

***Appendix E***  
***Cultural Resources Consultation Documentation***

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Tribal Secretary Amanda Barrera  
Colorado River Indian Tribes  
26600 Mohave Road  
Parker, AZ 85344

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Amanda Barrera,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Colorado River Indian Tribes by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

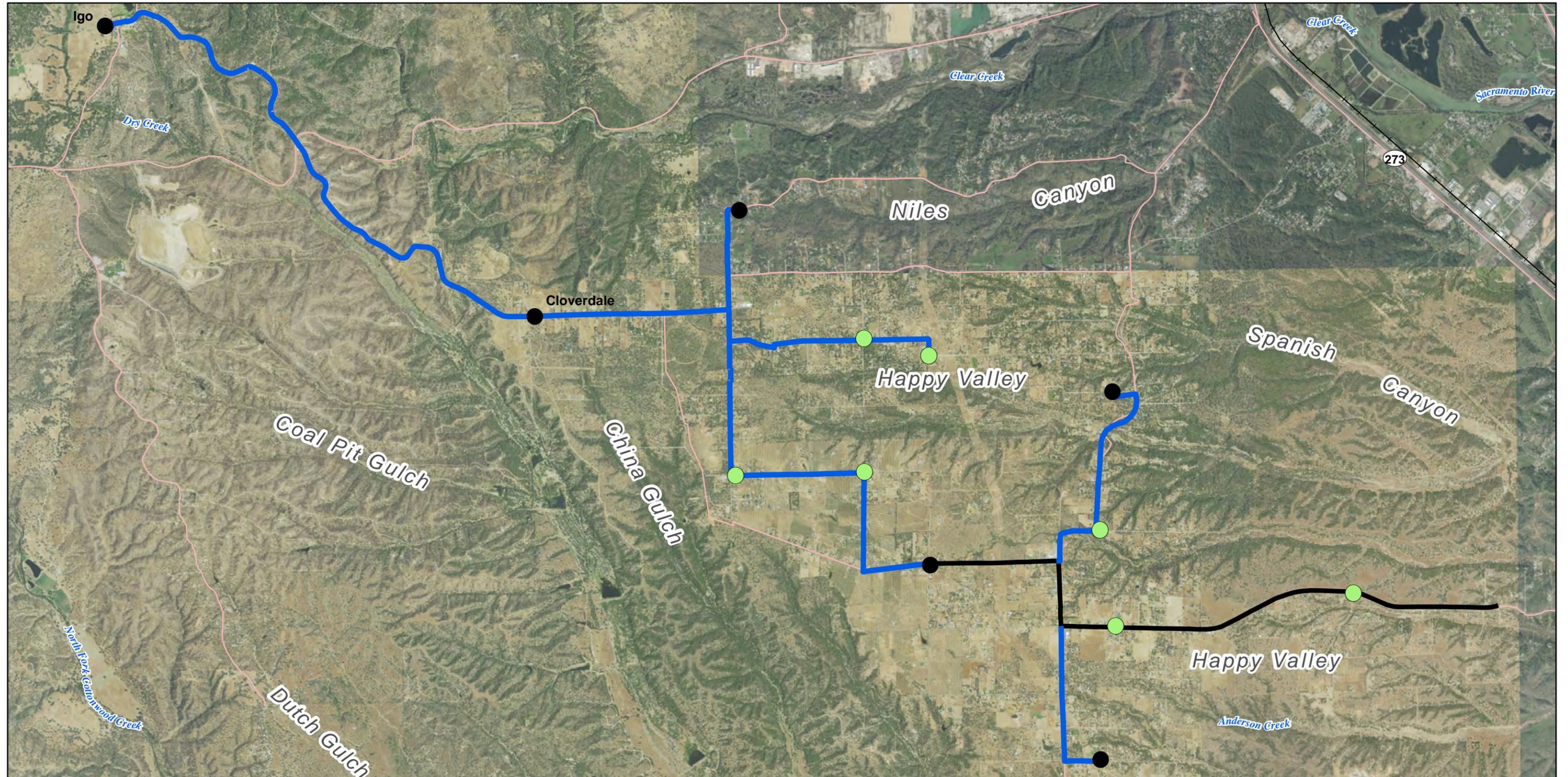


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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# COLORADO RIVER INDIAN TRIBES

## *Tribal Historic Preservation Office*

26600 Mohave Road

Parker, Arizona 85344

Telephone: (928)-669-5822 Fax: (928) 669-5843

April 07, 2017

State of California  
Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

RE: Olinda Last Mile Underserved Broadband Project

Dear Mr. Jensen Uchida:

The Colorado River Indian Tribes' Tribal Historic Preservation Office ("CRIT THPO") has received your letter dated March 31, 2017, regarding the *Olinda Last Mile Underserved Broadband project to include installation of a new high-speed internet broadband fiber optic cable, installation of seven new aboveground Digital Loop Carrier (DLC) sites and renovation of six existing DLC sites.*

As a preliminary matter, the Colorado River Indian Tribes are a federally recognized Indian tribe comprised of over 4,200 members belonging to the Mohave, Chemehuevi, Hopi and Navajo Tribes. The almost 300,000 acre Colorado River Indian Reservation sits astride the Colorado River between Blythe, California and Parker, Arizona. The ancestral homelands of the Tribe's members, however, extend far beyond the Reservation boundaries. Significant portions of public and private lands in California, Arizona and Nevada were occupied by the ancestors of the Colorado River Indian Tribes' Mohave and Chemehuevi members since time immemorial. These landscapes remain imbued with substantial cultural, spiritual and religious significance for the Tribes' current members and future generations. For this reason, we have a strong interest in ensuring that potential cultural resource impacts are adequately considered and mitigated.

In particular, the Colorado River Indian Tribes are concerned about the removal of artifacts from this area and corresponding destruction of the Tribes' footprint on this landscape. As such, the Tribes request that all prehistoric cultural resources, including both known and yet-to-be-discovered sites, be avoided if feasible. If avoidance of the site is infeasible, then the Tribes request that the resources be left in-situ or reburied in a nearby area, after consultation. This language should be incorporated into enforceable mitigation measures.

In addition, we respond as follows:

\_\_\_\_\_ Given the potential impact of the project on important cultural resources, the Colorado River Indian Tribes request in-person government-to-government consultation. Please contact the CRIT THPO to discuss our concerns and schedule a meeting with Tribal Council.

\_\_\_\_\_ In the event any human remains or objects subject to provision of the Native American Graves Protection and Repatriation Act, or cultural resources such as sites, trails, artifacts are identified during ground disturbance, please contact the CRIT THPO within 48 hours.

\_\_\_\_\_ The Colorado River Indian Tribes request tribal monitoring of any ground disturbing activity as a condition of project approval. The Tribes request notification of any opportunities to provide tribal monitoring for the project.

  √   The Colorado River Indian Tribes do not have any specific comment on the proposed project and instead defer to the comments of other affiliated tribes.

Thank you for your consideration. Please contact the undersigned if you have any questions or concerns.

Sincerely,

**COLORADO RIVER INDIAN TRIBES  
TRIBAL HISTORIC PRESERVATION OFFICE**

**/s/David Harper, Director**  
26600 Mohave Road  
Parker, AZ 85344  
Phone: (928) 669-5822  
E-mail: [david.harper@crit-nsn.gov](mailto:david.harper@crit-nsn.gov)

[critthpo@crit-nsn.gov](mailto:critthpo@crit-nsn.gov)

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Tribal Administrator Alexis Barry  
Pit River Tribe of California  
36970 Park Avenue  
Burney, CA 96013

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Alexis Barry,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Pit River Tribe of California by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

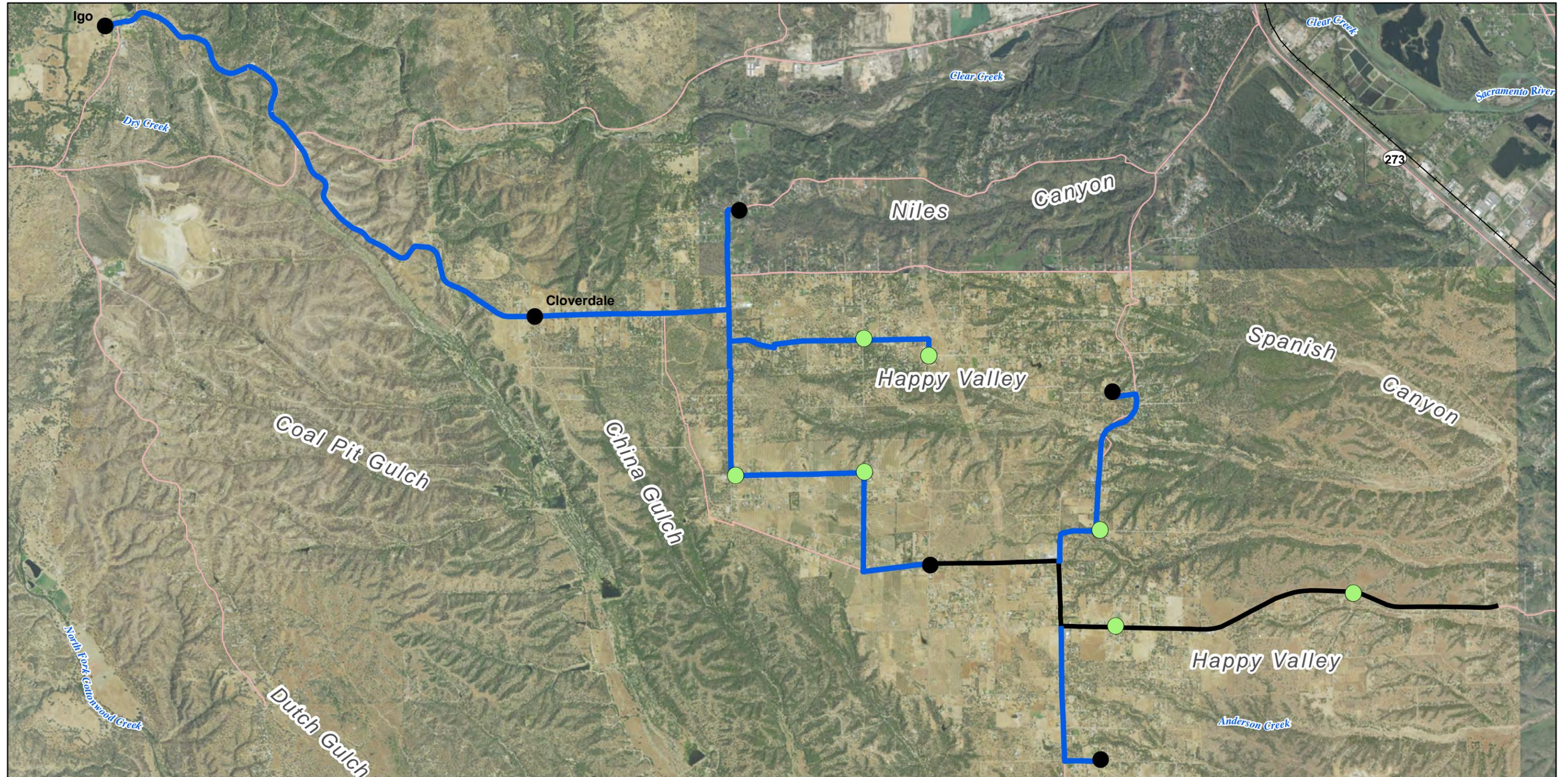


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Mr. Robert Burns  
Wintu Educational and Cultural Council  
P.O. Box 483  
Hayfork, CA 96041

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Robert Burns,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Wintu Educational and Cultural Council by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

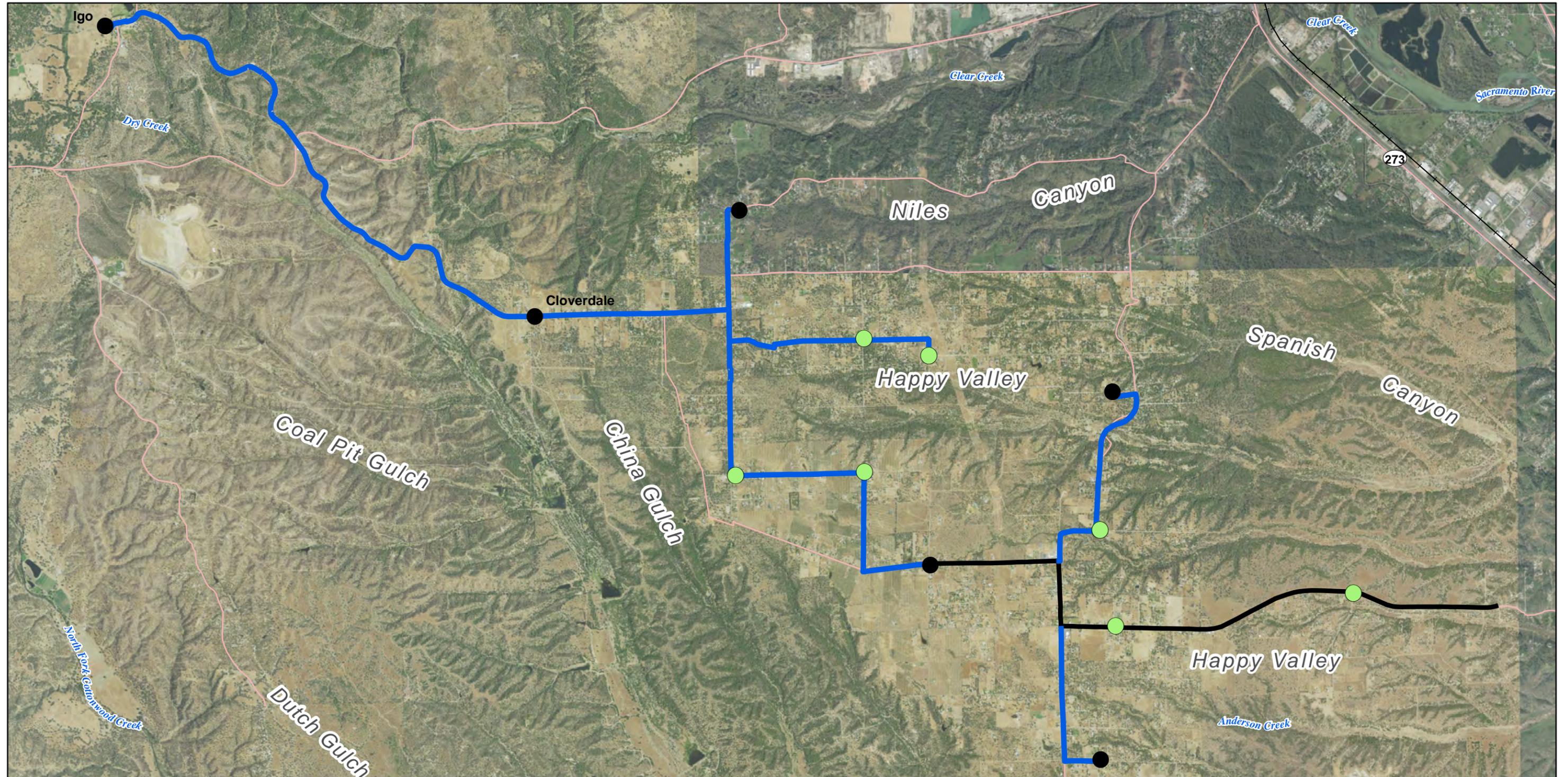


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

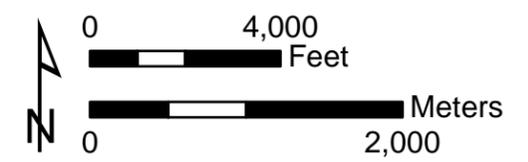
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
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- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Cultural Liaison John Castro  
United Tribe of Northern California, Inc. Wintu  
20059 Parocast  
Redding, CA 96003

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. John Castro,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the United Tribe of Northern California, Inc. Wintu by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

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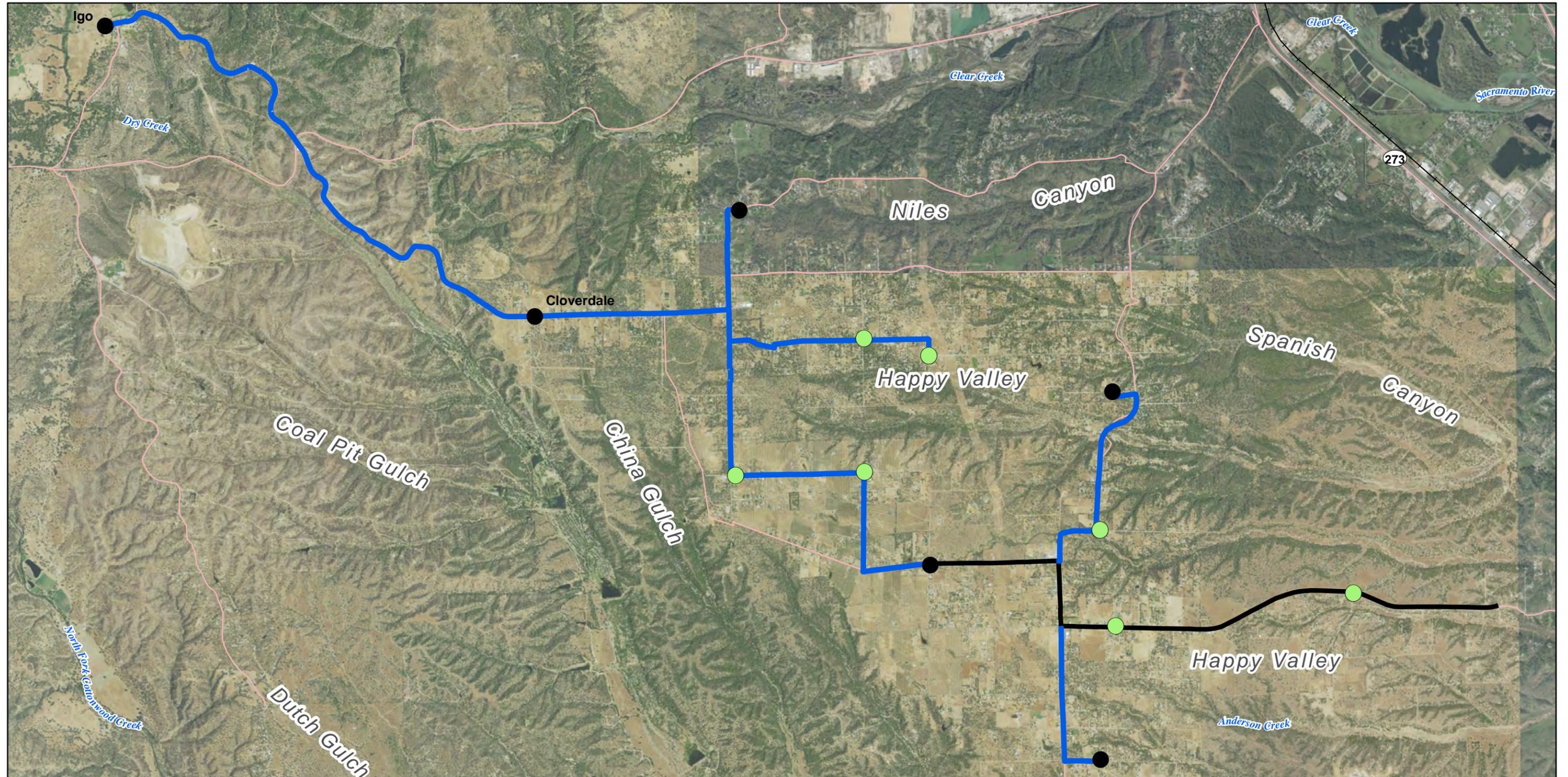


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CPUC Project Manager, Infrastructure Permitting and CEQA

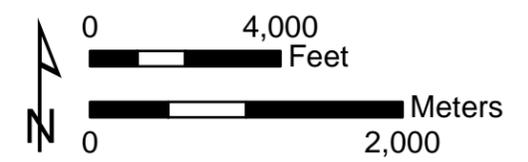
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Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Chairperson Marilyn Delgado  
Nor-Rel-Muk Nation  
P.O. Box 1967  
Weaverville, CA 96093

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairperson Marilyn Delgado,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Nor-Rel-Muk Nation by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

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**PUBLIC UTILITIES COMMISSION**

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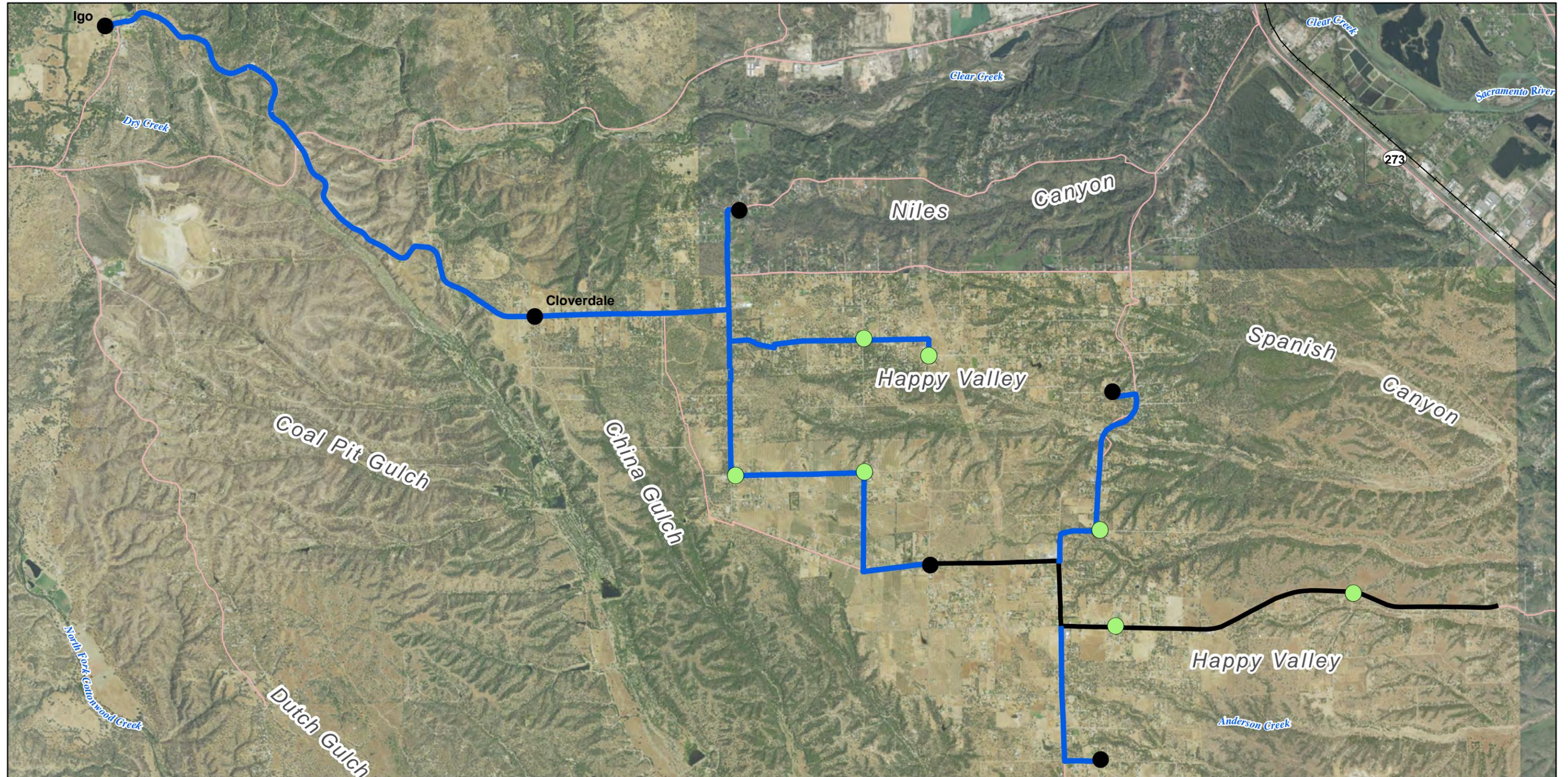


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
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Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Ms. Tracy Edwards  
Redding Rancheria  
2000 Redding Rancheria  
Redding, CA 96001

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Tracy Edwards,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Redding Rancheria by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

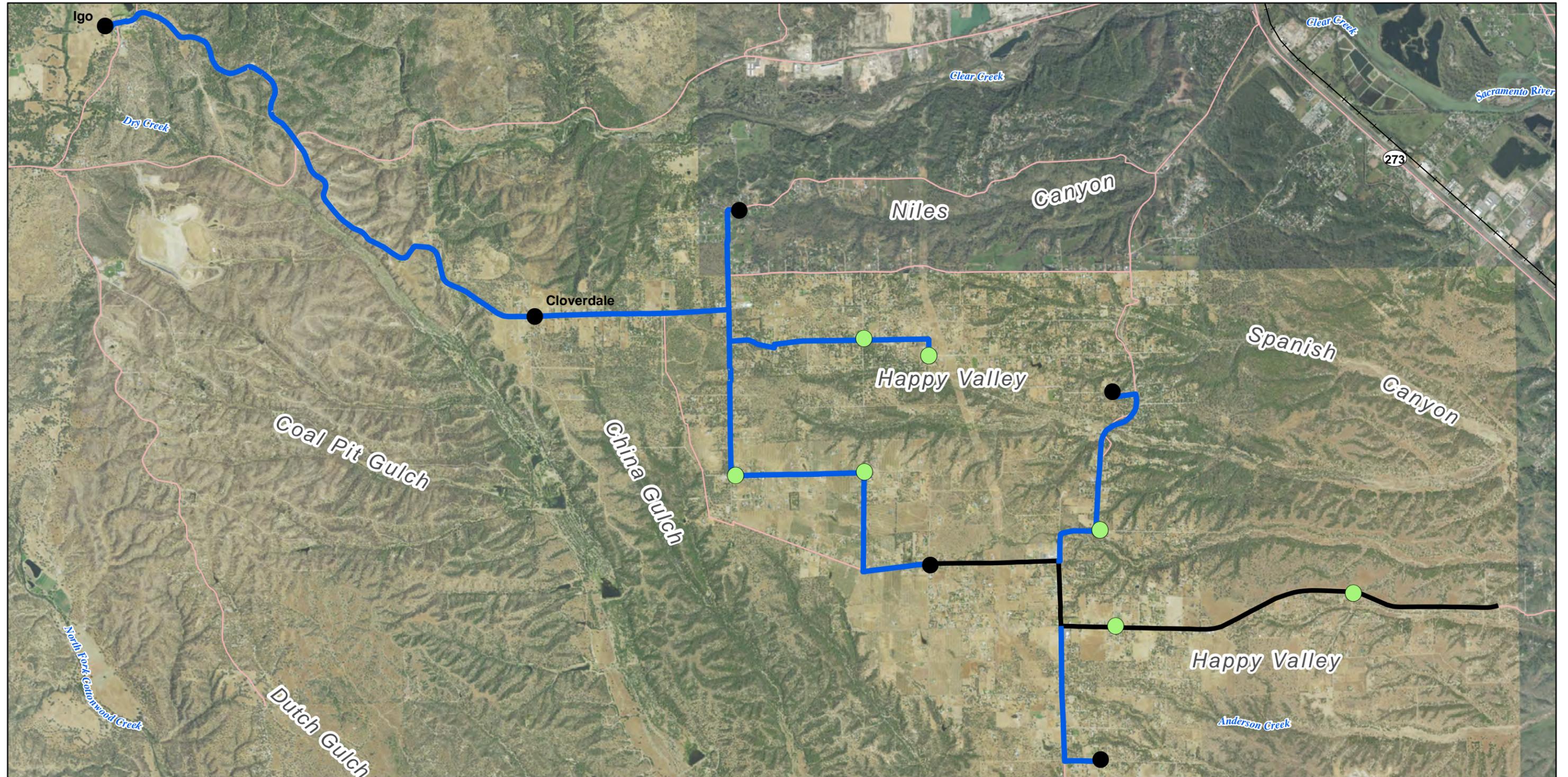


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Ms. Morning Star Gali  
Pit River Tribe Historical Preservation Office  
36970 Park Avenue  
Burney, CA 96013

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Morning Star Gali,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Pit River Tribe Historical Preservation Office by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

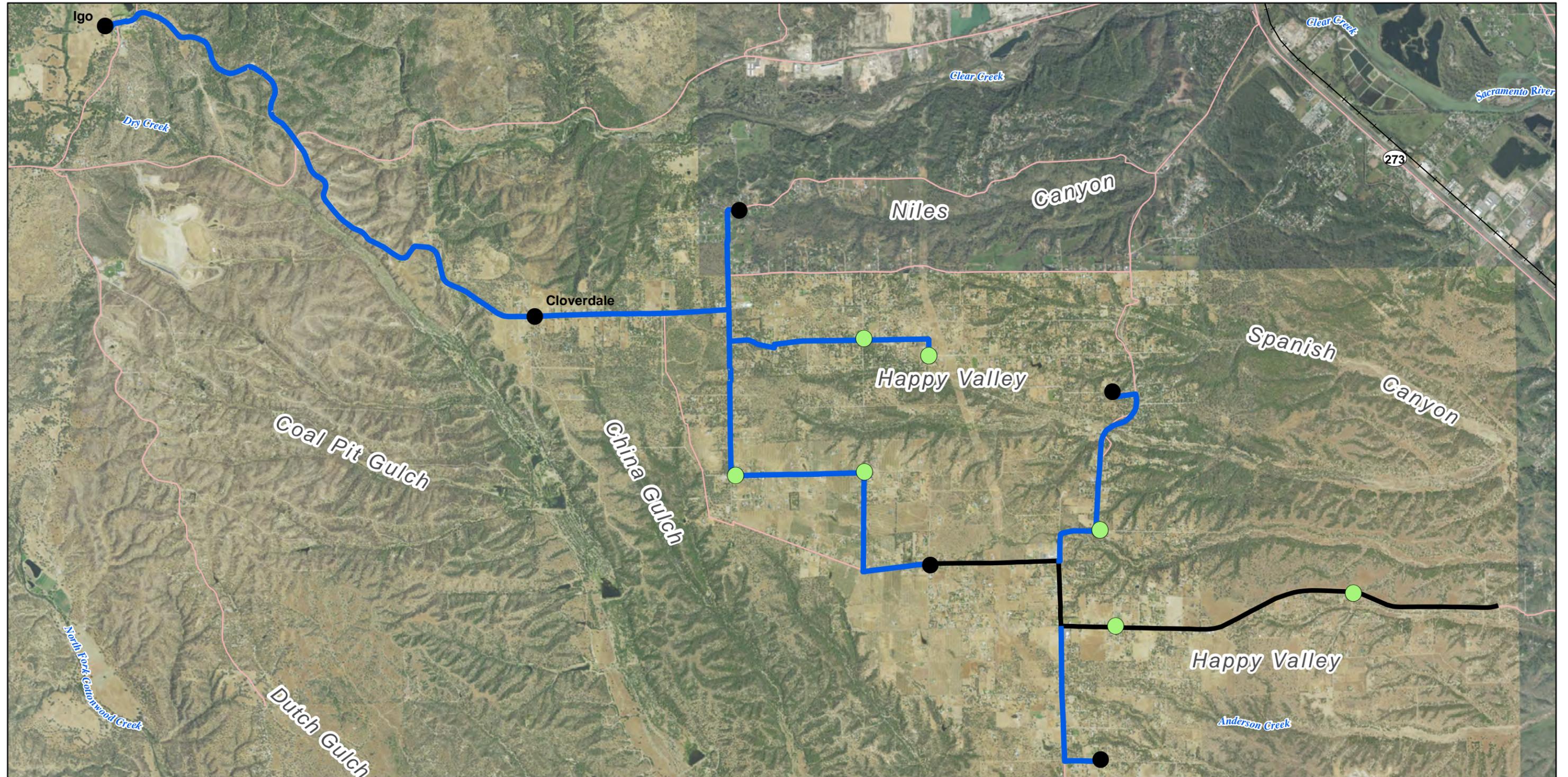


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

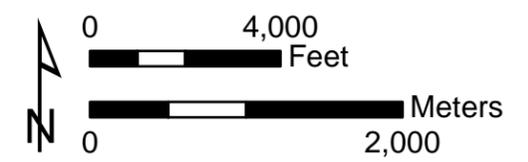
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
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- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Chairperson Gloria Gomes  
United Tribe of Northern California, Inc. Wintu  
20059 Parocast  
Redding, CA 96003

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairperson Gloria Gomes,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the United Tribe of Northern California, Inc. Wintu by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

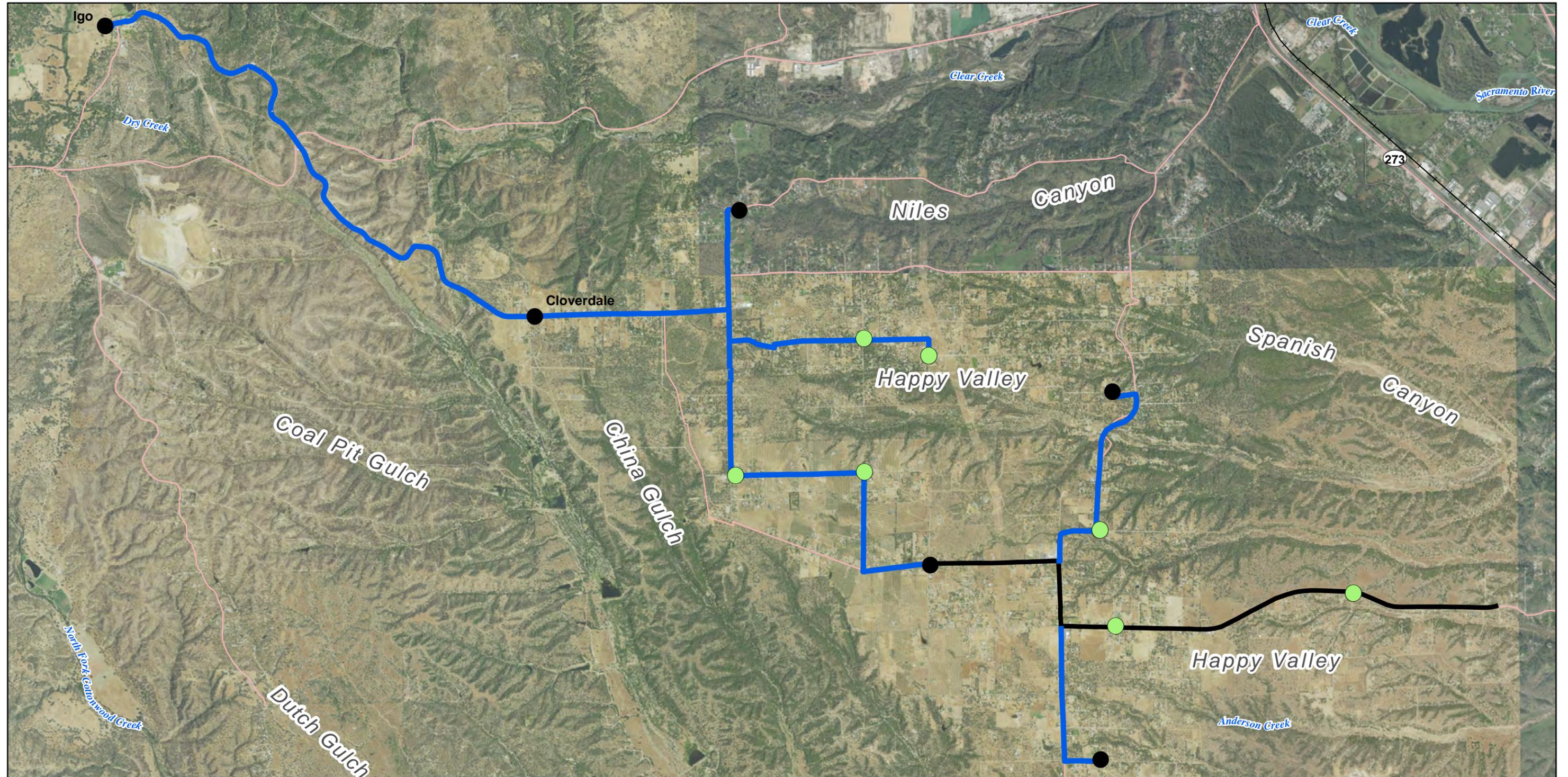


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
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- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Chairperson Jason Hart  
Redding Rancheria  
2000 Redding Rancheria  
Redding, CA 96001

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairperson Jason Hart,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Redding Rancheria by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

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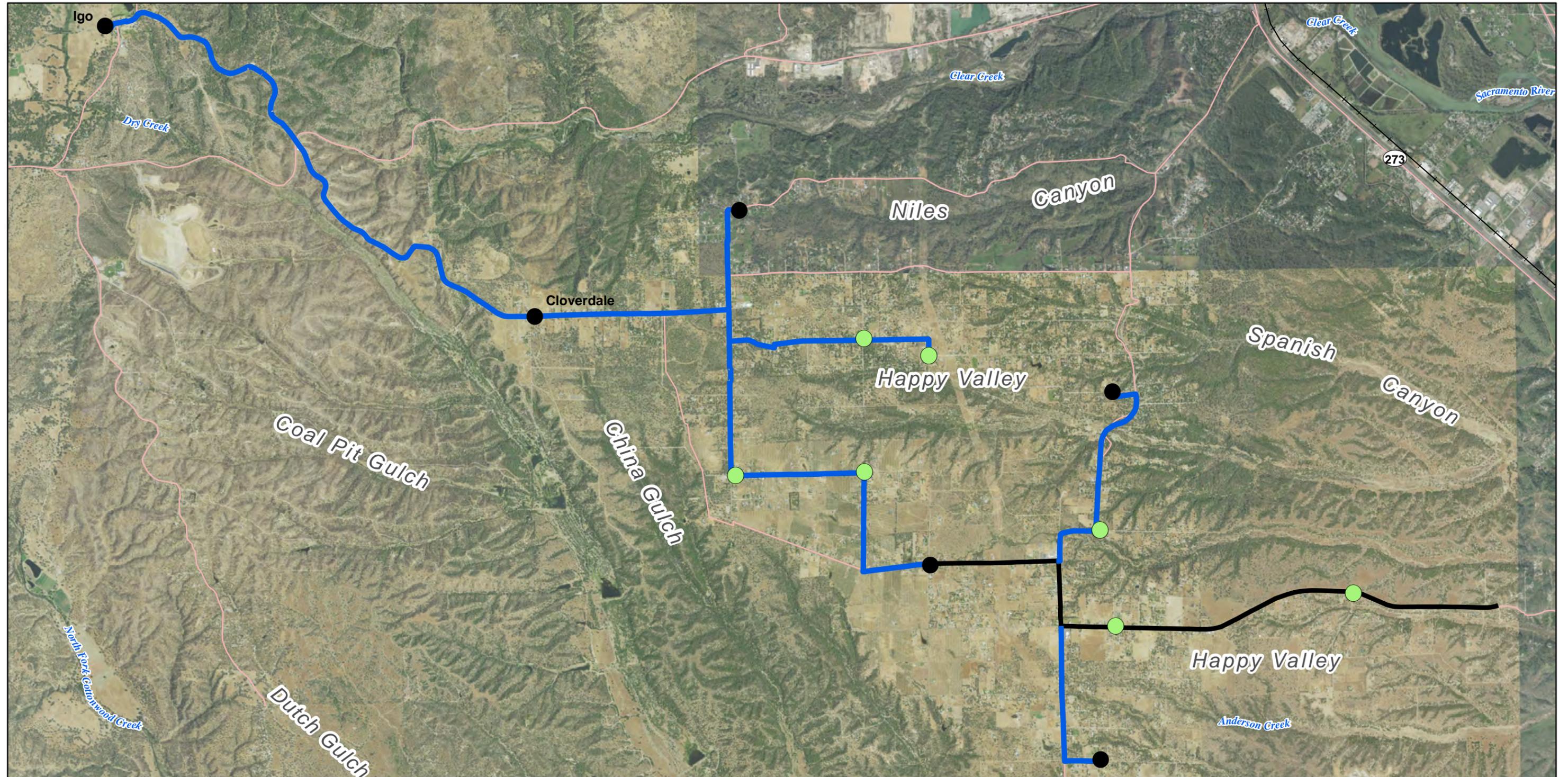


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
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Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Mr. James Hayward Sr.  
Redding Rancheria Cultural Resources Program  
2000 Redding Rancheria  
Redding, CA 96001

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. James Hawyard Sr.,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Redding Rancheria Cultural Resources Program by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

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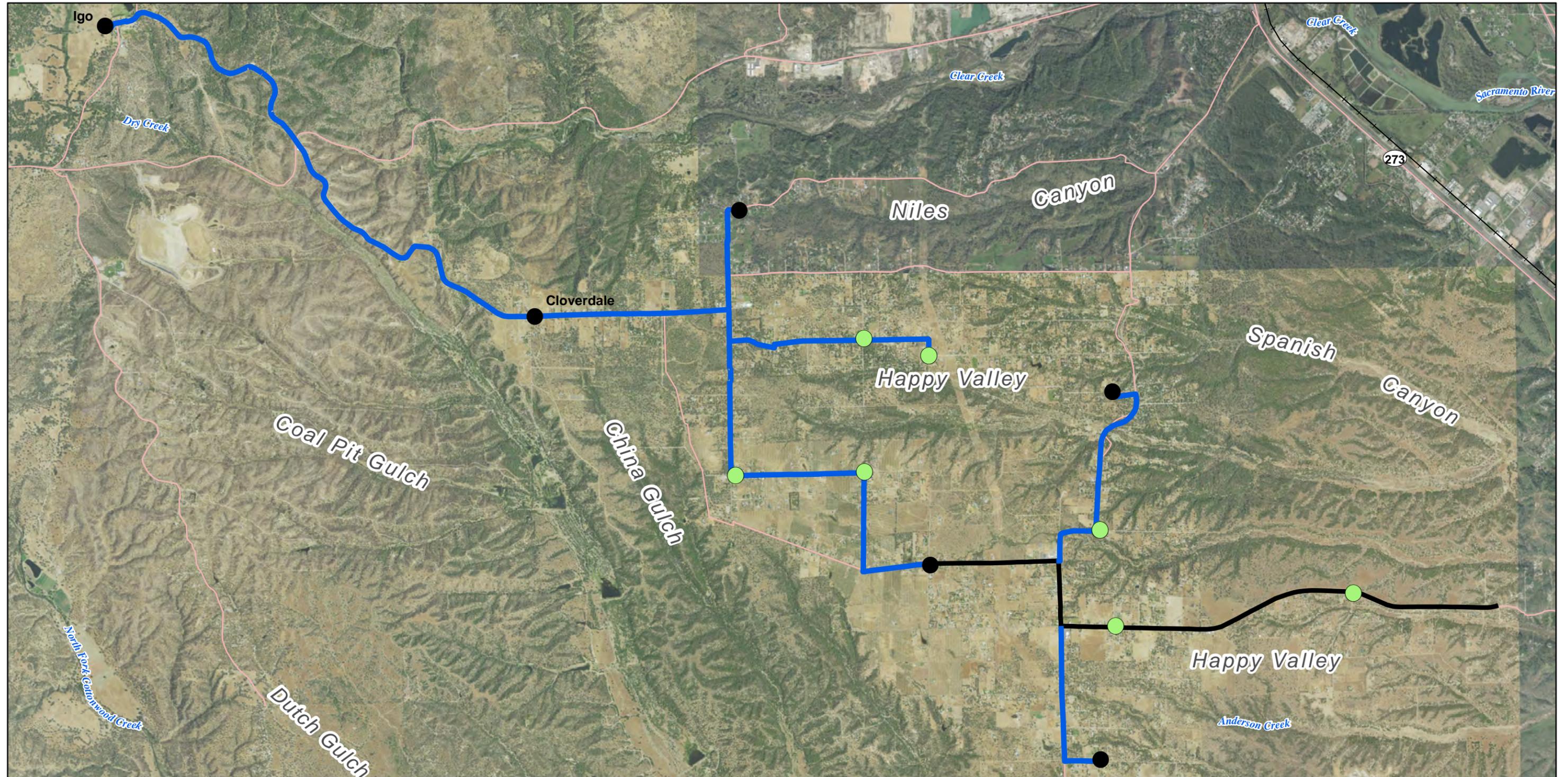


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
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Attachments:

A. Project Overview Map



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- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Ms. Kelli Hayward  
Wintu Tribe of Northern California  
P.O. Box 995  
Shasta Lake, CA 96019

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Kelli Hayward,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Wintu Tribe of Northern California by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

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**PUBLIC UTILITIES COMMISSION**

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

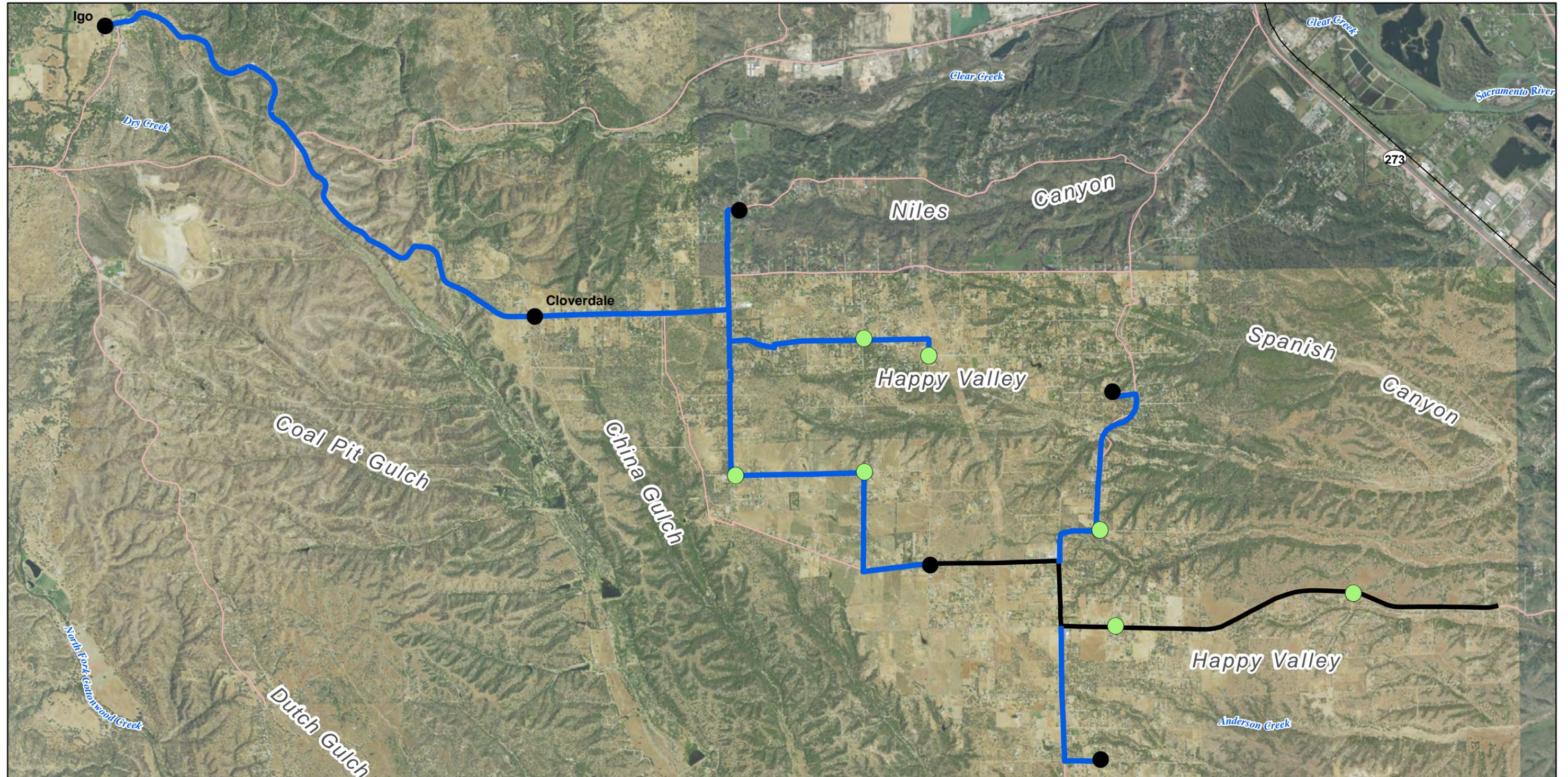


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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## Kirchler-Owen, Leslie

---

**From:** Uchida, Jensen <jensen.uchida@cpuc.ca.gov>  
**Sent:** Tuesday, April 18, 2017 5:35 PM  
**To:** Yanez, Silvia A.  
**Subject:** FW: AB 52 & Communications with the Wintu Tribe  
**Attachments:** Territory Description.pdf; Wintu Territory Map 1.pdf; Wintu Territory Map2.pdf; Point of Contact AB52.pub

Silvia:

See attachment

Jensen

**From:** Tribal & Program Offices WTNC & Toyon-Wintu Center [mailto:wintu.tribe1@gmail.com]  
**Sent:** Tuesday, April 18, 2017 2:40 PM  
**To:** Uchida, Jensen  
**Subject:** AB 52 & Communications with the Wintu Tribe

Hello Mr. Uchida,

My name is Kelli Hayward and I am the cultural resources director for the Wintu Tribe of Northern California & Toyon-Wintu Center. I wanted to send you some letters to help you know the correct people to contact for any consultation, work, or ground disturbing activities done in our territory. Please find attached our AB 52 letter and a letter as to who the Wintu Educational & Cultural council is affiliated with and a map of our Territory, along with the description of our territory taken from our Constitution. I hope this helps you with your communications.

Please contact myself or someone in our tribal office for more questions or information. Our tribal contact info :

No: 530-605-1726,  
fax: 530-605-1727,  
web: [www.wintutribes.org](http://www.wintutribes.org),  
my cell: 530-510-2448,  
my email: [kellihayward3@aol.com](mailto:kellihayward3@aol.com).

Under One Sky,  
Kelli M. Hayward - Cultural Resources Director



**Wintu Tribe of Northern California  
& Toyon-Wintu Center**

PO Box 995 Shasta Lake, CA 96019

**Office:** 530-605-1726 **FAX:** 530-605-1727

**Email:** wintu.tribe1@gmail.com **Email:** wintu.chairman@wintutribes.org

**Web:** www.wintutribes.org



January 5, 2017

## **Notice of Consultation and Point of Contact**

It is hereby noted that *The Wintu Tribe of Northern California* officially identifies our procedures for consultation, notification and points of contact for our territory in the Shasta, Trinity, & Siskiyou county areas. Furthermore, that all Wintu monitoring and consultations are to go through the Wintu Tribe of Northern California (see attachment *A* map & attachments *B* the territory description from our Constitution). We are the acknowledged tribe, directly affected by the Central Valley Project and Shasta Dam having inherent rights over these areas. Our cultural museum located on Shasta Dam Blvd. is the official facility where the tribe educates its monitors, curates items through MOA's and makes decisions through the tribal council on repatriation procedures when necessary.

It should be dually noted that there are several groups or individuals that are on the AB52 list to receive letters of upcoming projects going on in the counties mention above. The Wintu Educational & Cultural Council are one of these. We are letting you know they are **not** affiliated with us and are **not** authorized to make any suggestions or do any consulting or monitoring in our territory without the permission from the tribe. The founder of this organization, Robert (Bob) Burns was sent a letter, from us, (see attachments C) withdrawing permission to, independently, represent the tribe anymore without going through the tribe first. Mr. Burns is member of the NorRelMuk Wintu Nation Tribe and their territory (Trinity County) is different than ours. You may request a map of their territory from them.

Wintu Tribe of Northern California & Toyon-Wintu Center

# CONSTITUTION OF THE WINTU TRIBE OF NORTHERN CALIFORNIA

## PREAMBLE

We the people of the Wintu Tribe, do adopt this Constitution in order to effectively exercise our inherent sovereign powers and privileges, and to:

Preserve forever the survival of our tribe and protect it from forces which may threaten its existence;

Uphold and protect our tribal sovereignty which has existed from time immemorial and which remains undiminished;

Reclaim the tribal land base within ancestral lands of our tribe to the maximum extent possible;

Preserve and promote our culture, language, and religious beliefs and practices, and pass them on to our future generations, forever;

Provide for the health, education, economy, and social well-being of our people;

Restore, enhance and manage tribal resources; and

Insure peace, harmony, and protection of individual human rights among our members and among others who may come within the jurisdiction of our tribal government.

In forming our government, we acknowledge a history of struggle for native peoples and we pledge support for all Native American peoples' expressions of their cultural, ceremonial and spiritual identities.

## ARTICLE I – NAME

The people of the Wintu Tribe shall be known as and operate under the name Wintu Tribe of Northern California, hereinafter referred to as the "Tribe."

## **ARTICLE II – TERRITORY AND JURISDICTION**

The jurisdiction of the Tribe, its General Membership, Tribal Council and Tribal courts shall extend to the fullest extent permitted by applicable Tribal and federal law to the following:

All land encompassing Wintu ancestral territory, including the McCloud River area and Mt. Shasta in Siskiyou County, to the North; the Burnt Ranch area, to the west; the Red Bluff area in Tehama County, to the East. This land area constitutes the place of origin and of continued habitation and occupancy of the aboriginal Wintu Tribe, from which the Wintu Tribe of Northern California derives.

All lands, water and resources as may be hereafter acquired by the Tribe or by the Federal Government in trust for the Tribe or its members under any grant, transfer, purchase, adjudication, treaty, Executive Order, Act of Congress or other acquisitions;

All Persons within any territory under the jurisdiction of the Tribe; and

All Tribal members, wherever located.

## **ARTICLE III- MEMBERSHIP**

### Section 1. Membership

The membership of the Wintu Tribe shall consist of those members duly enrolled pursuant to this Constitution and the Wintu Tribe's Enrollment Ordinance. Individuals eligible for enrollment are:



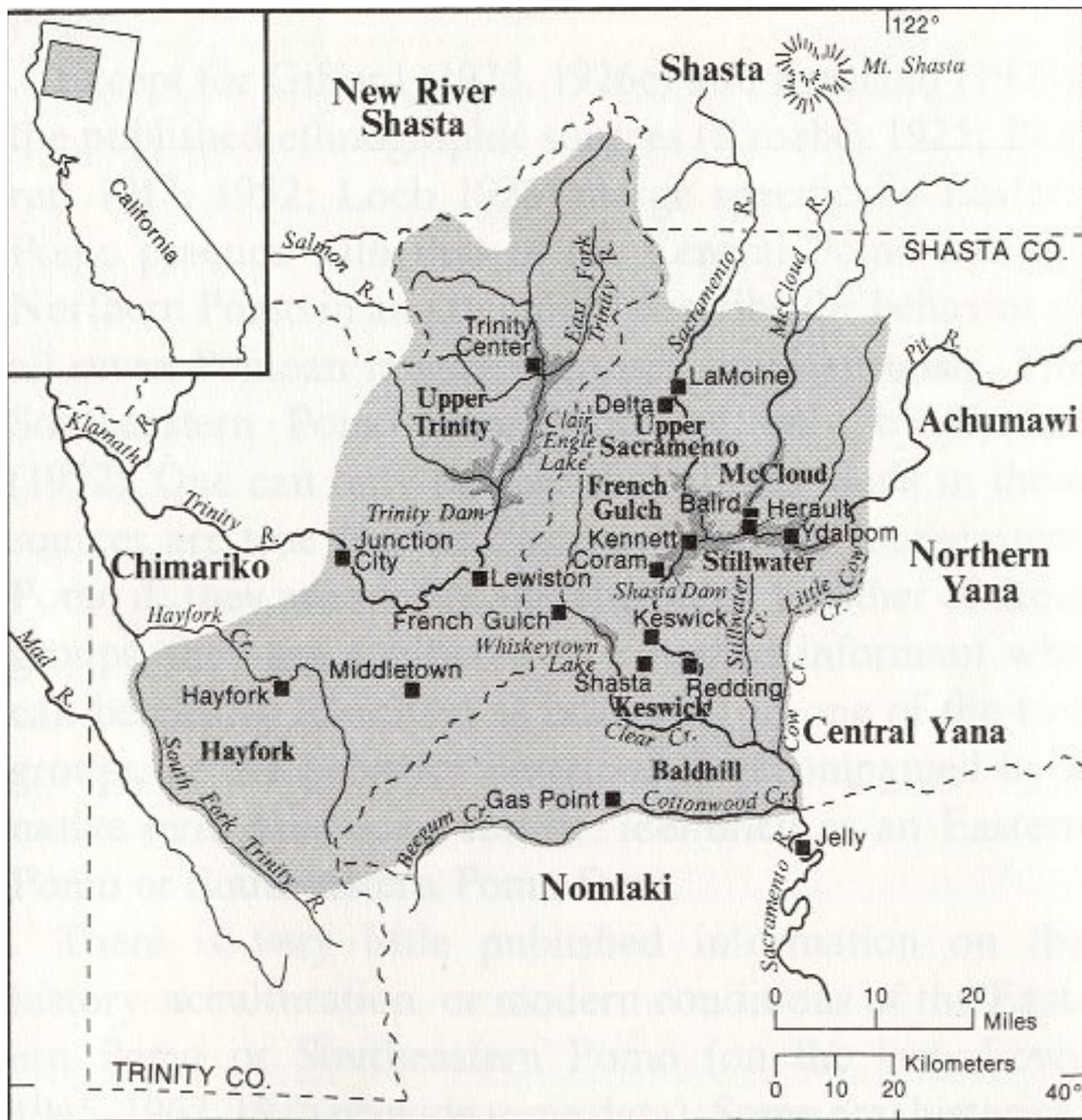


Fig. 1. Tribal territory showing extent of modern reservoirs.

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



July 6, 2017

Ms. Kelli M. Hayward  
Cultural Resources Director  
Wintu Tribe of Northern California  
P.O. Box 999  
Shasta Lake, California 96019

**Re: Olinda Last Mile Underserved Broadband Project, Initiation of AB-52 Consultation**

Dear Ms. Hayward,

Thank you very much for your response, via email on April 18, 2017, to the California Public Utilities Commission's ("CPUC") notification of the initiation of Assembly Bill 52 ("AB-52") consultation with the Wintu Tribe of Northern California for the Olinda Last Mile Underserved Broadband Project ("Proposed Project"). The CPUC has interpreted the Wintu Tribe of Northern California's response as a request for consultation under AB-52.

With this letter, the CPUC is writing to initiate consultation with the Wintu Tribe of Northern California in accordance with AB-52 regarding the potential for the Proposed Project to result in impacts on tribal resources. In particular, the CPUC would like to consult with the tribe to confirm that the Wintu Tribe of Northern California is requesting consultation under AB-52 for the Proposed Project; to determine whether there are any tribal resources located in the Proposed Project area; to evaluate the potential for the Proposed Project to directly (physically) or indirectly (visually or audibly) impact tribal resources that are identified within the Proposed Project area; and, as necessary, develop measures to mitigate impacts on tribal resources that are in the Proposed Project area.

**Summary Description of the Proposed Project.** As indicated in the CPUC's March 31, 2017, letter to the Wintu Tribe of North California, the Proposed Project consists of the installation of new underground fiber-optic telecommunications cable, and installation and renovation of aboveground connection points for customers (known as Digital Loop Carrier – DLC sites), to provide high-speed internet service in underserved areas located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo. **Attachment 1** provides a detailed description of the Proposed Project and a figure showing the location of the Proposed Project.

**Proposed Project Area.** The CPUC considers the Proposed Project area to consist of the construction disturbance area. The construction disturbance area for the new high-speed internet broadband fiber-optic telecommunications cable would be a 15.3-mile-long, 8-foot-wide by 3-foot-deep corridor located within and alongside (on the shoulder of) existing rights-of-way for existing public roads and within and alongside (on the shoulder of) existing easements held by the Proposed Project proponent for existing private roads. The maximum construction disturbance area at each DLC site would be an area estimated at 10 feet wide by 6 feet long by 4 feet deep. The DLC sites are also located within and alongside (on the shoulder of) existing rights-of-way for existing public roads, and within and alongside (on the shoulder of) existing easements held by the Proposed Project proponent for existing private roads.

Existing conditions in the Proposed Project area generally consist of open areas along the shoulder of existing public and private roadways that contain some visible components of existing overhead utilities (electric and telephone) and existing underground utilities (water and sewer). **Attachment 2** provides overview maps with representative pictures of the existing conditions within the Proposed Project area.

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**PUBLIC UTILITIES COMMISSION**

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The CPUC anticipates that the majority of the Proposed Project area has undergone previous surface and subsurface ground disturbance as a result of construction and maintenance of the existing public and private roadways and as result of the installation and maintenance of existing utilities located alongside (on the shoulder of) the existing public and private roadways, including overhead telephone and electric utilities and underground water and sewer utilities.

**Existing Information for Tribal Resources in the Proposed Project Area.** To date, no Tribal Resources as defined in AB 52 and under the California Environmental Quality Act (CEQA) have been identified within the Proposed Project area. Of the Native American organizations or individuals notified of the Proposed Project by the CPUC in accordance with AB-52, the Wintu Tribe of Northern California is the only tribe that has indicated an interest in the Proposed Project because the Proposed Project would be located within the tribe's culturally affiliated territory.

Separately, as part of the cultural resources investigation for the Proposed Project, a Sacred Lands File request was filed with the Native American Heritage Commission (NAHC) in 2014. The purpose of this request was to identify any sacred sites or traditional cultural properties that may be located within the Proposed Project area. The NAHC response indicated that no known sacred sites or traditional cultural properties were located in the Proposed Project area, but included a list of 14 Native American organizations or individuals that may have knowledge relevant to the identification of Native American cultural resources in the Proposed Project area. These 14 Native American organizations or individuals were included in the CPUC's notification of consultation under AB-52; the Wintu Tribe of Northern California was included in the NAHC's response.

**Existing Information for Cultural Resources in the Proposed Project Area.** A search of publicly available information for cultural resources was conducted for the Proposed Project. The results of this search of publicly available information indicated that no cultural resources that are listed in the National Register of Historic Places or that have been designated a National Historic Landmark are located within the Proposed Project area.

Separately, a cultural resources investigation was conducted for the Proposed Project in 2015 and updated in 2017. No previously recorded prehistoric, ethnographic, or historic Native American cultural resources were identified within the Proposed Project area, and the cultural resources investigation did not identify any new prehistoric, ethnographic, or historic Native American cultural resources within the Proposed Project area. Fourteen historic Euro-American cultural resources were identified within, or immediately adjacent to, the Proposed Project area. These consisted of two previously recorded historic archaeological sites (the Happy Valley Ditch [CA-SHA-3382H] and the Landfill Mining Complex [CA-SHA-3373H]); one previously identified historic building (the Igo Inn); one previously identified late 19<sup>th</sup> to early 21<sup>st</sup> century cemetery (the Cloverdale Cemetery); and 10 newly identified historic or modern period isolated archaeological occurrences. These 14 historic cultural resources are discussed in greater detail in **Attachment 3**.

The CPUC thanks you for reviewing the information for the Proposed Project that is presented in this letter and in the accompanying attachments to this letter. As indicated previously, in order for the CPUC to move forward with environmental review of the Proposed under CEQA, it is important to complete consultation with the Wintu Tribe of Northern California in accordance with AB-52 to identify any issues or concerns that the tribe may have regarding potential impacts of the Proposed Project on tribal resources in the Proposed Project area.

To this end, the CPUC is respectfully requesting the tribe's response to the following statements to ensure that consultation under AB-52 is conducted in a manner that respects the tribe's issues and concerns regarding such potential impacts.

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**PUBLIC UTILITIES COMMISSION**

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1. The Wintu Tribe of Northern California is requesting consultation under AB-52 for the Proposed Olinda Last Mile Underserved Broadband Project.

Yes

No

Need more information (specify): \_\_\_\_\_

2. The Wintu Tribe of Northern California is aware of tribal resources, as defined under AB-52, that are located within the Proposed Olinda Last Mile Underserved Broadband Project area.

Yes

No

a.  Need more information (specify): \_\_\_\_\_

3. The Wintu Tribe of Northern California is concerned that the Proposed Olinda Last Mile Underserved Broadband Project will impact tribal resources.

Yes

No

Need more information (specify): \_\_\_\_\_

4. Signature of Tribal Representative: \_\_\_\_\_

The CPUC is respectfully requesting that you provide this response within 30 days to Jensen Uchida via telephone at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Within this 30-day period, the CPUC will contact the tribal representative, Ms. Kelly Hayward, Cultural Resources Director for the tribe, via telephone or email to set up teleconference a to speak with the director, and any other representatives of the Wintu Tribe of Northern California, regarding the tribe's responses to the above statements and the path forward for continued consultation under AB-52. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc. (syanez@ene.com), on communications.

Very Respectfully,



Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

**PUBLIC UTILITIES COMMISSION**

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

1. Description of Proposed Project
2. Existing Conditions of the Proposed Project Area
3. Cultural Resources Identified for the Proposed Project

## Attachment 1: Description of Proposed Project

# Attachment 1

## Description of the Proposed Olinda Last Mile Underserved Broadband Project

### Project Components

The Proposed Project consists of:

- Installation of 15.3 miles of new underground high-speed internet broadband fiber-optic telecommunications cable;
- Construction of seven new Digital Loop Carrier (“DLC”) sites with underground and aboveground components; and
- Renovation of underground and/or aboveground components of six existing DLC sites.

The 15.3 miles of new underground high-speed broadband fiber optic cable transmission cable would be installed within 1.25-inch-diameter, high-density polyethylene conduits that would be buried underground within the rights-of-way for existing public roads and within easements held along existing private roads.

The DLC sites serve as connection points for customers to the underground fiber optic cable. Each DLC site comprises underground and aboveground components. The underground components consist of one partially buried vault (also known as a handhole), which are 3- by 2.5- by 4-foot prefabricated epoxy boxes. The aboveground components consist of one equipment cabinet of approximately 2 by 3 by 4 feet in size and one small cross-connection box near each equipment cabinet. Photos of DLC sites and their components are provided at the end of this attachment.

All new and renovated DLC sites would be located within the rights-of-way for existing public roads and within easements held along existing private roads. Renovation activities at the six existing DLC sites would consist of replacement of existing aboveground and/or underground components (i.e., aboveground equipment cabinets and/or cross-connection boxes or underground vaults).

**Figure 1.1** of this Attachment provides an overview of the project components and their location.

**Construction of the Proposed Project.** Construction activities for the Proposed Project would be entirely within the construction disturbance area, which would be located alongside (in the shoulder of), and within the existing rights-of-way for, the existing public roads and alongside (in the shoulder of), and within existing easements held by the Proposed Project. The construction disturbance area would include:

- ***Fiber optic telecommunications cable corridor:*** the 15.3 miles long, 8-foot-wide by 3- to 5-foot-deep corridor alongside (in the shoulder of) the existing public and private roads.
- ***New DLC Sites:*** Construction of the seven new DLC sites would occur within an estimated 10-foot-long by 6-foot wide by 4-foot deep area alongside (in the shoulder of) the existing public and private roads.
- ***Renovated DLC Sites:*** Depending on the nature of renovations at the six existing DLC sites, renovation could also occur within an estimated 10-foot-long by 6-foot wide by 4-foot deep area alongside (in the shoulder of) the existing public and private roads, particularly if renovation would include replacement of a buried vault.

Following construction, the construction disturbance area for the Proposed Project would be restored to existing conditions to the maximum extent possible. Existing conditions in the construction disturbance area generally consist of open areas along the shoulder of existing public and private roadways that

## Attachment 1

contain some visible components of existing overhead utilities (electric and telephone) and existing underground utilities (water and sewer).

The 15.3 miles of new underground high-speed broadband fiber optic cable transmission cable would not be visible because it would be located entirely underground. The majority of the underground components (i.e., buried vaults) of the seven new DLC sites and the six existing DLC sites would also not be visible because they would be, or already are, installed almost completely underground.

The aboveground components of the seven new DLC sites and the six existing DLC sites would be visible and would typically consist of one aboveground equipment cabinet set on the top of the buried vaults and one cross connect box adjacent to the equipment box that would be, or already are, surrounded by a 20-foot-square graveled area.

The CPUC anticipates that construction of the aboveground components of the proposed new DLC sites would result in new landscape features in the settings of the proposed seven new DLC site locations. However, because of their small scale and massing and their low profile, the new aboveground components of the seven new DLC sites would not be prominent landscape features within the existing settings of their respective locations. Additionally, as aboveground components of a telecommunications utility, they would be conceptually consistent with existing aboveground components of other utilities that are already present in the immediate vicinity, such as poles and guidewires for overhead telephone and electric lines and elevated manholes for underground sewer lines.

Proposed renovations of the aboveground components of the six existing DLC sites would result in landscape features that would be similar, or even identical, in massing, scale, and profile to the aboveground components that are currently present at these six locations. As such, the renovated aboveground components of the six existing DLC sites would be landscape features that are consistent with the aboveground components of the existing settings of their respective locations.

**Operation of the Proposed Project.** Operation of the Proposed Project would not be expected to result in any new changes to the Proposed Project area. Additionally, any maintenance or emergency repair activities that may be necessary for the 15.3 miles of new high-speed internet broadband fiber optic cable transmission cable, the seven new DLC sites, and the six renovated existing DLC sites would be expected to occur within the construction disturbance area for the Proposed Project and would be expected to be of short-term duration and temporary in nature.

## Attachment 1



**Photo 1.** One of the six existing DLC sites for the Proposed Project that is proposed for renovation. This DLC site is located alongside (in the shoulder of) an existing public road. A brown metal trapdoor, in the center of the photograph, covers the existing underground vault at this DLC site. The putty-colored aboveground metal equipment cabinet to the right and the smaller, putty-colored cross-connection box to the left are located next to the buried vault at this site, instead of on top of the vault. A small graveled area is surrounds the aboveground components of this DLC site. Roadway signposts (foreground) and a telephone pole (background) share this area, along with fencing for an adjacent property.

## Attachment 1



**Photo 2.** Another of the six existing DLC sites for the Proposed Project that is proposed for renovation. This DLC site is also located alongside (in the shoulder of) an existing public road. The putty-colored aboveground metal equipment cabinet on the right behind the vault and the smaller, putty-colored cross-connection box on the left are located on top of the buried concrete vault at this DLC site. A small graveled area is surrounds the aboveground components of this DLC site. A telephone pole (background) and visible overhead wires share this area, along with fencing for an adjacent property.

## Attachment 1



**Photo 3.** Examples of the new underground concrete and epoxy vaults (handholes) that would be installed at each of the seven new DLC sites and at any of the six existing DLC where renovation activities would include replacement of the existing underground vaults. The 'cap' of the vault, on which the small platform with a metal plate on the side is located, is the portion of the vault that would be aboveground. The remainder of the vault would be underground.

## Attachment 1



**Photo4.** An example of the new aboveground metal equipment cabinet that would be installed at each of the seven new DLC sites and at any of the six existing DLC where renovation activities would include replacement of the existing aboveground metal equipment cabinet.

## Attachment 1



**Photo 5.** An example of an existing cross-connection box that would be installed at each of the seven new DLC sites and at any of the six existing DLC where renovation activities would include replacement of the existing aboveground cross-connection box.

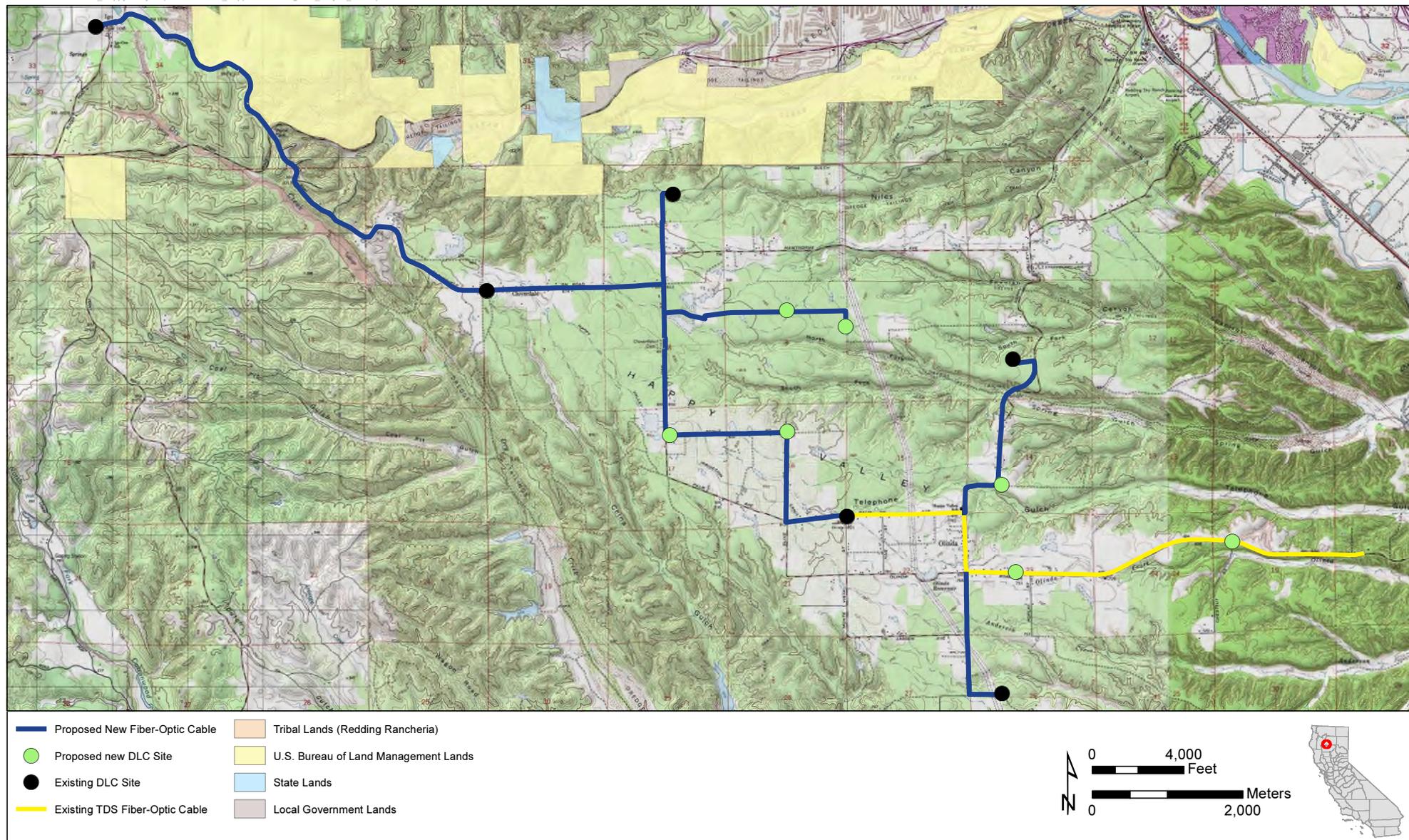


Figure 1.1  
Proposed Project Location

**Attachment 2: Overview of Existing Conditions in the Proposed Project Area**

*Please note: locations of cultural resources have been redacted*

**Attachment 3: Cultural Resources Identified for the Proposed Project**

*Please note: locations of cultural resources have been redacted*

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Response Received July 19, 2017 from Ms. Kelli M. Hayward, Cultural Resources Director, the Wintu Tribe of Northern California.

*Please note: this response is not available.*

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**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



December 28, 2017

Ms. Kelli M. Hayward  
Cultural Resources  
Director  
Wintu Tribe of Northern California  
P.O. Box 999  
Shasta Lake, CA 96019

**Re: Olinda Last Mile Underserved Broadband Project, Continued AB-52 Consultation**

Dear Ms. Hayward,

This letter follows up the conference call held last September 12, 2017 with the California Public Utilities Commission (“CPUC”) to obtain clarification regarding the Wintu Tribe of Northern California’s comments on the Olinda Last Mile Underserved Broadband Project (“proposed project”). These comments were provided to the CPUC via email on July 19, 2017.

During the conference call, the CPUC confirmed with you that:

- The tribe is requesting monitoring by a Wintu representative during construction in the vicinity of the Cloverdale Cemetery;
- The tribe is concerned about the potential archaeological sensitivity at the locations of waterbody crossings; and
- The tribe noted that the depth of excavation for installation of proposed project components appears to be deeper than depths used in previous surveys conducted within the proposed project area.

With this letter, the CPUC is writing to provide you with additional information to address these comments. Additionally, we are requesting the tribe’s review and comment on, or concurrence with, the Mitigation Measures (MMs) proposed by the CPUC to avoid or reduce impacts on tribal cultural resources.

**1. Construction in the Vicinity of the Cloverdale Cemetery**

TDS Telecom (the applicant) would avoid trenching activities along Oak Road in the proximity of the Cloverdale Cemetery by rerouting the installation of the underground cable to the opposite (east) side of Oak Road, approximately 50 feet away from the Cloverdale Cemetery (see **Attachment 1**). Where the underground cable would cross beneath Oak Road, the applicant would use the directional boring technique to install the cable to a minimum of 60 inches (5 feet) below the road surface.

Directional boring is a method used to install utility lines under waterways and roads and in other areas where the avoidance of surface disturbance is desirable. Directional boring machines are

essentially horizontal drilling rigs with a steerable drill bit. The boring machine that would be used for the proposed project has a drill pipe diameter of approximately 2 inches. **Attachment 2** provides diagrams of the proposed directional boring activity and a photo of a typical boring machine used for underground cable installation along roads.

The applicant identified the following measures (APMs) that collectively would avoid impacts on the Cloverdale Cemetery.

- **APM CR-2:** Cloverdale Cemetery and the Igo Inn will be avoided by rerouting the fiber-optic lines to the opposite side of the road.
- **APM CR-4:** If human remains are discovered or recognized in any location, construction personnel will suspend further excavation or disturbance of the site and any nearby areas reasonably suspected to overlie adjacent human remains until the County coroner has been informed and has determined that no investigation of the cause of death is required.

The CPUC is proposing the following measures to supplement the above APMs, as summarized below:

- **MM CUL-1:** Worker Education Program, which requires worker education in the potential sensitivities for cultural and tribal resources in the project area, the types of unanticipated finds that may be identified (e.g., archaeological resources or human remains), and the procedures to be followed in the event of an unanticipated archeological resource or human remains.
- **MM CUL-2:** Procedures for Unanticipated Discovery of Archaeological Resources, which describes the measures required in the event of discovery of archaeological resources or human remains during soil-disturbing activities within the proposed project area.

To address the tribe's request to monitor during construction in the vicinity of the Cloverdale Cemetery, the CPUC has also developed MM TCR-1, which allows for monitoring by the Wintu at this location, as presented below.

- **MM TCR-1: Tribal Monitoring for Cloverdale Cemetery.** One Native American monitor from the Wintu Tribe of Northern California shall be retained, at the Tribe's option, to observe ground-disturbing activities and all work within 200 feet of the Cloverdale Cemetery, subject to the conditions outlined in this mitigation measure. Wintu tribal monitoring shall be subject to the following conditions:
  - The applicant shall give the Wintu Tribe of Northern California 30 days advance notice of construction in the vicinity of the Cloverdale Cemetery and shall provide the Wintu Tribe of Northern California with the opportunity to monitor construction activities in the vicinity of the Cloverdale Cemetery as requested in AB-52 consultation with CPUC subject to the terms of this mitigation measure. The applicant shall make a good-faith best effort to schedule construction activities in the vicinity of the Cloverdale Cemetery when a Wintu tribal monitor is available.
  - The Wintu tribal monitor's attendance during construction activities within 200 feet of the Cloverdale Cemetery is ultimately at the discretion of the Tribe, and the absence of a Wintu tribal monitor shall not delay construction work if the Wintu Tribe of Northern California has been given 30 days advance notice. The applicant shall include documentation of its notification of, and communications with, the

Wintu Tribe of Northern California for the tribe's monitoring in the vicinity of Cloverdale Cemetery as part of the monitoring plan for the proposed project.

- The Wintu tribal monitor shall have the ability to temporarily halt work or redirect trenching from the immediate vicinity of a potential unanticipated archaeological find or the unanticipated discovery of human remains within 200 feet of the Cloverdale Cemetery. The Wintu tribal monitor shall immediately notify the CPUC-approved archaeological monitor to follow the procedures for the discovery of unanticipated archaeological findings (per MM CUL 2) and/or for the unanticipated discovery of human remains per *California Public Resources Code* Section 5097.98.

The CPUC is requesting the tribe's review and comments on, or concurrence with, MM TCR-1.

## 2. Waterbody Crossings

The proposed project would cross 29 waterbodies and eight wetlands (see **Attachment 3**). In addition, there are 14 culverts crossed by the proposed project that may represent ephemeral waterbodies or drainage swales that do not necessarily lead to a larger order, permanent waterbody.

The applicant would use the directional boring technique for fiber optic cable installation beneath all waterbody and wetland crossings, except for Spring Gulch. Because of the topography of Spring Gulch, the proposed project would be installed by using directional boring across the top of the banks for this stream along Happy Valley Road, parallel to the bridge over this stream (see **Attachment 3, Photo 3-1**).

As explained above, directional boring is a method used to install utility lines under waterways and roads and in other areas where the avoidance of surface disturbance is desirable. **Attachment 2** provides a description of the proposed directional boring activity.

The applicant has identified measures that collectively would avoid physical impacts on waterbody and wetland crossings, including areas adjacent to these features:

- **APM BIO-1:** All waterways and wetlands in the project area will be bored beneath and avoided during construction.
- **APM BIO-2:** Bore pits will be placed a minimum distance of 5 m (16 feet) beyond either the top of waterway banks or the maximum extent of any vegetation present along the waterways' margins.
- **APM BIO-3:** Bore pits will be placed a minimum distance of 76 m (250 feet) beyond either the edge of seasonal wetlands or the maximum extent of any vegetation present along the wetlands' margins.
- **APM CR-1:** Happy Valley Ditch will be avoided via subsurface boring.
- **APM GEO-4:** The staging of construction materials, equipment, and excavation spoils will be performed outside of drainages.
- **APM GEO-7:** Upon completion of construction activities, excavated soil will be replaced and graded so that post-construction topography and drainage matches pre-construction conditions.

In addition, the following APMs would avoid impacts on potential archaeologically sensitive areas adjacent to waterbody and wetland crossings:

- **APM CR-3:** In the event that undiscovered historical or archaeological resources are encountered by construction personnel, all ground-disturbing activities within 30.5 m (100.0 feet) of the find in non-urban areas and 15.2 m (50.0 feet) in urban areas will be temporarily halted or diverted and a qualified archaeologist will be contacted to assess the discovery.
- **APM CR-4:** If human remains are discovered or recognized in any location, construction personnel will suspend further excavation or disturbance of the site and any nearby areas reasonably suspected to overlie adjacent human remains until the County coroner has been informed and has determined that no investigation of the cause of death is required.

The CPUC proposes the following MMs to supplement the above two APMs:

- **MM CUL-1:** Worker Education Program, which requires worker education in the potential sensitivities for cultural and tribal resources in the project area, the types of unanticipated finds that may be identified (e.g., archaeological resources or human remains), and the procedures to be followed in the event of an unanticipated archeological resource or human remains.
- **MM CUL-2:** Procedures for Unanticipated Discovery of Archaeological Resources, which describes the measures required in the event of discovery of archaeological resources or human remains during soil-disturbing activities within the proposed project area.

### 3. Depth of Excavation

The proposed project area includes the underground fiber optic cable corridor (15.3 miles long, eight feet wide) and the proposed Digital Loop Carrier (DLC) sites (six new sites in total). These project components would be installed generally in open areas along the shoulder of existing public and private roadways, at the following depths:

- Underground fiber optic cable (15.3-mile corridor): three feet along existing roadways; five feet at directional boring locations.
- New DLC sites or cabinets (six in total): four feet at DLC locations.

The majority of the proposed project area has undergone previous surface and subsurface ground disturbance as a result of construction and maintenance of the existing roadways and utilities, including overhead telephone and electric utilities and underground water and sewer utilities.

The applicant conducted a cultural resources investigation of the proposed project area, which identified cultural discussed in the CPUC's July 6, 2017 letter. Additionally, the applicant identified APM CR-3 and APM CR-4, described in item No. 2 of this letter, which collectively would avoid impacts on any unanticipated archaeological resources or human remains that may be encountered in the previously surveyed proposed project area.

The CPUC reviewed all proposed APMs and recommends supplemental MMs to further avoid impacts on unanticipated archaeological resources or human remains within the proposed project area:

- **MM CUL-1:** Worker Education Program, which requires worker education in the potential sensitivities for cultural and tribal resources in the project area, the types of unanticipated finds that may be identified (e.g., archaeological resources or human remains), and the procedures to be followed in the event of an unanticipated archeological resource or human remains.
- **MM CUL-2:** Procedures for Unanticipated Discovery of Archaeological Resources, which describes the measures required in the event of discovery of archaeological resources or human remains during soil-disturbing activities within the proposed project area.
- **MM TCR-1:** Tribal Monitoring for Cloverdale Cemetery.

The CPUC thanks you for reviewing the information presented in this letter and attachments. As indicated previously, in order for the CPUC to move forward with the project's CEQA review, it is important to complete consultation with the Wintu Tribe of Northern California in accordance with AB-52. To this end, the CPUC respectfully requests the tribe's responses to the statements presented in the following page to ensure that consultation in accordance with AB-52 is conducted in a manner that sufficiently addresses the tribe's concerns.

The CPUC respectfully requests your response to within 30 days to Jensen Uchida via telephone at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc. (syanez@ene.com), on communications.

Very Respectfully,



Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

1. Proposed Underground Cable Reroute in the Vicinity of Cloverdale Cemetery
2. Information about Directional Boring
3. Information about Waterbody, Wetland, and Culvert Crossings

1. The Wintu Tribe of Northern California has considered the information for construction within 50 feet of Cloverdale Cemetery and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): \_\_\_\_\_

Comments (specify): \_\_\_\_\_

2. The Wintu Tribe of Northern California has considered the information provided for addressing the proposed project waterbody, wetland, and culvert crossings for fiber optic cable installation and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): \_\_\_\_\_

Comments (specify): \_\_\_\_\_

3. The Wintu Tribe of Northern California has considered the information provided for addressing the tribe's concern that the depth of excavation and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): \_\_\_\_\_

Comments (specify): \_\_\_\_\_

4. Signature of Tribal Representative: \_\_\_\_\_

# Attachment 1: Proposed Underground Cable Reroute in the Vicinity of Cloverdale Cemetery



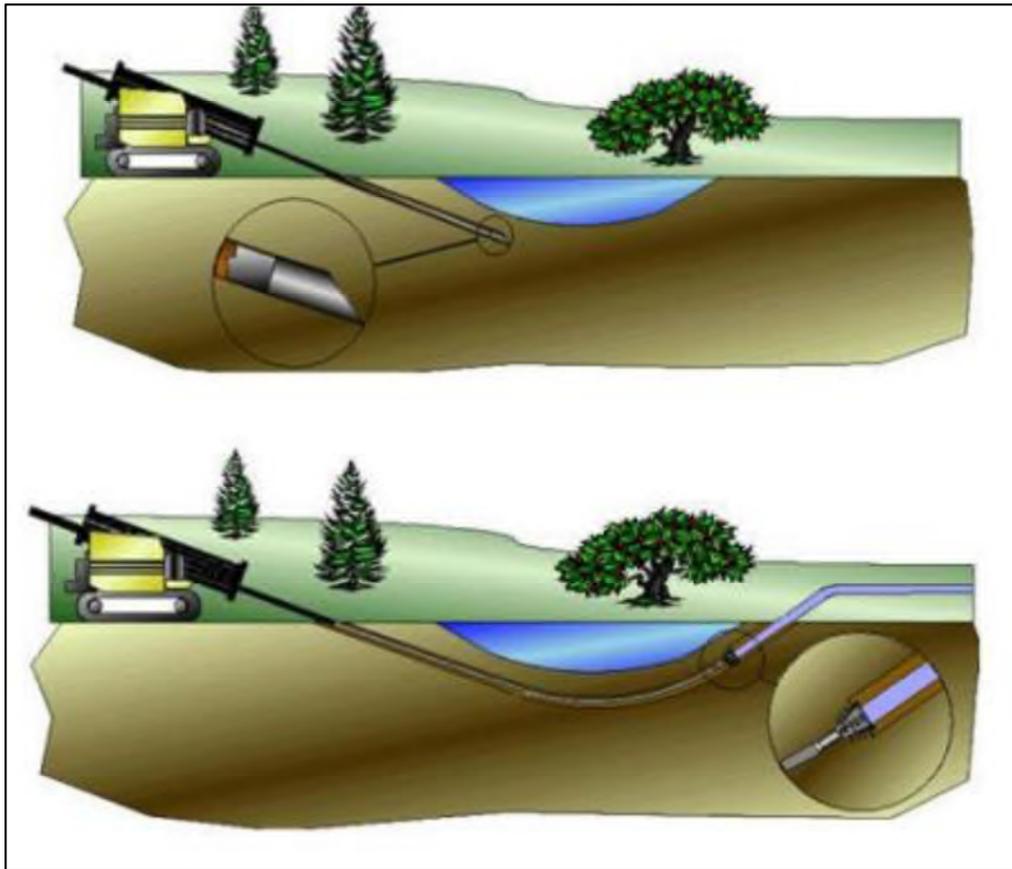
## Attachment 2: Directional Boring Description

Approximately 8.3 miles of the total 15.3 miles of the proposed fiber optic cable alignment would be installed using directional boring. This method would be used to avoid disturbing resources on the surface such as cultural resources, large trees, roads, paved driveways, and water features.

Each bore shot begins with the creation of a boring pit and pilot hole. The operator guides a steerable drill bit through the pilot hole and along the desired boring path. After the hole has been bored, conduit is attached to the end of the drill string and pulled back through the bore. This method would require two boring pits (one on either end of the bore shot) for bore ingress and egress. Bore pit locations and distance apart would be determined in the field and dependent on the anticipated bore path.

Depth of bores would be at least 5 feet below the bed of waterways, surface of roads, or other surficial obstructions. Bore hole diameter would be slightly larger than the conduit diameter (2 inches) and drilled using a drilling mud, which is typically a mix of water, bentonite, and clay. Following installation of the conduit, bore pits would be filled and compacted. Figure 2.1 shows a schematic of the directional boring technique and Figure 2.2 the bore profile designed for the project. In addition, Photos 2.1 and 2.2 show a typical boring machine used for underground cable installation along roads.

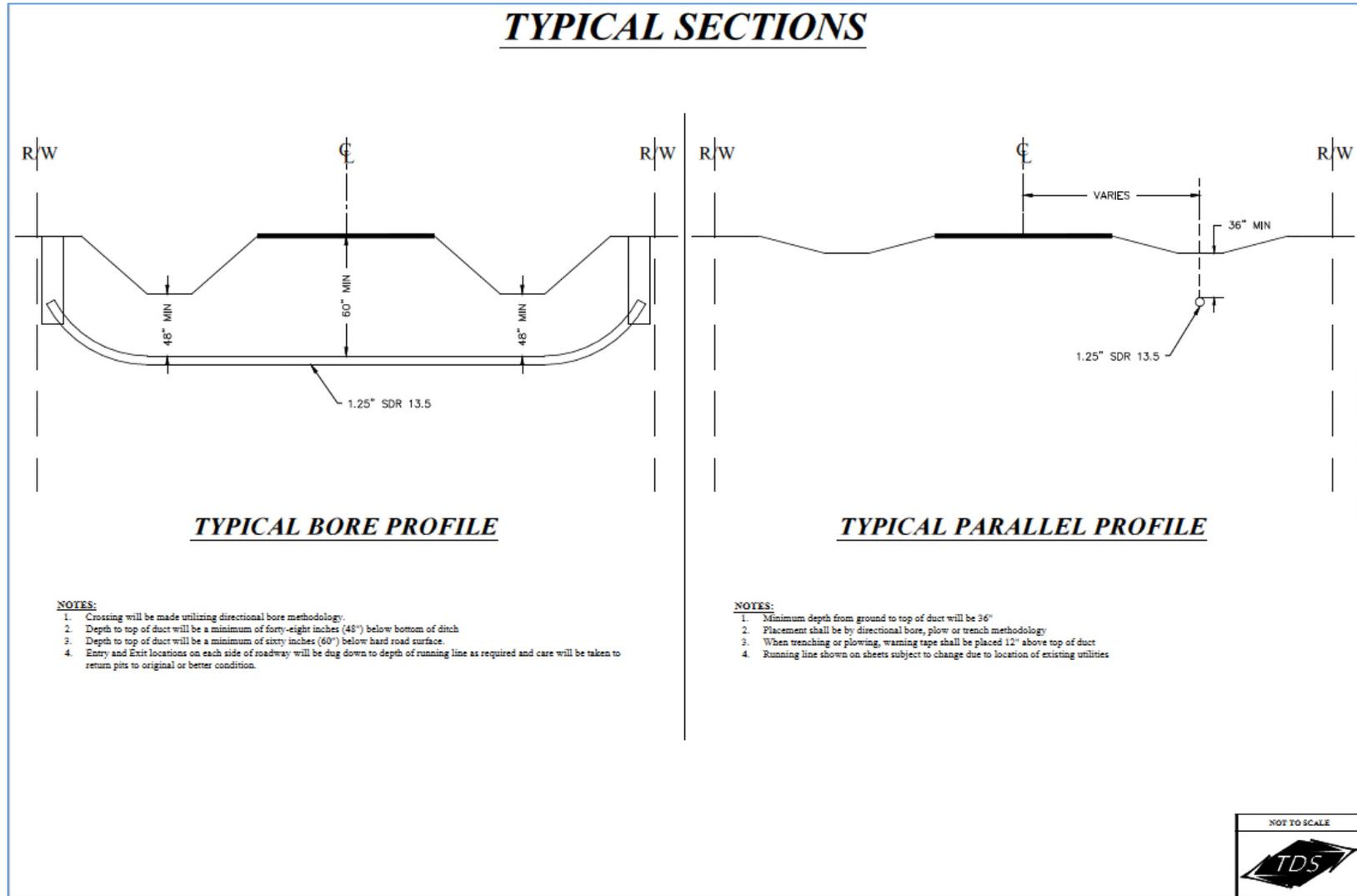
Figure 2-1 Directional boring schematic



Source: TDS Telecom 2016.

## Attachment 2: Directional Boring Description

**Figure 2.2 Typical profile and parallel sections for underground cable installation (Directional boring)**



Source: TDS Telecom 2015.

## Attachment 2: Directional Boring Description

Photo 2.1 Typical directional boring machine used for fiber optic cable installation



Source: TDS Telecom 2016.

## Attachment 2: Directional Boring Description

Photo 2.2. Typical directional boring machine set up



Source: Pipeline & Gas Journal 2009.

### Attachment 3: Wetland, Waterbody, and Culvert Crossings

The proposed project would cross 29 waterbodies and eight wetlands, as shown in **Figures 3-1A and 3-1B** and in **Table 3-1**. In addition, the project would cross 14 culverts that may represent ephemeral waterbodies or drainage swales that do not necessarily lead to a larger order, permanent waterbody (**Table 3-2**). The applicant would use the directional boring technique for fiber optic cable installation at all waterbody and wetland crossings.

Most crossings would be done beneath water features, except for Spring Gulch. Because of the topography of Spring Gulch, the proposed project would be installed by using directional boring along Happy Valley Road up to the top of the banks for this stream, and then would cross this stream parallel to the bridge over this stream, as shown in **Photo 3-1**.



Source: E & E 2016.

**Photo 3-1 Proposed directional boring crossing above Spring Gulch**

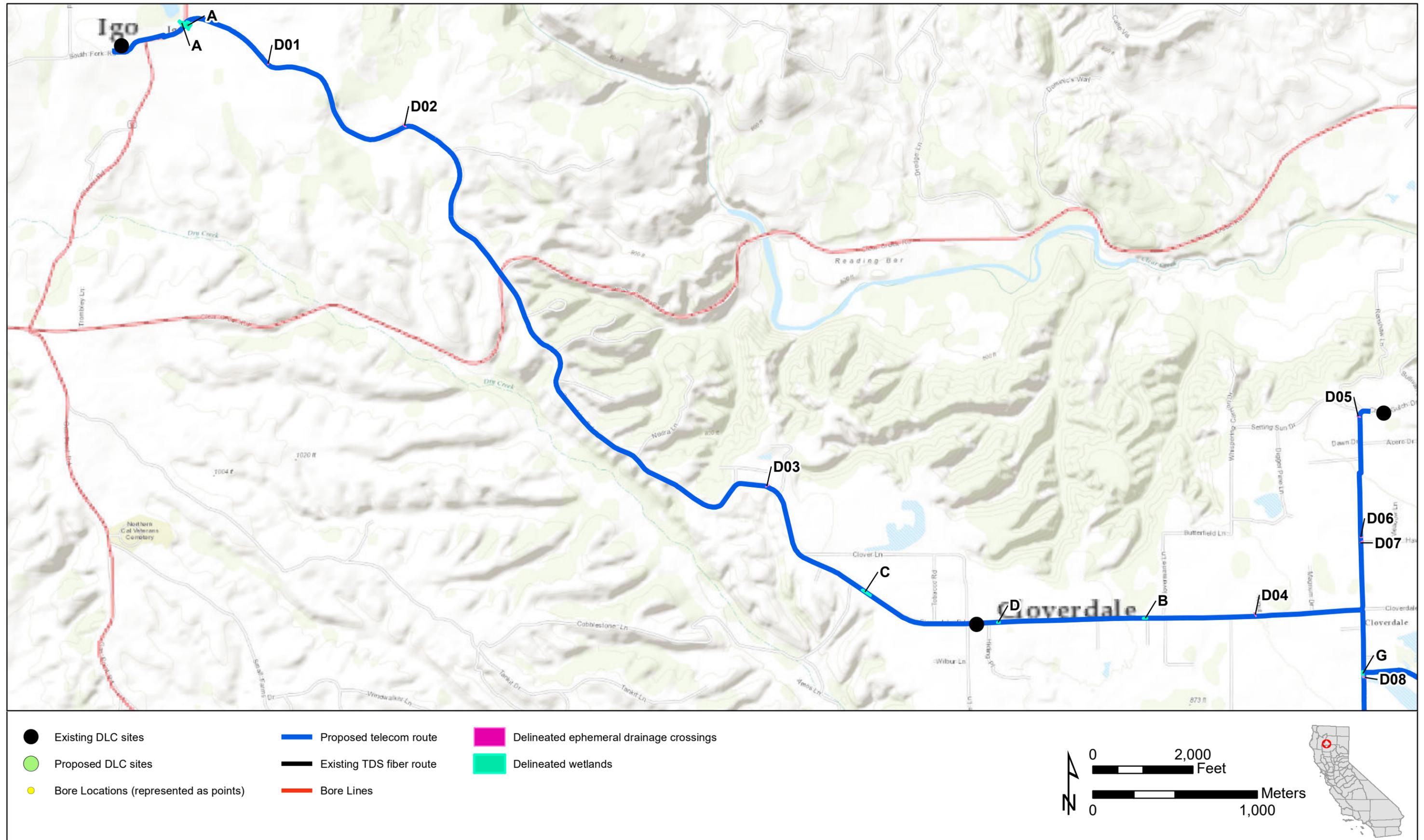
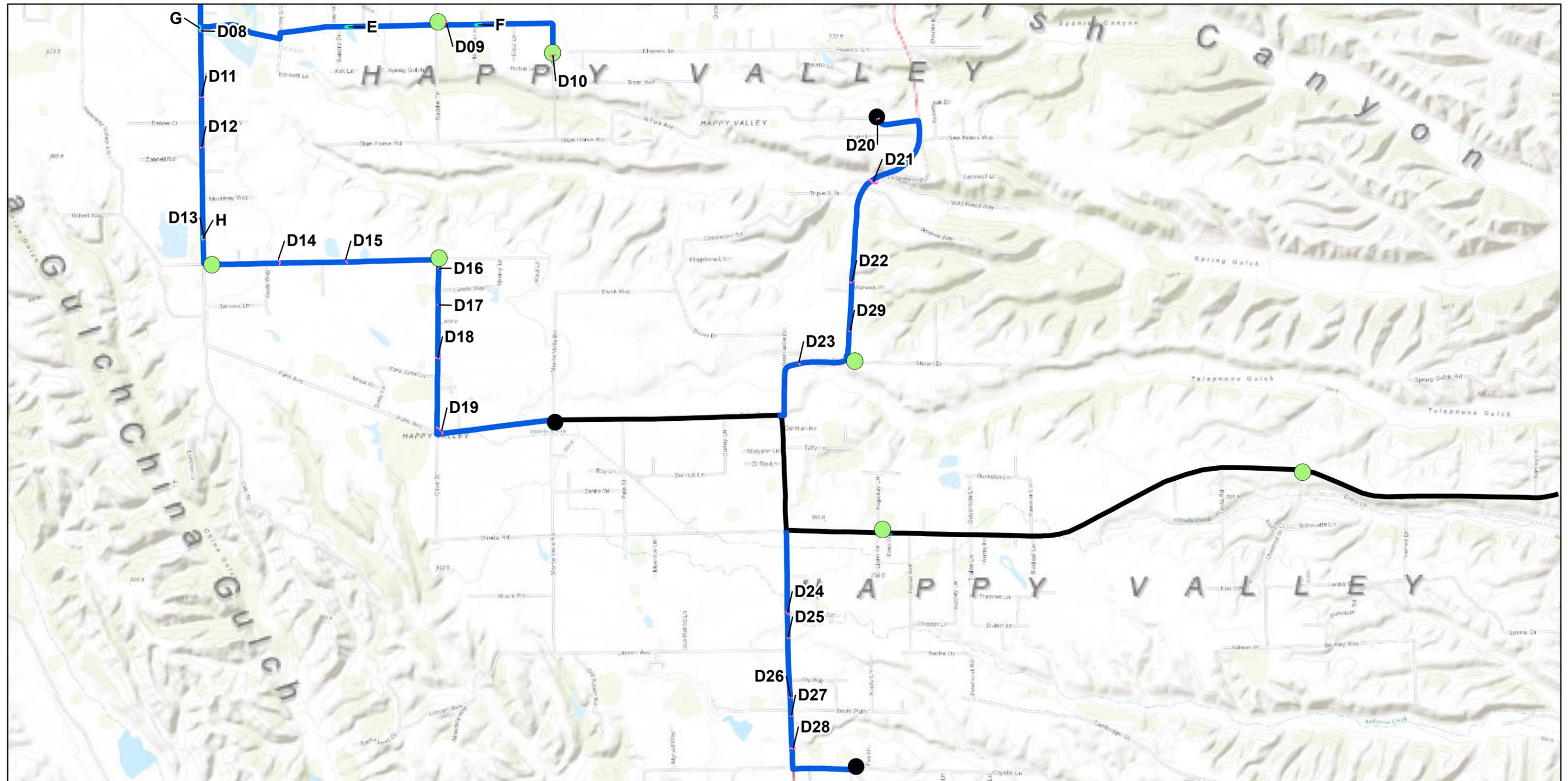


Figure 3-1A  
Wetlands and Waterways in the Project Area



- Existing DLC sites
- Proposed DLC sites
- Bore Locations (represented as points)
- Proposed telecom route
- Existing TDS fiber route
- Bore Lines
- Delineated ephemeral drainage crossings
- Delineated wetlands



Figure 3-1B  
Wetlands and waterways in the Project Area

### Attachment 3: Wetland, Waterbody, and Culvert Crossings

**Table 3-1: Proposed Project Wetland and Waterbody Crossings**

Waterbody/ Wetland/ Culvert Identifier	Description	Location	Method of Crossing
A	Non-contiguous palustrine emergent (permanent) wetland to north and south of culverted unnamed perennial tributary to Dry Creek	On north and south sides of South Fork Road, south of intersection with Placer Road	Plow or trench
D01	Culverted unnamed perennial tributary to Dry Creek	On Cloverdale Road	Bore
D02	Culverted unnamed perennial tributary to Dry Creek	On Cloverdale Road	Bore
D03	Culverted unnamed intermittent (ephemeral) tributary to Dry Creek	On Cloverdale Road, between Sunshine Road (to west) and Clover View Road (to east)	Bore
C	Wetland (seasonal)	On west/south side of Cloverdale Road, just east of intersection with Cobblestone Lane	Plow or trench
D	Wetland (seasonal) associated with unnamed intermittent (ephemeral) tributary to China Gulch	On Cloverdale Road, just east of Hiding Place	Bore
B	Wetland (seasonal) associated with culvert on Cloverdale Road	On south side of Cloverdale Road at intersection with Diana Way	Bore
D04	Culverted unnamed intermittent (ephemeral) tributary to North Fork Dry Gulch	On Cloverdale Road, just east of Ki-Nut Lane	Bore
D05	Culverted unnamed intermittent (ephemeral) tributary to Nile Canyon	On Oak Street, south of intersection with China Gulch Road	Plow or trench
D06	Culverted unnamed intermittent (ephemeral) tributary to Spanish Canyon	On Oak Street, between Willow Spring Road and Hawthorne Lane	Bore
D07	Culverted unnamed intermittent (ephemeral) tributary to Spanish Canyon	On Oak Street, at intersection with Hawthorne Lane	Bore
G	Wetland (seasonal) associated with unnamed intermittent pond and D 08 (unnamed intermittent [ephemeral] tributary to North Fork Spring Gulch)	On Oak Street, at intersection with Craig Lane	Plow or trench

### Attachment 3: Wetland, Waterbody, and Culvert Crossings

**Table 3-1: Proposed Project Wetland and Waterbody Crossings**

Waterbody/ Wetland/ Culvert Identifier	Description	Location	Method of Crossing
D08	Unnamed intermittent (ephemeral) tributary to North Fork Spring Gulch (not culverted)	On Oak Street, at intersection with Craig Lane	Plow or trench
E	Wetland (seasonal) associated with intermittent (seasonal) pond on south side of Laverne Lane	On Laverne Lane, between Sandra Drive (to west) and Kasigluk Lane (to east)	Plow or trench
D09	Unnamed intermittent (ephemeral) tributary to Spanish Canyon (not culverted)	On Laverne Lane, between Sable Trail (to west) and Noosha Lane (to east)	Bore
F	Wetland or pond (seasonal) associated with D09 (unnamed intermittent [ephemeral] tributary to North Fork Spring Gulch)	On south side of Laverne Lane, between Noosha Lane (to west) and Fletcher Lane (to east)	Bore
D10	Culverted unnamed intermittent (ephemeral) tributary to North Fork Spring Gulch	On Serendipity Lane, between Laverne Lane and Robin Linda Lane	Bore
D11	Ephemeral drainage swale (not culverted)	On Oak Street, south of Dangail Lane, near Cloverdale Cemetery	Plow or trench
D12	Unnamed intermittent (ephemeral) tributary to South Fork Spring Gulch (not culverted)	On Oak Street, between Dangail Lane (to north) and Zandell Road (to south)	Bore
D13	Culverted unnamed intermittent (ephemeral) tributary to Telephone Gulch	On Oak Street, between Monterey Way (to north) and Scout Avenue (to south)	Bore
H	Wetland associated with D13 (unnamed intermittent [ephemeral] tributary to Telephone Gulch)	On west side of Oak Street, between Monterey Way (to north) and Scout Avenue (to south)	Bore
D14	Culverted unnamed intermittent (ephemeral) tributary to Telephone Gulch	On Scout Avenue, between Godsway (to west and Telephone Gulch Road (to east)	Bore
D15	Culverted unnamed intermittent (ephemeral) tributary to Spring Gulch	On Scout Avenue, east of intersection with Telephone Gulch Road	Bore
D16	Culverted (ephemeral) drainage swale	On Olive Street, south of intersection with Scout Avenue	Plow or trench
D17	Culverted unnamed intermittent (ephemeral) tributary to Spring Gulch	On Olive Street, south of Lambs Way	Bore
D18	Culverted unnamed intermittent (ephemeral) tributary to Telephone Gulch	On Olive Street, north of Sara Jane Lane	Bore

### Attachment 3: Wetland, Waterbody, and Culvert Crossings

**Table 3-1: Proposed Project Wetland and Waterbody Crossings**

Waterbody/ Wetland/ Culvert Identifier	Description	Location	Method of Crossing
D19	Culverted unnamed intermittent (ephemeral) tributary to Cottonwood Creek	At intersection of Olive Street and Palm Avenue	Bore
D20	Culverted unnamed intermittent (ephemeral) tributary to South Fork Spanish Canyon	On Treat Avenue, at intersection with Deadend Lane	Bore
D21	Spring Gulch (named intermittent [ephemeral] stream [not culverted])	Happy Valley Road, between Wild Weed Way (to north) and Andrea Way (to south)	Bore to bridge; hang under bridge
D22	Culverted unnamed intermittent (ephemeral) tributary to Spring Gulch	On Happy Valley Road, just north of Warwick Place	Bore
D23	Culverted Telephone Gulch (named intermittent [ephemeral] stream)	On Happy Valley Road, just east of intersection with Newcastle Drive	Bore
D24	Culverted Anderson Creek (named intermittent [ephemeral] stream)	On Happy Valley Road, between Erika Lane (to north) and Lassen Avenue/power lines (to south); north of D25	Bore
D25	Culverted unnamed intermittent (ephemeral) tributary to Cottonwood Creek	On Happy Valley Road, between Erika Lane (to north) and Lassen Avenue/power lines (to south); south of D24	Bore
D26	Culverted (ephemeral) drainage swale	On Happy Valley Road, between Oly Way (to north) and Bright Path (to south)	Bore
D27	Culverted (ephemeral) drainage swale	On Happy Valley Road between Bright Path (to north) and Poco Lane (to south)	Bore
D28	Culverted unnamed intermittent (ephemeral) tributary to Cottonwood Creek	On Happy Valley Road, between Poco Lane (to north) and Coyote Lane (to south)	Plow or trench
D29	Culverted unnamed intermittent (ephemeral) tributary to Spring Gulch	On Happy Valley Road between Warwick Place (to north) and Shawn Avenue (to south)	Bore

### Attachment 3: Wetland, Waterbody, and Culvert Crossings

**Table 3-2: Proposed Project Culvert Crossings**

Waterbody/ Wetland/ Culvert Identifier	Description	Location	Method of Crossing
None	Culvert identified on alignment sheets	On Cloverdale Road	Plow or trench
None	Culvert identified on alignment sheets	On Cloverdale Road	Plow or trench
None	Culvert identified on alignment sheets	On Cloverdale Road	Bore
None	Culvert identified on alignment sheets	On Cloverdale Road, between Clover Dale Road (to north) and Clover Lane (to south)	Bore
None	Culvert identified on alignment sheets – unnamed intermittent (ephemeral) tributary to China Gulch	On Cloverdale Road, between Hiding Place (to west) and Pine Meadow Place (to east)	Bore
None	Culvert identified on alignment sheets; Happy Valley Ditch (manmade water conveyance structure)	On Cloverdale Road, between Hiding Place (to west) and Pine Meadow Place (to east)	Bore
None	Culvert identified on alignment sheets	On Serendipity Lane, at intersection with Laverne Lane	Bore
None	Culvert identified on alignment sheets	On Scout Avenue, between Oak Street (to west) and Micrimar Lane (to east)	Bore
None	Culvert identified on alignment sheets – unnamed intermittent (ephemeral) tributary to Telephone Gulch	On Olive Street, between Jenny Lane (to north) and Sara Jane Lane (to south)	Bore
None	Culvert identified on alignment sheets – unnamed intermittent (ephemeral) tributary to Telephone Gulch	On Olive Street, between Jenny Lane (to north) and Sara Jane Lane (to south)	Bore
None	Culvert identified on alignment sheets – unnamed intermittent (ephemeral) tributary to Cottonwood Creek	At intersection of Olive Street and Palm Avenue	Bore
None	Culvert identified on alignment sheets – drainage swale	On Palm Avenue between Olive Street (to west) and Monte Vista Road (to east)	Bore
None	Culvert identified on alignment sheets – unnamed (ephemeral) intermittent tributary to Spring Gulch	On Happy Valley Road, between Benji Lane (to south) and Triple S Lane (to north)	Bore
None	Culvert identified on alignment sheets – unnamed intermittent (ephemeral) tributary to Cottonwood Creek	On Coyote Lane between Charmain Lane (to west) and Linnie Lane (to east)	Bore

Response Received February 2018 from Ms. Kelli M. Hayward, Cultural Resources Director, the  
Wintu Tribe of Northern California.

1. The Wintu Tribe of Northern California has considered the information for construction within 50 feet of Cloverdale Cemetery and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): \_\_\_\_\_

Comments (specify): \_\_\_\_\_

2. The Wintu Tribe of Northern California has considered the information provided for addressing the proposed project waterbody, wetland, and culvert crossings for fiber optic cable installation and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): Send any reports on these water bodies.

Comments (specify): still have concerns around waterway. was an APE report sent to us?

3. The Wintu Tribe of Northern California has considered the information provided for addressing the tribe's concern that the depth of excavation and concurs with the Applicant Proposed Measures and CPUC-proposed supplemental mitigation measures to address the tribe's issues or concerns for tribal resources.

Concur

Do Not Concur

Need more information (specify): would like to add for the depth of excavation if human remains or cultural resources are discovered a Wintu monitor will again be retained

Comments (specify): as mentioned in the letter the surface subsurface has been previously disturbed, has test pits been

4. Signature of Tribal Representative: Kelli M. Dequard

done for the areas that will be bored, to the same depth the bore will go?

\* I could also meet someone to look @ the waterway however, it appears there are a lot & could take a lot of time

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**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



October 25, 2018

Ms. Kelli M. Hayward  
Cultural Resources  
Director  
Wintu Tribe of Northern California  
P.O. Box 999  
Shasta Lake, CA 96019

**Re: Olinda Last Mile Underserved Broadband Project, Continued AB-52 Consultation**

Dear Ms. Hayward,

This letter supplements the CPUC's previous correspondence from December 28, 2017 and addresses your subsequent reply regarding the Olinda Last Mile Underserved Broadband Project (Project). As you are aware, applicant proposed measures (APMs) and mitigation measures (MMs) would be applied to reduce potential impacts to sensitive resources.

In a December 28, 2017 letter, the CPUC provided additional information and requested the Wintu Tribe's (Tribe) review and comment on, or concurrence with, the MMs proposed by the CPUC to avoid or reduce impacts on cultural resources and tribal cultural resources. The CPUC received the Tribe's February 2018 response, indicating concurrence with the proposed MMs.

**Incorporation of Applicant Proposed Measures (APMs)**

The applicant proposed the following APMs to avoid impacts on cultural resources, including particular waterways and the Cloverdale Cemetery.

- **APM BIO-1:** All waterways and wetlands in the project area will be bored beneath and avoided during construction.
- **APM CR-1:** Happy Valley Ditch will be avoided via subsurface boring.
- **APM CR-2:** Cloverdale Cemetery and the Igo Inn will be avoided by rerouting the fiber-optic lines to the opposite side of the road.
- **APM CR-3:** In the event that undiscovered historical or archaeological resources are encountered by construction personnel, all ground-disturbing activities within 30.5 m (100.0 feet) of the find in non-urban areas and 15.2 m (50.0 feet) in urban areas will be temporarily halted or diverted and a qualified archaeologist will be contacted to assess the discovery.
- **APM CR-4:** If human remains are discovered or recognized in any location, construction personnel will suspend further excavation or disturbance of the site and any nearby areas reasonably suspected to overlie adjacent human remains until the County coroner has been informed and has determined that no investigation of the cause of death is required.

APM BIO-1, APM CR-1 and CR-2 have been incorporated into the project design. The CPUC built upon APM CR-3 and APM CR-4 to formulate MMs to avoid or mitigate potential impacts to cultural resources.<sup>1</sup> Accordingly, these MMs supersede APMs CR-3 and CR-4.<sup>2</sup>

### Mitigation Measures (MMs)

Since our previous correspondence, the CPUC has made minor modifications to the MMs to better outline specific requirements to reduce possible impacts. The CPUC requests your review and comment on, or concurrence with, the revised MMs. If no response is received within 30 days from the date of this letter, the CPUC will assume the Tribe has agreed to these revisions.

The text of the revised MMs is as follows (~~struckthrough~~ represents deleted text; underlined represents added text):

- ~~MM CUL-1: Worker Education Program, which requires worker education in the potential sensitivities for cultural and tribal resources in the project area, the types of unanticipated finds that may be identified (e.g., archaeological resources or human remains), and the procedures to be followed in the event of an unanticipated archeological resource or human remains.~~
- MM CUL-1: Worker Education Program. TDS shall design and implement a Worker Education Program that requires training for all project personnel, including construction supervisors and field personnel, who may encounter and/or alter previously identified and as yet unidentified archaeological and/or architectural resources, including any that may be determined historical resources or unique archaeological resources. All construction workers shall receive this Worker Education Program training before engaging in field operations.

The Worker Education Program shall include training that covers, at a minimum, the following topics:

- A review of the prehistory, Native American ethnography/ethnohistory, and history of the proposed project area;
- A review of the types of prehistoric, ethnographic/ethnohistoric, and historic archaeological and architectural resources, including artifacts, features, and/or human remains, that could be identified in the proposed project area, including, but not limited to, those that could be associated with historic archaeological site CA-SHA-3373H

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<sup>1</sup> In addition, the applicant made several refinements to the Project Description (~~struckthrough~~ represents deleted text; underlined represents added text):

- Approximately 10.3 ~~7~~ of the total 15.3 miles of the cable alignment would be plowed using a rubber-tread track-type bulldozer equipped with a specialized hydraulic single ripper.
- Approximately 5 ~~8.3~~ miles of the total 15.3 miles of the cable alignment would be installed using directional boring.

<sup>2</sup> Additional APMs were presented by the applicant in order to address paleontological resources. They are not included herein, but may be viewed as part of the Proponent's Environmental Assessment ([http://www.cpuc.ca.gov/environment/info/ene/olinda/Documents/PEA\\_NoAttachments.pdf](http://www.cpuc.ca.gov/environment/info/ene/olinda/Documents/PEA_NoAttachments.pdf)). They also will be provided as part of the forthcoming CPUC environmental documentation.

(Landfill Mining Complex), the former community of Piety Hill, historic archaeological site CA-SHA-3382H (Happy Valley Ditch), the historic Igo Inn, or the historic Cloverdale Cemetery (also known as Oak Cemetery or Happy Valley Cemetery), which is still in use today.

- A review of applicable local, state, and federal ordinances, laws, and regulations pertaining to archaeological resources, architectural or other built resources (including prehistoric and ethnographic/ethnohistoric Native American and historic [Euro-American] archaeological and architectural or other built resources), human remains, tribal cultural resources, cultural resources management, and historic preservation;
  - A discussion of procedures to be followed in the event that unanticipated cultural resources or human remains are discovered during implementation of the proposed project;
  - A discussion of disciplinary and other actions that could be taken against persons violating historic preservation laws and TDS policies;
  - A review of the types of paleontological resources that could be identified in the proposed project area;
  - A review of applicable local and state ordinances, laws, and regulations pertaining to paleontological resources;
  - A discussion of procedures to be followed in the event that paleontological resources are discovered during implementation of the proposed project; and
  - A statement by the construction company or applicable employer agreeing to abide by the Worker Education Program, TDS policies and procedures, and other applicable local, state, and federal ordinances, laws, and regulations.
- ~~MM CUL-2: Procedures for Unanticipated Discovery of Archaeological Resources, which describes the measures required in the event of discovery of archaeological resources or human remains during soil-disturbing activities within the proposed project area.~~
  - **MM CUL-2: Archaeological Monitoring.** TDS shall ensure that a CPUC-approved archaeologist that meets the Secretary of Interior's Professional Qualifications Standards for archaeology and has specific experience in the identification of human remains conducts archaeological monitoring during construction of the proposed project. The qualified archaeologist shall be approved prior to the start of construction by the CPUC.

The CPUC-approved archaeologist shall prepare an Archaeological Monitoring and Treatment Plan. Prior to commencement of construction, TDS shall submit the Archaeological Monitoring and Treatment Plan to the CPUC for review and approval. The CPUC will approve or request changes to the Archaeological Monitoring and Treatment Plan within seven days of submittal by TDS. Once the CPUC approves the Archaeological Monitoring and Treatment Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved plan.

The CPUC-approved archaeologist shall monitor the effects of all construction-related work conducted within locations with the potential to contain previously unidentified archaeological resources and within 200 feet of the known archaeological resources according to the Archaeological Monitoring and Treatment Plan.

TDS, in consultation with the CPUC-approved archaeologist, shall implement the following

procedures as part of archaeological monitoring:

- A CPUC-approved archaeologist shall conduct archaeological monitoring during construction in those locations within the API<sup>3</sup> with the potential to contain previously unidentified archaeological resources.
- TDS, in consultation with the CPUC-approved archaeologist, shall identify: the boundaries of the known archaeological resources located within the API; the location of the Igo Inn and Cloverdale Cemetery properties located within 100 feet of the proposed project alignment; and the Piety Hill historical marker.
- TDS shall erect protective barriers with signage identifying each exclusion area (if applicable) as an “environmentally sensitive area.”
- A CPUC-approved archaeologist shall conduct archaeological monitoring during construction: within 200 feet of known archaeological resources, consisting of sites CA-SHA-3373H and CA-SHA-3382H; within 200 feet of known historic architectural resources, consisting of the Igo Inn and the Cloverdale Cemetery; and within 200 feet of the Piety Hill historical marker (State of California 2017g, 2017h; The Historical Marker Database 2017).

The CPUC-approved archaeologist shall have the authority to implement the procedures in MM CUL-3 if an unanticipated archaeological resource is discovered at any time and in any location during construction of the proposed project, including in the vicinity of any of the known archaeological resources and known historic architectural and other resources.

At the conclusion of archaeological monitoring, TDS shall submit an Archaeological Monitoring Report documenting the results of archaeological monitoring to the CPUC for review and approval. The report shall be prepared by the CPUC-approved archaeologist. The CPUC will approve or request changes to the report within seven days of submittal by TDS.

- **MM CUL-3: Treatment for Unanticipated Archaeological Discoveries.** TDS shall immediately halt and exclude construction work within 100 feet of the discovery of an unanticipated archaeological resource, and the CPUC-approved archaeologist shall inspect the unanticipated archaeological resource. At the request of the CPUC-approved archaeologist, TDS shall install protective barriers with signage identifying the exclusion area as an “environmentally sensitive area.” TDS shall notify the CPUC of the unanticipated archaeological resource within 24 hours of its discovery. TDS also shall notify the Wintu Tribe of Northern California (Wintu) and if necessary, retain a Wintu archaeological monitor.

The CPUC prefers total avoidance of the unanticipated archaeological resource, and no additional mitigation is necessary if TDS is able to avoid the unanticipated archaeological resource. However, even if TDS avoids the unanticipated archaeological resources, TDS shall ensure that the CPUC-approved archaeologist records the unanticipated archaeological resource on the appropriate California Department of Parks and Recreation (DPR) 523 forms. TDS shall submit the appropriate completed California DPR 523 forms to the CPUC for review and approval. The CPUC will approve or request changes to the appropriate completed California DPR 523 forms within seven days of submittal by TDS. Once approved, TDS shall file the appropriate completed California DPR 523 forms with the Northeast Information Center and shall provide a copy of the appropriate completed California DPR 523 forms to the CPUC for its records.

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<sup>3</sup> API stands for Area of Potential Impact.

If TDS determines that it cannot avoid the unanticipated archaeological resource, the CPUC-approved archaeologist shall determine in consultation with the CPUC if there is a potential for the archaeological resource to be a historical resource (CEQA Guidelines section 15064.5(a)) or a unique archaeological resource (PRC 21083.2(g)). If the CPUC-approved archaeologist, in consultation with the CPUC, determines that the archaeological resource is not potentially a historical or unique archaeological resource, TDS may proceed with construction work in the area of discovery after the CPUC's concurrence. If the CPUC-approved archaeologist, in consultation with the CPUC, determines that the archaeological resource is potentially a historical or unique archaeological resource, the CPUC-approved archaeologist shall prepare an Evaluation Plan that details the procedures to be used to determine whether the resource is a historical or unique archaeological resource. TDS shall submit the Evaluation Plan to the CPUC for review and approval. The CPUC will approve or request changes to the Evaluation Plan within seven days of submittal by TDS. Once the CPUC has approved the Evaluation Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved Evaluation Plan.

When fieldwork implemented as part of the approved Evaluation Plan is completed, the CPUC-approved archaeologist shall prepare an Evaluation Field Memo that briefly describes the results of the evaluation. TDS shall submit the Evaluation Field Memo to the CPUC for review and approval. The CPUC will approve or request changes to the Evaluation Field Memo within seven days of submittal by TDS. If, after implementation of the Evaluation Plan, the CPUC-approved archaeologist determines that the unanticipated archaeological resource is not a historical or unique archaeological resource, and the CPUC concurs with that determination, TDS may proceed with work in the area of the discovery. If, after implementation of the Evaluation Plan, the CPUC-approved archaeologist determines that the unanticipated archaeological resource is a historical or unique archaeological resource, TDS shall ensure that the CPUC-approved archaeologist prepares a Data Recovery Plan that would reduce impacts on this potential historical or unique archaeological resource to less than significant.

TDS shall ensure that the Data Recovery Plan is prepared by the CPUC-approved archaeologist in accordance with CEQA Guidelines section 15126.4(b)(3)(C) and PRC section 21083.2 and describes methods that will yield relevant information. TDS shall submit the Data Recovery Plan to the CPUC for review and approval. The CPUC will approve or request changes to the Data Recovery Plan within seven days of submittal by TDS. Once the CPUC approves the Data Recovery Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved plan.

When fieldwork implemented as part of the approved Data Recovery Plan is completed, the CPUC-approved archaeologist shall prepare a Data Recovery Field Memo that briefly describes the results of the data and materials recovery. TDS shall submit the Data Recovery Field Memo to the CPUC for review and approval. The CPUC will approve or request changes to the Data Recovery Field Memo within seven days of submittal by TDS. Once the CPUC has approved the Data Recovery Field Memo, TDS may proceed with construction work in the area of the discovery.

TDS shall ensure that the CPUC-approved archaeologist prepares a more detailed Data Recovery Report within 90 days of the CPUC's approval of the Data Recovery Field Memo. TDS shall ensure that the Data Recovery Report presents a thorough discussion of the data recovery efforts, presents the conclusions drawn from the data recovery work, and indicates where materials associated with the Data Recovery will be curated, and shall also contain the

appropriate completed California DPR 523 forms. TDS shall submit the Data Recovery Report to the CPUC for review and approval. Once the CPUC approves the Data Recovery Report, TDS shall file the Data Recovery Report and the appropriate completed California DPR 523 forms with the NEIC.

- **MM CUL-4: Conduct Class III cultural resources surveys for unsurveyed work areas.** Prior to construction, TDS shall compare the limits of the proposed areas of disturbance (i.e., where surface disturbance and sub-surface activities will occur) to the portion of the proposed project area for which a Class III Cultural Resources Survey has been prepared (Howell and Copperstone 2017). TDS then shall verify that all proposed areas of disturbance for the proposed project have been surveyed at the Class III Cultural Resources Survey level. TDS shall provide this verification, consisting of a written statement and accompanying project maps, to the CPUC for review and approval.

If the CPUC concurs that the 2014 Class III Cultural Resources Survey for the proposed project (Howell and Copperstone 2017) sufficiently covered the proposed areas of disturbance, TDS may commence construction work as follows:

- If no known resources are located in the areas of disturbance based on the 2014 Class III Cultural Resources Survey, construction-related work for the proposed project can proceed.
- If known resources or areas of potential archaeological sensitivity are located in the areas of disturbance based on the Class III Cultural Resources Survey, they must be monitored pursuant to MM CUL-2.
- Any unanticipated archaeological resources that are discovered during construction work activities shall be subject to MM CUL-3.

If the 2014 Class III Cultural Resources Survey for the proposed project does not sufficiently cover the proposed areas of disturbance, TDS shall notify CPUC of this determination. TDS shall ensure that a CPUC-approved archaeologist conducts a supplemental Class III Cultural Resources Survey of the unsurveyed areas, and TDS shall provide the report documenting the results of the supplemental Class III Cultural Resources Survey to the CPUC for review and approval. Any newly identified resources will be treated similar to an unanticipated discovery. Those that are not historical resources or unique archaeological resources will be subject to monitoring as noted in MM CUL-2; for those that may be historical resources or unique archaeological resources, the procedures identified in MM CUL-3 shall be followed. TDS shall not commence construction work until CPUC reviews and approves the results, conclusions, and recommendations of the supplemental Class III Cultural Resources Survey.

- **MM CUL-5: Treatment of Human Remains.** In the event of the discovery or recognition of human remains during construction, including, but not limited to, in the vicinity of the Cloverdale Cemetery, the following steps shall be taken:
  - TDS shall ensure that there is no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains while TDS, in consultation with the CPUC and the Wintu, contacts the Shasta County Coroner, and the coroner works to determine if the human remains are modern, historic, prehistoric, and/or Native American and to determine whether an investigation of the cause of death is required.
  - Further, pursuant to PRC Section 5097.98(b), TDS shall ensure that the area containing the discovered or recognized human remains is left in place and free from disturbance

until the landowner or the person responsible for the excavation work makes a final decision as to the treatment and disposition of the human remains.

- For this proposed project, the CPUC considers "the site or any nearby area" to be the 100-foot exclusion area developed for the Cloverdale Cemetery and the 200-foot monitoring area for the Cloverdale Cemetery, within which archaeological and paleontological monitoring of the cemetery is being conducted pursuant to MM CUL-2 and MM CUL-6, respectively.
- If the Shasta County Coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons from which the NAHC believes the deceased to be the "most likely descendent."
- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work by which the human remains were discovered or recognized regarding means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in PRC Section 5097.98.

TDS shall notify the CPUC within 24 hours of receiving notification of the landowner's, or the person responsible for the excavation work's, decision for the final treatment or disposition of the human remains and associated grave goods.

In addition to these MMs, the CPUC has drafted two additional measures to address impacts to paleontological resources – MM CUL-6 and MM CUL-7. These measures provide for paleontological monitoring (MM CUL-6) and the treatment of paleontological resources (MM CUL-7). These MMs will be described in detail in the forthcoming CPUC environmental documentation.

No changes have been made to MM TCR-1, which was added at the Tribe's request and requires monitoring during construction in the vicinity of the Cloverdale Cemetery. The text of MM TRC-1 is included below for informational purposes only.

- **MM TCR-1: Tribal Monitoring for Cloverdale Cemetery.** One Native American monitor from the Wintu Tribe of Northern California shall be retained, at the Tribe's option, to observe ground-disturbing activities and all work within 200 feet of the Cloverdale Cemetery, subject to the conditions outlined in this mitigation measure. Wintu tribal monitoring shall be subject to the following conditions:
  - The applicant shall give the Wintu Tribe of Northern California 30 days advance notice of construction in the vicinity of the Cloverdale Cemetery and shall provide the Wintu Tribe of Northern California with the opportunity to monitor construction activities in the vicinity of the Cloverdale Cemetery as requested in AB 52 consultation with CPUC subject to the terms of this mitigation measure. The applicant shall make a good-faith best effort to schedule construction activities in the vicinity of the Cloverdale Cemetery when a Wintu tribal monitor is available.
  - The Wintu tribal monitor's attendance during construction activities within 200 feet of the Cloverdale Cemetery is ultimately at the discretion of the Tribe, and the absence of a Wintu tribal monitor shall not delay construction work if the Wintu Tribe of Northern California has been given 30 days advance notice. The applicant shall include documentation of its notification of, and communications with, the Wintu Tribe of Northern California for the tribe's monitoring in the vicinity of Cloverdale Cemetery as part of the monitoring plan for the proposed project.

- The Wintu tribal monitor shall have the ability to temporarily halt work or redirect trenching from the immediate vicinity of a potential unanticipated archaeological find or the unanticipated discovery of human remains within 200 feet of the Cloverdale Cemetery. The Wintu tribal monitor shall immediately notify the CPUC-approved archaeological monitor to follow the procedures for the discovery of unanticipated archaeological findings (per MM CUL-3) and/or for the unanticipated discovery of human remains per *PRC* Section 5097.98.

### Other Tribe Comments

The CPUC provided specific project design information regarding the applicant's construction methods under waterbodies and wetland crossings in the December 28, 2017 letter. The Tribe's response included comments regarding the following:

- 1) The Tribe requested any additional reports on the waterbodies in the study area. The Tribe expressed concerns with proposed work around waterways and offered to meet in-person to look at the waterways; however, the Tribe noted that since there are many waterways, this could be quite time consuming.
- 2) The Tribe requested clarification on whether an area of potential effect (APE) report was sent to the Tribe. The Tribe noted that if human remains or cultural resources are discovered, a Wintu tribal monitor will again be retained.
- 3) The Tribe requested more information regarding the depth of excavation and whether test pit boring has been conducted for the areas that will be bored.

The CPUC provides the following responses to these comments:

1) No additional reports related to waterbodies have been prepared since the CPUC provided the Wintu tribe with Attachment 3 from the December 28, 2017 correspondence. The information noted in this attachment has been incorporated into the Hydrology/Water Quality section of the CEQA Initial Study (IS). The CPUC will inform the Wintu tribe when the IS is available for public review and comment on the CPUC's website.

As previously described, the applicant has incorporated directional boring into the project design that would avoid surface disturbance or potential impacts to the hydrological features within the project area. In addition, APM BIO-1 and MM CUL-3 would minimize impacts to sensitive archaeological resources in the event a resource is uncovered while boring underneath waterbody and wetland crossings. Based on the information presented, the CPUC does not anticipate that an additional site visit to look at the waterways is needed; however, the CPUC notes the Wintu tribe's comment.

2) The applicant conducted a cultural resources investigation of the proposed project area, which identified cultural resources discussed in the CPUC's July 6, 2017 letter<sup>4</sup>. According to the

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<sup>4</sup> The CPUC's July 6, 2017 initiated consultation with the Wintu Tribe of Northern California in accordance with AB-52 regarding the potential for the proposed project to result in impacts on tribal resources. This letter consulted with the Tribe to confirm their request for consultation under AB-52 for the proposed project; to determine whether there were any tribal resources located in the proposed project area; to evaluate the potential for the proposed project to directly (physically) or indirectly (visually or audibly) impact tribal resources identified within the proposed project area; and, as necessary, develop measures to mitigate impacts on tribal resources identified in the proposed project area.

applicant's cultural report, the investigators surveyed a project area consisting of a 98-foot wide centered on the project alignment. The area of direct impact is considered to be the project alignment footprint; however, a formal APE map was not prepared as part of this report. The cultural resources report is available on the CPUC website as Attachment A of the Data Request Letter 1 – received May 16, 2017 (<http://www.cpuc.ca.gov/environment/info/ene/olinda/documents/CPUCDataRequest1AttachmentsAandB.pdf>).

MM CUL-3 and MM CUL-5 provide for notification of the Tribe in the event that human remains or other resources are uncovered during construction, as well as continued consultation.

3) Attachment 2 to the CPUC's December 28, 2017 included detail regarding proposed subsurface work and directional boring. Conduit would be placed at a depth of 3.3 feet. Depth of bores would be at least 5 feet below the bed of waterways, surface of roads, or other surficial obstructions.

The applicant prepared a waterway report and wetland delineation as part of the environmental study in 2015. While sample boring pits were not conducted, the investigators defined the boundary of each wetland and gathered information regarding the hydrological features and soil conditions. As described, in the event that human remains or other resources are uncovered during construction, MM CUL-3 and MM CUL-5 require that the Wintu tribe is contacted.

### Conclusion

The CPUC appreciates the Tribe's reviewing the information presented in this letter. In order for the CPUC to move forward with the project's CEQA review, it is important to conduct consultation with the Wintu Tribe of Northern California in accordance with AB 52. To this end, the CPUC respectfully requests the Tribe's responses to the statements presented herein to ensure that consultation in accordance with AB 52 is conducted in a manner that sufficiently addresses the Tribe's concerns.

The CPUC respectfully requests your response to within 30 days to Jensen Uchida via telephone at (415) 703-5484 or via email to [Jensen.Uchida@cpuc.ca.gov](mailto:Jensen.Uchida@cpuc.ca.gov). Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc. ([syanez@ene.com](mailto:syanez@ene.com)) on any written communications.

Very Respectfully,



Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Stephanie Green, Tribal Liaison, Executive Division, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

1. The Wintu Tribe of Northern California concurs with the Applicant Proposed Measures presented herein and the CPUC mitigation measures to address the tribe's issues or concerns for cultural resources and tribal cultural resources.

Concur - With the Wintu Tribe of Northern California's concurrence, the mitigation measures will be recommended for inclusion in the environmental document. The CPUC will consider AB 52 consultation complete.

Do Not Concur (specify): \_\_\_\_\_

Need more information (specify): \_\_\_\_\_

Other Comments (specify): \_\_\_\_\_

2. Signature of Tribal Representative: \_\_\_\_\_

## Yanez, Silvia A.

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**From:** Kelli Hayward <kellihayward3@aol.com>  
**Sent:** Friday, October 26, 2018 11:05 AM  
**To:** Yanez, Silvia A.  
**Subject:** Re: Olinda Last Mile Underserved Broadband Project: Continued AB-52 Consultation  
**Attachments:** Olinda Last Mile Underserved Project.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Silvia,

I went ahead and made comments on the letter you sent since I finished it before I got a response from you (i'm ahead of schedule today :) ).

I will summarize it for you though and please let me know if you are unable to read any of my writing or do not understand me comments.

I will start off by expressing, our (mine and the Wintu Tribes) (among other tribes that were at a cultural resources training and the subject was discussed.) absolute opposition of the new terminology that has been used in reports these past few years, which is "**archaeological monitoring**" in which most project owners feel they believe they are complying with having a "monitor" when an archaeologist company calls themselves this.

We do not wish to be replaced by an archaeologist monitor when Native American cultural resources of any sorts is present at a site. I believe that brings us to our first and main concern. If cultural resources (of Native American descent) are discovered and found to be (in the Archaeologists opinion) historic or pre historic then its most likely time for a Wintu monitor to be present at the project site.

In the first part of the letter attached, (these will be where you find my comments) there is not a Wintu monitor mentioned if discoveries are made until further down in the letter. I feel it should be added. Please see attached letter.

New information has come to light recently: One of our Wintu's, Robert Garcia, (from the Igo district) of our territory said his grandfather and two uncles used to work in the mines up there and there were other Wintus who worked the mines with them as well. He is 56 so I imagine it was quite awhile ago. I will be talking to him soon for more details but he is currently in LA at a funeral. He would probably be who I would have monitor out there, as a matter of fact. Do the reports have information on the mines in the APE? I do not have them with me at this time. If not can you have them please send us any reports of surveys on the mining areas that will be in the vicinity of the project? If the area is of a sensitive nature (regarding Native American cultural resources) we would want to add having a monitor in those locations as well.

Also if cultural resources are discovered (and we all hope no discoveries are made!!) the Tribe would like them to be curated at our temperature controlled curation facility inside our Museum. (that is, once we decipher if they are funerary items or not and they need to be re-buried). We currently have contracts with Cal Trans and Shasta College for receiving back remains from the Antlers Bridge project (Cal Trans) and the artifacts on display in our museum (Shasta College), along with the bailment agreement we just signed with, the college, for them to return a large petroglyph to us.

Thank you for your time.

Kelli Hayward - Cultural Resources Director  
Wintu Tribe of Northern California  
Wintu Cultural Resources

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

From: Yanez, Silvia A. <SYanez@ene.com>

To: Kelli Hayward (Kelli.Hayward@win-river.com) <Kelli.Hayward@win-river.com>; kellihayward3 <kellihayward3@aol.com>  
Cc: Uchida, Jensen <jensen.uchida@cpuc.ca.gov>; Heiden, Gregory (gregory.heiden@cpuc.ca.gov) (gregory.heiden@cpuc.ca.gov) <gregory.heiden@cpuc.ca.gov>; 'stephanie.green@cpuc.ca.gov' <stephanie.green@cpuc.ca.gov>  
Sent: Thu, Oct 25, 2018 4:19 pm  
Subject: Olinda Last Mile Underserved Broadband Project: Continued AB-52 Consultation

Dear Ms. Kelli Hayward:

On behalf of the CPUC, please find enclosed AB-52 correspondence regarding the Olinda Last Mile Underserved Broadband Project.

The CPUC appreciates the Wintu Tribe's reviewing the information presented in the attached letter and respectfully requests a confirmation to this email communication within the next 30 days, via telephone at (415) 703-5484 or via email to [Jensen.Uchida@cpuc.ca.gov](mailto:Jensen.Uchida@cpuc.ca.gov). Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc. ([syanez@ene.com](mailto:syanez@ene.com)), on any written communications.

Sincerely,

Silvia Yanez, on behalf of Jensen Uchida

**Silvia Yanez**, Project Manager, Ecology and Environment, Inc.

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**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



February 20, 2019

Ms. Kelli M. Hayward  
Cultural Resources Director  
Wintu Tribe of Northern California  
P.O. Box 999  
Shasta Lake, CA 96019

**Re: Olinda Last Mile Underserved Broadband Project, Continued AB 52 Consultation**

Dear Ms. Hayward,

This letter is provided in response to the CPUC's previous correspondence dated October 25, 2018, to your responses provided on October 26, 2018, and to discussions posed on a conference call held November 28, 2018 regarding the Olinda Last Mile Underserved Broadband Project (Project).

In the October 25, 2018 letter, the CPUC provided draft mitigation measures (MMs) proposed to avoid or reduce impacts on cultural resources and tribal cultural resources. The MMs were the primary discussion topic for the November conference call. Since that time, the CPUC has revised and refined the MMs to account for the comments received from the Wintu Tribe of Northern California (Wintu) as part of the response letter and subsequent discussion.

The CPUC considered multiple options in revising the MMs to best address the Wintu's concerns regarding on-site construction activities, including terminology, notifications, and occasions for monitoring. The CPUC, thereby, modified the existing MMs and created an additional MM specific to tribal cultural resources and notifications/occasions for Wintu monitoring.

**Mitigation Measures (MMs)**

As noted herein, the CPUC has refined the existing the MMs and added a new measure to better outline specific requirements to reduce possible impacts associated with cultural resources and tribal concerns. Since there have been a number of revisions to the MMs, we have presented as clean text below. Upon request, the CPUC can provide a copy of the MMs with the revisions marked.

**Tribal Cultural Resources**

**MM TCR-1: Tribal Monitoring for Cloverdale Cemetery.** One Native American monitor from the Wintu Tribe of Northern California shall be retained, at the Tribe's option, to observe ground-disturbing activities and all work within 200 feet of the Cloverdale Cemetery, subject to the conditions outlined in this mitigation measure. Wintu monitoring shall be subject to the following conditions:

- The applicant shall give the Wintu Tribe of Northern California 14 days advance notice of construction in the vicinity of the Cloverdale Cemetery and shall provide the Wintu Tribe of Northern California with the opportunity to monitor construction activities in the vicinity of the Cloverdale Cemetery as requested in AB 52 consultation with CPUC. The applicant shall make a good-faith best effort to schedule construction activities in the vicinity of the Cloverdale Cemetery when a Wintu monitor is available.

- The Wintu monitor's attendance during construction activities within 200 feet of the Cloverdale Cemetery is ultimately at the discretion of the Tribe, and the absence of a Wintu monitor shall not delay construction work if the Wintu Tribe of Northern California has been given 14 days advance notice. The applicant shall include documentation of its notification of, and communications with, the Wintu Tribe of Northern California for the Tribe's monitoring in the vicinity of Cloverdale Cemetery as part of the monitoring plan for the proposed project.
- The Wintu monitor shall have the ability to temporarily halt work or redirect trenching from the immediate vicinity of a potential unanticipated find or the unanticipated discovery of human remains within 200 feet of the Cloverdale Cemetery. The Wintu monitor shall immediately notify the CPUC-approved archaeological monitor to follow the procedures for the discovery of unanticipated finds (per MM CUL-3) and/or for the unanticipated discovery of human remains per *PRC* Section 5097.98.

**MM TCR-2: Treatment for Unanticipated Tribal Cultural Resources.** In the event a resource is discovered that, in the opinion of the CPUC-approved archaeologist may be considered a tribal cultural resource or a resource of importance to the Wintu tribe, TDS shall notify the CPUC Project Manager (PM) and Wintu Tribe (Wintu AB 52 or cultural representative) within 24 hours of its discovery. As part of the notification, the resource will be described with sufficient detail to allow the CPUC PM/Wintu AB 52 or cultural representative an understanding of the resource.

The CPUC-approved archaeologist, the CPUC PM, and the Wintu AB 52 or cultural representative will assess the potential significance of the find based on the notification information. If the CPUC-approved archaeologist, the CPUC PM, and Wintu AB 52 or cultural representative determine that the resource is not significant, TDS may proceed with construction within 24 hours of receiving notification of this determination.

If the find is not determined to be significant, TDS shall submit the appropriate California Department of Parks and Recreation (DPR) 523 forms to the CPUC for review and approval within 48 hours of the find. The CPUC will approve or request changes to the DPR 523 forms within seven days of submittal by TDS. Once approved, TDS shall file the completed DPR 523 forms with the Northeast Information Center and shall provide a copy of the DPR 523 forms to the CPUC for its records.

If the find is potentially significant, the following procedures will be implemented:

- If the resource can be avoided and the CPUC-approved archaeologist, CPUC PM, and Wintu AB 52 or cultural representative concur, TDS may proceed with construction work in the area of discovery.

TDS shall ensure that the CPUC-approved archaeologist records the unanticipated resource on the appropriate DPR 523 forms. TDS shall submit the DPR 523 forms to the CPUC for review and approval within 48 hours of the find. The CPUC PM will approve or request changes to the DPR 523 forms within seven days of submittal by TDS. Once approved, TDS shall file the completed DPR 523 forms with the Northeast Information Center and shall provide a copy of the DPR 523 forms to the CPUC for its records.

- If the Wintu request further consultation on a resource, the CPUC-approved archaeologist, CPUC PM, and Wintu AB 52 or cultural representative will consult on the development of the Evaluation Plan and/or the Data Recovery Plan and all subsequent documentation. The review and approval will be sought in the same timeframe for both the CPUC and Wintu AB 52 or cultural representative as that described in MM CUL-3. If the Wintu indicate that consultation

with them regarding the Evaluation Plan and/or Data Recovery Plan is not needed, only the CPUC review and approval will be required for this plan(s), along with subsequent fieldwork and documentation.

Once the CPUC-approved archaeologist, CPUC PM, and Wintu AB 52 or cultural representative approve the Evaluation Plan and/or Data Recovery Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved plan. If a Wintu monitor is requested as part of the Evaluation and/or Data Recovery Plan, the role of the monitor will be outlined in the Evaluation Plan and/or Data Recovery Plan.

## **Cultural Resources**

**MM CUL-1: Worker Education Program.** TDS shall design and implement a Worker Education Program that requires training for all project personnel, including construction supervisors and field personnel, who may encounter and/or alter previously identified and as yet unidentified archaeological and/or architectural resources, including any that may be determined historical resources or unique archaeological resources. All construction workers shall receive this Worker Education Program training before engaging in field operations.

The Worker Education Program shall include training that covers, at a minimum, the following topics:

- A review of the prehistory, Native American ethnography/ethnohistory, and history of the proposed project area;
- A review of the types of prehistoric, ethnographic/ethnohistoric, and historic archaeological and architectural resources, including artifacts, features, and/or human remains, that could be identified in the proposed project area, including, but not limited to, those that could be associated with historic archaeological site CA-SHA-3373H (Landfill Mining Complex), the former community of Piety Hill, historic archaeological site CA-SHA-3382H (Happy Valley Ditch), the historic Igo Inn, or the historic Cloverdale Cemetery (also known as Oak Cemetery or Happy Valley Cemetery), which is still in use today.
- A review of applicable local, state, and federal ordinances, laws, and regulations pertaining to archaeological resources, architectural or other built resources (including prehistoric and ethnographic/ethnohistoric Native American and historic [Euro-American] archaeological and architectural or other built resources), human remains, tribal cultural resources, cultural resources management, and historic preservation;
- A discussion of procedures to be followed in the event that unanticipated cultural resources or human remains are discovered during implementation of the proposed project;
- A discussion of disciplinary and other actions that could be taken against persons violating historic preservation laws and TDS policies;
- A review of the types of paleontological resources that could be identified in the proposed project area;
- A review of applicable local and state ordinances, laws, and regulations pertaining to paleontological resources;
- A discussion of procedures to be followed in the event that paleontological resources are discovered during implementation of the proposed project; and

- A statement by the construction company or applicable employer agreeing to abide by the Worker Education Program, TDS policies and procedures, and other applicable local, state, and federal ordinances, laws, and regulations.

A copy of the materials included as part of the worker education program will be provided to Native American tribes participating in the AB 52 consultation with the CPUC, if requested.

**MM CUL-2: Cultural Resources Monitoring.** For the purpose of this MM, cultural resources refers to archaeological resources (prehistoric and historic; known or previously unidentified); historic architectural resources (structures, buildings, and objects); and resources associated with California Native American tribes (sub-surface or above-ground). Cultural resources is a general term and does not account for significance (i.e., a historical resource, unique archaeological resource, or tribal cultural resource). TDS shall ensure that a CPUC-approved archaeologist that meets the Secretary of Interior's Professional Qualifications Standards for archaeology and has specific experience in the identification of human remains conducts monitoring with regard to cultural resources during construction of the proposed project. The qualified archaeologist shall be approved prior to the start of construction by the CPUC Project Manager (PM).

The CPUC-approved archaeologist shall prepare a Monitoring and Treatment Plan for Cultural Resources. Prior to commencement of construction, TDS shall submit the Monitoring and Treatment Plan to the CPUC for review and approval. This plan will include a description of when the Wintu Tribe of Northern California (Wintu) will be notified and when the Wintu will conduct monitoring of the construction activities (see MM TCR-2). The CPUC PM will approve or request changes to the Monitoring and Treatment Plan for Cultural Resources within seven days of submittal by TDS. Once the CPUC PM approves the Monitoring and Treatment Plan for Cultural Resources, TDS shall ensure that the CPUC-approved archaeologist implements the approved plan. A courtesy copy will be provided to the Wintu Tribe.

The CPUC-approved archaeologist shall monitor the effects of all construction-related work conducted within locations with the potential to contain previously unidentified cultural resources and within 200 feet of the known archaeological resources according to the Monitoring and Treatment Plan for Cultural Resources.

TDS, in consultation with the CPUC-approved archaeologist, shall implement the following procedures as part of the monitoring for cultural resources:

- A CPUC-approved archaeologist shall conduct monitoring during construction in those locations within the Area of Potential Impact (API) with the potential to contain previously unidentified cultural resources, as identified within the Monitoring and Treatment Plan.
  - These areas shall include within 200 feet of known archaeological resources, consisting of sites CA-SHA-3373H and CA-SHA-3382H; within 200 feet of known historic architectural resources, consisting of the Igo Inn and the Cloverdale Cemetery; and within 200 feet of the Piety Hill historical marker (State of California 2017g, 2017h; The Historical Marker Database 2017).
- TDS shall erect protective barriers with signage identifying any exclusion area due to the presence of known cultural resources (if applicable) as an "environmentally sensitive area."

The CPUC-approved archaeologist shall have the authority to implement the procedures in MM CUL-3 if an unanticipated cultural resource is discovered at any time and in any location during construction of the

proposed project, including in the vicinity of any of the known archaeological resources, known historic architectural, and other resources.

At the conclusion of monitoring for cultural resources, TDS shall submit a Monitoring Report documenting the results of the monitoring activities to the CPUC for review and approval. The report shall be prepared by the CPUC-approved archaeologist. The CPUC PM will approve or request changes to the report within seven days of submittal by TDS.

**MM CUL-3: Treatment for Unanticipated Cultural Resources Discoveries.** For the purpose of this MM, cultural resources has the same definition as noted per MM CUL-2. TDS shall immediately halt and exclude construction work within 100 feet of the discovery of an unanticipated cultural resource, and the CPUC-approved archaeologist shall inspect the unanticipated resource. At the request of the CPUC-approved archaeologist, TDS shall install protective barriers with signage identifying the exclusion area as an “environmentally sensitive area.”

Per the CPUC-approved archaeologist’s discretion and knowledge of potential resources types, if the resource has the potential to be important to a Native American tribe, MM TCR-2 shall be followed.

**Avoidance:** If the CPUC-approved archaeologist determines the resource can be avoided, and no impacts would occur, TDS shall notify the CPUC of the unanticipated resource within 24 hours of its discovery and confirm that it can be avoided. As part of the notification, the resource shall be described with sufficient detail to allow the CPUC an understanding of how the resource will be avoided and how no impacts would occur. TDS may proceed with construction work in the area of discovery.

TDS shall ensure that the CPUC-approved archaeologist records the unanticipated cultural resource on the appropriate California Department of Parks and Recreation (DPR) 523 forms. TDS shall submit the completed DPR 523 forms to the CPUC for review and approval within 48 hours of the find. The CPUC PM will approve or request changes to the DPR 523 forms within seven days of submittal by TDS. Once approved, TDS shall file the DPR 523 forms with the Northeast Information Center (NEIC) and shall provide a copy of the DPR 523 forms to the CPUC for its records.

**Evaluation:** If TDS determines that it cannot avoid the unanticipated resource, the CPUC-approved archaeologist shall evaluate the resource to determine if there is a potential for it to be a historical resource (CEQA Guidelines section 15064.5(a)) or a unique archaeological resource (PRC 21083.2(g)).

The following procedures will be implemented, if the resource cannot be avoided:

- At the discretion of the CPUC-approved archaeologist, if the resource is not potentially a historical or unique archaeological resource, TDS may proceed with construction upon notification to the CPUC within 24 hours via email of the find and proper recordation on the appropriate DPR 523 forms. TDS may proceed with construction work in the area of discovery.

TDS shall submit the DPR 523 forms to the CPUC for review and approval within 48 hours of the find. The CPUC PM will approve or request changes to the DPR 523 forms within seven days of submittal by TDS. Once approved, TDS shall file the completed DPR 523 forms with the Northeast Information Center and shall provide a copy of the DPR 523 forms to the CPUC for its records.

- If the CPUC-approved archaeologist, determines that the resource is potentially a historical or unique archaeological resource, the CPUC-approved archaeologist shall prepare an Evaluation Plan that details the procedures to be used to determine whether the resource is a historical or

unique archaeological resource. The CPUC PM will approve or request changes to the Evaluation Plan within three days of submittal by TDS.

- Once the CPUC PM has approved the Evaluation Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved Evaluation Plan.

***Evaluation Plan Implementation:*** When fieldwork implemented as part of the approved Evaluation Plan is completed, the CPUC-approved archaeologist shall prepare an Evaluation Memo that describes the results of the evaluation. TDS shall submit the Evaluation Memo to the CPUC for review and approval. The CPUC PM will approve or request changes to the Evaluation Memo within seven days of submittal by TDS.

After implementation of the Evaluation Plan, TDS may proceed with work in the area of the discovery, if the following occurs:

- The CPUC-approved archaeologist determines that the unanticipated resource is not a historical or unique archaeological resource, and
- The CPUC PM concurs with that recommendation.

***Data Recovery Plan:*** If after implementation of the Evaluation Plan, the CPUC-approved archaeologist recommends that the unanticipated resource is a historical or unique archaeological resource, TDS shall ensure that the CPUC-approved archaeologist prepares a Data Recovery Plan that would reduce impacts on the potential historical or unique archaeological resource to less than significant.

TDS shall ensure that the Data Recovery Plan is prepared by the CPUC-approved archaeologist in accordance with CEQA Guidelines section 15126.4(b)(3)(C) and PRC section 21083.2 and describes methods that will yield relevant information. TDS shall submit the Data Recovery Plan to the CPUC for review and approval. The CPUC PM will approve or request changes to the Data Recovery Plan within seven days of submittal by TDS. Once the CPUC PM approves the Data Recovery Plan, TDS shall ensure that the CPUC-approved archaeologist implements the approved plan.

When fieldwork implemented as part of the approved Data Recovery Plan is completed, the CPUC-approved archaeologist shall prepare a Data Recovery Field Memo that describes the results of the data and materials recovery. TDS shall submit the Data Recovery Field Memo to the CPUC for review and approval. The CPUC PM will approve or request changes to the Data Recovery Field Memo within seven days of submittal by TDS. Once the CPUC PM has approved the Data Recovery Field Memo, TDS may proceed with construction work in the area of the discovery.

TDS shall ensure that the CPUC-approved archaeologist prepares a more detailed Data Recovery Report within 90 days of the CPUC's approval of the Data Recovery Field Memo. TDS shall ensure that the Data Recovery Report presents a thorough discussion of the data recovery efforts, presents the conclusions drawn from the data recovery work, and indicates where materials associated with the Data Recovery will be curated; it shall also contain the appropriate completed California DPR 523 forms. TDS shall submit the Data Recovery Report to the CPUC for review and approval. Once the CPUC PM approves the Data Recovery Report, TDS shall file the Data Recovery Report and the DPR 523 forms with the NEIC.

**MM CUL-4: Conduct Class III cultural resources surveys for unsurveyed work areas.** Prior to construction, TDS shall compare the limits of the proposed areas of disturbance (i.e., where surface disturbance and sub-surface activities will occur) to the portion of the proposed project area for which a Class III Cultural Resources Survey has been prepared (Howell and Copperstone 2017). TDS then shall

verify that all proposed areas of disturbance for the proposed project have been surveyed at the Class III Cultural Resources Survey level. TDS shall provide this verification, consisting of a written statement and accompanying project maps, to the CPUC for review and approval. Notification also will be sent as a courtesy to the Wintu.

If the CPUC PM concurs that the 2014 Class III Cultural Resources Survey for the proposed project (Howell and Copperstone 2017) sufficiently covered the proposed areas of disturbance, TDS may commence construction work as follows:

- If no known resources are located in the areas of disturbance based on the 2014 Class III Cultural Resources Survey, construction-related work for the proposed project can proceed.
- If known resources or areas of potential archaeological sensitivity are located in the areas of disturbance based on the Class III Cultural Resources Survey, they must be monitored pursuant to MM CUL-2.
- Any unanticipated cultural resources that are discovered during construction work activities shall be subject to MM CUL-3.

If the 2014 Class III Cultural Resources Survey for the proposed project does not sufficiently cover the proposed areas of disturbance, TDS shall notify CPUC of this determination. TDS shall ensure that a CPUC-approved archaeologist conducts a supplemental Class III Cultural Resources Survey of the unsurveyed areas, and TDS shall provide the report documenting the results of the supplemental Class III Cultural Resources Survey to the CPUC for review and approval. Any newly identified resources will be treated similar to an unanticipated discovery. Those that are not historical resources or unique archaeological resources will be subject to monitoring as noted in MM CUL-2; for those that may be historical resources or unique archaeological resources, the procedures identified in MM CUL-3 shall be followed. TDS shall not commence construction work until CPUC PM reviews and approves the results, conclusions, and recommendations of the supplemental Class III Cultural Resources Survey. Copies of the documentation for these activities will be provided to the Wintu.

**MM CUL-5: Treatment of Human Remains.** In the event of the discovery or recognition of human remains during construction, including, but not limited to, in the vicinity of the Cloverdale Cemetery, the following steps shall be taken:

- TDS shall ensure that there is no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains while TDS, in consultation with the CPUC PM and the Wintu, contacts the Shasta County Coroner, and the coroner works to determine if the human remains are modern, historic, prehistoric, and/or Native American and to determine whether an investigation of the cause of death is required.
- Further, pursuant to PRC Section 5097.98(b), TDS shall ensure that the area containing the discovered or recognized human remains is left in place and free from disturbance until the landowner or the person responsible for the excavation work makes a final decision as to the treatment and disposition of the human remains.
- For this proposed project, the CPUC considers “the site or any nearby area” to be the 100-foot exclusion area developed for the Cloverdale Cemetery and the 200-foot monitoring area for the Cloverdale Cemetery, within which cultural and paleontological monitoring of the cemetery is being conducted pursuant to MM CUL-2/3 and MM CUL 6, respectively.

- If the Shasta County Coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons from which the NAHC believes the deceased to be the “most likely descendent.”
- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work by which the human remains were discovered or recognized regarding means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in PRC Section 5097.98.

TDS shall notify the CPUC within 24 hours of receiving notification of the landowner’s, or the person responsible for the excavation work’s, decision for the final treatment or disposition of the human remains and associated grave goods.

### **Additional Information**

Please note that the CPUC managers for this proposed project have changed due to the retirement of Mr. Jensen Uchida. We have assured that correspondence and related information exchanged between the Wintu and the CPUC has been transferred to the new CPUC manager. Please know that AB 52 consultation will continue and that the Wintu’s input will be considered as we move through the environmental review process for the proposed project.

### **Conclusion**

The CPUC appreciates the Tribe’s review of the information presented in this letter. As part of the ongoing consultation with the Wintu Tribe of Northern California in accordance with AB 52, the CPUC respectfully requests the Tribe’s comments to the proposed mitigation measures presented herein to ensure that the project’s CEQA review is conducted in a manner that sufficiently addresses the Tribe’s concerns.

The CPUC respectfully requests your response to this letter within 15 days to Connie Chen via telephone at (415) 703-2124 or via email to [Connie.Chen@cpuc.ca.gov](mailto:Connie.Chen@cpuc.ca.gov). Please copy the CPUC’s consultant, Silvia Yanez, Ecology and Environment, Inc. ([syanez@ene.com](mailto:syanez@ene.com)) on any written communications. The CPUC anticipates releasing the Initial Study and Mitigated Negative Declaration (IS/MND) for public review shortly after the Tribe’s 15 day review period ends.

Very Respectfully,

*Connie Chen*

Connie Chen  
CPUC Project Manager, Infrastructure Permitting and CEQA

cc: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA/CPUC  
Jack Mulligan, Attorney/CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch/CPUC  
Stephanie Green, Tribal Liaison, Executive Division/CPUC  
Silvia Yánez, Project Manager/Ecology & Environment, Inc.

---

**From:** Yanez, Silvia A.  
**Sent:** Tuesday, February 26, 2019 4:19 PM  
**To:** Kelli Hayward  
**Cc:** Connie.Chen@cpuc.ca.gov; jack.mulligan@cpuc.ca.gov; Borak, Mary Jo (maryjo.borak@cpuc.ca.gov); stephanie.green@cpuc.ca.gov; xsh@cpuc.ca.gov; Schroeder, Caitlin; Kirchler-Owen, Leslie  
**Subject:** RE: Olinda Last Mile Underserved Broadband Project: Continued AB-52 Consultation

Dear Ms. Hayward,

Thank you for your email confirmation and for your active participation in the AB 52 consultation process for the Olinda Last Mile Project.

We value the input and commitment provided by the Wintu Tribe of Northern California through all the stages of the AB 52 consultation process. All the information and learning that we have shared has been an important contribution to the CPUC's CEQA environmental review.

With gratitude,  
Silvia

**Silvia Yanez**, Project Manager, Ecology and Environment, Inc.

One Embarcadero Center Suite 500, San Francisco, CA 94111 | [t: +1-415-398-5326](tel:+14153985326) | [m: +1-415-310-4129](tel:+14153104129) | [www.ene.com](http://www.ene.com)

**From:** Kelli Hayward <kellihayward3@aol.com>  
**Sent:** Tuesday, February 26, 2019 1:03 PM  
**To:** Yanez, Silvia A. <SYanez@ene.com>  
**Subject:** Re: Olinda Last Mile Underserved Broadband Project: Continued AB-52 Consultation

Hello Silvia,

Thank you for the email and information/updates. I read over everything and do not have any additional comments as this covers everything. I think it is such a great honor to have you all work with us and include us and we are very pleased with the results of the consultation process with you. Thank you and please let me know if you need anything else.

Under One sky,  
Kelli

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Anna Hoover, Cultural Analyst  
Pechanga Band of Luiseño Indians  
Pechanga Cultural Resources Department  
P.O. Box 2183  
Temecula, CA 92593

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Anna Hoover,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Pechanga Band of Luiseño Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

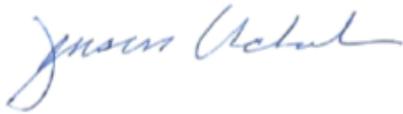
The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect

box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

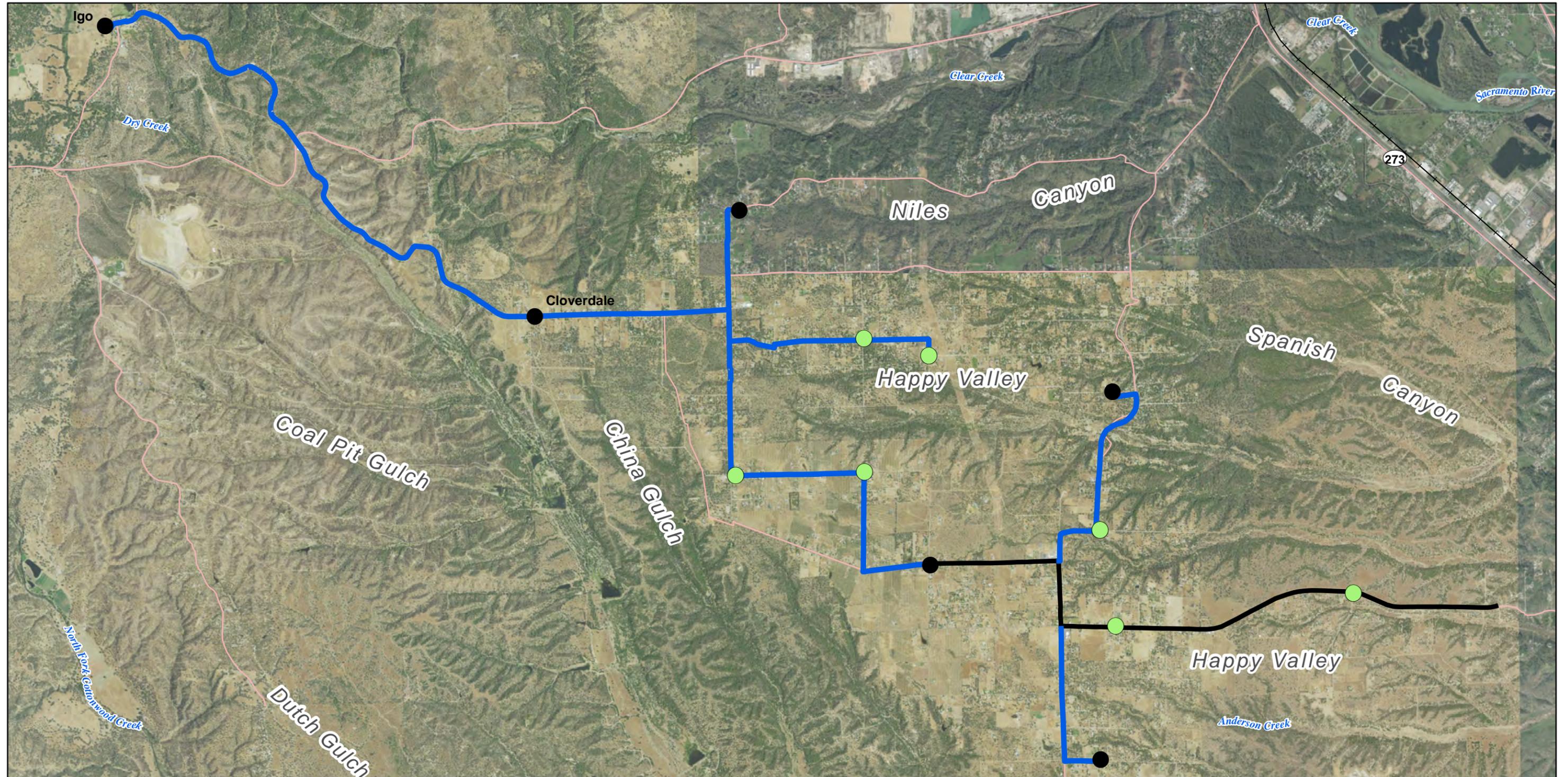


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Director-CRM Development Daniel F. McCarthy, MS, RAP  
San Manuel Band of Mission Indians  
26569 Community Center Drive  
Highland, CA 92346

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Daniel F. McCarthy,

As the Lead Agency under the California Environmental Quality Act ("CEQA"), the California Public Utilities Commission ("CPUC") is conducting Assembly Bill 52 ("AB-52") consultation for the Olinda Last Mile Underserved Broadband Project ("Proposed Project"). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent's Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the San Manuel Band of Mission Indians by the CPUC, as specified in Public Resources Code ("PRC") 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund ("CASF"). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom's Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent's Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent's Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant's central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier ("DLC") sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

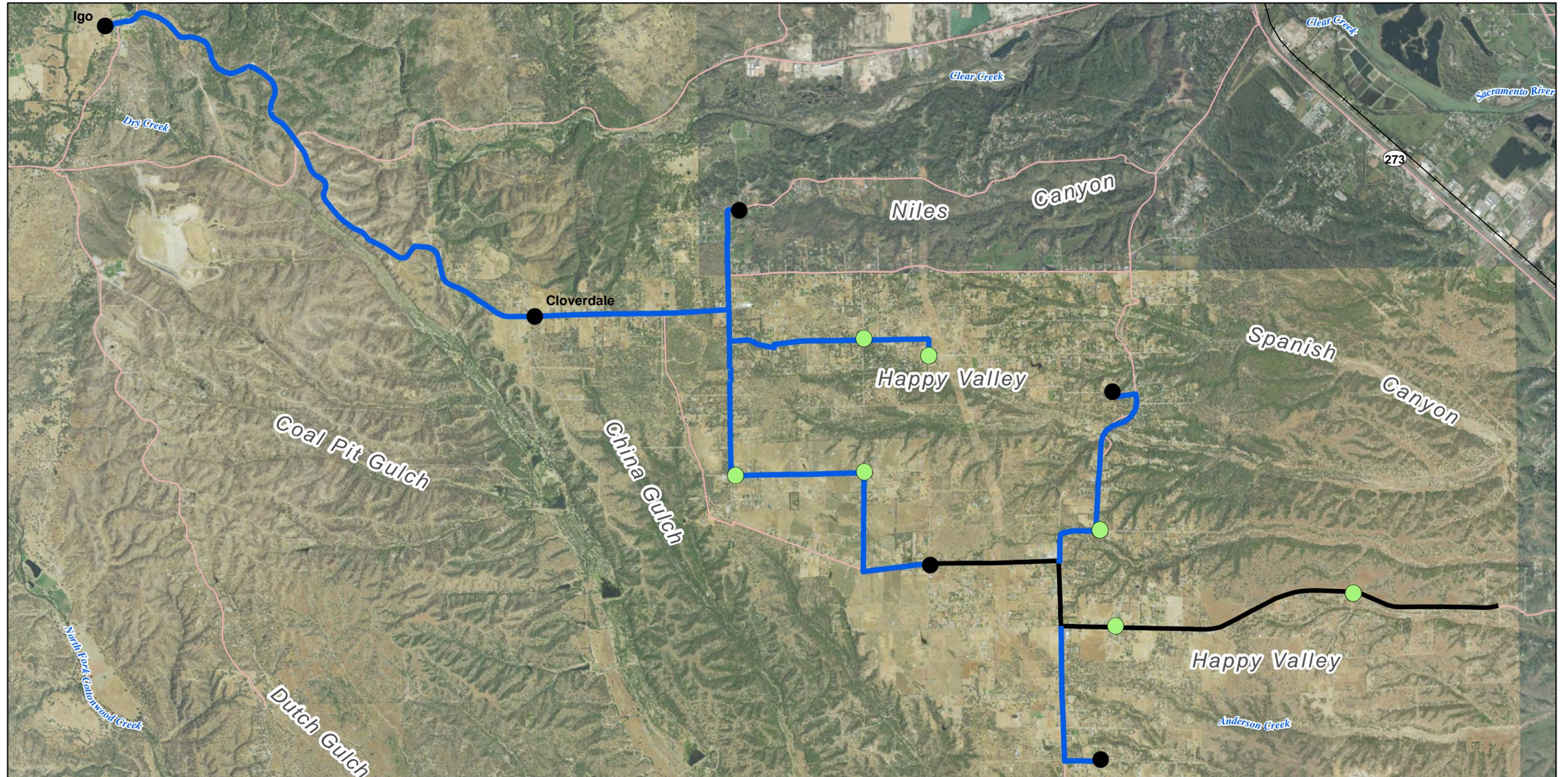


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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## **Kirchler-Owen, Leslie**

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**From:** Diane Versaggi <dversaggi@sanmanuel-nsn.gov>  
**Sent:** Tuesday, April 11, 2017 5:56 PM  
**To:** Jensen.Uchida@cpuc.ca.gov  
**Cc:** Yanez, Silvia A.  
**Subject:** Olinda Last Mile Underserved Broadband Project, AB-52 Consultation

Dear Mr. Uchida:

On April 6, 2017, the Cultural Resources Management Department for San Manuel Band of Mission Indians (SMBMI) received your correspondence regarding the Olinda Last Mile Underserved Broadband Project located in unincorporated portions of southwestern Shasta County, CA. I am writing today to inform you and the California Public Utilities Commission that the above-referenced project exists outside of Serrano ancestral territory and, as such, SMBMI will not be requesting consulting party status under CEQA or AB 52 nor requesting to participate in the scoping, development, and/or review of documents created pursuant to these legal and regulatory mandates.

Should you have any questions about the content of this communication, please do not hesitate to contact **Ms. Lee Clauss** at your convenience.

Respectfully,

Diane Versaggi on Behalf of  
**Lee Clauss**  
**Cultural Resources Management Director**



O: (909) 864-8933 x3248  
M: (909) 633-5851  
[lclauss@sanmanuel-nsn.gov](mailto:lclauss@sanmanuel-nsn.gov)  
26569 Community Center Drive  
Highland, CA 92346

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Tribal Heritage Preservation Officer Buffy McQuillen  
Federated Indians of Graton Rancheria  
6400 Redwood Drive, Suite 300  
Rohnert Park, CA 94928

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Buffy McQuillen,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Federated Indians of Graton Rancheria by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

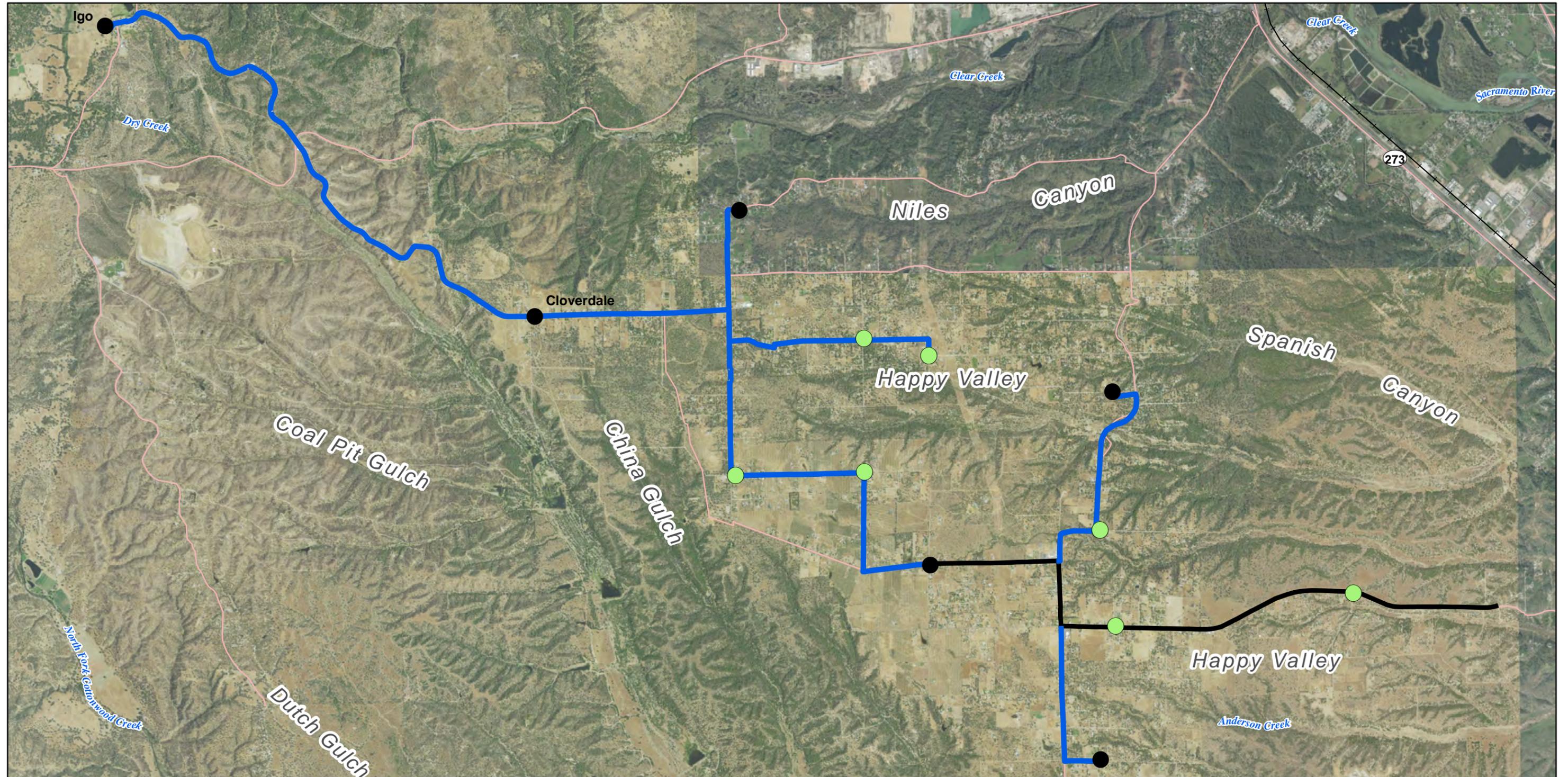


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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## Kirchler-Owen, Leslie

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**From:** Uchida, Jensen <jensen.uchida@cpuc.ca.gov>  
**Sent:** Thursday, April 6, 2017 4:10 PM  
**To:** Yanez, Silvia A.  
**Subject:** FW: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation  
**Attachments:** State of California, Public Utilities Commission, Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation.pdf

Silvia:

I case you did not receive this. see the email below from the Federated Indians of Graton Rancheria.

Jensen

---

**From:** THPO@gratonrancheria.com [mailto:THPO@gratonrancheria.com]  
**Sent:** Thursday, April 06, 2017 1:30 PM  
**To:** Uchida, Jensen  
**Subject:** Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation

Dear Jensen Uchida,

The Federated Indians of Graton Rancheria, a federally recognized Tribe and sovereign government has received your correspondence requesting information on a project located at Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation. The Tribe has reviewed the location of the project and we have determined it is not in our traditional ancestral territory, therefore have no comments on this project, at this time. We appreciate the opportunity to review the project proposal. If you have any additional questions regarding this letter please feel free to email my office at [thpo@gratonrancheria.com](mailto:thpo@gratonrancheria.com) or call the office at (707) 566-2288.

Sincerely,

Buffy McQuillen  
Tribal Heritage Preservation Officer (THPO)  
Native American Graves Protection and Repatriation Act (NAGPRA)  
Office: 707.566.2288; ext. 137  
Cell: 707.318.0485  
FAX: 707.566.2291

**Antonette Tomic**  
THPO Administrative Assistant  
**Federated Indians of Graton Rancheria**  
6400 Redwood Drive, Suite 300  
Rohnert Park, CA 94928  
Office: 707.566.2288, ext. 143  
Fax: 707.566.2291  
[atomic@gratonrancheria.com](mailto:atomic@gratonrancheria.com)

 please consider our environment before printing this email.

**Federated Indians of Graton Rancheria and Tribal TANF of Sonoma & Marin - Proprietary and Confidential**

**CONFIDENTIALITY NOTICE:** This transmittal is a confidential communication or may otherwise be privileged. If you are not the intended recipient, you are hereby notified that you have received this transmittal in error and that any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify this office at 707-566-2288, and immediately delete this message and all its attachments, if any. Thank you.

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Tribal Chairman Darrell Mike  
Twenty-Nine Palms Band of Mission Indians  
46-200 Harrison Place  
Coachella, CA 92236

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairman Darrell Mike,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Twenty-Nine Palms Band of Mission Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

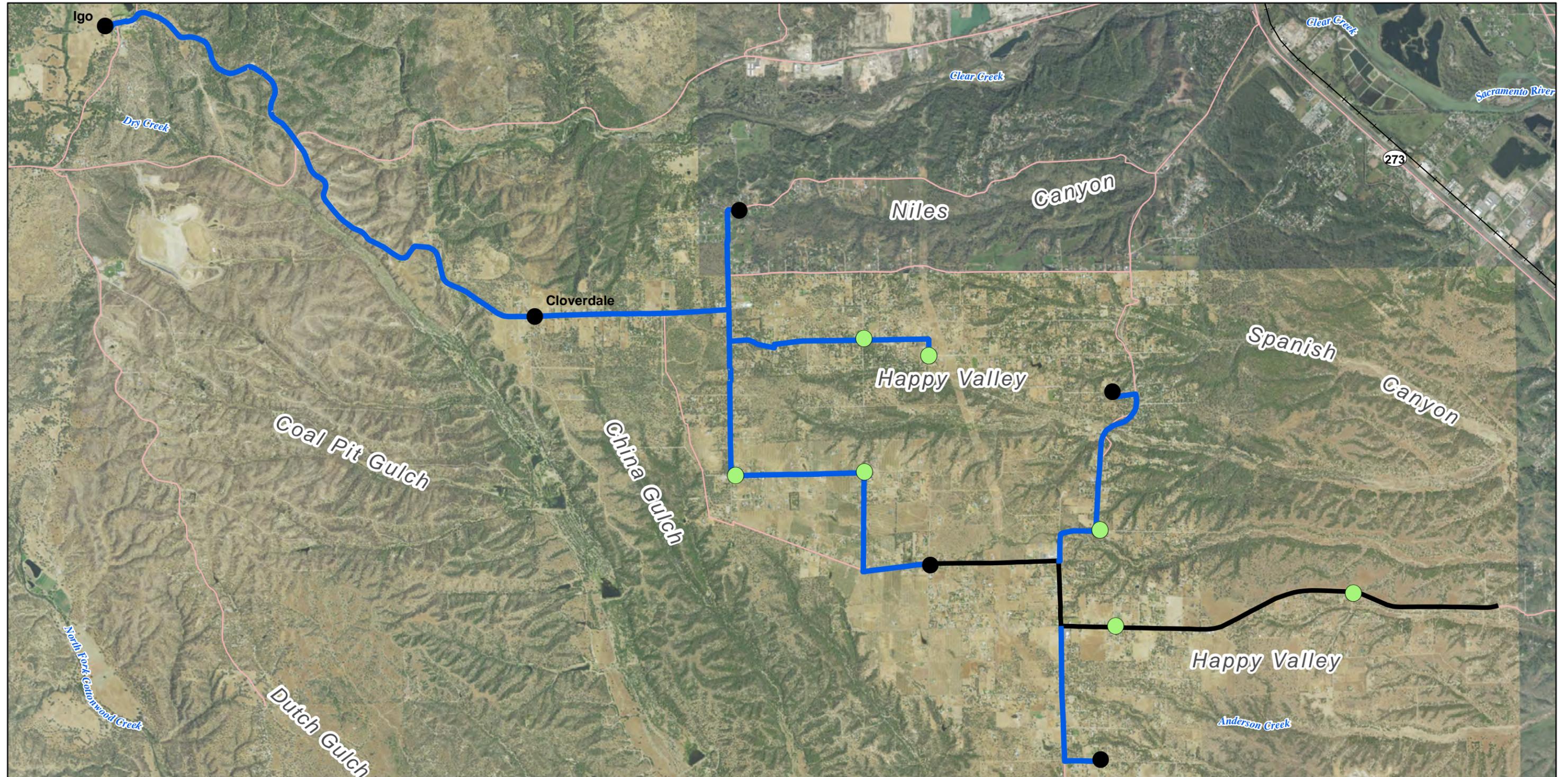


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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# TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

April 7, 2017

Jenson Uchida, CPUC Project Manager  
State of California Public Utilities Commission  
505 Van Ness Ave.  
San Francisco, CA 94102-3298

**RE: Olinda Last Mile Underserved Broadband Project, Formal Notification of AB-52  
Consultation**

Dear Mr. Uchida,

In regards to consultation in compliance with AB 52 (California Public Resources Code § 21080.3.1) for the Olinda Last Mile Underserved Broadband Project, the Tribal Historic Preservation Office (THPO) is not aware of any archaeological/cultural sites or properties in the project area that pertain to the Twenty-Nine Palms Band of Mission Indians. We currently have no interest in the project and defer to the comments of other affiliated tribes. If there are inadvertent discoveries of archaeological remains or resources, construction should stop immediately, and the appropriate agency and tribe(s) should be notified.

If you have any questions, please do not hesitate to contact the THPO at (760) 775-3259 or by email: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Madrigal, Jr.", is written over a horizontal line.

Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer

cc: Darrell Mike, Twenty-Nine Palms Tribal Chairman  
Sarah Bliss, Twenty-Nine Palms Tribal Cultural Specialist  
Silvia Yanez, Project Manager, Ecology and Environment, Inc.

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Cultural Resource Coordinator Michael Mirelez  
Torres Martinez Desert Cahuilla Indians  
P.O. Box 1160  
Thermal, CA 92274

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Michael Mirelez,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Torres Martinez Desert Cahuilla Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

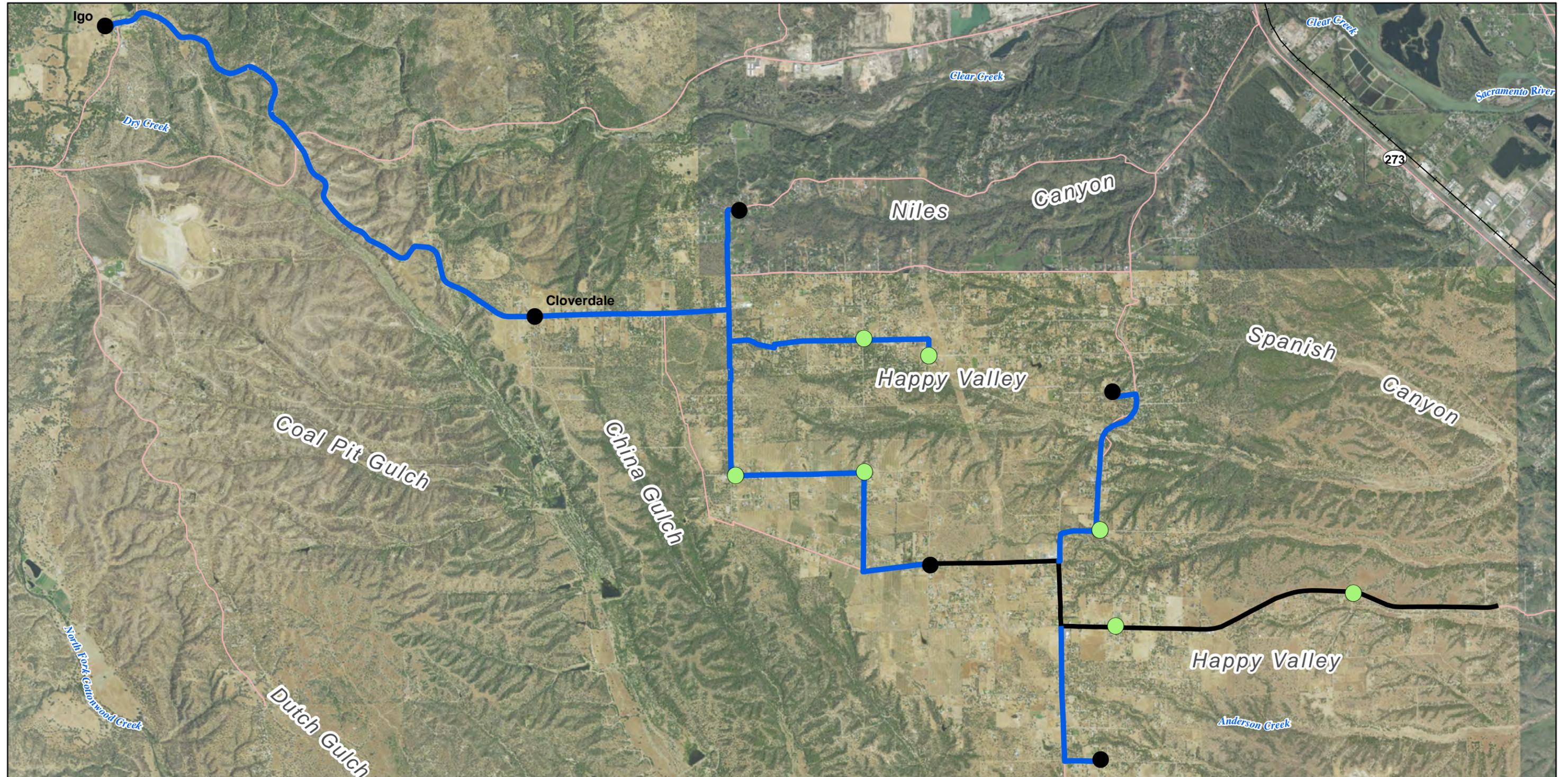


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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TORRES MARTINEZ DESERT CAHUILLA INDIANS  
P.O. Box 1160  
Thermal, CA 92274  
(760) 397-0300 – FAX (760) 397-8146

April 25<sup>th</sup>, 2017

Attn: CPUC C/O Ecology and Environment

**Re:** Tribal Report Mailing

Thank you for providing the Torres Martinez Desert Cahuilla Indians with the notifications of your projects. However after having reviewed the information you have been providing and the locations of your projects it is apparent that you are out of our traditional use area. Therefore we wish to defer projects to other tribes closer to the area.

Respectfully,

Michael Mirelez  
Cultural Resource Coordinator  
Torres-Martinez DCI  
Office: 760-397-0300 Ext: 1213  
Cell: 760-399-0022  
Email: mmirelez@tmdci.org

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Cultural Resources Manager Cami Mojado  
San Luis Rey Band of Mission Indians  
1889 Sunset Drive  
Vista, CA 92081

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Cami Mojado,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the San Luis Rey Band of Mission Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

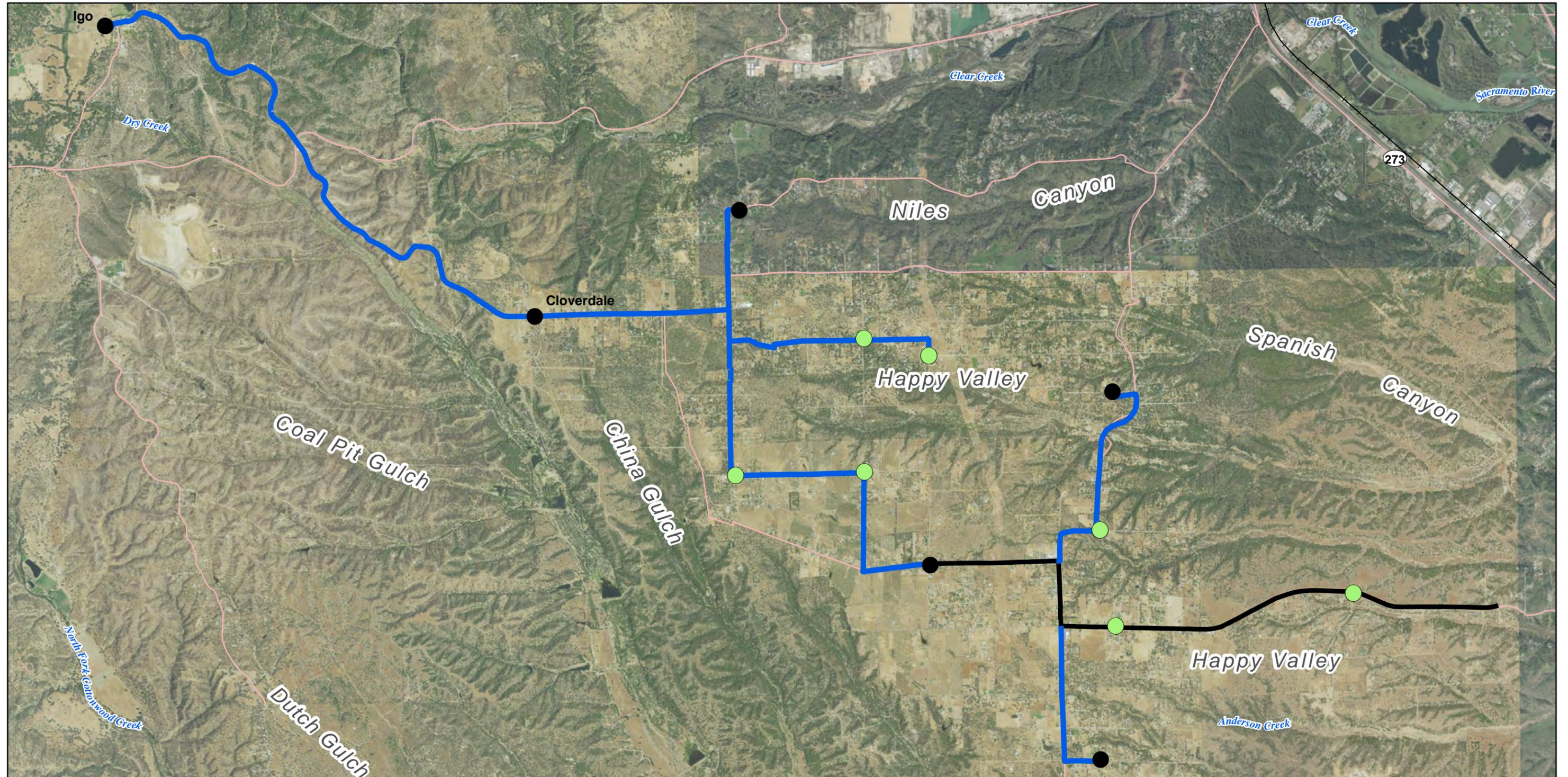


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

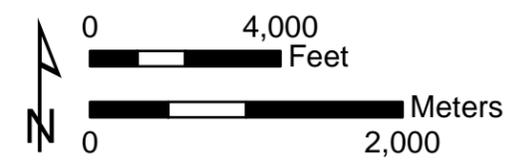
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Chairperson Dolores Raglin  
Pit River Tribe of California  
36970 Park Avenue  
Burney, CA 96013

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairperson Dolores Raglin,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Pit River Tribe of California by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

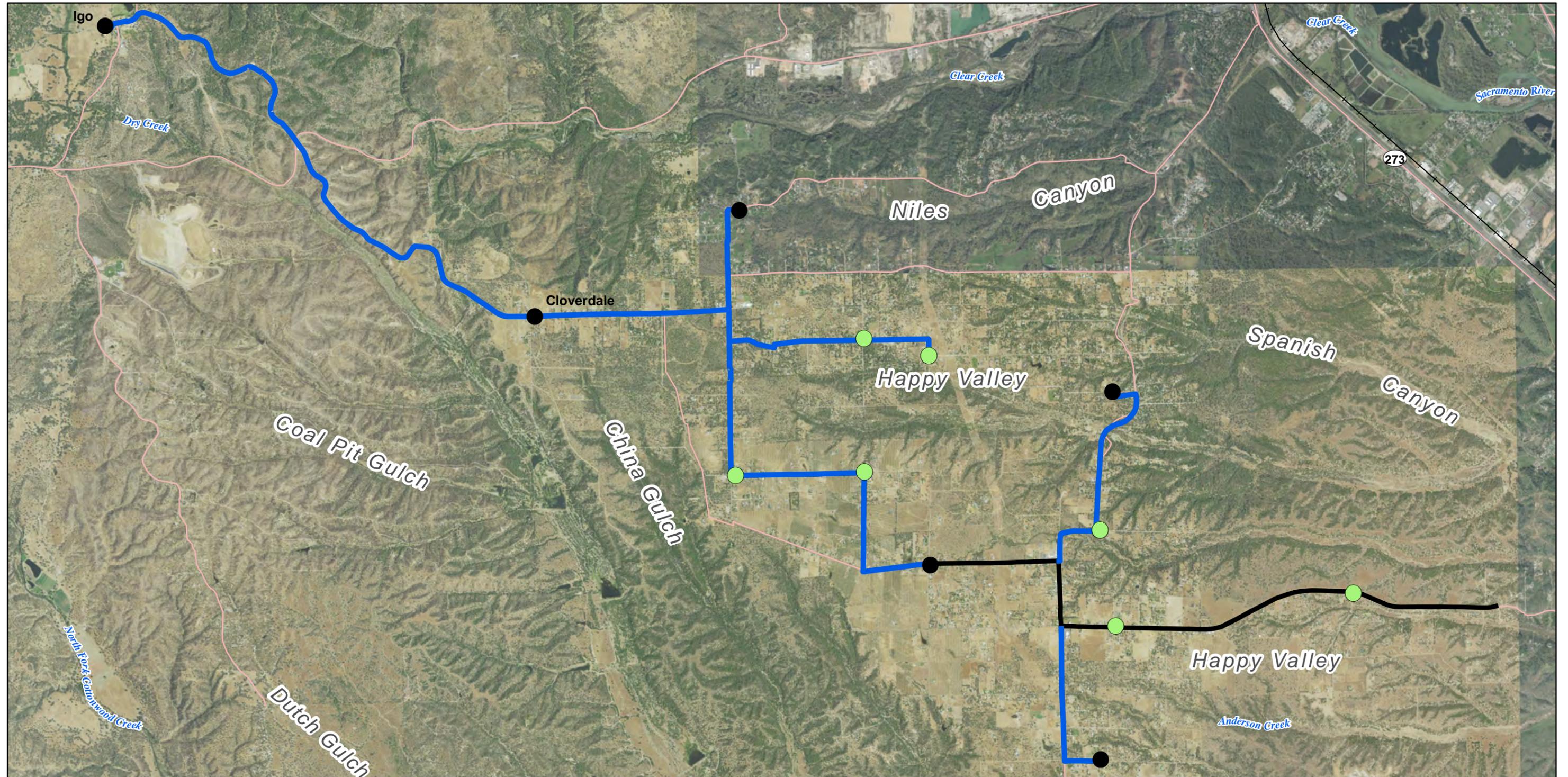


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

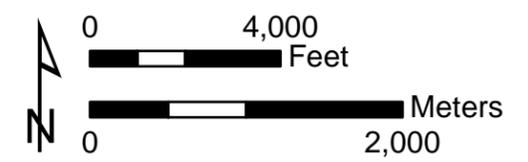
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Ms. Loretta Root  
5640 Kofford Lane  
Redding, CA 96001

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Loretta Root,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

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connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

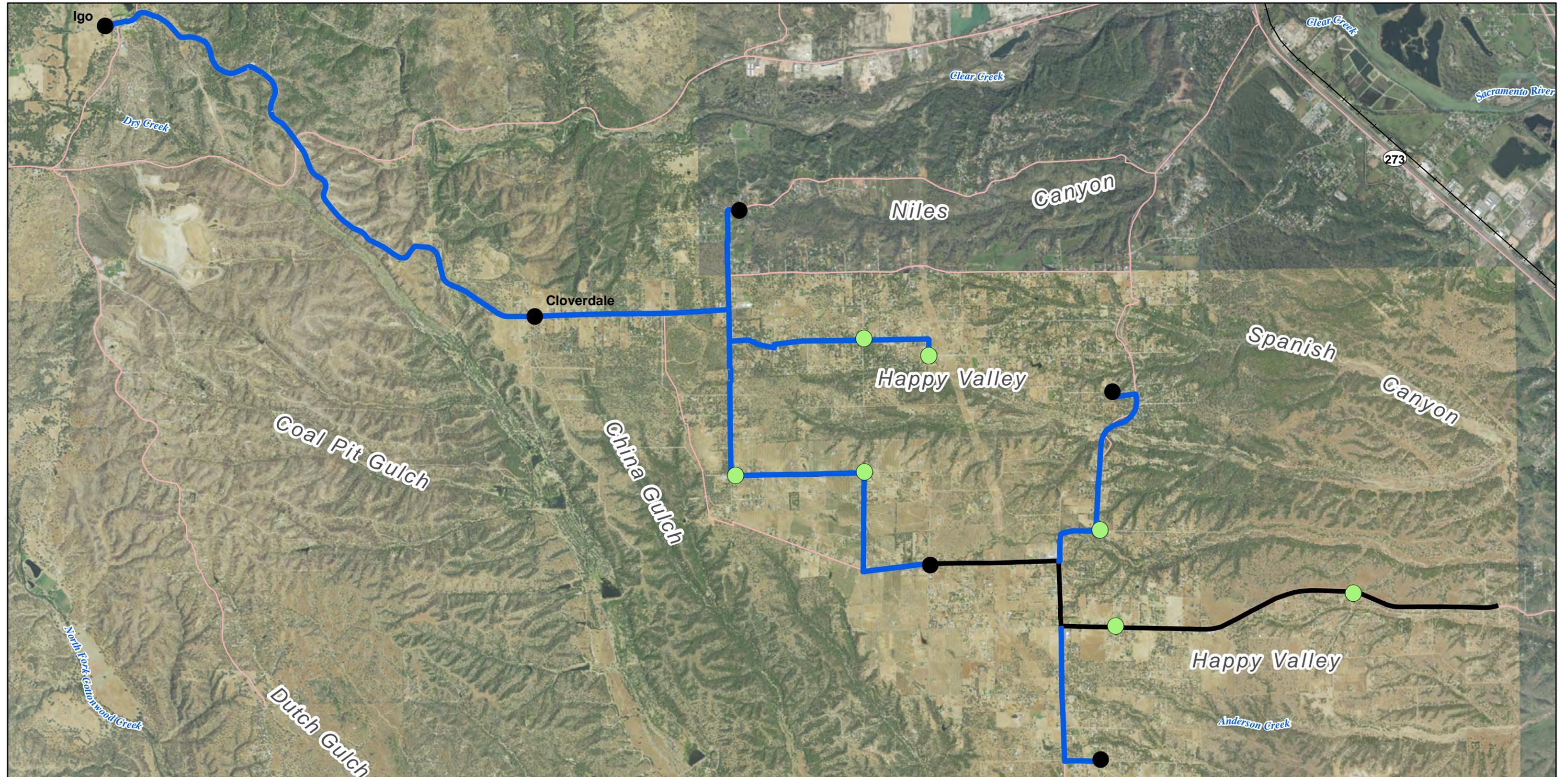


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Mr. Matthew Root  
16117 North Street  
Keswick, CA 96001

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Matthew Root,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross

connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

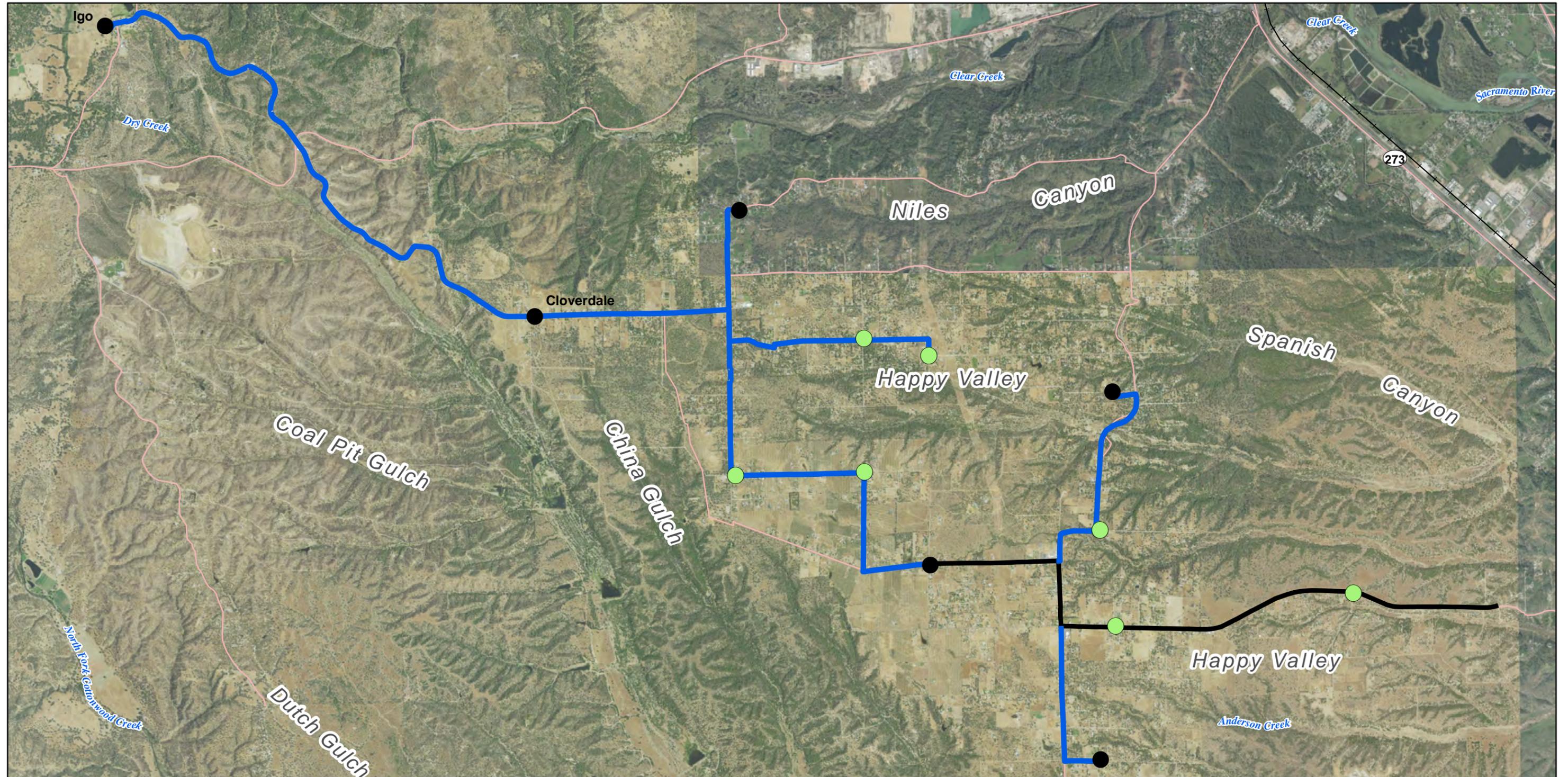


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Chairman Andrew Salas  
Gabrieleno Band of Mission Indians  
P.O. Box 393  
Covina, CA 91723

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairman Andrew Salas,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Gabrieleno Band of Mission Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

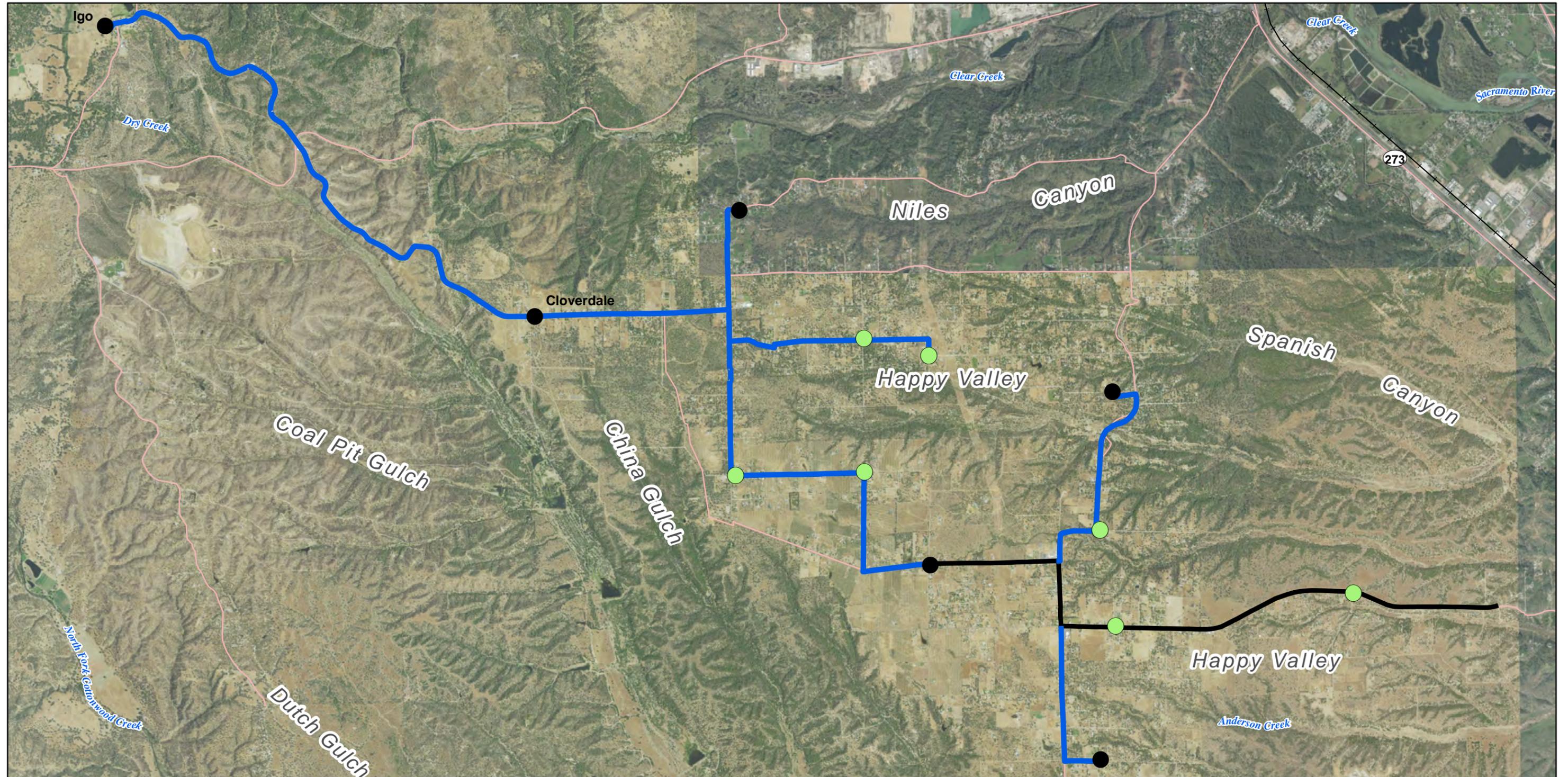


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

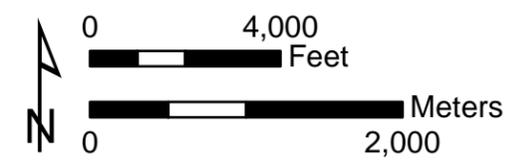
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Tribal Chair Caleen Sisk-Franco  
Winnemem Wintu Tribe  
14840 Bear Mountain Road  
Redding, CA 96003

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chair Caleen Sisk-Franco,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Winnemem Wintu Tribe by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

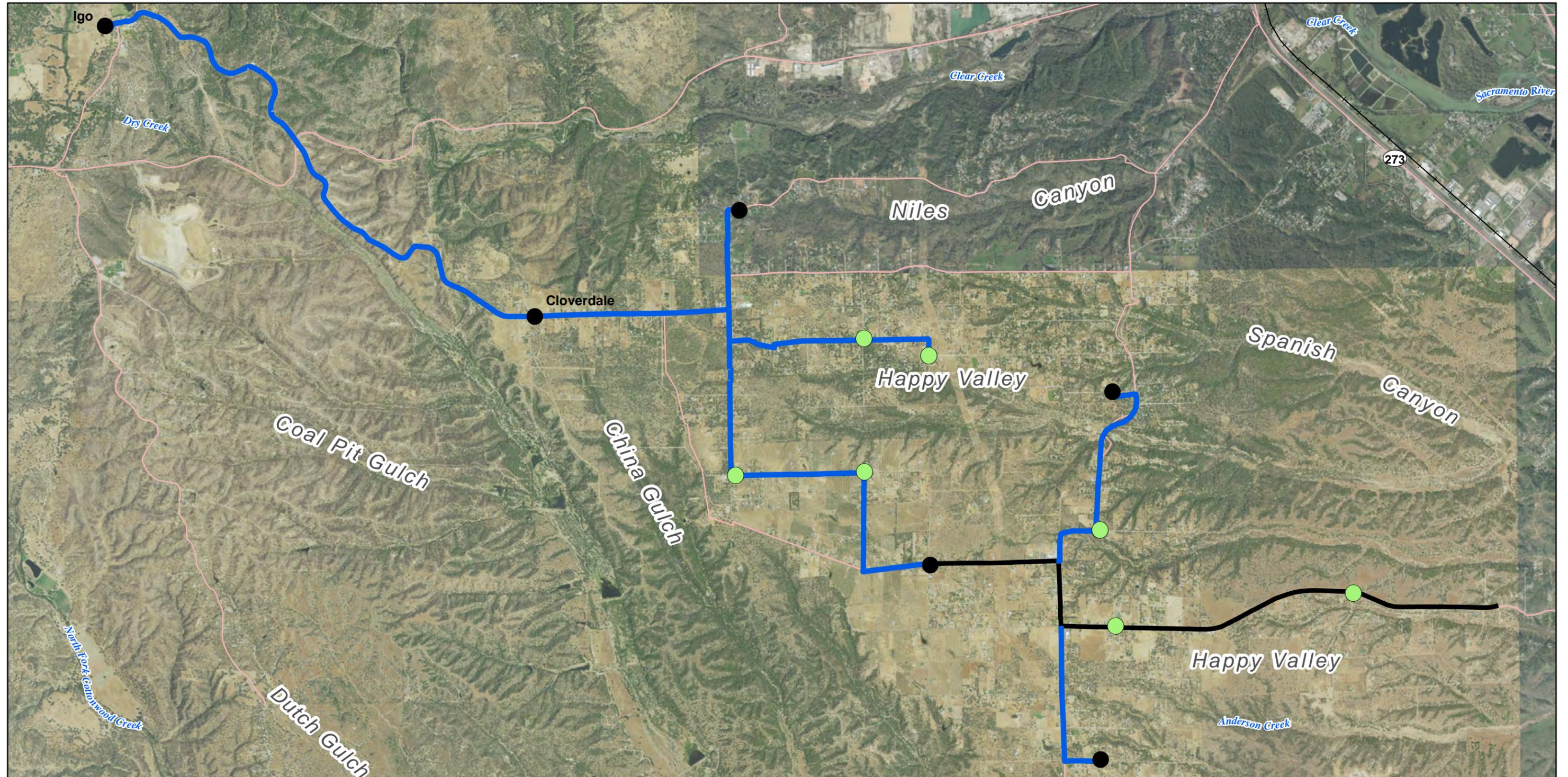


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Executive Director Timothy J. Sullivan  
Temecula Bank of Luiseno Mission Indians  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Timothy J. Sullivan,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Temecula Bank of Luiseno Mission Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed

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**PUBLIC UTILITIES COMMISSION**

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During the Application and PEA review process, the applicant and their consultants indicated to the CPUC that they contacted the Native American Heritage Commission (NAHC) in 2014, but have not reached out to any representatives of the tribes and there have been no consultation efforts to date. Therefore, the CPUC, as lead agency for the Proposed Project, is initiating consultation with Native American individuals and organizations already identified by NAHC as traditionally and culturally affiliated with the geographic area of the Proposed Project, as well as with California Native American tribes who have requested to the CPUC, in writing, to be informed about proposed projects through formal notification.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

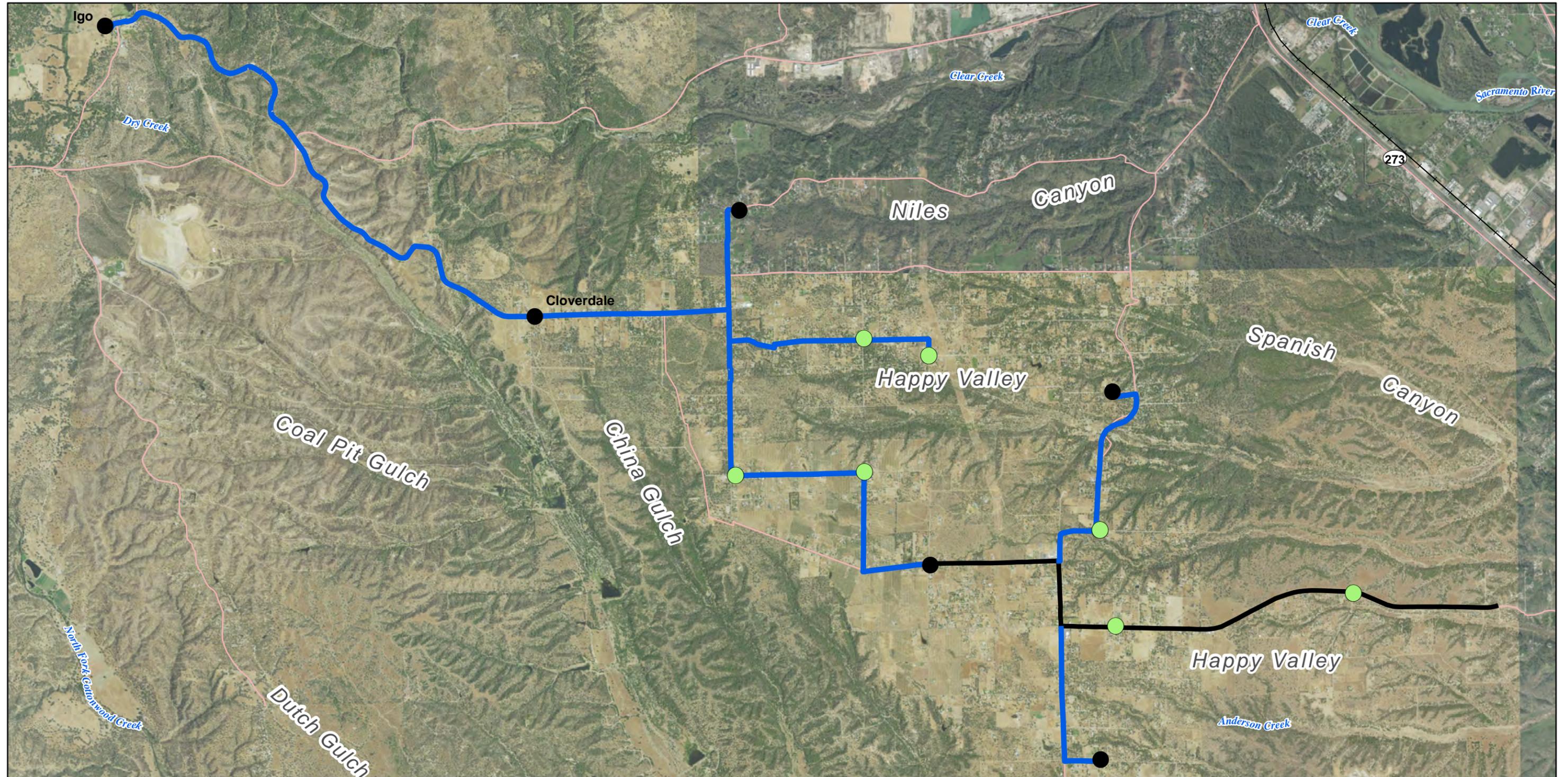


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
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Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



March 31, 2017

Mr. Doug Todd Welmas  
Tribal Chairman  
Cabazon Band of Mission Indians  
Tribal Administration, 84-245 Indio Springs Parkway  
Indio, CA 92203

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Chairman Doug Todd Welmas,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“Proposed Project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Cabazon Band of Mission Indians by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The Proposed Project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The Proposed Project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The Proposed Project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the Proposed Project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near, but outside of, the western portion of the Proposed Project area.

The components of the Proposed Project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the Proposed Project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect

box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

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Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

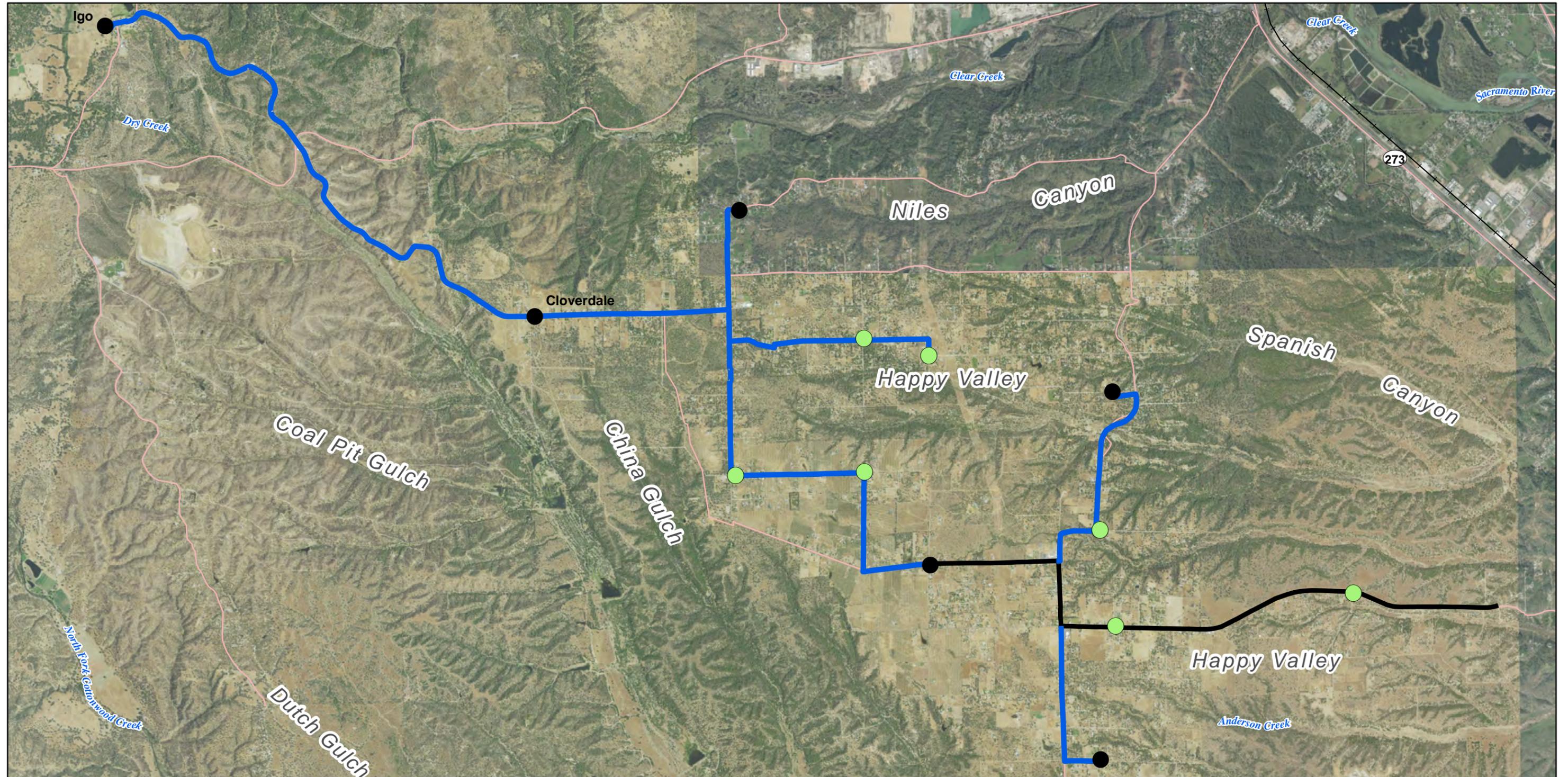


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

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Attachment A  
Project Overview

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505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



February 16, 2018

Sami Jo Difuntorum  
Culture and Site Preservation Officer  
Shasta Indian Nation  
PO Box 634  
Newport, OR 97365

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Ms. Sami Jo Difuntorum,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“proposed project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Colorado River Indian Tribes by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

The proposed project would be funded in part by the California Advance Services Fund (“CASF”). On October 3, 2013, the CPUC passed Resolution T-17411 approving CASF funding of the Grant Application for construction of TDS Telecom’s Proposed Project. On May 12, 2016, the CPUC passed Resolution T-17517 to provide additional CASF funding for the environmental review and completion of the proposed project. Resolution T-17411 stipulates that prior to receiving CASF funding, the applicant is required to provide a Proponent’s Environmental Assessment and the CPUC must complete CEQA review. The applicant submitted a Proponent’s Environmental Assessment to the CPUC on August 5, 2015.

The proposed project would be located approximately 11 miles south of Redding in unincorporated portions of southwestern Shasta County, including the communities of Happy Valley, Olinda, and Igo (see **Attachment A**). The proposed project alignment would run alongside County roads for approximately 15.3 miles between Igo and the applicant’s central office in Happy Valley. The proposed project area covers the 15.3 miles of proposed route and an 8-foot-wide maximum ground disturbance corridor. Existing land uses in the vicinity of the proposed project alignment include primarily agriculture, with limited residential and commercial properties dispersed throughout. Public land managed by the Bureau of Land Management lies near the western portion of the proposed project area, but it is not within its jurisdiction.

The components of the proposed project include installation of 15.3 miles of a new high-speed internet broadband fiber optic cable (proposed to be installed underground generally adjacent to existing public roadways), installation of seven new aboveground Digital Loop Carrier (“DLC”) sites, and renovation of six existing DLC sites. The new underground component of the proposed project, approximately 15.3 miles of fiber-optic telecommunications cable, would be installed within 1.25-inch-diameter, high-density polyethylene conduits along existing public roads. Conduits would be placed at a nominal depth of 3.3 feet, with a maximum 8-foot-wide ground disturbance corridor along the route. The new aboveground components would consist of seven new DLC sites and up to six existing DLC sites renovated. Each DLC site would consist of an aboveground equipment cabinet; a large, partially buried vault (handhole); and a cross-connect

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**PUBLIC UTILITIES COMMISSION**

box. Equipment cabinets would be approximately 4 feet high (2 by 3 by 4 feet in size) and would be installed on top of the buried handholes. Approximately 1 foot of the handhole would remain above ground and function as a step upon which each cabinet would be installed. A small (8-inch by 8-inch by 2-foot) cross connect box would be installed near each equipment cabinet. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for the Proposed Project under CEQA. Pursuant to PRC 21080.3.1(d), to indicate your interest in participating in AB-52 consultation for the Proposed Project, the CPUC is respectfully requesting that you please respond in writing within 30 days to Jensen Uchida at (415) 703-5484 or via email to Jensen.Uchida@cpuc.ca.gov. Please copy the CPUC's consultant, Silvia Yanez, Ecology and Environment, Inc (syanez@ene.com), on communications.

Very Respectfully,

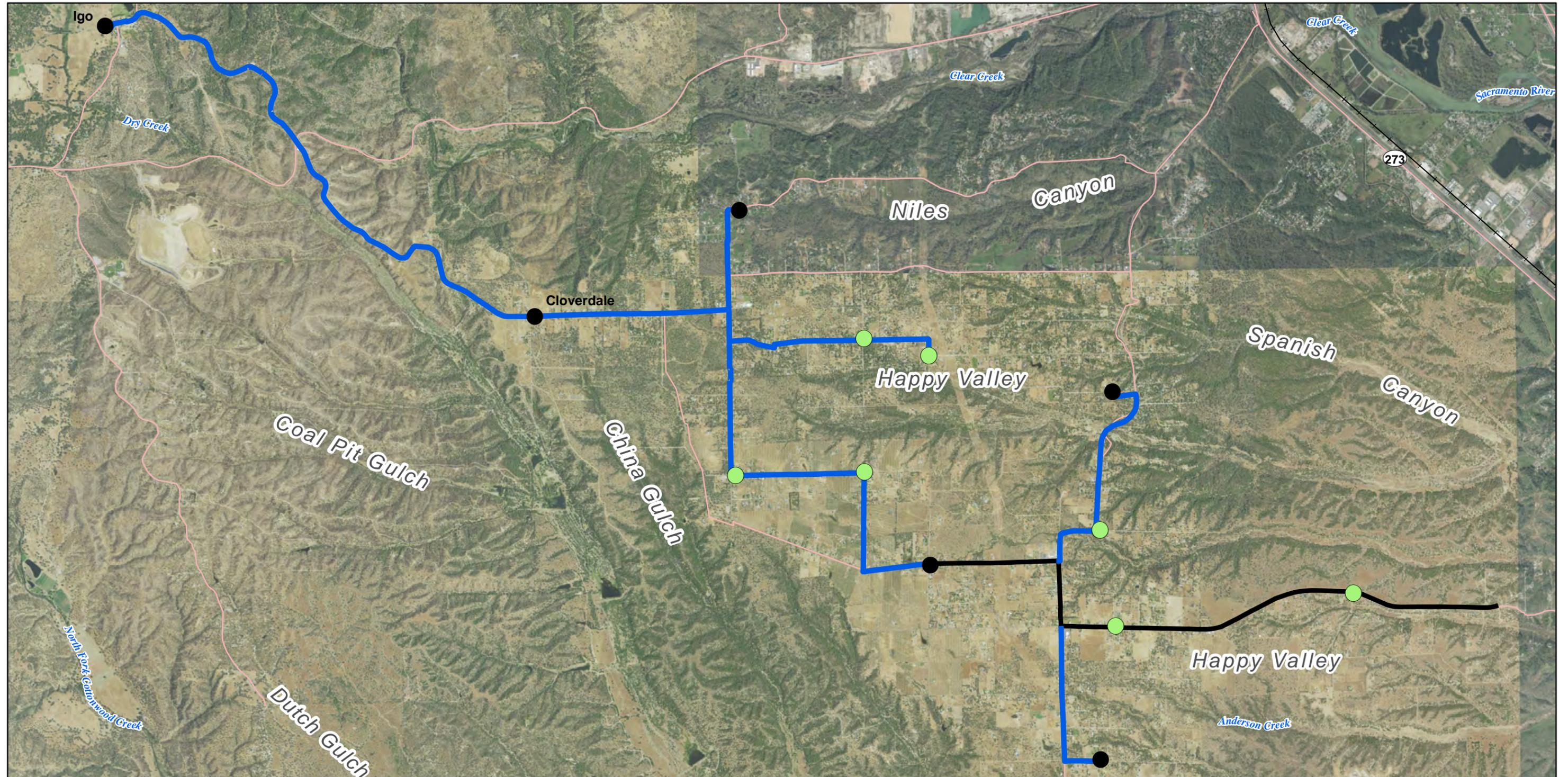


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
Gregory Heiden, Attorney, CPUC  
Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
Stephanie Green, Tribal Liaison, Executive Division, CPUC  
Silvia Yáñez, Project Manager, Ecology & Environment, Inc.

Attachments:

A. Project Overview Map



- Existing DLC sites
- Proposed DLC sites
- Proposed telecom route
- Existing TDS fiber route



Attachment A  
Project Overview

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## Kirchler-Owen, Leslie

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**From:** sami difuntorum <samijodif@yahoo.com>  
**Sent:** Tuesday, February 20, 2018 9:40 PM  
**To:** Yanez, Silvia A.; Samijodif@yahoo.com  
**Cc:** Uchida, Jensen; stephanie.green@cpuc.ca.gov  
**Subject:** Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation

Good Evening,

Thank you for contacting the Shasta Indian Nation regarding your project in Olinda. The project is outside of our area of interest so we do not have any comments.

Best,

Sami Jo Difuntorum

Site and culture preservation

Shasta Indian Nation

[Sent from Yahoo Mail on Android](#)

On Tue, Feb 20, 2018 at 6:35 PM, Yanez, Silvia A.  
<SYanez@ene.com> wrote:

Good afternoon, Ms. Sami Jo Difuntorum:

On behalf of the California Public Utilities Commission (CPUC) Project Manager, Mr. Jensen Uchida, please find attached a letter and project map for formal notification to the [Shasta Indian Nation](#) for AB-52 Notification of the Olinda Last Mile Underserved Broadband Project. A copy of this information also has been sent via certified mail last February 16, 2018.

Your comments and concerns are important to the CPUC in moving forward with the environmental review for this project. Please feel free to contact us with any questions.

Very respectfully,

Silvia Yanez

CPUC CEQA Consulting Team Manager



ecology and environment, inc.

*Silvia Yáñez, Chief Environmental Specialist*

505 Sansome Street, Suite 300, San Francisco, CA 94111

Phone: 415-398-5326 • Cell: 415-310-4129

[syanez@ene.com](mailto:syanez@ene.com) • [www.ene.com](http://www.ene.com)

505 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-3298



February 16, 2018

Dale A. Miller  
Tribal Chairman  
Elk Valley Rancheria  
2332 Howland Hill Road  
Crescent City, CA 95531

**Re: Olinda Last Mile Underserved Broadband Project, Formal Notification for AB-52 Consultation**

Dear Mr. Dale A. Miller,

As the Lead Agency under the California Environmental Quality Act (“CEQA”), the California Public Utilities Commission (“CPUC”) is conducting Assembly Bill 52 (“AB-52”) consultation for the Olinda Last Mile Underserved Broadband Project (“proposed project”). The proposed project is a new approximately 15-mile long high-speed broadband fiber-optic cable that would be constructed in unincorporated portions of southwestern Shasta County, as described below. On March 20, 2017, the CPUC deemed the Proponent’s Environmental Assessment complete and determined that a Mitigated Negative Declaration is required for the proposed project. Please consider this letter and preliminary project information as notification of the initiation of the AB-52 consultation process with the Colorado River Indian Tribes by the CPUC, as specified in Public Resources Code (“PRC”) 21080.3.1.

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Very Respectfully,

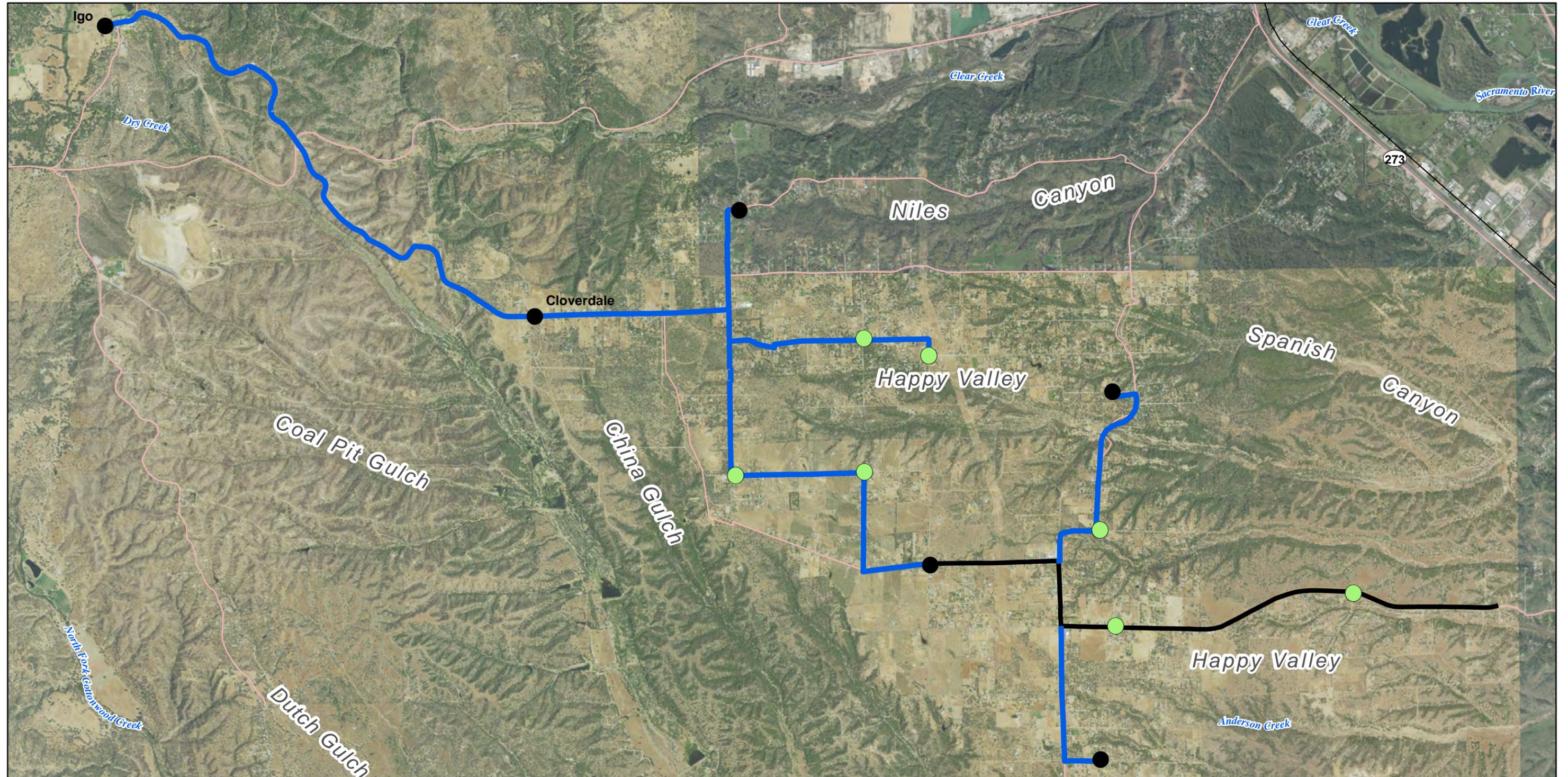


Jensen Uchida  
CPUC Project Manager, Infrastructure Permitting and CEQA

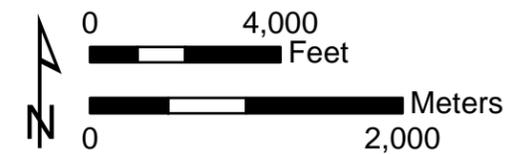
CC: Mary Jo Borak, Supervisor, Infrastructure Permitting and CEQA, CPUC  
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Xiao Selena Huang, Broadband, Policy, and Analysis Branch, CPUC  
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Attachment A  
Project Overview

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