



**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-IMP-111

**PM/PM:** 53.0

**EA:** 11-4B017/1122000238

**Federal-Aid Project Number:**

**Project Description**

The proposed project will install one network repeater hub as part of the Middle Mile Broadband Network (MMBN) along State Route 111 (SR-111) at post mile (PM) 53.0, near Bombay Beach in Imperial County. For more information, please see attached Environmental Commitments and 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**

Shay Lynn Harrison



2/11/2025

Print Name

Signature

Date

**Project Manager**

Mike Dispenzieri



2/11/2025

Print Name

Signature

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)<sup>1</sup> 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

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<sup>1</sup> 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**

Shay Lynn Harrison		2/11/2025
Print Name	Signature	Date

**Project Manager/ DLA Engineer**

Mike Dispenzieri		2/11/2025
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 (11-4B017 Hub 183) 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 one network repeater hub for the Middle Mile Broadband Network in Imperial County on SR-111 at post mile (PM) 53.0. Hub 183 is sited near Bombay Beach within Caltrans right-of-way. Connection of conduit to the hub would extend through areas outside of Caltrans right-of-way/ownership and would be completed by CDT; portions outside of Caltrans right-of-way/ownership are not included in this review. The Middle Mile Broadband Network 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 one network repeater hub on SR-111 near Bombay Beach (PM 53.0) in Imperial County as part of the Middle Mile Broadband Network identified as Project 11-4B017 / 1122000238 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 proposed project will install one network repeater hub on SR-111 including a network hub shelter and connection for subsurface broadband conduit and fiber with pull or splice vaults. Network hubs are installed to provide retransmission and reamplify the signal. The details are as follows:

- Hub exterior dimensions will be approximately 13.75 feet (width) by 21.50 feet (length) by 10 feet (height), not including wall-mounted apparatus (air conditioners, electrical panels, etc.) and other non-structural protrusions.
- The hub exterior will have a stucco texture finish with a natural wall color.
- Total enclosed space will measure approximately 50 feet by 50 feet and the ground would be unvegetated within 30 feet of the shelter (surface may be gravel).



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- The network hub shelter, generator, propane tank, and vaults will be enclosed by an 8 foot, dark color, no-cut fence.
- The generator will measure approximately 5 feet by 11 feet.
- The below ground propane tank will measure approximately 18 feet by 6 feet.
- Horizontal Directional Drill (HDD) under SR-111 to two new vaults for MMBN connection.
- Vaults would generally measure a maximum of approximately 48 inches wide by 48 inches long by 48 inches deep and generally be buried 6 to 8 inches below ground surface (or flush with the ground surface).
- Access roads may be designed to connect the hub to the conduit fiber and allow for maintenance.

**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.



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- Staging areas would be limited to temporary equipment parking at hub 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.

**Technical Studies Prepared**

***Biological Resources***

A Natural Environmental Study (NES) No Effect Memo was prepared in December 2024 and revised February 2025, and found biological resource and jurisdictional waters impacts would be avoided with the avoidance and minimization measures discussed below.

***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:

- At postmiles 52.79 and 53.0, approximately, there are jurisdictional waters outside of the hub 183 construction footprint along SR-111. Any work, construction, and ground disturbance will be constrained to the proposed hub footprint and adjacent roadways. Access to the hub site should be limited the paved SR-111 roadway or existing dirt access road adjacent to the site. There will be no staging, equipment, storage, access, or personnel outside of these areas. No equipment, debris, or personnel can enter nearby waterways. These waterways/washes and any area outside of the adjacent travel ways and proposed hub footprint are considered Environmentally Sensitive Areas (ESAs). There will be no impacts to nearby jurisdictional waters.
- All ESAs must be identified in plans.
- Any questions regarding ESAs can be directed to the Caltrans biologist.
- If vegetation removal or trimming is required, it should be done outside of the bird breeding season (February 15th to August 31st), if possible. 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 work cannot commence until the young have fledged. 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.
- Changes to the project must be communicated to the biologist for additional review.



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***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 January 2025. 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 may be located within hub boundaries. Paleontological resources in these areas may be impacted by construction operations involving earthwork and excavation within areas assigned a medium/high paleontological potential ranking.

***Avoidance and Minimization Measures***

To ensure potential effects involving paleontological resources during construction are avoided, the following avoidance and minimization measures would be implemented:

- Retain a qualified project paleontologist to monitor ground disturbance activities during hub construction.
- Attend pre-construction meetings to consult with grading and excavation contractors.





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- Prior to start of construction, paleontological resource training workshops shall be presented to ensure that earth excavation personnel understand paleontological monitoring requirements, roles and responsibilities, and appropriate actions in the event of a discovery.
- In the event of a discovery, a qualified paleontological monitor may immediately initiate recovery, or temporarily stop construction to consult with the project paleontologist. Consult with paleontological monitor and construction liaison for next steps. Fossil remains collected during the monitoring and salvage portion of the mitigation program will be cleaned, prepared, sorted, and cataloged.
- A Paleontological Monitoring Report (PMR) will be prepared to document the results construction monitoring, fossil salvage laboratory preparation of salvaged specimens, curation of prepared specimens, and storage of curated specimens.
- Although fossils collected remain the property of the State, the collection must be properly curated at an approved facility (preferably local to the project location) and preserved for future researchers. A complete set of field notes, geologic maps, stratigraphic sections, and a copy of the final report will be curated with the fossils.

***Hazardous Waste***

A Hazardous Waste Memo was prepared by Caltrans February 2025, 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 waste/unauthorized release facilities that may have impacted the environmental condition of the project area. No facilities of concern were identified in the database review.

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:

- A lead compliance plan (LCP) is required for workers handling hazardous or non-hazardous soil.
- Allow 7 days for review.





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- Environmental Engineering must provide authorization for the plans before starting activities that present the potential for lead exposure.
- ADL concentrations from previous screenings indicate area soils are Unregulated with respect to lead. As such, SSP 7-1.02K(6)(j)(iii) Unregulated Earth Material Containing Lead is required.
- 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 January 2025. Hub 183 is proposed north of Niland, California within the Caltrans right-of-way, at PM 53.0, in the southeastern desert region. Views are primarily of flat, undeveloped desert with distant ridgelines. The roadway is a single lane in both directions with no median.

The viewer exposure to the hub facility will be brief due to the short duration of views and high traveler speed. Viewer sensitivity and response to the visual changes caused by Hub 183 will be low. The 'moderate' change in visual resources combined with the 'low' viewer response to changes indicates the Hub 183 will cause a 'moderate low' visual impact.

***Avoidance and Minimization Measures***

- To reduce visual impacts, the Hub 183 structure will have a Tier 2 aesthetic treatment. The exterior walls will have a stucco texture and "Naturel" color.
- Trucks and equipment shall be confined to dirt roads and previously disturbed areas.
- Protect vegetation outside of the work area by prohibiting staging areas, material storage, parking, and construction access in vegetated areas.