



CEQA EXEMPTION DETERMINATION FORM (rev. 06/2022)
NEPA CATEGORICAL EXCLUSION FOR MIDDLE-MILE BROADBAND NETWORK
PROJECTS DETERMINATION FORM (rev. 5/23)

Project Information

Project Name (if applicable): Middle-Mile Broadband Network

DIST-CO-RTE: 11-SD-8

PM/PM: 12.232/R21.838

EA: 11-4B008/1122000208

Federal-Aid Project Number:

Project Description

The project proposes to install broadband conduit and fiber as part of the Middle Mile Broadband Network (MMBN) for 9.6 miles on Interstate 8 (I-8) from I-8/SR-125 separation to Lake Jennings Park Road in San Diego County. For more information, please see the Continuation Sheet for the NEPA/CEQA CE/CE, Environmental Commitments, and attached District-prepared Middle-Mile Broadband Network CE Checklist.

Caltrans CEQA Determination (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

- Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
- Categorically Exempt. Class 1.** (PRC 21084; 14 CCR 15300 et seq.)
 - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

Marc Baza

Print Name

Signature

11/01/2024

Date

Project Manager

Mike Dispenzieri

Print Name

Signature

11/1/2024

Date



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Caltrans NEPA Determination

Caltrans has determined this project meets the conditions set forth below and therefore is categorically excluded from the requirements to prepare an EA or EIS under NEPA.

The actions listed in Appendix A, Number 6 (“Actions including, but not limited to, right-of-way use agreements, encroachment permits, and consent letters that are subject to subpart D of 23 CFR 710”) of the 23 USC 326 CE Assignment MOU between FHWA, California Division and the California Department of Transportation (2022) may be classified as a categorical exclusion, provided the following conditions are met:

- The action is required in order to implement a project that is part of the California Middle-Mile Broadband Network
- The Federal Action consists of: Approval of a non-highway use of the right-of-way/grant of a right-of-way use agreement
- The action does not, either individually or cumulatively, have any significant environmental impacts as described in 23 CFR 771.117(a); and
- The action does not involve unusual circumstances as described in 23 CFR 771.117(b):
 - Significant environmental impacts;
 - Substantial controversy on environmental grounds;
 - Significant impact on properties protected by Section 4(f)¹ requirements or Section 106 of the National Historic Preservation Act; or
 - Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.
- The action can be authorized under a Section 404 Nationwide Permit, or Regional General Permit, including one specific to Middle-Mile Broadband Network activities when issued. Sufficient information to issue a Wetlands Only Practicable Alternative Finding must be included in the CE documentation; and
- The action would not significantly encroach on the base floodplain and no impacts to the natural and beneficial floodplain values are anticipated; and
- The action would not impact the features or attributes of a designated scenic river that make it eligible for inclusion in the National System of Wild and Scenic Rivers published by the U.S. Department of Interior/U.S. Department of Agriculture; and
- The action does not require any U.S. Coast Guard construction permits;
- The use of this CE certifies that the project has been evaluated and is designed to prevent unauthorized releases of hazardous materials. Caltrans would maintain compliance with the Department of Toxic Substances Control (DTSC) Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils effective July 1, 2016, and

¹ Middle-Mile Broadband Network Projects are not considered transportation projects and therefore exempt from the requirements of 23 CFR 774



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that there are no known Cortese sites within the project footprint based on a record search; and

- The action does not require formal Section 7 Consultation for effects to federally listed or proposed species or critical habitat (likely to adversely affect determination for any species or critical habitat), or can be covered under an existing Programmatic Biological Opinion or the specific Programmatic Biological Opinion for Middle-Mile Broadband Network activities when issued; and
- The action is consistent with the State's Coastal Zone Management Plan, if applicable.

The proposed project(s) are in compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. It is anticipated that no impacts would occur with the construction and implementation of the Middle-Mile Broadband Network.

Categorical Exclusion (CE) issued by Caltrans approving certain actions subject to subpart D of 23 CFR 710 for projects that are a part of the California Middle-Mile Broadband Network.

Senior Environmental Planner or Environmental Branch Chief

Marc Baza		11/01/2024
Print Name	Signature	Date

Project Manager/ DLA Engineer

Mike Dispenzieri		11/1/2024
Print Name	Signature	Date

See Attached District Prepared Middle-Mile Broadband Network CE Checklist
 See Attached District Prepared Environmental Commitment Record.



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Continuation sheet:

Project Description

The project (11-4B008) is part of the Middle Mile Broadband Network (MMBN) initiative program which includes the installation of broadband infrastructure throughout California within the State Highway System (SHS), including Interstate routes.

As part of the Caltrans/CDT middle mile partnership, District 11 is constructing 9.6 miles of Middle Mile Broadband Network in San Diego County on I-8 from post mile 12.232 to R21.838. The project is intended to provide internet access to close key gaps in the rural high speed internet network (see Description of Work).

Purpose and Need

Purpose: This project will install broadband conduit and fiber on I-8 from I-8/SR-125 separation (PM 12.232) to Lake Jennings Park Road (PM R21.838) in San Diego County as part of the Middle Mile Broadband Network identified as Project 11-4B008 / 1122000208 in the Interagency Agreement between the California Department of Technology (CDT) and California Department of Transportation (DOT).

Need: Build out of a critical statewide broadband network is needed to enhance access to, and increase affordability of, high-speed Internet for Californians.

Description of Work

The project proposes the installation of the MMBN along 9.6 miles on I-8 including the installation of subsurface broadband conduit and fiber, pull or splice vaults, and road markers at approximately 500-foot intervals along the route, if needed. The details are as follows:

- Linear installation of broadband conduit and fiber installation, generally consisting of one 2-inch conduit, with minimum cover of 24 to 42 inches depending on location.
 - The four methods for underground installation of fiber optic conduit are plowing, trenching, trenching in pavement, and horizontal directional drilling (HDD).
 - Trenching in pavement would occur under asphalt pavement when off-pavement solutions are not feasible due to site-specific restrictions, with the depth of cover over conduit in paved areas a minimum of 24 inches.
 - For bridges or existing structures, fiber optic conduits would be placed within structure cells, attached underneath the structure, hung underneath the



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- structure, or attached to the barrier on the structure. If necessary, fiber optic cable may be installed on existing poles.
- Vaults spaced approximately 2,400 feet apart, with intermittent “splice vaults” to allow for last mile connections; vaults would generally measure a maximum of approximately 48 inches (width) x 48 inches (length) x 48 inches (height) and be generally flush with the ground surface (or 2 inches above unpaved areas).
- Fiber optic markers to be installed at approximately 500-foot intervals and at the beginning, middle, and end of horizontal curves to alert to the presence of fiber optic cable, if needed.

Environmental Factors

If project scope should change, the Division of Environmental Analysis shall be notified to determine whether the current environmental documentation and technical assessments are adequate or further documentation for a reevaluation will be required.

The project would not affect agriculture and forestry, air quality, a wild or scenic river, energy, geology/soils, greenhouse gas emissions, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, utilities/service systems, or wildfire potential.

Avoidance of Sensitive Resources

- This project has been independently evaluated for sensitive resources prior to construction. Caltrans intends to identify and avoid potential environmental impacts throughout construction.
- Sensitive locations have been noted as areas to be avoided during construction and would be further protected using biological, cultural, and tribal monitors during construction, as needed.
- Caltrans shall use Caltrans Standard Special Provisions (SSP), Non-Standard Special Provisions (NSSP), pre-construction training, and Environmentally Sensitive Area (ESA) flagging to avoid potential impacts.
- Environmental reevaluation would be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural, biological, or other unidentified environmental resources were discovered.
- The contractor would not be allowed to park, stage, or store equipment or materials outside of the project impact area or on sensitive areas identified within Caltrans right-of-way.
- Staging areas would shift along the alignment as construction progresses and be limited to temporary equipment parking at each vault/connection location and would remain within existing right-of-way or Caltrans-owned land. Work would remain within the project footprint and within the area cleared for construction as



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delineated by environmental constraints mapping and identified ESAs for biological (including jurisdictional waters) and cultural resources.

Technical Studies Prepared

Biological Resources

A Natural Environmental Study (NES) No Effect Memo was prepared in June 2024 for the project and found biological resource impacts would be avoided with the avoidance and minimization measures discussed below. The project limits extend through urban and rural areas, and is located within the boundaries of the roadway, shoulders, and connectors.

Avoidance and Minimization Measures

To ensure that potential temporary effects to biology during construction and operation are minimized, the following avoidance and minimization measures would be implemented:

- From postmiles R13.9 – R14.05, R18.16 – R18.74, and R19.4 – R20.05 occurrences and suitable habitat for California gnatcatcher are found within or adjacent to the Caltrans ROW. At these postmiles, areas outside of the pavement and immediate unvegetated shoulder are considered an Environmentally Sensitive Areas (ESAs). Work, staging, equipment, personnel, and vegetation removal is not to occur within the ESAs. The Department anticipates nesting or attempted nesting by the California gnatcatcher from February 15 to August 31. Stop work within a 300-foot radius of the discovery of a California gnatcatcher.
- Near PM R20.1, the installation of two 3'1" x 2' pull boxes (pull box 1 and 2) are proposed along the westbound side of the I-8, just off of the edge pavement on either side of the Los Coches Road bridge. There is coastal sage scrub (CSS) vegetation along the adjacent slope and recorded occurrences for the federally listed California gnatcatcher near this location. This location is outside of designated critical habitat for this species. A field visit confirmed there is enough bare ground area immediately adjacent to the edge of pavement for the pull boxes while avoiding disturbance to the adjacent CSS. Areas outside of the pavement, unvegetated shoulder, and approved pull box locations is an ESA. Work, staging, equipment, personnel, and vegetation removal are not to occur within the ESA. Orange snow fencing will be installed on bare ground around the proposed pull box locations where work will occur off pavement to avoid impacts to the ESA/CSS. Notify the district biologist two weeks prior to the start of work at this location. The district biologist will be present during the installation and removal of ESA fencing to ensure CSS vegetation is not impacted. If vegetation trimming is required outside of the ESA for attachment of fiber/conduit to the Los Coches Road bridge structure, it will



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be restricted to the disturbed/non-sensitive vegetation at the top of the slope at either end of the bridge. Notify the district biologist prior to vegetation disturbance. Vegetation trimming or removal is to occur outside of the ESA and should occur outside of the bird breeding season (February 15th – August 31st).

- If vegetation removal is required in non-ESA areas, it must be done outside of the bird breeding season (February 15th to August 31st). If vegetation clearing must occur during this time period, the district biologist must be notified at least 2 weeks prior to the start of work and will complete pre-construction nesting surveys no more than 72 hours prior to the start of work. If nesting activity is detected, pause work until young have fledged and nesting is no longer detected. Nesting bird surveys are only good for 7 days and will have to be repeated if the area is not cleared within that time frame.
- Two vault locations are proposed between postmiles 18.39 - 18.44 on either side of the Broadway Street bridge on the westbound side of the I-8. There is disturbed coastal sage scrub (CSS) vegetation present and potential for coastal California gnatcatchers to occur in the general area. This location is outside of designated critical habitat for this species and is mixed with ornamental and/or non-native vegetation. Vaults will remain upslope adjacent to the edge of pavement and in disturbed/bare areas wherever possible. Vegetation removal required for the installation of these vaults must occur outside of the California gnatcatcher breeding season (February 15th – August 31st) and will be minimized to the maximum extent possible. The surrounding area outside of the proposed vault locations are an ESA. Work, staging, equipment, personnel, and vegetation removal are not to occur within the ESA. Orange snow fencing will be installed around the proposed vault locations where work will occur off pavement to minimize disturbance to adjacent CSS. Notify the district biologist two weeks prior to the start of work at this location. The district biologist will be present during the installation and removal of ESA fencing.
- There will be no disturbance or removal of vegetation within ESAs. Vegetation removal outside of ESAs should be avoided or limited to the maximum extent possible. Locations outside of ESAs that will require vegetation removal will be reviewed by the district biologist.
- A Caltrans provided biological monitor will be required during HDD activities at wetland locations to ensure avoidance of impacts to ESAs and sensitive biological resources. Locations for bore pits and work areas for HDD activities must be reviewed and approved by the district biologist.
- ESAs should be included in the final project plans. Work, staging, equipment, personnel, and vegetation removal or disturbance are not to occur within ESAs. Questions regarding ESA locations should be directed to the district biologist.
- Changes to the project must be communicated to the biologist for additional review.
- A Caltrans provided biological monitor will be required during HDD activities at wetland locations to ensure avoidance of impacts to ESAs and sensitive biological



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resources. Locations for bore pits and work areas for HDD activities must be reviewed and approved by the district biologist.

Water Resources

A No Effect Memo was prepared in February 2024 and found jurisdictional waters and wetland areas cross or run adjacent to the project limits. At these locations, work will be constrained to the pavement or bridges and ground disturbance including trenching, vault construction, staging, and storage would not occur further than the immediate unvegetated shoulder adjacent to the pavement.

The proposed project would not involve major reconstruction, and there would be no changes in grade or hydraulic capacity. The proposed project would maintain the original purpose of original drainage facilities and would not substantially increase or change existing impervious surface areas.

The project would not impact wetlands or substantially divert or obstruct the natural flow or substantially change or use material from the bed, channel, bank of rivers, streams, or lakes. Project design would not require the depositing or disposal of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into water resource.

Avoidance and Minimization Measures

To ensure that water quality and resources are not affected during project construction and operation, the following avoidance and minimization measures would be implemented:

- At locations where jurisdictional waters overlap with the project postmiles (15.25-18.27, 15.73 – 15.85, R20.54, R20.99, and R21.47-R21.54), work will be constrained to the pavement or bridges and ground disturbance including trenching, staging, and storage are not to occur further than the immediate unvegetated shoulder adjacent to the pavement. No equipment, debris, or personnel shall enter waterways. Areas outside of the unvegetated shoulder are considered Environmentally Sensitive Areas (ESAs).
- Construction site best management practices (BMPs) will be implemented to minimize potential short-term water quality impacts, as required in Caltrans Standard Specification 13-1.
- To minimize impacts to fish and wildlife resources associated with an inadvertent frac-out, HDD operations underneath CDFW jurisdictional features will be monitored by a Biologist who will work with construction personnel to stop work in the event that frac-out occurs.



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- Middle Mile Broadband Network specification 77-2.03H(4) establishes Horizontal Directional Drilling (HDD) BMPs that will be followed for prevention, mitigation, and containment of a potential frac-out.

Stormwater

Middle Mile Broadband Network (MMBN) projects are subject to two NPDES permits to regulate stormwater runoff: (1) the Construction General Permit (CGP), and (2) the Caltrans NPDES Permit. This project would be designed in compliance with 2009 Construction General Permit (CGP) and the 2022 Caltrans MS4 Permit. MMBN projects will be covered under the 2009 CGP through 9/1/2025, when the regulatory transition (i.e., grandfather period) ends. MMBN projects must adhere to requirements of the National Pollutant Discharge Elimination System (NPDES) statewide storm water permits. The project would develop procedures to address potential water quality impact and control construction site erosion through the implementation of effective erosion and sediment control measures in accordance with the 2009 CGP. The proposed project would not violate water quality standards or waste discharge requirements, withdraw a large amount of groundwater or entail features or activities that would obstruct groundwater infiltration, substantially alter the existing drainage pattern of the construction sites in a manner that would result in substantial onsite or offsite erosion or siltation, or substantially increase impervious surfaces or alter the sites in a way that contributes to the volume of stormwater runoff at the sites, and would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Cultural Resources

A Screened Undertaking was prepared for this project by Caltrans in January 2024. No cultural resources are located within the Area of Potential Effects defined for the project; therefore, there would be no impacts and no avoidance or minimization measures are required.

Paleontology

Areas of paleontological sensitivity are anticipated not along I-8. The project was assigned a low paleontological potential rating, therefore, there would be no impacts and no avoidance or minimization measures are required.

Hazardous Waste

A Hazardous Waste Memo was prepared by Caltrans in October 2024, which included discussions of typical waste issues that could affect the proposed project. Environmental Engineering staff at Caltrans reviewed the EnviroStor (DTSC) and GeoTracker (State Water Resources Control Board) databases for nearby hazardous



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waste/unauthorized release facilities that may have impacted the environmental condition of the project area.

Several facilities were identified in the database review. However, none of the identified facilities are considered to pose a significant environmental concern for the project scope.

It is possible to discover previously unknown contamination and hazards during construction activities. If previously unknown hazardous substances are encountered, the District has an on-call Construction Emergency Response Contract managed by the Environmental Engineering branch that would be accessed to have appropriate testing and disposal performed.

Avoidance and Minimization Measures

As described above, to ensure potential effects involving hazardous materials/ waste during construction are avoided, the following avoidance and minimization measures would be implemented:

- Two lead compliance plans (LCPs), prepared by a certified industrial hygienist (CIH), are required and must be provided by the Contractor and implemented. One LCP for workers handling hazardous or non-hazardous soil and a second LCP for workers handling or performing removal/application of any hazardous or non-hazardous lead-based paint, thermoplastic, painted traffic stripe, and/or pavement marking. Regulations containing specific Cal/OSHA requirements when working with lead include 8 CA Code of Regs § 1532.1. The plans must:
 - Document the compliance program to prevent or minimize worker exposure to lead.
 - Include items listed in 8 CA Code of Regs § 1532.11(2)(B).
 - Be sealed and signed by a CIH with knowledge of and experience complying with 8 CA Code of Regs.

Allow 7 days for review. Obtain authorization for the plan before starting activities that present the potential for lead exposure.

- Soil along I-8 is Regulated with respect to lead concentrations. SSP 14-11.09 Minimal Disturbance of Regulated Material Containing ADL is required and will be provided by Environmental Engineering. This SSP requires a Lead Compliance Plan (LCP), and all excess material is to remain in the project area.
- If Treated Wood Waste is generated for disposal on this project, Environmental Engineering would provide SSP 14-11.14 Treated Wood Waste. If 10,000 pounds or more of TWW are generated for this Project, a temporary EPA ID number is required and will be provided by Environmental Engineering upon request during the construction phase.



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- If removal of painted or thermoplastic traffic striping and pavement is included during grinding or cold planing, SSP 36-4 *Residue Containing Lead from Paint and Thermoplastic* shall be followed.
- If removal of traffic stripes and/or pavement markings is separate, SSP 84-9.03C *Remove Traffic Stripes and Pavement Markings Containing Lead* shall be followed and an LCP would be required.
- The Contractor is responsible for identifying the appropriate permitted landfill to receive excavated material and for all associated trucking and disposal costs, including any additional sampling and analysis required by the receiving landfill.
- If previously unknown hazardous substances are encountered, the District will contact the on-call Construction Emergency Response Contract managed by the Environmental Engineering branch to have appropriate testing and disposal performed.

Aesthetics and Visual Resources

A Visual Impact Assessment was prepared by the Caltrans Environmental Division in March 2024. While preliminary design is currently ongoing; the project would involve detours, ground disturbance, removal of vegetation, equipment staging area, fiber optic trenching, and the construction of one hub.

The I-8 corridor is a coast to inland roadway which traverses San Diego and Imperial Counties to the Arizona border. Developed land uses along this segment of I-8 at the west end of the freeway are predominately residential, commercial, and light industrial of moderate visual quality. The freeway roadside has highway planting at the west end of the project and transitions to natural roadside vegetation on the east end of the project. The east end of the project limits is considered rural.

Affected viewers are primarily motorists on the freeway traveling at moderate to high speeds. Motorists have a high viewer exposure and awareness due to proximity to the project features. The visual quality/character of the roadside would become more urban due to broadband vaults/conduit and vegetation removal.

Due to the quantity of viewers experiencing the project, the viewer exposure is considered high. Viewer sensitivity and response to the anticipated visual change caused by trenching and vaults is considered low. Collectively, the 'low' change in visual resources combined with the 'low' viewer response to changes indicates the work will cause a 'low' visual impact with the inclusion of impact avoidance measures.

Avoidance and Minimization Measures

Project Limits

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- Protect vegetation outside of the work area by prohibiting staging areas, material storage, parking, and construction access in vegetated areas.
- Avoid trenching through enhanced paving areas beyond the gore. (Example: colored concrete, rock blanket)
- Contractor to hand trench across irrigation lines. Damage to irrigation components by construction shall be replaced in kind.
- Minor grading or trenching within the critical root zone of trees must be done manually with prior approval of the District Landscape Architect or Engineer.
- Install fiber optic lines a minimum of 24 inches from the edge of existing irrigation valve boxes and irrigation conduit pullboxes.
- Repair or replace existing irrigation equipment to an operational status where the project disturbs roadside areas.
- Disturbed soil shall be hydroseeded or hand-seeded with a CA native seed mix.