

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
REDDING FIELD OFFICE**

**FINDING OF NO SIGNIFICANT IMPACT  
DIGITAL 299 BROADBAND PROJECT  
DOI-BLM-CAN060-2022-0003-EA**

**BACKGROUND**

Vero Fiber Networks, LLC (Vero) proposes to install approximately 300 miles (22.27 miles on Bureau of Land Management [BLM] managed public lands) of new conduit and fiber optic cables to provide internet service to unserved or underserved communities in northern California. The Proposed Project (Project) route would generally follow the California State Route 299 (SR 299) corridor through Trinity, Shasta, and Humboldt counties. Conduit would be installed within existing rights-of-way (ROWs) in pre-disturbed road shoulders. Conduit would be attached to bridges or bored under water crossings. Disturbance to intermittent or ephemeral waterways would only occur if they were not holding water at the time of construction. Additional “last-mile” connections to communities along the route would be attached to utility poles during a second phase of the Project. State and federal agencies have collaborated to leverage a joint Environmental Assessment/Initial Study Mitigated Negative Declaration (EA/ISMND) and associated technical studies to support their separate decisions and permits.

The overall Project would include the following features:

- construct a new approximately 170-mile backbone fiber route;
- place approximately 16 miles of fiber in existing utility conduits.
- attach aerial fiber to existing utility poles for last-mile distribution along the route; and
- install up to five prefabricated ILA buildings to support wireless systems.

As part of the overall Project, Vero has applied to the BLM Redding Field Office (RFO) for a ROW grant under Title V, Section 501(a)(5) of the Federal Land Policy and Management Act of 1976 (BLM ROW application serialized as CACA 58248). The ROW application is for installation, operation, maintenance, and termination of buried fiber-optic broadband line on public lands for a length of approximately 22.27 miles (117,590 feet) within Trinity and Shasta counties in northern California. A 25-foot-wide temporary ROW has been requested during construction for a period of 36 months; approximately 67.5 acres of surface disturbance on BLM-administered public lands would result from construction activities. This disturbance would be temporary and would be reclaimed following construction completion. A long-term 10-foot-wide ROW has also been requested for a 30-year term, containing approximately 27 acres.

The Proposed Project is divided into two phases: the middle-mile or backbone route (Phase 1) and the last-mile connections (Phase 2). The total duration of construction for Phase 1 is estimated at approximately 36 months, beginning in the winter of 2022 or spring of 2023. Phase 2 would begin in 2024. The last-mile connections would be built off the middle-mile route as needed once that route is completed. Proposed Project development would follow federal, state, and local guidelines for temporary traffic control in

construction zones.

Implementation of the proposed Project would help provide a broadband network in support of a statewide goal established by the California State Legislature of achieving 98 percent broadband coverage to meet public safety, healthcare, education, and economic development goals. The purpose of the proposed Project would help achieve the state's coverage goals in northern California to ensure the network reaches certain under-served communities and public institutions such as libraries, hospitals, and schools.

An EA/ISMND for this proposed Project was completed in October 2022. The EA/ISMND carefully analyzed the potential effects of Project development including those that would occur on the approximately 22.27 miles of line that would be constructed on public lands administered by the BLM RFO. As a Cooperating Agency, BLM was involved in the preparation of the document. The RFO will respond to Vero's request for permits and authorizations for the Project and decide whether to issue a Federal Land Policy and Management Act (FLPMA) ROW grant for the proposed Project

Public and agency scoping began for the proposed Project in the summer of 2019, including four public meetings and mailings. Comments were collected for a period of over 30 days and were considered and incorporated in this EA/ISMND. Project update notices were mailed to the public in December 2021, and the draft EA/ISMND was circulated for public review in January 2022. Comments received on the EA/ISMND have been incorporated into the final document.

The EA/ISMND considered a range of four alternatives, including the Proposed Action and the No Action Alternative. The Alternative Technologies Alternative was dismissed from detailed consideration due to increased environmental effects and would not be as effective in providing needed services as the Proposed Action. The Alternative Segments Alternative was included in the EA/ISMND in case environmental analysis or engineering finds the proposed route infeasible. The inclusion of this alternative would expedite future analysis and permitting should an alternative segment be chosen later in the Project. Implementation of the No Action Alternative would not meet the need to close the digital divide in the region by extending internet and mobile data coverage to underserved rural communities. Therefore, the Proposed Action has been selected as the Preferred Alternative for this action.

## **FINDING OF NO SIGNIFICANT IMPACT**

The BLM RFO has participated as a Cooperating Agency on this Project. Based on the analysis of potential environmental impacts contained in the EA/ISMND and supporting documents, I have determined that implementation of the Proposed Action would not have a significant effect on the human environment. An environmental impact statement (EIS) is therefore not required. There are no proposed connected actions (40 CFR 1501.9(e)(1)).

The environmental effects are not significant (40 CFR 1501.3(b)) and do not exceed those effects as described in the Redding Field Office Resource Management Plan and Record of Decision (1993). The RFO has participated in the development of the EA/ISMND and hereby adopts the document. The BLM has determined that the EA/ISMND satisfies National Environmental Policy Act (NEPA) regulations and is consistent with the BLM NEPA Handbook (H-1790-1). This finding is based on the potentially affected environment and degree of the effects of the Project, as described below.

## **AFFECTED AREA**

The CEQ regulations at 40 CFR 1501.3(b)(1) state, "In considering the potentially affected environment, agencies should consider, as appropriate to the specific action, the affected area and its resources, such as

listed and designated critical habitat under the Endangered Species Act.”

The Project area is located between Cottonwood and Eureka in northern California, spanning approximately 300 miles in Shasta, Trinity, and Humboldt counties. Fiber optic lines would be installed overhead on existing utility poles and underground, primarily along SR 299. The portion of the Project area that crosses BLM RFO-managed public lands is approximately 22.27 miles along SR 299 in Shasta and Trinity counties. The highway corridor is highly disturbed, resulting from various highway improvement projects and related activities occurring over the years. Overhead and underground utility lines are common land uses co-located within the highway corridor. A No Action Alternative was evaluated in the EA/ISMND to provide a baseline for comparison of impacts that would result from Project implementation.

## **DEGREE of the EFFECTS**

I have considered the following in my evaluation of the degree of the effects from the Digital 299 Broadband Project per 40 CFR 1501.3(b)(2):

### ***1. Short and long-term effects.***

As analyzed in the EA/ISMND, the implementation of the proposed Project may result in minor short-term impacts to resources including air quality, soils, vegetation, wildlife, hydrology and water quality, cultural resources, paleontological resources, recreation, land use and planning, socioeconomics and environmental justice, and noise resulting from installation of the fiber optic line. However, since the installation would be located almost entirely within the pre-disturbed shoulder of existing roads or attached to existing utility poles, these short-term impacts would not be significant.

### ***2. Beneficial and adverse effects.***

I have determined that none of the direct, indirect, or cumulative impacts associated with the Project would be significant, individually or combined. The EA/ISMND evaluated both beneficial and adverse impacts to resources. Project development may have direct, indirect, and/or cumulative impacts to resources including air quality, soils, vegetation, wildlife, hydrology and water quality, cultural resources, paleontological resources, recreation, land use and planning, socioeconomics and environmental justice, and noise resulting from installation of the fiber optic line. However, none of the environmental effects discussed in Chapter 3 of the EA/ISMND are considered significant, and applicant-committed design features and standard resource protection measures are in place to minimize potential impacts to wildlife, vegetation, water quality, cultural resources, recreation, and other resources.

The BLM interdisciplinary team considered the actions analyzed in the alternatives within the context of past, present, and reasonably foreseeable future actions. No adverse cumulative impacts would result from implementation of the proposed action.

The EA/ISMND analysis identified the potential presence of various special-status species, including 11 federally listed threatened and endangered species, within the Project area (see EA/ISMND Section 3.3). Informal consultation with US Fish and Wildlife Service (USFWS) and National Marine Fisheries Services (NMFS) was completed on the Project, resulting in concurrence letters from both agencies and an overall determination of “may affect, but is not likely to adversely affect” (NLAA) listed species. Specifically, the Project may affect, but is not likely to adversely affect, the federally threatened marbled murrelet (*Brachyramphus marmoratus*; MAMU), the federally threatened northern spotted owl (*Strix occidentalis caurina*; NSO), and the federally endangered tidewater goby (*Eucyclogobius newberryi*). Project development also may affect, but is not likely to adversely affect, the following listed species and their critical habitat: California Coastal (CC) Evolutionarily Significant Unit (ESU), Central Valley (CV) spring-

run ESU, and Sacramento River (SR) winter-run ESU Chinook salmon (*Oncorhynchus tshawytscha*); Southern Oregon/Northern California Coasts (SONCC) ESU coho salmon (*Oncorhynchus kisutch*); Southern District Population Segment (DPS) green sturgeon (*Acipenser medirostris*); Southern DPS Pacific eulachon (*Thaleichthys pacificus*); and CV DPS and Northern California (NC) DPS steelhead (*Oncorhynchus mykiss*). The Project would have no effect on designated MAMU critical habitat (76 FR 61599), NSO critical habitat (77 FR 71876), or tidewater goby critical habitat (78 FR 8746).

Any significant impacts to special-status plants would be avoided and minimized by pre-construction vegetation surveys and special-status plant clearance surveys, along with measures described in the Restoration Plan (Appendix J), which would restore disturbed vegetation to near pre-disturbance levels, stabilize soils, and minimize the introduction or spread of invasive plants. Nearly all the proposed routes would be located adjacent to existing roads in previously disturbed areas. Aerial installation would be on existing poles. Disturbed areas would be restored as outlined in a Restoration Plan. Due to implementation of applicant-proposed design features and resource protection measures, anticipated impacts to endangered, threatened, or candidate species have been determined to be negligible and would not rise to a significant level.

As discussed in the EA/ISMND, cultural resources were located within the Project area through literature review, tribal consultation, and surveys. Resources include archaeological sites, historic buildings, structures, objects, sacred sites, and Traditional Cultural Properties. Site-specific cultural resource protection measures were identified to avoid impacts to each resource and are detailed in Chapter 3 of the EA/ISMND (Section 3.4.5.1). Implementation of these measures would avoid impacts to historical and tribal cultural resources by ensuring construction related avoidance. Archaeological and tribal monitoring at sensitive locations would further ensure that no damage to sites would occur. Each federal agency consulted separately with the California State Historic Preservation Office (SHPO) regarding effects to historic properties on its own jurisdiction. On October 13, 2022, BLM received concurrence from the SHPO on a finding of no adverse effects to historic properties located on BLM lands.

### ***3. Effects on public health and safety.***

Proposed Project implementation would not pose significant adverse impacts to public health or safety. Implementation of applicant-proposed design features and resource protection measures identified in Appendix G of the EA/ISMND would minimize potential impacts to public health. The Project would follow federal, state, and local guidelines for temporary traffic control in construction zones.

Providing broadband service to unserved and underserved areas within the Project area would benefit the public as well as government facilities including primary and secondary education, healthcare facilities, and military installations. Project implementation would support the California State Legislature's statewide goal of achieving 98 percent broadband coverage to meet public safety, healthcare, education, and economic development goals.

### ***4. Effects that would violate federal, state, tribal, or local law protecting the environment. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.***

Based on the analysis in the EA/ISMND, this decision complies with Federal, State, and local laws and requirements imposed for the protection of the environment. The analysis was completed using BLM-approved protocols. The impacts associated with fiber optic line installation are well known and documented in the academic and practicing communities, and no anticipated environmental effects have been identified that would be scientifically controversial. Additionally, based on past projects and similar land management actions, the Project is not expected to have highly uncertain effects or involve unique or

unknown risks. A successful Project development would result in additional and improved communication for unserved and underserved communities within the Project area.

Several federal and state agencies have contributed to the development of the EA/ISMND and participated in planning, meetings, and review of Project reports, and agency concerns regarding protection of the environment were addressed in the EA/ISMND. Additionally, members of the public were given the opportunity to review and comment on the proposed Project, and all substantive comments have been addressed in the Final EA/ISMND. Therefore, the environmental effects are not likely to be controversial.

***Redding Field Office Consistency Review of Northwest Forest Plan Implementation***

*Does the proposed action occur within either the California Klamath or California Cascades Physiographic Zones of the Northwest Forest Plan?*

Yes  No

*The Project occurs within the California Klamath Physiographic Zone of the Northwest Forest Plan.*

***1.A. Projects that comply with the Pechman Exemption (Attachment 1).***

*Does the proposed action meet an existing exemption category (2006 Pechman Exemption)*

Yes  No

***1.B. Projects that Comply With the 2001 Survey and Manage (S&M) Record of Decision and Plan Amendment with Subsequent ASRs except for the Red Tree Vole (Attachment 1).***

*The Project area has been examined for the three required survey criteria, which include*

*1. Does the Project area occur within the range of the species?*

Yes  No

*Comments:*

*None.*

*2. Does the Project contain suitable habitat*

Yes  No

*Comments:*

*None.*

*3. Does the Project negatively affect the species or habitat?*

Yes  No

*Comments:*

*If all three Survey and Manage Species Review boxes are checked 'Yes', S&M species surveys are required. If, however, upon review of the above survey criteria, it has been determined that the Project occurs outside the range of S&M species, the Project does not contain suitable habitat or the Project does not negatively affect species or their habitat the Project does not meet required survey criteria.*

***2. Aquatic Conservation Strategy (ACS) Compliance***

*Will the proposed action prevent or retard attainment of any of the ACS objectives, below, in the long term at both the site and watershed level.*

Yes  No

- 1. The Proposed Action would maintain or have no effect upon the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations, and communities are uniquely adapted.*
- 2. The Proposed Action would maintain or have no effect upon the spatial and temporal connectivity within and between watersheds.*
- 3. The Proposed Action would maintain or have no effect upon the physical integrity of the aquatic system.*
- 4. The Proposed Action would maintain or have no effect upon water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.*
- 5. The Proposed Action would maintain or have no effect upon the sediment regime under which this aquatic ecosystem evolved.*
- 6. The Proposed Action would maintain or have no effect upon in-stream flows.*
- 7. The Proposed Action would maintain or have no effect upon the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.*
- 8. The Proposed Action would maintain or have no effect upon species composition and structural diversity of plant communities in riparian areas and wetlands.*
- 9. The Proposed Action would maintain or have no effect upon habitat which supports well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.*

*The proposed Project will have no effect on ACS compliance and will not prevent or retard attainment of any of the ACS objectives listed above.*

*Based on the analysis of potential environmental impacts contained in the attached EA/ISMND and supporting documents, I have determined that approval of the Proposed Action will not have a significant effect on the quality of the human environment. An environmental impact statement is therefore not required. Analysis of connected actions (40 CFR 1501.9(e)(1)) were included in the EA/ISMND.*

*The environmental effects are not significant (40 CFR 1501.3(b)) and do not exceed those effects as described in the RFO Resource Management Plan and Record of Decision (1993). Therefore, an environmental impact statement is not required. This finding is based on the potentially affected environment and degree of the effects of the action Project as described herein.*

## **MITIGATION AND MONITORING**

Appendix G of the EA/ISMND identifies the applicant-committed Resource Protection Measures that will be employed during construction to avoid or limit potential impacts to natural and cultural resources. These include applicant-proposed measures that Vero incorporated into the design of the proposed Project, best management practices (BMPs) that construction contractors will employ as part of their operations, and avoidance and minimization measures (AMMs) that are prescribed per analysis of potential impacts to natural and cultural resources.

Relevant subsets of these measures are also included in the Project's Biological Evaluation (Appendix I of the EA/ISMND), Restoration Plan (Appendix J of the EA/ISMND), and Cultural Resources Inventory Report. Some site-specific measures for cultural resources are omitted from this appendix to keep specific site locations confidential. All measures from these reports, plus additional measures relevant to resources evaluated in the EA/ISMND, are compiled in Appendix G.

## **MITIGATION SUMMARY**

Specific applicant-committed measures that will be part of the proposed Project have been identified in

Appendix G. These include measures pertaining to Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural and Tribal Resources, Hazards/Hazardous Material, Hydrology/Water Quality, Noise, Public Health and Safety, and Recreation. These measures will be part of any permits or ROWs issued by the RFO.

**AUTHORITIES FOR MITIGATION**

The applicant has adopted BLM-recommended mitigation as a design feature of the proposed Project. These applicant-committed measures will ensure compliance with the National Historic Preservation Act, Clean Air Act, Clean Water Act, Endangered Species Act, and other applicable statutes and regulations.

As noted in the EA/ISMND, the proposed Project fully complies with the direction and guidance found in the RFO Resource Management Plan and Record of Decision (1993).

**MONITORING**

A Restoration Plan has been prepared for the proposed Project. This Restoration Plan addresses the restoration of all work areas where dry waterways are trenched or where vegetation removal is necessary for bore pit construction, plowing and/or trenching operations, or to allow equipment access on narrow roads; these areas will be revegetated and restored to near pre-construction conditions. Compensatory mitigation is not planned for the Project and is not addressed in the Restoration Plan. Other avoidance, minimization, and monitoring measures that will be part of the proposed Project have been identified in the EA/ISMND.

**AUTHORIZING OFFICER SIGNATURE**

\_\_\_\_\_  
Jennifer Mata  
Field Manager  
Redding Field Office

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Date