenters including state agencies, organizations, and individual members of the public who provided comments. Environmental concerns raised during the scoping process focused on the Project's potential effects to environmental resources and issue areas. This scoping report summarizes the comments received according to the following themes:

- 1) Project description
- 2) Human environmental issues
- 3) Natural environmental Issues
- 4) Project alternatives
- 5) Other considerations

3.1 Project Description and Objectives

Multiple commenters expressed concerns regarding the extent that service will be guaranteed to rural communities. One commenter requested assurance that service will be provided to rural communities in the project area with no significant fees for hookup. Another commenter requested that the applicant explain if any identified companies would be offering services on a "last mile" basis.

Caltrans requested that an analysis of all feasible alternatives to the project or its location that would avoid or substantially reduce significant impacts be addressed. The Draft EIR shall include a reasonable range of potentially feasible alternatives, including a "no project" alternative.

3.2 Human Environment Issues

Aesthetics/Visual Resources

Several commenters expressed concern that the project would adversely affect the rural scenic value of the Project area and impact views for landowners and users of the surrounding areas. The potential visual and aesthetic impacts of the ILAs are identified as a public concern. One commenter requested additional details as to the visual appearance of the ILA's as well as their location be provided. Additionally, one commenter requested reassurance that the fiber optic line and ILA's would produce no light or sound and requested that all appendages match the surrounding environment.

Cultural Resources/Tribal Cultural Resources

The California Department of Transportation (Caltrans) provided several comments regarding Cultural Resources and Tribal Cultural Resources.

Caltrans requests that the Lead Agency exhaust all efforts to identify/document the presence of all known and previously undocumented cultural and tribal cultural resources that have the potential to be impacted by the proposed project.

Caltrans requests that the Lead Agency carries out consultation and coordination with all Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project or that have requested to be included in such consultation/coordination.

3.3 Natural Environment Issues

Biological Resources

Comments from agencies during the scoping period addressing biological resources were received from the California Department of Fish and Wildlife (CDFW) and California Department of Transportation (Caltrans).

CDFW provided comments on the Proponent's Environmental Assessment (PEA) and project technical studies provided by the applicant. These comments requested a different definition of temporary and permanent impacts, consistency in mitigation measures, and general comments regarding wording of mitigation measures.

CDFW requested additional information regarding the location of directional boring and potential impacts on sensitive species.

CDFW requested a complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife reptile and amphibian species, including seasonal variations in use of the Project area. Suggestions were made regarding focused surveys for certain species.

CDFW requested an evaluation of direct, indirect, and cumulative effects to biological resources as required by CEQA.

CDFW provided guidance for mitigation for significant Project-related impacts to biological resources.

CDFW provided information on permits that may be required by the Project from CDFW.

Caltrans requested that the presence of special status species be properly identified and documented, including the implementation of applicable protocol level surveys.

Hydrology and Water Quality

The Central Valley Regional Water Quality Board (CVRWQB) requested that the proposed Project area be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State.

CVRWQB provided information on permits that may be required by the Project from CVRWQB.

CVRWQB provided comments on mitigation for significant Project-related impacts to water resources.

3.4 Permits and Agreements

The California State Lands Commission (CSLC) commented that the Project will impact school lands under the jurisdiction of the Commission and will therefore require a General Lease Right-of-Way Use for construction, maintenance, and operation.

Caltrans commented that the project would require an encroachment permit to complete work within State right-of-way, therefore the Lead Agency shall complete studies in a manner that satisfy the Caltrans Public Resources Code 5024 Memorandum of Understanding.

3.5 Cumulative Impacts

Caltrans commented regarding cumulative impacts and recommends a thorough assessment of cumulative impacts be included in the Draft EIR if the project's incremental effect is found to be considerable.

3.6 Mitigation

Caltrans requested all feasible mitigation measures be discussed in the Draft EIR and utilized during project construction, operation, and maintenance to avoid or minimize such impacts. Additionally, Caltrans requests any impacts resulting from mitigation measures shall also be discussed in the Draft EIR.

CDFW also provided several comments on the Applicant-proposed mitigation provided with the Project application in the Proponent's Environmental Assessment.

3.7 Project Alternatives

Caltrans requested that an analysis of all feasible alternatives to the project or its location that would avoid or substantially reduce significant impacts be addressed. The Draft EIR shall include a reasonable range of potentially feasible alternatives, including a "no project" alternative.

One commenter noted that a no-project alternative is not an option as completion of the project is vital to the rural communities of northeast California, south-central Oregon, and northwest Nevada who are currently without reliable service.

3.8 Public Notification

Several commenters requested an extension of the scoping period from the original deadline of April 9, 2021. One commenter requested additional information be provided regarding Zayo's application. Specifically, the commenter requested Appendix D of the Proponent's Environmental Assessment be provided for public review.

One commenter felt they had not received adequate notice of the scoping period and requested separate consultation to provide details of cultural resources and sacred sites within the Project area.

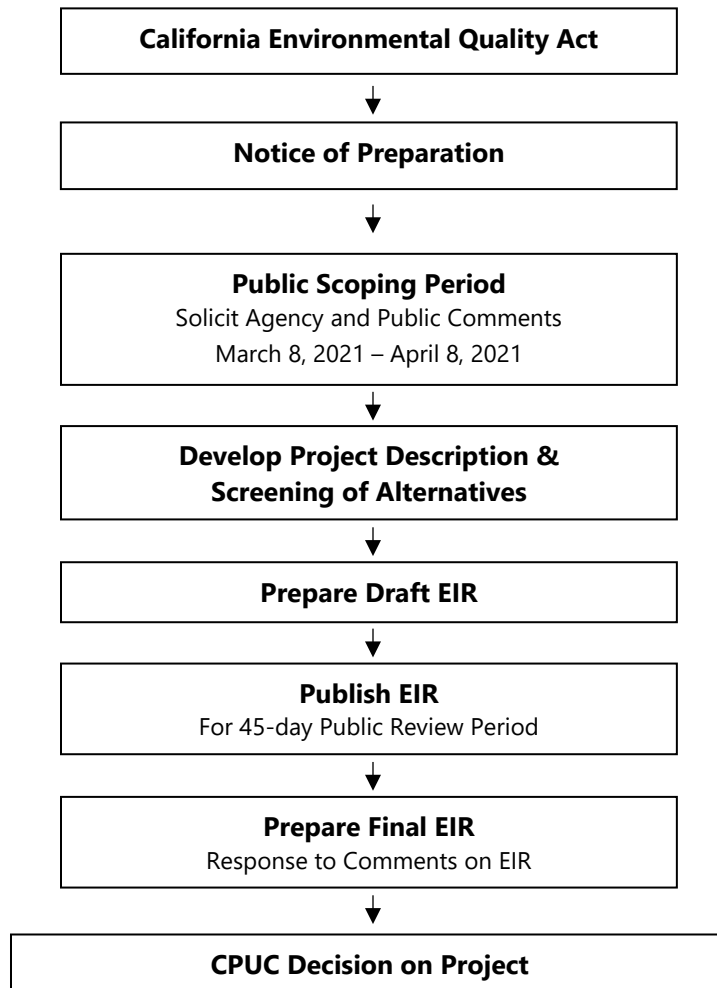
3.9 Other Considerations

General comments were received that noted support for the Project.

One commenter also provided comments on the CPCN Proceeding process, which is outside the scope of the CEQA process. This commenter was provided with information on how to participate in the Proceeding process.

SECTION 4 SUMMARY OF FUTURE STEPS IN THE PLANNING PROCESS

The EIR process consists of multiple steps requiring a team of interdisciplinary resource specialists to complete each step. A key component of the environmental planning process is public and relevant agency engagement. This component of the planning process is undertaken in the early stages and throughout the planning process to address any issues, comments, and concerns that may arise. The following diagram describes the planning processes and decisions to be made as part of the CEQA process.



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LIST OF APPENDICES

Appendix A – Notices

Appendix B – Public Notice: Scoping Meeting Announcement

Appendix C – Scoping Meeting Materials

Appendix D – Written Comments Received During Scoping Period

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



To: State Clearinghouse, Responsible and Trustee Agencies, Property Owners, & Interested Parties

From: Connie Chen, CPUC Project Manager

Subject: NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF AN ENVIRONMENTAL WORKSHOP AND SCOPING MEETING FOR THE PRINEVILLE TO RENO FIBER OPTIC PROJECT PROPOSED BY ZAYO GROUP, LLC

Date: March 8, 2021

Description of the Project

Pursuant to the California Environmental Quality Act (CEQA), the State of California Public Utilities Commission (CPUC) is preparing an EIR for the Project identified below and is requesting comments on the scope and content of the EIR. Zayo Group, LLC, a California telephone corporation, in its CPUC application (A.20-10-008), filed on October 1, 2020, seeks to modify its Certificate of Public Convenience and Necessity (CPCN) in connection with its proposed construction and operation of an underground fiber optic network from Prineville, Oregon, to Reno, Nevada, spanning 433.8 miles. The portion of the project that crosses California would extend 193.9 miles across portions of Modoc, Lassen, and Sierra counties. Along the majority of the route, 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 (ILAs). Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations.

According to the applicant, the purpose of this Project 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 CPUC is the lead agency under CEQA and the Bureau of Land Management (BLM) is the federal lead agency for the National Environmental Policy Act (NEPA) process, which will be conducted separately from the CEQA process.

Location of the Project

The Project would be located along US 395 within the right-of-way managed by Caltrans in 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, 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. See the attached figure.

Issues to be Addressed in the EIR

It has been determined that an EIR is required because the Project could result in potentially significant impacts to environmental resources. The EIR will identify the potentially significant environmental effects of the Project, including those resulting from construction, operation, and maintenance of the Project. The EIR will also discuss and analyze a reasonable range of alternatives to the Project, including a No Project alternative scenario, and alternatives to the Project that could attain most of its basic objectives while avoiding or reducing any of its significant environmental effects.

In its PEA, Zayo Group, LLC, identified a number of alternatives that will be considered by the CPUC's EIR team and potentially carried forward for full analysis in the EIR. Other alternatives may be added to the analysis based on input received during the 30-day scoping period following issuance of this NOP, or by the EIR team in response to potentially significant environmental impacts identified during the EIR process.

Specific areas of analysis to be addressed in the EIR include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, and energy conservation. Where feasible, mitigation measures will be recommended to avoid or reduce potentially significant impacts. The EIR will also address potential cumulative impacts of the Project, considered together with past, other current, and reasonably foreseeable future projects in the area.

Information to be included in the EIR will be based, in part, on input and comments received during the scoping period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and members of the public will also have an opportunity to comment on the Draft EIR once it is issued. Additional information about the environmental review process for the Project as well as electronic copies of Zayo Group, LLC's CPCN Application and Proponent's Environmental Assessment can be found on the CPUC's website for the Project at: <https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>

Public Scoping Period for this Notice of Preparation

State law mandates a 30-day time limit after the date of the NOP for the scoping period. The scoping period for this Project begins on March 8, 2021 and closes at 5:00 p.m. on April 8, 2021. Please include a name, organization (if applicable), mailing address, and e-mail address of a contact person for all future notification related to this process. Public comments will become part of the public record and will be published in a Scoping Report.

Please send your comments to:

Anne Surdzial, AICP
ECORP Consulting, Inc.
215 N. 5th Street
Redlands, CA 92374
ZayoFiberOptic@ca-advantage.com
(909) 307-0056 fax

Scoping Meeting

For the public and regulatory agencies to have an opportunity to obtain information and submit comments on the scope of the EIR for the Project, a meeting will be held during the EIR scoping period. Due to the COVID-19 pandemic, the meeting will be held virtually. The meeting will be held on:

March 24, 2021 from 6:00 pm to 8:00 pm

Via Zoom at

Webinar ID: 984 3295 1453

Passcode: 940151

Or direct link at

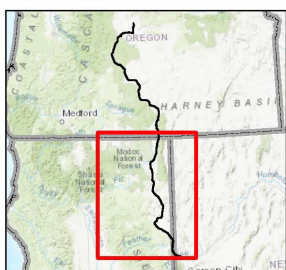
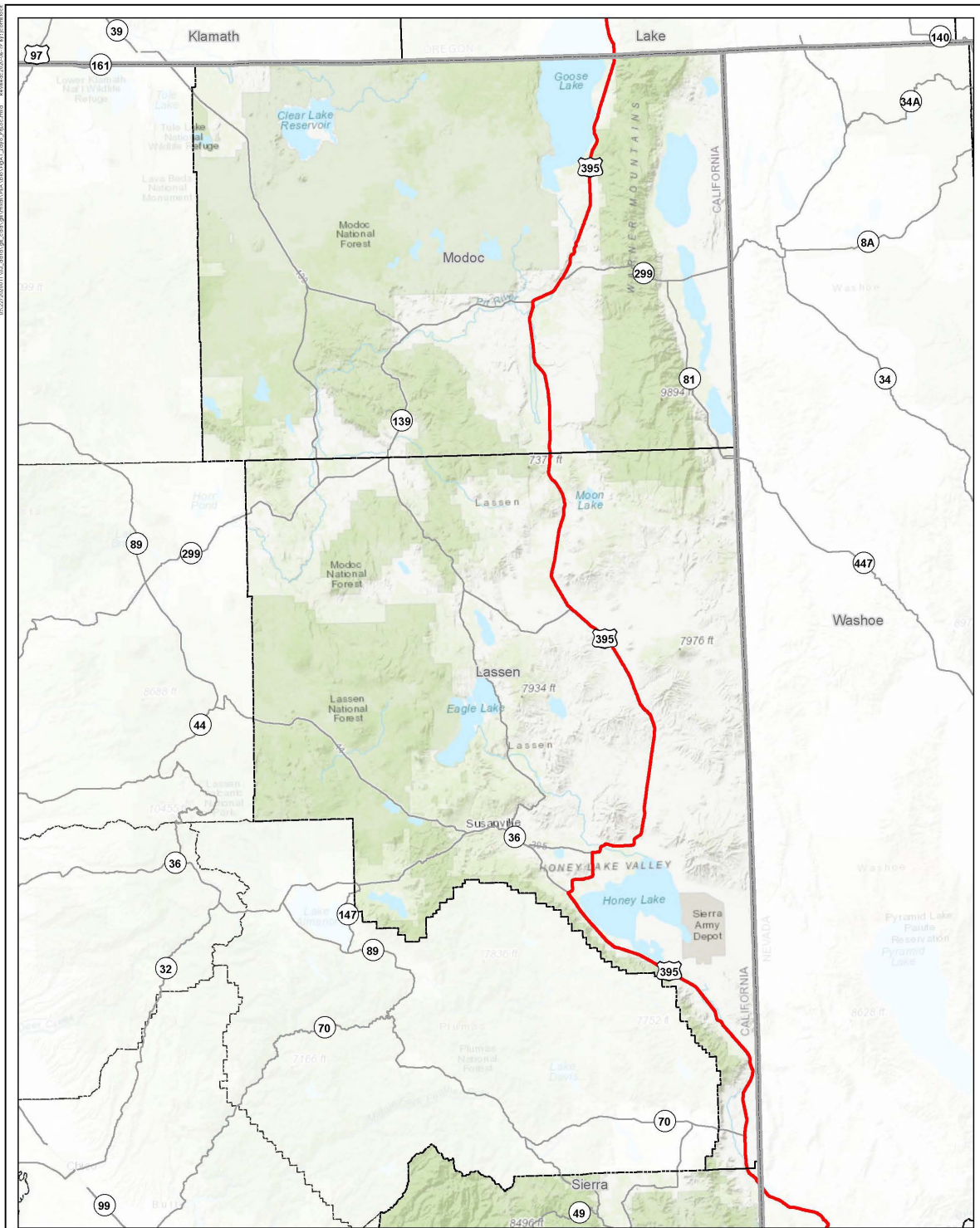
<https://zoom.us/j/98432951453?pwd=VUdPOTBROW93Y0YxaDBkQkp3VTdDdz09>

or phone at

(669)900-9128

The scoping meeting will start with a brief presentation providing a summary of CPUC's process for reviewing the Project application and environmental review process, an overview of the Project, and information on how members of the public can comment on the scope of the EIR. Following the presentation, interested parties will be provided an opportunity to provide comments about the Project. Written comments also may be submitted anytime during the NOP scoping period to the address, e-mail, or facsimile number provided above.

REMINDER: All comments will be accepted by postmark, e-mail, or facsimile through April 8, 2021. Please be sure to include your name, organization (if applicable), mailing address, and e-mail address.



- Alignment
- Highway
- County Boundary
- State Boundary



Project Location: Prineville, OR to Reno, NV
 Prepared by JC on 2020-06-19
 Technical Review by SV on 2020-06-19
 Independent Review by DW on 2020-06-19

Client/Project: Zayo Fiber Optic Line—Prineville to Reno

Figure No. **3-1**

**Project Location
 Proposed Prineville to Reno
 Fiber Optic Line**

Notes
 1. Coordinate System: NAD 1983 UTM Zone 10N
 2. Data sources: Esri 2020; CPAD 2019
 3. Service Layer Credits/sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swire, (C) OpenStreetMap contributors, and the GIS User Community

Disclaimer: stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases stantec, its offices, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Public Notice: Scoping Meeting Announcement

PROOF OF PUBLICATION

Modoc County Record

P.O. Box 531

Alturas, CA 96101

(530) 233-2632

State of California

County of Modoc

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years; I am not a party to or interested in the notice published.

I am the publisher of the *Modoc County Record*, a newspaper of general circulation, printed and published weekly in the City of Alturas, County of Modoc.

The *Modoc County Record* has been adjudged a newspaper of general circulation by the Superior Court of the County of Modoc, State of California, under the date of July 30, 1958, Case Number 6356.

The notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

March 11th,

All in the year 2021.

I certify (or declare) under the penalty of perjury that the following is true and correct:

Dated in Alturas, California this

11th day of **March, 2021.**



A handwritten signature in cursive script, reading "Jane Halloway", written over a horizontal line.

MODOC COUNTY RECORD

LEGAL NOTICES

FICTITIOUS BUSINESS NAME STATEMENT NO. 20210913
The following person(s) is/are doing business as: AAA Smart Home
Business Address: 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597

This statement was filed in the office of the County Clerk of Lassen County on the date indicated below:
Filed: 02/02/2021
John Bustamante, County Clerk
218, 225, 3rd, 3rd/1121
CNS-3437637#
MODOC COUNTY RECORD
Published in the Modoc County Record on February 18, 25, March 4 and 11, 2021.

FICTITIOUS BUSINESS NAME STATEMENT File No. 2020F008
Renewal Filing Current Registration No. 2010F092
The following person (person(s)) is/are doing business as: Kelsis Construction, Inc. dba CRM Group
710-300 Sunnyside Road, Jacksonville, CA 96114 Phone (775) 842-8421
Registered Owner(s):

(1) David Kevin Nolen, 5736 Sunnyside Way, Reno, NV 89502
(2) Diana Lynn Nolen, 5736 Sunnyside Way, Reno, NV 89502
This business is conducted by: A Corporation
The registrant commenced to transact business under the fictitious business name or names listed above on December 1, 2016
I declare that all information in this statement is true and correct (a registrant who declares as true information which he or she knows to be false is guilty of a crime)
/s/ Kelsis Construction, Inc. dba CRM Group, Diana L. Nolen, Secretary/Treasurer
This statement was filed with the Clerk-Recorder of Lassen County on December 21, 2020, 220 South Lassen Street, Suite 5, Susanville, CA 96130.
This Fictitious Business Name Statement expires five years from the date it was filed.
Published in the Modoc County Record on February 25, March 4, 11 and 18, 2021.

FICTITIOUS BUSINESS NAME STATEMENT File No. 20210000012
The following person(s) is/are doing business as: AAA Smart Home 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597
Registered owner(s):
AAA Smart Home LP, 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597
This business is conducted by: A Limited Partnership.
The registrant commenced to transact business under the fictitious business name or names listed above on 02/05/2021.
/s/ Dustin Cramer, Treasurer
This statement was filed with the County Clerk of Modoc County on February 5, 2021.
Original, 2/18, 2/25, 3/1, 3/11/21
CNS-3437637#
MODOC COUNTY RECORD
Published in the Modoc County Record on February 18, 25, March 4 and 11, 2021.

PUBLIC UTILITIES COMMISSION

To: State Clearinghouse, Responsible and Trustee Agencies, Property Owners, & Interested Parties
From: Connie Chen, CPUC Project Manager
Subject: NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF AN ENVIRONMENTAL WORKSHOP AND SCOPING MEETING FOR THE PRINEVILLE TO RENO FIBER OPTIC PROJECT PROPOSED BY ZAYO GROUP, LLC
Date: March 8, 2021

Description of the Project:
Pursuant to the California Environmental Quality Act (CEQA), the State of California Public Utilities Commission (CPUC) is preparing an EIR for the Project identified below and is requesting comments on the scope and content of the EIR. Zayo Group, LLC, a California telephone corporation, in its CPUC application (A 20-10-048), filed on October 1, 2020, seeks to modify its Certificate of Public Convenience and Necessity (CPCN) in connection with its proposed construction and operation of an underground fiber optic network from Prineville, Oregon, to Reno, Nevada, spanning 143.8 miles. The portion of the project that crosses California would extend 19.3 miles across portions of Modoc, Lassen, and Sierra counties. Along the majority of the route, 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 (HLAs). Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and to collect locations.

According to the applicant, the purpose of this Project 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 CPUC is the lead agency under CEQA and the Bureau of Land Management (BLM) is the federal lead agency for the National Environmental Policy Act (NEPA) process, which will be conducted separately from the CEQA process.

Location of the Project:
The Project would be located along US 395 within the right-of-way managed by Caltrans in 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 Bontingville in Lassen County, 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. See the attached figure.

Issues to be Addressed in the EIR:
It has been determined that an EIR is required because the Project could result in potentially significant impacts to environmental resources. The EIR will identify the potentially significant environmental effects of the Project, including those resulting from construction, operation, and maintenance of the Project. The EIR will also discuss and analyze a reasonable range of alternatives to the Project, including a No Project alternative scenario, and alternatives to the Project that could attain most of its basic objectives while avoiding or reducing any of its significant environmental effects.
In its PEAs Zayo Group LLC identified a number of alternatives that will be considered by the CPUC's EIR team and potentially carried forward for full analysis in the EIR. Other alternatives may be added to the analysis based on input received during the 30-day scoping period following issuance of this NOP, or by the EIR team in response to potentially significant environmental impacts identified during the EIR process.

Specific areas of analysis to be addressed in the EIR include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, and energy conservation. Where feasible, mitigation measures will be recommended to avoid or reduce potentially significant impacts. The EIR will also address potential cumulative impacts of the Project, considered together with past, other current, and reasonably foreseeable future projects in the area.
Information to be included in the EIR will be based, in part, on input and comments received during the scoping period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and members of the public will also have an opportunity to comment on the Draft EIR once it is issued. Additional information about the environmental review process for the Project as well as electronic copies of Zayo Group, LLC's CPUC Application and Proponent's Environmental Assessment can be found on the CPUC's website for the Project at: <https://www.cpuc.ca.gov/information/info/scrwp/prineville/index.html>

Public Scoping Period for this Notice of Preparation:
State law mandates a 30-day time limit after the date of the NOP for the scoping period. The scoping period for this Project begins on March 8, 2021 and closes at 5:00 p.m. on April 8, 2021. Please include a name, organization (if applicable), mailing address, and e-mail address of a contact person for all future notification related to this process. Public comments will become part of the public record and will be published in a Scoping Report.
Please send your comments to:
Anne Surdzial, AICP
ECORP Consulting, Inc.
215 N. 5th Street
Redlands, CA 92374
ZayoFiberOptic@ca-advantage.com
(909) 307-0056 fax

Scoping Meeting:
For the public and regulatory agencies to have an opportunity to obtain information and submit comments on the scope of the EIR for the Project, a meeting will be held during the EIR scoping period. Due to the COVID-19 pandemic, the meeting will be held virtually. The meeting will be held on:
March 24, 2021 from 6:00 pm to 8:00 pm
Via Zoom at
Webinar ID: 984 3295 1453
Passcode: 940151
or direct link at
<https://zoom.us/j/98432951453?pwd=VUdPOTBROW93Y0YxaDBkQkp3VTdDdz09>
or phone at
(669)900-9128

The scoping meeting will start with a brief presentation providing a summary of CPUC's process for reviewing the Project application and environmental review process, an overview of the Project, and information on how members of the public can comment on the scope of the EIR. Following the presentation, interested parties will be provided an opportunity to provide comments about the Project. Written comments also may be submitted anytime during the NOP scoping period to the address, e-mail, or facsimile number provided above.
REMINDER: All comments will be accepted by postmark, e-mail, or facsimile through April 8, 2021. Please be sure to include your name, organization (if applicable), mailing address, and e-mail address.
Published in the Modoc County Record on March 11, 2021.

LEGAL NOTICE MODOC COUNTY PLANNING COMMISSION MEETING

The Modoc County Planning Commission will consider the following items at their regular meeting on Wednesday, March 24, 2021, at 10:00 a.m. at the Modoc County Planning Department, 203 W. 4th Street, Alturas, California. To submit written comments, obtain staff reports or other information, contact the Planning Department, 203 W. 4th Street, Alturas, California 96101, (530) 233-6406.

Members of the public may address the Planning Commission on matters under its jurisdiction, which are not on the agenda. The Commission may limit the public comment to ten minutes. Comments can also be submitted via email to planning@modoc.ca.gov or in writing to 203 W. 4th St. Alturas, CA 96101. The Commission may not render any decisions other than those items that are contained on this agenda; the public may request an item to be placed on a subsequent agenda.

PUBLIC HEARINGS

Verizon Wireless (UP20-03) - Applicant Epic Wireless Group, LLC on behalf of Verizon Wireless are requesting a conditional use permit to construct an unmanned telecommunications facility which will consist of installing antennas on a 150' monopole with a microwave, radios, and surge protectors inside a 2500 square foot fenced area containing a GPS antenna, hybrid cables, diesel generator, outdoor equipment cabinets, an ice bridge, and equipment pads. The proposed project site is located at the end of McDowell Street in Adin, CA and is adjacent to a similar facility. (Assessor Parcel Number 018-260-025-000; T39N, R9E, SEC 24, M.D.B. & M.)
Modoc County Planning Department has conducted an initial study and is proposing a Negative Declaration for the proposed project stating it will not have a significant effect on the environment.

Per Government Code Section 65009 (b)(2), "if you challenge the action described in this notice in court, you may be limited to raising only those issues you or someone raised at the public hearing described in this notice, or in written correspondence to the Planning Commission at, or prior to, the public hearing."
/s/ Sean Curtis, Interim Planning Director
Published in the Modoc County Record on March 11, 2021.

LEGAL NOTICE NOTICE OF PETITION TO ADMINISTER ESTATE OF:

JOHN DAVID MONROE, aka JOHN DAVID MONROE III
CASE NUMBER: PR-21-054

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate or both of: John David Monroe, aka John David Monroe III
A Petition for Probate has been filed by: John D. Monroe IV in the Superior Court of California, County of MODOC.
The Petition for Probate requests that: John D. Monroe IV be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
A hearing on the petition will be held in this court as follows: March 29, 2021 at 10:00 a.m.
Address of court: Superior Court of California, County of Modoc, 203 South East Street, Alturas, CA 96101.

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
If you are a creditor or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of the first issuance of letters to a general personal representative, as defined in Section 580(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.
Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets and of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
Attorney for petitioner: Wendy J. Dier, 175446, 217 S. Main Street, Alturas, CA 96101, Phone: (530) 233-2008.
Filed with the Modoc County Superior Court on March 10, 2021.
Published in the Modoc County Record on March 11, 18 and 25, 2021.

LEGAL NOTICE MODOC COUNTY PLANNING COMMISSION MEETING

The Modoc County Planning Commission will consider the following items at their regular meeting on Wednesday, March 24, 2021, at 10:00 a.m. at the Modoc County Planning Department, 203 W. 4th Street, Alturas, California. To submit written comments, obtain staff reports or other information, contact the Planning Department, 203 W. 4th Street, Alturas, California 96101, (530) 233-6406.

Members of the public may address the Planning Commission on matters under its jurisdiction, which are not on the agenda. The Commission may limit the public comment to ten minutes. Comments can also be submitted via email to planning@modoc.ca.gov or in writing to 203 W. 4th St. Alturas, CA 96101. The Commission may not render any decisions other than those items that are contained on this agenda; the public may request an item to be placed on a subsequent agenda.

PUBLIC HEARINGS

Verizon Wireless (UP20-03) - Applicant Epic Wireless Group, LLC on behalf of Verizon Wireless are requesting a conditional use permit to construct an unmanned telecommunications facility which will consist of installing antennas on a 150' monopole with a microwave, radios, and surge protectors inside a 2500 square foot fenced area containing a GPS antenna, hybrid cables, diesel generator, outdoor equipment cabinets, an ice bridge, and equipment pads. The proposed project site is located at the end of McDowell Street in Adin, CA and is adjacent to a similar facility. (Assessor Parcel Number 018-260-025-000; T39N, R9E, SEC 24, M.D.B. & M.)
Modoc County Planning Department has conducted an initial study and is proposing a Negative Declaration for the proposed project stating it will not have a significant effect on the environment.

Per Government Code Section 65009 (b)(2), "if you challenge the action described in this notice in court, you may be limited to raising only those issues you or someone raised at the public hearing described in this notice, or in written correspondence to the Planning Commission at, or prior to, the public hearing."
/s/ Sean Curtis, Interim Planning Director
Published in the Modoc County Record on March 11, 2021.

LEGAL NOTICE NOTICE OF PETITION TO ADMINISTER ESTATE OF:

JOHN DAVID MONROE, aka JOHN DAVID MONROE III
CASE NUMBER: PR-21-054

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate or both of: John David Monroe, aka John David Monroe III
A Petition for Probate has been filed by: John D. Monroe IV in the Superior Court of California, County of MODOC.
The Petition for Probate requests that: John D. Monroe IV be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
A hearing on the petition will be held in this court as follows: March 29, 2021 at 10:00 a.m.
Address of court: Superior Court of California, County of Modoc, 203 South East Street, Alturas, CA 96101.

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
If you are a creditor or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of the first issuance of letters to a general personal representative, as defined in Section 580(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.
Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets and of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
Attorney for petitioner: Wendy J. Dier, 175446, 217 S. Main Street, Alturas, CA 96101, Phone: (530) 233-2008.
Filed with the Modoc County Superior Court on March 10, 2021.
Published in the Modoc County Record on March 11, 18 and 25, 2021.

Legals continued on page 15

LEGAL NOTICES

FICTITIOUS BUSINESS NAME STATEMENT
NO. 2021F013
 The following person(s) is/are doing business as: **AAA Smart Home.**
 Business Address: 1277

Treat Blvd., Suite 1000, Walnut Creek, CA 94597.
A3 Smart Home LP, 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597
 This business is conducted by: **Limited Partnership.**
 The registrant(s) commenced

to transact business under the above name(s) on **09/15/2019**.
A3 Smart Home LP, by **Safe GP DRE,LLC**, general partner.
Signed: /s/ Dustin Cramer.
 Treasurer, CFO of general partner.

This statement was filed in the office of the **County Clerk of Lassen County** on the date indicated below:
 Filed: **02/02/2021**
Julie Bustamante, County Clerk
 2/18, 2/25, 3/4, 3/11/21
CNS-3437637#
MODOC COUNTY RECORD
 Published in the *Modoc County Record* on February 18, 25, March 4 and 11, 2021.

FICTITIOUS BUSINESS NAME STATEMENT
File No. 2020F008
 Renewal Filing: **Current**
Registration No. 2016F092
 The following person (persons) is (are) doing business as: **Kelvis Construction, Inc. dba CRM Group**, 710-400 Sunnyside Road, Janesville, CA 96114. Phone (775) 842-8421.
 Registered Owner(s):

(1) David Kevin Nolen, 5736 Sumrall Way, Reno, NV 89502.
(2) Diana Lynn Nolen, 5736 Sumrall Way, Reno, NV 89502.
 This business is conducted by: **A Corporation**.
 The registrant commenced to transact business under the fictitious business name or names listed above on **December 1, 2016**.
 I declare that all information in this statement is true and correct (a registrant who declares as true information which he or she knows to be false is guilty of a crime).
/s/ Kelvis Construction, Inc. dba CRM Group, Diana L. Nolen, Secretary/Treasurer.
 This statement was filed with the **Clerk-Recorder of Lassen County** on **December 21, 2020**, 220 South Lassen Street, Suite 5, Susanville, CA 96130.
 This Fictitious Business name Statement expires five years from the date it was filed.
 Published in the *Modoc County Record* on February 25, March 4, 11 and 18, 2021.

PUBLIC UTILITIES COMMISSION
To: State Clearinghouse, Responsible and Trustee Agencies, Property Owners, & Interested Parties
From: Connie Chen, CPUC Project Manager
Subject: NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF AN ENVIRONMENTAL WORKSHOP AND SCOPING MEETING FOR THE PRINEVILLE TO RENO FIBER OPTIC PROJECT PROPOSED BY ZAYO GROUP, LLC
Date: March 8, 2021

Description of the Project:
 Pursuant to the California Environmental Quality Act (CEQA), the State of California Public Utilities Commission (CPUC) is preparing an EIR for the Project identified below and is requesting comments on the scope and content of the EIR. Zayo Group, LLC, a California telephone corporation, in its CPUC application (A.20-10-008), filed on October 1, 2020, seeks to modify its Certificate of Public Convenience and Necessity (CPCN) in connection with its proposed construction and operation of an underground fiber optic network from Prineville, Oregon, to Reno, Nevada, spanning 433.8 miles. The portion of the project that crosses California would extend 193.9 miles across portions of Modoc, Lassen, and Sierra counties. Along the majority of the route, 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 (ILAs). Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations.

According to the applicant, the purpose of this Project 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 CPUC is the lead agency under CEQA and the Bureau of Land Management (BLM) is the federal lead agency for the National Environmental Policy Act (NEPA) process, which will be conducted separately from the CEQA process.
Location of the Project:
 The Project would be located along US 395 within the right-of-way managed by Caltrans in 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, 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. See the attached figure.
Issues to be Addressed in the EIR:
 It has been determined that an EIR is required because the Project could result in potentially significant impacts to environmental resources. The EIR will identify the potentially significant environmental effects of the Project, including those resulting from construction, operation, and maintenance of the Project. The EIR will also discuss and analyze a reasonable range of alternatives to the Project, including a No Project alternative scenario, and alternatives to the Project that could attain most of its basic objectives while avoiding or reducing any of its significant environmental effects.
 In its PEA, Zayo Group, LLC, identified a number of alternatives that will be considered by the CPUC's EIR team and potentially carried forward for full analysis in the EIR. Other alternatives may be added to the analysis based on input received during the 30-day scoping period following issuance of this NOP, or by the EIR team in response to potentially significant environmental impacts identified during the EIR process.
 Specific areas of analysis to be addressed in the EIR include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, and energy conservation. Where feasible, mitigation measures will be recommended to avoid or reduce potentially significant impacts. The EIR will also address potential cumulative impacts of the Project, considered together with past, other current, and reasonably foreseeable future projects in the area.
 Information to be included in the EIR will be based, in part, on input and comments received during the scoping period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and members of the public will also have an opportunity to comment on the Draft EIR once it is issued. Additional information about the environmental review process for the Project as well as electronic copies of Zayo Group, LLC's CPCN Application and Proponent's Environmental Assessment can be found on the CPUC's website for the Project at: <https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>.

Public Scoping Period for this Notice of Preparation:
 State law mandates a 30-day time limit after the date of the NOP for the scoping period. The scoping period for this Project begins on March 8, 2021 and closes at 5:00 p.m. on April 8, 2021. Please include a name, organization (if applicable), mailing address, and e-mail address of a contact person for all future notification related to this process. Public comments will become part of the public record and will be published in a Scoping Report.
 Please send your comments to:
Anne Surdzial, AICP
ECORP Consulting, Inc.
 215 N. 5th Street
 Redlands, CA 92374
ZayoFiberOptic@ca-advantage.com
 (909) 307-0056 fax

Scoping Meeting:
 For the public and regulatory agencies to have an opportunity to obtain information and submit comments on the scope of the EIR for the Project, a meeting will be held during the EIR scoping period. Due to the COVID-19 pandemic, the meeting will be held virtually. The meeting will be held on:
March 24, 2021 from 6:00 pm to 8:00 pm
 Via Zoom at
Webinar ID: 984 3295 1453
Passcode: 940151
 or direct link at
<https://zoom.us/j/98432951453?pwd=VUdPOTBROW93Y0YxaDBkQkp3VTdDdz09>
 or phone at
(669)900-9128

The scoping meeting will start with a brief presentation providing a summary of CPUC's process for reviewing the Project application and environmental review process, an overview of the Project, and information on how members of the public can comment on the scope of the EIR. Following the presentation, interested parties will be provided an opportunity to provide comments about the Project. Written comments also may be submitted anytime during the NOP scoping period to the address, e-mail, or facsimile number provided above.
REMINDER: All comments will be accepted by postmark, e-mail, or facsimile through April 8, 2021. Please be sure to include your name, organization (if applicable), mailing address, and e-mail address.
 Published in the *Modoc County Record* on March 11, 2021.

LEGAL NOTICE
MODOC COUNTY
PLANNING COMMISSION MEETING

The Modoc County Planning Commission will consider the following items at their regular meeting on **Wednesday, March 24, 2021, at 10:00 a.m.** at the Modoc County Planning Department, 203 W. 4th Street, Alturas, California. To submit written comments, obtain staff reports or other information; contact the Planning Department, 203 W. 4th Street, Alturas, California 96101, (530) 233-6406.

Members of the public may address the Planning Commission on matters under its jurisdiction, which are not on the agenda. The Commission may limit the public comment to ten minutes. Comments can also be submitted via email to planning@co.modoc.ca.us or in writing to 203 W. 4th St, Alturas, CA 96101. The Commission may not render any decisions other than those items that are contained on this agenda; the public may request an item to be placed on a subsequent agenda.

PUBLIC HEARINGS

Verizon Wireless (UP20-03) – Applicant Epic Wireless Group, LLC on behalf of Verizon Wireless are requesting a conditional use permit to construct an unmanned telecommunications facility which will consist of installing antennas on a 150' monopole with a microwave, radios, and surge protectors inside a 2500 square foot fenced area containing a GPS antenna, hybrid cables, diesel generator, outdoor equipment cabinets, an ice bridge, and equipment pads. The proposed project site is located at the end of McDowell Street in Adin, CA and is adjacent to a similar facility. (Assessor Parcel Number 018-260-025-000; T39N, R9E, SEC 28, M.D.B. & M.)
 Modoc County Planning Department has conducted an initial study and is proposing a Negative Declaration for the proposed project stating it will not have a significant effect on the environment.

Per Government Code Section 65009 (b)(2), "if you challenge the action described in this notice in court, you may be limited to raising only those issues you or someone raised at the public hearing described in this notice, or in written correspondence to the Planning Commission at, or prior to, the public hearing."
/s/ Sean Curtis, Interim Planning Director
 Published in the *Modoc County Record* on March 11, 2021.

LEGAL NOTICE
NOTICE OF PETITION TO ADMINISTER ESTATE OF:
JOHN DAVID MONROE,
aka JOHN DAVID MONROE III
CASE NUMBER: PR-21-054

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: **John David Monroe, aka John David Monroe III**.
 A Petition for Probate has been filed by: **John D. Monroe IV** in the **Superior Court of California, County of: MODOC**.
 The Petition for Probate requests that: **John D. Monroe IV** be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
A hearing on the petition will be held in this court as follows: March 29, 2021 at 10:00 a.m.
 Address of court: **Superior Court of California**, County of Modoc, 205 South East Street, Alturas, CA 96101.
If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
If you are a creditor or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either **(1) four months** from the date of the first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or **(2) 60 days** from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
You may examine the file kept by the court.
 If you are a person interested in the estate, you may file with the court a *Request for Special Notice* (form DE-154) of the filing of an inventory and appraisal of estate assets and of any petition or account as provided in Probate Code section 1250. A *Request for Special Notice* form is available from the court clerk.
 Attorney for petitioner: **Wendy J. Dier 175446**, 217 S. Main Street, Alturas, CA 96101. Phone: (530) 233-2008.
 Filed with the **Modoc County Superior Court** on **March 10, 2021**.
 Published in the *Modoc County Record* on March 11, 18 and 25, 2021.

FICTITIOUS BUSINESS NAME STATEMENT
File No. 2021000012

The following person(s) is (are) doing business as: **AAA Smart Home**, 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597
 Registered owner(s): **A3 Smart Home LP**, 1277 Treat Blvd., Suite 1000, Walnut Creek, CA 94597.
 This business is conducted by: **A Limited Partnership**.
 The registrant commenced to transact business under the fictitious business name or names listed above on **02/05/2021**.
/s/ Dustin Cramer, Treasurer
 This statement was filed with the **County Clerk of Modoc County** on **February 5, 2021**.
Original.
 2/18, 2/25, 3/4, 3/11/21
CNS-3437652#
MODOC COUNTY RECORD
 Published in the *Modoc County Record* on February 18, 25, March 4 and 11, 2021.

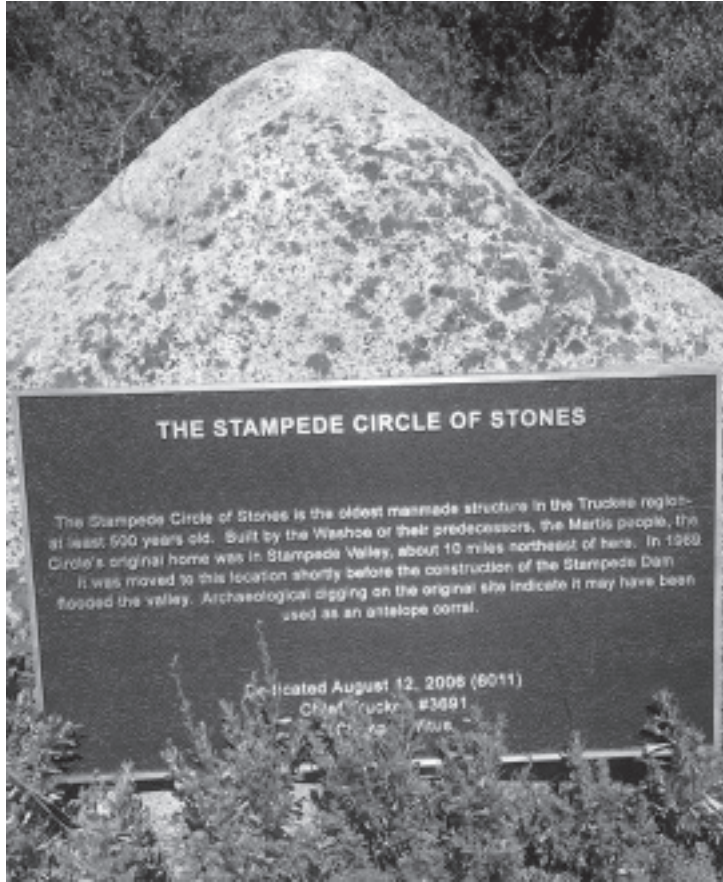
FICTITIOUS BUSINESS NAME STATEMENT
File No. 2021-014
 Exp: February 24, 2026
Original Filing

The following person (persons) is (are) doing business as: **A & J Janitorial Service**, 900 W. Henderson Street, Alturas, CA 96101. Phone number: 530-708-1699 or 530-640-3008.
 Registered Owner(s): **(1) Aaron Pereira**, 900 W. Henderson Street, Alturas, CA 96101. Phone (530) 708-1699. **(2) (1) Jessi Rangel**, 900 W. Henderson Street, Alturas, CA 96101. Phone (530) 640-3008.
 This business is conducted by: **A Joint Venture**.
 The registrant commenced to transact business under the fictitious business name or names listed above on **February 25, 2021**.
 I declare that all information in this statement is true and correct (a registrant who declares as true information which he or she knows to be false is guilty of a crime).
/s/ Aaron Pereira, Owner.
 This statement was filed with the **County Clerk of Modoc County** on **February 25, 2021**.
 Published in the *Modoc County Record* on March 4, 11, 18 and 25, 2021.

Legals continued on page 15

Stampede Valley Stones A Mountain Mystery

By Ty PELFREY



A bronze plaque mounted in Truckee's Regional Park honors Sierra County stones transported from Stampede Valley before Stampede Dam flooded the valley.

Archaeologist in 1969 postulated the circular stone structure was constructed by ancient hunters to corral antelope. The true purpose of the stones remains a speculative mystery since its 20th century scientific survey. What will the ancient stone circle's interior boulders reveal - if examined with space based imagery? Might the entire andesite assemblage reflect stored human observations - knowledge?

Aerial photos of Stampede Valley show the stone circle before disassembly and rearrangement in Truckee. Today the stones reside in a sagebrush covered disc golf course - find the plaque.

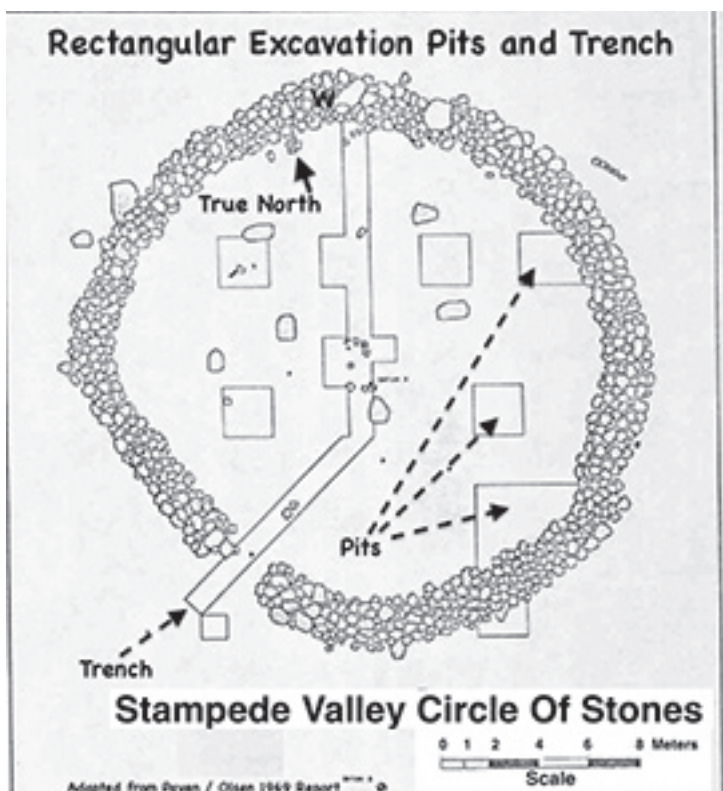
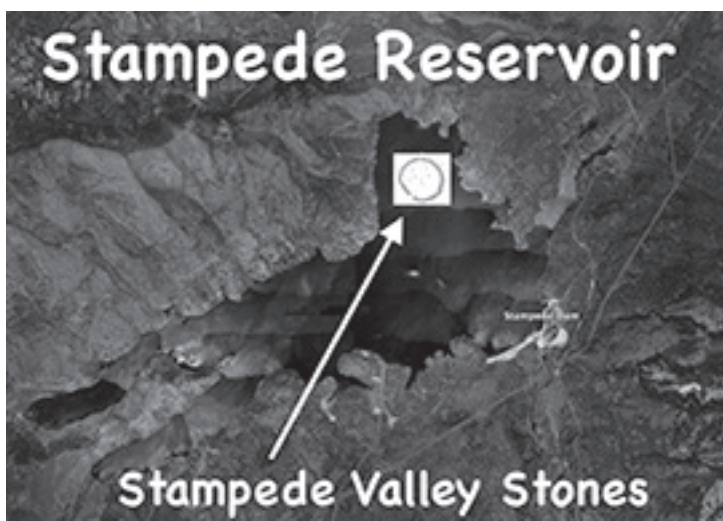
Archaeologists Louis A. Payen and William H. Olsen surveyed and excavated the original site. They recorded arranged rock measurements:

The stone circle was approximately 5900 feet above sea level until 1969. Small rough sub-angular andesite boulders were piled in a seemingly indiscriminate manner to form a circular wall 75.5 feet in outside diameter. The stone wall averaged 15 inches in height ranging from 6 to 27 inches with an average wall width just under 6 feet.

The enclosed area within the stone wall was relatively free of boulders and small stones except for six prominent boulders and included a single break in the wall measuring just over 6 feet (2 meters).

The Sierra Stone circle's construction appeared ancient predating gold seekers and pioneers. An ancient antelope corral is a possible purpose to stack stones. Over the next few issue's of the MM we'll explore what was measured - and speculate about this strange arrangement of Sierra andesite. Perhaps you visited the stones when they were in Stampede valley? You may have played disc golf over the stones in Truckee unknowingly.

The stones' purpose remain a mystery. I wonder if a genius among ancient Tahoe Basin cultures built a structure that cryptically contains celestial secrets - hidden in plane sight? Examine the site survey drawing—more mountain musings next week!



Ty can be tracked and found at: tpelfrey@digitalpath.net

Downieville Teacher Needs Housing ASAP

Local, Downieville, teacher seeks unfurnished, 2-3 bedroom house for long term rental within 30 minutes of Downieville ASAP. Excellent references & reliable income.
Please text/msg 530-559-9222.

SIERRA SKIES STORAGE

100 Carrier Circle, Sierra City

10' x 10' space for \$80 Per Month
5' x 10' space \$50 Per Month
90 Day, Prepaid Minimum Stay

Contact parkmanager@yahoo.com
or call Lee at (530) 862-1462

Surplus Property Sale

Snow tracks for Commander Side by Side. Good condition. Sealed bid to be sent to PO Box 257 Sierra City, CA 96125 by March 5th, 2021. Minimum Bid is \$2,500.00. For additional information, contact Chief Scott Hall at ScottDHall58@gmail.com. With an appointment, interested parties can view the property at Sierra City Fire Department's Sand Shed firehouse.

Food Assistance

Food Bank / Commodities Contacts

Community	Contact	Frequency
Alleghany/Pike	(530) 287-3040	Once a month
Calpine	(530) 616-0630	
Chester/Lake Almanor	(530) 258-2345	
Chilcoot-Vinton	(530) 283-3546	
Downieville	(530) 289-3250	
Greenville	(530) 284-6353	
Loyalton Senior Center	(530) 993-4770	5 days a week
Loyalton/Sierraville	(530) 384-5718	
Portola	(530) 283-5515	
Sierra City	(530) 862-1052	
Sierra Valley	(530) 993-1110	

PEACE

Para obtener más información sobre cómo este cambio podría afectar su pago mensual, llame al 1-800-660-6789 • 詳情請致電 1-800-893-9555

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST FOR FINANCING OF WILDFIRE CAPITAL EXPENDITURES THROUGH ISSUANCE OF RECOVERY BONDS (A.21-02-020)

WHY AM I RECEIVING THIS NOTICE?

On February 24, 2021, PG&E filed an application with the California Public Utilities Commission (CPUC), proposing to finance up to \$1.2 billion for costs related to wildfire risk mitigation, resulting in annual revenue requirement of \$69 million for 2021 through the issuance of recovery bonds. The California legislature approved Assembly Bill 1054 (AB 1054) authorizing issuance of recovery bonds to fund the costs of certain fire risk mitigation capital expenditures as well as associated financing costs.

The underlying wildfire risk mitigation costs have already been approved for cost recovery by the CPUC as part of PG&E's Test Year 2020 General Rate Case (GRC), Decision 20-12-005. If this application is approved, PG&E will instead finance these costs with recovery bonds. As a result, financing these costs with recovery bonds reduces the customer rate increase associated with the GRC decision.

WHY IS PG&E REQUESTING THIS RATE INCREASE?

In accordance with PG&E's Wildfire Mitigation Plan and other fire safety rulemakings, PG&E is further enhancing and expanding efforts to reduce wildfire risk. PG&E's wildfire mitigation work is part of a multiyear strategy, focused on reducing the potential for fires to be started by electrical equipment and reducing the potential for fires to spread.

HOW COULD THIS AFFECT MY MONTHLY ELECTRIC RATES?

Most customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission and distribution services. On average, rates for bundled electric service would increase by 0.4%.

Based on rates currently in effect, the bill for a typical residential customer using 500 kWh per month would increase from \$133.84 to \$134.49, or 0.5%.

Direct Access and Community Choice Aggregation customers only receive electric transmission and distribution services from PG&E. On average, these customers would see an increase of 0.6%.

Another category of nonbundled customers is Departing Load. These customers do not receive electric generation, transmission or distribution services from PG&E. However, these customers are required to pay certain charges by law or CPUC decision. On average, these customers would see a decrease of 0.4%.

Actual impacts will vary depending on usage and are subject to CPUC regulatory approval.

HOW DOES THE REST OF THIS PROCESS WORK?

This application will be assigned to a CPUC Administrative Law Judge who will consider proposals and evidence presented during the formal hearing process. The Administrative Law Judge will issue a proposed decision that may adopt PG&E's application, modify it, or deny it. Any CPUC Commissioner may sponsor an alternate decision with a different outcome. The proposed decision, and any alternate decisions, will be discussed and voted upon by the CPUC Commissioners at a public CPUC Voting Meeting.

Parties to the proceeding are currently reviewing PG&E's application, including the Public Advocates Office, which is an independent consumer advocate within the CPUC that represents customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. For more information, please call 1-415-703-1584, email PublicAdvocatesOffice@cpuc.ca.gov, or visit PublicAdvocates.cpuc.ca.gov.

WHERE CAN I GET MORE INFORMATION?

CONTACT PG&E
If you have questions about PG&E's filing, please contact PG&E at 1-800-743-5000. For TTY, call 1-800-652-4712.

If you would like a copy of the filing and exhibits, please write to the address below:
Pacific Gas and Electric Company
Financing of Wildfire Capital Expenditures Application (A.21-02-020)
P.O. Box 7442
San Francisco, CA 94120

CONTACT CPUC

Please visit cpuc.ca.gov/A.21-02-020 to submit a comment about this proceeding on the CPUC Docket Card. Here you can also view documents and other public comments related to this proceeding. Your participation by providing your thoughts on PG&E's request can help the CPUC make an informed decision.

If you have questions about CPUC processes, you may contact the CPUC's Public Advisor's Office at:

Email: Public.Advisor@cpuc.ca.gov

Mail: CPUC
Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

Call: 1-866-849-8390 (toll-free) or 1-415-703-2074
For TTY, call 1-866-836-7825 (toll-free)

Please reference **Financing of Wildfire Capital Expenditures Application A.21-02-020** in any communications you have with the CPUC regarding this matter.

NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF AN ENVIRONMENTAL WORKSHOP AND SCOPING MEETING FOR THE PRINEVILLE TO RENO FIBER OPTIC PROJECT PROPOSED BY ZAYO GROUP, LLC

Date: March 8, 2021

Description of the Project

Pursuant to the California Environmental Quality Act (CEQA), the State of California Public Utilities Commission (CPUC) is preparing an EIR for the Project identified below and is requesting comments on the scope and content of the EIR. Zayo Group, LLC, a California telephone corporation, in its CPUC application (A.20-10-008), filed on October 1, 2020, seeks to modify its Certificate of Public Convenience and Necessity (CPCN) in connection with its proposed construction and operation of an underground fiber optic network from Prineville, Oregon, to Reno, Nevada, spanning 433.8 miles. The portion of the project that crosses California would extend 193.9 miles across portions of Modoc, Lassen, and Sierra counties. Along the majority of the route, 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 (ILAs). Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations.

According to the applicant, the purpose of this Project 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 CPUC is the lead agency under CEQA and the Bureau of Land Management (BLM) is the federal lead agency for the National Environmental Policy Act (NEPA) process, which will be conducted separately from the CEQA process.

Location of the Project

The Project would be located along US 395 within the right-of-way managed by Caltrans in 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, 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. See the attached figure.

Issues to be Addressed in the EIR

It has been determined that an EIR is required because the Project could result in potentially significant impacts to environmental resources. The EIR will identify the potentially significant environmental effects of the Project, including those resulting from construction, operation, and maintenance of the Project. The EIR will also discuss and analyze a reasonable range of alternatives to the Project, including a No Project alternative scenario, and alternatives to the Project that could attain most of its basic objectives while avoiding or reducing any of its significant environmental effects.

In its PEA, Zayo Group, LLC, identified a number of alternatives that will be considered by the CPUC's EIR team and potentially carried forward for full analysis in the EIR. Other alternatives may be added to the analysis based on input received during the 30-day scoping period following issuance of this NOP, or by the EIR team in response to potentially significant environmental impacts identified during the EIR process.

Specific areas of analysis to be addressed in the EIR include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, and energy conservation. Where feasible, mitigation measures will be recommended to avoid or reduce potentially significant impacts. The EIR will also address potential cumulative impacts of the Project, considered together with past, other current, and reasonably foreseeable future projects in the area.

Information to be included in the EIR will be based, in part, on input and comments received during the scoping period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and members of the public will also have an opportunity to comment on the Draft EIR once it is issued. Additional information about the environmental review process for the Project as well as electronic copies of Zayo Group, LLC's CPCN Application and Proponent's Environmental Assessment can be found on the CPUC's website for the Project at: <https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>

Public Scoping Period for this Notice of Preparation

State law mandates a 30-day time limit after the date of the NOP for the scoping period. The scoping period for this Project begins on March 8, 2021 and closes at 5:00 p.m. on April 8, 2021. Please include a name, organization (if applicable), mailing address, and e-mail address of a contact person for all future notification related to this process. Public comments will become part of the public record and will be published in a Scoping Report. Please send your comments to:

Anne Surdzial, AICP
ECORP Consulting, Inc.
215 N. 5th Street
Redlands, CA 92374
ZayoFiberOptic@ca-advantage.com
(909) 307-0056 fax

Scoping Meeting

For the public and regulatory agencies to have an opportunity to obtain information and submit comments on the scope of the EIR for the Project, a meeting will be held during the EIR scoping period. Due to the COVID-19 pandemic, the meeting will be held virtually. The meeting will be held on:

March 24, 2021 from 6:00 pm to 8:00 pm

Via Zoom at

Webinar ID: 984 3295 1453

Passcode: 940151

or direct link at

<https://zoom.us/j/98432951453?pwd=VUdPOTBROW93Y0YxaDBkQkp3VTdDdz09>

or phone at

(669)900-9128

The scoping meeting will start with a brief presentation providing a summary of CPUC's process for reviewing the Project application and environmental review process, an overview of the Project, and information on how members of the public can comment on the scope of the EIR. Following the presentation, interested parties will be provided an opportunity to provide comments about the Project. Written comments also may be submitted anytime during the NOP scoping period to the address, e-mail, or facsimile number provided above.

REMINDER: All comments will be accepted by postmark, e-mail, or facsimile through April 8, 2021. Please be sure to include your name, organization (if applicable), mailing address, and e-mail address.

LEGAL NOTICE ** LEGAL NOTICE

FICTITIOUS BUSINESS NAME STATEMENT

The following registrant is doing business as: REILLY'S SALOON & CAFE
Full name of registrant(s): Teresa A. Garcia & Joseph M. Garcia
Business location: 1825 Main Street, La Porte CA 95981
Mailing address: PO Box 1091, Biggs CA 95971
Phone number: (530) 675-3630

This business is being conducted by: a Limited Liability Corporation
The registrant commenced to do business under the fictitious business name listed above on: 2/1/2021

/s/ Teresa A. Garcia & Joseph M. Garcia
This statement was filed in the office of Marcy DeMartile, of Plumas County, on: February 1, 2021 FILE NO: 2021-0000042
Published in The Mountain Messenger: March 4, 11, 18 & 25 of 2021

Scoping Meeting
Environmental Impact Report

Zayo Group LLC's Prineville to Reno Fiber Optic Project

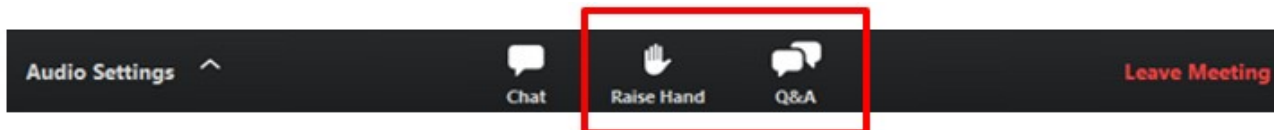
California Public Utilities Commission

March 24, 2021



Meeting Participation via Zoom

- All attendees will be muted during the presentation
- **Oral Questions:** If you want to ask a question during the presentation, click on the hand icon to use the **RAISE HAND** feature, and we will unmute you and call on you to speak, either during or after the presentation
- **Written Questions:** Use the **Q&A** feature if you want to type a question during the presentation. Click on Q&A and type your question in the Q&A bar. We will answer questions either during or after the presentation.
- **Oral Scoping Comments:** If you would like to make a scoping comment, please wait until the end of the presentation. When we ask for scoping comments, use the **RAISE HAND** feature and we will call on you to speak.
- **Note:** This meeting is being recorded.



Presentation Overview

- **Purpose of Meeting**
Connie Chen, CPUC
- **Key Players and their Roles in the CEQA Process**
Connie Chen, CPUC
- **CPUC Review Process**
Connie Chen, CPUC
- **Overview of the Proposed Project**
Scott Friend, ECORP Consulting
- **Consultation and Coordination**
Anne Surdzial, ECORP Consulting
- **EIR Process**
Anne Surdzial, ECORP Consulting
- **How to Comment**
Anne Surdzial, ECORP Consulting



Purpose of Meeting

- To inform the public and responsible agencies about an upcoming project for which an EIR will be prepared
- To inform the public about the environmental review process and CPUC's decision making process
- To solicit input regarding potential alternatives to the proposed project and the appropriate scope of issues to be studied in the EIR
- To identify issues of concern and areas of potential controversy
- A Scoping Report will be prepared and placed on the project website



Key Players and their Roles in the CEQA Process

- **California Public Utilities Commission (CPUC)**
 - Lead Agency for the California Environmental Quality Act
- **Zayo Group, LLC (Zayo)**
 - Project Applicant
- **ECORP Consulting, Inc. (ECORP)**
 - Environmental Consultants to CPUC
- **Bureau of Land Management (BLM)**
 - Lead Agency for the National Environmental Policy Act (NEPA)
 - The NEPA process and document are being completed separately



CPUC Process Overview

The CPUC is conducting two parallel review processes for this Application for modification of a Certificate of Public Convenience and Necessity (CPCN):

1. General Proceeding: Application # A.20-10-008

- Assigned Commissioner *Martha Guzman Aceves*
- Administrative Law Judge *Suman Mathews*
- See flow chart on next slide

2. Environmental Review: the CEQA process

- Application is complete, but Zayo is still completing the required cultural resources reports
- Cultural Resources reports are expected in May of 2021; if they are delayed, the EIR schedule will be delayed
- Schedule includes ongoing consultation with Native American Tribes
- Project website:

<https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>



CEQA and CPCN Processes

CEQA REVIEW

APPLICATION CONSIDERATION

Applicant & Staff work on "Pre-filing"

Applicant Files Application and Proponents Environmental Assessment (PEA)

Protests to Application Filed by Parties

Response to Protests

Pre-Hearing Conference with Parties

Scoping Memo

Evidence on Infeasibility and Overriding Considerations, Safety

Briefs on Factual and Legal Issues

PEA Review and Deemed Complete and Notice of Preparation Issued

Environmental Review and Public Scoping Meetings

Draft Environmental Document Issued

Public Comments on Draft Environmental Document

Final Environmental Document Prepared

Proposed Decision

Party Comments on Proposed Decision

Final Decision & Agency Certification of Environmental Document

CPUC Oversees Compliance with Mitigation, Monitoring, Compliance and Reporting Program (MMCRP)

Appeals & Petitions for Modifications

Zayo's Stated Purpose and Need

- Improve the quality of rural broadband in south-central Oregon, northeast California, and northwest Nevada
- Make affordable broadband internet services available to currently underserved communities in these areas



Project Overview

- Underground fiber optic network from Prineville, Oregon to Reno, Nevada spanning 433.8 miles
- 193.9 miles in Modoc, Lassen, and Sierra Counties, California
- Majority of the alignment in US 395 ROW; 8.5 miles follow County roads in Lassen County



Alignment Overview Photos



Project Components

- 193.9 miles of underground, shielded fiber optic telecommunications cable within high density polyethylene (HDPE) conduits
- Three in-line amplifiers (ILAs) in Herlong (Lassen County), Spanish Springs (Lassen County), and Alturas (Modoc County)
- Vaults and line markers every 2,500-3,500 feet



Example Regeneration Hut Housing an In-Line Amplifier



Typical Vault and Line Marker



Temporary and Permanent Impacts by Project Components

Component	Temporary Impact (acre)	Permanent Impact (acre)
Staging Areas	3.69	N/A
Material Storage Yards	0.75	N/A
ILAs	N/A	1.15
Vaults/Markers	0.14	0.28
Running Line Construction Footprint	470.22	N/A
Total	474.80	1.43



Project Construction

- Fiber optic cable installation via plowing in, trenching, directional bore, or affixing to existing bridges
- 6 months, 1 phase
- 10 staging areas, 130 ft x 75 ft
- 5 materials storage yards in existing commercial or industrial space



Typical Fiber Optic Conduit Plow



Horizontal Drilling Rig and Conduit



Project Construction

- Average fiber optic construction footprint 20 feet wide and 42 inches deep
- No full roadway closures required; temporary partial lane closures in short sections
- Maximum 66 workers at various locations



Attaching Fiber Optic Cable to Existing Bridge



Fiber Optic Cable Attached to Existing Bridge

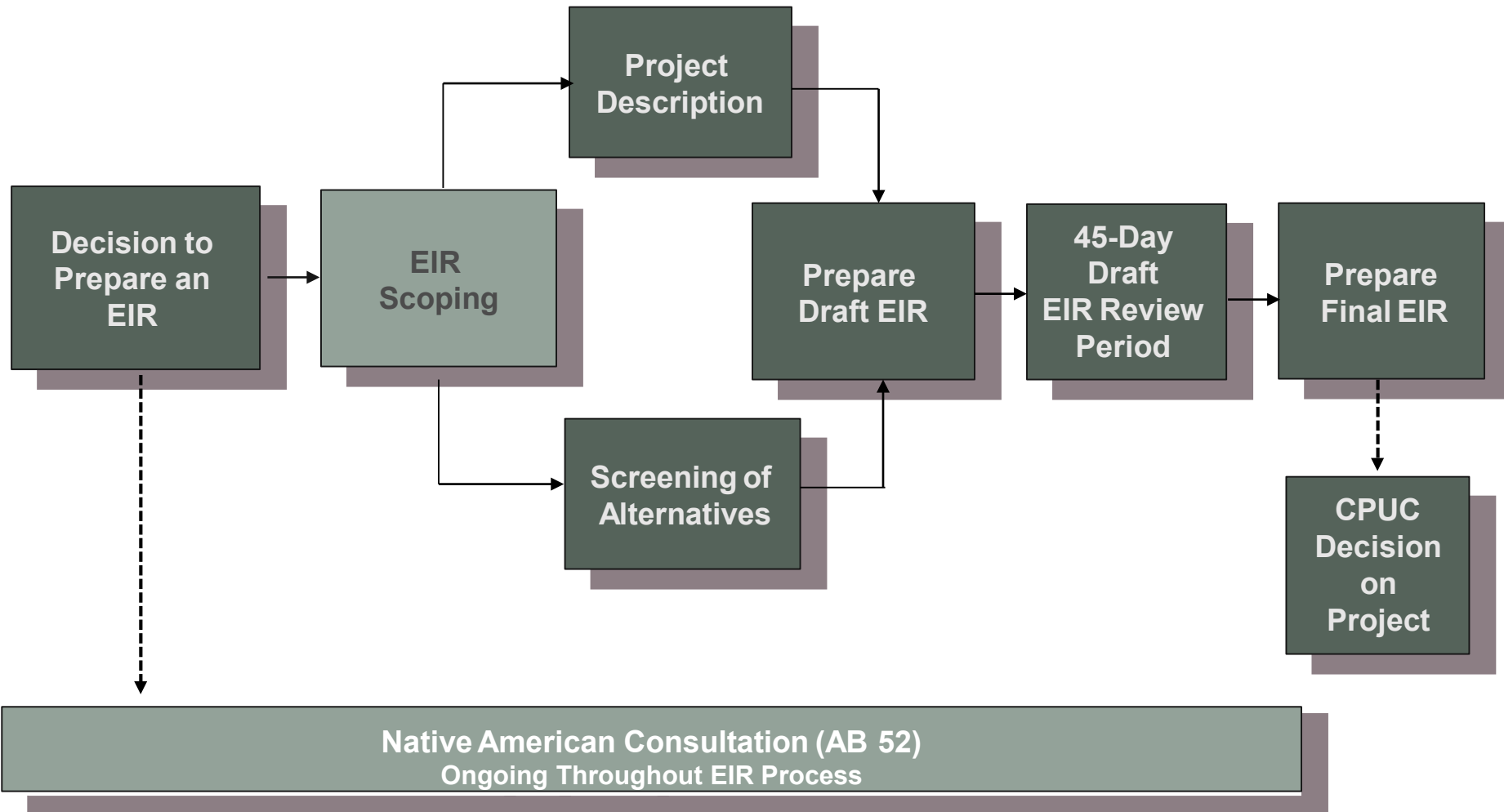


Consultation and Coordination

- Native American Consultation under AB 52
 - CPUC initiated formal consultation in February 2021
 - Consultation will continue throughout the CEQA process, and may include:
 - Meetings or calls to discuss tribal concerns and recommendations
 - Information gathering about tribal cultural resources
- Ongoing coordination with NEPA Lead Agency (BLM), CEQA Responsible Agencies (Caltrans, CDFW, RWQCB, CSLC), and local agencies (Lassen, Modoc, and Sierra counties and City of Alturas)



EIR Process



Tentative CEQA Review/Schedule

Milestone	Date
Applicant files Application and Draft PEA	October 1, 2020
Application deemed complete by CPUC	February 3, 2021
AB 52 Consultation	February 11, 2021
Scoping Period	March 8 – April 8, 2021
Public Review of Draft EIR <ul style="list-style-type: none"> • 45-day Comment Period • Public Meetings 	Fall 2021
Final EIR	Spring 2022
CPUC certification of Final EIR and project decision	Spring 2022

General Contents and Purpose of EIR

Contents:

- Describe the environmental setting of the project area
- Disclose the potential environmental impacts of the project and alternatives
- Propose measures to reduce or avoid significant environmental impacts (mitigation measures)

Purpose:

- Provide technically sound information for decision-makers to consider in evaluating the proposed project



Major Elements of EIR

- Detailed Project Description
- Description of Alternatives Screening Process and Alternatives Carried Forward
- Impacts of Proposed Project
- Impacts of Alternatives
- Mitigation Measures
- Cumulative Impacts, Indirect Impacts, Growth Inducing Effects
- Mitigation Monitoring



Environmental Disciplines Included in an EIR

- Aesthetics
- Agriculture and Forestry
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology, Soils, Paleontology
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire



Alternatives

- Alternatives for the EIR will be determined by CEQA requirements:
 1. Consistency with most project objectives
 2. Ability to reduce or avoid impacts of proposed project
 3. Feasibility
- The No Project Alternative will also be considered
- Scoping comments suggesting alternatives are welcome



Effective Scoping Comments

- Some of the most helpful scoping comments identify:
 - Location and extent of probable environmental impacts of the proposed project
 - Specific topics that should be discussed in the EIR
 - Mitigation measures that could reduce impacts
 - Alternatives that could reduce impacts of the proposed project
- Less effective comments are those that
 - Suggest a general topic of discussion for the EIR
 - Suggest a vague alternative
 - Speak to the merit of the project



How to Comment

- Verbal comment via Zoom tonight
- Submit comments by mail, fax, or e-mail

Mail	Email
Anne Surdzial, AICP ECORP Consulting, Inc 215 N. 5 th Street Redlands, CA 92374	ZayoFiberOptic@ca-advantage.com
	Fax
	(909) 307-0056

- Verbal comments tonight
- Comments due by **April 8, 2021**

Website for more info:

<https://www.cpuc.ca.gov/environment/info/ecorp/prineville/index.html>



How to Comment via Zoom

- Attendees will be muted until we unmute you.
- **Oral Scoping Comments:** If you would like to make a scoping comment, please use the **RAISE HAND** feature and we will unmute you and call on you to speak.
- **Written Comments:** Use the **Q&A** feature if you want to type a comment. Click on Q&A and type your question in the Q&A bar.
 - You can also email or mail comments.
 - **COMMENTS ARE DUE:** April 8, 2021



Thank you for attending!



APPENDIX D

Written Comments Received During Scoping Period



Central Valley Regional Water Quality Control Board

12 March 2021

Anne Surdzial, AICP
ECORP Consulting, Inc.
215 N. 5th Street
Redlands, CA 92374

COMMENTS ON THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PRINEVILLE TO RENO FIBER OPTIC PROJECT, MODOC, LASSEN, AND SIERRA COUNTIES

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 8 March 2021, we received your request for comments on the Notice of Preparation of an EIR for the Prineville to Reno Fiber Optic Project (Project).

Zayo Group, LLC, a California telephone corporation, proposes to construct and operate an underground fiber optic network from Prineville, Oregon to Reno, Nevada, spanning 433.8 miles. Along the majority of the route, 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. Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations.

The Project site is located along United States Highway 395 (US 395) within the right-of-way managed by Caltrans in Modoc, Lassen, and Sierra counties. The running line generally follows US 395) but also county roads between the communities of Standish and Buntingville in Lassen County, 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.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification

The Central Valley Water Board has regulatory authority over wetlands and waterways under the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and Section 401 Water Quality Certification must be obtained prior to site disturbance. Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the California Water Code. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at [Water Boards 401 Water Quality Certification and/or WDRs Application](https://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources)

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website [Water Boards Stormwater Construction Permits](https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml) (https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high-water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted

to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

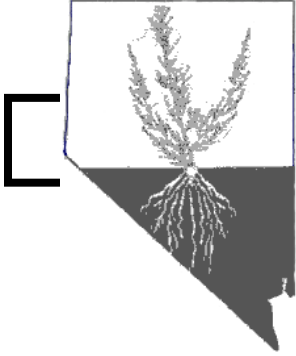
Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at [Water Boards 401 Water Quality Certification and/or WDRs Application](https://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources)

If you have any questions or comments regarding this matter, please contact me at (530) 224-4784 or by email at Jerred.Ferguson@waterboards.ca.gov.

Jerred Ferguson for

Jerred Ferguson
Environmental Scientist
Storm Water & Water Quality Certification Unit

JTF: mp



COMSTOCK SEED

917 HIGHWAY 88 GARDNERVILLE, NV 89460

ECORP Consulting Inc
Anne Surdzial
215 N 5th Street
Redlands, CA 92374

RE: Zayo Group Fiber optic EIR announcement

Hello Ms Surdzial;

My company has been supplying regional seed sources for reclamation work along the eastern Sierra front for 30 years. We reviewed an announcement for an EIR coming up for the Zayo Group fiber optic line. We have provided the reclamation seed for the Tuscarora Power Line as well as the Natural gas pipeline that were installed years ago. Both projects came out of Oregon and passed through the Modoc uplands and into Nevada. The reclamation specifications had called for locally sourced seed when possible and we were able to provide the shrubs, grasses, and flowers that occurred along the corridor. We were required to create several blends to reflect the various ecotypes that the corridor passed through as well as satisfying the different specifications that were provided by California and Nevada. These blends included common species of the Shrub/Steppe, the Salt desert shrubs of the Honey Lake Valley, as well as seed blends for private property, pastures, riparian corridors, etc...

From these projects, we have a good working relationship with the BLM offices in Susanville and Reno.

If we can be of any assistance during this review process or later on, feel free to contact us at any time.

Regards;

Ed Kleiner GM Comstock Seed LLC
ed@comstockseed.com

From: Sam Thorne <downstryke@gmail.com>
Date: March 20, 2021 at 11:23:01 AM PDT
To: Zayo Fiber-Optic <zayofiber optic@ca-advantage.com>
Subject: EIR Scoping Comment

Help!!!

I'm being held captive in an internet connection that sometimes goes down hundreds of times per day, from a company that sent me a past due notice on the same day they sent me my first monthly bill!

Sam Thorne

Anne Surdzial

Subject:

From: Tom Krauel <crowderflat@gmail.com>

Sent: Tuesday, March 23, 2021 11:40 AM

To: Zayo Fiber-Optic

Subject: Fiber optics through Modoc County

I received recent notification from the PUC that Zayo plans a fiber optic line from Prineville, OR to Reno, NV along Hwy 395.

The purpose of this buried line is reportedly to serve rural communities, yet I do not see where access by these rural areas is guaranteed. Please make sure that the people have access anywhere along this line with no significant fees for hookup.

Can you please reassure me of this? It would be extremely important to rural communities to make sure that they have easy access to this line.

Also, please let me know what the three ILA's look like and where they would be located. The PUC only describes them as three small buildings. I would be opposed to any of these buildings in certain areas of visual significance for obvious reasons.

Finally, please reassure me that the line, buildings or vaults would produce no light or sound. All appendages should match the surrounding environment and not contribute to light or sound pollution.

Thank you

Tom Krauel
380 County Road 73
Alturas, CA 96101

Doreen Smith-Power
PO Box 208
Alturas, CA 96101

March 30, 2021

Connie Chen, CPUC Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: **Zayo Group LLC Prineville to Reno Fiber Optic Project
Application No. A.20-10-008**

Dear Ms. Chen:

I have reviewed the above referenced application line with supporting documents from the Notice that was filed and posted on or about March 11, 2021. The application itself refers to and relies on two previous decisions and those decisions are D 08-08-013 and D.98-12-083 the 1998 decision is adopted by the Environmental Documentation see Footnote number two below taken directly from the application.

“2 The environmental document adopted by D.98-12-083 defines “Utility right-of-way” as “any utility right of-way, not limited to only telecommunications utility right-of-way. “

The environmental documents are also described with the application as a Negative Declaration at page six of the application. These environmental documents are included in the Cultural Study at Appendix D. Appendix D is not a Confidential Document claimed by the applicant Zayo, LLC Exhibits B & D to the application were marked filed under seal. This previous decisions should be attached to the application. The second decision in 2013 is one regarding the transfer of the ownership of original Certificate of Public Convenience and Necessity. The two decisions are not overburdensome for applicant, Zayo, LLC to attach. The second decision is the decision transferring ownership is D. 08-08-013. The applicant simply did not attach Appendix D, of which, I am assuming, contained the environmental declaration referenced by the applicant at page six of the application. The CPUC should require appendix D – Cultural Study and specifically request that the Negative Declaration along with Decisions D98-12-083 and D08-08-013 be included within Appendix D as supporting documentation. The application should be such that it CONVENIENT for both the commission and the Public to make a decision and conclusion regarding the APPLICANT ZAYO, LLC's. application for a Certificate of Public Convenience and Necessity. If Zayo, LLC claims a Privilege and refuses to produce the documents a

claim of privilege need to be made under the following rules: California Rules of Civil procedure §§2031.230 & 2031.240, Federal Rule 26 (3)B, Federal Rules of Evidence 502(g) and 12 California Federal Rules (c) – Rules of Practice and Procedure §1209.30 (e).

Below is a list of exhibits attached to Zayo, Inc.'s application for Public Convenience and Necessity.

LIST OF EXHIBITS Exhibit A – Financial Information of Zayo Group LLC (June 2019)
Exhibit B – Proponents Environmental Assessment [CONFIDENTIAL]
Exhibit B – Proponents Environmental Assessment [PUBLIC]
Exhibit C – Map of Proposed Project
Exhibit D – Estimated Cost of Construction [CONFIDENTIAL] Exhibit E – Professional Biographies of Key Management Personnel

This list is NOT INCLUSIVE OF THE LIST OF SUPPORTING DOCUMENTS required by the California Public Utilities Commission. Further, NOT ONE, of the Exhibits cited above by applicant Zayo, Inc. is attached to the application as stated. If the applicant, Zayo, Inc. withholds information as “Confidential” a supporting Privilege Log stating why the information is confidential, is required, see above for content of the privilege log. The applicant Zayo, Inc. attached appendix's to application and included the Negative Declaration which is a previous environmental document, which adopted the previous original 1998 CPUC decision to grant the original CPCN and it is clear, the applicant did not intent the Appendix D, Cultural Study (Contains or should contain the environmental declaration with both previous CPUC decisions) to be “Confidential”.

By requiring the CPUC to obtain the historical information necessary to make the decision to grant or deny the Zayo, Inc.'s application for CPCN is overburdensome to the CPUC and others. The applicant Zayo, Inc. is the owner of the original CPCN and should be forthcoming with the certificate and the historical decision of transfer of ownership. All of this information is necessary NOW because a NEPA review is required because the applicant, Zayo, Inc. is requesting a CPCN that crossing three states. Do you think maybe the current environmental review team might want access to this information so that their SAFTEY while doing the current environmental review is maintained? By review of the environmental assessment attached to CPUCs initial comment letter dated October 30, 2020, the review team has a NEED the historical documentation and the previous decisions are NOT CONFIDENTIAL. Zayo, Inc. should be required to furnish privilege log and a public hearing regarding both the “PRIVILEGED INFORMATION” and the Zayo, Inc.'s application should be held by CPUC. Consider this a formal request for such hearing. Time is of the essence as the comment period to review the current EIR ends APRIL 7, 2021.

California Public Utilities Commission gave a comment letter of October 30, 2020. Zayo responded to that comment letter with letters dated December 7 & 31st 2020 and February 2, 18 & 26, 2021. The December 7, 2020 letter from Zayo, LLC is part of the record with attachments however, the February Zayo, LLC's. response letters are NOT

attached to the Application or the index of documentation regarding the application. The Exhibits/Attachments to the February Zayo, LLC's Response are included record. However, a couple of the exhibits and or attachments listed are missing from the documents listed those are described below:

December 7, 2020 Response Letter is missing Exhibit E
February 2, 2021 Response Letter is missing Attachment D Cumulative Administrative Record and Attachment E PEA GIS

The applicant Zayo, Inc. is required to make complete application and supporting documents relied upon should be required by California Public Utilities Commission (CPUC). The Zayo, Inc for application CPCN is incomplete. Finally, it is duly noted that CPUC's letter of completeness dated March 3, 2021 letter of completeness has the same October 30, 2020 chart of documents requested so Zayo, LCC lack of responsiveness is also noted. This list of documents that should be in the record is attached. The Meet & Confer process has been going on for four months and the issue is ripe for hearing.

I appreciate your attention matter. I am requesting Notice of the public hearing requested. Also the review period for comment, should be extended beyond April 7, 2021 and the applicant should be required to produce the information requested immediately.

Doreen Smith-Power, (Qualified Paralegal and California Instructional Aid)
– However this letter is written as a Citizen of California

From: [Matt Ross](#)
To: [Anne Surdzial](#)
Subject: Fwd: Prineville to Reno Fiber Optic Project Proposed by Zayo Group, LLC
Date: Monday, April 5, 2021 7:11:48 PM

Sent from my iPhone

Begin forwarded message:

From: camadison camadison <camadison@frontier.com>
Date: April 5, 2021 at 7:07:45 PM PDT
To: Zayo Fiber-Optic <zayofiber optic@ca-advantage.com>
Cc: Bill Madison <bmadison@modocins.com>
Subject: Prineville to Reno Fiber Optic Project Proposed by Zayo Group, LLC

Ms. Surdzial,

I am writing to comment on the underground project referenced above. Having served for several years on the Modoc County Planning Commission, during which time we required new utility service projects to be underground such as this project, I support this project. However, I have been notified that the lateral lines, installed by Frontier Communications, connecting to your project, are proposed to be above ground from the intersection of County Roads 57 and 56, extending for approximately 2.5 miles to the east on County Road 56, of which 2 miles fronts the property that my home is located on. (3581 County Rd. 56) This will be replacing the current lines, which are buried. In addition to potentially having a negative impact on protected wildlife, I don't want an above ground telephone line along my property. I don't understand why this is even being considered, given that the current lines are buried.

Thank you for your consideration. I can be reached at 530-233-8460 should you have any questions.

Sincerely,

Bill Madison
326 N. Main
Alturas, CA 96101

From: John Gravier <gravierjohn7@gmail.com>
Date: April 5, 2021 at 3:16:43 PM PDT
To: Zayo Fiber-Optic <zayofiberoptic@ca-advantage.com>
Subject: Zayo fiber optic proposal

Ms. Surdzial:

I believe this project and others like it are a great idea.

I am not sure this is the correct forum for these comments.

1. Consideration should be given to seeing if the President's infrastructure bill could contribute to the funding.
2. I noticed that another company is planning a line from Susanville to Reno (Plumas Sierra, I believe). Competition or cooperation?
3. We have property near the road to Herlong/Sierra Army Depot (the one closest to Reno that may be a good place for an ILA (amplifier site).

Thank you for this project.

John Gravier
711-900 Sunnyside Rd
Janesville, CA 96114
(530) 249-9634

DEPARTMENT OF TRANSPORTATION

1657 RIVERSIDE DRIVE, MS 30
REDDING, CA 96001
PHONE (530) 945-4323
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

April 7, 2021

Anne Surdzial, AICP
ECORP Consulting Inc.
215 N. 5th Street
Redlands, CA 92374

Dear Ms. Anne Surdzial:

The California Department of Transportation (Caltrans), as a California Environmental Quality Act (CEQA) Responsible Agency, appreciates the opportunity to comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Prineville to Reno Fiber Optic Project proposed by Zayo Group, LLC. It is Caltrans' understanding that an encroachment permit to construct a large portion of the proposed improvements within State right-of-way would be required to complete the project as currently proposed. Caltrans' comments are recommendations regarding the analysis of potential impacts associated with the subject project and should be addressed in the Draft EIR. Please send a copy of the Draft EIR to Caltrans, District 2 upon its completion. In addition, please send with the Draft EIR all appendices or technical documents that support the findings within.

Cultural Resources/Tribal Cultural Resources

The project setting is considered of high sensitivity for cultural and tribal cultural resources. Caltrans recommends that all efforts are exhausted to identify/document the presence of all known and previously undocumented cultural and tribal cultural resources that have the potential to be impacted by the proposed project. It is also recommended that avoidance of cultural and tribal cultural resources is prioritized to the maximum extent possible and that, when applicable, the Draft EIR provide sufficient information to clearly support effect findings. The Lead Agency should identify all potential adverse impacts that could occur from all phases of the project, including construction, operation, and maintenance of the proposed improvements.

The Lead Agency shall also carry out consultation and coordination with all Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project or that have requested to be

included in such consultation and/or coordination. Native American consultation and coordination shall be implemented in accordance with all applicable laws, rules, and regulations and in a manner that is early, often, and ongoing to provide a meaningful opportunity for Native American participation, especially as it relates to the development of the Draft EIR.

As discussed above, the project would require an encroachment permit to complete work within State right-of-way. To this end, the Lead Agency shall complete studies in a manner that satisfy the Caltrans Public Resources Code 5024 Memorandum of Understanding.

Special Status Plant and Animal Species

Caltrans recommends that the Lead Agency properly identify and document the presence of special status species, including the implementation of applicable protocol level surveys. The Lead Agency shall prioritize the avoidance of adverse impacts to special status species and when avoidance is not feasible include adequate documentation in the Draft EIR to support impact findings.

Mitigation Measures

If the proposed project is expected to result in significant adverse impacts, all feasible mitigation measures shall be discussed in the Draft EIR and utilized during project construction, operation, and maintenance to avoid and/or minimize such impacts. Pursuant to CEQA Guidelines, any impacts resulting from mitigation measures shall also be discussed in the Draft EIR.

Alternatives

The Draft EIR shall include an analysis of all feasible alternatives to the project or its location that would avoid or substantially reduce significant impacts. The Draft EIR shall include a reasonable range of potentially feasible alternatives, including a "no project" alternative. Pursuant to CEQA Guidelines, the Draft EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

Ms. Anne Surdzial
4/7/2021
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Cumulative Impact Analysis

Pursuant to CEQA Guidelines, the DRAFT EIR shall include a cumulative impact analysis of a project when the project's incremental effect is cumulatively considerable. As defined in the CEQA Guidelines, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. The cumulative analysis shall include discussion of past, present, and probable future projects.

Caltrans staff is available to work with the Lead Agency throughout the development of the EIR to ensure impacts associated with the proposed project are accurately evaluated and mitigated when applicable. If you have any questions regarding comments included in this letter please contact me via email at emiliano.pro@dot.ca.gov or by phone at (530) 945-4323.

Sincerely,

EMILIANO PRO
Senior Environmental Planner
California Department of Transportation
North Region Environmental



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2021

Connie Chen, Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Subject: Review of the Notice of Preparation for the Zayo Prineville to Reno Fiber Optic Project, State Clearinghouse Number 2019090702, Modoc, Lassen and Sierra Counties

Dear Connie Chen:

The California Department of Fish and Wildlife (Department) has reviewed the Notice of Preparation (NOP) and the Proponent's Environmental Assessment (PEA) and attached appendices for the Draft Environmental Impact Report (DEIR) for the above-referenced project (Project) dated September 2020. The Department also reviewed, although less thoroughly due to time constraints, the pertinent sections under the Zayo Response Letter dated February 26, 2021. The Department appreciates this opportunity to comment on the Project, relative to impacts to biological resources.

The Department is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA). As the Trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat necessary for biologically sustainable populations of those species (Fish and Game Code (FGC), sections 1801 and 1802). As the Trustee Agency for fish and wildlife resources, the Department provides requisite biological expertise to review and comment upon CEQA documents and makes recommendations regarding those resources held in trust for the people of California.

The Department may also assume the role of Responsible Agency. A Responsible Agency is an agency other than the Lead Agency that has a legal responsibility for carrying out or approving a project. A Responsible Agency actively participates in the Lead Agency's CEQA process, reviews the Lead Agency's CEQA document and uses that document when making a decision on a project. The Responsible Agency must rely on the Lead Agency's CEQA document to prepare and issue its own findings regarding a project (CEQA Guidelines sections 15096 and 15381). The Department most often becomes a Responsible Agency when a Lake or Streambed Alteration Agreement (LSA) (FGC section 1600 et seq.) or a California Endangered Species Act (CESA) Incidental Take Permit (FGC section 2081(b)) is needed for a project. The Department relies on the CEQA document prepared by the Lead Agency to make a

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finding and decide whether to issue the permit or agreement. It is important that the Lead Agency's Environmental Impact Report (DEIR) considers the Department's Responsible Agency requirements. For example, CEQA requires the Department to include additional feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect a project would have on the environment (CEQA Guidelines section 15096(g)(2)).

The Department offers the following comments and recommendations on this Project in our role as a Trustee and Responsible Agency:

Project Description and Location

The Project is described in the PEA as follows:

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 193.9 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.

Comments and Recommendations

The Department appreciates the inclusion of the PEA and the Biological Resources Technical Report (BRTR) dated September 28, 2020 and prepared by Stantec.

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1. General comments on the PEA:

- a. Section 5.4.3 discusses Impact Questions as shown in Appendix G of the CEQA Guidelines. The boxes for a, b, c, and d should be checked under the “Less than Significant Impact with Mitigation Incorporated” column, not “Less than Significant Impact.”
- b. The term “long-term temporary impact.” Temporary impacts are typically those that last from 6 months to a year. Impacts to sagebrush habitat, for instance, that can take decades to restore, should be considered permanent. The Department recommends the PEA be revised to reflect this information.
- c. A Scientific Collecting Permit may be needed to relocated sensitive wildlife species out of harm’s way if the species is not part of an Incidental Take Permit or 1602 Agreement. This should be stated in BIO-1 and BIO 7.
- d. All mitigation measures proposed in the PEA need to be reviewed for consistency. For instance, in APM AIR-1, “*Vegetative ground cover shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.*” Whereas in APM BIO-5 it states After completion of project activities, all temporarily disturbed work areas will be restored to their pre-construction contours, and areas of exposed soils in natural habitats will either be re-seeded with native seed mixes or stabilized.” Both measures are discussing revegetation of disturbed areas and should say the same information.
- e. In APM-BIO-5 it states, “*Non-natural habitats, such as agricultural, urban, and barren areas, are maintained by landowners and will not be revegetated.*” In the February 26, 2021 response letter, it added a sentence about not revegetating “except as described in lease or access agreements.” The Department recommends leaving in this “exception,” if possible. Additionally, please clarify when site restoration duties will fall on the lead agency vs private landowners. Restoration plans should include performance standards such as the types of vegetation to be used, the timing of implementation, and contingency plans if the replanting is not successful. Restoration of disturbed areas should utilize native vegetation. All temporarily disturbed areas should be revegetated.
- f. Section 3.5.1.2 Watercourse Crossings. Please clarify which minor water crossing would be trenched.
- g. Section 3.5.2.2. The Department does not believe the construction contractor should be marking the sensitive resources, but instead, that job should go to the biological monitor. The Department suggests the sentence read as such (with new suggested wording in **bold**): For staging areas near sensitive resources, the construction contractor will have the staging area boundaries marked prior to use **by the biological monitor**. Further, for sensitive plant species, marking with water with washable spray paint may not be adequate. The Department suggests using flagging or fencing to

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- prevent the species from being impacted.
- h. Section 3.5.4.3. This section discusses vegetation that could be mown or grubbed that could potentially be a fire hazard. The Department suggests the first sentence could be clarified to read, "After the biological monitor marks sensitive resources within the right-of-way, vegetation that may cause a fire hazard for parked vehicles or equipment will be mowed or grubbed prior to conduit installation." Mowing could be okay if it is done after sensitive plant species have set their seed; however, this would need to be determined by the biological monitor.
 - i. Section 3.9 discusses decommissioning of the infrastructure but does not discuss revegetating these areas. The Department recommends revegetation with native seeds be included in this section.
 - j. Section 3.5.11 Waste Generation and Management section includes references to APM HAZ-3 Accidental Release Prevention Plan or a "frac-out" plan as well as measures that would be included in the plan. The Department would like to review and approve this plan.
 - k. Section 3.6.3. This section pertains to construction traffic, parking and staging alongside access roads. The Department strongly encourages the biological monitor surveys these areas for special status species prior to their use.
 - l. Section 3.7.1 discussing what will happen immediately following cable installation. It states, "*Each work area would be restored to pre-project topography immediately following cable installation. No changes to existing drainage patterns are anticipated, and no permanent erosion control measures would be used. Revegetation would occur naturally, and no seeding is anticipated to be required.*" The Department strongly encourages native seed mixes for each habitat type be used over these recently disturbed areas to prevent weedy non-native weeds from increasing.
 - m. APM BIO-5. The Department would like to review and approve the Revegetation and Restoration Plan prior to the start of Project construction.
 - n. APM BIO-9. There is no regional conservation bank for the Modoc or Lassen area for plants. The Department recommends removing this language.
 - o. APM BIO-15. The minimum mitigation ratio for impacts to wetlands should begin at 2:1, not 1:1. A 1:1 ratio creates a loss of habitat. Also, within this measure, a sentence should be added explaining that a geologic investigation/survey of the wetland and riparian areas will occur when horizontal directional drilling is to be used under a wetland and/or drainage. This is to prevent wetlands from being inadvertently drained and to prevent a frac-out from occurring.
 - p. APM BIO-16. The bat discussion is vague. If removal or disturbance of trees identified to have roost structure will occur during the bat maternity season,

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when young are non-volant (March 1 – Aug 31), or during the bat hibernacula (November 1 – March 1), when bats have limited ability to safely relocate roosts, it could cause a significant impact to bats through direct mortality during the roost removal. Impacts to roosts are usually accompanied by high mortality of bats and it is a significant impact because a single colony could consist of the entire local population of a species. The availability of suitable roosting habitat is considered a limiting factor in almost all bat species. Roost site suitability is often based on a narrow range of suitable temperatures, relative humidity, physical dimensions, etc., and many species exhibit high roost site fidelity. Depending on the impact, if any, to the roosting habitat, additional mitigation may be necessary and could include providing replacement or alternate roost habitat. If necessary, humane evictions should be conducted during seasonal periods of bat activity, which may vary by year, location, or species and must be conducted by or under the supervision of a biologist with specific experience conducting exclusions. Humane exclusions could consist of a two-day tree removal process whereby the non-habitat trees and brush are removed along with certain tree limbs on the first day and the remainder of the tree on the second day. This two-step process changes the microhabitat of the area causing the bats to vacate the area under their own volition, therefore minimizing mortality and other impacts to bat species. If roosting habitat is impacted, mitigation may be necessary.

- q. Section 5.5.4.2, fourth paragraph. The sentence reads, “*If tree-roosting bats are documented, the applicant would not remove the tree and would contact agencies for further guidance (APM BIO-16).*” This sentence is not mentioned in APM BIO-16.
 - r. Section 5.5.4.2, under Sensory Disturbance, third paragraph. It states, “*In wetlands and waterways where directional boring would occur, the bore rigs would be set back 15 ft beyond the top of waterway banks or a minimum of 75 ft from the edge of wetland vegetation (APM HAZ-3). Therefore, the potential for noise and vibration impacts as a result of boring on species inhabiting those aquatic habitats would be substantially reduced or avoided altogether.*” The Department recommends the statement about impacts be discussed in a bit more detail as it is probably species specific. Further, the Department recommends that setbacks be adjusted for each site based on species presence. Having too big of a setback can cause impacts just as having too little of an impact. A biological monitor should be able to determine the appropriate setback for each area.
2. A complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife, reptile, and amphibian species should be presented in the DEIR. Rare, threatened, and endangered species to be addressed shall include all those that meet the CEQA definition (see CEQA Guidelines section 15380). Seasonal

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variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the species are active or otherwise identifiable, are recommended. Acceptable species-specific survey procedures should be developed in consultation with the Department and the USFWS. Links to some survey procedures are provided on the Department's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>).

- a. Listed species mentioned in the BRTR but missing from the PEA Include: greater sandhill crane (*Antigone canadensis tabida*), bank swallow (*Riparia riparia*), tricolored blackbird (*Agelaius tricolor*), fiddleleaf hawksbeard (*Crepis runcinate*), Nevada daisy (*Erigeron eatonii var. nevadincola*), and golden violet (*Viola purpurea ssp. aurea*). Please analyze project impacts to these species within the DEIR document. Records kept on file at the California Natural Diversity Database (CNDDDB) indicate the presence of Nevada daisy and golden violet within or adjacent to the project site. The Department recommends an analysis of this project's impact to these species and the NOP be revised to contain a mechanism of either avoiding impacts to sensitive species or reducing the impacts below a level of significance.
 - b. The Department previously requested a protocol-level survey for Swainson's hawk (*Buteo swainsoni*) be conducted if work is scheduled during the nesting season. APM-BIO-11 states "*work will be scheduled during the non-breeding season or in construction spreads that lack active nests.*" The Department requests the following sentences be added to the end of APM-BIO11: If work is scheduled during the breeding season for the Swainson's hawk, protocol-level surveys will be conducted. If present, all construction will stop within 0.5 miles until the young have fledged or it has been determined that the nest failed.
3. Species of Special Concern (SSC) status applies to animals generally not listed under the federal Endangered Species Act or CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist (see CEQA Guidelines section 15380 and CEQA Guidelines Appendix G (IV)(a)). SSC should be considered during the environmental review process. CEQA (California Public Resources Code sections 21000-21177) requires State agencies, local governments, and special districts to evaluate and disclose impacts from "projects" in the State. Section 15380 of the CEQA Guidelines clearly indicates that SSC should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein.

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Sections 15063 and 15065 of the CEQA Guidelines, which address how an impact is identified as significant, are particularly relevant to SSCs. Project-level impacts to listed (rare, threatened, or endangered species) species are generally considered significant thus requiring lead agencies to prepare an EIR to fully analyze and evaluate the impacts. In assigning "impact significance" to populations of non-listed species, analysts usually consider factors such as population-level effects, proportion of the taxon's range affected by a project, regional effects, and impacts to habitat features.

- a. California Rare Plant Rank 1B and 2 generally meet the definition of rare, threatened or endangered under CEQA Guidelines section 15380. Table 3-4 in the BRTR lists species present or have a high potential to be present. Not all these species are listed in Table 5.4-2 of the PEA. The Department recommends using Table 3-4 from the BRTR and adding an impact column to that table. It is not clear if the species not listed in Table 5.4-2 will be impacted and were inadvertently left off the list or that they will not be impacted. It should clearly state what the impacts will be to each sensitive plant species.
4. Fully Protected animals may not be taken or possessed at any time and the Department is not authorized to issue permits or licenses for their incidental take¹. Fully Protected animals should be considered during the environmental review process and all Project-related take must be avoided.
- a. Fully protected species mentioned in the BRTR but not in the PEA include: Peregrine falcon (*Falco peregrinus anatum*) and greater sandhill crane.
 - b. The DEIR should include survey methods, dates, and results, and should list all plant and animal species (with scientific names) detected within the Project study area. Special emphasis should be directed toward describing the status of rare, threatened, and endangered species in all areas potentially affected by the Project. All necessary biological surveys should be conducted in advance of the DEIR circulation and should not be deferred until after Project approval. Both plant and wildlife species observed within the Project should be included in the DEIR.

¹ Scientific research, take authorized under an approved NCCP, and certain recovery actions may be allowed under some circumstances; contact the Department for more information.

Connie Chen, Project Manager
California Public Utilities Commission
April 8, 2021
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5. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, should be included.
 - a. The DEIR should present clear thresholds of significance to be used by the Lead Agency in its determination of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect. (CEQA Guidelines section 15064.7)
 - b. Additional information on biodiversity, wildlife linkages, and significant habitats can be found on the Department's Areas of Conservation Emphasis: <https://wildlife.ca.gov/Data/Analysis/ACE#523731770-species-biodiversity>.
 - c. In evaluating the significance of the environmental effect of the Project, the Lead Agency should consider direct physical changes in the environment, which may be caused by the Project and reasonably foreseeable indirect physical changes in the environment, which may be caused by the Project. Expected impacts should be quantified (e.g., acres, linear feet, number of individuals taken, volume or rate of water extracted, etc.).
 - d. Impacts to, and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided (CEQA Guidelines Appendix G (IV), FGC section 1930, and <https://www.wildlife.ca.gov/Conservation/Planning/Connectivity>).
6. Mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats should be developed and thoroughly discussed. Mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition, and preservation in perpetuity should be addressed.
 - a. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for most impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful. If considered, these types of mitigation measures must be discussed with the Department prior to release of the DEIR.

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- b. Areas reserved as mitigation for Project impacts must be legally protected from future direct and indirect development impacts. Potential issues to be considered include public access, conservation easements, species monitoring and management programs, water pollution, and fire management.
 - c. Plans for restoration and revegetation should be prepared by persons with expertise in northern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and/or seeding rates; (c) a schematic depicting the mitigation area; (d) planting/seeding schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for long-term conservation of the mitigation site.
7. Take of species of plants or animals listed as endangered or threatened under CESA is unlawful unless authorized by the Department. However, a CESA 2081(b) Incidental Take Permit (ITP) may authorize incidental take during Project construction or over the life of the Project. The DEIR must state whether the Project could result in any amount of incidental take of any CESA-listed species. Early consultation for incidental take permitting is encouraged, as significant modification to the Project's description and/or mitigation measures may be required in order to obtain a CESA Permit. Information on how to obtain an ITP is available through the Department's website at: <https://www.wildlife.ca.gov/Conservation/CESA/Incidental-Take-Permits>.

The Department's issuance of a CESA Permit for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA will consider the Lead Agency's EIR for the Project. The Department may require additional mitigation measures for the issuance of a CESA Permit unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA Permit.

To expedite the CESA permitting process, the Department recommends that the DEIR addresses the following CESA Permit requirements:

- a. The impacts of the authorized take are minimized and fully mitigated;

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- b. The measures required to minimize and fully mitigate the impacts of the authorized take and: (1) are roughly proportional in extent to the impact of the taking on the species; (2) maintain the applicant's objectives to the greatest extent possible, and (3) are capable of successful implementation;
 - c. Adequate funding is provided to implement the required minimization and mitigation measures and to monitor compliance with and the effectiveness of the measures; and
 - d. Issuance of the permit will not jeopardize the continued existence of a State-listed species.
7. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion, which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, Project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. The DEIR should demonstrate that the Project will not result in a net loss of wetland habitat values or acreage. All wetland delineations conducted for this Project should be attached to the DEIR.
- a. The Project location has the potential to support aquatic, riparian, or wetland habitat. A delineation of lakes, streams, and associated riparian habitats potentially affected by the Project should be provided for agency and public review. This report should include a preliminary jurisdictional delineation including wetlands identification pursuant to the USFWS wetland definition² as adopted by the Department³. Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers. The jurisdictional delineation should also include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the Project. The Department considers impacts to any wetlands (as defined by the Department) as potentially significant.

² Cowardin, Lewis M., et al. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, U.S. Fish and Wildlife Service.

³California Fish and Game Policies: Wetlands and Resource Policy; Wetland Definition, Mitigation Strategies, and Habitat Value Assessment Methodology; Amended 1994.

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8. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations. (Public Resources Code section 21003(e)). Please report any special status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist, at (530) 598-7194, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Donna L. Cobb
1AFB1E1AEF314DD...

Curt Babcock

Habitat Conservation Program Manager

cc: Connie Chen, Project Manager
California Public Utilities Commission
Connie.chen@cpuc.ca.gov

Anne Surdzial, AICP
ECORP Consulting, Inc.
ZayoFiberOptic@ca-advantage.com

State Clearinghouse
state.clearinghouse@opr.ca.gov

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Amy.Henderson@wildlife.ca.gov, Caitlyn.Oswalt@wildlife.ca.gov, and
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**CALIFORNIA STATE LANDS
COMMISSION**

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April 8, 2021

File Ref.: Prineville to Reno Fiber Optic Cable

Anne Surdzial
ECORP Consulting, Inc,
215 N. 5th Street
Redlands, CA 92374

Subject: Notice of Preparation of an Environmental Impact Report for
the Prineville to Reno Fiber Optic Project Proposed by Zayo
Group, LLC, Modoc, Lassen, and Sierra County

Dear: Ms. Surdzial:

The California State Lands Commission (Commission) staff has reviewed the subject NOP for the Prineville to Reno Fiber Optic Project Proposed by Zayo Group, LLC (Project), which is being prepared by the California Public Utilities Commission (CPUC). The CPUC, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq). The Commission has authority over all sovereign lands in the state and is the trustee of all state-owned school lands. Therefore, the Commission monitors all projects that could directly or indirectly impact these lands. The Commission will be acting as a responsible agency under CEQA and Commission staff requests that the CPUC consult with us on the preparation of the Draft EIR as required by CEQA section 21153, subdivision (a), and the State CEQA Guidelines section 15086, subdivisions (a)(1) and (a)(2).

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high-water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present-day site inspections.

Commission Jurisdiction and School Lands

In 1853, the U.S. Congress granted to California nearly 5.5 million acres of land for the specific purpose of supporting public schools. (Ch. 145, 10 Stat. 244.) In 1984, the State Legislature passed the School Land Bank Act (Act), which established the School Land Bank Fund (SLBF) and appointed the Commission as its trustee (Pub. Resources Code, § 8700 et seq.). The Act directed the Commission to develop school lands into a permanent and productive resource base for revenue-generating purposes. The Commission manages approximately 458,843± acres of school lands still held in fee ownership by the state and the reserved mineral interests on an additional 790,000± acres where the surface estates have been sold. Revenue from school lands is deposited in the State Treasury for the benefit of the Teachers' Retirement Fund (Pub. Resources Code, § 6217.5).

Furthermore, the school lands held in the SLBF include approximately 56,000 acres of forested lands that are particularly vulnerable to fire danger. Many of these lands are remote and isolated parcels that could benefit greatly

from improved fuel reduction programs. Commission staff invites the Board and the Department of Forestry and Fire Protection (CalFire) to explore opportunities for a Memorandum of Agreement with the Commission that would facilitate these types of fire protection programs on school lands. Links to further information and an interactive map and GIS shapefiles of school lands can be found on the Commission's website at <https://www.slc.ca.gov/land-types/school-lands/> and <https://www.slc.ca.gov/gis/>.

Project Description

The Project would construct and operate an underground fiber-optic network from Prineville, Oregon, to Reno, Nevada. The portion of the project that crosses California would extend 193.9 miles across portions of Modoc, Lassen, and Sierra Counties. Along the majority of the route, 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. Fiberglass vaults would be installed flush to the ground along the running line to provide maintenance access and at splice locations.

Based upon the information provided and review of in-house records, Commission staff has determined that the Project will impact school lands under the jurisdiction of the Commission and will require a General Lease – Right-of-Way Use for construction, maintenance, and operation. The proposed project will extend across the following State-owned School Lands:

- SLC Parcel 088-004 containing 400 acres more or less (Por. Sec. 36, T44N, R13E, MDM),
- SLC Parcel 075-008 containing 37.08 acres more or less (Por. Sec. 22, T31N, R15E, MDM),
- SLC Parcel 068-002 containing 428.70 acres more or less (Por. Sec. 36, T24N, R17E, MDM).

Commission staff has determined that it is unknown whether Project activities would occur on sovereign land. Therefore, it is possible that the Commission will have jurisdiction and that a lease or other approval for use of sovereign land may be required.

Thank you for the opportunity to comment on the NOP for the Project. As a trustee and responsible agency, the Commission requests that you consult with us on this Project and keep us advised of changes to the Project Description and all other important developments. Please send additional information on the Project to the Commission staff as the DEIR is being prepared.

For questions concerning Commission leasing jurisdiction, please contact If you have any questions or wish to discuss this matter with me, you may call me at (916) 574-0900, e-mail me at Randy.Collins@slc.ca.gov , or write me at the above address.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Collins", with a long horizontal flourish extending to the right.

Randy Collins
Public Land Management Specialist

cc: Eric Gillies, DEPM



April 8, 2021

VIA EMAIL (ZayoFiberOptic@ca-advantage.com)

Anne Surdzial, AICP
ECORP Consulting, Inc.
215 N. 5th Street
Redlands, CA 92374

Re: CPUC Notice on Environmental Impact Report for Fiber Optic Project Proposed by Zayo Group, LLC

To Whom It May Concern:

I write to you to provide comments on behalf of the Pit River Tribe, a federally recognized Indian tribe ("Pit River" or "Tribe") in response to the letter dated March 8, 2021 from Connie Chen, Project Manager at the California Public Utilities Commission ("CPUC"). The letter provides notice that the CPUC is preparing an Environmental Impact Report ("EIR") on the proposed fiber optic project ("Project") by Zayo Group, LLC ("Zayo"). The Project, which extends from Oregon to Nevada, would cross 193.9 miles in California and would require the burial of conduit and other equipment.

The Pit River Tribe did not receive the above referenced letter from the CPUC. In fact, the Tribe did not receive the letter until April 6, 2021 when it was forwarded to the Tribe by a third-party. As such, the Tribe has not had adequate time to prepare and provide comments in response to the letter, and requests separate consultation with the CPCU on this Project.

The Project cuts directly through ancestral Pit River lands and without adequate consultation, the Tribe will be severely disadvantaged in lacking the ability to release site specific information. To be sure, there are Tribal cultural sites directly in the path of the easement area that is located off of the Tribe's trust lands but within Tribal territory. The Tribe needs the opportunity to provide this information to the CPUC to ensure that it is taken into consideration for the EIR.

While the Tribe has been in contact with Zayo regarding a right of way for the Project over its trust lands, this communication falls short of consultation on the entire Project. The communication for

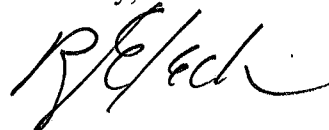
the right of way is limited strictly to the portion of the Project that is located on trust lands, and the Tribe still needs the opportunity to consult on its entire Tribal territory. As you may be aware, the Tribe's ancestral lands stretch far beyond the limits of its trust land, and sacred sites and cultural resources are spread throughout the entirety of its lands.

As discussed in the CPUC's March 8th letter, an EIR is required "because the Project could result in potentially significant impacts to environmental resources." Pursuant to AB52, public agencies, such as the CPUC, are required to consult with tribes that are traditionally and culturally affiliated with the geographic area of a proposed project that is subject to the California Environmental Quality Act ("CEQA"), such as this Project. As noted in Appendix E to the Proponent's Environmental Assessment and Application, the Tribe expressed the desire to engage in consultation regarding the Project back in 2020, and therefore should have been notified of this opportunity to provide comments for the scoping report. As further noted in Section 5-18 of Zayo's Response letter dated February 26, 2021, it was expected that the CPUC would consult with tribes in order to identify cultural resources once the Project application is complete. The CPUC deemed the Project application complete on February 3, 2021, yet the Tribe has not been contacted by the CPUC for this consultation.

Due to the failure to notify the Tribe of the public scoping period or the March 24, 2021 scoping meeting, the Pit River Tribe requests separate consultation so that it may provide details of cultural resources and sacred sites falling within the Project area. Further consultation will help safeguard against the intrusion into these sites, in line with the intent of AB52.

Thank you for your time and attention on this matter. I am available to discuss further at your request.

Sincerely,

A handwritten signature in black ink, appearing to read "R/Eleck", with a stylized flourish at the end.

Russell Eleck
Vice Chairman