



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-54

PM/PM: SR-54 PM 0.0 / 6.4

I-5 PM 9.5

EA: 11-4B004/1122000173

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 6.5 miles in San Diego County in and near San Diego, National City and Chula Vista on Interstate 5 (I-5) at 0.1 mile north of Sweetwater River Bridge and on State Route 54 (SR-54) from the I-5/SR-54 separation to 0.4 miles east of the Sweetwater Road undercrossing. Please see 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

Matthew Voss	<i>Matthew Voss</i>	11/22/2024
Print Name	Signature	Date

Project Manager

Javier Galindo	<i>Javier Galindo</i>	11/24/2024
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)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

Matthew Voss	<i>Matthew Voss</i>	11/22/2024
Print Name	Signature	Date

Project Manager/ DLA Engineer

Javier Galindo	<i>Javier Galindo</i>	<i>11/24/2024</i>
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 (11-4B004) 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.

Due to varied topography and locations of the broadband infrastructure across the State of California, the design would be dependent on project site features. This project segment of the MMBN is located in San Diego County within Caltrans District 11 (District). The project would install 6.5 miles of broadband conduit and fiber on Interstate 5 (I-5) at 0.1 mile north of Sweetwater River Bridge and on State Route 54 (SR-54) from the I-5/SR-54 separation to 0.4 miles east of the Sweetwater Road undercrossing, within San Diego County. Work would take place within existing Caltrans Right-of-Way. The areas of project impact would be limited to the existing paved surfaces, disturbed shoulders, and maintained Caltrans Right-of-Way, and would primarily install subsurface fiber-optic conduit network (see Description of Work).

Purpose and Need

Purpose: This MMBN project will install the broadband infrastructure along the SHS necessary to connect to third party-operated Last Mile Broadband Network, which will bring equitable highspeed internet connectivity to homes, businesses, and community institutions.

Need: In July 2021, California Governor Gavin Newsom signed into law Senate Bill 156 to create an open-access middle-mile network to bring equitable high-speed broadband service to Californians.

Description of Work

The project proposes the installation of the MMBN along 6.5 miles on SR-54 and I-5 using horizontal directional drilling (HDD) and trenching, pull or splice vaults, one network repeater hub, and road markers at approximately 500-foot intervals along the route, if needed. The details are as follows:

- Installation of new vaults to be owned by the California Department of Technology (CDT) and connect to the conduit network, to be constructed for CDT use as part of this project.
- Vaults would be spaced approximately 2,400 feet apart. Vaults would generally measure a maximum of approximately 48 inches wide x 48 inches long x 48 inches



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deep and generally be flush with the ground surface (or 2 inches above unpaved areas).

- 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 structure, or attached to the barrier on the structure. No additional conduit or modifications to the exterior of bridges or structures are proposed.
- 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, with the exception of the coastal zone, if needed.

Hub Details

One network hub is proposed on EA 11-4B004. Hub 208 is sited at Briarwood Rd and westbound SR-54 in the City of San Diego within Caltrans right-of-way.

- Network hubs installed to provide retransmission and reamplify the signal. One network hub is located along this project segment and would have the general following components:
 - The hub exterior dimensions would measure 12 feet wide x 20 feet long x 10 feet tall, not including wall-mounted apparatus (air conditioners, electrical panels, etc.) and other non-structural protrusions.
 - Total enclosed space would measure approximately 50 feet x 50 feet, and the ground would be unvegetated within 30 feet of the shelter (surface may be gravel).
 - The network hub shelter, vault, generator pull box, and splice vaults would be enclosed by an 8-foot high fence topped by looped razor.
 - The network hub would also have a standby generator location and underground propane tank and supply line.

Environmental Factors



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

Technical Studies Prepared

Biological Resources

A No Effect Memo was prepared for the project in August 2024 and found that biological resource impacts would be avoided with adherence to the avoidance and minimization measures discussed below. The project limits extend through urban and are located within the boundaries of the roadway, shoulders, and connectors.



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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:

- If vegetation removal or trimming is required in non-ESA areas, it must be done outside of the bird breeding season (February 15th to August 31st). If work cannot be avoided within this time period, the district biologist must be given 2 weeks' notice from the start of work to complete a nesting survey within 72 hours of the start of vegetation work. If nesting activity is detected, work will have to wait 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.
- From postmiles 5.4 – 6.4, USFWS occurrences for the Federally Threatened coastal California gnatcatcher occur adjacent to SR-54. Occurrences are primarily clustered south of SR-54 along the eastbound side of the roadway. At these postmiles, areas outside of the immediate disturbed shoulder are ESAs. Work, staging, equipment, personnel, and vegetation removal are not to occur within the ESAs. Avoid impacts to coastal sage scrub (CSS) habitat.
- ESAs should be identified on final project plans. Questions regarding ESAs can be directed to the biologist.
- Changes to the project will require a subsequent review by the biologist.

Water Resources

A No Effect Memo was prepared in August 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.



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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 the following postmiles, there are jurisdictional waters that occur within or adjacent to the Caltrans ROW. At these locations, 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 should enter waterways. Areas outside of the pavement or immediate unvegetated shoulder are ESAs.
 - PM 0.00 west of I-5/SR-54 connector (Sweetwater Marsh)
 - PM 1.40R - 2.25 (Sweetwater River)
 - PM 3.36 – 3.41 (Crosses SR-54)
 - PM 3.83 – 4.98, 5.67 (Westbound)
 - PM 4.20 – 4.85, 5.20 – 5.2, 5.58 – 5.81 (Eastbound)
- 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.
- 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.
- 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

EA: 11-4B004

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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 August 2024. The memo determined it is unlikely that the proposed undertaking has potential to affect historic properties/historical resources, and therefore the proposed undertaking is exempt from further review pursuant to the First Amended Section 106 PA, Stipulation VII and Attachment 2. The proposed undertaking conforms to the following “classes of screened undertakings” listed in the First Amended Section 106 PA, Attachment 2:

Class 6 -Minor utility installation or relocation.

As a result, this undertaking is exempt from further review.

Paleontology

A Paleontological Identification Report/Paleontological Evaluation Report and Paleontological Mitigation Plan (PIR) was prepared for this project June 2023. Areas of paleontological sensitivity are located along the entire route.

Paleontological resources in these areas may be impacted by construction operations involving earthwork during trenching for broadband fiber optic conduit, and excavation of access vaults within areas assigned a 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 construction along the project limits. The entire route is anticipated to be paleontologically sensitive.



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- Contractor will install temporary protection area fence around paleontological ESAs that fall within Caltrans ROW, if feasible. Work, staging, equipment, personnel, and vegetation removal are not to occur within the ESAs.
- Attend pre-construction meetings to consult with grading and excavation contractors.
- 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

An Environmental Engineering 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 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.

Sweetwater Marsh was identified as a burn ash burial site west of Interstate 5 (I-5) southbound lanes. As the current project does not anticipate excavation activities west of the I-5 median, it is not anticipated that burn ash at Sweetwater Marsh will be encountered.

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



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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), as described under standard specification 7-1.02K(6)(j)(ii), prepared by a certified industrial hygienist (CIH) is required for all workers handling regulated or unregulated earth material. Regulations containing specific Cal/OSHA requirements when working with lead include 8 CA Code of Regs § 1532.1. The plan must:
 1. Document the compliance program to prevent or minimize worker exposure to lead.
 2. Include items listed in 8 CA Code of Regs § 1532.11(2)(B).
 3. 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.

- Analysis of the collected soil samples from soil fill under the ramp areas indicated Title 22 Metals were within acceptable background concentrations and no evidence of buried burn ash was identified at the abutment vault locations. However, surficial soil analysis indicated soil contained Dioxin that exceeds the California Department of Toxic Substances Control (DTSC) Human Health Risk Assessment (HHRA) residential screening limit. As such, NSSP 14-11.11 Department-Generated Contaminated Soil is required. Excess soil generated during excavation activities must be reused in the immediate area or disposed of at an appropriate disposal facility.
- 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 August 2024. The project would involve detours, ground disturbance, removal of vegetation, equipment staging area, fiber optic trenching, and the construction of one hub.



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The SR-54 corridor is an east-west freeway with highway landscaping and a variety of land uses and densities including residential, commercial, recreational and schools. The urban setting has low to moderate visual quality due to low levels of unity, vividness, and intactness. A key feature is the Sweetwater River.

The 5/54 interchange is enhanced with decorative rock mulches depicting starfishes, shells, and egrets to identify the gateway interchange with a coastal theme. Broadband vaults and conduit are proposed in this area. Bore pits and vaults construction could potentially impact the rockscape. Due to the quantity of viewers at this gateway interchange, the viewer exposure is considered high. Viewer sensitivity and response to the visual changes to the rockscape would be high. The Project will cause a 'low' visual impact if the rockscape was protected and damaged areas were returned to the original condition.

The proposed Hub #208 location is within a freeway loop ramp vegetated with iceplant and scattered trees and shrubs. The landscaping is green and has low to moderate visual quality due to low levels of unity, vividness, and intactness. Due to the quantity of viewers experiencing the project, the viewer exposure is considered high. Viewer sensitivity and response to the visual changes to the hub would be moderate. The hub will cause a 'moderate' visual impact if the landscaping outside of the work area was protected and disturbed areas were hydroseeded or mulched.

Collectively, the 'low' change in visual resources combined with the 'moderate-low' viewer response to changes indicates the Project will cause a 'low' visual impact with the inclusion of impact avoidance measures.

Avoidance and Minimization Measures

Project Limits

- Avoid placing vaults under tree canopies.
- Avoid trenching under tree canopies. If trenching under a tree canopy cannot be avoided, then trenching must be done manually by hand to avoid cutting through critical roots.
- Contractor to hand trench across irrigation lines. Damage to irrigation components by construction shall be replaced in kind. Repair or replace existing operational irrigation equipment where the project disturbs roadside areas.
- Install fiber optic lines a minimum of 24 inches from edge of existing irrigation valve boxes and irrigation conduit pull boxes.
- Trucks and equipment shall be confined to pavement and previously disturbed areas to the extent possible.



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- Protect vegetation and rock mulch areas outside of the work area by prohibiting staging areas, material storage, parking, and construction access in vegetated and rock mulch areas.
- No equipment, material storage, or vehicles are allowed under tree dripline.
- BMPs such as fiber rolls, felt fiber fabric, gravel bags (if used) must be made of biodegradable materials. (No plastic)
- Remove temporary ESA fence and temporary silt fence (if used) prior to vacating the construction site.
- Disturbed soil shall be mulched or hydroseeded as recommended by the Caltrans Landscape Architect.

Hub 208

- Hub 208 would have Tier 2 aesthetic treatment with Urban 2 (uncolored concrete with rib texture).
- Hub 208 grading shall use a grading technique to blend the proposed earthwork with the existing terrain. Contour grading should use smooth, flowing contours to blend with existing contours.
- Protect trees outside of the work area. Within the work area, protect trees that are outside of the fire protection zone. Specifically: no trees and shrubs are allowed within 30 feet of the hub shelter.
- Hub construction details and landscape plans shall show the work area limits, trees to be protected in place and the limits of the fire protection zone.

5/54 Interchange

- Proposed broadband conduit appears to cross existing irrigation conduit at (2) locations. Contractor shall locate existing conduit and drill new broadband conduit below the existing irrigation conduit. See Sheet MML-1 and Irrigation As-Built from EA 11-0786U4.
- Protect slope paving, rock blanket and decorative gravel mulches outside of the work area by prohibiting staging areas, material storage, parking, and construction access in these areas.
- The work area for drilling pits/vaults shall be the minimum needed for construction. At the I-5 vault location, the work area limits shall be up to the existing concrete ditch. See Sheet MML-1
- Protect rock mulch areas beyond the work area from dirt and debris that may result from boring and other construction activities.
- Prior to construction, clearly identify the limits of the work area, remove rock mulch from within the work area; and stockpile and cover each type of rock mulch. After



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construction, replace the rock mulches at the same location. Refer to Planting As-Builts from EA 11-0786U4.