

**CATEGORICAL EXCLUSION CHECKLIST**  
***Friant Kern Canal***  
**High Directional Drill near Mile Post 91**

South-Central California Area Office

March 7, 2012

**Background:** Central Valley Independent Network (CVIN) applied to the Broadband Technology Opportunities Program (BTOP) for a grant to install approximately 817-miles of fiber optic cable involving about 723-miles of newly constructed conduit and 94 miles of existing conduit. While the new network would be a hybrid of aerial and buried fiber optic cable, most of the fiber would be buried within existing road right-of-way (ROW) via trenching and directional boring. Some sections of fiber optic cable would also be attached to bridges or installed aerially on existing poles, as required to cross water bodies and other features. The proposed project is referred to as the Central Valley Next Generation Broadband Infrastructure Project (Project) connecting seventeen counties to broadband within Central California.

Then National Telecommunications and Information Administration awarded this grant through BTOP, as part of the American Recovery and Reinvestment Act. The funding must be obligated and the Project completed within three years.

As a condition of receiving BTOP grant funding, recipients must comply with all relevant Federal legislation, including the National Environmental Policy Act of 1969 (NEPA). CVID completed an Environmental Assessment (EA) for the overall Project in September 2011.

**Purpose and Need for Action:** The purpose of this project is to bring affordable broadband service to underserved communities within central California. Current broadband service in the area is inadequate or unaffordable for many residents and institutions. The planned project would improve broadband service and internet access to communities including businesses, residences, hospitals, colleges, universities and governmental agencies.

**Proposed Action:** The Bureau of Reclamation (Reclamation) proposes to grant CVID a license for a period of 30-years in order to install and maintain when necessary, a fiber optic cable line on Reclamation's ROW on the Friant Kern Canal (FKC). While CVIDs EA and decision document, a Finding of No Significant Impact, analyzed and documented potential impacts resulting from the overall project, the EA did not analyze the crossing of the FKC at a level of detail necessary for Reclamation to adopt their EA for approval of the proposed project. As such, Reclamation has completed this Categorical Exclusion for compliance with NEPA.

The 4-inch diameter fiber optic cable is proposed to be buried beneath the FKC in order to expand public fiber optic service in and around the City of Porterville in Tulare County (Figure 1). The construction activity would require two bore pits on either side of the canal approximately 50-feet from canal embankments and would be restored to the pre-disturbance conditions. Horizontal directional drilling (HDD) techniques would be implemented to minimize adverse affects. CVIN and their contractors would maintain a bore profile to ensure activity remains outside of the canal bed, bank and channel. The boring would occur at minimum 25-feet under the bottom of the bed of the canal.

Installation of the fiber conduit for this project and all construction activities are designed to avoid impacts to jurisdictional waters. There would be no discharge of dredge, fill, or waste material to waters of the United States or waters of the State from this project.

The proposed Project would be completed within one 24-hour period. The equipment would include a HDD Machine and on-call vacuum truck as is required by the HDD Contingency Plan. All work equipment other than those listed would be kept outside of Reclamation ROW.

### **Environmental Commitments**

Reclamation shall implement the following environmental protection measures:

<b>Resource</b>	<b>Protection Measure</b>
Biological Resources	Project-related vehicles shall observe a 20 MPH speed limit in all project areas, except on county roads and State and federal highways.
Biological Resources	Project-related vehicles shall stay on established roads
Biological Resources	All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed at least once a week from a construction or project site.
Biological Resources	To prevent harassment, mortality of wildlife or destruction of habitat by dogs or cats, no pets will be permitted on project sites
Biological Resources	Construction activities will be limited to daytime hours.
Biological Resources	If any listed species are observed on or near the project area, Reclamation will be notified and the project will be rescheduled or postponed to avoid all impacts to species. Any scheduled operations and maintenance activities will also be rescheduled or postponed to avoid impacts to listed species
Biological Resources	A preconstruction survey would be conducted and avoidance and minimization measures prior to and during construction activities for San Joaquin kit fox, per the 2011 U.S. Fish and Wildlife Service Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) would be implemented. Note: This includes identifying any potential kit fox dens
Biological Resources	Carcasses of medium to large mammals (deer, cattle, etc) should be removed from the action area immediately to discourage potential foraging by condors
Biological Resources	Project workers should avoid all interaction with condors and immediately report any condor sightings in the project area to the U.S. Fish and Wildlife Service

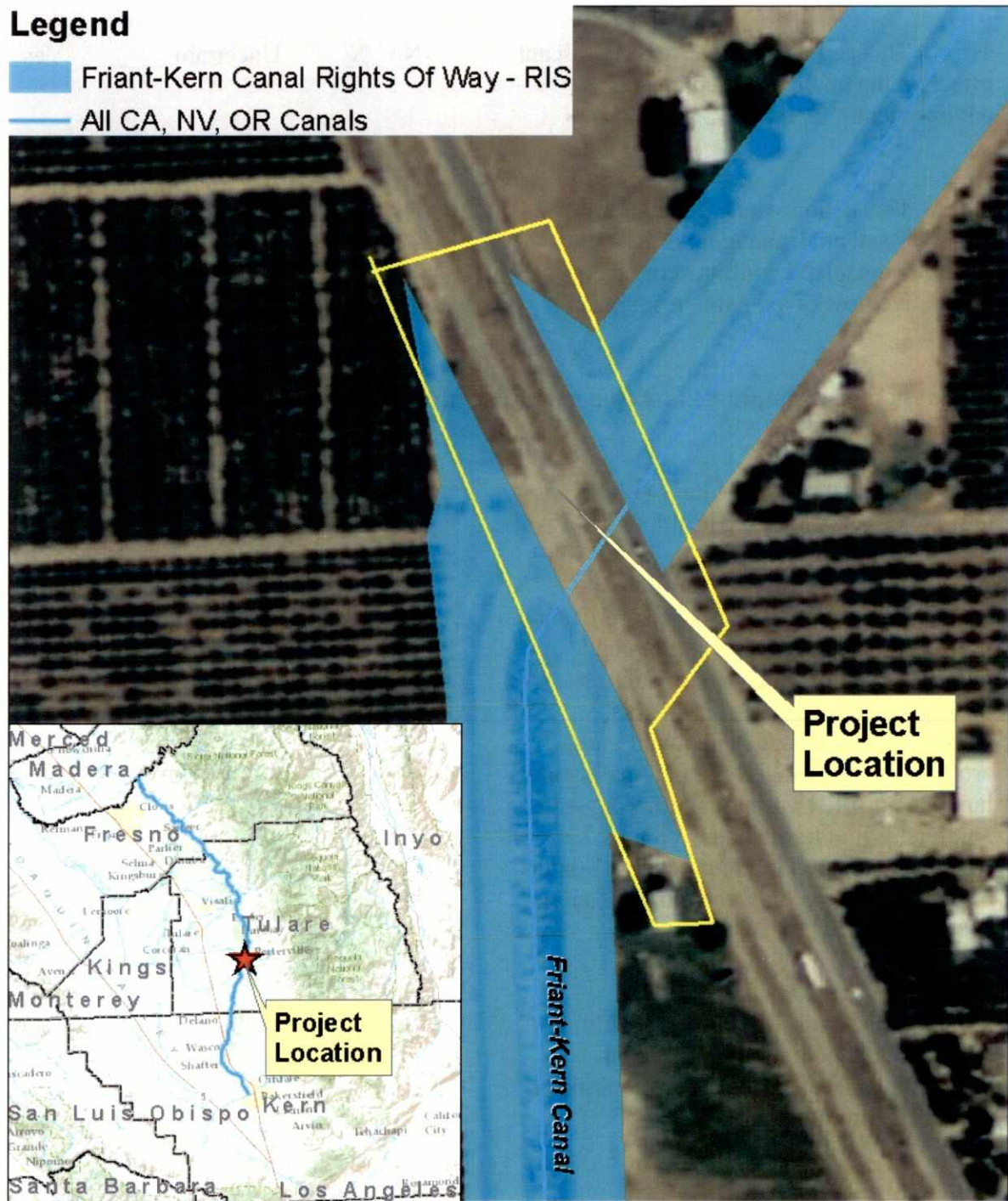
Environmental consequences for resource areas assume the measures specified would be fully implemented. Please refer to the Environmental Commitment Plan (ECP) completed for this action.

**Exclusion Category:** 516 DM 14.5 D (10). Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where action does not allow for or lead to a major public or private action.



## Legend

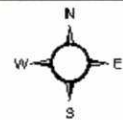
- Friant-Kern Canal Rights Of Way - RIS
- All CA, NV, OR Canals



**Figure 1. Project Locaiton**



0 0.015 0.03 0.06 0.09 0.12 Miles



**Evaluation of Criteria for Categorical Exclusion**

- |  |             |                |     |
|--|-------------|----------------|-----|
| 1. This action would have a significant effect on the quality of the human environment.  | No <u>X</u> | Uncertain ____ | Yes |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. | No <u>X</u> | Uncertain ____ | Yes |

**Evaluation of Exemptions to Actions within Categorical Exclusion**

- |  |             |                |     |
|--|-------------|----------------|-----|
| 1. This action would have significant adverse effects on public health or safety.  | No <u>X</u> | Uncertain ____ | Yes |
| 2. This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. | No <u>X</u> | Uncertain ____ | Yes |
| 3. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.   | No <u>X</u> | Uncertain ____ | Yes |
| 4. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.   | No <u>X</u> | Uncertain ____ | Yes |

- |  |             |                |     |
|--|-------------|----------------|-----|
| 5. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.   | No <u>X</u> | Uncertain ____ | Yes |
| 6. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau (in coordination with a Reclamation cultural resources professional). | No <u>X</u> | Uncertain ____ | Yes |
| 7. This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.                  | No <u>X</u> | Uncertain ____ | Yes |
| 8. This action would violate a Federal, State, local, or tribal law or requirement imposed for protection of the environment.  | No <u>X</u> | Uncertain ____ | Yes |
| 9. This action would affect Indian Trust Assets (ITA) (To be completed by Reclamation official responsible for ITA).   | No <u>X</u> | Uncertain ____ | Yes |
| 10. This action would have a disproportionately high and adverse effect on low income or minority populations.   | No <u>X</u> | Uncertain ____ | Yes |
| 11. This action would limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.                          | No <u>X</u> | Uncertain ____ | Yes |

12. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.

No X      Uncertain \_\_\_\_      Yes



Prepared by:

Danielle Oliveira

Date: 04-11-2012

South-Central California Area Office

Regional Archeologist concurred with Item 6. Their determination has been placed within the project file.

Area Office Biologist concurred with Item 7. Their determination has been placed within the project file.

ITA Designee concurred with Item 9. Their determination has been placed within the project file.

Concur:

Jana Carlson

Date: 4/11/2012

Wildlife Biologist, South-Central California Area Office

Concur:

Carla

Date: 4/19/12

Supervisory Natural Resources Specialist, South-Central California Area Office

Approved:

Dandy J. English

Date: 4/23/12

Chief, Resources Management Division, South-Central California Area Office





**Friant Kern Canal**  
***High Directional Drill "HDD"***

South-Central California Area Office

Date: April 11, 2012

To:	Wildlife Biologist	SCC 425	4/11/12	L Carlson	<u>Le</u>
	Supervisory Nat. Res. Specialist	SCC 411	4/19/12	C Siek	<u>Siek</u>
	Chief, Resource Division	SCC 400	4/23/12	R English	<u>RE</u>
	Natural Resource Specialist	SCC 419	4/23/12	D Oliveira	<u>DO</u>

Cost Authority Number: A1R-1752-9652-220-04-8-5

From: Danielle Oliveira

Subject: Review and signing of Categorical Exclusion Checklist

Please review the attached CEC and route it according to the order on the list. When your review is finished, please date, initial and sign on the last page. However, if you have comments or questions please contact the Environmental Team or the proponent of the action. When everyone has signed the CEC, please return it to Danielle Oliveira.

Thank you.

Ready for Central Files Siek 4/23/12

Copies to: MP-3730 (1 Copy)

Project Lead (1 Copy): Laura Couron – SCC-454

