

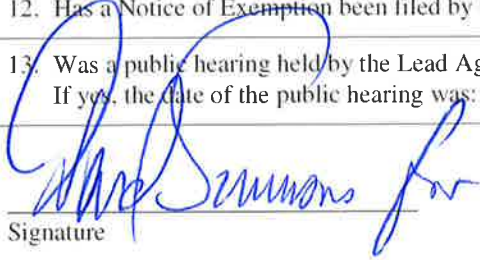
## NOTICE OF EXEMPTION

<p>TO:</p> <p><input type="checkbox"/> County Clerk County of Ventura</p> <p><input type="checkbox"/> County Clerk County of Los Angeles</p> <p><input checked="" type="checkbox"/> State Clearinghouse, Office of Planning and Research</p>	<p>FROM: Board of Supervisors (Public County of Ventura Agency)</p> <hr/> <p>Address: 800 South Victoria Ave., Ventura, CA 93009</p>
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<p>1. Project Title:</p>	<p><b>Indefeasible Right of Use Agreement with Astound Broadband LLC</b></p> <p>(The Indefeasible Right of Use Agreement implements the Ventura County Broadband Infrastructure Project.)</p>
<p>2. Project Applicant:</p>	<p>IT Services and Astound</p>
<p>3. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15’ or 7 1/2’ topographical map identified by quadrangle name):</p>	<p>44 miles from the northern edge of the City of Oxnard at U.S. Highway 101 and running east all the way to the City of Santa Clarita, largely following State Highway 126 and the Santa Paula Branch Line Railway, and 2.25 miles along U.S. Highway 118 from Donlon Rd. to Balcon Canyon Rd.</p>
<p>4. (a) Project Location – City: Various</p>	<p>(b) Project Location – Counties: Ventura and Los Angeles</p>
<p>5. Description of nature, purpose, and beneficiaries of Project:</p>	<p>The Indefeasible Right of Use Agreement with Astound implements the Ventura County Broadband Infrastructure Project. The purpose of the Ventura County Broadband Infrastructure Project (approved on 6/18/24) is to implement the first phase of a County regional broadband plan to spur economic development and deliver internet services to underserved communities within the county. The project consists of a middle-mile and last mile fiber construction project aligning along the Highway 126 from Santa Clarita to the City of San Buenaventura, and direct connections to over 1,800 households. A significant portion of the route will utilize the Ventura County Transportation Commission’s Santa Paula Branch Line Right of Way. The project also includes a 2.25 mile portion along Highway 118 utilizing aerial fiber cable placed along existing utility poles. This project provides capacity for cities along the route for their own broadband projects.</p>
<p>6. Name of Public Agency approving project:</p>	<p>Ventura County</p>
<p>7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:</p>	<p>The Indefeasible Right of Use Agreement addresses Astound’s obligation to offer broadband internet connectivity to underserved households, Astound’s maintenance and operation of the County Network, and Astound’s use of a portion of the Project facilities among other obligations and responsibilities.</p> <p>It is anticipated that Astound will construct the project, and therefore a Construction Agreement addressing Astound’s construction of the Project is also anticipated to come before the Board of Supervisors at a later date.</p>
<p>8. Exempt status: (check one)</p>	

(a) <input type="checkbox"/> Ministerial project.	(Pub. Resources Code § 21080(b)(1); State CEQA Guidelines § 15268)
(b) <input type="checkbox"/> Not a project.	State CEQA Guidelines 15050(c)(2)-(3)
(c) <input type="checkbox"/> Declared Emergency	(Pub. Resources Code § 21080(b)(3); State CEQA Guidelines § 15269(a))
(d) <input type="checkbox"/> Emergency Project.	(Pub. Resources Code § 21080(b)(4); State CEQA Guidelines § 15269(b),(c))
(e) <input type="checkbox"/> Categorical Exemption. State type and section number:	
(f) <input checked="" type="checkbox"/> Statutory Exemption. State Code section number:	The proposed project is exempt from CEQA pursuant to Public Resources Code section 21080.51 (a.k.a. SB 156).
(g) <input type="checkbox"/> Other. Explanation:	
9. Reason why project was exempt:	<p>The Indefeasible Right of Use Agreement with Astound Broadband LLC, implements the Ventura County Broadband Infrastructure Project.</p> <p>Therefore, the Indefeasible Right of Use Agreement is statutorily exempt pursuant to SB 156, because CEQA does not apply to a project funded by Item 7502-062-8506 of the Budget Act of 2021 (which this project is) or any entity, including a public entity or private or nonprofit corporation, that consists of linear broadband deployment in the right-of-way if the project meets the following five conditions (which the project does for the reasons further explained in the administrative record):</p> <p>(1) The project is located in an area identified by the Public Utilities Commission as a component of the statewide open-access middle-mile broadband network pursuant to Section 11549.54 of the Government Code.</p> <p>(2) The project is constructed along, or within 30 feet of, the right-of-way of any public road or highway.</p> <p>(3) The project is either deployed underground where the surface area is restored to a condition existing before the project or placed arterially along an existing utility pole right-of-way.</p> <p>(4) The project incorporates, as a condition of project approval (which this project does), measures developed by the Public Utilities Commission or the Department of Transportation to address potential environmental impacts. At a minimum, the project shall be required to include monitors during construction activities and measure to avoid or address impacts to cultural and biological resources.</p> <p>(5) The project applicant agrees to comply with all conditions otherwise authorized by law, imposed by the planning department of a city or county as part of a local agency permit process, that are required to mitigate potential impacts of the proposed project, and to comply with the Keene-Nejedly California Wetlands Preservation Act (Chapter 7 (commencing with Section 5810) of Division 5), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division</p>

	3 of the Fish and Game Code). as applicable, other applicable state laws, and all applicable federal laws.
10. Lead Agency Contact Person: Telephone:	Terrence Theobald, Chief Information Officer (805) 654-3540
11. If filed by applicant: Attach Certificate of Determination (Form "A") before filing.	
12. Has a Notice of Exemption been filed by the public agency approving this project?	
13. Was a public hearing held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public hearing was: December 10, 2024	

  
Signature

Date: December 12, 2024

Terrence Theobald, Chief Information Officer

Signed by Lead Agency

Signed by Applicant

Date Received for Filing:

(Clerk Stamp Here)

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.