

# CALIFORNIA MIDDLE MILE BROADBAND NETWORK (MMBN) SPL SECTION 408 UPDATE- INFORMATION BRIEF

**408 REQUESTER:**  
California Department of Transportation (Caltrans)  
On behalf of  
the California Department of Technology (CDT)

Rafi Talukder, P.E.  
Section 408 Coordinator

February 23, 2023

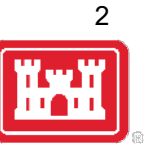


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# MIDDLE MILE BROADBAND NETWORK (MMBN) PROPOSED PROJECT BACKGROUND



- ❑ California Senate Bill 156 (SB 156) authorized \$3.25 billion to build, operate and maintain an open-access middle-mile network to bring equitable high-speed broadband service throughout California.
- ❑ The Middle Mile Broadband Initiative (MMBI), will leverage Federal funds, such as the American Rescue Plan Act (ARPA), Pub. L. 117-2.
- ❑ An additional \$2.75 billion is authorized to construct “last mile” infrastructure, which will rely on the MMBI,
- ❑ Per guidance from the U.S. Treasury, ARPA funds must be encumbered by **December 31, 2024**, and all associated projects must be completed by **December 31, 2026**.
- ❑ The term “middle-mile” refers to the physical infrastructure required to enable internet connectivity for homes, businesses, and community institutions.
- ❑ **The MMBN involves the installation of a statewide middle-mile network along approximately 10,000 miles of the California State Highway System, including linear installation of 4 two-inch high-density polyethylene conduits underground, vaults, marker posts, and network hubs, as well as aerial installation on both existing and new poles.**
- ❑ CDT is the project sponsor for the MMBI project with Caltrans preparing the environmental review documents.



# MMBN – INSTALLATION METHODS

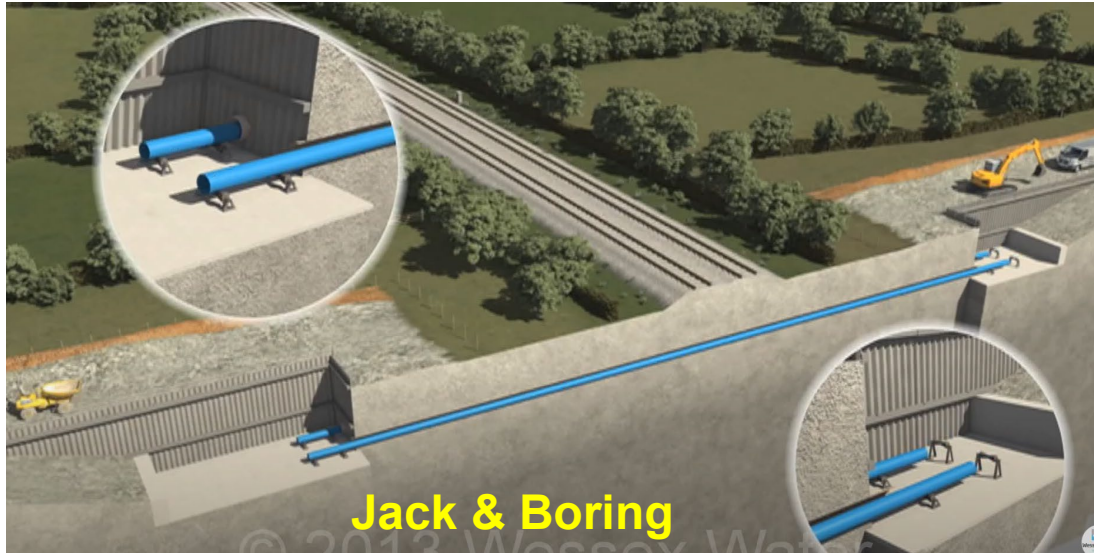


Caltrans is proposing 5 types of installation processes:

- Plowing:** An attachment to a tractor or other prime mover that cuts a slit in the ground as it lays a small-diameter utility cable or pipe.
  
- Trenching:** A trench is an excavation in which the depth exceeds (is bigger than) the width.
  
- Trenchless Installation - Horizontal Directional Drilling:** A process of boring a horizontal hole for the installation of new pipes without the use of conventional trenching.
  
- Trenchless Installation - Jack and Boring:** A trenchless method of pipe construction. It is suitable for installing short pipe runs in stable and dry soils without large boulders. Crews dig a sending pit and a receiving pit to install a new pipe.
  
- Aerial Installation:** Using existing utility poles or install new poles to hang cables outside flood control Real Property to Real Property.

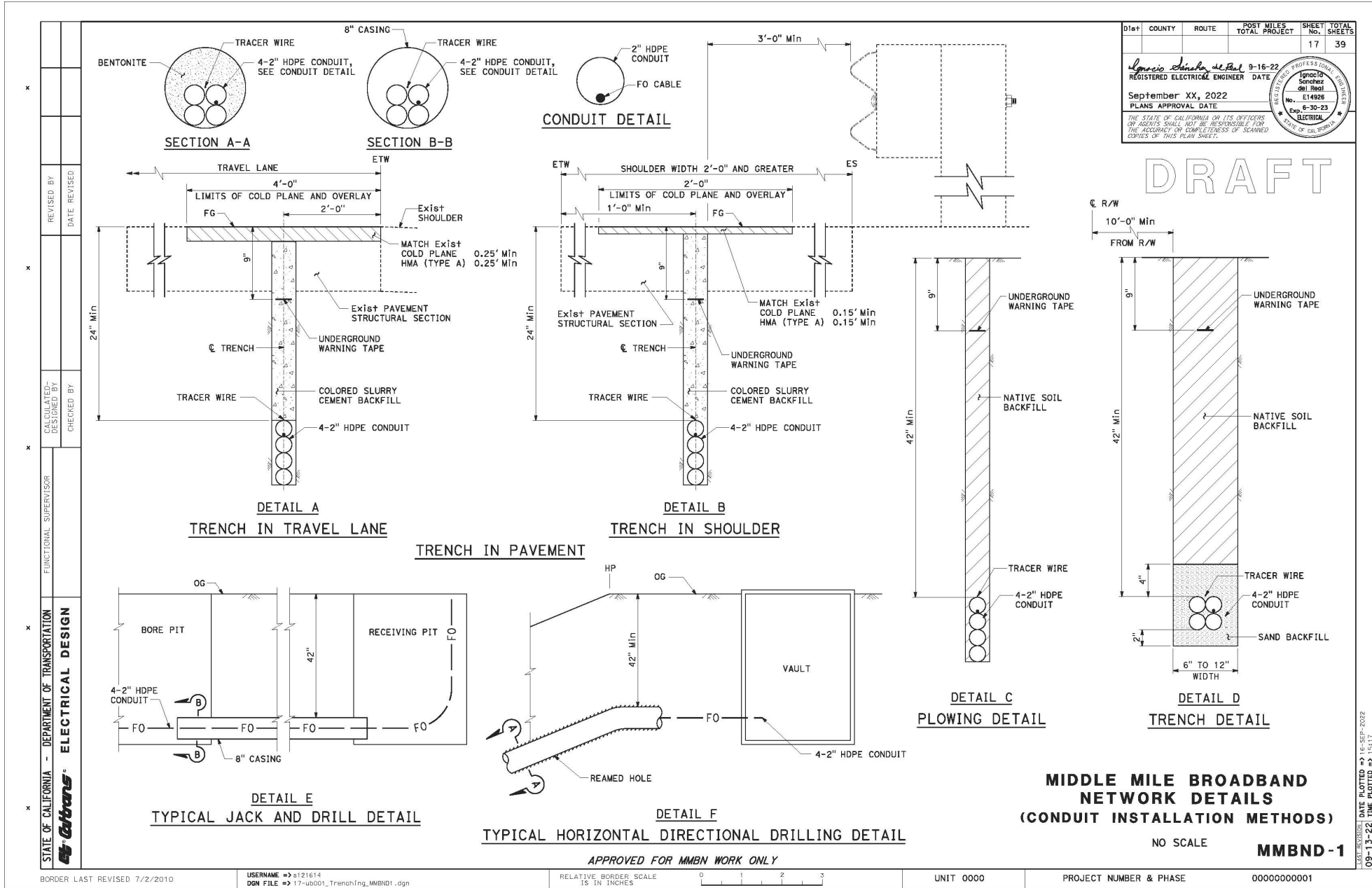


# MMBN – INSTALLATION PROCESS





# MMBN – CONDUIT CROSS SECTION



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
				17	39

Registered Electrical Engineer  
 Ignacio Sanchez del Real  
 No. E14926  
 Exp. 9-30-23  
 STATE OF CALIFORNIA  
 ELECTRICAL

September XX, 2022  
 PLANS APPROVAL DATE

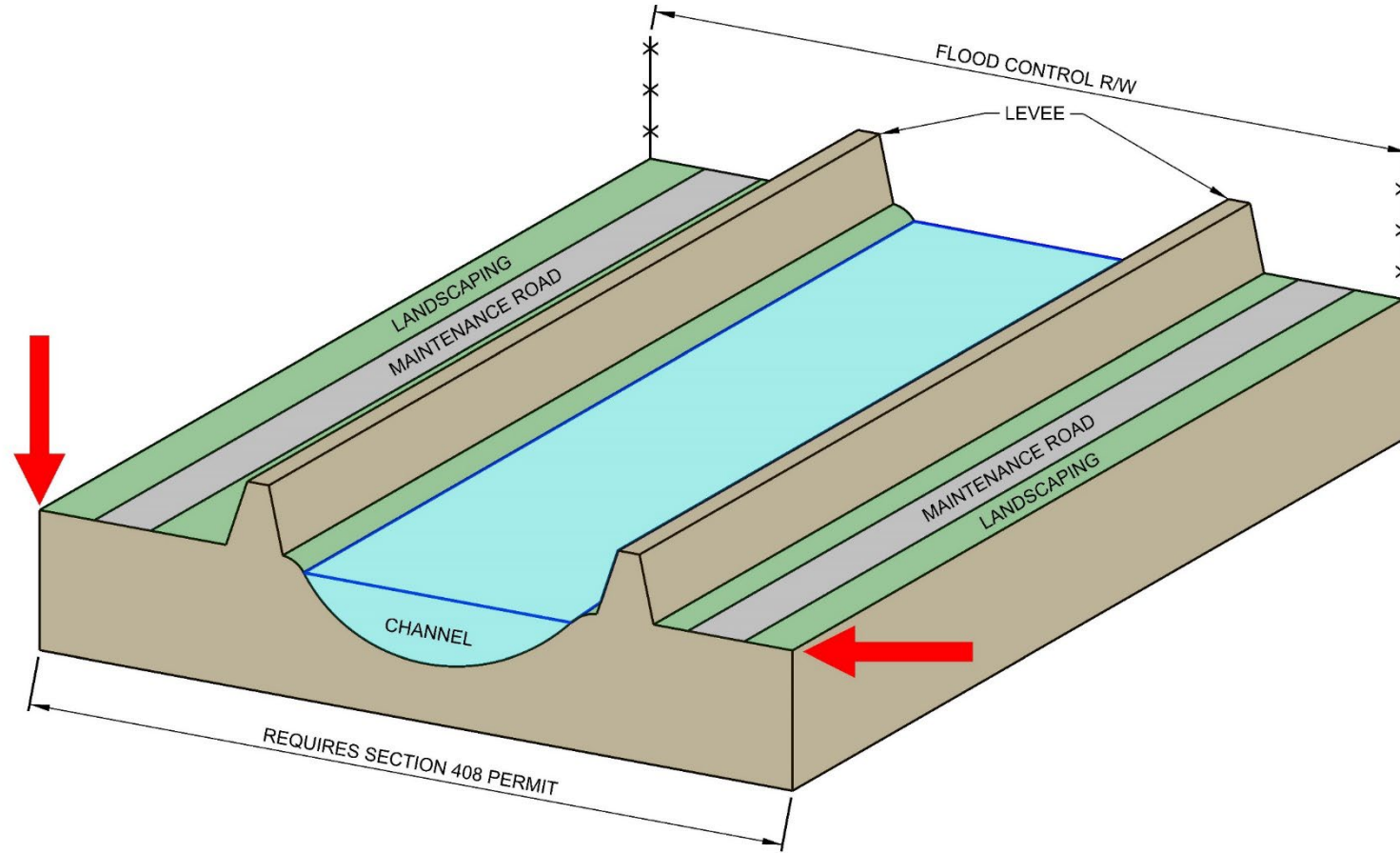
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# DRAFT

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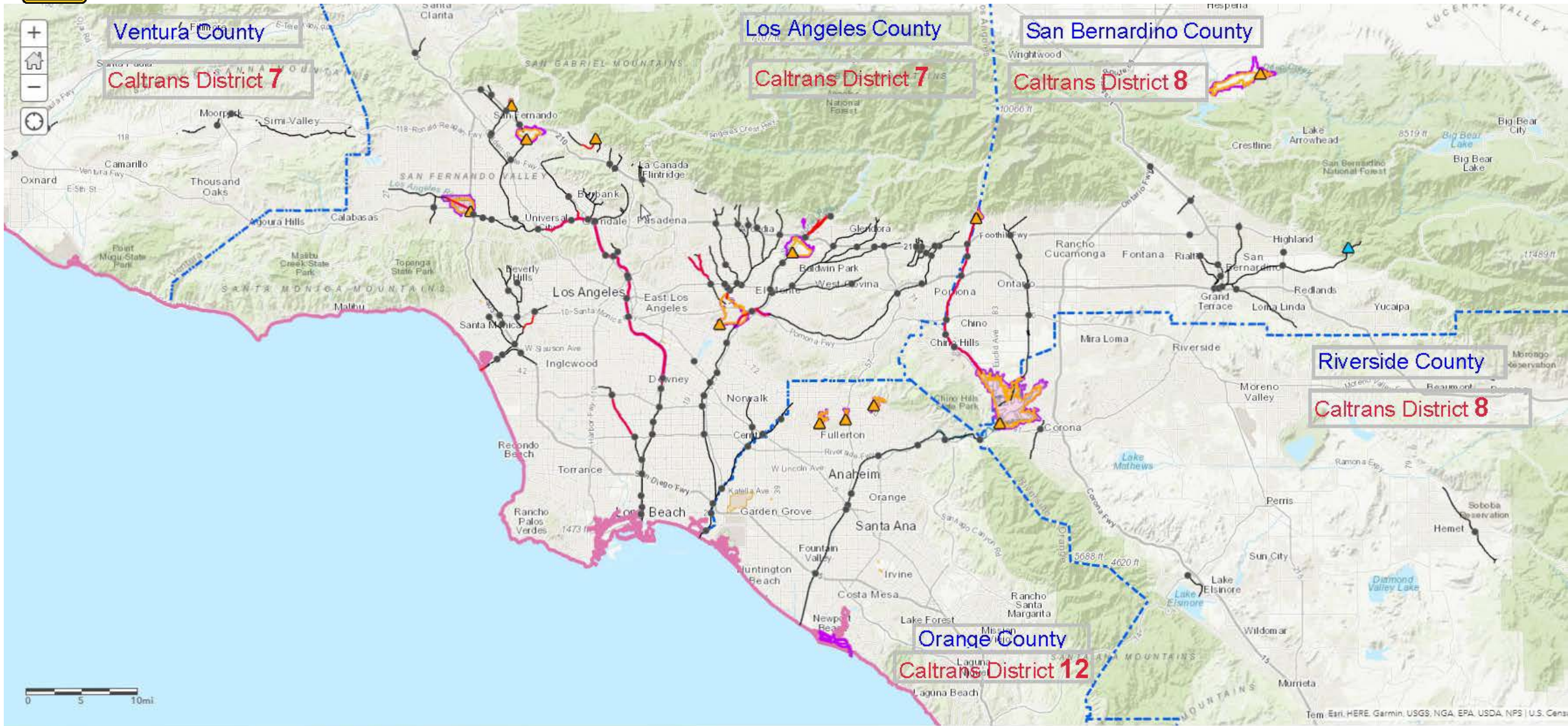
# SECTION 408 GEOGRAPHICAL LIMITATIONS & POLICY



Engineer Circular (EC) 1165-2-220, **An activity affecting a USACE project not yet constructed or under construction is considered to be an alteration, occupation, or use of a USACE project requiring permission under Section 408 if the activity will occur on real property that the Federal Government has acquired for the USACE project or that the non-federal sponsor has provided for the USACE project under the terms of a Project Partnership Agreement (PPA).**



# MMBN AND CIVIL WORK FACILITY CROSSINGS





# MMBN AND CIVIL WORK FACILITY CROSSINGS



**Total Potential Caltrans MMBN Overlaps with Section 408**

County	Caltrans District	Crosses 408 Structure		Near 408 Structure		Total
		County O&M	USACE O&M	County O&M	USACE O&M	
Santa Barbara	5	1	0	1	0	2
Ventura	7	7	0	1	0	8
Los Angeles	7	73	16	9	2	100
San Bernardino	8	16	5	1	0	22
Riverside	8	4	0	0	0	4
San Diego	11	0	0	1	0	1*
Orange	12	7	0	3	0	10
<b>Total</b>		108	21	16	2	<b>147</b>
		<b>129</b>		<b>18</b>		

**Total Potential Overlaps per Caltrans District**

Caltrans District	Total
San Luis Obispo District -5	2
Los Angeles District- 7	108
San Bernardino District -8	26
San Diego District -11	1
Santa Ana District -12	10
<b>Total</b>	<b>147</b>

\*Determined that Section 408 review is not required

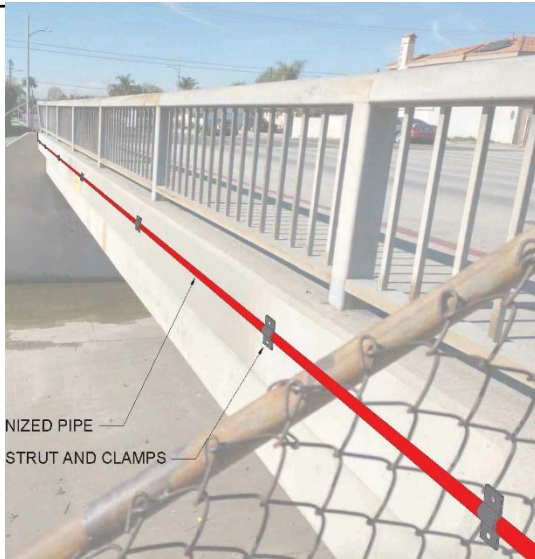
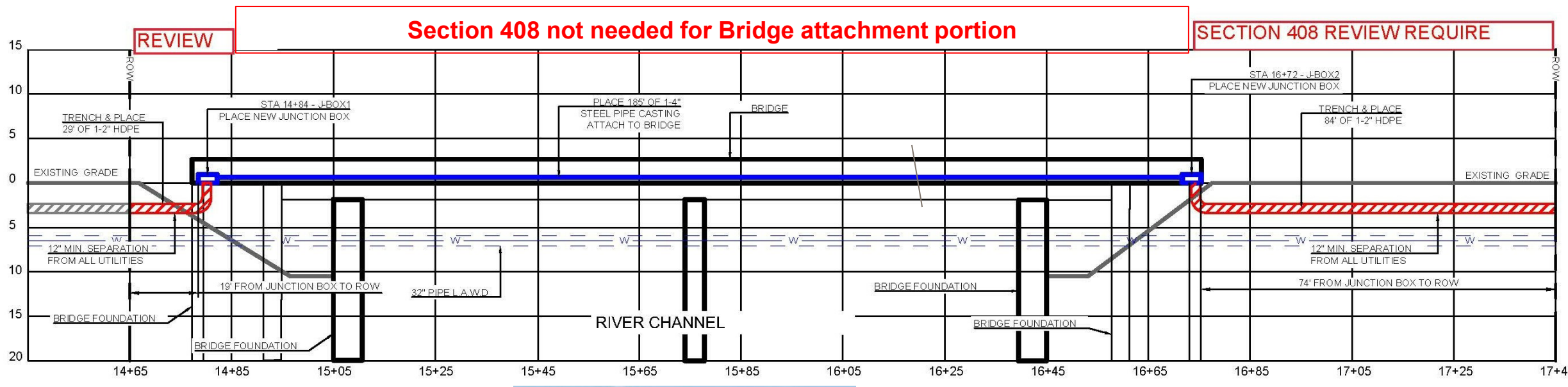




# MMBN - SECTION 408 APPLICABILITY



BRIDGE CROSSING PROFILE





# MMBN - SPL SECTION 408 REVIEW PROCESS



## When Local Sponsor is in charge of O&M

Caltrans (3<sup>rd</sup> Party) → Local Non-Fed Sponsor (applicant) → USACE → Local Non-Fed Sponsor

## When USACE is in charge of O&M

Caltrans (applicant) → USACE → Caltrans

## PERMIT INQUIRY SUBMITTAL REQUIREMENTS

- Visit our Website ([www.spl.usace.army.mil/Missions/Section-408-Permits/](http://www.spl.usace.army.mil/Missions/Section-408-Permits/))
- Follow Step 1
- Submit Plan and Profile sheets with R/W
- If no excavation within Flood Control R/W then a Section 408 permission will not be required



# MMBN - SUBMITTAL REQUIREMENTS & NEXT STEPS



## CALTRANS SUBMITTAL REQUIREMENTS FOR SECTION 408 PERMISSION:

- Application and No Objection letter (if applicable)
- Construction Plans & Specifications
- Categorical Permission (CP) checklist
- Technical Documents & CP checklist (Drilling Plan)
- NHPA Section 106 compliance document
- ESA Section 7 compliance document
- Easement Agreement & O&M Agreement with Non-Fed Sponsor

## NEXT STEPS:

- Submit Section 408 permission inquiries as soon as possible to determine if a Section 408 permissions will be needed or not.
- Set up monthly meeting with key members of Caltrans Districts & Non-Fed Sponsors to share Section 408 requirements.



# QUESTIONS ?

