

PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

## MITIGATED NEGATIVE DECLARATION CHANNEL ISLANDS TELECOMMUNICATION PROJECT

**Lead Agency:** California Public Utilities Commission (CPUC)  
Energy Division  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, California 94102

National Park Service (NPS)  
Channel Islands National Park (CINP)  
1901 Spinnaker Drive  
Ventura, California 93001

**Contact:** Jensen Uchida, Project Manager, CPUC  
(415) 703-5484 or Jensen.Uchida@cpuc.ca.gov

Russell Galipeau, Jr., Superintendent, CINP  
(805) 658-5702 or Russell\_Galipeau@nps.gov

### PROJECT INFORMATION

**Project:** Channel Islands Telecommunication Project  
Channel Islands National Park, Santa Barbara County, California

**Proponent:** Channel Islands Telecommunication Company  
3802 Rosencrans Street #485  
San Diego, California 92110  
(619) 364-8633

### DESCRIPTION OF PROJECT

The Channel Islands Telephone Company (CITC) is proposing to install telecommunication facilities at up to 15 locations within the Channel Islands National Park. These new telecommunication facilities would serve to improve the currently limited telecommunication capabilities on the five islands, and would allow for private and government cellular phone and internet service between the five islands and the mainland.

### REQUIRED APPROVALS

Table 1 lists the potential permits and approvals necessary for completing the proposed telecommunication installation and operation activities.

<b>Table 1: Permits and Approvals That May Be Required</b>	
<b>Agency Name</b>	<b>Permit or Authorization Requirement</b>
<i>Federal Agencies</i>	
National Park Service (NPS)	Environmental review and approval under NEPA; issuance of special use permits installation and right-of-way permits for authorization to operate in a National Park
Federal Communications Commission (FCC)	Licensing and re-licensing of telecommunication sites
U.S. Fish & Wildlife Service (USFWS)	None, but informal Section 7 consultation would occur to further ensure compliance with the Endangered Species Act (ESA) (to be completed prior to NPS issuance of a Finding of No Significant Impact [FONSI]).
U.S. Navy	Although the NPS manages facilities on San Miguel Island, the island is technically owned by the U.S. Navy. Permits may be required by the U.S. Navy.
<i>State and Local Agencies</i>	
California Public Utilities Commission (CPUC)	Environmental review and approval under CEQA; approval of grant request for installation and operation
State Historic Preservation Office (SHPO)	Section 106 consultation, review, and documentation with the State Historic Preservation Office (SHPO) (to be completed prior to NPS issuance of a FONSI)
California Coastal Commission (CCC)	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)
County of Santa Barbara	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)
Santa Barbara County Air Pollution Control District (SBCAPCD)	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)

**ENVIRONMENTAL DETERMINATION**

Based upon an Initial Study, it is determined that the proposed project WOULD NOT HAVE a significant effect on the environment with the incorporation of the proposed Applicant Proposed Measures (APMs) and mitigation measures (attached). The Initial Study is available for review at the CPUC, 505 Van Ness Avenue, San Francisco, California 94102.



Jensen Uchida  
Project Manager

11/14/12

Date

## **APPLICANT PROPOSED MEASURES AND MITIGATION MEASURES**

Pursuant to the Public Resources Code and the State CEQA Guidelines, the state Lead Agency (CPUC) has prepared an Initial Study for the proposed project to evaluate the project's potential effects on the environment. The Initial Study has identified potential impacts associated with project implementation. Mitigation measures would be implemented to reduce potential impacts to less than significant levels.

### **Rare, Threatened, and Endangered Species**

**Mitigation Measure RTE Species-1: (Location 1):** Installation at Location 1 (Santa Barbara Island Ranger Station) shall be limited to months outside the breeding periods of the brown pelican (November 1 through September 30), burrowing owl (March 1 through August 30), and Xantus's murrelet (February 1 through July 25). An NPS ranger or qualified biologist shall conduct a pre-installation survey to determine the proximity of brown pelican, burrowing owl, or Xantus's murrelet if installation at this location must occur within the nesting season of these species. The biologist shall determine the appropriate survey radius from the work area depending on site conditions and anticipated noise generated by the installation activities. If nests are found, the biologist shall establish a no-work buffer as appropriate for the site conditions. No work shall be allowed within the buffer until nestlings have fledged, as determined by the biologist.

**Mitigation Measure RTE Species-2:** A member of the construction crew shall check for any active bird nests on the areas of installation (within 10 feet of installation areas) prior to commencing installation activities at all locations. If no active nests are found, work can commence. If nests are found work shall be delayed and the NPS biologist contacted. Work shall commence when the NPS biologist or a qualified biologist deems that nestlings have fledged.

### **Cultural Resources**

**Mitigation Measure CR-1:** To minimize the potential for significant impacts on previously known or as of yet undiscovered historic properties and/or features during any ground-disturbing activities, the following measures shall be required:

- a. Prior to installation, if deemed appropriate by the NPS Park Archaeologist, sensitivity training of all contractors and construction workers in the project area shall be conducted. Workers shall be educated in the recognition of archaeological resources (e.g., historic and prehistoric artifacts typical of the general area), procedures to report such discoveries, NPS no-collection policies, and CITC construction protocols to ensure that installation activities avoid impacts to potentially significant cultural resources. The NPS Park Archaeologist shall have the authority to halt or redirect the installation activity if potentially significant archaeological features or materials are uncovered. Evidence of compliance with NPS sensitivity training requirements must be submitted to the CPUC prior to installation activities.

- b. During installation activities and if deemed necessary by the NPS Park Archaeologist, an NPS-approved archaeological monitor shall be present during ground disturbing activities to ensure that archaeological artifacts, cultural deposits, and human remains are not disturbed.
- c. In the event that as of yet undiscovered archaeological artifacts, cultural deposits, or human remains are encountered during installation, all work shall stop in the immediate vicinity of the find and the NPS Park Archaeologist shall be notified at the earliest opportunity. As appropriate, additional cultural resources surveys shall be conducted to inventory the cultural resources within areas disturbed during installation. Installation activities shall not resume until the NPS Park Archaeologist deems the cultural resource has been appropriately documented and protected. At the NPS Park Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid cultural resources.

## FINDINGS

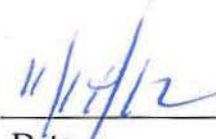
The Initial Study was prepared to identify the potential effects on the environment from the construction of the Channel Islands Telecommunication Project and to evaluate the significance of these effects. Based on the Initial Study and the Findings listed below, the CPUC has determined that the proposed project would not have a significant effect on the environment.

- With the implementation of the above mitigation measures, the proposed project would not significantly degrade the quality of the environment.
- With the implementation of the above mitigation measures, both short-term and long-term environmental effects associated with the proposed project would be less than significant.
- When potential impacts associated with implementing the proposed project are considered cumulatively, the incremental contribution of the project-related impacts are insignificant.
- Based on the Initial Study, there is no evidence that implementing the proposed project would have any adverse impacts on people.



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Mary Jo Borak, Program and Project Supervisor  
Energy Division  
California Public Utilities Commission



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Date

# INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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## 1. PROJECT TITLE

Channel Islands Telecommunication Project  
Channel Islands Telecommunication Company, Application No. A07-08-014

## 2. LEAD AGENCY NAME AND ADDRESS

California Public Utilities Commission  
Energy Division  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, California 94102

National Park Service  
Channel Islands National Park  
1901 Spinnaker Drive  
Ventura, California 93001

## 3. CONTACT PERSON AND PHONE NUMBER

Mr. Jensen Uchida  
Project Manager, Energy Division, California Public Utilities Commission  
Phone: (415) 703-5484  
E-mail: Jensen.Uchida@cpuc.ca.gov

Mr. Russell E. Galipeau, Jr.  
Superintendent, Channel Islands National Park  
Phone: (805) 658-5702  
E-mail: Russell\_Galipeau@nps.gov

## 4. PROJECT LOCATION

The project is located at 15 project locations on four of the five islands that comprise the Channel Islands National Park. These four islands include San Miguel, Santa Barbara, Santa Cruz, and Santa Rosa islands.

## 5. PROJECT SPONSOR'S NAME AND ADDRESS

Mr. Todd Lesser  
Channel Islands Telecommunication Company  
3802 Rosecrans Street #485  
San Diego, California 92110

## 6. GENERAL PLAN DESIGNATION

The project sites are located on federal lands operated and managed by the National Park Service (NPS) and the U.S. Navy; therefore, local general plan regulations and designations do not apply to the five islands in the Channel Islands National Park.

## 7. ZONING

The project sites are located on federal lands operated and managed by the National Park Service (NPS) and the U.S. Navy; therefore, local zoning designations do not apply to the five islands in the Channel Islands National Park.

## 8. DESCRIPTION OF THE PROJECT

The Channel Islands Telephone Company (CITC) is proposing to install telecommunication facilities at up to 15 locations within the Channel Islands National Park. These new telecommunication facilities would serve to improve the currently limited telecommunication capabilities on the five islands, and would allow for private and government cellular phone and internet service between the five islands and the mainland.

## 9. SURROUNDING LAND USES AND SETTING

The Channel Islands National Park is operated by the NPS for research, conservation, and passive recreation purposes. The 15 proposed project locations are all located near existing development and previously disturbed areas of the islands.

## 10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

The Applicants must obtain the permits listed in Table IS-1 where required.

<b>Table IS-1: Permits and Approvals That May Be Required</b>	
<b>Agency Name</b>	<b>Permit or Authorization Requirement</b>
<b><i>Federal Agencies</i></b>	
National Park Service (NPS)	Environmental review and approval under NEPA; issuance of special use permits installation and right-of-way permits for authorization to operate in a National Park
Federal Communications Commission (FCC)	Licensing and re-licensing of telecommunication sites
U.S. Fish & Wildlife Service (USFWS)	None, but informal Section 7 consultation would occur to further ensure compliance with the Endangered Species Act (ESA) (to be completed prior to NPS issuance of a Finding of No Significant Impact [FONSI]).
U.S. Navy	Although the NPS manages facilities on San Miguel Island, the island is technically owned by the U.S. Navy. Permits may be required by the U.S. Navy.
<b><i>State and Local Agencies</i></b>	
California Public Utilities Commission (CPUC)	Environmental review and approval under CEQA; approval of grant request for installation and operation
State Historic Preservation Office (SHPO)	Section 106 consultation, review, and documentation with the State Historic Preservation Office (SHPO) (to be completed prior to NPS issuance of a FONSI)

**Table IS-1 (Continued): Permits and Approvals That May Be Required**


Agency Name	Permit or Authorization Requirement
<i>State and Local Agencies (continued)</i>	
California Coastal Commission (CCC)	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)
County of Santa Barbara	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)
Santa Barbara County Air Pollution Control District (SBCAPCD)	No permits required (to be verified by the applicant prior to NPS issuance of right-of-way permits)

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                 | <input type="checkbox"/> Agricultural Resources          | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Greenhouse Gases           | <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources                 |
| <input type="checkbox"/> Geology and Soils          | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality        |
| <input type="checkbox"/> Land Use                   | <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population and Housing     | <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation and Traffic | <input type="checkbox"/> Utilities and Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |

## ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation: I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.	<input checked="" type="checkbox"/>
I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.	<input type="checkbox"/>
I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant impact unless mitigated" on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An EIR is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.	<input type="checkbox"/>
<p> _____ Jensen Uchida, Project Manager Energy Division California Public Utilities Commission</p> <p>Date <u>11/14/12</u></p>	