

7. Responses to Comments

On April 30, 2019, the California Public Utilities Commission (CPUC) circulated a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for TDS Telecom’s (the applicant’s) Permit to Construct (PTC) the Olinda Last Mile Underserved Broadband Project (proposed project) (Commission Resolutions T-17411 and T-17517) to the public and public agencies pursuant to the California Environmental Quality Act (CEQA), Section 15072. The CPUC sent the NOI to Shasta County, and other interested parties. The Draft Initial Study (IS)/MND was also announced in the *Redding Record Searchlight* newspaper on April 30, 2019. The CPUC posted the Draft IS/MND on its website and made electronic and hard copies of the document available at the Shasta County Public Library’s Anderson and Redding branches. The IS/MND is available online at <https://www.cpuc.ca.gov/environment/info/ene/olinda/olinda.html>.

During the public review period for the Draft IS/MND, the CPUC received comments from a public agency and an individual party. Table 7-1 lists the persons and agencies that submitted comments on the Draft IS/MND. If revisions were made to the Draft IS/MND, they are provided with the response to the specific comment. Revisions are indicated in the text of this Final IS/MND with ~~strikeout~~ for deletions of text and in underline for new text.

Table 7-1 Index of Commenters and Responses

Commenter	Affiliation	Type	Date of Comment	Response Code
Public Agencies				
Curt Babcock Habitat Conservation Program Manager	California Department of Fish and Wildlife	Letter	05/30/2019	A-1 – A-6
Individuals				
Jonathan Bank	Self	Email	02/19/2019	B-1

1 **Public Agencies**
2
3 **Comment Letter A**
4 **California Department of Fish and Wildlife**
5



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



May 30, 2019

Silvia Yanez, Project Manager
California Public Utilities Commission
c/o Ecology and Environment, Inc.
One Embarcadero Center, Suite 500
San Francisco, CA 94111

Subject: Review of the Mitigated Negative Declaration for the Olinda Last Mile Underserved Broadband Project, State Clearinghouse Number 2019049174, Shasta County

Dear Ms. Yanez:

The California Department of Fish and Wildlife (Department) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) dated April 2019, for the above-referenced project (Project). As a 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. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project as proposed "involves the construction of a second-generation fiber-optic network capable of 25Mps/5 Mps (megabit-per-second download/upload) speed. Approximately 24.6 km (15.3 miles) of new fiber-optic cable would be buried within protective conduit along existing County roads in the project area."

Field surveys of the Project area identified 29 drainages and eight wetlands, with all but one wetland considered seasonal. No special-status species were observed during surveys.

Conserving California's Wildlife Since 1870

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Silvia Yanez, Project Manager
California Public Utilities Commission
May 30, 2019
Page 2

Comments and Recommendations

Wetlands

The Department appreciates that the Project is designed to avoid waterways and wetlands. However, the IS/MND states:

"The proposed project would avoid all potentially jurisdictional aquatic features through the use of directional drilling and bore pit setbacks. Therefore, there would be no direct impacts to state or federally protected wetlands. However, wetlands could be indirectly impacted by runoff, dust, sedimentation, or chemical spills from an adjacent construction area, which could degrade water quality."

Wetlands are considered sensitive natural communities. The Department considers all wetlands sensitive and the State has a policy of "No Net Loss" of wetland acreage or habitat value¹.

Mitigation Measure APM BIO-3 may help alleviate direct impacts by boring 250 feet away from wetlands; however, in the review and permitting of numerous directional bore projects, Department staff have observed frac-outs occurring within streams and wetlands despite compliance with setbacks from these features. The IS/MND does not indicate that a contingency plans or mitigation measures have been developed in case of a frac-out or human-caused equipment error. The Department recommends minimization and compensatory mitigation be developed if direct and/or indirect impacts occur to wetlands during drilling activities.

A-1

A HDD Fluid Release Contingency Plan should be prepared as part of the Project. The plan should include measures to immediately contain and remove any spilled material from the stream, wetlands, or other sensitive habitats. The plan should be on site at all times and all contractors and biological monitors should have pre-arranged duties in case of a frac-out. Clean up equipment should be on site prior to the start of operations. In case of a frac-out, all drilling should cease, and all personnel should implement the clean-up contingency plan. If water is present during drilling operations under a watercourse or wetland a non-toxic fluorescent water-soluble dye should be used in order to identify frac-out. The plan should include notification to the appropriate Department staff should a frac-out occur within a stream or wetland.

For Wetland A the bore length of 150 feet depicted in Table 3.5 in the Biological Resources Evaluation is not consistent with APM BIO-3, which states the "Bore pits will be placed a minimum distance of 76m (250 feet) beyond either the edge of seasonal wetlands or the maximum extent of any vegetation present along the wetlands' margins." The Department recommends the bore length be changed to be consistent with APM BIO-3.

A-2

¹ Fish and Game Commission Wetlands Resources Policy (Amended 8/18/05)

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Silvia Yanez, Project Manager
California Public Utilities Commission
May 30, 2019
Page 3

In an e-mail to you, dated May 22, 2017, Department staff indicated a large vernal pool existed adjacent to D-15 (now WW-15). There is no detailed discussion of the vernal pool provided in the IS/MND or Biological Resources Evaluation. The Department recommends the vernal pool and its 250-foot buffer be depicted on Project maps. If any work must occur within 250 feet of the vernal pool, consultation with the Department and U.S. Fish and Wildlife Service may be necessary to ensure no significant impacts occur.

A-3

Lake and Streambed Alteration Agreement

The IS/MND indicates that that bore holes will be setback from waterbodies a minimum of 16 feet beyond the top of bank and that the depth of bore will be at least 5 feet below the depth of waterways. This stream setback and depth of bore may be sufficient in some stream crossing locations but insufficient in others. For instance, in highly incised streams this 16-foot setback may not be sufficient to protect the integrity of a deep vertical streambank and the Department would recommend a larger setback in these locations. In the case of the proposed 5-foot bore depth below a stream, this depth may put the conduit within the alluvial materials composing the streambed and would subject the conduit to scour during high flows. In locations where scour may be an issue the Department would recommend a site-specific scour analysis in order to determine a depth of bore that places the conduit below the scour depth of the stream. The IS/MND does not indicate whether a scour analysis has occurred in order to inform the selection of the proposed 5-foot bore depth or if that number was selected arbitrarily. As the IS/MND does not provide a detailed assessment of each watercourse crossing that would allow for a complete review of stream impacts, the Department recommends the Project applicant notify the Department pursuant to Fish and Game Code section 1600 to attain a Lake and Streambed Alteration Agreement (LSAA).

A-4

Issuance of an LSAA is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <https://www.wildlife.ca.gov/conservation/lisa> or to request a notification package, contact the Lake and Streambed Alteration Program at (530) 225-2367.

Biological Monitor

The Department recommends a biological monitor be present onsite for the directional boring construction near streams, wetlands, and other sensitive habitats. The biological monitor should have authority to immediately stop any activity that is not in compliance with this IS/MND or related Project permits.

A-5

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Silvia Yanez, Project Manager
California Public Utilities Commission
May 30, 2019
Page 4

Pre-Construction Survey Results

The Department requests that all pre-construction surveys be sent to the Department at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA, 96001.

A-6

If you have any questions, please contact Amy Henderson, Environmental Scientist, at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,



Curt Babcock
Habitat Conservation Program Manager

ec: Silvia Yanez
California Public Utilities Commission
SYanez@ene.com

State Clearinghouse
state.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov

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1 **Responses to Comment Letter A**
2 **California Department of Fish and Wildlife**
3
4

5 **A-1** The commenter, the State of California Department of Fish and Wildlife (CDFW), expresses
6 concern that the Draft IS/MND did not describe a contingency plan or mitigation measure in the
7 event that a release occurs—specifically from a frac-out or human-caused equipment error during
8 project-related drilling activities located near a wetland resulting in an impact to that wetland
9 area.¹ Therefore, CDFW recommends that minimization and compensatory mitigation be
10 developed to address impacts to wetlands from such a release.
11

12 Section 5.4 “Biological Resources” of the Draft IS/MND, on page 5.4-17, at lines 12–13,
13 describes the potential that “...wetlands could be indirectly impacted by runoff, dust,
14 sedimentation, or chemical spills from an adjacent construction area, which could degrade
15 water quality.” The CPUC acknowledges the commenter’s concern that a release due to a
16 frac-out or human-caused equipment error could occur, leading to an impact to a wetland
17 despite compliance with the setback requirements (discussed further in Response A-5,
18 below). CPUC believes that this concern has been addressed. However, to provide a specific
19 reference to the type of releases of concern to CDFW, additional text (on page 5.4-17, at line
20 15, of the Draft IS/MND) is inserted to expand the detail related to potential release events as
21 follows:
22

23 “Thus, as required by APM BIO-3, the proposed project would avoid all potentially
24 jurisdictional aquatic features, including the newly identified vernal pool, through the use of
25 directional drilling and bore pit setbacks. Therefore, there would be no direct impacts to state
26 or federally protected wetlands. However, wetlands could be indirectly impacted by runoff,
27 dust, sedimentation, or chemical or other releases (such as from frac-out or human-caused
28 equipment error) spills from an adjacent construction area, which could degrade water
29 quality. Frac-out (inadvertent release of drilling lubricants) is a potential concern when
30 Horizontal Directional Drilling (HDD) is used near aquatic features. The HDD procedure
31 uses bentonite slurry, a fine clay material, as a drilling lubricant. The bentonite is non-toxic
32 and commonly used in farming practices; however, benthic invertebrates, aquatic plants, fish
33 and their eggs can be smothered by the fine particles if bentonite were released and entered a
34 wetland area.”
35

36 Regarding “minimization and compensatory mitigation,” as discussed in Section 5.10
37 “Hydrology and Water Quality” of the IS/MND, to avoid or minimize impacts on water
38 quality standards and waste discharge, the applicant would implement Applicant Proposed
39 Measures (APMs) in accordance with the requirements of the State of California Regional
40 Water Quality Control Board and National Pollutant Discharge Elimination System permits
41 for protection of aquatic features from impacts associated with construction activities,
42 including a Stormwater Pollution Prevention Plan (SWPPP) per **APM GEO-2**. SWPPPs
43 require the use of site-specific best management practices during construction, including,
44 where applicable, contingency plans to address releases. The applicant would be required to
45 adhere to the SWPPP during construction of the proposed project. In addition, **APM HAZ-5**
46 would require spill clean-up kits to be provided and kept on site during construction.
47 Mitigation measure (**MM**) **GEN-1** would require that the applicant implement all proposed
48 APMs. These existing measures are sufficient to reduce impacts to wetlands to less than
49 significant.

¹ The term frac-out refers to the inadvertent release of drilling lubricants during drilling activities.

1
2 Furthermore, as discussed in Response A-4, below, CPUC acknowledges that a Lake and
3 Streambed Alteration Agreement (LSAA) may be required for construction. Therefore,
4 CDFW has authority to impose conditions to increase resource protection through LSAA
5 consultation.
6

- 7 **A-2** The commenter notes an inconsistency between the Wetland A bore length of 150 feet depicted in
8 Table 3.5 in the Biological Resources Evaluation and APM BIO-3. CDFW recommends the bore
9 length be changed to be consistent with APM BIO-3.
10

11 The “Associated Bore Length” shown on Table 3.5 of Appendix D, page 31, does not include
12 setbacks from implementation of **APM BIO-3**. The distance recorded under the “Associated
13 Bore Length” column represents the approximate length of each wetland crossing. Therefore,
14 actual wetland bore lengths will be extended at least 250 feet for avoidance measures through
15 the implementation of **APM BIO-3**. Furthermore, **MM GEN-1** would require that the
16 applicant implement all proposed APMs, and, accordingly, the APMs will be incorporated
17 into the Mitigation, Monitoring, and Reporting Plan. As stated in the project’s Mitigation
18 Monitoring and Reporting Plan, CPUC will verify implementation of APMs. Therefore, all
19 associated bore lengths shown on Table 3.5 of Appendix D, page 31, will be consistent with
20 **APM BIO-3**.
21

- 22 **A-3** The commenter indicates that a vernal pool exists adjacent to D-15 (now WN-15). Further, the
23 commenter states that there is no detailed discussion of the vernal pool provided in the IS/MND
24 or Biological Resources Evaluation. The CDFW recommends the vernal pool and its 250-foot
25 buffer be depicted on project maps. Additionally, they suggest that if any work must occur within
26 250 feet of the vernal pool, consultation with CDFW and U.S. Fish and Wildlife Service may be
27 necessary to ensure no significant impacts occur.
28

29 The CPUC appreciates CDFW’s involvement in the Olinda Last Mile Underserved
30 Broadband Project, specifically regarding the presence of a vernal pool not previously
31 identified. Record searches were conducted, and the email dated back to 2017 was not found.
32 Therefore, the CPUC sent a letter to CDFW on July 5, 2019, respectfully requesting CDFW
33 to forward data (e.g., maps, and/or shapefiles) for the vernal pool that exists adjacent to D-15
34 (now WW-15). The shapefile would contain necessary data to include the vernal pool in
35 project maps and a detailed discussion in the IS/MND accordingly.
36

37 On July 8, 2019, CDFW sent the following correspondence email, “Attached is a kmz that
38 pinpoints the location of the vernal pool. This vernal pool is on private property so when
39 Department staff disclosed in May 2017 that Downingia, a vernal pool plant, was observed, it
40 was from the side of the road. We did not go on to the property to delineate the vernal pool;
41 therefore, I have no shape files or other data points to share. The project maps included in our
42 IS/MND package were not detailed enough to determine if the trenching and/or boring would
43 have an effect on this wetland.”
44

45 The kmz file provided by CDFW is a data point. The data point is located on Scout Avenue,
46 between Telegraph Gulch Road and Olive Street, in the proximity of waterway WW-15
47 (unnamed tributary to Telephone Gulch), identified on page 78 of Appendix D of the Draft
48 IS/MND (Waterway Delineation Report [WDR]). In addition, during review, findings depict
49 that the vernal pool location is within 250 feet of a proposed boring pit location.
50

1 Relocating boring pits outside of the 250-foot buffer zone would ensure that bore pits are
2 located at least 250 feet away from the vernal pool, in compliance with APM BIO-3. **APM**
3 **BIO-3** states the following: “Bore pits will be placed a minimum distance of 76 m (250 feet)
4 beyond either the edge of seasonal wetlands or the maximum extent of any vegetation present
5 along the wetlands’ margins.” In compliance with this mitigation requirement, boring pits in
6 the vicinity of the vernal pool will need to be relocated outside of the 250-foot buffer zone so
7 as to ensure that bore pits are located at least 250 feet away from the vernal pool.
8

9 The CPUC sent a letter to the applicant requesting confirmation that the relocation of boring
10 sites proposed within 250 feet from the vernal pool point location on Scout Avenue, between
11 Telegraph Gulch Road and Olive Street, in compliance with **APM BIO-3**, was feasible. The
12 applicant responded on August 16, 2019, confirming the feasibility of relocation the proposed
13 boring pit sites in order to comply with APM BIO-3 and provided revised project maps.
14 Please refer to the revised Figure 4-2B, or the insertion of Figure 5.10-1B, and Appendix F of
15 this Final IS/MND, which depicts the vernal pool identified by CDFW and avoidance by
16 relocating a bore pit location, respectively. Thus, as required by APM BIO-3, the proposed
17 project would avoid all potentially jurisdictional aquatic features, including the newly
18 identified vernal pool, through the use of directional drilling and bore pit setbacks.
19

20 In addition, text on line 20, page 5.10-2 the Draft IS/MND, has been revised to account for
21 this vernal pool as follows: “The proposed project would cross 29 waterways and ~~eight~~^{nine}
22 wetlands (see Figure 5.10-1).”
23

24 Accordingly, text has been inserted on line 12 on page 5.4-3 of the Draft IS/MND as follows:
25 “On May 30, 2019, CDFW notified the CPUC of an existing vernal pool (a type of seasonal
26 wetland) in proximity to the proposed project. On July 9, 2019, CDFW informed the CPUC
27 that the vernal pool is located within private property, and therefore provided a data point
28 representing an observation of a vernal pool plant (*Downingia*) from the side of the road. The
29 data point is located on Scout Avenue, between Telegraph Gulch Road and Olive Street, in
30 the proximity of waterway WW-15 (unnamed tributary to Telephone Gulch) (see Appendix
31 F).”
32

33 **A-4** The commenter acknowledges that bore holes will be set back from waterbodies a minimum of
34 16 feet beyond the top of the bank and that the depth of the bore will be at least 5 feet below the
35 depth of the waterways. However, the commenter indicates the aforementioned stream setback
36 and depth of bore may be sufficient for some stream crossing locations, but insufficient for
37 others. Accordingly, the commenter recommends a larger setback if crossing locations occur near
38 highly incised stream reaches.
39

40 The commenter states that the IS/MND does not indicate whether a scour analysis has occurred in
41 order to inform the selection of the 5-foot bore depth and that the IS/MND does not provide a
42 detailed assessment of each watercourse crossing. As a result, CDFW recommends that the
43 project applicant provide the following: a site-specific scour analysis in areas where scour may be
44 an issue to determine a depth of bore that places the conduit below the scour depth of the stream.
45

46 To address these recommendations, the commenter suggests notification by the applicant to
47 CDFW to attain an LSAA pursuant to Fish and Game Code 1600, which would allow for a
48 complete review of stream impacts.
49

50 As discussed in Section 4.0 “Project Description” of the IS/MND, on page 4-11, and in
51 Section 5.4 “Biological Resources” of the IS/MND, on page 5.4-13, the applicant has

1 incorporated APMs into the project design. These APMs, include, but are not limited to,
2 “**APM BIO-1**, all waterways and wetlands in the project area will be bored beneath and
3 avoided during construction,” and are noted in Table 4-2 as project design features (PDF).
4 While PDFs are not discussed in their respective resource sections, **MM GEN-1** requires
5 implementation of all APMs including those categorized as PDFs to mitigate, avoid, or
6 minimize impacts to resource areas. Appendix D of the IS/MND, “Biological Resources
7 Reports,” on page 12, indicates that, “the depth of the bore would be a minimum of 5 feet
8 below the bed of the waterway...” which anticipates that the depth of boring beneath the bed
9 of the waterway may be larger if needed. **APM BIO-1** does not specify a 5-foot depth. If the
10 project’s conduit is placed such that it is subject to scour, the waterway will not have been
11 avoided as provided in **APM BIO-1**.
12

13 **APM BIO-2** states that, “Bore pits will be placed a minimum distance of 5 m (16 feet)
14 beyond either the top of waterway banks or the maximum extent of any vegetation present
15 along the waterways’ margins.”. This is the minimum setback requirement, which anticipates
16 that larger setbacks may be utilized to avoid potential impacts.
17

18 Actual boring hole setbacks and depths of borings will be determined during the final design
19 phase of the project. The CPUC will review the plans during design, to verify that all
20 waterways and wetlands are bored under and completely avoided during construction in
21 accordance with **APM BIO-1** and **APM BIO-2**. These measures are sufficient to reduce
22 impacts to less than significant for purposes of CEQA review.
23

24 The concern the commenter notes regarding the depth of borings and the possibility of scour
25 relates to possible impacts to the project’s facilities, not an environmental impact. This may
26 be a consideration for the project but impacts to project facilities is not a CEQA
27 consideration.
28

29 CPUC acknowledges that notification by the applicant to CDFW pursuant to Fish and Game
30 Code 1600 may be required and that CDFW may determine that the applicant must enter into
31 an LSAA with CDFW prior to construction. Therefore, Table 1-1 in Section 1.10 “Other
32 Public Agencies Whose Approval is Required” and Table 4-3 on page 4-14 in Section 4.9
33 “Permits and Approvals” of the Draft IS/MND are revised to add a LSAA to the list of the
34 permits that the lead and responsible agencies may require of the applicant in order to
35 implement the proposed project:
36

Table 4-3 Permits and Approvals Required for Construction

Agency	Permit/Approval	Requirement
California Department of Fish and Wildlife	Lake and Streambed Alteration Agreement	TDS would conduct work near or within waterways.
State Water Resources Control Board	Construction General Permit (Order 2009-0009-DWQ)	TDS would disturb more than 1 acre of land during proposed project construction.
Shasta County Public Works	Encroachment Permit	TDS would conduct work within Shasta County roadways.
California Public Utilities Commission	Mitigated Negative Declaration	
California Public Utilities Commission	PROJECT APPROVAL ACTION	

37
38 Furthermore, the following text of Section 5.4 “Biological Resources” of the Draft IS/MND,
39 on page 5.4-3, beginning on line 9, is removed as follows: “~~As no lake or streambed~~

1 ~~alteration is planned for the proposed project, a permit from the CDFW would not be~~
2 ~~required.~~ In addition the following text is inserted to follow the text on page 5.4-17, at line
3 19: “As indicated in Table 1-1 “Required Permits and Approvals” in Section 1.0, the
4 applicant should coordinate with CDFW to determine if a notification and a Lake Streambed
5 Alteration Agreement (LSAA) would be required, pursuant to Fish and Game Code 1600,
6 prior to construction. An LSAA may result in additional measures to further protect aquatic
7 resources under the jurisdiction of CDFW. Additionally, a Stormwater Pollution Prevention
8 Plan (SWPPP) per **APM GEO-2** requires the use of site-specific best management practices
9 during construction, including, where applicable, contingency plans to address releases.”

- 10
11 **A-5** The commenter recommends that a biological monitor be present onsite for all directional boring
12 activities near streams, wetlands, and other sensitive habitats. Furthermore, CDFW recommends
13 that the biological monitor should have authority to immediately halt any activity that in non-
14 compliant with the IS/MND or related project permits.

15
16 Actual boring hole setbacks and depths of borings will be determined during the final design
17 phase of the project. The CPUC will review the plans during design, to verify that all
18 waterways and wetlands are bored under and completely avoided during construction in
19 accordance with **APM BIO-1** and **APM BIO-2**. These measures are sufficient to reduce
20 impacts to less than significant for purposes of CEQA review.

21
22 However, as discussed in Response A-4, above, CPUC acknowledges that an LSAA may be
23 required for construction. Therefore, CDFW has the authority to impose biological
24 monitoring to increase resource protection through LSAA consultation.

- 25
26 **A-6** The commenter requests that all pre-construction survey results be sent to the Department at:
27 California Department of Fish and Wildlife, Attn: CEQA, 601 Locust, Street, Redding, CA
28 96001.

29
30 CPUC acknowledges the commenter’s request to receive all pre-construction surveys. As
31 discussed in Response A-5, a revision to **MM BIO-1** would require that the applicant submit
32 pre-construction survey results to CDFW, as requested. Accordingly, **MM BIO-1** has been
33 amended in Section 5.4 “Biological Resources” of the IS/MND, beginning at page 5.4-18,
34 line 4, **MM BIO-1** as follows:

35
36 “Nesting Birds Avoidance. Should construction activities take place between February 1 and
37 August 31, a CPUC-approved qualified biologist shall conduct a preconstruction survey to
38 identify active nests with the potential to be disturbed by construction within seven days of
39 the onset of construction in areas within 200 feet of potential nesting bird habitat. Should
40 active nests be detected within 200 feet of a construction area, the biologist will establish a
41 buffer around the nest large enough to ensure that construction will not disturb the nesting
42 pair. The buffer limits shall be identified where they meet the construction area using
43 flagging or signage. If construction must take place within the buffer (e.g., the nest cannot be
44 bored underneath and avoided), the biologist shall monitor the nesting pair for signs of
45 disturbance for as long as construction activities remain within buffer limits. If the nesting
46 pair shows signs of disturbance, the biologist will halt construction activities within the buffer
47 until the pair exhibits normal behavior. If, in the biologist’s best judgement, the presence of
48 construction may threaten nest success, construction activities will be prohibited within the
49 buffer until the nest is no longer active. Should construction activities in a given area lapse
50 for more than seven days, the biologist shall re-survey that area. Results of surveys shall be
51 submitted to the CPUC within one week of completion. The applicant shall ensure that all

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pre-construction survey results be sent to CDFW at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001.”

1 **Residents**
2
3 **Comment Letter B**
4 **Jonathan Bank**
5

Santilli, Amber

Subject: FW: Olinda Last Mile Underserved Broadband Project

-----Original Message-----

From: Jonathan Bank <jonathan.bank@icloud.com>
Sent: Tuesday, February 19, 2019 2:27 PM
To: CPUC Olinda Underserved Broadband <Olinda.CPUC@ene.com>
Subject: Olinda Last Mile Underserved Broadband Project

Hello,

Can I please be added to the email distribution list for this project?

Many thanks,
Jonathan Bank
5365 Happy Valley Rd.

| B-1

6

1 **Responses to Comment Letter B**
2 **Jonathan Bank**

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5 **B-1** The commenter requests to be added to the email distribution list for the proposed project.

6

7 The commenter has been added to the proposed project's email distribution list.

8

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