

1 INTRODUCTION

1.1 INTRODUCTION

El Paso Global Networks Company (EPGN), a subsidiary of El Paso Energy Corporation (El Paso), has been developing a nationwide network of fiber optic telecommunication facilities and has identified the need for an extension of its system into the western region of the United States. El Paso owns and operates a nationwide natural gas transmission system comprising a significant number of miles of pipeline, extending from the west coast to the east coast and from the Gulf coast to New England. EPGN is proposing the installation of fiber optic telecommunication facilities adjacent to some of these pipelines and within the rights-of-way (ROWs) they occupy, which are operated and maintained by El Paso Natural Gas Pipeline Company, a subsidiary of El Paso Energy Corporation (referred to in this document as El Paso Natural Gas Pipeline Company). The overall objective is to facilitate the installation and operation of these telecommunication facilities along these ROWs, while at the same time ensure the reliability, safety, and integrity of the existing pipeline facilities.

EPGN is currently developing an approximately 972-mile-long fiber optic installation project that would traverse the states of California, Arizona, New Mexico, and Texas to transmit voice and data services. The new telecommunications system (hereafter referred to as the system) will connect the cities of El Paso, Texas, to Los Angeles, California, by way of Phoenix, Arizona.

Approximately 337 miles of the system will be located within the State of California and, as such, would be under the jurisdiction of the California Public Utilities Commission (CPUC). The CPUC must grant a Certificate of Public Convenience and Necessity (CPCN) in order for EPGN to provide services to the public as a facilities-based, non-dominant, interexchange carrier. The CPUC's decision to grant or deny a CPCN triggers compliance with the California Environmental Quality Act (CEQA) and requires an environmental analysis of the potential impacts associated with the proposed project.

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 Initial Study/Mitigated Negative Declaration (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 Lands Commission;
- 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's CEQA rules (Rules 17.1, 17.2, and 17.3).

The proposed 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 PROJECT OVERVIEW

EPGN's California telecommunication system project consists of the installation of approximately 972 miles of fiber optic cable, of which approximately 337 miles are located within California. EPGN will install approximately 1 percent of these facilities adjacent to and within the ROWs of the El Paso Natural Gas Pipeline Company system. The remaining 99 percent of EPGN's system will be located within other existing transportation and/or utility corridors. The conduits are buried underground primarily in existing previously disturbed ROWs.

As part of the overall system, EPGN is proposing the installation of eight or more 1.9-inch HDPE conduits and ancillary facilities (access vaults, manholes or handholes, optical-amplification [OP-AMP], regeneration stations, and centerline markers) from El Paso, Texas, to Los Angeles, California. Typically, either a hand-hole or manhole will be installed at each splice point to provide access for installation of additional fiber and maintenance of existing fiber. The distance between splice points is approximately 20,000 linear feet. These locations will be placed near roads where possible to ensure optimum accessibility and minimize disturbance along the ROWs.

Ancillary facilities include OP-AMP or regeneration stations roughly every 45 to 50 miles. OP-AMP stations are required to amplify the optical signal. Regeneration stations contain electrical equipment that reconstructs and amplifies the optical signal. From the outside, regeneration/OP-AMP stations are identical, and hence will be referred to as regeneration stations. For the California segment of the system, there will be six proposed regeneration stations. An in-depth description of the proposed project is provided in Section 2.0 of this document. One of the regeneration stations will require the installation of a 3.3-mile electric transmission line.

In addition to state, county, city, and private land, the proposed project will traverse lands under the jurisdiction of the Bureau of Land Management (BLM). The BLM has assumed the role of the lead federal agency responsible for compliance with the National Environmental Policy Act (NEPA), has prepared an Environmental Assessment (EA) for the proposed corridor and ancillary facilities for the entire system in all four states. As the lead agency for compliance with CEQA, CPUC is only required to evaluate the project within the State of California. Therefore, this IS/MND focuses only on the proposed corridor and associated facilities within California.

1.4 PURPOSE OF THE PROPOSED PROJECT

Technological advances in telecommunications in recent years, particularly with fiber optics, have both increased the quality and reduced the cost of long distance telephone services and access to the World Wide Web via the Internet. This, in turn, has increased the use of such services and thus increased the demand for more high-speed, long-distance data transmission systems, specifically those involving the use of fiber optics. This project will help meet increased demands for such needs by installing a fiber optic conduit system, capable of holding up to eight fiber optic cables, from El Paso to Los Angeles and will be available to provide service to communities that currently do not have access to fiber optics and related services. In the construction of the proposed project in California, El Paso plans to avoid or mitigate to less-than-significant levels any significant impacts on California's environment through the careful siting of the project route and associated facilities (i.e., regeneration/OP-AMP stations) and use of special construction methods, where applicable (e.g., installation in existing roads rights-of-way and directional boring).

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

Approval of a CPCN would allow El Paso to construct and operate 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 and guidelines and analyzes in detail the potentially significant environmental impacts of project design, construction, operation, and maintenance.

The CPUC is responsible for preparing the environmental documentation under CEQA. This IS/MND documents the coordination between El Paso 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

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 PERMIT REQUIREMENTS

Implementation of this project will require approval from the CPUC and permits from other responsible public agencies. If the responsible agencies determine that additional or modified mitigation measures are necessary to mitigate impact levels to less-than-significant levels, EPGN shall implement and comply with such mitigation measures. Table 1-1 is a summary of the permits required for the California segment of the project. Related to the permits is California stream crossing information, which is contained in Appendix A.

1.7 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 the El Paso 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 analyzes the proposed project on a site-specific basis where appropriate, according to the most current available information.

The IS/MND 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 (El Paso Global Networks is seeking to achieve.

- ▶ Chapter 2, “Project Description,” describes the project route and related facilities that make up the proposed project, 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, “Approach to Environmental Assessment,” is an explanation of the environmental review process associated with this project;
- ▶ 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, which begins each resource section. 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.” Issue areas that are not relevant to the proposed project are discussed and then eliminated from further analysis.
- ▶ 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.
- ▶ “Technical Appendices,” contains maps for the proposed route; supporting technical data; regulatory agency correspondence; and other general, program-related, and route-specific background information and plans.

**Table 1.5-1
Permit/Approval Requirements for the EPGN Project**

Permits	Agency	Jurisdiction/Purpose
<i>FEDERAL AGENCIES</i>		
Section 10 and 404	U.S. Army Corp of Engineers	Waters of the U.S., including wetlands
Section 7 Consultation	U.S. Fish and Wildlife Service	Threatened and Endangered Species Biological Opinion
Section 106 Review	Advisory Council on Historic Preservation/Native American Tribes	Historic Properties Management Plan
<i>STATE AGENCIES</i>		
Certificate of Public Convenience and Necessity (CPCN)	California Public Utilities Commission	Overall project approval and CEQA lead agency
Land Use Lease	California State Lands Commission	Crossing of California School lands and rivers
Reclamation Board Permits	California Department of Water Resources	Canal and levee crossings
Encroachment and Crossing Permits	California Department of Transportation	Encroachment along and crossing state highways
NPDES Stormwater Discharge	California State Water Resources Board	Stormwater discharge associated with construction activities
Stream Crossing Agreements	Department of Fish & Game	Crossing or boring waterways
Endangered Species Consultation	Department of Fish & Game	Biological Opinion (through CEQA review process) <u>Endangered Species Permit, if required.</u>
Consultation	State Historic Preservation Office	Cultural resources management (through CEQA review process)
<i>LOCAL AGENCIES</i>		
Conditional Use Permits	County Planning Department	Development of regeneration sites
Road Encroachment Permits	County Public Works (all counties traversed)	Installation of conduits along county road ROWs
Road Encroachment Permits	Local Public Works (cities with roadways traversed)	Installation of conduits along city road ROWs
Hazardous Material Release Response Plan	County Environmental Health Departments	Storage, handling and disposal of diesel fuel at regeneration stations
Building Permits	County Development Services	Building permits for structures and buildings
Authority to Construct/ Operate	Air Quality Management Districts	Air emission reduction and monitoring for backup generators
Encroachment Approval	Local Irrigation Districts	Crossing local district canals and ditches