1 INTRODUCTION

1.1 PROJECT BACKGROUND

This document describes a proposal by Broadwing Communications Services, Inc. (Broadwing) to expand its existing fiber optic network in California by constructing and operating additional facilities. The California network is part of a larger initiative by Broadwing to build a nationwide network. The California Public Utilities Commission (CPUC) issued Broadwing (formerly IXC Long Distance, Inc.) a Certificate of Public Convenience and Necessity (CPCN) on October 5, 1995, to provide resale telecommunications services within California. In a letter dated November 12, 1997, the CPUC granted IXC Long Distance, Inc. additional, limited authorization to operate as a facilities-based reseller of telecommunications services. Broadwing is now applying to the CPUC to modify its existing CPCN to authorize further planned construction of facilities within the state. This document analyzes the environmental consequences of constructing the proposed new facilities.

Elements of the Broadwing network that already are constructed (and the approximate years that construction was substantially completed) include:

- Nevada-California Border to Los Angeles Longhaul Route (1998)
- California-Oregon Border to San Francisco Longhaul Route (1998)
- Hayward - San Jose - San Francisco Urban Ring Project (1999)
- Palmdale to Pleasanton Longhaul Route (1999)
- Hayward to Pleasanton Route (1999)
- Santa Clara Data Center Route 1 (2000)

In addition to these network elements built by Broadwing (or its predecessor company, IXC Long Distance, Inc.) either independently or in collaboration with others, the existing network includes optical fiber, conduit, and regenerator/optical amplification (OP-AMP) facilities owned and constructed by others and leased to Broadwing. The general locations of existing network infrastructure are shown in Figure 1.1-1.

Previous construction was undertaken by IXC Long Distance, Inc. and Broadwing in consultation with appropriate local, state, and federal agencies. In general, construction was authorized through encroachment permits, longitudinal occupancy permits, bore crossing permits, bridge attachment permits, “letters of no objection,” and grading permits. In February 1998, the Bureau of Land Management (BLM) issued a federal grant of right-of-way authorizing construction of substantial parts of the Nevada-California Border to Los Angeles Longhaul Route. The BLM authorization was supported by a National Environmental Policy Act (NEPA) environmental assessment/finding of no significant impact (CA-060-98-02, dated December 12, 1998), which incorporated the results of consultation with the Governor’s Office, various other local and state responsible agencies, and federal cooperating agencies.

1.2 CEQA LEAD AND RESPONSIBLE AGENCIES

This project qualifies as a “project” under the State CEQA Guidelines (CEQA Section 21065). The CPUC is the designated state lead agency for review of this project under CEQA. This IS/MND prepared for the project may be used, depending on the need for discretionary permits, by other agencies or governmental entities, including, but not limited to, the following:

- air pollution control and air quality management districts;
- California Department of Fish and Game;
- California Department of Transportation;
- state regional water quality control boards;
- California State Water Resources Control Board; and
- local counties, cities, and special districts.

This IS/MND has been prepared in accordance with CEQA (Cal. Pub. Res. Code 21000 et seq.), the recently amended State CEQA Guidelines (14 CCR 15000 et seq.), and the CPUC CEQA rules (Rules 17.1, 17.2, and 17.3).

The project route crosses many jurisdictions and will require approvals and permits from various federal, state, and local agencies for specific portions of the project route and associated facilities. Portions of the project route may also be subject to compliance with federal environmental regulations, including, but not limited to, the federal Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA).

1.3 PURPOSE AND NEED

Broadwing has a need to increase the capacity of client fiber optic facilities within California. The installation of fiber optic facilities serves the public interest through increased and more rapid access to voice and data communications. The purpose of the proposed expansion project is to satisfy the time-sensitive need for increased telecommunication capacity. Construction in established and routinely maintained utility and road rights-of-way is intended to greatly minimize impacts on the environment.

As discussed previously, the proposed expansion project analyzed in this IS/MND will be part of Broadwing's nationwide telecommunication system. Each route segment has independent utility, which means that each specific route, although part of an overall network, can also function independently between two locations. Many of the project segments described in Chapter 3, "Project Route Descriptions," will be built and operated independently of other portions of the network, but are ultimately designed to contribute to a nationwide system of fiber optic services extending throughout the western United States.

1.4 PROJECT OBJECTIVES

Broadwing's objectives for constructing the proposed fiber optic system expansion are to:

- provide needed telecommunications capacity within California through the installation of additional fiber optic cable network facilities to an existing network;
- expand California's national and international telecommunications access and the reliability of that access though diverse links; and
- avoid or mitigate to less-than-significant levels any significant impacts on California's environment though the careful siting of the project route and associated facilities (i.e., OP-AMP/regeneration stations) and use of special construction methods, where applicable (e.g., installation in existing road rights-of-way and directional boring).

The expansion of Broadwing's proposed overall fiber optic cable network in California will provide several benefits to the state and consumers of telecommunications services, including:

enhancing the capability and reliability of California's telecommunications infrastructure;
- addressing existing and future demand for telecommunications services in California and the nation;
- creating competitive pressures on existing telecommunications carriers to maintain low prices and good service;
- providing high-quality, secure, reliable, competitively priced telecommunications services using state-of-the-art fiber optic cable technology; and
- providing customers with innovative, customized services designed to meet specific customer needs and expanding the availability of technologically advanced services in California.

1.5 PURPOSE AND SCOPE OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Approval of Broadwing's modification to its existing CPCN would allow Broadwing to construct and operate additional fiber optic facilities in the State of California. This approval by the CPUC is considered a discretionary action and, therefore, is subject to consideration under CEQA.

The CPUC, as the state lead agency under CEQA, must comply with the environmental review process described in the State CEQA Guidelines. This IS/MND follows the recently amended CEQA environmental checklist (Appendix A) and guidelines and analyzes in detail the potentially significant environmental impacts of project design, construction, operation, and maintenance. A brief discussion is also provided for each entry on the environmental checklist form for which the project will have either no impact or a less-than-significant impact on the environment.

The CPUC is responsible for preparing the environmental documentation under CEQA. This IS/MND documents the extensive coordination between Broadwing and the CPUC and other state and federal agencies to meet their requirements for compliance with applicable federal, state, and local permits, approvals, laws, and regulations. A list of the potential permits and approvals required for the project is presented in Appendix B.

This IS/MND also documents compliance with the appropriate federal and state ESAs, Clean Water Act (CWA), and NHPA and coordination with responsible, trustee, and cooperating agencies with jurisdiction along the project route. Endangered species issues are currently being coordinated with the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Compliance with the NHPA, if required, includes additional activities summarized in this IS/MND, such as preparation of a cultural resources inventory report, evaluation of some cultural resources, and consultation between federal agencies and the State Historic Preservation Officer. Documentation of compliance with NHPA will be provided in a separate cultural resources inventory report.

1.6 ORGANIZATION OF THIS INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This IS/MND describes and analyzes the environmental consequences of all of the foreseeable construction and operation activities associated with proposed expansion of the Broadwing fiber optic system. The IS/MND analyzes the proposed California fiber optic system expansion on a "programmatic" level (i.e., as a whole at a broad level of detail) and also analyzes the proposed project on a site-specific basis where appropriate, according to the most current available information. The IS/MND is organized in two volumes.

Volume I consists of the following:

- "Executive Summary" briefly describes the project, impacts and their level of significance, and programmatic and route-specific mitigation measures.

- Chapter 1, “Introduction,” provides a brief overview of the project background, describes the purpose of and need for the project, and outlines the objectives that the applicant (Broadwing) is seeking to achieve.
- Chapter 2, “Project Description,” describes the construction methods that will be applied and the environmental commitments that have been incorporated into the project to avoid potentially significant impacts or reduce them to less-than-significant levels.
- Chapter 3, “Project Route Descriptions,” describes the project routes and related facilities that make up the proposed project. Route maps are provided in Appendix C.
- Chapter 4, “Environmental Setting, Impacts, and Mitigation Measures,” describes the existing conditions (i.e., setting) at both programmatic and site-specific levels. Issue areas are discussed in the order in which they appear in the CEQA initial study checklist (Appendix A). Environmental impacts are analyzed and mitigation measures are recommended to reduce or eliminate potential significant impacts. For each issue area, impacts are identified as “less than significant” or “less than significant with mitigation incorporation.” This chapter also contains impact analyses that are appropriate on a programmatic level, rather than a site-specific level. Issue areas that are not relevant to the proposed project are discussed and then eliminated from further analysis. Completed environmental impact assessment summaries for the project routes, in the form of CEQA initial study checklists, are provided in Appendix A.
- Chapter 5, “List of Preparers and Contributors,” is a list of all the people that contributed to preparation of the IS/MND and their qualifications.
- Chapter 6, “References,” is a list of all the sources cited in the document.

Volume II, “Technical Appendices,” contains completed CEQA initial study checklists; a list of all potential permits and approvals; maps for each of the proposed routes; supporting technical data; regulatory agency correspondence; and other general, program-related, and route-specific background information.