CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM FOR MIDDLE-MILE BROADBAND NETWORK PROJECTS (REV. 5/2025)

Project Information

Project Name: CVIN, dba Vast Networks State Route 99 Middle-Mile Broadband Network Project

DIST-CO-RTE: 10-STA-99 **PM/PM:** R22.213

Encroachment Permit Number: 10-25-6-BB-0692

Project Description

CVIN, dba Vast Networks, in coordination with the California Department of Technology and the California Department of Transportation (Caltrans), proposes to install broadband infrastructure consisting of conduit and fiber across State Route 99 at post mile (PM) R22.213 in Stanislaus County (continued on page 4).

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 21080.51)

☐ **Categorically Exempt. Class** Enter class. (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

Jonathan Coley		07/17/2025
Print Name	Signature	Date

Project Manager

Dina EL-Nakhal	Dina El-Nakhal	7/17/2025
Print Name	Signature	Date

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, 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 or utility installations along or across a transportation facility;
- The action does not, either individually or cumulatively, have any significant environmental impacts as described in 23 CFR 771.117(a);
- 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 23 issued for the California Middle-Mile Broadband Network. Sufficient information to issue a Wetlands Only Practicable Alternative Finding must be included in the CE documentation;
- The action would not significantly encroach on the base floodplain and no impacts to the natural and beneficial floodplain values are anticipated;
- 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;
- 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 that there are no known Cortese sites within the project footprint based on a record search;
- 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

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

existing Programmatic Biological Opinion or the Programmatic Biological Opinion/Programmatic Letter of Concurrence for Middle-Mile Broadband Network activities; 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.

☒ **23 USC 326:** Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

☒ **23 CFR 771.117(c): activity (c)(2)**[2]

☐ **23 CFR 771.117(d): activity (d)(Enter activity number)**

☐ **Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans**

Senior Environmental Planner or Environmental Branch Chief

Jonathan Coley		07/17/2025
Print Name	Signature	Date

Project Manager/ DLA Engineer

Dina EL-Nakhal	Dina El-Nakhal	7/17/2025
Print Name	Signature	Date

Date of Alternative Path-Supporting Documentation for NEPA CE Determination Form for Middle-Mile Broadband Network Projects form: 07/14/2025

[2] Note: 23 CFR 771.117(c)(2) Approval of utility installations along or across a transportation facility will most likely be the appropriate FHWA CE based on the February 2025 Wired Broadband as a Wired Telecommunications Utility memo.

Continuation Sheet:

Purpose
This Middle-Mile Broadband Network project will install the broadband infrastructure along the State Highway System (SHS) necessary to connect to a third-party operated Last Mile Broadband Network which will bring internet connectivity to homes, businesses, and community institutions.

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

The lack of available middle-mile broadband infrastructure has been a major issue in connecting California's communities. The statewide open-access middle-mile network included in SB 156 is a foundational investment to ensure every Californian has access to broadband Internet service that meets the connectivity needs of today, and well into the future. This project intends to support providing critical statewide broadband infrastructure to enhance access to and increase the affordability of high-speed internet for all Californians.

Scope of Work
Directional drill/bore approximately 188 linear feet of conduit and fiber across SR 99 within Caltrans right-of-way. No vaults or bore pits within Caltrans right-of-way.

Right of Way/Staging
Staging and storage of materials would be located outside of the Caltrans right-of-way.

Disposal/Borrow
No material borrow site is required. Surplus excavated material would be hauled to a landfill and none would be disposed on site.

Consultation/Coordination
No consultation/coordination would be required.

Permits/Approvals
Caltrans would issue an encroachment permit with specific conditions of approval. No other environmental permits or approvals would be required.