



Public Notice of Application for Water Quality Certification for Vero Fiber Networks Digital 299 Broadband Project

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: December 13, 2022

Affected Counties: Humboldt, Trinity, and Shasta

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Water Quality Certification Program.

State Water Resources Control Board (State Water Board) staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. **Staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this notice (December 13, 2022) and ends at 5:00 p.m. on the last day of the comment period (January 3, 2022).** To submit comments, or if you have questions, please contact the State Water Board staff person listed below.

State Water Resources Control Board Contact:

Stephen Barlow, Environmental Scientist
Wetland Permitting and Enforcement Unit, Division of Water Quality
State Water Resources Control Board
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Note: No regulatory decision on the application is implied or intended in this public notice.

Project Name: Digital 299 Broadband Project

(Reg. Meas. ID: 450465 and SWRCB ID: SB21040IN)

Background: On December 2, 2022, Vero Fiber Network’s preapplication notice for Clean Water Act Section 401 water quality certification was received for the Digital 299 Broadband Project (Project).

Project Description: The purpose of the proposed activity is to install a fiber optic lines to provide broadband services to residents within portions of Humboldt, Trinity, and Shasta counties between Cottonwood and Eureka, California known to have no, or poor broadband infrastructure.

The Project would consist of installation of conduit and fiber optic cable along the approximately 300-mile alignment. The Project would include newly constructed underground conduit with fiber optic cable; placement of fiber optic cables into existing available utility conduit; stringing fiber optic cable aerially onto existing utility poles; placement of fiber optic cables into new or existing conduit on bridges; and the construction of six prefabricated buildings to support signal regeneration, distribution, and interconnection. Underground conduit would generally be installed via plowing or trenching where plowing is not possible. To avoid impacts to certain environmental resources, which include wetlands perennial streams, some sections of underground conduit would be installed via hydraulic directional drilling.

The Project application reports impacts to waters of the state as shown in Table 1. All waters of the state that are proposed to be impacted by the Project are also waters of the United States. Vero Fiber Networks reports temporary impacts to waters of the state and no permanent impacts from Project implementation. Therefore, no compensatory mitigation is proposed. All temporarily impacted waters of the state and surrounding areas will be rehabilitated to pre-project conditions upon completion of the Project.

The California Public Utilities Commission, acting as lead agency under the California Environmental Quality Act (CEQA) adopted an Initial Study of Mitigated Negative Declaration (ISMND) for the Project on January 3rd, 2022. This ISMND is available at the following website: https://ia.cpuc.ca.gov/environment/info/transcon/EA_ISMND.html

Table 1: Reported Total Project Fill/Excavation Impacts to Waters of the State

Aquatic Resource type	Riparian Zone	Stream Channel
Acres of temporary impact	5.09	0.80
Linear feet of temporary impact	6,523	12,212

A Certification or Denial will be prepared by the State Water Board for the Digital 299 Broadband Project.

Applicant: Vero Fiber Network
Applicant Contact: Josh Nelson
Telephone: (303) 350-4060 (Ext. 117)
Email: jnelson@veronetworks.com

Date Prefile Notice Received: December 2, 2022

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Board has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

KEEP INFORMED OF PROJECT MILESTONES

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the Subscribe directly to the 401 water quality Certification and Wetland Program Email List button on the 401 Program Webpage at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

By enrolling in this list, you will receive notices for all current 401 applications, including the Project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means. You can enroll or un-enroll at any time.