

Decision 88 07 064 JUL 22 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Salinas Cellular Telephone Company)
 for a certificate of public)
 convenience and necessity under)
 Section 1001 of the Public)
 Utilities Code of the State of)
 California for authority to con-)
 struct and operate a new domestic)
 public cellular radiotelecommunica-)
 tion service to the public in the)
 Salinas-Seaside-Monterey Cellular)
 Geographic Service Area in)
 California and for authority under)
 Sections 816 through 830 and 851)
 of the Public Utilities Code to)
 issue evidence of indebtedness in)
 the principal amount of up to)
 \$4,500,000 to encumber public)
 utility property.)

Application 88-02-035
(Filed February 19, 1988)

INTERIM OPINION

Background

In 1982, the Federal Communications Commission (FCC) determined that a need for a cellular service had been established throughout the nation and that this service, with new cellular technology, would offer superior transmission quality and privacy with far greater capacity than conventional mobile radiotelephone service in use. Therefore, the FCC established a market structure for cellular systems (Memorandum Opinion and Order on reconsideration, 47 Fed. Reg. 1018, 1003-34; 89 FCC 2d (1982)).

The FCC market structure allocates two blocks of frequencies within each Cellular Geographical Service Area (CGSA); "A Block" frequencies and "B Block" frequencies. An FCC permit for the A Block frequencies within a CGSA is designated to a non-wireline entity or individual. An FCC permit for the B Block

frequencies within a CGSA is designated to a wireline telephone company located within the CGSA.

Application

Salinas Cellular Telephone Company (applicant), a California general partnership, requests a certificate of public convenience and necessity (CPC&N) to construct and operate a new domestic public cellular radio telephone service to the public within the Salinas, Seaside, and Monterey Metropolitan Statistical Area (SMSA) or CGSA, which encompasses a substantial portion of Monterey County. Applicant, a non-wireline entity, proposes to operate its cellular service on the A Block frequencies.

Concurrent to the requisite CPC&N, applicant requests authority to issue long term debt not to exceed \$4,500,000 and to encumber such debt with applicant's public utility property, pursuant to Public Utilities (PU) Code Sections 816 through 830 and 851.

Applicant filed an amendment to its application, on June 1, 1988. The amended application reflects a change in the majority interest of the general partnership and a change in the use of facilities, financial plans, and management of the system. McCaw Communications of the Pacific, Inc. (McCaw Pacific) owns 50.01% and its affiliate, McCaw Communications of the Northeast, Inc, owns 5.19687%. The remaining 44.79313% is owned by 181 other entities/persons, as listed in Exhibit A to the amended application.

Copies of the application and amended application have been served on the cities and counties within the proposed service area and on other entities with which applicant's proposed service is likely to compete, as shown in the certificate of service attached to the application and amended application.

Notice of the application and amended application appeared in the Commission's Daily Calendar of February 24, 1988 and June 7, 1988, respectively. Cellular Resellers Association,

Inc. (CRA) filed a protest to the application and amended application on March 22, 1988 and June 10, 1988, respectively.

CRA asserts that applicant has not demonstrated that applicant is financially qualified to construct and operate the facility. In addition, CRA asserts that applicant should:

- a. Not pay commissions to agents,
- b. Set up a separate retail only subsidiary or, in the alternative, applicant's certificate should be granted with a wholesale only limitation,
- c. Provide viable resale opportunities to resellers,
- d. Offer bulk wholesale rates only to certificated resellers, and
- e. Provide fair interconnection terms to resellers, which are cost justified.

CRA does not object to applicant obtaining interim authority to construct the proposed facility if two conditions are met. The first condition is that applicant be precluded from operating the system to the public without further authorization from the Commission. The second condition is that the interim authority specifically state that applicant has no guarantee that such operating authority will be forthcoming.

The FCC rules and regulations require a cellular system to be constructed and ready to initiate service within 18 months from the date a permit is issued. To comply with this requirement the proposed cellular system must be constructed by September 12, 1988. Time is of the essence. Therefore, this decision will conclude whether a CPC&N can be issued limited to the construction of the cellular system. Applicant can be granted a CPC&N to limited construction of its cellular system. By Decision 88-03-029, the Commission granted such authority to Cellular One of Bakersfield.

Applicant's FCC permit, proposed cellular system, environmental report, and financial status are addressed in this decision. A subsequent decision will address the reasonableness of applicant's proposed rates and CRA's protest pertaining to applicant's rates and service.

FCC Permit

The requisite FCC permit was issued to James H. Summers¹ on March 12, 1987. On December 16, 1987, the FCC permit was assigned to applicant. This assignment of the FCC permit to applicant did not change the date construction must be completed. Applicant has 18 months from March 12, 1987 to complete its construction, until September 12, 1988.

Proposed Cellular System

At the time applicant filed its application, applicant intended to use Bay Area Cellular Telephone Company's (BACTC) Mobile Telephone Switching Office (MTSO) located in Oakland. Subsequently, applicant made a business decision to construct its own MTSO at its first of four cell sites, located in Salinas.

The MTSO and all associated equipment, including an emergency generator and an associated fuel tank, will be located inside an existing building located at the Salinas cell site. Because of potential delays obtaining the MTSO switch from the vendor, applicant has considered the possibility that the MTSO may not be installed and operational by September 12, 1988. Therefore, applicant is making arrangements to share Fresno Cellular Telephone Company's MTSO until January 1989. This will allow applicant to initiate service within the 18-month period required by the FCC.

1 Summers held a 50.01% interest in applicant at the time this application was filed. As explained in the application, Summers and McCaw Communications of the Pacific, Inc. applied to the FCC for approval of the transfer of Summer's interest to McCaw Communications of the Pacific, Inc. FCC approval was granted on April 13, 1988.

Applicant's customers will experience wide area coverage through an automatic roaming agreement between applicant and Bay Area Cellular Telephone Company. A detailed description of the design and operation of applicant's proposed cellular system is attached to the amended application as Exhibit F.

Applicant will be filing an application with the FCC for authority to extend applicant's authorized CGSA to include a small area located in the southeast quadrant of the area which will be served by Cell Site 3, the Palo Escrito Peak cell site.

Environmental Review

Applicant filed a Proposed Environmental Assessment (PEA) with its application pursuant to Rule 17.1 of the Commission's Rules of Practice and Procedure, Exhibit M to the application. Applicant requests that the Commission, acting as the lead agency under the California Environmental Act (CEQA), issue a finding that it can be seen with certainty that there is no possibility that the construction and installation of the cell sites and utilization of BACTC's MTSO may have a significant effect on the environment.

The Commission staff has reviewed the environmental aspects of the proposed initial construction project for the MTSO and four cell sites and has prepared a Negative Declaration. The Negative Declaration was issued on April 28, 1988. A Notice of Preparation was distributed to local property owners and public agencies on May 4, 1988 and was published for comment through May 23, 1988. This Negative Declaration concludes that the project will not have any substantial adverse effect on the environment based on the following findings:

- "1. The proposed telephone system will not have a significant effect on the geology, soils, climate, hydrology, vegetation, or wildlife of the antenna or switching office sites.
- "2. The proposed telephone system will not have a significant effect on municipal or social services, utility services, or community structure.

- "3. The proposed telephone system will not have a significant adverse effect on air or water quality, the existing circulation system, ambient noise levels, or public health.
- "4. Because individual telephone systems operate at a low power level in frequency bands well separated from television and ordinary broadcasting frequencies, no interference with radio or television reception is anticipated. In addition, at Cell Site #2 the site owner has offered surrounding residents free cable T.V. for a period of five years to mitigate the effect of interference with television reception from existing FM radio antennas at the site. Although the offer is not sponsored by this project, the project will benefit from the mitigation.
- "5. While the new towers of Cell Sites 1, 3 and 4 will be visible from some surrounding areas, the visual impacts are minimized because of the distance between most viewers and the antenna sites, the specific locations of the antenna sites in rural settings, and their respective designs. For Cell Site 2, antennas will be placed on an existing tower which will be extended an additional 60 feet. The tower height extension and the placement of four whip antennas at the top of the tower will not significantly affect the existing aesthetics. All the antenna sites have been selected so as to minimize their respective environmental impacts, while still providing the precise radio coverage required by the CPUC."

To assure that significant effects do not occur as a result of this project, the Commission staff incorporated the following conditions into the Negative Declaration which will be adopted in this decision:

- "1. The applicant will consult with the appropriate local public agencies on project details such as the design, color, and type of materials used in the antenna

towers, the specific configuration of equipment on each facility site, and any other relevant community building codes, provided such conditions or requirements do not render the project site infeasible. While it is the CPUC's intent that local concerns be incorporated into the design, construction, and operation of this system, no additional permits from local authorities are required as a condition of this certificate.

- "2. The applicant will consult with the Federal Aviation Administration, local county department of airports, or other appropriate aviation agencies concerning the need for tower lighting, height, or placement prior to construction of each cell antenna.
- "3. The applicant will consider adjacent property-owner preferences submitted in response to this document in the use of a helicopter or crane for tower extension construction at Cell Site 2.
- "4. The applicant will provide residents adjacent to Cell Site 2 with an anticipated schedule of construction prior to initiating construction activity.
- "5. For future expansion antenna sites which would allow the system to serve a larger area, the applicant shall submit environmental information to the CPUC prior to construction of such antennas. The CPUC will review this material and determine at that time whether any supplemental environmental documentation is required in accordance with the provisions of the California Environmental Quality Act."

Responses to the Negative Declaration were received from the California Department of Transportation's Division of Aeronautics (Division of Aeronautics) and from four individuals living near Cell Site 2. The Division of Aeronautics indicated that the proposed project could require a Notice of Proposed

Construction or Alteration by the Federal Aviation Administration. Applicant has applied to the Federal Aviation Administration for the requisite permit.

Comments from the four individuals addressed the increase in tower height and antenna use proposed by applicant at Cell Site 2. Concerns included electronic interference, land use compatibility, aesthetics, and weather conditions. No new environmental effects were raised that were not considered in the Negative Declaration. None of these effects have been determined to be significant after mitigation. Land use compatibility related to property values was not specifically discussed in the Negative Declaration because it is not an environmental effect. Environmental related effects which contribute to conclusions regarding property value, such as aesthetics and traffic, were discussed in the Negative Declaration.

The Department of General Services' Office of Project Development and Management considered the Negative Declaration comments and concludes that the proposed construction with the mitigated conditions identified in the Negative Declaration will not have a significant effect on the environment.

Subsequent to the closing of the Negative Declaration comment period, applicant modified its construction to include an MTSO in Salinas. This MTSO is to be placed inside an existing building. The Commission staff has reviewed applicant's additional construction and concluded that it will not have a significant impact on the environment. Therefore, a new Negative Declaration is not necessary.

The Negative Declaration and the related Notice of Publication copied as Appendix B to this decision should adopted. A Notice of Determination on applicant's project to construct a cellular system, which will be sent to the Secretary of Resources from this Commission, is attached to this decision as Appendix A.

Initial Construction Funding

Applicant will purchase its cellular mobile telephone system from Ericsson, Inc., a distributor of cellular systems. Total capital requirements to construct and install the proposed facilities is projected to cost \$2,319,120.

The necessary funds to construct and operate the proposed system will be provided by applicant's partners. Applicant estimates that the total capital requirement which the partners will need to contribute is \$4,844,153. This amount will cover the necessary funds to construct the proposed facilities and to provide operating funds for the first two years of operation.

McCaw Pacific states in its Declaration of Partner Re Financing that it has sufficient liquid assets and available lines of credit to fund its proportionate share of the system, Exhibit J to the amended application. To the extent that a minority shareholder does not contribute its share of the necessary capital, McCaw Pacific will provide the noncontributing partner's share.

CRA asserts that applicant does not provide any support to show how applicant's partners will be able to provide their allocated share of funds for the construction and operation of the proposed facilities.

By letter of June 22, 1988, applicant clarified the availability of McCaw Pacific's financial status. A copy of this letter was provided to CRA and placed in the formal file. Applicant provides a declaration of McCaw Pacific's parent corporation, McCaw Cellular Communications, Inc. (McCaw Cellular) which guarantees McCaw Pacific's financial commitments. Financial statements attached to this commitment show that, as of March 31, 1988, McCaw Cellular has a 3 to 1 current asset ratio, or \$209,822,000 more current assets than current liabilities, and \$55,853,000 of equity.

Although CRA asserts that applicant fails to demonstrate its financial qualifications, CRA does not object to applicant

constructing the proposed facilities. If applicant is not financially qualified it will not be able to obtain the necessary funds to construct the proposed facilities. However, applicant's majority partner, McCaw Pacific, has the necessary source of funds and commitment to provide applicant's entire capital needs identified in this application and amended application. We find applicant financially qualified to construct the proposed facilities.

Conclusion

Applicant should be granted a limited CPC&N to construct its proposed cellular system. Such limited authority will preclude applicant from operating its proposed cellular system pending further authorization from this Commission and will not guarantee applicant that such operating authority will be forthcoming.

Findings of Fact

1. Applicant requests a CPC&N to construct and operate a new domestic public cellular radio telephone service within the Salinas, Seaside, and Monterey CGSA.
2. Applicant requests authority to issue long term debt.
3. Applicant withdrew its request to issue long term debt.
4. McCaw Pacific owns 50.01% of applicant.
5. McCaw Pacific's affiliate owns 5.19687% of applicant.
6. Copies of the application and amended application have been served on the cities and counties within the proposed service area and on other entities with which applicant's proposed service is likely to compete.
7. Notice of the application and amended application appeared on the Commission's Daily Calendar of February 24, 1988 and June 7, 1988, respectively.
8. CRA filed a protest to the application and amended application.

9. The FCC rules and regulations require a cellular system to be constructed and ready to initiate service within 18 months from the date a permit is issued.

10. The FCC permit was issued to James H. Summers on March 12, 1987.

11. The FCC permit was transferred from Summers to applicant on December 16, 1987.

12. The assignment of the permit to applicant did not change the date construction must be completed under the FCC rules.

13. Construction must be completed by September 12, 1988.

14. The proposed operation is technically feasible.

15. The Commission is the lead agency under CEQA for determination of environmental effects of the project under consideration.

16. The Commission has prepared a properly noticed and reviewed Negative Declaration for the proposed four cell sites. The Negative Declaration was issued on May 4, 1988. The environmental review period ended on May 23, 1988.

17. The Division of Aeronautics and four individuals responded to the Negative Declaration.

18. Applicant has applied to the Federal Aviation Administration for a permit identified by the Division of Aeronautics.

19. The Department of General Services' Office of Project Development and Management considered the Negative Declaration comments and concludes that the proposed construction with the mitigated conditions identified in the Negative Declaration will not have a significant effect on the environment.

20. Applicant modified its construction to include the placement of a MTSO at the Salinas cell site.

21. The MTSO will be placed in an existing building.

22. The Commission staff has reviewed applicant's additional construction and concluded that it will not have a significant impact on the environment.

23. The necessary funds to construct and operate the proposed system will be provided by applicant's partners.

24. McCaw Pacific will provide its share of the necessary funds to construct and operate the proposed facilities. McCaw Pacific will also provide any noncontributing partner's share of necessary funds.

25. McCaw Cellular is McCaw Pacific's parent.

26. McCaw Cellular guarantees McCaw Pacific's financial commitment.

27. McCaw Cellular has a 3 to 1 current asset ratio and \$55,853,000 of equity, as of March 31, 1988.

28. Public convenience and necessity require the grant of a limited CPC&N to construct applicant's proposed facilities.

Conclusions of Law

1. Applicant should be granted a CPC&N limited to authority to construct public utility radio telecommunications facilities with a MTSO and four cell sites, as identified in the application.

2. The Negative Declaration attached as Appendix B, including the mitigation measures identified therein, should be approved.

3. The following order should be effective on the date the order is signed because public convenience and necessity requires prompt construction of applicant's MTSO and four cell sites.

INTERIM ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Salinas Cellular Telephone Company (applicant) limited to the construction at applicant's risk of a mobile telephone

switching office located at the southeast corner of Harkins Road and Abbott Street, Salinas and at four cell sites within the Salinas, Seaside, and Monterey Cellular Graphic Service Area, at the following locations:

- a. Southeast corner of Harkins Road and Abbott Street, Salinas. (Lat. 36° 38' 43" N, Long. 121° 37' 30" W)
- b. Approximately five miles south of Laguna Seca Race Track at the end of Saddle Road and off of Boots Road, Monterey County. (Lat. 36° 33' 12" N, Long. 121° 47' 05" W)
- c. Palo Escrito Peak, Monterey County. (Lat. 36° 24' 12" N, Long. 121° 29' 51" W)
- d. Thompson Canyon Road in Pine Canyon, Monterey County. (Lat. 36° 13' 20" N, Long. 121° 10' 43" W)

2. Applicant shall not operate this system in service to the public without further authorization from this Commission. There is absolutely no guarantee that such operating authority will be forthcoming.

3. The Negative Declaration as set forth in Appendix B to this decision is approved including the mitigation measures set forth therein.

4. In constructing its system, applicant shall undertake the environmental mitigation measures identified in the Negative Declaration as lawfully required by local authority.

5. Applicant will consult with the appropriate local public agencies on project details such as the design, color, and type of materials used in the antenna towers, the specific configuration of equipment on each facility site, and any other relevant community building codes, provided such conditions or requirements do not render the project site infeasible. While it is the Commission's intent that local concerns be incorporated into the design, construction, and operation of this system, no additional permits

from local authorities are required as a condition of this certificate.

6. Applicant shall consult with the Federal Aviation Administration, local county department of airports, or other appropriate aviation agencies concerning the need for tower lighting, height, or placement prior to construction of each cell antenna.

7. Applicant shall consider adjacent property-owner preferences submitted in response to the Negative Declaration in the use of a helicopter or crane for tower extension construction at Cell Site 2.

8. Applicant shall provide residents adjacent to Cell Site 2 with an anticipated schedule of construction prior to initiating construction activity.

9. For future antenna sites which would allow the system to serve a larger area, applicant shall submit environmental information to the Commission prior to construction of such antennas. The Commission will review this material and determine at that time whether any supplemental environmental documentation is required in accordance with the provisions of the California Environmental Quality Act.

10. The Executive Director, as required by Public Resources Code § 21108, shall file with the Office of Planning and Research a Notice of Determination as set forth in Appendix A to this decision.

11. The Commission does not, by this order, determine that applicant's construction program is necessary or reasonable for ratemaking purposes. These issues are normally tested in general rate making proceedings.

12. The corporate identification number assigned to Salinas Cellular Telephone Company is U-3018-C which should be included in

the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.


This order is effective today.

Dated JUL 22 1988, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weisser, Executive Director
As

APPENDIX A
NOTICE OF DETERMINATION

TO: Office of Planning and Research FROM: Calif. Public Utility Commission
1400 - 10th Street, Room 121 505 Van Ness Avenue, 5th Floor
Sacramento, CA 95814 San Francisco, CA 94120

SUBJECT: Filing of Notice of Determination in Compliance with Section
21108 or 21152 of the Public Resources Code.

Project Title

Salinas Cellular Telephone System

State Clearinghouse Number

SCH 88050309

Contact Person

Elaine Russell

Telephone Number

(916) 324-6195
or (415) 557-8803

Project Location

Sites in City of Salinas and unincorporated Monterey County

Project Description:

Approval of Certificate of Public convenience and Necessity to install and operate a mobile telephone system to serve the Salinas-Seaside-Monterey Standard Metropolitan Statistical Area.

This is to advise that the California Public Utilities Commission has approved the above described project and has made the following determinations regarding the above described project:

1. The project ___will, Xwill not, have a significant effect on the environment.
2. ___An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
XA Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
The EIR or Negative Declaration and record of project approval may be examined at:

Public Information Counter
Calif. Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

3. Mitigation measures Xwere, ___were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations ___was, ___was not, adopted for this project.

Date Received for Filing

Victor Weisser
Executive Director

(END OF APPENDIX A)

APPENDIX B

NOTICE

PUBLICATION OF A NEGATIVE DECLARATION
CALIFORNIA PUBLIC UTILITIES COMMISSION

Description of Proposed Action: Salinas Cellular Telephone Company, a licensee of the Federal Communications Commission, has applied to the California Public Utilities Commission (CPUC) for approval of a Certificate of Public Convenience and Necessity (Application #8802035) for the installation and operation of a mobile telephone system to serve the Salinas-Seaside-Monterey Standard Metropolitan Statistical Area (SMSA) in Monterey County. The CPUC has prepared an Initial Study and Mitigated Negative Declaration describing the proposed project, its environmental impacts, and the conditions that will be imposed to ensure the project will not cause any significant environmental impacts.

Where Document Can Be Reviewed: The subject Negative Declaration may be reviewed at the offices of the CPUC, 1107 - 9th Street, Suite 710, Sacramento, CA, or at 505 Van Ness, CPUC Central Files, San Francisco, CA. Copies can be obtained by calling the CPUC at (415) 557-2400.

Review Period: The subject Negative Declaration is available for a 20-day public review period from May 3, 1988 to May 23, 1988. Comments must be received in writing by close of business on May 23, 1988. Written comments should be addressed to:

Ms. Elaine Russell
California Public Utilities Commission
1107 - 9th Street, Suite 710
Sacramento, CA 95814

NEGATIVE DECLARATION

PURSUANT TO DIVISION 13
CALIFORNIA PUBLIC RESOURCES CODE

Project Description: The California Public Utilities Commission (CPUC) proposes to grant approval for a Certificate of Public Convenience and Necessity to Salinas Cellular Telephone for the installation and operation of a mobile telephone system to serve the Salinas-Seaside-Monterey Standard Metropolitan Statistical Area (SMSA) in Monterey County.

The proposed project consists of the installation of four antennas within Monterey County. An existing Mobile Telephone Switching Office in Oakland will perform the switching operations between cellular telephones and land lines.

The applicant has been licensed by the FCC to serve the Salinas-Seaside-Monterey SMSA mobile telephone market. The applicant currently seeks the approval of the California Public Utilities Commission to construct Salinas Cellular Telephone Cell Sites 1, 2, 3 and 4.

Findings: An Initial Environmental Study (attached) was prepared to assess the project's effects on the environment and the significance of those effects. Based upon the initial study, the project will not have any substantial adverse effects on the environment. This conclusion is supported by the following findings:

1. The proposed telephone system will not have a significant effect on the geology, soils, climate, hydrology, vegetation, or wildlife of the antenna or switching office sites.
2. The proposed telephone system will not have a significant effect on municipal or social services, utility services, or community structure.
3. The proposed telephone system will not have a significant adverse effect on air or water quality, the existing circulation system, ambient noise levels, or public health.
4. Because individual telephone systems operate at a low power level in frequency bands well separated from television and ordinary broadcasting frequencies, no interference with radio or television reception is anticipated. In addition, at Cell Site #2 the site owner has offered surrounding residents free cable T.V. for a period of five years to mitigate the effect of interference with television reception from existing FM radio antennas at the site. Although the offer is not sponsored by this project, the project will benefit from the mitigation.
5. While the new towers of Cell Sites 1, 3 and 4 will be visible from some surrounding areas, the visual impacts are minimized because of the distance between most viewers and the antenna sites, the specific locations of the antenna sites in rural settings, and

their respective designs. For Cell Site 2, antennas will be placed on an existing tower which will be extended an additional 60 feet. The tower height extension and the placement of four whip antennas at the top of the tower will not significantly affect the existing aesthetics. All the antenna sites have been selected so as to minimize their respective environmental impacts, while still providing the precise radio coverage required by the CPUC.

To assure that significant adverse effects do not occur as a result of this project, the following conditions are incorporated into this Negative Declaration:

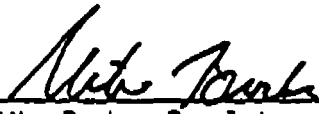
1. The applicant will consult with the appropriate local public agencies on project details such as the design, color, and type of materials used in the antenna towers, the specific configuration of equipment on each facility site, and any other relevant community building codes, provided such conditions or requirements do not render the project site infeasible. While it is the CPUC's intent that local concerns be incorporated into the design, construction, and operation of this system, no additional permits from local authorities are required as a condition of this certificate.
2. The Applicant will consult with the Federal Aviation Administration, local county department of airports, or other appropriate aviation agencies concerning the need for tower lighting, height, or placement prior to construction of each cell antenna.
3. The applicant will consider adjacent property-owner preferences submitted in response to this document in the use of a helicopter or crane for tower extension construction at Cell Site 2.
4. The applicant will provide residents adjacent to Cell Site 2 with an anticipated schedule of construction prior to initiating construction activity.
5. For future antenna sites which would allow the system to serve a larger area, the Applicant shall submit environmental information to the CPUC prior to construction of such antennas. The CPUC will review this material and determine at that time whether any supplemental environmental documentation is required in accordance with the provisions of the California Environmental Quality Act.

A.88-02-035 ALJ/MJG/teg

Copies of this Negative Declaration and Initial Study may be obtained by addressing a request to the preparer:

California Public Utilities Commission
1107 - 9th Street, Suite 710
Sacramento, CA 95814

Attention: Elaine Russell
(916) 324-6195



Mike Burke, Regulatory and Environmental Coordinator
California Public Utilities Commission

CALIFORNIA PUBLIC UTILITIES COMMISSION
INITIAL ENVIRONMENTAL STUDY
CHECKLIST

Project Title: Salinas Cellular Telephone

Monterey County

Study Date: April, 1988

I. BACKGROUND INFORMATION

A. Name of Project:

Salinas Cellular Telephone System

B. Project Description: 1/

Salinas Cellular Telephone, a licensee of the Federal Communications Commission, has applied to the California Public Utilities Commission (CPUC) for approval of a Certificate of Public Convenience and Necessity for the installation and operation of a mobile telephone system to serve the Salinas-Seaside-Monterey Standard Metropolitan Statistical Area (SMSA) in Monterey County.

This cellular system will consist of four cell sites or transmitting/receiving stations located in the cellular geographic service area (CGSA). One cell site is in the City of Salinas; the other three are in the unincorporated area of Monterey County. (See Figure 1)

The proposed cellular system is intended to provide a wide variety of local and long distance communications between fixed (office/home) and mobile (motor vehicles/portable units) stations or between two mobile units. Cellular telephones can be used for regular business and personal telephone conversations, as well as for emergency services such as police, medical, and fire agencies. This system would function as an extension of the present telephone network in Kern County. There is only one other mobile telephone service company that is licensed to serve the project area.

Mobile telephone systems operate by using low power radio transmitter/receivers situated near the center of small (2.5 to 10 mile diameter) geographical units called cells. Each mobile phone communicates using radio signals to or from the cell's antenna. The cell antennas are connected to a central switching office by wire lines or microwave units. The central switching office automatically passes a telephone conversation from cell to cell as the mobile unit moves through the service area. "Roamer agreements" permit similarly continuous service when units move between service areas.

On April 9, 1981, the Federal Communications Commission (FCC) adopted rules for the installation and operation of cellular telephone systems. The provisions include:

1. There will be two cellular systems per market area. Each defined market area is based upon standard metropolitan statistical areas.
2. Twenty (20) MHz is held in reserve for all land mobile services.
3. There are no limits on the number of markets that can be served by a single cellular mobile radio service (CMRS) operator.
4. Licensees and affiliates of licensees are allowed to manufacture radio equipment.
5. Telephone companies will be required to establish a fully separate subsidiary to provide CMRS.
6. Wire line companies must provide equal interconnection to all cellular systems.
7. The FCC will preempt the State jurisdictions with regard to licensing but will not regulate rates.
8. The FCC has found that point-to-point microwave and other regular cellular telephone radio transmissions do not pose a human health hazard if properly designed and constructed.^{2/}

The California Public Utilities Commission's Rule 17.1 of Practice and Procedure entitled, "Special Procedure for Implementation of the California Environmental Quality Act of 1970" and the California Environmental Quality Act (CEQA) require an environmental review of all developmental projects before the CPUC can issue a Certificate of Public Convenience and Necessity for a project, such as the proposed Salinas-Seaside-Monterey mobile telephone system.

Depending upon demand, the Company may consider expanding this system to provide cellular telephone service to other portions of the project area in the future. The installation of antennas not covered in this document would require additional environmental review by the Commission.

C. Project Setting:

As noted above, the proposed cellular telephone system will consist of four radio towers. Calls will be transferred through an existing centralized mobile telephone switching office (MTSO) in Oakland, approved in CPUC Decision 86-05-010. As the MTSO was already approved and the subject of a separate environmental document, it is not a part of this application or project

description. Figure 1 displays the regional setting of the system. Figures 2, 5, 8 and 11 show Antenna Sites 1 through 4 in relation to surrounding terrain features. The following is a description of the four antenna sites that are the subject of this Initial Study and the equipment that will be installed at each:

1. Cell 1 - the Salinas site
southeast corner of Harkins Rd./
Abbott St. intersection

This site is urbanized and contains a warehouse, which is partially leased, a parking lot, a vacant bank building and an undeveloped strip of land. (Figure 2) The antenna would be at the southwest corner of the warehouse and would use a portion of the vacant strip. No existing parking spaces would be taken for the project.

Surrounding land uses consist of mixed light industrial and commercial uses. An existing 100-foot self-supporting tower on the northeast side of the warehouse provides a microwave link for a long-distance telephone carrier located in the building. Access to the site would be by existing paved roads.

The proposed communication facility would consist of radio transmitting and receiving antennas, two microwave dishes, batteries, and air conditioning units. Four omnidirectional antennas and two microwave dishes would be mounted on a new 200-foot-high monopole, which would be located on the south side of the existing warehouse. Radio equipment would be installed in a shelter which would be located inside a portion of the existing vacant warehouse space. (Figures 3 and 4) Utilities available at the site would be adequate to serve the needs of the facility.

The cell would service the northeastern portions of Monterey County along Highway 101 from the County line to the north, Soledad to the south, the County line to the east, and a portion of Highway 68 to the west.

2. Cell 2 - Monterey site
at the end of Saddle Rd.
off Boots Road

This cell site is in a rural residential area, about five miles south of the Laguna Seca Race Track. The site currently provides communications facilities for telephone, AM and FM radio stations and an ambulance radio service. These existing facilities consist of antennas on a 75-foot high tower, an 80-foot high tower, and a 140-foot high tower mounted on top of a 250 square foot equipment building. (Figure 5)

Surrounding uses are rural and rural residential. Land to the north is predominantly vacant and covered with coastal chapparal scrub. To the east, south and west are residences on approximately 3-acre lots.

The proposed cell would consist of radio transmitting and receiving antennas, microwave dishes, batteries, and air conditioning unit and an emergency generator. The Applicant proposes construction of a new equipment shelter on the north side of the existing equipment building to house cellular equipment. To meet cell coverage requirements, Applicant requires that antenna placement be at 200 feet above ground level. Applicant proposes to add 60 feet to the existing 140-foot tower for mounting four omnidirectional antennas. One 6-foot diameter microwave dish would be mounted on top of the equipment structure, approximately 10 feet above ground level. (Figures 6 and 7) The other two towers and the shelter would remain unchanged on-site. Access to the site would be via an existing paved road. Utilities available at the site would be adequate to service the needs of the facility.

The cell site would service the area from the City of Monterey on the northwest, portions of Highway 68 to Salinas on the east, and Highway 101 to the County line on the north. There would be little to no coverage to the south of the cell site.

3. Cell 3 - Palo Escrito Peak site
on top of Palo Escrito Peak,
approximately 7 miles east of
Carmel Valley Rd., 4.5 miles west of
Highway 101 and 13 miles northwest of
Soledad.

This site on top of Palo Escrito Peak is rural and far removed from urban areas. The site is about 11 miles northwest of Soledad on a coastal ridge. The peak top area contains several communications facilities with existing towers and shelters. (Figure 8)

Surrounding land is undeveloped and used for cattle grazing. Two existing communications facilities are located near the proposed site.

The proposed communication facility would consist of radio transmitting and receiving antennas, microwave dishes, batteries and air conditioning units. An emergency generator would be installed at the site. Four omnidirectional antennas and three microwave dishes would be mounted on a new 90-foot tall monopole. Switching equipment would be installed in a new shelter. (Figures 9 and 10) Access to the site would be on an existing unimproved road

through private property. Utilities available at the site would be adequate to service the needs of the facility.

The cell site would service central Monterey County, including portions of Carmel Valley Road to Carmel on the north and northwest, portions of Highway 101 to Soledad on the southeast, and Highway 1 near Carmel on the west.

4. Cell 4 - King City site
Thompson Canyon Rd. in Pine Canyon
off U.S. Highway 101 approximately
three miles northwest of King City

Like Cell Site 3, this site is on a privately-owned cattle ranch in a rural area of the county. The proposed tower and shelter would be on the former site of KLFA FM radio station's tower. KLFA's tower has been removed; its shelter will be removed prior to the cell installation. The site is approximately three miles northwest of King City. (Figure 11)

Surrounding land uses are predominantly cattle ranching. A small wind turbine farm is to the northwest. The access road to the site passes two farm residences. Cultivated agriculture is to the northeast, east and southeast of the site.

The proposed communication facility would consist of computer switching equipment, antennas, a microwave dish, batteries and air conditioning units. An emergency generator would be installed at the site. Four omnidirectional antennas and one microwave dish would be mounted on a new 200-foot monopole. Switching equipment would be installed in a new shelter located at the base of the tower. Access to the site would be on an existing unimproved road through private property. Utilities available at the site would be adequate to service the needs of the facility. (Figures 12 and 13)

The cell would service southern Monterey County including Highway 101 to Soledad on the north and to the County line on the south and east. There would be little to no coverage west of the cell site.

D. Lead Agency Contact Person:

Ms. Elaine Russell Energy Resources Branch
California Public Utilities Commission
1107 - 9th Street, Suite 710
Sacramento, CA 95814
(916) 324-6195

E. Lead Agency:

California Public Utilities Commission
505 Van Ness
San Francisco, CA 94102

G. Responsible Agencies:

Except for the California Public Utilities Commission, no other State or local agencies have discretionary approval over cellular telephone systems.

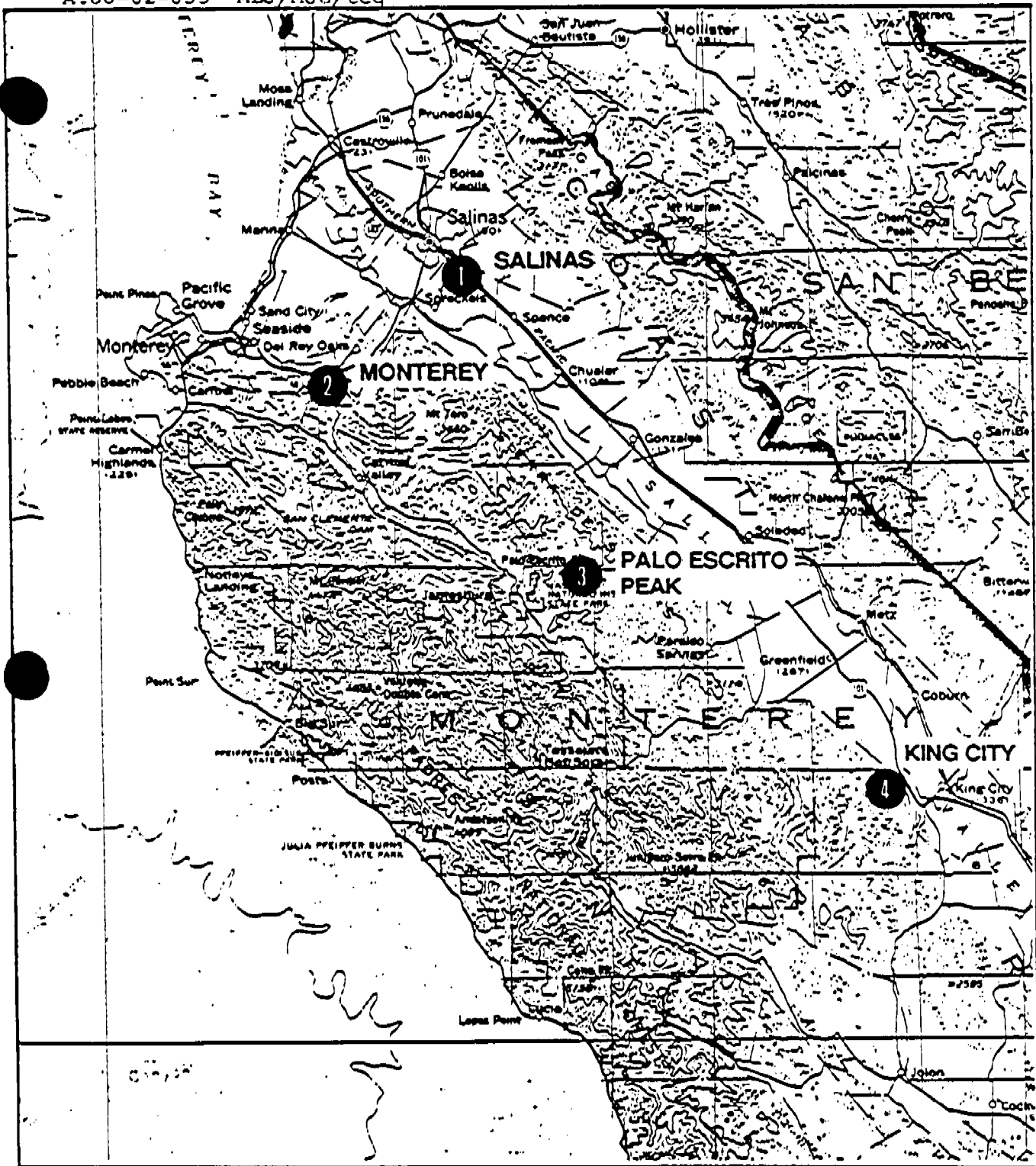


FIGURE 1
CELLSITE LOCATIONS
SOURCE: USGS, 1:250,000

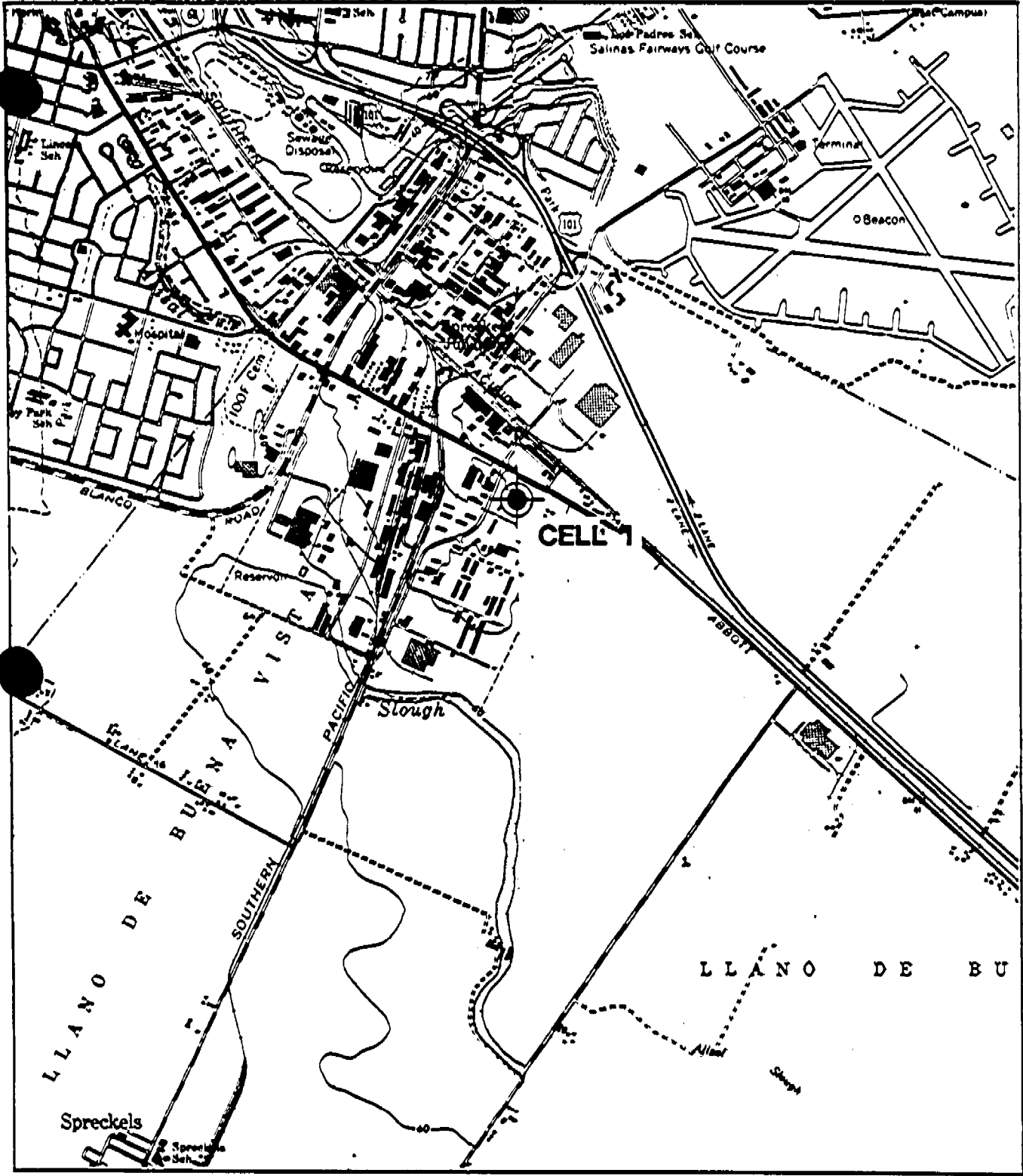


FIGURE 2
CELL 1 - SALINAS
SOURCE: USGS - 7.5' Series (Topographic)
Salinas Quadrangle

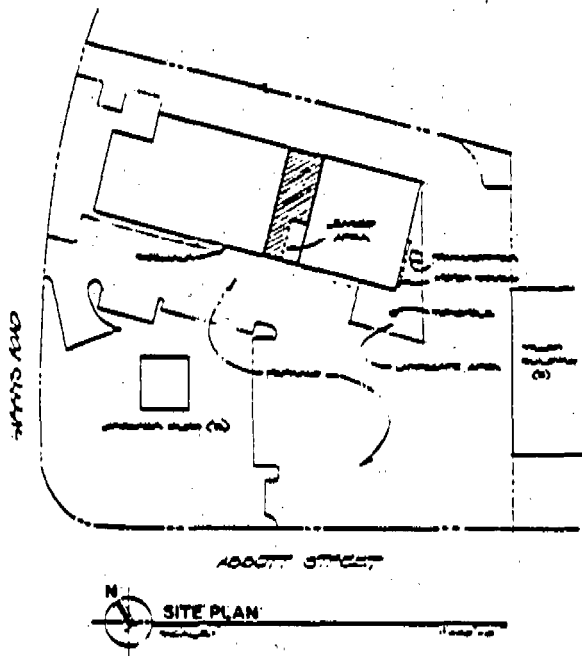
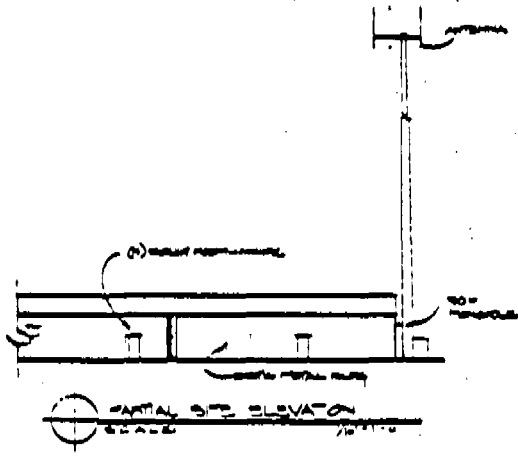
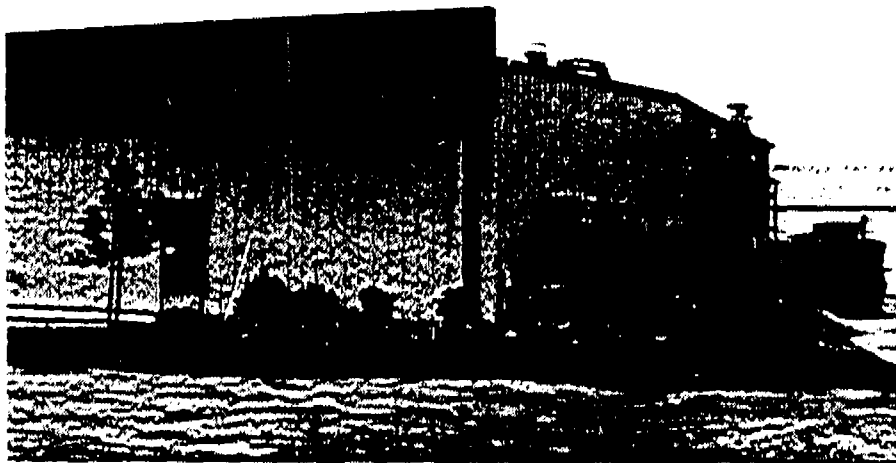
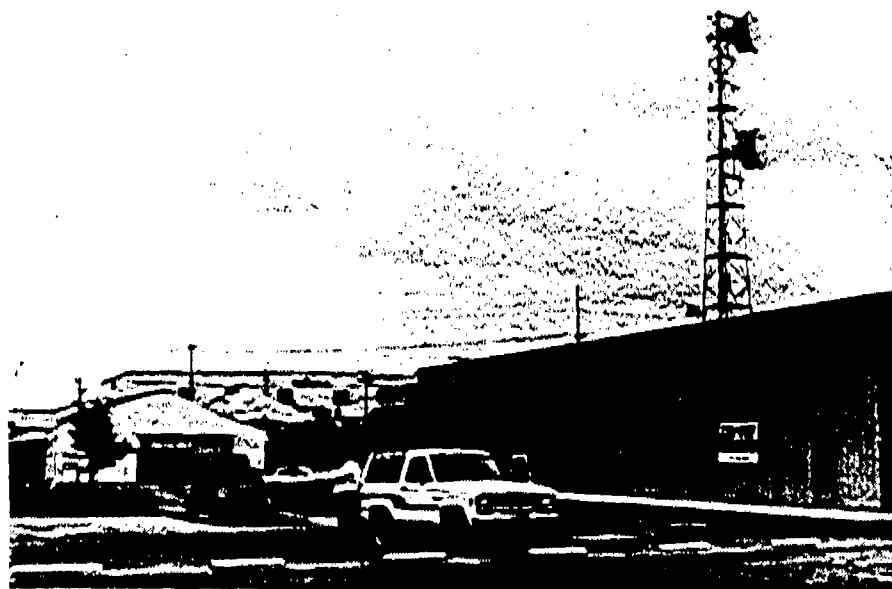


FIGURE 3.
CELL 1 - SALINAS
SITE PLAN AND ELEVATION
SOURCE: Garretson, Elmendorf, Zinov



A - VIEW OF SITE LOOKING EAST



B - VIEW OF ADJACENT STRUCTURE LOOKING NORTHEAST

FIGURE 4
CELL 1 - SALINAS
PHOTOGRAPHIC VIEWS

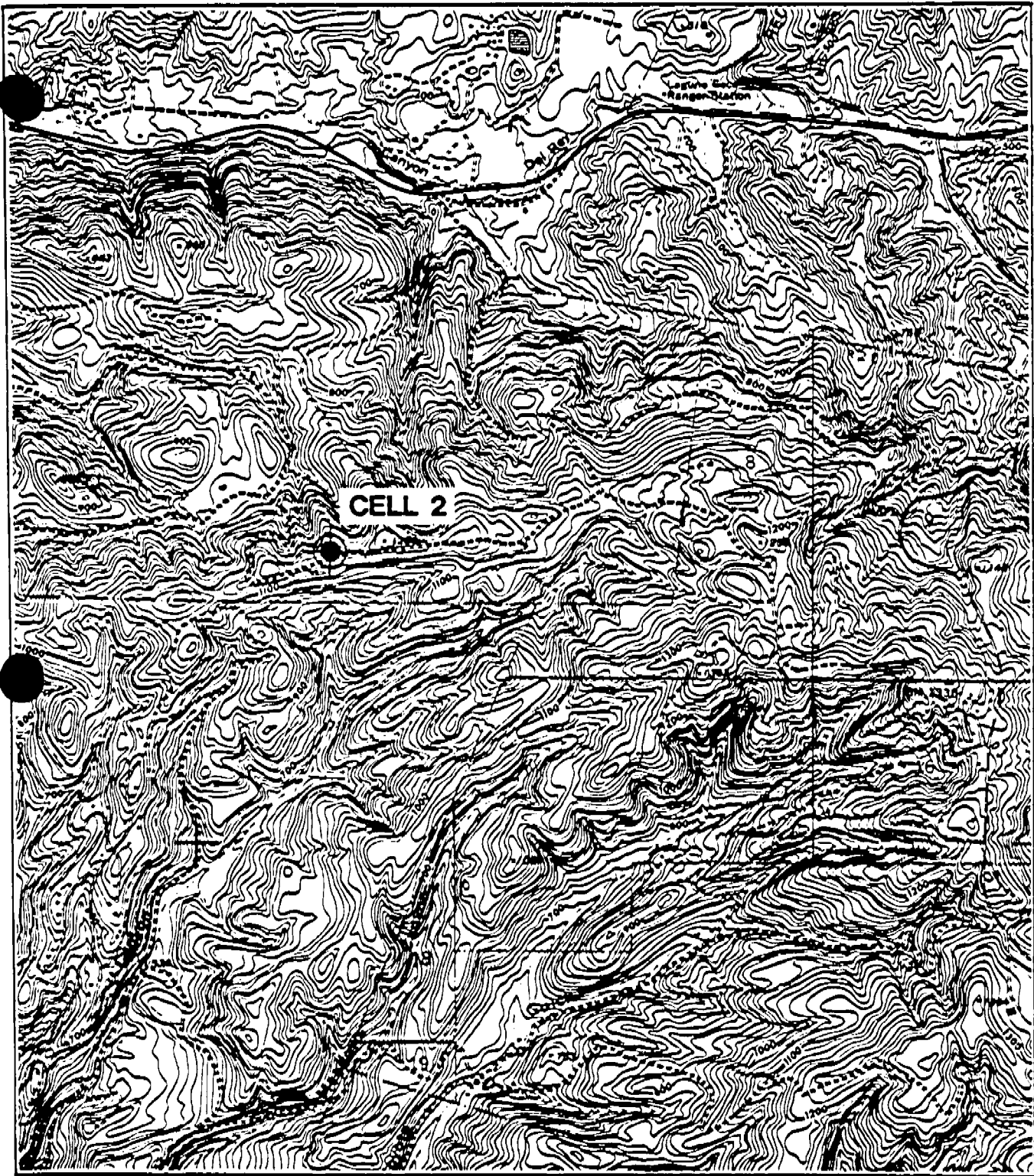


FIGURE 5
CELL 2 - MONTEREY

SOURCE: USGS - 7.5' Series (Topographic)
Seaside Quadrangle

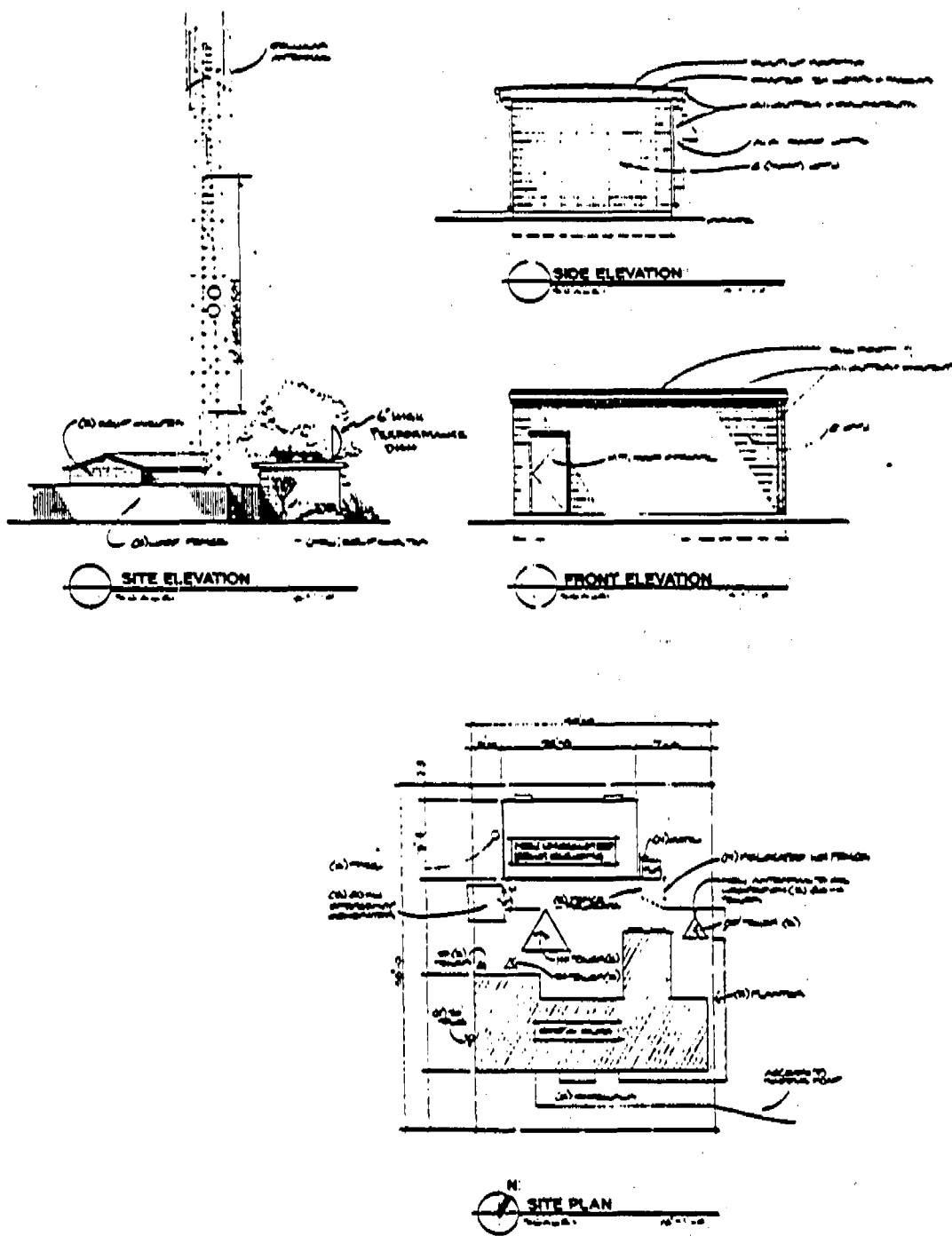
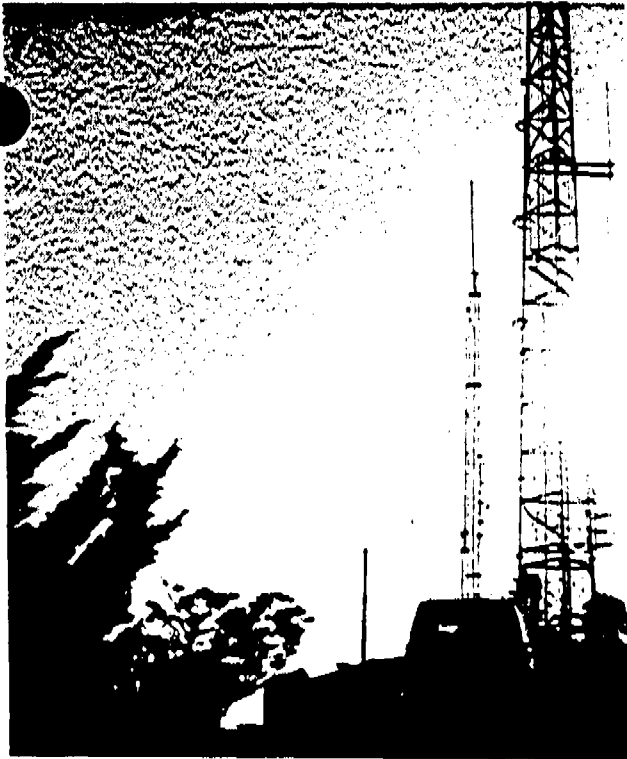


FIGURE 6
CELL 2 - MONTEREY
SITE PLAN AND ELEVATION
SOURCE: Garretson, Elmendorf, Zinov



A - VIEW OF SITE LOOKING WEST



B - VIEW OF SITE VICINITY LOOKING EAST

FIGURE 7
CELL 2 - MONTEREY
PHOTOGRAPHIC VIEWS

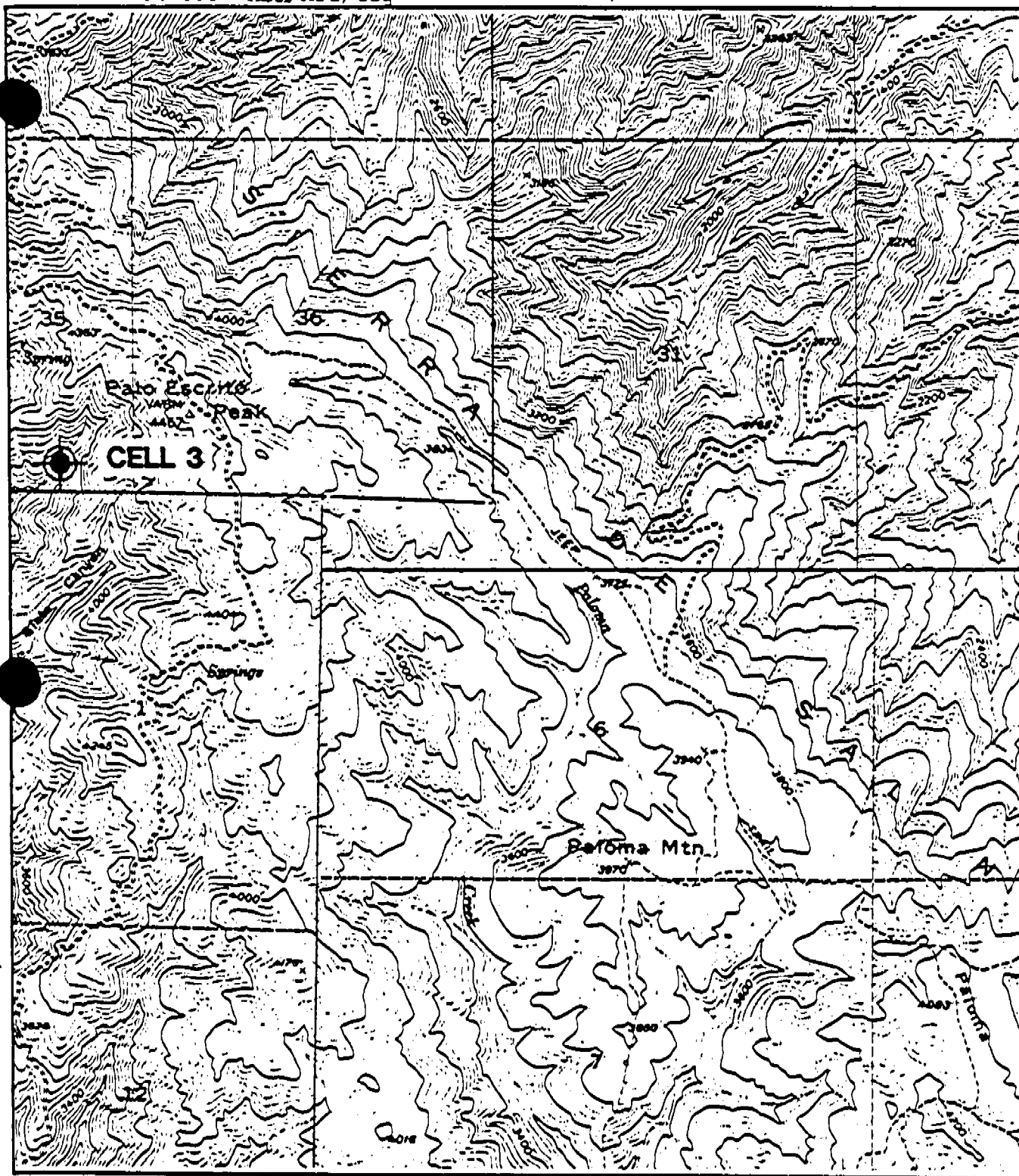


FIGURE 8
CELL 3 - PALO ESCRITO PEAK
SOURCE: USGS - 7.5' Series (Topographic)
Palo-Escrito Peak Quadrangle

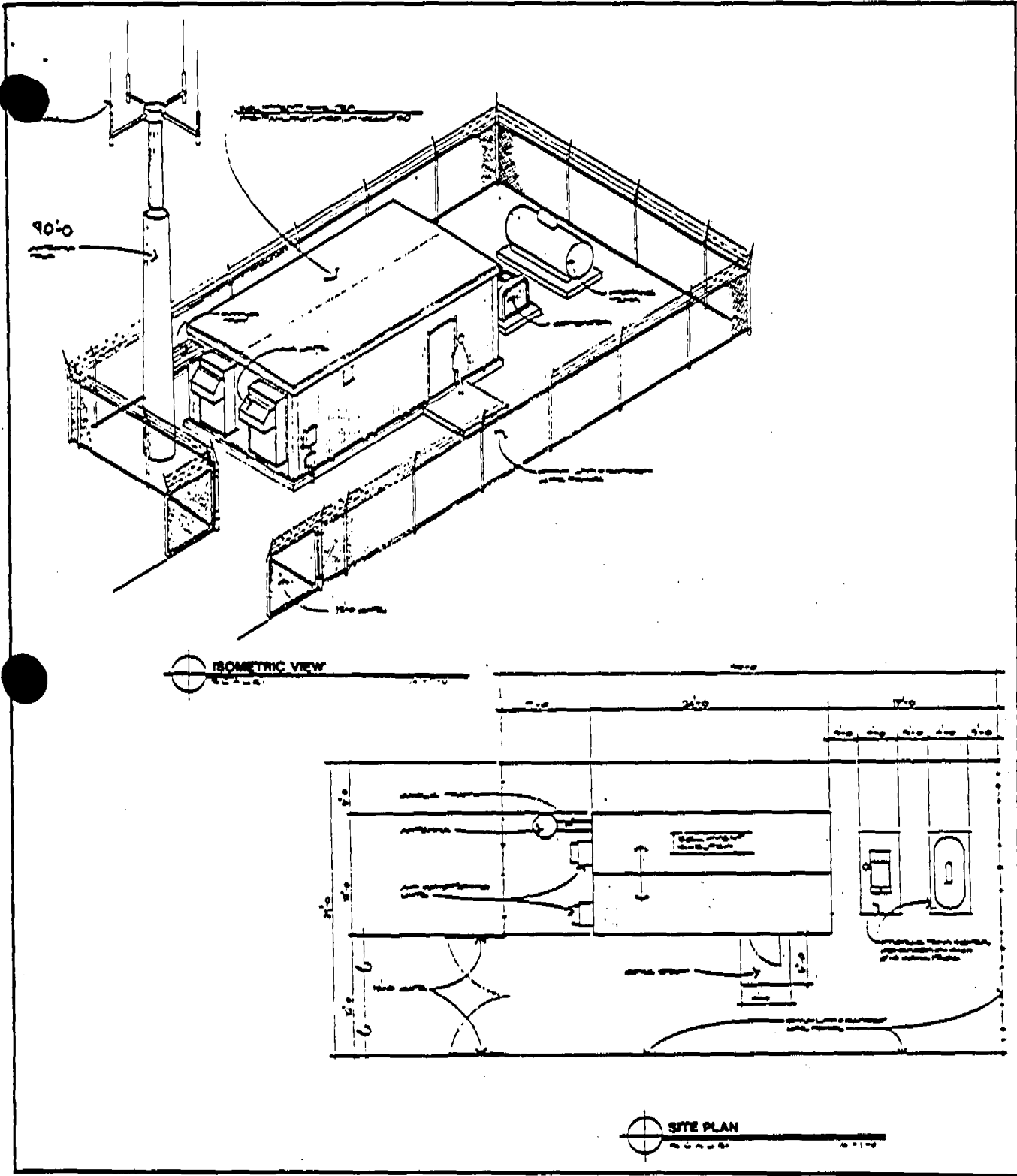


FIGURE 9
CELL 3 - PALO ESCRITO PEAK
SITE PLAN AND ELEVATION
SOURCE: Garretson, Elmendorf, Zinov



A - VIEW OF SITE LOOKING EAST



B - VIEW OF SITE VICINITY LOOKING NORTHWEST

FIGURE 10
CELL 3 - PALO ESCRITO PEAK
PHOTOGRAPHIC VIEWS

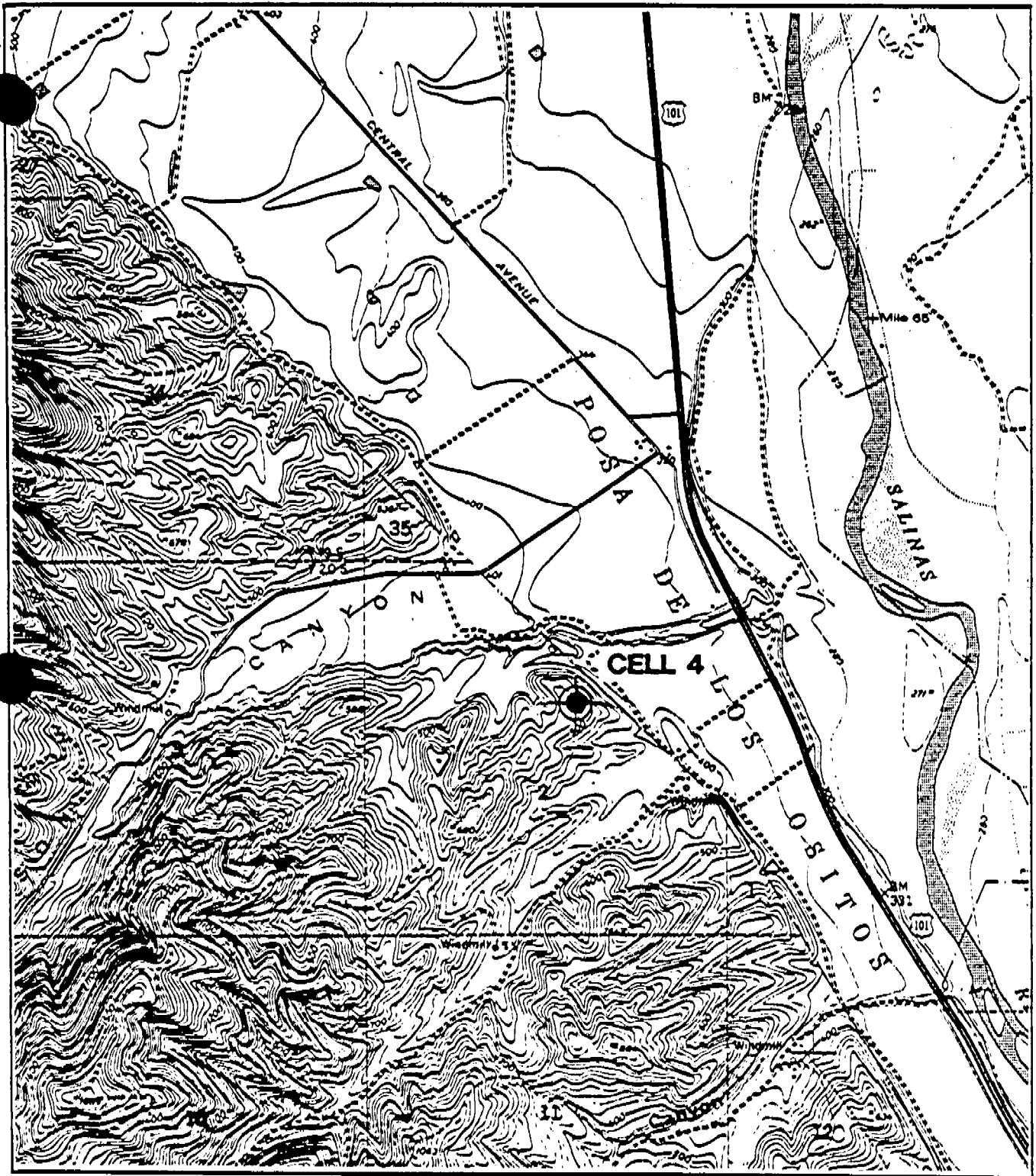


FIGURE 11

CELL 4 - KING CITY

SOURCE: USGS - 7.5' Series (Topographic)
Thompson Canyon Quadrangle

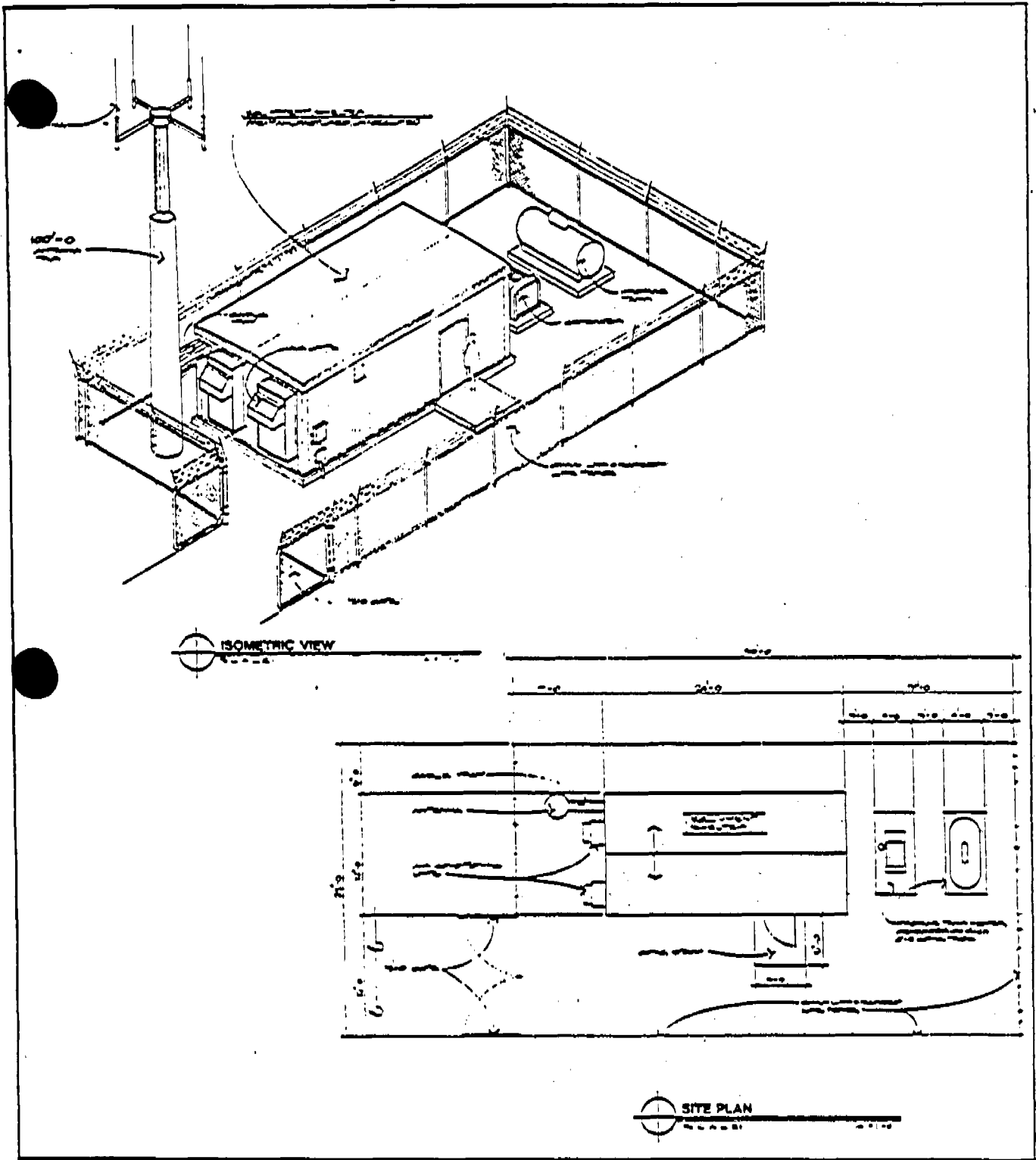
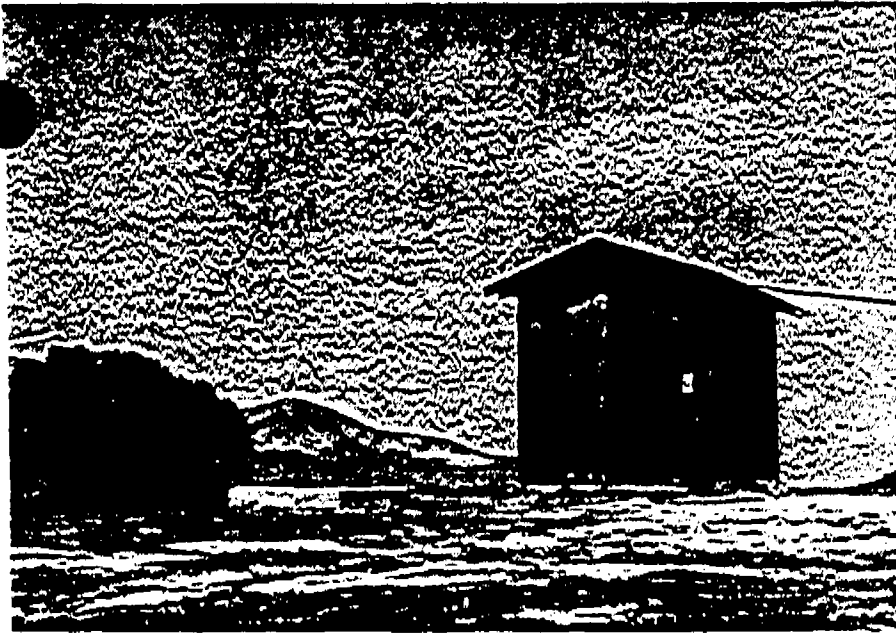


FIGURE 12
CELL 4 - KING CITY
SITE PLAN AND ELEVATION
SOURCE: Garretson, Elmendorf, Zinov



A - VIEW OF SITE LOOKING NORTHWEST



B - VIEW OF SITE VICINITY LOOKING EAST

FIGURE 13
CELL 4 - KING CITY
PHOTOGRAPHIC VIEWS

II. ENVIRONMENTAL IMPACTS

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Geology/Geomorphology. Will the proposal result in:			
1. Unstable earth conditions or changes in geologic substructures?	___	___	<u>X</u>
2. Changes in topography or any unique geologic or physical features of the site?	<u>X</u>	___	___

The foundations for towers at Cell Sites 3 and 4 will require a minor amount of grading. This grading will result in a minor, insignificant modification of the existing topography of the project sites.

3. Exposure of people or property to major geologic hazards (earthquakes, slides, subsidence, liquefaction, volcanism)?	___	___	<u>X</u>
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B. Soils. Will the proposal result in:

1. Disruptions, displacements, compaction or overcovering of the soil?	___	___	<u>X</u>
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At Cell Sites 3 and 4, the project will require minor grading for foundation. Construction at those sites will result in coverage of approximately 360 square feet of soil at each site. The antenna pad and transformer at Cell Site 1 would cover approximately 12 square feet. Cell Site 1 would not require a separate equipment structure. The equipment structure at Cell Site 2 would cover approximately 400 square feet of soil. Cell Site 2 would not require a new tower.

2. Increased erosion from wind or water?	___	___	<u>X</u>
--	-----	-----	----------

3. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	___	___	<u>X</u>
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	Yes	Maybe	No
C. Air Quality/Climate. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	___	___	X
2. Creation of objectionable odors?	___	___	X
3. Alteration of air movement, moisture, temperature, or any change in climate, either locally or regionally?	___	___	X
D. Water. Will the proposal result in:			
1. Degradation of water quality?	___	___	X
2. Degradation or depletion of ground water resources, or interference with ground water recharge?	___	___	X
3. Depletion or contamination of public water supply?	___	___	X
4. Erosion, siltation, or flooding?	___	___	X
5. A change in the amount of surface water in any water body?	___	___	X
6. Alterations to the course or flow of flood waters?	___	___	X
E. Vegetation. Will the proposal result in:			
1. A change in the diversity of species, or numbers of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?	___	___	X
2. A reduction of the numbers of any unique, rare or endangered species of plants?	___	___	X

The Non-Game Heritage Section of the Department of Fish and Game was consulted regarding known occurrences of Federal or State threatened or endangered vegetative species at or near the sites. 3/ The Data Base Maps showed no sensitive species on or near the sites. Cell Site 1 is in an urbanized disturbed area and has no potential for sensitive species. The support structure for Cell Site 2 likewise is in a previously disturbed area.

Cell Site 3 has a low potential for sensitive species. The site is currently vacant, but has been disturbed previously for construction of an adjacent radio tower. Access to the site would be on an existing unimproved road. The site and land along the access road is open dry oak woodland, with a wide variety and abundance of low-growing spring wildflowers and grasses. Nemophila was the most abundant species on the site and was prevalent along the roadway to the site.

Cell Site 4 likewise has a low potential for sensitive species. The site is located at the foot of the coastal range on the east side of that range. It is mostly bare, with a few ruderal herbaceous species. The site has been disturbed by the KLFA FM radio tower and by its removal. Land along the road up to the site is covered with annual grasses on which cattle forage.

	Yes	Maybe	No
3. The introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	X
4. A reduction in acreage of any agricultural crop?	—	—	X
F. Wildlife. Will the proposal result in:			
1. A change in the diversity of species, or numbers of any species of animals (birds and animals, including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?	—	—	X
2. A reduction of the numbers of any unique, rare or endangered species of animals?	—	—	X

As indicated above in the discussion under Vegetation, both Cell Sites 1 and 2 are in disturbed areas and exhibit no potential for effects on sensitive wildlife species.

Cell Site 3 is located on land currently used for similar purposes. The Natural Diversity Data Base has no record of sensitive species anywhere on the Palo Escrito 7.5" Quadrangle Map. 3/ The open oak woodland along the upper part of the access road and the ridgetop support a large deer herd and raptors. In the denser oak woodland in the canyon floor wild turkeys were sighted. The applicant's lease with the private land-owner prohibits hunting or taking of wildlife or cutting of wood or trees. Construction activity would consist of hauling segments of the antenna tower and pre-cast structure forms to the site, pouring a concrete foundation and erecting the tower and structure. Total construction time would take between 14 and 20 days. Thereafter, the site would receive maintenance visits approximately once a month. As construction

activity would be short in duration and site activity thereafter would be minimal, it was determined that this cell site would have no significant effect on wildlife in the area.

Cell Site 4 is located in the middle of a cattle ranch on land that was previously used for an antenna. The site is currently bare of trees or cover. The Natural Diversity Data Base showed no sensitive wildlife species in the area proposed for the antenna site. The site may be used as a flyover by raptors. Construction activity and post-construction visits would be as for Cell Site 3. Based upon the limited disturbance and infrequent maintenance visits, it was determined that Cell Site 4 would not have a significant effect on wildlife in the area.

	Yes	Maybe	No
3. Introduction of new species of animals into an area?	___	___	X
4. Deterioration to existing fish or wildlife habitat, or interference with the movement of resident or migratory fish or wildlife?	___	___	X
G. Land Use. Will the proposal result in:			
1. A substantial alteration of the present or planned land use in the area?	___	___	X

All sites except Cell Site 4 currently have radio towers in the immediate vicinity of the proposed sites. Cell Site 4 previously was the site of an FM radio tower.

2. A conflict with Local, State or Federal land use plans or elements to those plans?	___	___	X
---	-----	-----	---

Siting authority for cellular telephone antenna sites is vested with the CPUC. 47 The applicant is not required to obtain land use approval from the local jurisdiction. Nonetheless, the California Environmental Quality Act requires consideration of land use compatibility in project review.

All cell sites are located in zones where public utilities are allowed either by right (City of Salinas Zoning Ordinance) or with a Combined Development Permit (Monterey County Zoning Ordinance). An application for a Combined Development Permit (CDP) on an equipment building was filed at Cell Site 2. No application has been filed for a CDP at Cell Sites 3 and 4.

Cell Site 3 (Palo Escrito Peak) is in a very rural area of the county on a coastal mountain peak. Adjacent and surrounding land uses consist of

cattle ranching. The property owner most affected by the antenna has granted a lease to Salinas Cellular Telephone for the use of his property for the antenna. No residence is near the site. Construction activity would consist of pouring a concrete foundation for the equipment structure, building the equipment structure, and erecting the tower. Construction traffic would consist of a cement truck, water truck, a truck bringing the equipment structure, and a truck bringing the tower segments. The construction activity and traffic would be temporary. Operations activity would consist of a single monthly visit to the site for equipment maintenance and testing. Construction and operation of the antenna would not have a significant effect on land use at this site.

Cell Site 4 (King City) is likewise in a rural area, outside King City. Adjacent and surrounding land uses are agricultural: the site is located on a cattle ranch, and cultivated agriculture is within one mile of the site. A wind turbine farm is also on the cattle ranch, but not adjacent to the proposed antenna site. The access road passes in front of two residences. The owner of the residences is also the owner of the cattle ranch and has leased the site to Salinas Cellular Telephone for the purpose of constructing and operating the antenna. No other residences are close to the site. Nearby cultivated agricultural operations use helicopters or airplanes for crop dusting. The cell site is not in the flight path of crop dusters, but it is possible that a plane or helicopter could occasionally stray over the site. Painting the antenna tower a color that stands out against the background would clearly identify the tower to pilots. On the other hand, the tower can be seen from Highway 101 and for aesthetic reasons, it may be desirable to paint the tower a color that would blend with the background.

It is recommended that the applicant consult with the local planning department regarding a preferred color for the towers. Because of the distance between agriculture and the tower, the selection of a tower color that would blend with the background would not result in a significant effect on agriculture aviation. Likewise, the selection of a tower color that would clearly stand out would not result in a significant effect on aesthetics. Construction and operation of Cell Site 4 would not have a significant effect on land use.

Cell Site 2 (Monterey) is in an existing radio tower communications facility on a ridge top in the Mesa Hills West Subdivision south of Highway 68. The site has been in use as a transmitter facility since 1970. Since that time several additions have been made to the site. Currently, the site has three transmission towers at 75 feet, 80 feet and 140 feet, and a 250 square foot equipment building. The project would add 60 feet to the 140-foot tower and would add a separate 400 square foot equipment building at the site. Originally, site engineering anticipated using the 140-foot tower at its existing height. However, more detailed design indicated that a 200 foot tower is needed for full coverage.

During the time the 140-foot tower height was considered adequate, the property owner filed for a Combined Development Permit (Application #P.C. 6278) for the equipment building. Before the application was

heard at the Planning Commission, the property owner requested that the application for the new building be combined with an appeal of a previous Planning Commission denial of an application for a 10-foot addition to a tower previously approved for 70 feet (not the subject of this project). The other tower had arrived in four 20-foot sections and had been constructed at 80 feet in full height, and the Combined Development Permit application on the tower was intended to make the additional 10 feet legal.

A Negative Declaration was prepared for the CDP Application #P.C. 6278 and the appeal and Planning Department staff recommended approval. The findings drafted by the Planning Department staff indicated that the proposed addition was consistent with the Greater Monterey Peninsula Area Plan, as the facility qualified as a non-conforming use. The findings also stated the addition was consistent with the visual policies of the Greater Monterey Peninsula Area Plan, as the project was "not located within a 'visually sensitive' or 'highly sensitive' view area as determined by review of the Greater Monterey Peninsula Area Plan Visual Sensitivity Map and field review by the Planning Department staff on October 27, 1986".⁵ The Planning Department staff also recommended conditions of approval, including maintenance of landscaped area, submission of a lighting plan to the Director of Planning, and granting of an aviation easement to the Monterey Peninsula Airport District. The aviation easement has been granted to the Airport District.

The Planning Commission's decision on November 25, 1987 denied the appeal and CDP Application P.C. #6278 and based its findings on testimony of adjoining property owners that the tower extension had the potential to increase current television and radio interference to surrounding residential areas and would intensify the existing commercial use located in a residential neighborhood. No finding was made related to the equipment building. An appeal to the Board of Supervisors was denied on February 9, 1988, based upon the findings of the Planning Commission.

Although these findings were made for the ten foot tower extension and not for the then-proposed equipment facility, it is assumed that the same concerns may arise over the proposed 60-foot extension to the existing 140-foot tower.

There would be no effect on television and FM reception from the proposed cellular antennas. Cellular telephone makes use of narrow whip antennas and microwave point-to-point dish systems with almost pencil-like narrow beams emanating from dish antennas. These beams are broadcast at very low power levels below 100 watts and are not pointed at buildings but toward other cellular sites or the mobile telephone switching office. The whip antennas are used for sending and receiving signals from mobile phones. Cellular telephone antenna facilities operate at frequencies above 850 MHz, which are above the highest frequency TV channel in the area (794 MHz). The combination of lower power, directed beam and extreme frequency separation results in no loss of FM and TV reception by nearby residents. The operation of a cellular antenna at this site would have no significant effect on radiowave reception.

In addition to the above and to mitigate what was an existing problem of FM and TV signal interference for adjacent neighbors, the property-owner offered those neighbors free cable TV installation and a free five-year cable subscription to those neighbors. All but one accepted the offer and dropped their objections to the 10-foot tower extension.

Regarding the objection to an increase in "commercial activity", the source of the complaint apparently stems from the amount of activity at the site and vehicular travel to and from the communication facility. For the cellular antenna, construction activity at the site would involve preparing a cement slab foundation for the equipment building, placing the prefabricated building on the slab, extending the height of the tower, and installing three whip antennas and a microwave dish. The construction would take between 14 and 20 days. Equipment involved in the construction could include a cement truck, water truck, a truck delivering the prefabricated building and a crane or a helicopter. The helicopter would be noisier than the crane, but would be in use at the site for a shorter time period, as it comes to lift the tower extension, holds the extension in place for attachment to the existing tower, and then leaves. The crane would be at the site longer, but would not be as noisy.

After construction, the only activity at the site would be a monthly maintenance check, involving one pick-up truck.

Mitigation: It is recommended that the applicant consider property-owner preferences for use of a crane vs. a helicopter that are submitted in response to this document, and that the applicant provide adjacent property-owners with an estimated construction schedule prior to initiation of construction.

Because the cellular antenna would have no effect on radio or TV reception and because the construction activity would be temporary and the operation activity at the site infrequent, the construction and operation of a cellular antenna at Cell Site 2 would not have a significant effect on land use.

In designing the cellular system, the applicant considered several alternatives to the site. A ridge site of this elevation in this area is necessary to adequately cover Highway 68 from Salinas to Monterey and to cover the Cities of Monterey, Pacific Grove and Seaside. Use of this ridgeline at another point would establish a new radio tower and new communication facility in the same area. The County does not want any additional communication sites on that ridgeline. Due to the varying terrain in that region, the applicant would need to develop at least three sites at lower elevations to cover what this one site would cover. Use of this site results in the least impact on land use of the available alternatives.

Yes Maybe No

H. Visual Quality. Will the proposal result in:

1. Obstruction of any scenic vista or view now observed from public areas?

— — X

2. Creation of an aesthetically offensive site open to public view?

— X —

Aesthetic considerations for the towers and equipment modules were evaluated for the cell sites.

At Cell Site 1, the only full-range view of the monopole would be from the west side of Harkins Road, currently an undeveloped strip. However, future plans of the site owner call for construction of a warehouse which would block the base view of the monopole. Views of the upper portion of the monopole would be visible from adjacent roadways. The site is in an area of other industrial land uses, including one other communication tower. Views of the monopole would not affect residential areas or other uses sensitive to visual impact.

At Cell Site 2, residents to the west, north and south of a view of the existing communication facility. The applicant proposes extending the height by 60 feet of the tallest existing tower without widening its girth. The four omni-directional whip antennas at the top would be separated by rods of approximately the same width. The width of the antennas at that height is such that they would blend into the sky. A single 6-foot dish antenna would be on the top of the 10-foot high equipment structure. Due to the curvature of the hill, existing landscaping, and the placement of three adjacent residences, the dish would be visible only from those three residences.

As indicated above in the section on Land Use, the communication facility is not in a sensitive viewshed, as defined by the Monterey County General Plan.

Cell Site 3 is not visible from residences or highways.

Cell Site 4 would be visible from portions of Highway 101 north of King City. As it is not on the skyline, it could easily blend with the background. If it is desirable to clearly show the location of the antenna for agricultural aviation in the area, as discussed in the section on Land Use, it could be painted or lit. Painting or lighting the monopole would increase the visibility of the monopole from Highway 101 only slightly.

The selected sites would not have a significant impact on visual quality.

Yes Maybe No

3. New light or glare substantially impacting other properties? ___ ___ X

The 140-foot tower at Cell Site 2 is currently lit for air traffic purposes. The same tower at 200 feet would likewise need to be lit for the same reason.

Due to the rural nature of the area, possible lighting of the 200 foot tower at Cell Site 4 would not impact other properties.

I. Human Population. Will the proposal result in:

1. Growth inducement or concentration of population? ___ ___ X

2. Relocation of people (involving either housing or employment)? ___ ___ X

J. Housing. Will the proposal affect existing housing, or create a demand for additional housing? ___ ___ X

K. Transportation/Circulation. Will the proposal result in:

1. An increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? ___ ___ X

As indicated in the Section on Land Use, there will be truck traffic at all sites during the 14 to 20 days needed for construction. Heavy load vehicles will include a cement truck, a truck delivering the equipment structure and a truck delivering the monopole or tower segments. During operation, traffic will consist of one pickup truck visiting each site once a month to perform maintenance activities. This increase in traffic will not affect the traffic load and capacity of the public street systems accessing any of the sites.

Truck loads on private roads to the site could tear up the unpaved roadways if construction takes place during the wet season. The applicant intends to construct the sites only during the dry season when roads are fully dry and packed.

2. Effects on existing parking facilities, or demand for new parking? ___ ___ X

3. A substantial increase in transit demand which cannot be accommodated by current transit capacity? ___ ___ X

	Yes	Maybe	No
4. An increase in traffic hazard to motor vehicles, bicyclists or pedestrians?	—	—	X
5. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	X
6. Alterations to waterborne, rail or air traffic?	—	—	X
L. Noise. Will the proposal result in:			
1. An increase in ambient noise levels?	X	—	—
2. An effect on noise sensitive receptors near or on project site?	—	X	—

The project will generate short-term noise increases during construction of the various project components. Noise generators would include a cement mixing truck, a crane or possibly a helicopter. The helicopter would be noisier than the crane, but would be in use for a shorter time. This equipment would be used only during the daytime for short periods within the 14 to 20 day construction time. (Please refer also to the section on Land Use)

All equipment structures would have two household-sized air conditioners that would be timed to go on separately. The air conditioners would not be heard beyond a distance of 50 feet.

Residents adjacent to Cell Site 2 would be sensitive receptors. None of the other sites have sensitive receptors.

Mitigation:

It is recommended that the applicant consider property-owner preferences for use of a crane vs. a helicopter that are submitted in response to this document, and that the applicant provide adjacent property-owners with an estimated construction schedule prior to initiation of construction.

Increased noise levels during construction would be temporary and could be mitigated by selection of equipment and notification of construction schedule. Noise from the air conditioners during operation would not be at significant levels. The project would not have a significant effect on sensitive receptors.

	Yes	Maybe	No
M. History/Archaeology. Will the proposal result in:			
1. Alteration or destruction of a prehistoric or historic archaeological site?	—	—	X
2. Adverse physical or aesthetic effects to a prehistoric or historic building, structure or object?	—	—	X
3. A physical change which would affect unique ethnic cultural values?	—	—	X
4. Restriction of existing religious or sacred uses within the potential impact area?	—	—	X
N. Public Services. Will the proposal result in:			
1. Increased demand for fire or police protection?	—	—	X
2. Increased demand for schools, recreation or other public facilities?	—	—	X
3. Increased maintenance of public facilities, including roads?	—	—	X
O. Utilities. Will the proposal result in:			
1. Expansion or alteration of water, sewer, power, storm water drainage or communication facilities?	—	—	X
2. A breach of published national State or local standards relating to solid waste or litter control?	—	—	X
P. Energy/Natural Resources. Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	—	—	X
2. Substantial increase in demand on existing sources of energy?	—	—	X
3. Substantial depletion of any nonrenewable natural resource?	—	—	X

Yes Maybe No

Q. Hazards. Will the proposal result in:

1. Creation of a potential health hazard or exposure of people to potential health hazards?

___ ___ X_

The Federal Communications Commission has determined that the microwave and other radio transmissions associated with cellular telephone systems do not pose a significant risk to humans. The proposed cellular telephone system will be operated at a very low wattage (one-eighth watt) using appropriately designed and installed microwave equipment.

The CPUC acknowledges that technicians working on microwave installations must use due caution on equipment that is operating at certain power levels. The CPUC also acknowledges that improperly aimed microwave signals could pose a health threat in certain circumstances. However, the Commission believes that the Applicant's equipment will be properly designed, installed, and operated so that the public is not at risk from this system.

The towers that will be necessary for this system will be designed and constructed so that they are not subject to failure from anticipated natural forces such as high winds and rain.

2. Interference with emergency response plans or emergency evacuation plans?

___ ___ X_

The proposed cellular telephone system will improve the emergency communications system in the Salinas-Seaside-Monterey metropolitan area by providing individuals with mobile telephones the ability to contact police, fire, and emergency medical services from their vehicles or mobile units.

III. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of a major period of California history or prehistory?	—	—	X
B. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?	—	—	X
C. Does the project have impacts which are individually limited, but cumulatively considerable?	—	—	X
D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	X

IV. REFERENCES

1. Proponent's Environmental Assessment, submitted by Salinas Cellular Telephone Company in support of Application #8802035, prepared by Environmental Science Associates, Inc. and supplemental information provided by the applicant. This document was used for the project description.
2. Federal Communications Commission, FCC 87-63, Gen. Docket No. 79-144, February 12, 1987 and May 5, 1987.
3. Personal Communication with Elaine Hamby, CA Department of Fish and Game, Non-Game Heritage Section, April 19, 1988.
4. The Commission's position is based upon authority granted to the CPUC in the California Constitution, Article XII, Section 8; the Public Utilities Code, Sections 1001 and 762; and the decision of Pac. Tel. & Tel. Co. v. City of Los Angeles (1954) 44 C.2d 272. This authority was endorsed by the Commission in dicta in D.86-09-11 In re: GTE Mobilnet (issued September 4, 1986).
5. "Report to Monterey County Planning Commission, Public Hearing to Consider a Use Permit for Ed Hogan (PC-6126) Referred from the Board of Supervisors", November 25, 1987, Agenda Number 31.

V. PERSONS AND/OR AGENCIES CONSULTED

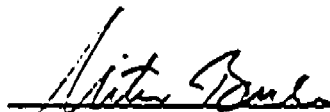
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2. Mitch Lyon
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3. Dale Ellis
Zoning Administrator
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4. Elaine Hamby
CA Department of Fish and Game
Non-Game Heritage Section

VI. DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
- 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 the mitigation measures described in this Initial Study have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have significant effects on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

Date 4-28-88



Mike Burke
Regulatory & Environmental Coordinator

(END OF APPENDIX B)