

# Notice of Determination

## Appendix D

**To:**

☒ Office of Planning and Research  
U.S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk  
County of: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**From:**

Public Agency: California Public Utilities Commission (CPUC)  
Address: 505 Van Ness Avenue San Francisco, CA 94102-3298

Contact: Connie Chen  
Phone: 415-703-2124

Lead Agency (if different from above):  
Address: \_\_\_\_\_  
\_\_\_\_\_

Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2019049174

Project Title: Olinda Last Mile Underserved Broadband Project / Resolutions T-17411 and T-17517

Project Applicant: TDS Telecommunications Corporation

Project Location (include county): Shasta County

**Project Description:**

The proposed Project involves the construction of a second-generation, very-high-bit-rate digital subscriber line (VDSL2) fiber-optic network capable of 25 Mbps/5 Mbps (megabit-per-second download/upload) speed. Approximately 15.3 miles of new 96-count, shielded fiber-optic telecommunications cable within 1.25-inch diameter, high-density polyethylene conduits would be buried along existing roads in southwestern Shasta County. The project will be located approximately 11 miles south of the city of Redding in unincorporated portions of southwestern Shasta County, near the communities of Happy Valley, Olinda and Igo. See Attachment 1 for details.

This is to advise that the California Public Utilities Commission (CPUC) has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on 07/16/2020 and has made the following determinations regarding the above  
(date)  
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

CPUC, 505 Van Ness Avenue, San Francisco, CA 94102-3298; <https://www.cpuc.ca.gov/environment/info/ene/olinda/olinda.html>

Signature (Public Agency): Connie Chen Title: Public Utilities Regulatory Analyst

Date: 07/24/2020 Date Received for filing at OPR: Governor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

AUG 06 2020  
STATE CLEARINGHOUSE  
Revised 2011

**Olinda Last Mile Underserved Broadband Project**  
**Resolutions T-17411, T-17517, and T-17701**  
**Notice of Determination Attachment 1**

**A. Project Location:**

*Resolutions T-17411, T-17517, and T-17701*

**County:** Shasta

**City/Nearest Community:** Shasta, CA, Igo, CA and Redding, CA

**Cross Streets:** Cloverdale Rd. and Oak St. (note: linear project)

**Zip Code:** 96047

**Longitude/Latitude (degrees, minutes, seconds):** N/A – linear project

**Assessor's Parcel No.:** N/A – Public ROW

- B. Description of the Proposed Project:** The proposed Olinda Project involves the construction of a second-generation, very-high-bit-rate digital subscriber line (VDSL2) fiber-optic network capable of 25 Mbps/5 Mbps (megabit-per-second download/upload) speed. Approximately 15.3 miles of new 96-count, shielded fiber-optic telecommunications cable within 1.25-inch diameter, high-density polyethylene conduits would be buried along existing roads in southwestern Shasta County. The project will be located approximately 11 miles south of the city of Redding in unincorporated portions of southwestern Shasta County, near the communities of Happy Valley, Olinda and Igo. Public land managed by the Bureau of Land Management (BLM) lies near the western portion of the proposed project area, but the proposed project is not within BLM jurisdiction.

The proposed project consists of installation of the following components:

- **New high-speed broadband fiber-optic cable:** TDS would construct a VDSL2 fiber-optic network capable of 25 Mbps/5 Mbps download/upload speed. Telecommunications cable would be buried along existing roads in Shasta County.
- **Equipment cabinets on top of buried vaults and cross-connect boxes at Digital Loop Carrier (DLC) sites:** TDS would construct seven new DLC sites and renovate up to six existing sites. Each DLC would consist of an equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets would be installed on top of the buried handholes. Gravel would be placed in a 20-square-foot area around each equipment cabinet.

The proposed alignment would run alongside Shasta County roads between Igo and Happy Valley. No additional right-of-way (ROW) would be required.

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**Communications Division  
Broadband, Video, and Market Branch**

**RESOLUTION T- 17701  
July 16, 2020**

**RESOLUTION**

**Resolution T- 17701: Authorizes the release of California Advanced Services Fund grant monies to Happy Valley Telephone Company dba TDS Telecom (U-1010-C) to construct the Olinda Last Mile Underserved Broadband Project and approves the Initial Study Mitigated Negative Declaration prepared in compliance with the California Environmental Quality Act for the Olinda Last Mile Underserved Broadband Project.**

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**I. SUMMARY**

This Resolution authorizes the release of California Advanced Services Fund (CASF) grant monies approved by Resolutions T- 17441 and T-17517 to Happy Valley Telephone Company dba TDS Telecom (TDS) to construct the Olinda Last Mile Underserved Broadband Project in Shasta County. This Resolution also approves the Initial Study/Mitigated Negative Declaration (IS/MND) prepared in compliance with the California Environmental Quality Act (CEQA)<sup>1</sup> for the Olinda Last Mile Underserved Broadband Project.

**II. BACKGROUND**

On October 3, 2013, the California Public Utilities Commission (Commission) adopted Resolution T- 17411, authorizing a CASF grant of \$1,833,689 to TDS to construct the Olinda Last Mile Underserved Broadband Project subject to the Commission's completion of CEQA review.

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<sup>1</sup> 1 Section 21000 *et seq.* of the California Public Resources Code [PRC]) and the State CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations [14 CCR 15000 *et s*

On May 12, 2016, the Commission adopted Resolution T-17517 conditionally approving additional CASF funding of \$399,853.20 or \$462,978 to TDS to complete the Olinda Last Mile Underserved Broadband Project CEQA review. The final cost was dependent on whether a full Environmental Impact Report or a Mitigated Negative Declaration (MND) was appropriate, which could not be determined until the Energy Division's CEQA Team's consultant, Ecology & Environment, Inc. (E&E) conducted an initial environmental review. After the approval of Resolution T-17517 and the completion of the initial environmental review it was determined that an MND was the appropriate review document, thus the appropriate additional funding for CEQA review is \$399,853.20.

The proposed project area is located approximately 11 miles south of the city of Redding. The project will extend high-speed internet service to communities in Happy Valley, Olinda, Igo, and other areas of southwestern unincorporated Shasta County. The project will improve existing internet speeds by implementing second-generation, very-high-bit-rate digital subscriber line (VDSL2) technology<sup>2</sup> at its central office as well as at numerous existing and proposed digital loop carrier sites over a 19.86 square mile area.

When completed, the project will reach an estimated 1,908 households and seven anchor institutions at maximum advertised speeds of 25 Mbps download / 5 Mbps upload, which is above the served threshold of 6 Mbps/ 1.5 Mbps. TDS estimates the project will initially yield 520 potential subscriber households.

Resolution T-17411 specified that: "The applicant must provide the Proponent's Environmental Assessment (PEA) prior to the first 25% payment unless the project is statutorily or categorically exempt from CEQA requirements..." and "The Commission must complete CEQA review prior to disbursing CASF funds for construction activities."<sup>3</sup> TDS submitted a PEA to the Energy Division on August 5, 2015.

### III. ENVIRONMENTAL COMPLIANCE DISCUSSION

As the lead agency under CEQA, the Commission prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the project, with technical assistance from E&E. The Commission completed and published the IS/MND on October 7, 2019.

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<sup>2</sup> VDSL2 is an access technology that delivers improved high-speed internet access capable of voice, video and data streaming, utilizing fiber facilities to the node and copper wire facilities to the customer premise.

<sup>3</sup> Resolution T-17411, pp. 7 & 12.



The Olinda Last Mile Underserved Broadband Project is linear with definitive starting and ending points; cable and associated infrastructure will be placed along an existing right-of-way within the bed or shoulder of established roadways between Igo and the applicant's central office in Happy Valley. The topography in the proposed project area is relatively flat, and land use in the area is generally classified as rural residential and agricultural (e.g., orchards and grazing).

The project will consist of the following components:

- The installation of approximately 15.3 miles of VDSL2 fiber-optic cable and associated equipment capable of providing service at speeds of 25 Mbps/5 Mbps.
- The construction of seven new Digital Loop Carrier (DLC) remote terminal sites and the renovation of up to six existing sites. Each DLC site will consist of an equipment cabinet; a large, partially buried vault (handhole); and a cross-connect box. Equipment cabinets will be installed on top of the buried handholes with gravel placed in a 20-square-foot area around each equipment cabinet.

The Commission released a Notice of Intent to Adopt a Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) for the proposed project on April 30, 2019 (State Clearinghouse No. 2019049174). The public comment period for this document was April 30, 2019 to May 31, 2019. Following the end of the public comment period, Commission Staff reviewed responses to all comments on the Draft IS/MND and revised the document as needed. The Final IS/MND for the Olinda Last Mile Underserved Broadband Project was published in October 2019 (State Clearinghouse No. 2019049174) and is available on the project website at:

<https://www.cpuc.ca.gov/environment/info/ene/olinda/olinda.html#FinalISMND>

The Commission has reviewed the Olinda Last Mile Underserved Broadband Project Final IS/MND and finds that the project will have no significant effects on the environment. The Commission finds that the contents of the Final IS/MND and the procedures to prepare, publicize, and review comply with CEQA requirements. The IS/MND correctly identifies the potential impacts and includes the appropriate mitigation measures to minimize the impacts of the Project. All required mitigation measures identified in the IS/MND and contained in the Mitigation Monitoring and Reporting Program (MMRP) are included as conditions of approval of the Project.

#### **IV. RELEASE OF CASF FUNDS**

Resolution T- 17411 awarded TDS a CASF grant of \$1,833,689 to construct the Olinda Last

Mile Underserved Broadband Project contingent on compliance with applicable environmental requirements.<sup>4</sup> Resolution T- 17517 awarded additional CASF funding of either \$399,853.20 or \$462,9781 to cover cost overruns and complete the Project's environmental review. Given the Commission Staff's conclusions as discussed in the prior section, TDS has satisfied the CEQA Compliance Requirements stated in Resolution T-17411 and T- 17517. Therefore, the Commission authorizes the release of \$2,233,542.20 in CASF grant funds, consisting of \$1,833,689 for the construction of the Olinda Last Mile Underserved Broadband Project and \$399,853.20 in additional funds for the environmental review, in accordance with the scope and budget specifications provided in Resolutions T-17411 and T- 17517.

## **V. SAFETY IMPACT**

The Olinda Last Mile Underserved Broadband Project area is in a high-risk fire area. Improved broadband speeds will facilitate the transmission of data and communications among first responders and other emergency services personnel. The project area includes one first responder agency that would likely benefit from improved broadband, the Igo/ Ono Volunteer Fire Company #50 for the Shasta County Fire Department.

## **VI. COMMENTS ON DRAFT RESOLUTION**

In compliance with Public Utilities Code, §311(g), a notice letter was emailed on June 12, 2020, informing all parties on the CASF Distribution List of the availability of the draft of this Resolution at the Commission's documents website at <http://www.cpuc.ca.gov/documents/>, and of the opportunity to comment. This letter also informed parties that the final conformed Resolution adopted by the Commission will be posted and available at the same website. The Commission received no public comments.

## **VII. FINDINGS**

1. Resolution T-17411 (adopted October 3, 2013) conditionally authorized a CASF grant of \$1,833,689 to TDS to construct the Olinda Last Mile Underserved Broadband Project, subject to the Commission's completion of CEQA review.
2. Resolution T-17517 (adopted May 12, 2016) conditionally authorized additional CASF funding of \$399,853.20 or \$462,978 to TDS to cover cost overruns and complete the Olinda Last Mile Underserved Broadband Project CEQA review.
3. The Commission conducted an initial review and determined that an MND was

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<sup>4</sup> Resolution T-17411 p. 7.



the appropriate CEQA review document; thus, the appropriate additional funds for CEQA review are \$399,853.20.

4. As the lead agency under CEQA, the Commission prepared an IS/MND for the Olinda Last Mile Underserved Broadband Project.
5. The Olinda Last Mile Underserved Broadband Project Final IS/MND (State Clearinghouse No. 2019049174) is complete and in compliance with CEQA. Further, it is adequate for the Commission's decision-making purposes.
6. The proposed project will have no significant effects on the environment with the incorporation of the mitigation measures identified and listed in the MMRP.
7. TDS will implement the measures contained in the MMRP as conditions of project approval and has adopted a system to document and verify MMRP implementation.
8. The Final IS/MND reflects the Commission's independent judgment and analysis on the issues addressed by the IS/MND.
9. TDS satisfies the conditions required to release funds for the construction of the Olinda Last Mile Underserved Broadband Project, as set forth in Resolutions T- 17411 and T- 17517.
10. TDS must comply with all provisions in Resolutions T- 17411, T- 17517, and T- 17701.
11. A notice letter was e-mailed on June 12, 2020, informing all parties on the CASF distribution list of the availability of the draft of this Resolution at the Commission's website <http://www.cpuc.ca.gov/documents/>, and of the opportunity for comment. This letter also informed parties that the final confirmed Resolution adopted by the Commission will be posted and available at this same website. The Commission received no public comments.

**THEREFORE, IT IS ORDERED THAT:**

1. The Commission authorizes \$2,233,542.20 in CASF grant funds to be released for the construction of the Olinda Last Mile Underserved Broadband Project, in accordance with the scope, budget specifications, and payment guidelines provided in Resolutions T-17441 and T- 17517.
2. TDS shall comply with all guidelines, requirements, and conditions specified in D.12- 02-015, D.14-02-018, Resolutions T-17441, T- 17517 and T- 17701.

3. In the event that TDS fails to complete the project in accordance with the terms of approval granted by the Commission in Resolutions T-17411, T- 17517 and T-17701, TDS may be required to reimburse some or all of the CASF funds that it has received
4. The Final Mitigated Negative Declaration for the Project is adequate for the Commission's decision-making purposes and is hereby adopted pursuant to the California Environmental Quality Act Guidelines and the Public Resources Code.
5. The Energy Division may approve requests by TDS for minor project refinements that may be necessary due to final engineering of the Project, so long as such minor project refinements are located within the geographic boundary of the study area of the Final Mitigated Negative Declaration and do not, without mitigation, result in a new significant impact or a substantial increase in the severity of a previously identified less-than-significant impact, based on the criteria used in the environmental document, conflict with any applicable operational activity, design element, law or policy, or trigger an additional discretionary permit requirement. TDS shall seek any other project refinements by a petition to modify this resolution.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on July 16, 2020. The following Commissioners approved it:

/s/ALICE STEBBINS

Alice Stebbins  
Executive Director

MARYBEL BATJER  
President  
LIANE M. RANDOLPH  
MARTHA GUZMAN ACEVES  
CLIFFORD RECHTSCHAFFEN  
GENEVIEVE SHIROMA  
Commissioners