



California Public Utilities Commission



August 24, 2026

Mr. Eric Cutright, Karuk Tribe CIO and KRRBI Project Manager
64236 Second Avenue/Post Office Box 1016
Happy Camp, CA 96039

Re: Notice to Proceed 1 to Construction of Segments 1 and 5 for the Klamath River Rural Broadband Project

Dear Mr. Cutright:

On June 5, 2026, the Karuk Tribe submitted a Notice to Proceed Request (NTP Request 1) to the CPUC requesting to begin construction of the Klamath River Rural Broadband Initiative (KRRBI) Project. This letter documents the CPUC's evaluation of all activities covered in the NTP Request 1. The evaluation process ensures that all applicant proposed measures and mitigation measures applicable to the location and activities covered in the Notice to Proceed are implemented as required in the CPUC's Decision. Upon receipt of this approval, subject to completion of the following implementing actions outlined in this letter, the Karuk Tribe is authorized to initiate activities for construction of Segments 1 and 5.

The California Public Utilities Commission (CPUC), as Lead Agency for California Environmental Quality Act (CEQA) purposes, approved and adopted the (joint) Final Mitigated Negative Declaration/Environmental Assessment (MND/EA) December 1, 2022.

The KRRBI components are consistent with the descriptions contained within the Project's Final MND/EA and Final Decision, except for minor project refinements design and engineering details that were not available during preparation of the Final MND/EA. These minor project refinements (MPRs) were approved by the CPUC April 15, 2026, and are summarized as follows:

- **Minor Project Refinement 1:** KRRBI was revised to remove all portions of the originally analyzed, reviewed, and approved project that involve construction within the Yurok Indian Reservation. That portion is being constructed by the Yurok Tribe through the tribally-owned Yurok Telecom (Y-Tel) company. This reduces the disturbance footprint of KRRBI by about 30 miles.
- **Minor Project Refinement 2:** entails a change of KRRBI underground installation method from primarily trenching, as approved in the IS/MND, to primarily horizontal directional drilling (HDD).
- **Minor Project Refinement 3:** reflects changes made to (visual and biological resources) mitigation measures through (responsible) agency consultation with National Park Service and United States Fish and Wildlife Service, and as a result of the removal of all work on the Yurok Reservation (per MPR-1).

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The Karuk Tribe provided documentation of the agency consultation and approval for the proposed changes.

Permits and Approvals

The Karuk Tribe will obtain all necessary permits prior to initiating the specific Project activities that trigger each permit requirement. In accordance with the MMCRP, permits acquired by the Karuk Tribe for the Project will be submitted to the CPUC (for our records) prior to commencing the activity for which the permits and approvals were obtained. Construction activities included in the NTP Request 1 are expected to require the following Federal, State and local permits:

KRRBI PERMITS AND APPROVALS FOR NTP REQUEST 1

Segment	Agency	Permit	Applicability to Project Component	Status
1	Bureau of Land Management	Easement	Construction within/use of BLM land	Complete
1	USDA Forest Service	Special Use Agreement	Construction crossing/use of Forest Service lands	Complete
1	Humboldt County Public Works	Encroachment Permit	Construction in the County public road ROW	Complete
1	Caltrans	Encroachment Permit	Construction within the State ROW (Hwy. 96)	Pending Contractor WDID
5	California Coastal Commission	Waiver of permit requirement	Construction within Coastal Zone	Complete
5	California State Parks	Easement	Project within/crossing State Park lands	Complete
5	Green Diamond Resource Company	Easement	Construction easement within private forest lands	Complete
5	Humboldt County Public Works	Encroachment Permit	Construction in the County public road ROW	Complete
5	Caltrans	Encroachment Permit	Construction within the State ROW (Hwy. 101)	Pending Contractor WDID

MMCRP Measures and Conditions

The table below identifies applicant proposed measures (APMs) and mitigation measures described in the MMCRP along with the status of compliance for actions proposed under the NTP Request 1. The Applicant Proposed Measure/Mitigation Measure column provides only summaries of the measures. For the full text of the applicable measures, refer to the MMCRP (as updated August 2026).



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APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	STATUS
APM AIR-1: Fugitive dust produced during construction will be controlled with watering as needed. Watering will only settle the dust and will not create runoff.	The Karuk Tribe and/or its designated contractor implement measure as defined.
APM TRANS-1: Traffic control measures such as traffic control personnel, warning signs, lights, and barriers will be used during construction as specified in the encroachment permits from road managers to ensure safety and to minimize traffic congestion.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM TRANS-3: Roads negatively affected by construction and as identified by the agencies will be returned to preconstruction condition.	The Karuk Tribe and/or its designated contractor implement measure as defined. How will applicant document baseline/preconstruction conditions?
APM AIR-2: Trucks and heavy equipment used during construction of this Project will meet California Air Resources Board standards for air pollution control for their model year.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM GEN-5: Directional drilling will be used where needed and approved to avoid impacts to water, biological and cultural resources.	The Karuk Tribe and/or its designated contractor to implement measure as defined
APM GEN-9: The Construction Contractor will be required to develop and implement a Worker Environmental Awareness Program (WEAP).	WEAP provided to CPUC 6/8/26. The Karuk Tribe and/or its designated contractor to implement measure as defined; training to be provided prior to and during construction.
APM WET-1: Wetland delineations will be performed/updated prior to construction to support CWA Section 404 permitting and to minimize Project impacts. The delineation will identify both wetland and non-wetland waters of the United States that would be affected by the project.	Completed. The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM WET-2: Where impacts on wetlands are not avoidable, site specific crossing plans and measures to mitigate impacts will be submitted to the appropriate regulatory agency as well as the land managing agency. The Karuk Tribe will obtain all necessary permits prior to discharging dredged or fill material to the waters of the U.S. or state.	Wetlands to be avoided. The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM WET-3: If trench dewatering is needed, it will be completed per the Caltrans BMP NS-2 specifications and Field Guide to Construction Site Dewatering.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM SOIL-1: Disturbance of soils and rocks and vegetation removal will be limited to the minimum area necessary for access and construction.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM WEED-1: Project personnel and their contractors will be trained on noxious and invasive weed identification to facilitate avoidance of infestations where possible or identification of new infestations.	WEAP provided to CPUC 6/8/26. Noxious weed training is included in the WEAP training. The Karuk Tribe and/or its designated contractor to implement measure, as defined; training to be provided prior to and during construction.
APM WEED-2: Gravel and other materials used during fiber optic cable installation on federally managed lands will come from certified weed-free sources.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM BIO-1: If construction will occur during nesting season for migratory birds (16 U.S.C sec.703-712, typically March – July), each year a qualified biologist will conduct a preconstruction survey for nesting birds where vegetation removal is planned (e.g. plowing, trenching, establishment of directional drilling entry and exit pits, and new pole installation). If no nests are encountered, vegetation removal may proceed. If a nest is found, that vegetation may not be removed until a biologist has determined that the nest is unoccupied, has failed, or the young have fledged.	The Karuk Tribe and/or its designated contractor to implement measure as defined (as applicable) if construction would occur during migratory bird nesting season.
APM BIO-2: Seasonal restrictions for construction in old-growth forests in RNP, as specified by NPS regulations and policy, will be followed. Seasonal restrictions for construction in GDR lands will follow GDR policies and agreements.	Applicable to GDR lands in Segment 5. The Karuk Tribe and/or its designated contractor to implement measure for GDR lands as defined. Not applicable to NPS lands as none are proposed for crossing under NTP-1.

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APM BIO-3: CNDDDB data from 2021 show that there are no mapped NSO nests within 0.25-mile of the Project centerline. Available CNDDDB data from the breeding season prior to construction would be reviewed to assure that there are no new NSO nests within 0.25-mile of the Project centerline. If a new NSO nest is recorded within 0.25-mile of the Project centerline, no construction would be allowed within 0.25-mile of the nest between February 1 and August 1, or until a qualified biologist has determined that the young are fledged, the nest abandoned, or the nest failed.	The Karuk Tribe and/or its designated contractor to provide up-to-date data results of recorded NSO nest surveys. The Karuk Tribe and/or its designated contractor provide evidence of compliance prior to construction. The Karuk Tribe and/or its designated contractor implement measure as defined.
APM BIO-5: Where bridge hangs are planned, a preconstruction survey for listed species of bats will occur. If a maternal colony of a listed bat is found, construction will be deferred until the young have been weaned.	Completed. The Karuk Tribe through its designated contractor, provided evidence and results of roosting bat surveys. The Karuk Tribe and/or its designated contractor implement measure as defined.
MM BIO-1: Avoid Impacts to Rare Plants. A qualified biologist shall conduct a preconstruction survey of each Project site for special-status plant species with the potential to occur within the area of disturbance. The survey shall be floristic in nature and shall follow the procedures outlined in the CDFW publication <i>Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Populations and Natural Communities</i> (CDFW, 2018). The survey shall be conducted between April and July in conjunction with the blooming seasons of those rare plants with moderate potential to occur in the Project area. (See <i>MMCRP</i> for additional details).	Completed. The Karuk Tribe through its designated contractor provided evidence of preconstruction rare plant surveys prior to issuance of a notice to proceed with construction. The Karuk Tribe and/or its designated contractor implement measure as defined.
MM BIO-2: Measures to Avoid Impacts to Special-status Terrestrial Species: To avoid and minimize direct and indirect impacts on special-status terrestrial wildlife species, protection measures shall be implemented (See <i>MMCRP</i> for additional details).	The Karuk Tribe and/or its designated contractor implement measure as defined.
MM BIO-3: Avoid Impacts to Special-status Bats: Prior to any construction, a qualified bat biologist shall conduct a pre-construction survey for roosting bats in trees to be removed or pruned and structures to be demolished. If no roosting bats are found, no further action is required. (See <i>MMCRP</i> for additional details).	The Karuk Tribe to confirm status of pre-construction roosting bat surveys, as applicable in locations where tree removal or pruning is proposed. The Karuk Tribe and/or its designated contractor implement measure as defined.
MM BIO-4: Avoid Impacts to Listed Birds (note additional information in <i>MMCRP</i> not applicable to Segments 1 and 5) 3. Additional limited operating season areas may be identified for NSO for historically occupied activity centers where the applicant does not conduct initial protocol surveys. Those limited operating seasons, from February 1 to July 31, would be defined along the project alignment ¼ mile on either side of historic actionable observations. In those areas, the proponent would accept the limited operating season for the duration of construction or conduct protocol surveys to determine presence of NSO. If surveys are subsequently conducted and no NSO are present, the limiting operating season would not apply in the following nesting season. 4. Where there are multiple limited operating seasons imposed in an area, the limitation would apply from the first day of the earliest restriction to the last day of the latest restriction for each of the two species	The Karuk Tribe and/or its designated contractor implement measure as defined.
APM CR-1: An archeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology with expertise in California archaeology (qualified archaeologist) will perform or direct all cultural resources work with trained assistants.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM CR-2: Prior to any ground-disturbing activities, a qualified archaeologist, in consultation with the Yurok Tribe, Karuk Tribe, Wiyot Tribe, and the Applicant, will develop a Cultural Resources Management Plan (CRMP). (See <i>MMCRP</i> for additional details)	The Karuk Tribe and/or its designated contractor to implement measure as defined.

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APM CR-3: If human remains are discovered, construction will be halted, and the coroner will be notified. If it is determined that the remains meet NAGPRA criteria, measures specified in the NAGPRA regulations will be followed on federal lands.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM CR-4: The Karuk Tribe will supply Native American Monitors in the Karuk Ancestral Territory the Yurok Tribe will supply Native American Monitors in the Yurok Ancestral Territory, and the Wiyot Tribe will supply Native American Monitors in the Wiyot Ancestral Territory. Where ancestral territories are mapped as overlapping, monitors from both tribes will work in tandem.	Applicable to Karuk and Wiyot lands; not applicable to Yurok lands per MPR-1.
APM CR-5: Where depth of archaeological resources in highly sensitive areas can be known or assumed, directional drilling may be required by land managing agencies to avoid cultural resources. (See <i>MMCRP</i> for additional details)	The Karuk Tribe and/or its designated contractor to implement measure as defined.
MM CUL-1: Segment 1 North The Karuk Resources Advisory Board concurred that ground disturbance in areas of anchor replacement is a minor action, however, within the three identified archaeological sites, a monitor should be used; outside of identified cultural sites, pre-inspection and post-inspection should be sufficient. A pole replacement was acknowledged to be a more ground-disturbing activity and a monitor should be present for such an operation within the APE. If a pole needs to be replaced within identified cultural site, then all attempts should be made to re-use the existing hole for placement of a new utility pole. Tribal monitoring should be coordinated through the Karuk THPO.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
MM CUL-2: Segment 1 North Ground disturbing activities should not be done during Karuk ceremonial times. Caltrans issues encroachment permits for work on the highway, and those permits will exclude ceremony dates.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
MM CUL-16: Archaeological Field Markers All archaeological site boundaries shall be marked in the field (i.e. flagging) prior to Project implementation and removed after construction is completed.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM GEN-1: Environmental Compliance Monitors hired by the Tribe will monitor construction activities and will report to the Tribe and to the agencies regarding construction compliance with permit terms and conditions. Monitoring activities would be structured in accordance with an Environmental Compliance Management Plan, developed by the Tribe and approved by the lead state and federal agencies prior to construction.	Completed. The Karuk Tribe provided a copy of the Environmental Compliance Management Plan to CPUC prior to construction of NTP Request 1 segments 1 and 5. The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM GEN-3: RNP policies and regulations will apply within the RNP. Ground-disturbing activities will comply with listed seasonal constraints and other requirements.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM GEN-4: As part of the Karuk Tribe's environmental compliance commitment, the Construction Contractor(s) will be contractually bound to comply with all laws, regulations, and permit requirements, including the mitigation measures and other specific stipulations and methods that are developed as part of the NEPA/CEQA process.	The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM WATER-1: The construction contractor will be required to develop and file a SWPPP and to comply with the permit conditions as issued by the State Water Resources Control Board, Region 1.	The Karuk Tribe to provide a copy of the SWPPP prior to construction of the Project and comply with its conditions during construction. The Karuk Tribe and/or its designated contractor to implement measure as defined.
APM OM-2: The Tribe will provide crews and contractors with maps showing environmentally sensitive areas; these maps will include work zones as well as ROW areas where ground disturbance will be avoided.	The Karuk Tribe and/or its designated contractor to implement measure as defined.

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APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	STATUS
APM HAZ-1: The Applicant shall prepare a Hazardous Materials Management Plan (HMMP) for approval by the CPUC. The HMMP shall be prepared and submitted for approval at least 30 days prior to the start of construction. <i>(See MMCRP for additional details)</i>	The Karuk Tribe or its designated contractor to provide the HMMP to CPUC 30 days prior to construction. The Karuk Tribe and/or its designated qualified contractor to implement measure as defined.
APM FIRE-1: Before the start of construction, the Applicant's Construction Contractor will prepare a project-specific Construction Fire Prevention Plan (CFPP) to ensure the health and safety of construction workers and the public from fire-related hazards. Local fire departments shall be consulted during plan preparation and the CFPP will include fire safety measures as recommended by these departments. The CFPP shall list fire prevention and extinguishment procedures and specific emergency response and evacuation measures that would be followed during emergency situations. <i>(See MMCRP for additional details)</i>	Completed. The Karuk Tribe, through its designated contractor, provided the project specific CFPP (dated July 7, 2026) prior to construction and will comply with its measures during construction. The Karuk Tribe and/or its designated qualified contractor to implement measure as defined.

The Karuk Tribe is authorized to proceed with the proposed construction activities associated with the NTP Request 1 provided that documentation will be provided to the CPUC confirming that all proposed actions and measures that have yet to be implemented are carried out in accordance with the methods and conditions described in the NTP Request 1 and this NTP 1 approval, and subject to completion of the following implementing actions by the Karuk Tribe prior to the start of construction:

- The Karuk Tribe will implement the MMCRP to ensure proper implementation of all APMs, applicable Mitigation Measures, compliance plans, and permit conditions during construction activities. Some measures are on-going and/or have time-sensitive requirements and shall be implemented prior to and during construction as applicable. A copy of the MMCRP (as updated August 2026), other permits, and this Notice to Proceed approval will be kept at the construction sites.
- Prior to initiating construction, the Karuk Tribe or its designated contractor to provide the following plans to the CPUC: Environmental Compliance Management Plan, Hazardous Materials Management Plan, Construction Fire Prevention Plan, and Stormwater Pollution Prevention Plan.
- Prior to initiating construction, the Karuk Tribe to provide the Cultural Resources Management Plan to the qualified CPUC archaeologist/cultural resources monitor.
- Prior to conducting construction activities under this Notice to Proceed, the Karuk Tribe will conduct a Worker Environmental Awareness Program (WEAP) training for all Project personnel. The Karuk Tribe will maintain training logs at the construction site and will make them available to CPUC or the designated monitors upon request.
- The Karuk Tribe will provide local (Humboldt County) and state (Caltrans) encroachment and traffic control permits to CPUC as they are obtained.



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- Prior to construction, the Karuk Tribe through its designated contractor, shall conduct a pre-construction survey for roosting bats in trees to be removed or pruned (as applicable), per Mitigation Measure BIO-3.
- Prior to construction, the Karuk Tribe through its designated contractor, will perform nesting bird surveys.
- Prior to the start of construction, a qualified biologist would conduct pre-construction sweeps of the proposed Project work area for special-status wildlife and plants.
- The Karuk Tribe's designated contractor will continue to coordinate with fire emergency response services providers (such as Cal FIRE and other applicable fire departments) as needed throughout construction.

Sincerely,

Lisa Cooke, CPUC Environmental Project Manager

cc: Maria Hensel, ESA Project Manager <MHensel@esassoc.com>
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