



Forest Service
U.S. DEPARTMENT OF AGRICULTURE

Pacific Southwest Region, Shasta-Trinity National Forest

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Digital 299 Broadband Project

Finding of No Significant Impact and Decision Notice



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Finding of No Significant Impact

The Finding of No Significant Impact (FONSI) documents the reasons why an action, not otherwise categorically excluded, will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared. The FONSI discussion considers all information included in the environmental assessment, including the Potentially Affected Environment, as well as documentation in the project record. Pertinent specialists have reviewed the proposal and based on their input, the responsible official made the following determinations with regards to the potentially affected environment and degree of effects considered for a FONSI.

Potentially Affected Environment

Vero Fiber Networks has proposed to install fiber optic cables generally following California State Route 299 through Shasta, Trinity, and Humboldt counties in Northern California, crossing federally managed public land, state-owned or controlled property, privately owned property, and tribal lands. The Proposed Action would reduce the digital divide in the region by extending internet and mobile data coverage to underserved rural communities. The Proposed Action activities include the installation of approximately 62.2 miles of fiber optic conduit (including primary and alternative segments) on lands administered by the Shasta-Trinity National Forest (STNF). Conduit would be mostly buried along the shoulder of existing roads. Aerial attachments on existing poles would branch from the main middle-mile “backbone” line to connect with communities along the proposed route. No new roads would be constructed.

The affected environment is described and analyzed in detail in Chapter 3 of the Digital 299 Broadband Project Environmental Assessment / Initial Study Mitigated Negative Declaration (EA/ISMND), and a summary is provided below. The EA/ISMND identified ten resources that would potentially be affected by the project. Design measures and standard resource protection measures would minimize potential effects to these resources and not all these resources are found on the STNF.

The STNF lies within the North Coast Air Basin (NCAB) and the Sacramento Valley Air Basin (SVAB). Air quality is generally good. Low population densities, limited industrial and agricultural operations, and minimal traffic congestion all contribute to the good air quality. The NCAB is listed as in attainment for ozone and PM_{2.5}, attainment for the federal PM₁₀ standard, and in “nonattainment” for the State 24-hour particulate (PM₁₀) standard. The SVAB is listed as in nonattainment for multiple pollutants and ozone but is in attainment or unclassified for all other criteria pollutants.

The project area (Action Area) contains the following vegetation/habitat communities: conifer forests, woodland habitats, hardwood forests, shrubland/chaparral habitats, herbaceous habitats, grasslands, and developed/non-vegetated areas. Pacific Douglas-fir communities are the dominant habitat type found along much of the central portion of the Action Area at elevations below 5,000 feet. Five California Department of Fish and Wildlife defined sensitive natural communities were identified within the Action Area: beach pine, redwood–Douglas fir, willow thickets, ceanothus chaparral, and pickleweed-cordgrass communities. The Action Area also crosses 16 watersheds and 39 sub-watersheds. Within the portion of the route that intersects the STNF, the environmental analysis considered a total of 121 perennial, intermittent, and ephemeral waterways (out of 523 total for the project overall), including alternative segments; 48 of these waterways, including the Trinity River, are located along the primary route.

The environmental analysis identified 11 federally endangered, threatened, and proposed threatened species with potential to be impacted by the Proposed Action. Of these, it was determined that only two special-status species have potential to be impacted by the Proposed Action in the STNF Action Area: the northern spotted owl (NSO) (*Strix occidentalis caurina*) and the Southern Oregon/Northern California Coasts (SONCC) ESU Coho salmon (*Oncorhynchus kisutch*).



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Numerous cultural and historic resources are present within the project area. Literature reviews and surveys located 71 newly recorded resources and 178 previously recorded resources. These resources include bridges, mining related resources, roads, railroad cuts or trails, ditches, lithic scatters, native village sites, historic refuse scatters, and other resources. Much of the Action Area is either sparsely populated rural areas or unpopulated private and public lands. Portions of the alignment through the STNF follow rural roads with little traffic. In these areas, there is little to no regular anthropogenic noise. Along major roads and SR 299, ambient noise is substantially greater.

Recreation in the Action Area includes sites that are designated for or otherwise used for hiking, biking, fishing, hunting, and other recreational activities. Some of the notable recreation areas crossed by the Action Area include the Whiskeytown National Recreation Area, Hlel Din, the Hammond Trail and several other unnamed trails, Trinity River, Deadwood Hole Fishing Area, Mad River Slough Wildlife Area, Little River State Beach, Shasta Historic Park, Benton Dog Park, Dellanina Nature Preserve, and Shay Park. Other miscellaneous recreation areas within USFS administered land are open to the public.

Degree of Effect

The following effects discussions focus on potential changes to the human environment that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action. This includes effects that occur at the same time and place as the proposed action, and may include effects that are later in time or farther removed in distance.

1. Both short- and long-term effects.

The majority of the construction corridor in the Action Area would follow existing roads in previously disturbed areas and would not require any new aboveground structures on STNF administered lands. Fiber optic conduit along the primary middle-mile route would be installed underground via horizontal directional drilling (HDD), trenching, or plowing. On “last-mile” segments where the proposed line would travel aerially, existing utility poles in cleared ROWs would be utilized. Bore pits and access vaults would not be placed in or adjacent to riparian vegetation and wetlands; as such, riparian and wetland habitats would not be altered and herbicides would not be applied.

As analyzed in detail in the EA/ISMND, no environmental impacts are expected to extend long-term beyond the 24-month construction period on STNF-administered lands. A Restoration Plan has been prepared that would direct monitoring and reporting activities through at least 2027 (three years after the 24-month construction period). The approximately 190 acres of surface disturbance on STNF administered lands resulting from line installation would occur within previously disturbed areas adjacent to existing roads and no undisturbed soils would be affected. Soil disturbance would be reclaimed upon completion of construction activities. Approximately 0.046 acres would be permanently disturbed due to the installation of vaults. Runoff from work areas could result in a slight increase in turbidity in surface water located in the STNF. This increase would be minor in scope and duration. Water quality, groundwater, and wetland resources would not be affected by project development.

Air quality on the STNF may be impacted during construction activities, although the implementation of design features and standard resource protection measures will result in negligible impacts to air quality resources. These effects would be short-term and would not extend beyond the 24-month construction period.

Although special status species habitat would be crossed by the Project, the implementation of design features and resource protection measures would ensure potential impacts remain at levels less than significant. Informal Section 7 consultation has been completed with the US Fish and Wildlife Service and the National Marine Fisheries Service, and concurrence letters have been received from both



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agencies. Approximately 189.1 acres of vegetation adjacent to existing roads would be temporarily affected by construction activities, as it would be reclaimed following construction. Only 0.046 acres would be permanently disturbed due to the installation of vaults. As analyzed in the EA/ISMND, impacts to NSO are expected to be short term, and negligible, and impacts to Coho salmon are expected to be short term and minor. Noise from construction equipment may disturb wildlife, although this would be short-term and negligible as equipment would not be in any work area for more than two to three days. Timing restriction measures would reduce potential noise effects and the fiber optic line would not be a source of noise.

Cultural resources are present within the action area but would be avoided with implementation of standard resource protection measures and site-specific measures outlined in the Cultural Resources Inventory Report (CRIR). Tribal and archaeological monitors will be present on site where necessary as discussed in the EA and CRIR. Installation of the fiber optic lines would result in long-term improved fiber line communication in the affected communities. Potential impacts to other resources are anticipated to be minimal. Paleontological resources are also present within the Action Area. However, implementation of measures contained in a Paleontological Monitoring and Discovery Plan would reduce the significance of any impacts to these resources. As a result, any effects would be negligible.

Recreation values within the STNF portion of the Action Area include hiking, biking, and other types of dispersed recreation uses. Noise resulting from installation activity would be short-term. Because fiber optic line installation would be restricted to existing roadways, effects to any recreation values would be negligible.

Project development would benefit local residences, businesses, government, medical, and educational organizations by providing high-speed broadband access along the Proposed Action alignment. Construction activities would provide additional jobs. These jobs would be short-term in nature and not expected to disproportionately affect any particular population. Potential impacts to socioeconomic and environmental justice from project development would not meet the adverse thresholds discussed in the EA/ISMND. Minority or low-income communities would not be negatively affected. It is more likely that beneficial effects would result.

2. Both beneficial and adverse effects.

The EA/ISMND evaluated both beneficial and adverse impacts to resources located within the Action Area. None of the environmental effects analyzed in Chapter 3 of the EA/ISMND were determined to be significant, individually or combined. Design features and standard resource protection measures are in place to minimize potential impacts to wildlife, water quality, recreation, and cultural resources. Providing broadband service to unserved and underserved areas would benefit the public and government facilities, including healthcare and education facilities. 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.

3. Effects on public health and safety.

The actions proposed under the alternatives analyzed in the EA/ISMND would not result in adverse impacts to public health or safety. Public health and safety risks would be avoided by implementing Best Management Practices identified in Appendix G of the EA/ISMND. The Project would follow federal, state, and local guidelines including temporary traffic control in construction zones. As discussed above, unserved and underserved areas within the project area would benefit from broadband access.



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4. Effects that would violate Federal, State, or local law protecting the environment.

Implementation of the Proposed Project would not violate any known federal, state, or local law, or requirement imposed for the protection of the environment. Several federal and state agencies have contributed to the development of the EA/ISMND and participated in planning, meetings, and review of Project reports. Agency concerns regarding protection of the environment were addressed in the EA/ISMND. The STNF Land and Resource Management Plan and other plans were reviewed during the analysis process, and it was determined that the project would be in compliance with these plans. The Proposed Action would be located within and would be compatible with existing roadway and utility rights-of-way.

Supporting Project Documentation

Table 1 summarizes documents used in the development of the EA/ISMD and to support the effects analysis.

Table 1. Applicable project file documentation to support analysis

Documentation Type	File Name
Environmental Assessment/Initial Study Mitigated Negative Declaration (EA/ISMND)	Digital 299 Broadband Project EA/ISMND
Biological Assessment (BA)	Digital 299 Broadband Project Biological Assessment
Biological Evaluation (BE)	Digital 299 Broadband Project Biological Evaluation
Cultural Resource Inventory Report (CRIR)	Digital 299 Broadband Project Cultural Resource Inventory Report
Preliminary Jurisdictional Delineation Report (PJD)	Digital 299 Broadband Project Preliminary Jurisdictional Delineation
Restoration Plan	Digital 299 Broadband Project Restoration Plan
HDD Contingency Frac-out Plan	Digital 299 Broadband Project HDD Contingency Frac-Out Plan
Wild and Scenic Rivers Act Section 7 Analysis and Determination	Digital 299 Broadband Project Wild and Scenic Rivers Act Section 7 Analysis and Determination
Historic Resources Compliance Report (HRCR)	Digital 299 Broadband Project Historic Resources Compliance Report
Archaeological Survey Report (ASR)	Archaeological Survey Report for the Digital 299 Broadband Project
Finding of Effect (FOE)	Digital 299 Broadband Project Finding of No Effect (Without Standard Conditions)
Paleontological Monitoring and Discovery Plan	Digital 299 Broadband Project Paleontological Monitoring and Discovery Plan
Paleontological Resource Technical Report	Digital 299 Broadband Project Paleontological Resource Technical Report
Paleontological Resources Technical Report Addendum	Paleontological Resources Technical Report Addendum – Assessment of New Alternative Segments, Digital 299 Broadband
Scoping Summary Report	Digital 299 Broadband Project Scoping Summary Report
Fire Prevention Plan	Digital 299 Broadband Project Fire Prevention Plan



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Determination

Implementation of the Proposed Action does not fall under any of the categories that would require the preparation of an EIS, as outlined in FSH 1909.15_20, Section 21.2, and the effect of proposed project activities on the quality of the human environment were determined to be not highly controversial among professional experts. After considering the potential environmental impacts analyzed in the Digital 299 Broadband Project Environmental Assessment/Initial Study Mitigated Negative Declaration, the FONSI and specialist reports, and considering the degree of effects (40 CFR 1501.3), it has been determined that implementation of the Proposed Action would not have a significant effect (impact) on the quality of the human environment. Preparation of an environmental impact statement is therefore not required.



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Decision Notice

Digital 299 Broadband Project
U.S. Forest Service
Shasta-Trinity National Forest
Shasta and Trinity Counties, California

This Decision Notice incorporates all information in the Digital 299 Broadband Project Environmental Assessment / Initial Study Mitigated Negative Declaration (EA/ISMND), the Finding of No Significant Impact (FONSI), and information included in the project record.

Decision and Rationale

I have decided to authorize the activities on Shasta-Trinity National Forest administered lands as described in the Proposed Action section of the EA/ISMND, to include any modifications identified during environmental analysis and review of legal and regulatory compliance. My decision to implement the Proposed Action is based on my review of the EA/ISMND, supporting documentation, public comments, and information gained through consultation. My decision is to implement all activities under the Proposed Action, including all project design criteria, Best Management Practices, Avoidance and Minimization Measures and Resource Protection Measures. Implementation of the Proposed Action would best meet the Purpose and Need of the proposal. Implementation of the No Action Alternative would not meet the Purpose and Need and no viable alternatives were identified.

The EA/ISMND analyzes the proposed installation of approximately 300 miles of new conduit and fiber optic cables to provide internet to unserved or underserved communities in Northern California. The Project route generally follows the State Route 299 corridor through Trinity, Shasta, and Humboldt counties. The Proposed Action crosses lands and waters managed by the Bureau of Land Management (BLM), National Park Service (NPS), U.S. Forest Service (USFS), U.S. Army Corps of Engineers (USACE), U.S. Bureau of Reclamation (BOR), Federal Highway Administration (FHWA), California Public Utilities Commission (CPUC), California Department of Transportation, California Department of Fish and Wildlife, State Lands Commission, State Water Resources Control Board, and Hoopa Reservation. These agencies, including the Shasta-Trinity National Forest (STNF) are cooperating agencies or otherwise participated in preparation of the EA/ISMND.

The Proposed Action includes the installation of approximately 62.2 miles of fiber optic conduit along existing roads within pre-disturbed road shoulders on lands administered by the STNF. At water crossings, conduit would be attached to bridges or bored under the waterway. In some areas, last-mile fiber optic cable would be installed on existing utility poles. A complete project description, along with supporting documentation, is found at: <https://www.fs.usda.gov/project/?project=56456>.

The Digital 299 Broadband Project EA/ISMND documents the environmental analysis and conclusions upon which this decision is based. Any adverse effects to resources would be minimal and are not expected to extend beyond the 24-month construction period on STNF-administered lands. A Restoration Plan has also been prepared that would direct monitoring and reporting activities through at least three years after the 24-month construction period. The Proposed Action will benefit local residences, businesses, government, medical, and educational organizations by providing high-speed broadband access. As described in the Purpose and Need section of the EA/ISMND, there is nationwide public and private interest and investment in the expansion of broadband networks and capabilities. In the passage of Assembly Bill 1665, the California legislature set forth a statewide goal of achieving 98-percent broadband coverage to meet public safety, healthcare, education, and economic development goals. Involved parties would work together to ensure the network reaches certain under-served communities and public institutions such as libraries, medical facilities, and schools.



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Summary of Public Involvement

This action was originally listed as a proposal on the Shasta-Trinity National Forest Schedule of Proposed Actions and was updated periodically during the analysis. The public scoping period for the project began on July 10, 2019, and concluded on August 12, 2019. Project update notices were subsequently 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 addressed and incorporated into the final EA/ISMND.

A newsletter containing Proposed Action information, public meeting times and locations, and instructions for submitting formal comments was produced for the initial public scoping period in 2019 and was updated prior to the public review of the EA/ISMND in January 2022. Material circulated in the 2019 scoping period included the newsletter, overview map, and comment form. Agencies and private landowners within 50 feet of the alignment were mailed a scoping package. Seventy-three letters were mailed to agency contacts and 2,912 mailings were sent to private landowners. Proposed Action information was also posted on the CPUC website, newsletters were posted at local post offices, and announcements with a brief Proposed Action summary and public meeting information were placed in local newspapers.

Four public scoping meetings were held in late June 2019 in Redding, Lewiston, Weaverville, and Eureka, California. Collectively, 53 members of the public attended the 4 meetings. Representatives from Transcon Environmental, the Proponent, and at least one agency attended each meeting. A Scoping Summary Report, including agencies and people consulted, is found in Appendix N of the EA/ISMND.

The draft EA/ISMND was posted for public review in January 2022. Members of the public and agency contacts were notified via a project update post card and an updated newsletter, both mailed in December 2021. Electronic copies of the EA/ISMND, along with updated information about the Proposed Action, were available on the Shasta-Trinity, CPUC, and BLM websites. Physical copies of the EA/ISMND were made available at the four locations where public scoping meetings had been held in Redding, Lewiston, Weaverville, and Eureka, California. An announcement of the EA/ISMND review period was placed in the *Redding Record Searchlight*. Public comments received on the draft EA/ISMND, and agency responses to those comments, are found in Appendix O of the EA/ISMND.

A total of 80 comments were received from the public, agencies, and Tribes in the initial public scoping period, and a total of 60 comments were received from the public and agencies on the draft EA/ISMND. Tribal consultation is ongoing. All written and oral comments received—whether from agencies, Tribes, or the public—were collected and considered in the environmental analysis.

A list of agencies, organizations and persons consulted regarding this proposal is also provided in the [“Agencies & Persons Consulted”](#) section.

Findings Required by Other Laws and Regulations

I have reviewed the EA/ISMND and subsequent Finding of No Significant Impact (FONSI). Based on this review, I determined the actions accompanying implementation of the Proposed Action would not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) is not required or appropriate. This decision is consistent with the Shasta-Trinity National Forest Land Management Plan’s goals and objectives. The Proposed Action was developed in accordance with and does not threaten to violate any Federal, State, or local laws or requirement for the protection of the environment (i.e., Clean Air Act, Clean Water Act, Endangered Species Act, National Forest Management Act, National Historic Preservation Act, etc.).



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Administrative Review and Objection Opportunities

This decision was subject to objection pursuant to 36 C.F.R. § 218, Subparts A and B, also called the “objection process”. Only individuals or groups that submitted timely and specific written comments about the proposed project during any designated public comment period had standing to object (36 C.F.R. § 218.5(a)). Objections must have been filed with the reviewing officer, the Pacific Southwest Regional Forester, within 45 days following the publication date of the legal notice of the EA in the Redding Record Searchlight (36 C.F.R. § 218.26(a)).

The legal notice of the objection period for the project’s decision was published in the Redding Record Searchlight on October 27, 2022. One objection was received from Velocity Communications, Inc. The Reviewing Officer and the Shasta-Trinity National Forest Deputy Forest Supervisor met with the objector in a virtual meeting on February 15, 2023. No resolution was made on concerns raised by the objector during the meeting.

In accordance with 36 CFR 218.11(b)(1), the Reviewing Officer issued a written response to the objectors on February 24, 2023. The objection response letter from the Reviewing Officer is concluded and I am authorized to proceed with issuance of the final decision.

Implementation

Implementation of the decision may begin immediately following the signature date of this decision.

Contact

For additional information concerning this decision, please contact Joseph Rodarme, Environmental Coordinator, by email at joseph.rodarme@usda.gov.

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