CONVERSE CONSULTANTS

Environmental Assessment
Tribal Broadband Connectivity Project for the Walker River Paiute Tribe
Schurz, Mineral County, Nevada

Prepared For:

Walker River Paiute Tribe (Applicant)
1022 Hospital Road
Schurz, Nevada 89427

and

Department of Commerce National Telecommunications and Information Administration Program (Lead Federal Agency)
Washington, D.C.

May 2024
Revised August 2025
Converse Project No. 23-23114-03

Prepared By:

Converse Consultants
1 E. Liberty Street, Suite 600
Reno, Nevada 89501

Converse Consultants
Geotechnical Engineering, Environmental & Groundwater Science, Inspection & Testing Services

August 19, 2025

Walker River Paiute Tribe
1022 Hospital Road
Schurz, Nevada 89427

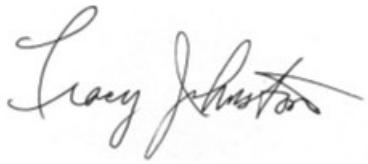
Attn: Andrea Martinez
Tribal Chairman

Subject: **NTIA ENVIRONMENTAL ASSESSMENT**
Tribal Broadband Connectivity for the Walker River Paiute Tribe
Schurz, Mineral County, Nevada
Converse Project No. 23-23114-03

Dear Ms. Martinez,

Converse Consultants are pleased to submit the attached Environmental Assessment (EA) for the above-referenced project. We appreciate the opportunity to be of service. Should you have any questions or comments regarding this report, please contact the undersigned at 775-225-7655.

CONVERSE CONSULTANTS



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Environmental Assessment

Department of Commerce

National Telecommunications and Information Administration

May 2024
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Tribal Broadband Connectivity Project for the Walker River Paiute Tribe

Schurz, Mineral County, Nevada

Award NT23TBC0290026

Cooperating Agencies

Bureau of Indian Affairs (BIA), Western Nevada Agency
Hawthorne Army Depot
Nevada Department of Transportation

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Environmental Assessment

Project Information

Project Name: Walker River Paiute Tribe's Broadband Infrastructure Deployment Project

Responsible Entity: Walker River Paiute Tribe

Grant Recipient (if different than Responsible Entity): Same

State/Local Identifier: Nevada, Mineral County, Schurz

Preparer: Converse Consultants
1 E. Liberty Street, Suite 600
Reno, NV 89501

Certifying Officer Name and Title: Andrea Martinez, Tribal Chairman

Grant Recipient (if different than Responsible Entity): N/A

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List of Acronyms

AQI	Air Quality Index
BDC	Business Development Corporation
BIA	Bureau of Indian Affairs
BMP	Best Management Practices
CAA	Clean Air Act
CHG	Greenhouse Gas
CEQ	Council on Environmental Quality
CESA	Cumulative effects study area
CFR	Code of Federal Regulations
CWA	Clean Water Act
dBA	A-weighted Decibel
DOC	United States Department of Commerce
E.O.	Executive Order
EA	Environmental Assessment
ECHO	Enforcement and Compliance History Online
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ERP	Environmental Repair Program
ERR	Endangered Resources Review
ETC	Eligible Telecommunication Carrier
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FTTH	Fiber to the Home
FTC	Federal Trade Commission
GIS	Geographic Information System
HAD	Hawthorne Army Depot
HDD	Horizontal Directional Drilling
ISP	Internet Service Provider
Mb/s	Megabits per Second
NDNR	Nevada Department of Natural Resources
NDEP	Nevada Division of Environmental Protection
NDOT	Nevada Department of Transportation
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHI	Natural Heritage Inventory
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
NTIA	National Telecommunications and Information Administration

NWI	National Wetland Inventory
OSHA	Occupational Safety and Health Act
Reservation	Walker River Paiute Reservation
RFFA	Reasonable foreseeable future action
ROW	Right-of-Way
SDWA	Safe Drinking Water Act
SHPO	State Historic Preservation Office
SWPPP	Stormwater Pollution Prevention Plan
Tribe	Walker River Paiute Tribe
USDA	United States Department of Agriculture
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
WBIC	Waterbody ID Code
WRPT	Walker River Paiute Tribe

1.0 Executive Summary

The U.S. Department of Commerce, National Telecommunications and Information Administration Tribal Broadband Connectivity Program has awarded federal funding to the Walker River Paiute Tribe ("Tribe") to enable high-speed broadband services to tribal businesses, community institutions, and unserved Native American households located on the Walker River Indian Reservation ("Reservation") in Schurz, Nevada.

The Tribe's Broadband Infrastructure Deployment Project ("Project") will provide Fiber to the Home (FTTH) and upgrade the existing wireless broadband service to the Reservation, which belongs to the Tribe. All work associated with the Project will be located within the boundaries of the Reservation.

The Tribe is a federally recognized tribe of Northern Paiute people. The Reservation is located in western Nevada in Mineral County, approximately 100 miles south of Reno, Nevada. The elevation of the Reservation is approximately 4,120 feet. The bulk of the reservation (72.68%) is in Mineral County, with portions in Lyon County (14.37%) and Churchill County (12.95%). The Reservation's land area is approximately 530 square miles. Based on information provided by the United States Census (2018-2022), the Reservation has a total population of 1,084 (± 188), the majority of which is located at or near the Project area. The population of the Reservation has increased approximately 30% since 2000. The majority of the population is American Indian.

Schurz is the only town on the Reservation. The Project will serve the Schurz community and the surrounding area. Reference Figure 1, Vicinity Map and Figure 2, Topographic Map. The Project will consist of providing FTTH and wireless broadband service to homes, businesses, and anchor institutions located on the Reservation, with emphasis on low to moderate income homes and connecting the new fiber optic infrastructure to the existing aerial fiber line extending from Hawthorne, Nevada to Schurz.

The Tribe seeks to deploy broadband infrastructure to unserved Native American households, tribal businesses, and community anchor institutions located on the Reservation. The Project encompasses approximately 10 miles of FTTH. The Project is an installation of wireless internet equipment on existing towers located in the Project Area. The Project will serve up to 418 households, 10 businesses, and 22 community anchor institutions.

Following completion of the proposed Project, CC Communications will be the internet carrier for the households, businesses and community anchor institutions located within the Project area.

The Project will consist of 1) construction of approximately 10 miles of fiber to the home (FTTH) residences, businesses, and anchor institutions located on the Reservation with emphasis on low to moderate income homes, 2) connecting the FTTH infrastructure to

the existing aerial fiber line extending from Hawthorne, Nevada to the Reservation, 3) installing new wireless equipment on existing telecommunications towers located in the Project Area, and 4) installing wireless equipment on residents and businesses that are not connected to fiber.

All work associated with the Project will be located within the boundaries of the Reservation.

The Project facilitates the following:

- Provides immediate connectivity relief to the anchor institutions with cost-effective high-speed transport services
- Creates a public-private partnership for the delivery of a broadband solution
- Provides economic enhancements to an area with lower incomes
- Provides connectivity to public safety entities to allow for sharing of data and implementation of technologies that could otherwise not occur
- Provides the opportunity to deliver FTTH and wireless services to businesses, anchor institutions, and residents of the area
- Provides enhanced educational access and opportunities for WRPT schools and online classes at all grades and levels
- Provides the opportunity for telemedicine to positively impact the Tribal population where access to clinics or travel to medical services may be inhibited.

An alternative to the Proposed Action includes a No Action alternative. Under the No Action alternative, the Project would not be constructed, and unmet needs would continue in the unserved and underserved community of Schurz. Of the two alternatives analyzed, the Proposed Action is found to best meet the purpose and need. As part of this analysis, the environmental impacts of each alternative were addressed. The Project would include the installation of fiber with electronics located along the proposed route. The FTTH portion of the project includes approximately 10 miles of underground fiber optic service and would follow along existing utility Rights-of-Way (ROW), to the maximum extent feasible, and existing infrastructure ROW (e.g., road, railroads, etc.), to the maximum extent feasible. The wireless component of the Project includes upgrading the existing wireless service to 100 megabits per second (Mbps) and includes installation of three (3), 3.6 gigahertz (GHz) Tarana Base Nodes, one 3.7GHz Tarana Base Residential Node, and associated appurtenances. The above ground wireless equipment will be installed on existing telecommunications towers located within the Project Area.

A summary of the impacts for the Proposed Action and No Action alternatives is provided in Table ES-1.

Table ES-1. Summary of Environmental Impacts for the Proposed Action and the No Action Alternative

Resources Area	Proposed Action	No Action Alternative
Noise	May result in temporary, indirect effects associated with auditory impacts from construction activities and equipment	No direct or indirect impacts would result from this alternative.
Air Quality	May result in temporary, indirect effects associated with exhaust emissions from construction vehicles and dust particulates and pollutants from construction activities.	No direct or indirect impacts would result from this alternative.
Geology and Soils	May result in temporary impacts during the construction phase, including soil compaction, alteration in surface water drainage and infiltration due to soil compaction	No direct or indirect impacts would result from this alternative.
Surface water resources	Best management practices (BMPs) will be implemented to prevent soil associated with construction activities from reaching surface waters.	No direct or indirect impacts would result from this alternative.
Groundwater resources	Best management practices (BMPs) will be implemented to prevent impacts to groundwater during construction.	No direct or indirect impacts would result from this alternative.
Wetlands and Floodplains	No direct or indirect impacts are associated with this alternative.	No direct or indirect impacts would result from this alternative.
Vegetation and Habitat	The FTTH is located primary in existing road ROW's. No designated critical habitat is located in the Project area. The majority of the proposed Project will be located within existing ROWs and other previously disturbed areas, to the maximum extent feasible, therefore minimizing additional vegetation clearing that could increase disturbance of sensitive habitats that may be present in the Project area. Impacts to any riparian vegetation would be avoided by HDD methods for installation of the fiber optic lines crossing the Walker River The proposed action will not have a significant impact	No direct or indirect impacts would result from this alternative.

Table ES-1. Summary of Environmental Impacts for the Proposed Action and the No Action Alternative

Resources Area	Proposed Action	No Action Alternative
	on vegetation resources.	
Threatened and Endangered Species	There is no critical habitat in the Project area for any of the ESA listed species; therefore, no effects would occur to critical habitat (USFWS 2025). Suitable riparian habitat for yellow-billed cuckoos and other migratory birds may be present in riparian areas along the Walker River and will not be impacted by the Project. At river crossing location, the new fiber will be placed in an existing conduit extending across the Walker River. The Proposed Action would have no significant long-term adverse impacts to listed or candidate species.	No direct or indirect impacts would result from this alternative.
Historic and Cultural Resources	No direct or indirect effects to historic structures are anticipated to occur, as the Project would not involve the removal or significant alteration of any buildings or above-ground structures located within the Project area. The FTTH line will connect to businesses and residential homes that are included in this portion of Project area. The connection of fiber will be similar to existing utility connections to these buildings and will not alter the cultural integrity of the buildings. Historic properties within view of construction activities may be affected visually; however, these effects would be temporary in nature and would last only as long as the construction activities and would not have a lasting effect on the viewshed from historic structures.	No direct or indirect impacts would result from this alternative.
Aesthetics and Visual Resources	No direct or indirect impacts are associated with this alternative.	No direct or indirect impacts would result from this alternative.

Table ES-1. Summary of Environmental Impacts for the Proposed Action and the No Action Alternative

Resources Area	Proposed Action	No Action Alternative
Land Use	Will positively impact existing service through provision of new technology and support for future development. May result in temporary, indirect effects associated with visual and auditory impacts from construction activities. New fiber lines will cross an existing railroad track by the Hawthorne Army Depot (HAD), state highways, and BIA roadways using HDD.	No direct impacts would result from this alternative. Indirect impacts include the continuing lack of adequate broadband services.
Infrastructure	May result in temporary, indirect effects associated with visual and auditory impacts from construction activities.	No direct impacts would result from this alternative.
Socioeconomics	Will positively impact residences and businesses with existing service through provision of new technology and support for future development. May result in temporary, indirect effects associated with visual and auditory impacts from construction activities. May generate additional jobs. May provide short-term influx of income to Schurz community.	Direct effects would be continued lack of education and employment opportunities. Indirect impacts include the continuing lack of adequate broadband services for the Tribe. There would be a negative impact with the no action.
Human Health and Safety	Will provide positive impact for telehealth opportunities. Will provide connectivity to public safety entities that could otherwise not occur.	No direct impacts would result from this alternative. Indirect impacts include the continuing lack of adequate broadband services.
Cumulative Effects	Future maintenance and improvement projects may occur within the Project area, but such activities are anticipated to be minor and consistent with current uses within the Project area. Cumulative effects from the Project and other projects in this are considered to be be negligible. Future maintenance and	Cumulative effects would not occur from the Proposed project combined with past, present, and reasonably foreseeable future actions as the Project would not be constructed.

Table ES-1. Summary of Environmental Impacts for the Proposed Action and the No Action Alternative

Resources Area	Proposed Action	No Action Alternative
	improvement projects may provide positive cumulative effects as improvements are made for the Reservation community in the vicinity of the Project area.	

Table ES-2 provides a summary of erosion and sediment controls to be implemented during construction.

Table ES-2. Erosion and Sediment Controls

BEST MANAGEMENT PRACTICES (BMPS)		
CONTROL MEASURES	**ACTIVITY/AREA**	**OPERATOR**
Sediment Logs: (NDOT BMP SC-05) Bound fiber rolls shall be placed near the toe slope of the stockpile to reduce flow velocity, release the runoff as sheet flow, and provide removal of sediment from the runoff.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	TBD
Street Sweeping and Vacuuming: (NDOT BMP SC-07) Used to remove tracked sediment from construction and prevent sediment from entering a storm drain or watercourse.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Storm Drain Inlet Protection: (NDOT BMP SC-08) Used to prevent construction debris from entering drain inlets along roadway.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Preservation of Existing Vegetation: (NDOT BMP SC-02) Protect existing trees, brushes, and grasses to best of ability, to maintain buffer to surface waters. Do not clear vegetation in adjacent basins or streams conveying water. In areas which are disturbed, re-vegetate	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	

Table ES-2. Erosion and Sediment Controls

BEST MANAGEMENT PRACTICES (BMPS)		
CONTROL MEASURES	**ACTIVITY/AREA**	**OPERATOR**
pre-construction landscaping. Wind Erosion Control: (NDOT BMP EC-06) Dust control measures must be implemented at construction sites to minimize wind erosion and control airborne emissions. Use water truck as necessary to mitigate excess dust.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Vehicle and Equipment Fueling: (NDOT BMP CO-04) Used to prevent fuel spills into watercourse. Designating fueling areas and absorbent clean up materials are used.	Vehicle and equipment fueling and maintenance area	
Vehicle and Equipment Maintenance: (NDOT BMP CO-03) Used to prevent pollutant discharge from maintenance into watercourse. Designated maintenance areas, drop pans, and regular inspection are utilized.	Vehicle and equipment fueling and maintenance area	
Stabilized Construction Approaches: (NDOT BMP TC-01) Stabilized entrance points for vehicles reentering public roadway from dirt sides.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Stabilized Construction Roadway: (NDOT BMP TC-02) Used to control dust and erosion from vehicular traffic. Speed limits are set, and speed control measures are encouraged.	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Material Use: (NDOT BMP	Install initial BMPs,	

Table ES-2. Erosion and Sediment Controls

BEST MANAGEMENT PRACTICES (BMPS)		
CONTROL MEASURES	**ACTIVITY/AREA**	**OPERATOR**
MM-01)	stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Stockpile Management: (NDOT BMP MM-03)	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Spill Prevention and Control: (NDOT BMP MM-04)	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Sanitary/Septic Waste Management: (NDOT BMP MM-07)	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	
Construction Debris and Litter Management: (NDOT BMP MM-05)	Install initial BMPs, stockpile materials, dig trenches, backfill trenches, remove BMPs after final stabilization	

The Proposed Action is not reasonably expected to cause significant adverse impact to the existing environment within Schurz and Mineral County with regard to the various resource areas evaluated as part of this assessment.

The Proposed Action is expected to provide and improve high speed broadband services available to users on the Reservation. The proposed Project would bring substantially upgraded broadband service with minimum asynchronous speeds of 25 Megabits per Second (Mbps) to households and up to 100 Mbps for businesses, Tribal government, and anchor institutions on the Reservation.

As shown by the information and analysis presented herein, implementation of the Project would not significantly impact the overall quality of the human and natural environment. All beneficial and adverse impacts of the Proposed Action have been

addressed to reach a conclusion of no significant impacts. Therefore, preparation of an Environmental Impact Statement for this action is not necessary.

2.0 Purpose and Need

The Tribe has been working for several years on a comprehensive approach to providing affordable, quality broadband services on the Reservation. The majority of the tribal community have less than 25 megabits per second (Mbps) download and 3 Mbps upload, established by the Federal Communications Commission (FCC).

In response to the need for internet access, the Tribe requested funding for the Project to provide broadband internet for the Tribal members residing within the Reservation. The proposed Project consists of the establishment of last mile broadband services via fiber connections to each residence on the Reservation as well as tribal businesses and community anchor institutions located on the Reservation.

The United States Department of Commerce (DOC), National Telecommunications and Information Administration (NTIA) Tribal Broadband Connectivity Program (TBCP) has awarded federal funding to the Tribe to enable high-speed broadband services to households, businesses, Tribal government, and anchor institutions in Schurz, Nevada and the surrounding area. The broadband fiber system will serve the entire Reservation.

The Project will consist of 1) construction of approximately 10 miles of FTTH to homes, businesses, and anchor institutions located on the Reservation with emphasis on low to moderate income homes, 2) upgrading the existing wireless service to 100 Mbps and includes installation of three (3), 3.6 gigahertz (GHz) Tarana Base Nodes, one 3.7GHz Tarana Base Residential Node, and associated appurtenances, and 3) connecting the new FTTH infrastructure to the existing aboveground fiber line extending from Hawthorne, Nevada. All work associated with the Project will be located within the boundaries of the Reservation. CC Communications will be the internet carrier for the residences following completion

The Tribe is federally recognized and located in Schurz in Mineral County, Nevada. The Reservation is approximately 530 square miles in size.

The Project facilitates the following:

- Provides immediate connectivity relief to the anchor institutions with cost-effective high-speed transport services
- Creates a public-private partnership for the delivery of a broadband solution
- Provides economic enhancements to an area with lower incomes

- Provides connectivity to public safety entities to allow for sharing of data and implementation of technologies that could otherwise not occur
- Provides the opportunity to deliver last mile services to businesses, anchor institutions, and residents of the area
- Provides enhanced educational access and opportunities for Tribal schools and online classes at all grades and levels
- Provides the opportunity for telemedicine to positively impact the Tribal population where access to clinics or travel to medical services may be inhibited

The purpose of the Project is to bring substantially upgraded broadband service to 418 households, 10 businesses, and 22 community anchor institutions through the deployment of FRTH and wireless broadband infrastructure. These anchor institutions include, but are not limited to, Tribal buildings, township halls, community buildings, library, public works buildings, public safety facilities, school buildings, and medical facilities. The public safety facilities include the Tribal Police Department, Tribal Courts, Emergency Management and Emergency Operations Centers, the 911 dispatch center, public safety radio towers, and fire station.

Following completion of the proposed Project, CC Communications will be the internet carrier for the households, businesses and community anchor institutions located within the Project area.

The various institutions are highly supportive of the Project as they perceive the Project as a means to solve local bandwidth problems at an affordable price.

Outcomes of the Project are as follows:

1. Strengthen the economic vitality of the Reservation
2. Develop the infrastructure to facilitate home-based businesses to have acceptable broadband conductivity
3. Broaden the career and labor market in the areas of technology
4. Expand telehealth and education opportunities on the Reservation

The Objective of the Project is to provide affordable, reliable, high-speed broadband to the Tribal Community.

The BIAs purpose, as a Department of Interior agency with a NEPA compliance requirement, is to respond to the ROW application submitted by the Tribe (proponent/applicant) to construct, operate, and maintain FTTH infrastructure over and across lands held in trust for the Tribe. The BIA's need for this action is to fulfill its responsibility under 25 Code of Federal Regulations (CFR) Part 169 (Rights-of-Way over Indian Land) to review and approve actions on tribal trust lands.

The NDOT's purpose is to respond to the ROW application submitted by the Tribe to construct, operate, and maintain FTTH infrastructure over or across lands owned and/or maintained by the State of Nevada. NDOT then would deny, grant, or grant with modifications the ROW agreements between the Tribe and NDOT. The final ROW grant would include any restrictions or conditions imposed in consent documents between the Tribe and NDOT.

The Hawthorne Army Depot (HWAD) purpose is to respond to the ROW application submitted by the Tribe to construct, operate, and maintain FTTH infrastructure across the railroad that traverses through the Project area. HWAD then would deny, grant, or grant with modifications the ROW agreements between the Tribe and NDOT. The final ROW grant would include any restrictions or conditions imposed in consent documents between the Tribe, HWAD, and the COE.

The Walker River Irrigation District (WRID), which is funded by the BIA, purpose is to respond to the ROW application submitted by the Tribe to construct, operate, and maintain FTTH infrastructure across the WRID-owned (BIA-funded) irrigation ditch that traverses through the Project area. The WRID then would deny, grant, or grant with modifications the ROW agreements between the Tribe and WRID. The final ROW grant would include any restrictions or conditions imposed in consent documents between the Tribe and the WRID.

3.0 Description of Proposed Action and Alternatives

3.1 Introduction

Two alternatives were considered for the Project: The No Action Alternative and the Proposed Action Alternative.

This Environmental Assessment (EA) was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. This EA is an informational document for use by the NTIA decision-makers, the BIA, NDOT, HAD and the public. It discloses the relevant information and anticipated environmental impacts of the proposed action and no action alternative. This analysis was completed to determine if impacts to the environment could be significant and would require completion of an Environmental Impact Statement (EIS) or if a Finding of No Significant Impact (FONSI) is the appropriate outcome of the analysis.

3.2 Proposed Action

The Proposed Action is expected to provide and improve the high-speed broadband services available to users on the Reservation. The Project would bring substantially upgraded broadband service with minimum asynchronous speeds of 25 Mb/s to households and up to 100 Mbps for businesses, Tribal government, and community anchor institutions on the Reservation.

The Proposed Action will include installation of FTTH and wireless service. FTTH will be provided to properties at are not identified as BIA allotments and wireless service will be provided to properties identified as BIA allotments. This hybrid approach will achieve the Project objectives and minimize delays to the Project. The Project design includes approximately 10 miles of FTTH to homes, businesses, government institutions, and community anchor institutions via underground installation and providing and installing wireless equipment. The Project will follow along existing utility Rights-of-Way (ROW) to the extent feasible. Wireless equipment for the proposed project will be installed on existing telecommunication towers. The Project does not include construction of new towers or aboveground structures. The Project will cross an existing railroad currently owned by the Hawthorne Army Depot (HAD), state highways, Walker River, and BIA roadways. The Project Location is shown in Figure 3-1. The Project Area is shown in Figure 3-2.

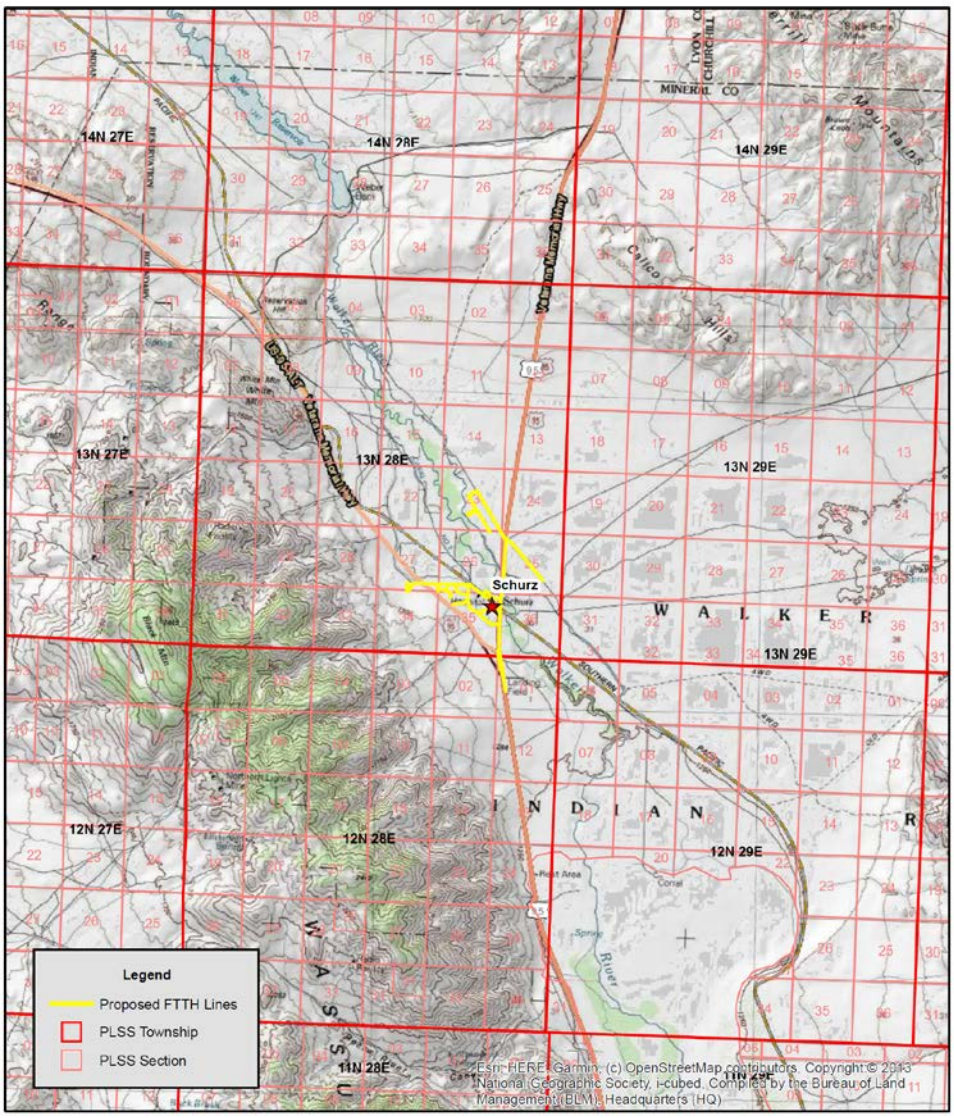


Figure 3-1 Project Location

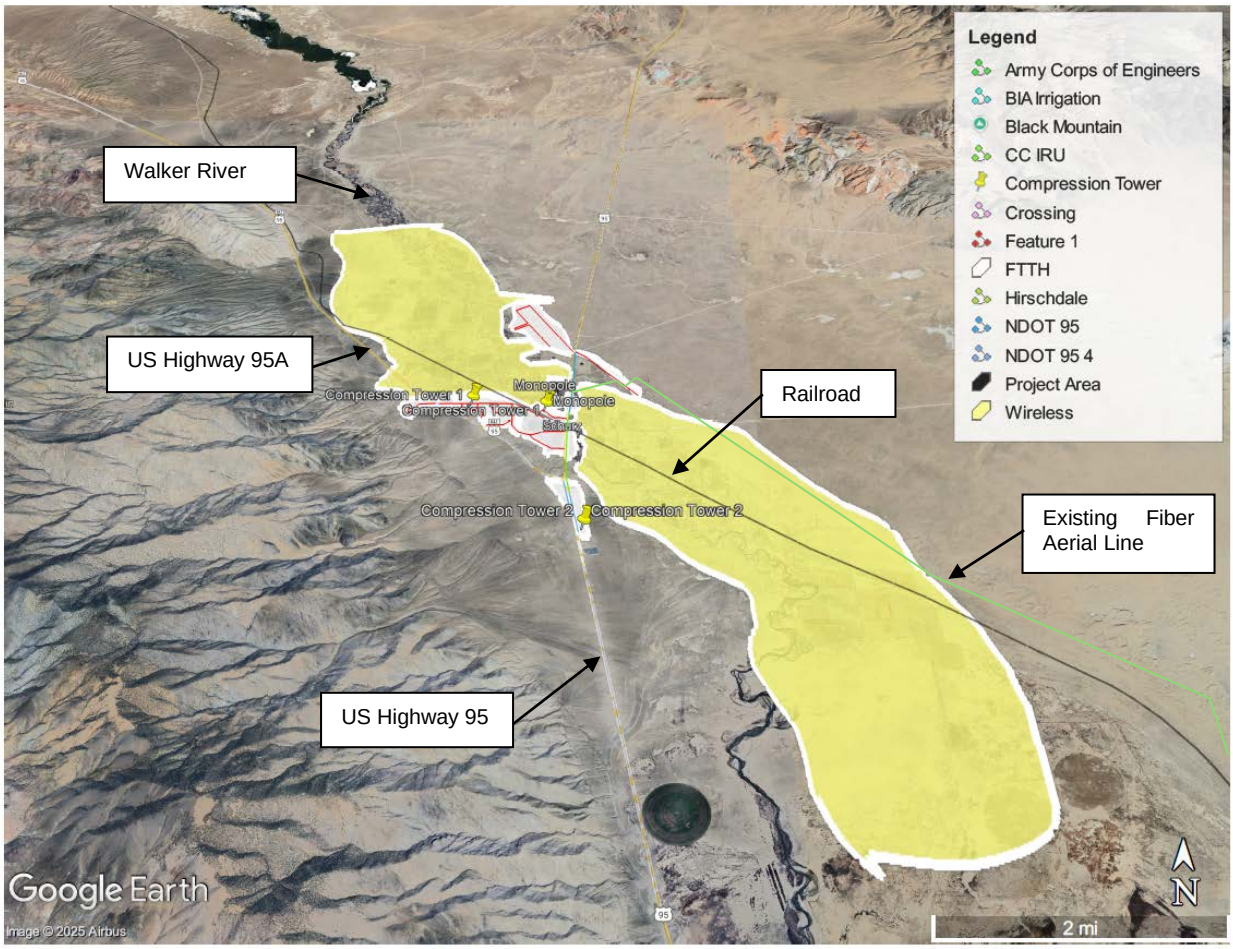


Figure 3-2 Project Area

The underground portions of the Project will be installed via vibratory plowing (trench/plow) and horizontal direction drilling (HDD) with the exception of the fiber crossing at the Walke River. Fibers will be placed in existing conduit extending across the river. HDD will be implemented at utility crossings, road crossings, WRID crossing, and locations where above-grade obstructions (trees, signage, guardrails, etc.) are present that impact the use of the vibratory plow. HDD operations will utilize vacuum trucks and bore pits to contain and manage drilling muds and cuttings, ensuring compliance with environmental regulations and project requirements. Drilling mud, typically bentonite or polymer-based, are formulated with additives such as TRU-BORE, DRILL-TERGE, INSTA-VIS, REL-PAC, and SUSPEND-IT, selected based on site conditions to lubricate the drill bit, stabilize the borehole, and transport cuttings to the surface. Technical Data Sheets (TDS) and Safety data sheets (SDS) for the materials typically utilized during HDD operations are provided in Appendix A. These materials are contained within bore pits constructed at entry and exit points, designed to securely hold mud and prevent leakage. Spill containment measures, such as berms, are deployed around the bore pits to capture potential overflows, ensuring no environmental impact. Drilling mud and cuttings are extracted from the bore pits using vacuum trucks equipped to handle both liquid and solid materials. Mud and cuttings generated during

HDD operations will be transported to approved off-site disposal facilities. Regular site inspections will be conducted to monitor the condition of bore pits and containment systems, ensuring no unintended releases occur. This process ensures efficient management of all drilling byproducts. The environmental impact associated with HDD operations is anticipated to be minimal.

HDD involves the use of a surface-launched drilling rig to drill a hole and advance an underground pathway along the designated installation route. The directional bore will have an entry point pit and an exit point pit. Conduit and the fiber will be pulled through the drilled pathway between the entry and exit points. This methodology minimizes overall ground disturbance but would require equipment to be set up at the entry and exit points. The entry and exit points are typically a few feet wide, resulting in some surface disturbance. A typical drilling crew includes three to four workers capable of installing between 100 feet and 2,000 feet of cable per day, with an average of 1,400 feet per day. Installation rates are dependent upon the existing soil conditions and geology.

The trench/plow method will use a vibratory cable plow and a crawler tractor to carry the cable feed system. As the equipment moves forward, the plow will cut a path of approximately 3 to 4 inches wide in the soil and install the cable at a depth ranging from 36 to 48 inches below grade under normal circumstances. When the cable is installed, the cable will be immediately covered with the soil that was side cast. The installation will occur in existing ROWs, to the maximum extent feasible; however, there will be some minimal impact to the surrounding area as the plow is approximately 7 to 8 feet wide. All paving, sidewalks, impacted lawns, shrubs, and other vegetation removed or damaged during the cable installation will be replaced and/or restored. A typical plow crew involves three to four people capable of installing between 2,000 feet and 15,000 feet of cable per day, depending on soil conditions.

The HDD and trench/plow locations are shown in Figures 3-3, 3-4, 3-5, and 3-6.

Regardless of the installation technique, special care will be taken to avoid damaging other buried utilities that may also be present in the existing ROW; therefore, all existing below-grade utilities present within the ROW must be identified and properly marked.

The proposed installations will be performed from existing roads. The construction of temporary access roads will not be anticipated since the proposed fiber route is easily accessible within the existing road and/or ROWs, to the maximum extent feasible.

The installation of connections to buildings along the network will be accomplished through underground methods based upon existing or new subgrade or above-grade infrastructure. The proposed installation will be accessed utilizing existing access roads or driveways or performed manually via directional boring if no existing access road or driveway is present. The physical penetration of the building will be through an existing conduit or a new sub-grade or above-grade building penetration. The type of building penetrations will be developed during detailed engineering and will be based upon the

requirements of the building owner, the type of building construction, and the proposed installation of the lateral and the historical significance of the building, if any.

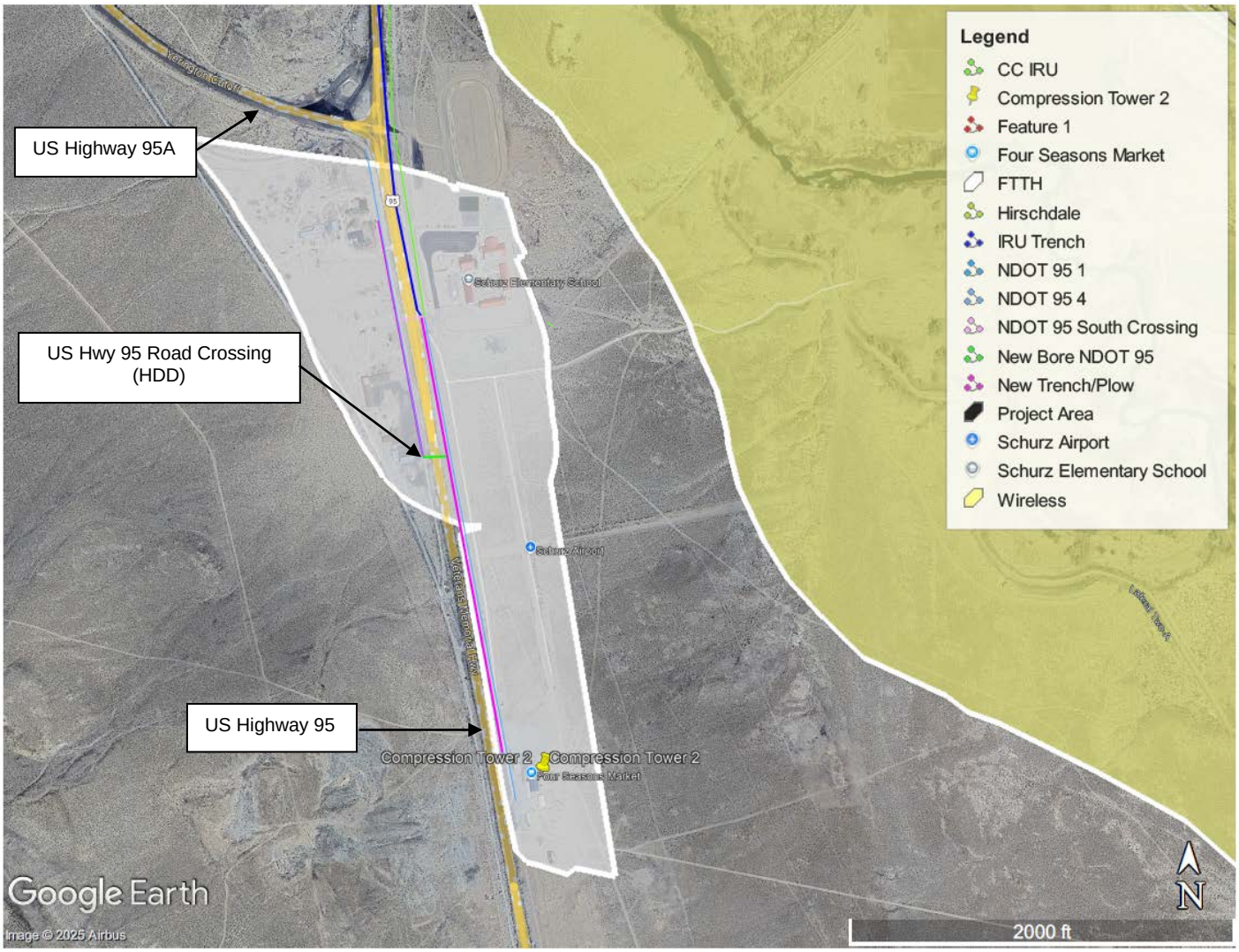


Figure 3-3 FTTH Road Crossing Location (US HWY 95)

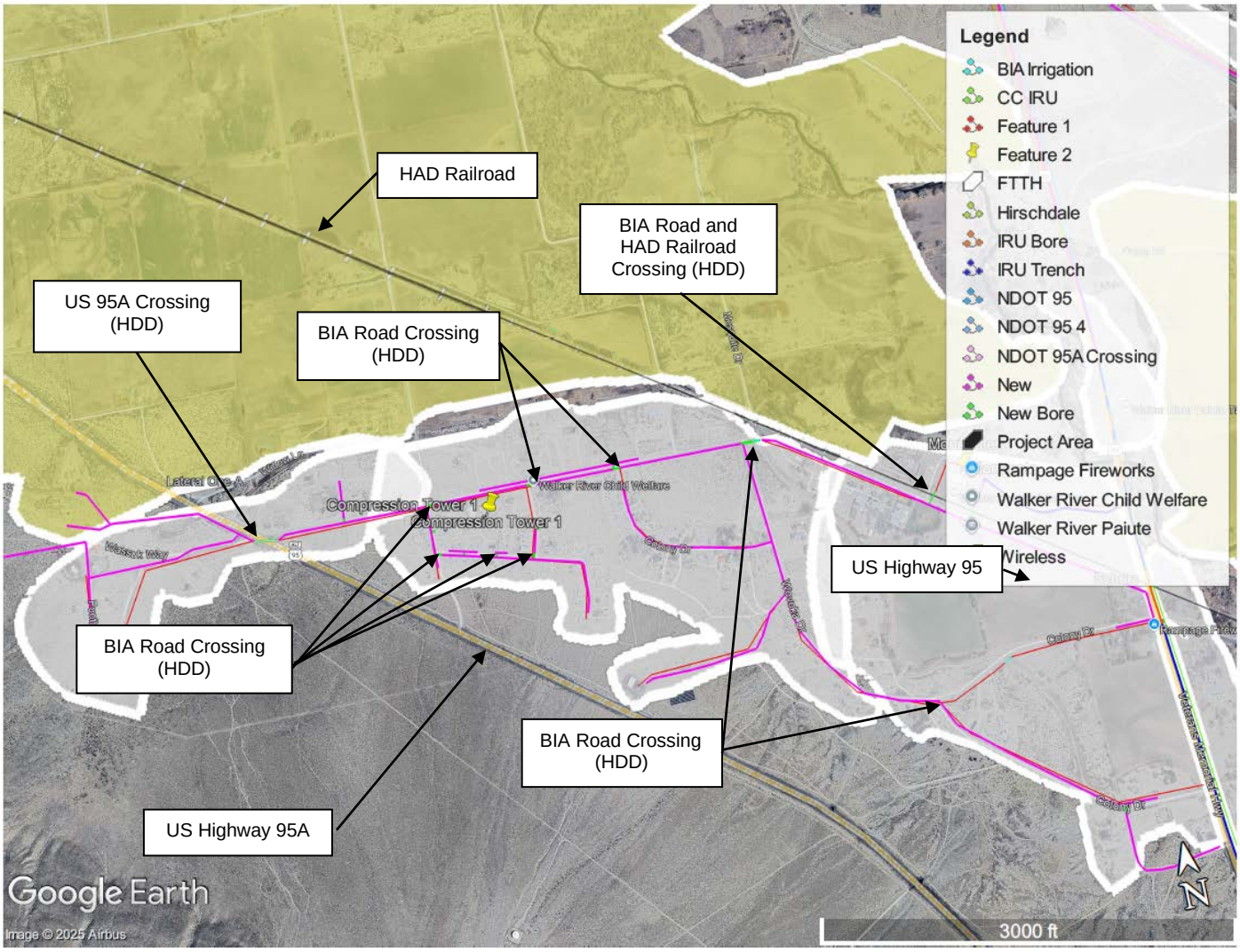


Figure 3-4 FTTH Road and Railroad Crossing Locations

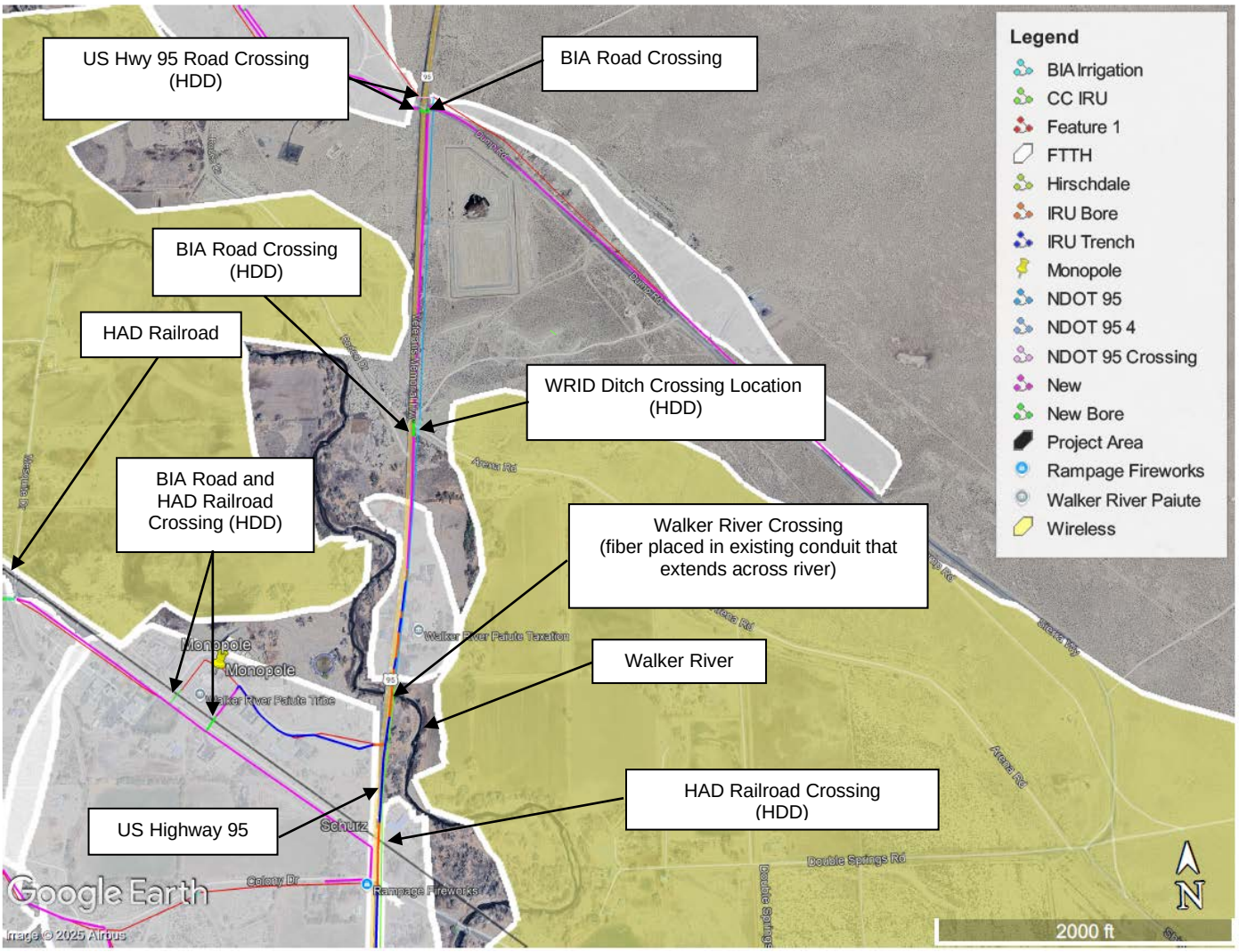


Figure 3-5 FTTH Road, Railroad, River, and WRID Ditch Crossing Locations

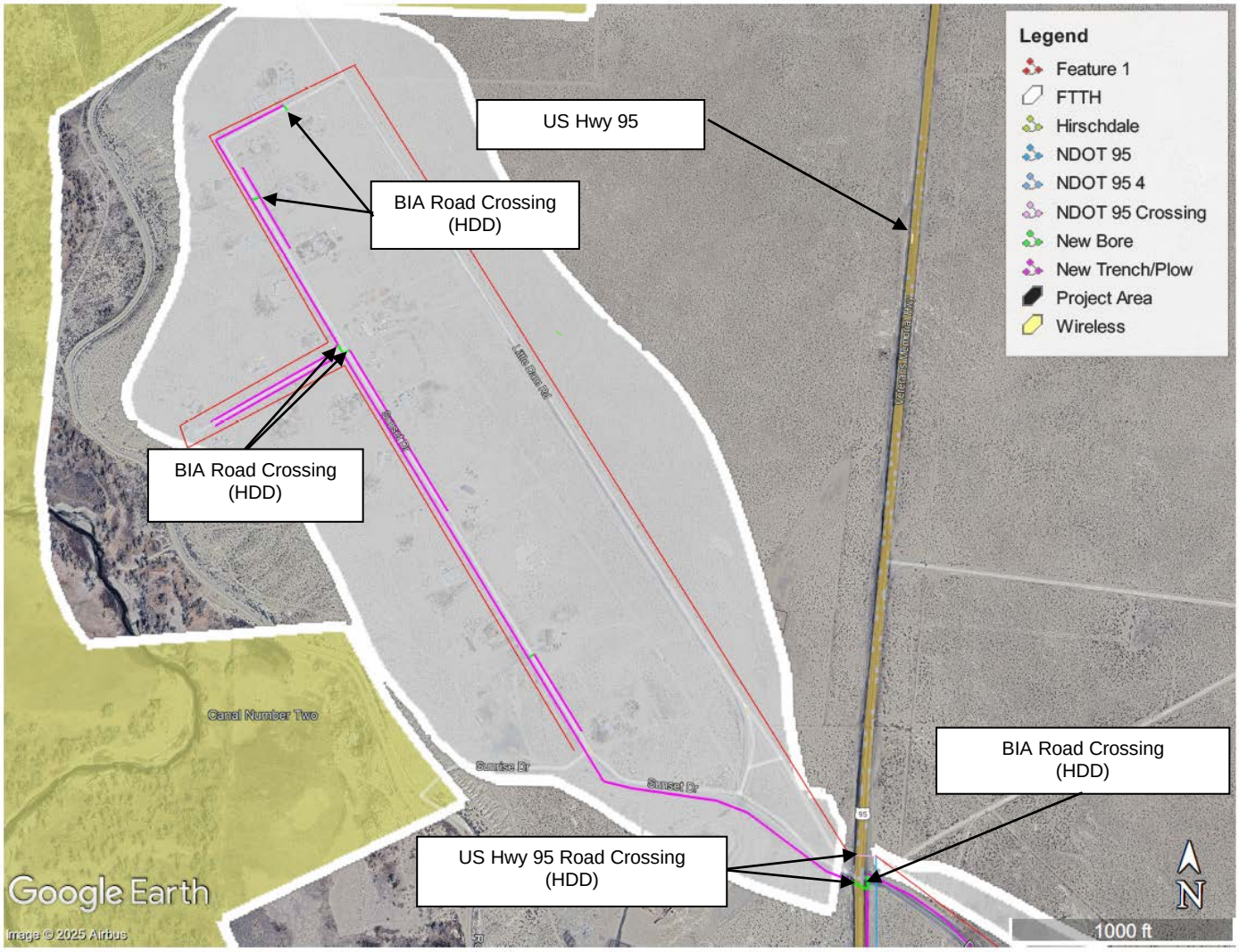


Figure 3-6 FTTH Road Crossing Locations

All installations will be in the public ROW, to the maximum extent feasible, on or within existing utility easements, or within property lines of the facilities being connected to the network.

Construction activities associated with the Proposed Action will consist of the following:

- CC Communications (CCCom) will comply with the 25 CFR Part 169: ROW over Indian Lands, to the maximum extent feasible.
- CCCom and their contractors will comply with the Occupational Safety and Health Act (OSHA) of 1970 during construction activities.
- CCCom and their contractors will comply with the Tribe's General Conditions and construction activities will take place in the ROW, to the maximum extent feasible.

- CCCom will use construction material that meets the specification, as outlined in the Tribe's specifications.
- CCCom will have the Project fiber path clearly flagged prior to construction and any clearing performed by CCCom will be limited to the flagged area, to the maximum extent feasible.
- CCCom is responsible for obtaining the necessary permits for clearance and approval prior to the start of construction activities.
- CCCom will comply with OSHA 2207 during excavation activities. Barriers and signs will be displayed prior to construction activities, as appropriate.
- Back-filling will be completed with previously excavated material.
- Construction crews will pick up all debris resulting from the construction.
- The disturbed areas shall be restored to match pre-construction conditions, to the extent practicable. Disturbed areas located outside the road ROW's will be re-seeded, if necessary, restore vegetation removed during construction activities.

3.3 No Action Alternative

An alternative to the Proposed Action includes a No Action alternative. Under the No Action Alternative the Project would not be constructed, and un-met needs would continue in the unserved and underserved community of Schurz, having a negative impact on the Tribe.

The Tribe, a federally recognized Indian Tribe organized under a constitution and bylaws pursuant to the Indian Reorganization Act, 48 Stat. 984, 25 U.S.C. § 476, hereby certifies the households located upon its Tribal Lands, located in the community of Schurz, Nevada, are unserved, given they presently lack access to broadband speeds considered by the FCC to be minimally acceptable. According to the Fixed Broadband Deployment Map displayed on the FCC's website, up to three providers claim to provide Qualified Broadband Service (at least 25 Mb/s downstream and 3 Mb/s upstream) to various areas within the Reservation. However, very few households currently have access to Qualified Broadband Service, i.e., a service deemed minimally acceptable by the FCC.

Presently, the primary providers of broadband services to the Tribal community are Hughes Network Systems, LLC (GSO satellite), Viasat, Inc. (GSO satellite), Space Exploration Technologies Corp. (NGSO Satellite), ATN International, Inc. (business-only service, licensed fix wireless), and Hot-Spot Broadband, Inc. (business-only service, LBR fixed wireless). In addition to being inadequate as far as their broadband speed is concerned, as well as expensive, all of the present providers are unreliable. This was confirmed during a survey of the residents, businesses and tribal agencies in the Project area that was conducted by the Tribe. Internet outages are common and have the potential for tragic consequences, given the necessary reliance upon internet services

by the Tribe's health clinic and law enforcement agencies. Tribal Government offices, Tribal enterprises, and all Tribal programs also rely upon internet services as basic infrastructure. Outages typically result in reduction in services to community members, costly reduction in productivity, and, occasionally, missed deadlines for grant opportunities or grant funding requirements. Following completion of the Proposed Action, CC Communications will be the internet carrier for the households, businesses and community anchor institutions located within the Project area.

The No Action Alternative ultimately would not meet the purpose and need of the Project.

3.4 Alternatives

An alternative that was evaluated was providing FTTH to all of the residences and businesses, and after an initial thorough, complete, and concise analysis of the overall Project, there were no reasonable alternatives considered other than the Proposed Action or the No Action alternative.

3.5 Alternatives Considered but Eliminated from Further Discussion

No other alternatives were considered other than the Proposed Action alternative and the No Action alternative.

4.0 Description of the Affected Environment

All work associated with the Project will be located within the boundaries of the Reservation. Reference Figure 1, Vicinity Map, which shows the Project location; Figure 2, Topographic Map, which is a topographic map of the Project area; Figure 3, Site Plan, which shows the proposed FTTH, and Figure 4, Aerial View, which is an aerial view of the FTTH.

The Reservation is located in central Nevada along the Walker River, between Yerington and Walker Lake in Mineral County, Nevada. The bulk of the reservation (72.68%) is in Mineral County, with portions in Lyon County (14.37%) and Churchill County (12.95%). The Reservation's land area is approximately 530 square miles. Based on information provided by the United States Census (2018-2022), the Reservation has a total population of 1,084 (± 188), the majority of which is located at or near the Project area. The population of the Reservation has increased approximately 30% since 2000. The majority of the population is American Indian.

Schurz is the only town on the Reservation. This land base provides space for housing, economic development, hunting, fishing, and gathering. The affected areas for the Project are designated as residential (single family), mixed use, business, special purpose, and undefined land use types and have been approved by the WRPT Tribal Council through recommendations from the Land Management Office (LMO) and the Land Use Application (LUA) process in compliance with Tribal Code 62 Land Use

Ordinance (LUO), including all applicable Tribal codes and ordinances. Based on the designated use for the Project area, the effects on the vegetation and wildlife will be minimal. The vegetation in the Project area is characterized as high desert brush, cottonwoods, and farmland with deer, grouse, rabbits, and hares representing the animals utilizing the area. There will be no adverse impact to the fisheries resource or threatened or endangered species.

The Project will follow along existing utility ROWs, to the maximum extent feasible, and existing infrastructure (e.g., roads, etc.) ROWs, to the maximum extent feasible. Vehicles and equipment/machinery to be utilized during Project construction include: ¾ and 1-ton vehicles for crew transport, trench plows, HDD machinery, trailers, and supporting equipment.

4.1 Noise

The areas within the Project do not have specific noise ordinances. Ambient noise levels are common with other parts of the state and will range from 57dBA to 72dBA. Existing residential areas are often considered the most common sensitive noise receptors, though their sensitivity to noise is entirely dependent on time of day, level and type of existing ambient noise, distance from a noise source, presence of vegetation or other potential noise barriers, and other considerations. Other land uses such as rural agricultural uses may also be sensitive to noise, but any sensitivity would be entirely dependent on considerations similar to residential uses, in addition to time of year. A third potential sensitive noise receptor may be sensitive habitat areas where noise may impact the behaviors or activities of species utilizing these areas.

4.2 Air Quality

The area of analysis for air quality is the Reservation. Air quality in the Project area is less restricted than other resources because ambient air is not constrained by any land-based boundaries. Any discussion related to overall air quality is applicable to the Projects geographic extent, with the exception of localized temporary effects where construction is expected to occur.

Air quality in the Project Area is good based on the air quality index (AQI) due to the remote location. The Nevada Division of Environmental Protection (NDEP) operates several ambient air monitoring stations throughout the state. The nearest air monitoring station to the Project area is located in Fallon, Nevada and is approximately 35 miles north of the Project area. The AQI data for the Project area indicated that there are no air quality concerns with ozone or particulate matter identified at the air monitoring station in Fallon (NDEP 2024). Air quality in the area may be influenced by air pollution from local vehicular traffic or periodic wildfires that occur in the region.

Depending on the season and weather, visibility is limited due to changing weather. The average elevation of Schurz is approximately 4,127 feet. The closest National Oceanic Atmospheric Administration (NOAA) weather station is located in Yerington,

Nevada, approximately 19.5 miles west of Schurz, Nevada. The climate in the Project area is generally mild, with the average temperature ranging between 33°F in the winter and 80° in the summer (NOAA 2024). This area receives an average of approximately 4.75 inches of precipitation per year and experiences low to mild humidity levels throughout the year (NOAA 2024).

Potential direct and indirect impacts to air quality resulting from the Project are most likely to occur during construction activities. Exhaust emissions from machinery and vehicles utilized during construction would typically include particulates, hydrocarbons, sulfur oxides, nitrogen oxides, carbon monoxide, and carbon dioxide.

4.3 Geology and Soils

The majority of the Project area is located within the existing ROWs of the roads and previously disturbed areas, which are devoid of vegetation due to routine highway maintenance. Areas of the Project located outside the ROWs lie within alluvium plains deposits from the Quaternary age. The formation is unbedded to poorly bedded and poorly to moderately sorted fine, silty sand; sandy silt; granular, muddy, coarse sand; minor, sandy gravel; small cobble; muddy, sandy pebble gravel; and boulder, cobble gravel (Nevada Bureau of Mines and Geology, Geologic Map of Nevada, 1977).

The various soils of the Project area located outside the ROWs are suited to agricultural and residential use. Reference Figure 7, Geologic Map and Figure 8, Soils Map, which show soils and geology within the Project area.

The Project is located in an area designated by the United States Department of Agriculture (USDA) as “farmland of statewide importance, if irrigated”. Reference Figure 9, Farmland Classification Map. The Project is not converting active farmland to other uses.

4.4 Water Resources

4.4.1 Surface Water

Reference Figure 6, Wetlands Map, which shows an overview of water resources in the area. The Project is located within the Walker Lake Valley-Schurz subarea Hydrographic Area and the Walker River Basin Hydrographic Region. There are no key water resources, such as sole-source aquifers or wild and scenic rivers, within or near the Project area (Stantec, 2024). The Walker River flows through the Project area and is the primary source of surface water for irrigation use within the Reservation. The Tribe implements a Water Quality Control Plan, which includes proposed water quality standards, beneficial/designated uses, water quality criteria, and an antidegradation policy for Walker River.

The Tribe’s mission statement regarding water resources is to protect and restore water resources for the benefit of the Tribe and to provide water resources management, planning, policy, regulation, and science services to the Tribe.

The FTTH will cross the Walker River in one location and the WDID irrigation ditch in one location (see Figure 3-5). The river crossing will be accomplished using an existing conduit extending across the river. The WDID crossing will be accomplished using HDD.

Based on a review of Nevada Division of Water Resources well logs and water rights, there are no wells or water rights that overlap with the Project surface disturbance (Stantec 2024).

The Project is in Flood Hazard Zone D, where the flood risk is undetermined (FEMA 2024). No flood hazard analysis has been conducted in this area.

Based on a review of National Wetlands Inventory (NWI)-mapped wetlands, riverine, freshwater pond, and freshwater emergent wetland features do not overlap with the proposed Project, with the exception of the Walker River (see Figure 6). Crossing of the Walker River will be accomplished using an existing conduit extending across the river.

The Project will not have an impact on surface water resources.

4.4.2 Groundwater

Groundwater in the area is found in coarse grained alluvial fan (fine sand) and fluvial (coarse sand to cobble) deposits, which comprise the major aquifer materials and serve as the principal sources of water for domestic wells and high-capacity irrigation wells in the area. Based on review of logs for the wells in this area, static groundwater levels in the vicinity of the Subject Property are reported between 10 and 30 feet below ground surface (bgs).

Residents depend on groundwater pumped from domestic and municipal wells for the bulk of their water needs. The groundwater is replenished by rainfall and snowmelt, which percolates down through the soil until it reaches the groundwater table. No known groundwater contamination is present in the area. Groundwater quality in the Project area is generally good.

Sole source aquifers can be crucial to communities that rely on them as a drinking water source. Below is an overview of the EPA drinking water sole source aquifer program.

The EPA defines a sole source aquifer as one where:

- The aquifer supplies at least 50% of the drinking water for its service area.
- There are no reasonably available alternative drinking water sources should the aquifer become contaminated.

The sole source aquifer program enables EPA to designate an aquifer as a sole source of drinking water and establish a review area. EPA then reviews proposed projects that will both:

- Be located within the review area
- Receive federal funding

The US EPA, Region 9 has not designated any sole source aquifers in the state of Nevada.

The Project will not have an impact on groundwater resources.

4.4.3 Coastal Zone

The Project area is not in a designated coastal zone according to information on coastal boundaries on the National Oceanic and Atmospheric Administration's (NOAA) website.

4.4.4 Flood Plains

The Project will be located within pre-disturbed ROWs (i.e., when along roadways, within an area encompassing a traffic lane and the pre-disturbed area immediately adjacent to the paved roadway), to the maximum extent feasible, or within pre-disturbed areas such as existing, unpaved access roads, beneath bermed and landscaped areas immediately alongside roadways, or within existing easements through residential areas. Reference Figure 5: FEMA Floor Insurance Rate Map (FIRM). The Project site is not located in a Special Flood Hazard Area (SFHA). The Project is located in an Area with Undetermined Flood Hazard (Zone D).

4.4.5 Wild and Scenic Rivers

As previously discussed, the Project will be located within pre-disturbed ROWs (i.e., when along roadways, within an area encompassing a traffic lane and the pre-disturbed area immediately adjacent to the paved roadway) to the maximum extent feasible, or within pre-disturbed areas such as existing, unpaved access roads, beneath bermed and landscaped areas immediately alongside roadways, or within existing easements through residential areas.

Nevada has approximately 141,796 miles of river, but no designated Wild and Scenic Rivers and no Study Rivers. Nevada does not contain any Nationwide Rivers Inventory identified river segments which could potentially qualify as national wild, scenic, or recreational river areas.

The Project will cross the Walker River via an existing conduit extending across the river.

4.5 Biological Resources

4.5.1 Threatened, Endangered and Candidate Species

The area of analysis for threatened, endangered, and candidate species is the Project area (Figure 3-2). Section 7 of the Endangered Species Act (ESA) requires federal agencies to ensure that actions they undertake, authorize, and or fund are not likely to jeopardize threatened and endangered species or adversely modified designated

critical habitat. If a proposed action may affect listed species or habitat then the agency is required to consult with the US Fish and Wildlife Service (USFWS).

A review of the U.S. Fish and Wildlife Service's (USFWS) ECOS website (https://ecos.fws.gov/ipac/location/index) was conducted to assess for the presence of any threatened, endangered, proposed or candidate species at or immediately proximal to the Project site. The USFWS response letter identified the Greater Sage-Grouse (*Centrocercus urophasianus*), the Yellow-billed Cuckoo (*Coccyzus americanus*), and the Monarch Butterfly (*Danaus plexippus*) as species having potential to occur within the Project area and vicinity (USFWS 2025). A copy of the USFWS letter pertaining to the Project is provided in Appendix B. A list of species identified in the Project area is provided in Table 4-1.

Table 4-1. Threatened, Endangered and Candidate Species

Species Type	Name	Listing Status	Project Area Overlaps Critical Habitat (Y/N)
Bird	Greater Sage-grouse (*Centrocercus urophasianus*)	Proposed Threatened	N
Bird	Yellow-billed Cuckoo (*Coccyzus americanus)*	Threatened	N
Insect	Monarch butterfly (*Dananus plexippus*)	Proposed Threatened	N

No designated critical habit for any of these species or others was identified as present. The greater sage-grouse are proposed for listing as threatened, yellow-billed cuckoo i s listed as threatened, and monarch butterfly is a candidate species for listing

The greater sage-grouse is a user of sagebrush, dependent on large areas of contiguous sagebrush to meet all seasonal habitat needs, including nesting, brood rearing, cover, and as much as 100 percent of their winter diet (Braun et al. 2005).

The yellow-billed cuckoo is federally listed as threatened and inhabits dense riparian areas, often near perennial water. This species is strongly associated with meandering riparian systems with cottonwood and willow trees (USFWS 2014). The yellow-billed cuckoo nests in trees or shrubs and is dependent on insects for its diet.

The monarch butterfly is dependent on milkweed plants (*Asclepias* sp.) to lay their eggs on, and caterpillars are dependent on this species for food when they emerge. During breeding and migration, adult monarch butterflies require a diversity of blooming nectar sources. Milkweed plants may function as the principal nectar source for monarchs in arid regions (USFWS 2020). The Project area overlaps known summer breeding range as well as spring and fall migration pathways (USFWS 2020).

USFWS indicated that no migratory birds of conservation concern are expected to occur within the Project area (USFWS 2025); however, there is potential for breeding migratory birds and raptors to nest within the area of analysis.

4.5.2 Wetlands

Based on a review of National Wetlands Inventory (NWI)-mapped wetlands, riverine, freshwater pond, and freshwater emergent wetland features do not overlap with the proposed FRTH with the exception of the Walker River (see Figure 6). Crossing of the Walker River will be accomplished using an existing conduit extending across the river.

4.5.3 Migratory Birds

There are no protected migratory birds located within the Project area.

4.6 Historic and Cultural Resources

The Tribe does not release any cultural/historical data to any agency outside of the Tribe. Research was completed and they checked their databases, maps, and any other pertinent inventory records with regard to the Project. A Cultural Resources Survey of the Project site was conducted by Ms. Linzey Scott, Tribal historic preservation officer (THPO). The survey determined that there are no significant cultural resources or historic properties present in the Project area (see Appendix C). Furthermore, Mr. Josh Fitzpatrick, NTIA Environment Program Officer determined that it will not be necessary to engage the State Historic Preservation Office (SHPO) with the Project (ref: March 20, 2024 email from J. Fitzpatrick). If artifacts are discovered in the Project area during construction activities, construction activities will cease in the area where artifacts are discovered and the Tribe and/or the THPO will be notified immediately.

4.7 Aesthetic and Visual Resources

The majority of the Project is located primarily within pre-disturbed ROWs. The Project will cross the Walker River via an existing conduit extending across the river.

4.8 Land Use

The majority of the Project will be located within existing ROWs for the highways and BIA roads located in the Project area. The Project route lies within the Nevada Department of Transportation (NDOT) ROW. The Project will cross US 95, US 95A, several BIA roads, the HAD railroad, and a WRID irrigation ditch (see Figures 3-3, 3-4, 3-5 and 3-6. HDD techniques will be implemented at road, railroad, and irrigation ditch crossings. A typical HDD profile is shown in Figure 4-1. The Tribe and CCCom are in discussions with NDOT and BIA regarding the crossings of state highways and BIA roads. The Tribe and CCCom are in discussions with WRID regarding the crossings of the WRID irrigation ditch. The Tribe and CCCom is in discussion with the US COE and HAD regarding the railroad crossing. CCCom will secure the required permits for the crossing of state highways, railroad, BIA roads, and the WRID irrigation ditch.

4.9 Infrastructure

Waste material generated during construction will be limited. Construction waste will not include any hazardous waste such as asbestos, waste paints, solvents, chemicals, sealants, etc., or any recyclable materials. Construction and demolition waste will be disposed of in a state-approved disposal facility.

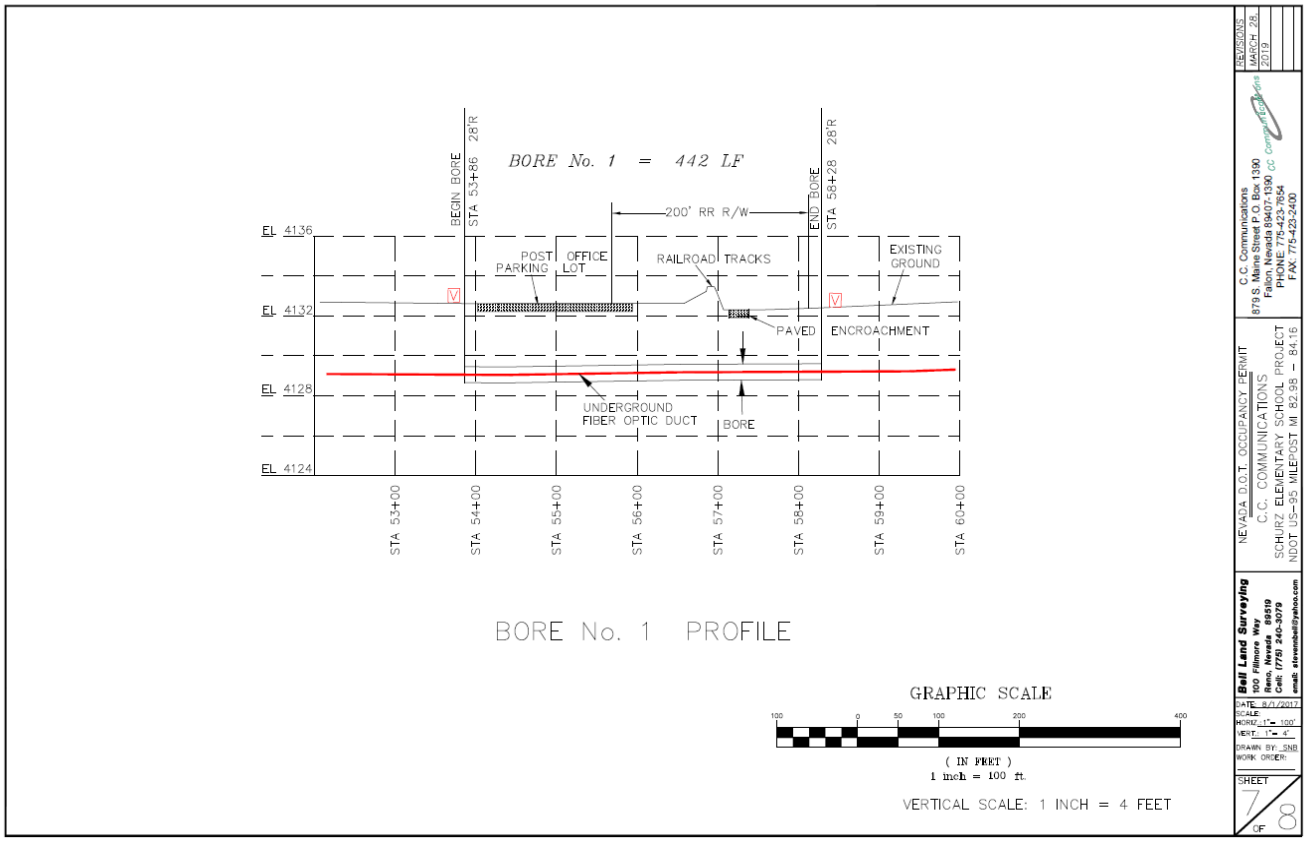


Figure 4-1 HDD Detail, Typ. (Railroad and Road Crossing)

Care will be taken during the design engineering phase to make sure construction work for the Project will be performed in the ROW, to the maximum extent feasible. Work within a State Highway generally requires a permit. NDOT is responsible for the state highway located in the Project Area. The Tribe and BIA are responsible for roads in the Project Area that are not maintained by NDOT. CCCom will secure encroachment permits for work conducted within the highway, railroad ROWs, and BIA roadways. CCCom will make every effort to use existing conduits for crossings of the railroad and highways.

CCCom has secured an irrevocable right of use (IRU) to connect to the existing aerial fiber line extending from Hawthorne. The new fiber will connect to an existing aboveground equipment cabinet located at the telecommunications tower associated

with the existing aerial line. CCCcom will operate and maintain the proposed FTTH and wireless broadband system. A copy of the Service Provider Agreement for the Project is provided in Appendix D.

4.10 Socioeconomic Resources

Based on information provided by the United States Census (2018-2022), the Reservation has a total population of 1,084 (± 188), the majority of which is located at or near the Project area. The population of the Reservation has increased approximately 30% since 2000. The majority of the population is American Indian.

The unemployment rate for the Tribe reportedly exceeds 50% and is one of the highest of all tribes in the U.S. (source: AAA.NativeArts.com). The Project will not change the demographics of the area. Community members will have access to more services.

The Project will not change the demographics of the area. Community members will have access to more services following completion of the Project.

4.11 Human Health and Safety

EPA's Superfund program is responsible for cleaning up some of the nation's most contaminated land and responding to environmental emergencies, oil spills, and natural disasters. To protect public health and the environment, the Superfund program focuses on making a visible and lasting difference in communities, ensuring that people can live and work in healthy, vibrant places.

The National Priorities List (NPL) is intended primarily to guide the EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances, pollutants, or contaminants. The Project is not located within, or proximal to, a designated NPL site.

There will be no toxic, hazardous, or radioactive substances utilized or produced by the Project.

The current public safety facilities in or proximal to the Project area include the Tribal Police.

Department of Emergency Management and Emergency Operations Centers, 911 dispatch center, and fire station. In addition, a health clinic is located within the Project area.

5.0 Analysis of Environmental Impacts

The Proposed Action is not reasonably expected to cause significant adverse impact to the existing environment within the Project area.

5.1 Noise

Under the No Action Alternative, the Project would not be constructed and there would be no impact on noise levels.

Under the Proposed Action, the following effects could occur.

The vehicles, equipment and machinery used to construct the Project can generate temporary noise when in operation. The vibratory plow and directional drilling equipment will have the highest noise levels (90 to 105 A-weighted decibels (dBA)).

Installation of the Project will generally be done within normal daylight hours (7:00 A.M. to 5:00 P.M). Noise generated by construction equipment and vehicular traffic during the construction phase is likely to constitute a temporary noise impact. Therefore, any potential sensitive receptors such as residential or agricultural use areas within the Project area would experience minimal temporary impacts. The Project is anticipated to take two to three months to complete. Following completion of the Project, noise levels will likely return to previous levels.

No significant noise impacts are anticipated. Noise impacts are expected to be of an intermittent and temporary nature during the construction phase of the Project. No cumulative noise impacts will result from the Project.

5.2 Air Quality

Under the No Action Alternative, the Project would not be constructed and there would be no impact on the air quality.

Potential direct and indirect impacts to air quality resulting from the Project are most likely to occur during construction activities. Exhaust emissions from machinery and vehicles utilized during construction would typically include particulates, hydrocarbons, sulfur oxides, nitrogen oxides, and carbon monoxide. The Project is located in a rural area and the reductions in air quality resulting from these impacts would be minor, relatively localized, and temporary in nature. Minor increases in overall air pollutants may occur temporarily during construction due to the use and movement of equipment and vehicles. Vehicles and equipment used during the construction of the Project will be equipped with regular required emissions control equipment to minimize vehicle emissions. Carbon dioxide (CO_2) emissions resulting from construction vehicles would be a fraction of the total emissions generated by vehicular traffic already present on the roadways located in and proximal to the Project area. Based on the temporary construction activities and associated equipment that would be operated to bury the fiber within the proposed ROW, carbon dioxide-equivalent (CO_{2e}) from diesel engine excavators and stationary vehicles during construction are not anticipated to exceed the EPA's annual 25,000-metric ton $CO2_e$ reporting threshold.

The contractor hired to complete the Project would be required to obtain a Class II Air Quality Operating Permit for Surface Area Disturbance through the NDEP, which per Nevada Administrative Code (NAC) 445B.22037 requires fugitive dust to be

controlled and requires an ongoing program to prevent particulate matter from becoming airborne.

Dust generated by excavation and earth moving activities associated with the Project may have an impact on air quality. This effect would also be temporary and primarily local in nature, although some transport of minor amounts of airborne pollutants to downwind, nearby locations within or outside the areas of the Project could occur. The contractor would provide appropriate dust control measures by watering disturbed soil during construction. If local winds are in excess of 20 miles per hour, the contractor would cease trenching and soil-disturbing activities. Disturbed soils would be "crusted" with a clay/water application post- construction to reduce fugitive dust and would be reseeded in areas of new disturbance as areas previously disturbed and maintained are void of vegetation. Dust generated by excavation and earth moving activities can impact air quality. This effect would also be temporary in nature, although some transport of minor amounts of airborne pollutants to downwind nearby locations within or outside the areas of the Project.

The Project will produce very little air emissions (including odors) during construction. These air emissions are typical of any construction project. After completion, there will be no increase in air emissions to the environment and the air quality will return to what it was previous to the Project. After construction is completed, there would be no increase in air emissions to the environment and the air quality would return to what it was previous to construction activities associated with Project installation.

Air quality impacts from the proposed project are expected to be of an intermittent and temporary nature during the construction phase of the Project. No significant cumulative air quality impacts will result from the Project.

5.3 Geology and Soils

Under the No Action Alternative, the Project would not be constructed and there would be no impact on geology and soils.

Under the Proposed Action, the following effects could occur.

Temporary excavation of land to install the fiber and minimal clearing of vegetative land cover will be required during the construction period because the alignment is within the road ROWs to the maximum extent feasible.

Temporary impacts during the construction phase may include soil compaction. Permanent impacts should be limited to those areas where installation of a hand hole or marker post will occur.

Most of the ground is composed of alluvial deposits (sand, silt, clay, and gravel). This soil type is related to areas that will drain better than other soil types. Reference Figure 7, Geologic Map, Figure 8, Soils Map, and Figure 10, Farmland Classification Map.

No significant impacts to geology or soils are anticipated from this Project.

5.4 Water Resources

Under the No Action Alternative, the Project would not be constructed and there would be no impact on water resources.

Under the Proposed Action, the FTTH will cross the Walker River via an existing conduit extending across the river. Approximately 50 feet of FTTH will be installed beneath the WRID ditch using HDD. Crossing at the WRID ditch will involve the use of HDD to drill a hole and advance an underground pathway along the designated installation route. This methodology minimizes overall ground disturbance but would require equipment to be set up at the entry and exit points. The HDD entrance pit would be sited 50 feet from the edge of the ditch to minimize effects to the ditch.

The Project area is located within the Project area for the Tribe's Water System Improvement Project (see Figure 5-1). Best management practices (BMPs) will be implemented to contain construction materials, drilling muds, and/or construction debris and prevent impact to surface waters.

The existing WRID irrigation ditch is a concrete lined channel. The ditch was constructed using an excavated channel and constructed earthen berm. The concrete lining is an estimated four inches thick, and in generally fair to good condition. Proposed fiber lines would cross below the ditch with sufficient vertical clearance to meet separation requirements for the protection of the fiber and the ditch. The ditch crossing would be constructed outside of the irrigation season to avoid the disruption of water deliveries and would be coordinated in advance with the BIA. Disturbed soil areas would be reseeded using appropriate methods with the seed mixes for low desert vegetation.

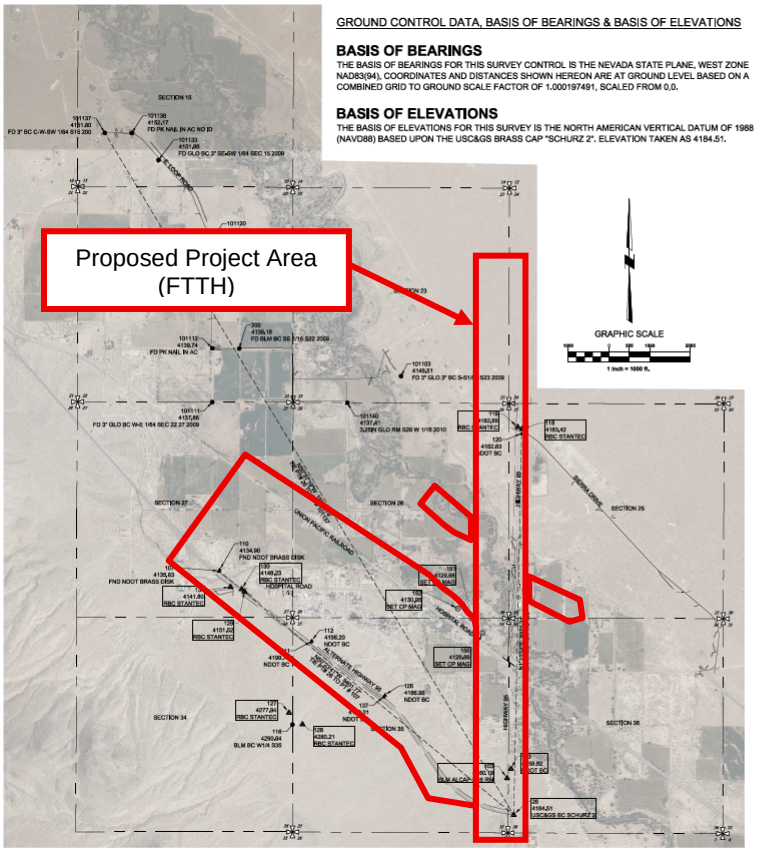
Construction will be completed according to the SWPPP, NDOT, BIA, and NDEP requirements, where applicable. BMPs will be implemented to minimize erosion and sedimentation impact to adjacent water resources (see Table E-2). Erosion control BMPs will be installed, inspected, and maintained throughout the duration of the project to ensure continued functionality. The Project area located outside the road ROWs will be re-vegetated as necessary before the removal of BMPs. All erosion control BMPs will be removed once vegetation is established, and erosion potential is eliminated.

Prior to commencing with construction wetlands located in and proximal to the Project area will be demarcated by a wetland professional. Care shall be taken to avoid any incursion to wetlands located outside the Project area and minimize disturbance to wetlands located within the Project area.

The Project area is not in a coastal zone.

The US EPA, Region 9, has not designated any sole source aquifers in the state of Nevada. The Project is not anticipated to have a significant detrimental impact on the Tribe's water resources and/or wellhead protection program.

No significant impacts to surface waters, wetlands, or floodplains are anticipated from the Project.



WALKER RIVER SURVEY CONTROL

PT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
26	14651771.192	2560695.605	4184.51	USC&GS BC SCHURZ 2
103	14652674.170	2560532.297	4160.19	BLM ALCAP 1/16 RM
107	14657764.790	2553451.982	4135.83	FND NDOT BRASS DISK
110	14657797.166	2553476.593	4134.90	FND NDOT BRASS DISK
111	14656028.857	2555717.370	4199.70	NDOT BC
112	14656054.617	2555736.944	4198.20	NDOT BC
113	14652902.105	2560629.936	4159.82	NDOT BC
116	14653988.300	2555260.928	4290.64	BLM BC W1/4 S35
118	14661251.399	2560905.980	4183.42	RBC STANTEC
119	14661294.982	2560794.362	4182.89	RBC STANTEC
120	14661140.502	2560889.434	4182.63	NDOT BC
126	14654722.634	2557536.645	4186.98	NDOT BC
127	14654279.707	2555177.168	4277.94	RBC STANTEC
128	14653993.350	2555507.243	4280.21	RBC STANTEC
129	14657254.314	2554084.277	4151.52	RBC STANTEC
130	14657314.566	2554014.275	4148.23	RBC STANTEC
131	14657366.857	2553737.892	4141.80	RBC STANTEC
137	14654678.876	2557503.383	4190.01	NDOT BC
150	14656237.380	2559927.289	4129.69	SET CP MAG
151	14656593.010	2559666.296	4129.68	SET CP MAG
152	14658841.360	2559323.408	4130.95	SET CP MAG
200	14663223.840	2553955.359	4139.18	FD BLM BC SE 1/16 S22 2009
101103	14662544.130	2557927.900	4149.51	FD 3" GLO 3" BC S-S1/64 S23 2009
101111	14661907.920	2553293.313	4137.86	FD 3" GLO BC W-E 1/64 SEC 22 27 2009
101112	14663226.210	2553293.384	4139.74	FD PK NAIL IN AC
101119	14664544.080	2553293.494	4141.51	FD RR SPIKE IN AC NO ID
101120	14665866.080	2553291.578	4144.43	FD GLO BC 3" C-W-NE 1/64 S 22 2009
101133	14667850.750	2551972.336	4151.88	FD GLO BC 3" SE-SW 1/64 SEC 15 2009
101137	14668515.850	2550652.155	4151.80	FD 3" BC C-W-SW 1/64 S15 200
101138	14668512.340	2551313.535	4152.17	FD PK NAIL IN AC NO ID
101140	14661890.242	2556609.974	4137.41	3.26in GLO RM S26 W 1/16 2010

Figure 5-1 Project Area for Water System Improvement Project and FTTH Project

5.5 Biological Resources

Under the No Action Alternative, the Project would not be constructed and there would be no impact on biological resources.

Under the Proposed Action, wildlife located in and proximal to the Project Area may be temporarily displaced or disturbed during construction activities; however, these direct effects are anticipated to be negligible and wildlife would be expected to return to the vicinity of disturbed areas post-project activities. No indirect effects are expected.

In 2023, Stantec conducted a desktop evaluation to determine the potential impacts to threatened and endangered species (TES) species and their habitat at the Project area associated with the Water System Improvement Project which overlaps the Project area for this project, as indicated in Figure 5-1 (Stantec, 2023).

Based on information provided in Stantec's desktop survey and the USFWS report for the Projct (Appendix B), an evaluation of potential impacts to identified TES along with recommendations are provided in the following sections.

5.5.1 Monarch Butterfly

The Project area overlaps the known summer breeding range of the monarch butterfly, as well as the species' spring and fall migration pathways (USFWS, 2020). Converse recommends that a survey be conducted by a qualified professional prior to surface disturbance associated with construction activities to assess for presence of the monarch butterfly's host plant, milkweed (genus *Asclepias*) and record any occurrences of this plant within the Project area. If occurrences of milkweed are detected, a mitigation strategy should be developed and employed to avoid impacting milkweed plants during Project activities.

5.5.2 Migratory Birds and Raptors

The USFWS report indicated no migratory birds of conservation concern are expected to occur within the Project area (USFWS, 2025). However, there is potential for breeding migratory birds and raptors to nest at this location. Converse recommends that nest clearance surveys be conducted by a qualified professional in compliance with the provisions of the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (as amended) (BGEPA) prior to surface disturbance activities.

Nest clearance surveys for migratory birds would pertain to recommendations for yellow-billed cuckoo surveys. Nest clearance surveys should be conducted during the avian breeding season (March 1 through July 31 for raptors and April 1 through July 31 for other avian species). If active nests are detected within the survey area, a mitigation strategy should be developed and employed to avoid impact to nests during the avian breeding season.

5.5.3 Greater Sage-Grouse

The Project area is not located within six miles of any known greater sage-grouse lek, and it is more than six kilometers away from any greater sage-grouse habitat management area (Stantec, 2013). No lek surveys or mitigation measures through the Nevada Conservation Credit System would be required for this species.

5.5.4 Yellow-Billed Cuckoo

The USFWS report indicated the yellow-billed cuckoo may be present within the Project area; however, the Project area does not overlap critical habitat for this species. It is our opinion that species specific surveys would not be required and the pre-construction nesting bird surveys would suffice for mitigation to avoid impacts to this species.

Based on the information above, the NTIA Environmental Program Officer made a no effect determination to these species on 8/21/25.

5.6 Historic and Cultural Resources

Under the No Action Alternative, the Project would not be constructed and there would be no effects on historic and cultural resources.

Under the Proposed Action, historic and cultural resources would be preserved in place wherever possible. A Cultural Resources Survey of the Project site was conducted by the THPO (Scott, 2024). The survey determined that there are no significant cultural resource or historic properties present in the Project area (see Appendix B). If the scope of work changes in any way, or if artifacts or human remains are discovered, construction would stop, and the Tribe would be notified immediately. The Tribe would deploy an onsite cultural resource monitor over the duration of construction activities in areas of concern.

No direct or indirect effects to historic structures are anticipated to occur, as the Project would not involve the removal or significant alteration of any buildings or above-ground structures located within the Project area. The FTTH line will connect to businesses and residential homes that are included in this portion of the Project area. The connection of fiber will be similar to existing utility connections to these buildings and will not alter the cultural integrity of the buildings. Historic properties within view of construction activities may be affected visually; however, these effects would be temporary in nature and would last only as long as the construction activities and would not have a lasting effect on the viewshed from historic structures.

As previously discussed, the majority of the Project will be located within pre-disturbed ROWs (i.e., when along roadways, within an area encompassing a traffic lane, and the pre-disturbed area immediately adjacent to the paved roadway), to the maximum extent feasible, or within pre-disturbed areas such as existing, unpaved access roads, beneath bermed and landscaped areas immediately alongside roadways, or within existing easements through residential areas.

The Project will not have any significant adverse impact on historic and cultural resources.

5.7 Aesthetic and Visual Resources

Under the No Action Alternative, the Project would not be constructed and there would be no impact on aesthetic and visual resources.

Under the Proposed Action, the following effects could occur.

Direct effects involve altering or physically changing the scenery of visual resources. These types of direct effects would primarily occur during the construction phase of the Project. Minimal changes to the landscape will occur during construction, minimal changes after construction as conduit and fiber will be placed underground, and hand holes will be placed at ground level. Since the Project would utilize existing ROWs to the maximum extent feasible and construction activities will be temporary, any permanent direct effects will be minimal, if at all.

Indirect effects could include visual impacts to the scenic quality and natural appearance of the landscape as viewed by a resident, motorist, or visitor. During construction, visual impacts will be experienced due to the presence of construction equipment, staging areas, and structure installation. These impacts, however, would be temporary in nature and would last only as long as the construction activities.

To mitigate visual impacts of the Project, the use of existing, pre-disturbed ROWs, to the maximum extent feasible, will be utilized. Replacement of trees and shrubs that are removed during construction will also be considered.

The Project will not have any significant adverse effects to aesthetics and visual resources.

5.8 Land Use

Under the No Action Alternative, the Project would not be constructed and there would be no impact on land use.

Under the Proposed Action, the following effects could occur.

Local land use and zoning categorizations would not be measurably affected because the Project route will be located within existing ROWs, to the maximum extent feasible, that are already designated or used for utility placement and final installation will be on private property for those that want the new service.

The Tribe requires mitigation of negative impacts of ground disturbing activities associated with this Project during the construction phase of the Project. As examples, soil erosion and siltation will be controlled by silt fencing, revegetation will occur, and street clean-up will be performed, as necessary.

The Project route will not cross any BIA allotments. The Project will cross BIA roads which will require a BIA ROW permit. Required BIA permits and authorizations will be secured prior to commencing with the Project.

Forest land will not be affected by the Project.

The NDOT will be granting the permit for the utility to be placed within the state highway ROW. The NDOT utility accommodation permitting process will need to be followed

when construction occurs within the highway ROWs to all NDOT maintained highways within the Project area.

The NDOT utility accommodation permitting process will need to be followed when construction occurs within the highway ROWs to all NDOT maintained highways within the Project area.

The HAD will be granting the permit for the utility to be placed beneath the railroad that traverses through the Project area.

The WRID will be granting the permit for the utility to be placed beneath the irrigation ditch that traverses through the Project area.

Construction erosion control and storm water management procedures will be implemented (see Table E-2).

The Project will not have any significant adverse effect on existing land use.

5.9 Infrastructure

Under the No Action Alternative, the Project would not be constructed and there would be no impact on the infrastructure.

Under the Proposed Action, the following effects could occur:

- Material storage, handling, and assembly will be conducted at Project staging areas.
- Existing roads will be used during the construction of the Project for access.
- Disturbed sites will be used for parking and staging areas during the construction of the Project.
- Existing ROWs, to the maximum extent feasible, will be used during the construction of the Project.
- Construction of the Project will be in compliance with the Tribe's laws and regulations.
- CCCom and construction contractors will practice the general procedure with regard to solid waste management as follows:
    - Solid waste such as trash/garbage generated by construction activities will be collected and transported by CCCom and construction contractors to the nearest designated trash bin.
    - CCCom and construction contractors will not generate any hazardous waste.

The Project will have a not have no effect on existing infrastructure.

5.10 Socioeconomic Resources

Under the No Action Alternative, the Project would not be constructed and there would be a negative impact on socioeconomic resources because there would be a lack of employment and business opportunities within the community.

Under the Proposed Action, the overall quality of life by providing increased broadband support to the Reservation. The Project will provide an overall positive impact on socioeconomic resources within the surrounding Project area.

Construction will follow the conditions spelled out in the Tribe's guidelines. Tribal leadership assures that the Tribal members will receive the same degree of protection from environmental and health hazards and have weighed in on the equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

5.11 Human Health and Safety

Under the No Action Alternative, the Project would not be constructed and there would be a negative impact on human health and safety impacts because of the lack of telehealth options.

Under the Proposed Action, the following effects could occur:

The Project will impact public safety facilities and schools in a positive, indirect manner. The connectivity of high-speed broadband to these types of institutions will allow these organizations to be more productive by adding or improving their existing service with the new service.

The Project will have no adverse effect to human health and safety.

Minor disruptions to local public services may occur at individual locations when construction activities are to occur. These impacts are anticipated to be short-term and would last only as long as the construction activities.

Construction workers are subject to typical construction related incidents including slips, trips, falls, wounds, and other injuries.

Likewise, heavy equipment will be used to construct the Project. This type of heavy construction equipment will require the use of oils, diesel fuels, and gasoline for fueling and maintenance purposes. Soil or groundwater contamination could result from an accidental spill or release of these hazardous materials due to improper handling and/or storage of hazardous materials during construction activity, or during operations and maintenance.

The following mitigation measures will be implemented in order to address potential impacts associated with hazardous sites, public safety services, schools, and general construction and installation activities:

- For public safety facilities and schools, potential mitigation measures will consist of providing an advance schedule of construction in order to show where potential conflicts in access may occur or where some existing broadband services may be interrupted. This advance warning would allow for coordination among the service providers, schools, and the construction workforce.

- For installation activities, to mitigate worker-related safety impacts, construction crews and/or contract crews would comply with local, Tribal, State, and national standards regarding the installation of facilities and standard construction practices. All OSHA standards related to the construction of the Project will be followed. All personnel involved in these activities would be required to use appropriate and recommended PPE.

- Since the Project will occupy or parallel existing roadways and existing roadways will be utilized for construction access, lane width reductions may be required in some areas. Worker and public safety measures for construction activities within or along existing roadways will be conducted in accordance with applicable or appropriate NDOT or local jurisdictional standards or guidelines. Traffic control plans may be developed during detailed engineering, if required.

5.12 Reasonably Foreseeable Effects

The Reasonable Foreseeable Effects based on recent executive orders for the Project consists of a two-mile buffer around the Project area. The time frame for the reasonably foreseeable effects analysis is up to five years in the future (2029). Past and present actions within the CESA include the water pipeline and water storage tank serving the Schurz area, ROWs associated with US 95 and local roads located in the area, and ROWs associated with railroads and telephone lines located in the area (see Table 5-1).

Table 5-1. Past and Present Actions

ROW Holder	ROW Purpose
NDOT	Alternate Highway US 95
USCOE	Railroad
Nevada Bell	Telephone line
Southern Pacific	Railroad
NDOT, BIA	New water pipeline and water tank for Reservation.

Source: Stantec 2024

The Proposed Action would improve broadband infrastructure and be partially constructed within existing ROWs, and construction would not impact the operation

of existing projects. The Proposed Action is not anticipated to result in cumulative impacts to the existing environment when combined with past and present actions. RFFAs include future maintenance of existing projects and local improvement/development projects, such as a new convenience store (Stantec 2024). Such activities are anticipated to be minor and consistent with current land uses. Future maintenance and improvement projects may provide positive cumulative effects as improvements are made for the Reservation community in the vicinity of the Project area.

There is a potential for other new construction to be proposed by the Tribe with the development of the Proposed Action. It is possible that additional future improvements to the existing waterlines may be proposed and constructed within Schurz as a result of the new water pipeline system that is scheduled to be constructed within next year. Other than the waterline project, no other construction or activities have been formally proposed or have not been made public knowledge.

Under the No Action Alternative, cumulative effects would not occur from the Proposed Action combined with past, present, and reasonably foreseeable future actions as the Project would not be constructed.

Table 5-2 provides a summary of potential environmental impacts for the Proposed Action and the No Action Alternative

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
Noise	The Proposed Action combined with the RFFAs are not likely to temporally overlap during construction. The Proposed action may result in temporary, indirect effects associated with auditory impacts from construction activities and equipment. Installation of the Project will generally be done within normal daylight hours (7:00 A.M. to 5:00 P.M). Noise generated by construction equipment and vehicular traffic during the construction phase is likely to constitute a temporary noise impact. Therefore, any potential sensitive receptors such as residential or agricultural use areas within the Project area would experience minimal temporary impacts.	No direct or indirect impacts would result from this alternative.
Air Quality	The Proposed Action combined with the RFFAs are not likely to temporally overlap during construction. Should construction of RFFAs commence concurrent with the Proposed Action, cumulative impacts would include	No direct or indirect impacts would result from this alternative.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
	exhaust emissions from construction vehicles and fugitive dust particulates from construction activities. BMPs will be implemented to mitigate dust from construction operations. Overall, the cumulative impact to air quality during construction activities is considered to be negligible.	
Geology and Soils	Soil disturbance that would occur during construction of the Proposed Action combined with the RFFAs are not likely to temporally overlap. The Proposed Action would involve approximately 25 acres of ground disturbance, most of which is in pre-disturbed areas, and and would result in a negligible cumulative impact to geology and soils. BMPs will be implemented during construction activities to minimize impacts to soil outside the construction area. Site restoration activities will be conducted following the completion of construction to restore drainage patterns to pre-construction conditions.	No direct or indirect impacts would result from this alternative.
Surface water resources	The Proposed Action combined with the RFFAs are not likely to temporally overlap during construction. Should construction of RFFAs commence concurrent with construction of the Proposed Action, standard water pollution control measures (i.e., implementation of a SWPPP) would be required to be in place pursuant to state regulations to minimize water quality impacts. Therefore, potentially overlapping cumulative effects to water resources from construction activities would have a negligible cumulative impact to water resources. Crossings at the river will be accomplished via an	No direct or indirect impacts would result from this alternative.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
	existing conduit extending across the river. Crossing of the WDID ditch will involve the use of HDD. This methodology minimizes overall ground disturbance but would require equipment to be set up at the entry and exit points. The HDD entrance pit would be sited 50 feet from the edge of the ditch to minimize effects to the ditch. Construction will be completed according to the SWPPP, NDOT, BIA, and NDEP requirements, where applicable. BMPs will be implemented to minimize erosion and sedimentation impacts to adjacent water resources (see Table E-2). Erosion control BMPs will be installed, inspected, and maintained throughout the duration of the project to ensure continued functionality. The Project area located outside the road ROWs will be re-vegetated as necessary before the removal of BMPs. All erosion control BMPs will be removed once vegetation is established, and erosion potential is eliminated.	
Groundwater resources	Based on the depth to groundwater, the Proposed Action combined with the RFFAs will not have an impact on groundwater resources.	No direct or indirect impacts would result from this alternative.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
Wetlands and Floodplains	The Proposed Action combined with the RFFAs are not likely to temporally overlap during construction. Should construction of RFFAs commence concurrent with construction of the Proposed Action, standard water pollution control measures (i.e., implementation of a SWPPP) would be required to be in place pursuant to state regulations to minimize wetlands impacts. Prior to commencing with construction wetlands located in and proximal to the Project area will be demarcated by a wetland professional. Care shall be taken to avoid any incursion to wetlands located outside the Project area and minimize disturbance to wetlands located within the Project area.	No direct or indirect impacts would result from this alternative.
Vegetation and Habitat	The Proposed Action combined with the RFFAs would have no significant effect on vegetation and habit . There is no critical habitat in the Project Area for any of the ESA listed species (USFWS 2025). Prior to construction, the contractor will employ a qualified biologist to conduct a survey for milkweed individuals and record any occurrences within the Project area. If the survey indicates the presence of milkweed which may be impacted by the Project, a mitigation strategy will be developed and implemented by the Tribe and the contractor to avoid damage or removal of milkweed plant during Project construction, to the extent practicable, in order to further minimize direct effects. The mitigation strategy may include use of HDD in lieu of trenching techniques in areas of concern and/or re-seeding of affected	No direct or indirect impacts would result from this alternative.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
	areas with vegetation to match existing. Crossing of the Walker River will be accomplished via an existing conduit extending across the river. Therefore, the Project will not impact riparian vegetation that may be present along the Walker River.	
Threatened and Endangered Species	The Proposed Action combined with the RFFAs would have no effect on threatened, endangered, or candidate species as no species or critical habitat. Potentially suitable habitat for yellow-billed cuckoo in riparian areas would not be affected. A nest clearance surveys will be be conducted by a qualified professional in compliance with the provisions of the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (as amended) (BGEPA) prior to surface disturbance activities.	No direct or indirect impacts would result from this alternative.
Historic and Cultural Resources	There are no known cultural resources or historic properties present that would be impacted by the Proposed Action and RFFAs. Standard mitigation measures would help to minimize impacts to these resources if inadvertent discoveries are made. The Proposed Action and RFFAs would have no adverse cumulative impact to cultural resources or historic properties.	No direct or indirect impacts would result from this alternative.
Aesthetics and Visual Resources	The Proposed Action combined with the RFFAs would have negligible cumulative impacts on aesthetic resources cumulative impacts would be negligible following construction, as the FTTH would be buried underground and all wireless components will be	No direct or indirect impacts would result from this alternative.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
	installed on existing structures. The RFFAs would be located within Schurtz, which already has existing buildings, businesses, and residences.	
Land Use	The Proposed Action would be located mainly within existing ROWs and known RFFAs would be similar to existing authorizations and would not overlap with any BIA allotments; therefore, the Proposed Action and RFFAs would comply with existing land uses. Any RFFAs for development would be required to go through a separate environmental review and/or zoning process for permitting and construction.	No direct impacts would result from this alternative.
Infrastructure	The Proposed Action combined with the RFFAs would have no effect on infrastructure.	No direct impacts would result from this alternative.
Socioeconomics	The Proposed Action combined with the RFFAs would have a net benefit to the community. The Proposed Action will provide immediate connectivity relief to the anchor institutions with cost-effective high-speed transport services, create a public-private partnership for the delivery of a broadband solution, provide economic enhancements to the area, provides connectivity to public safety entities to allow for sharing of data and implementation of technologies that could otherwise not occur, provide enhanced educational access and opportunities for WRPT schools and online classes at all grades and levels, and provide the opportunity for telemedicine to positively impact the Tribal population where access to clinics or travel to medical services may be inhibited.	No direct impacts would result from this alternative. Indirect impacts include the continuing lack of adequate broadband and telehealth services.

Table 5-2. Comparison of Potential Cumulative Environmental Impacts by Alternative

Resources Area	Proposed Action	No Action Alternative
Human Health and Safety	The Proposed Action combined with the RFFAs would have a positive effect on human health and safety. The Project will provide connectivity to public safety entities that could otherwise not occur.	No direct impacts would result from this alternative. Indirect impacts include the continuing lack of adequate broadband services.

5.13 Public Comment

The Tribe mailed a flyer to the community pertaining to the Project (see Appendix F). A notice of the proposal was also posted on NTIA's website for national exposure. Additionally, the EA will be posted on the NTIA's website. The notices provide guidance on where to view the document and federal points of contact. The Tribe and Tribal Council will continue to work closely with Tribal members to inform them of the Project and will coordinate with community members on connection of FTTH to the residences and installation of new wireless components on residences and businesses that will be served by wireless service.

6.0 Applicable Environmental Permits and Regulatory Requirements

All Tribal environmental and regulatory requirements will be followed prior to and during any construction activity.

The NDOT, BIA, US Army Corp of Engineers, and HAD have been consulted regarding the proposed Project. CCCom will secure all required permits prior to commencing construction activities. NDOT's, HAD, and BIA utility accommodation permitting process will be followed when construction occurs within the ROWs and BIA allotments. Subject to their utility permitting process, construction site erosion control and storm water management procedures will need to be implemented, as necessary.

Table 6-1 below provides a listing of environmental permits required and/or possible coordination for the Project. Only environmental permits have been presented in the table. Other permits, such as road ROW permits, are not identified.

Table 6-1. Potential Applicable Statutory, Regulatory, and Other Requirements

Potentially Applicable Requirement	Relevant Project Information
All Resources	
National Environmental Policy Act (NEPA) of 1969 42 U.S.C. § 4321 et seq.	Coordination with NTIA based on the results of the Environmental Assessment
Vegetation, Wildlife, and Fish	
Endangered Species Act of 1973 16 U.S.C. § 1531 et seq.	Comply with requirements outlined in Coordination of listed species in the USFWS letter provided in Appendix A.
Fish and Wildlife Conservation Act 16 U.S.C. § 2901 et seq. Fish and Wildlife Coordination Act 16 U.S.C. § 661 et seq.	Comply with requirements outlined in Coordination of listed species in the USFWS letter provided in Appendix A.
Waters, Wetlands, and Floodplain Protection	
Clean Water Act 33 U.S.C. § 1251 et seq. Floodplain/Wetlands Environmental Review Requirements 10 CFR 1022.12 Floodplain Management Executive Order 11988 Protection of Wetlands Executive Order 11990	Implement BMPs to mitigate impacts to surface waters.

Table 6-1. Potential Applicable Statutory, Regulatory, and Other Requirements

Potentially Applicable Requirement	Relevant Project Information
Antiquities Act of 1906 16 U.S.C. § 431-433 Historic Sites Act of 1935 16 U.S.C. § 461-467 National Historic Preservation Act (NHPA), as amended, inclusive of Section 106 54 U.S.C. § 306108 et seq. Archaeological Data Preservation Act of 1974 (16 U.S.C. § 469 – 469-1) Archaeological Resources Protection Act of 1979, as amended 16 U.S.C. § 469 a-c Native American Graves Protection and Repatriation Act 25 U.S.C. § 3001 et seq. Indian Sacred Sites Executive Order 13007 American Indian Religious Freedom Act of 1978 (42 U.S.C. § 1996)	Contact Tribe in the event any cultural resources or artifacts are encountered during construction.
Noise Control Act of 1972 42 U.S.C. § 4901 et seq.	Coordination to minimize intermittent and temporary noise.

Table 6-1. Potential Applicable Statutory, Regulatory, and Other Requirements

Potentially Applicable Requirement	Relevant Project Information
Spill Prevention Control and Countermeasures Rule 40 CFR 112 Comprehensive Environmental Response, Compensation, and Liability Act 42 U.S.C. § 9601 et seq. Resource Conservation and Recovery Act 42 U.S.C. § 6901 et seq.	Coordination to minimize contamination from construction equipment.
State, County, and Local Plan Consistency	
Tribal Natural Resources	Construction to comply with all Tribal directives.

7.0 Agency Consultations

Table 7-1. Agency Consultations

Agency and Name	Consultation	Status
NTIA, Joshua Fitzpatrick, Environmental Program Officer (jfitzpatrick@ntia.gov)	Assisted with communications with cooperating agencies, SHPO involvement, review of EA	Determined that involvement of CCC.com and Tribe will continue to in communication regarding required permits. Conducted initial review of EA. Assisting Tribe with applications for BIA ROWs and allotments.

Table 7-1. Agency Consultations

Agency and Name	Consultation	Status
NTIA, Vanessa Adkins, Environmental Program Officer (jfitzpatrick@ntia.gov)	Assist with communications with cooperating agencies, review of EA	
U.S. Fish and Wildlife	IPAC Section 7	USFW email response received June 22, 2025.
Nevada Department of Transportation, Chris Young (cyoung@dot.nv.gov)	Construction in NDOT ROWs, Crossing of State Highways	CCC.com and Tribe in communication regarding required permits.
Bureau of Indian Affairs, Tobish Mogavero (tobiah.mogavero@bia.gov)	Construction Within BIA Roadways	CCC.com and Tribe in communication regarding required permits for BIA-owned ROW's. Conducted review of EA and provided comments.
USACE Sacramento District, Keli Kennedy, Realty Specialist, Northern Branch (keli.l.kennedy.civ@army.mil)	Crossing of Railroad	Deferred to HAD. Will only get involved if necessary.
Hawthorne Army Depot, Ms. Keli Kennedy, CIV USARMY JMC (USA) (keli.l.kennedy.civ@army.mil)	Crossing of Railroad	Ms. Kennedy indicated that she doesn't foresee any significant issues with the crossing of the railroad. CCCom and Tribe will coordinate with Ms. Kennedy on rail crossings.
Walker River Irrigation District (wrid.us)	Crossing of WRID irrigation ditch	CCC.com and Tribe in communication regarding required permit.

8.0 List of Preparers

Tracy Johnston	Sr. Engineer, Converse
Kevin Paprocki	Geographic Information Systems, Converse

9.0 References

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- Nevada Department of Wildlife NDOW Data, http://www.ndow.org/Nevada_Wildlife/Maps_and_Data/Data/
- Nevada Division of Environmental Protection Air Quality Monitoring, https://ndep.nv.gov/air/air-quality-monitoring#:~:text=The%20Ambient%20Air%20Quality%20Monitoring,in%20Washoe%20and%20Clark%20County
- Tribal Broadband Connectivity Program, https://www.internetforall.gov/funding-recipients/walker-river-paiute-tribe
- United States Census Bureau. Data Profiles, https://www.census.gov/acs/www/data/data-tables-andtools/data-profiles/2015/.
- United States Department of Justice. Civil Rights Division. Title VI Of The Civil Rights Act Of 1964 42 U.S.C. § 2000d Et Seq. Electronic resource accessed October 30, 2023, at: https://www.justice.gov/crt/fcs/TitleVI-Overview

- United States Environmental Protection Agency (EPA), Environmental Justice, https://www.epa.gov/environmentaljustice
- EPA, National Environmental Policy Act (NEPA), https://www.epa.gov/nepa
- United States Environmental Protection Agency (EPA). Sole Source Aquifers for Drinking Water, https://www.epa.gov/dwssa
- USFWS National Wetlands Inventory, https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/
- USFWS ECOS website, https://ecos.fws.gov/ipac/location/index

All additional referenced sources are appended to this report.

TDS & SDS for HDD Materials

Appendix A

WYO-BEN, INC.

SAFETY DATA SHEET

SECTION 1 — CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Trade Name:	**TRU-BORE®**
Chemical Family:	Mineral
Application:	Drilling Fluid Additive
Manufacturer/Supplier:	Wyo-Ben, Inc. 1345 Discovery Drive Billings, MT 59102 USA Telephone: 800.548.7055 Facsimile: 406.656.0748
Emergency Phone Number	CHEMTREC® 800.424.9300

SECTION 2 — HAZARD IDENTIFICATION

Hazard Classification:	Carcinogenicity
Signal Word:	Warning
Hazard Overview:	CHRONIC HEALTH HAZARD Breathing crystalline silica can cause lung disease, including silicosis and lung cancer.
Hazard Symbol:	Health Hazard
Precautionary Statements:	Promptly clean up spills to avoid creating airborne dust. Avoid breathing airborne dust. Wear a NIOSH/MSHA European Standard En149 respirator, or equivalent certified for silica bearing dust, when using this product. Product is slippery when wet.
Hazards Not Otherwise Classified:	None known.

SECTION 3 — COMPOSITION/INFORMATION ON INGREDIENTS

Substances	CAS Number	Percent
Crystalline Silica, quartz	14808-60-7	≤6%

SECTION 4 — FIRST AID MEASURES

Inhalation:	If inhaled, remove to a dust free area. Get medical attention if respiratory irritation develops or if breathing becomes difficult. Inhalation may aggravate existing respiratory illness.
Skin:	Wash with soap and water until clear. Seek medical attention if irritation persists.

Eyes: In case of contact, immediately flush eyes with plenty of water for at least 15 minutes and get medical attention if irritation persists.

Ingestion: No adverse effects.

Notes to Physician: Treat Symptomatically.

SECTION 5 — FIRE FIGHTING MEASURES

Fire Extinguishing Media: All standard firefighting media. (Caution slippery when wet.)

Special Exposure Hazards: Not applicable

Special Protective Equipment for Firefighters: Not applicable

NFPA Ratings: Health 0, Flammability 0, Reactivity 0

SECTION 6 — ACCIDENTAL RELEASE MEASURES

Personal Precautionary Measures: Use appropriate protective equipment. Avoid creating and breathing dust.

Environmental Precautionary Measures: None known.

Procedure for Cleaning/Absorption: Collect using appropriate dustless method and hold for appropriate disposal.

SECTION 7 — HANDLING AND STORAGE

Handling Precautions: This product contains quartz which may become airborne. Avoid breathing dust. Avoid creating dusty conditions. Use only with adequate ventilation to keep exposure below recommended exposure limits. Wear a NIOSH/MSHA European Standard En 149, or equivalent certified for silica bearing dust, respirator when using this product. Material is slippery when wet. Promptly clean up spills to avoid breathing airborne dust.

Storage Information: Use good housekeeping in storage and work areas to prevent accumulation of dust. Close container when not in use. Do not reuse empty container.

SECTION 8 — EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits

Substances	CAS Number	ACGIH TLV-TWA	OSHA PEL-TWA*
Crystalline Silica, quartz	14808-60-7	0.025 mg/m^3	$\frac{10\ mg/m^3}{\%SiO2 + 2}$

*More restrictive exposure limits may be enforced by some states, agencies, or other authorities.

Engineering Controls: Use approved industrial ventilation and local exhaust as required to maintain exposures below applicable exposure limits.

Personal Protective Equipment: If engineering controls and work practices cannot prevent excessive exposures, the selection and proper use of personal protective equipment should be determined by an industrial hygienist or other qualified professional based on the specific application of this product.

Respiratory Protection: Not normally needed. If significant exposures are possible use NIOSH/MSHA respirator approved for silica bearing dust.

Hand Protection: Normal work gloves.

Skin Protection:	Wear clothing appropriate for the work environment. Dusty clothing should be laundered before reuse. Use precautionary measures to avoid creating dust when removing or laundering clothing.
Eye Protection:	Wear safety glasses or goggles to protect against exposure.
Other Precautions:	None known.

SECTION 9 — PHYSICAL AND CHEMICAL PROPERTIES

Physical State:	Solid
Color:	Light tan to gray as dry powder
Odor:	Odorless
pH:	8 – 10 (5% aqueous solution)
Specific Gravity @ 20 C (Water=1):	2.45 – 2.55
Density @ 20 C (lbs/gallon):	Not determined
Bulk Density @ 20 C (lbs/ft^3):	49 – 55
Boiling Point/Range (F):	Not applicable
Boiling Point/Range (C):	Not applicable
Freezing Point/Range (F):	Not applicable
Freezing Point/Range (C):	Not applicable
Vapor Pressure @ 20 C (mmHg):	Not applicable
Vapor Density (Air=1):	Not applicable
Percent Volatiles:	Not applicable
Evaporation Rate (Butyl Acetate=1):	Not applicable
Solubility in Water (g/100ml):	Insoluble, forms colloidal suspension
Solubility in Solvents (g/100ml):	Not applicable
VOCs (lbs/gallon):	Not applicable
Viscosity, Dynamic @ 20 C (centipoise):	240
Viscosity, Kinematic @ 20 C (centistrokes):	Notdetermined
Partition Coefficient/n-Octanol/Water:	Not applicable
Molecular Weight (g/mole):	Not applicable
Flash Point/Range (F):	Not applicable
Flash Point/Range (C):	Not applicable
Flash Point Method:	Not applicable
Autoignition Temperature (F):	Not applicable
Autoignition Temperature (C):	Not applicable
Flammability Limits in Air – Lower (%):	Not applicable
Flammability Limits in Air – Upper (%):	Not applicable

SECTION 10 — STABILITY AND REACTIVITY

Stability Data:	Stable
Hazardous Polymerization:	Will Not Occur
Conditions to Avoid:	None anticipated
Incompatibility (Materials to Avoid):	Hydrofluoric Acid
Hazardous Decomposition Products:	None
Additional Guidelines:	Not applicable

SECTION 11 — TOXICOLOGICAL INFORMATION

Principle Route of Exposure:	Eye or skin contact, inhalation.
Inhalation:	Inhaled crystalline silica in the form or quartz from occupational sources is carcinogenic to humans (IARC, Group 1).
Skin Contact:	May cause mechanical skin irritation.
Eye Contact:	May cause eye irritation.
Ingestion:	None known
Aggravated Medical Conditions:	Individuals with respiratory disease, including but not limited to asthma and bronchitis, or subject to eye irritation, should not be exposed to respirable quartz-bearing dust.
Chronic Effects/Carcinogenicity:	Silicosis: Excessive inhalation of respirable crystalline silica dust may cause a progressive, disabling, and sometimes-fatal lung disease called silicosis. Symptoms include cough, shortness of breath, wheezing, non-specific chest illness, and reduced pulmonary function. This disease is exacerbated by smoking. Individuals with silicosis are predisposed to develop tuberculosis. Cancer Status: The International Agency for Research on Cancer (IARC, 1997) concludes that there is sufficient evidence in humans for carcinogenicity of inhaled crystalline silica from occupational sources (IARC Group 1), that carcinogenicity was not detected in all industrial circumstances studied and that carcinogenicity may depend on characteristics of the crystalline silica or on external factors affecting its biological activity. See IARC Monograph 68, Silica, Some Silicates and Organic Fibres (June 1997). The National Toxicology Program (NTP) classifies respirable crystalline silica as "Known to be a human carcinogen" (NTP 9th Report on Carcinogens, 2000). The American Conference of Governmental Industrial Hygienists (ACGIH) classifies crystalline silica, quartz, as a suspected human carcinogen (A2).
Other Information:	See "Adverse Effects of Crystalline Silica Exposure" published by the American Thoracic Society Medical Section of the American Lung Association, American Journal of Respiratory and Critical Care Medicine, Volume 155, pages 761-768 (1997).

<u>Toxicity Tests</u>

Oral Toxicity:	Not determined
Dermal Toxicity:	Not determined

Inhalation Toxicity:	Not determined
Primary Irritation Effect:	Not determined
Carcinogenicity:	Refer to IARC Monograph 68, Silica, Some Silicates and Organic Fibres (June 1997).
Genotoxicity:	Not determined
Reproductive/Developmental Toxicity:	Not determined

SECTION 12 — ECOLOGICAL INFORMATION

Mobility (Water/Soil/Air):	Not determined
Persistence/Degradability:	Not determined
Bio-accumulation:	Not determined

Ecotoxicological Information

Acute Fish Toxicity:	Not determined
Acute Crustaceans Toxicity:	Not determined
Acute Algae Toxicity:	Not determined

Chemical Fate Information:	Not determined
Other Information:	Not applicable

SECTION 13 — DISPOSAL CONSIDERATIONS

Disposal Method:	If product should become a waste dispose in a licensed landfill according to federal, state and local regulations.
Contaminated Packaging:	Follow all applicable national or local regulations.

SECTION 14 — TRANSPORT INFORMATION

Land Transportation

DOT – Not Restricted
Canadian TDG – Not Restricted
ADR – Not Restricted

Air Transportation

ICAO/IATA – Not Restricted

Sea Transportation

IMDG – Not Restricted

Other Transportation Information

Labels: None

SECTION 15 — REGULATORY INFORMATION

US Regulations

US TSCA Inventory	All components listed on inventory or are exempt.
EPA SARA Title III Extremely Hazardous Substances	Not applicable
EPA SARA (311, 312) Hazard Class	Chronic Health Hazard
EPA SARA (313) Chemicals	This product does not contain a toxic chemical for routine annual "Toxic Chemical Release Reporting" under Section 313 (40 CFR 372).
EPA CERCLA/Superfund Reportable Spill Quantity	Not applicable
EPA RCRA Hazardous Waste Classification	If product becomes a waste, it does NOT meet the criteria of a hazardous waste as defined by the US EPA.
California Proposition 65	This product contains crystalline silica (respirable) which is a substance known to the State of California to cause cancer.

Canadian Regulations

Canadian DSL Inventory	All components listed on inventory or are exempt.
WHMIS Hazard Class	This product contains crystalline silica (respirable) and is classified as a Class D, Division 2, Subdivision A substance.

SECTION 16 — OTHER INFORMATION

Prepared	03/18/2015
Last Revision	08/06/2015

DISCLAIMER

All information presented herein is believed to be accurate; however, it is the user's responsibility to determine in advance of need that the information is current and suitable for their circumstances. No warranty or guarantee, expressed or implied is made by WYO-BEN, INC. as to this information, or as to the safety, toxicity or effect of the use of this product.

SAFETY DATA SHEET

1. Identification

Product identifier	**DRILL-TERGE™**
Other means of identification	None.
Recommended use	Not available.
Recommended restrictions	None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name	CETCO, an MTI Company	
Address	2870 Forbs Avenue Hoffman Estates, IL 60192 United States	
Telephone	General Information	800 527-9948
Website	http://www.cetco.com/	
E-mail	safetydata@mineralstech.com	
Emergency phone number	Emergency	1.866.519.4752/1 760 476 3962
Americas	1.866.519.4752 (US, Canada, Mexico) 1 760 476 3962	

2. Hazard(s) identification

Physical hazards	Not classified.	
Health hazards	Acute toxicity, oral	Category 4
	Serious eye damage/eye irritation	Category 1
	Sensitization, skin	Category 1
Environmental hazards	Hazardous to the aquatic environment, acute hazard	Category 3
OSHA defined hazards	Not classified.	

Label elements

Signal word	Danger
Hazard statement	Harmful if swallowed. May cause an allergic skin reaction. Causes serious eye damage. Harmful to aquatic life.

Precautionary statement

Prevention	Wash thoroughly after handling. Do not eat, drink or smoke when using this product. Contaminated work clothing must not be allowed out of the workplace. Avoid release to the environment. Wear eye protection/face protection. Wear protective gloves.
Response	If swallowed: Rinse mouth. Do NOT induce vomiting. If on skin: Wash with plenty of water. If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center/doctor. If skin irritation or rash occurs: Get medical advice/attention. Take off contaminated clothing and wash it before reuse.
Storage	Store away from incompatible materials.
Disposal	Dispose of contents/container in accordance with local/regional/national/international regulations.

Hazard(s) not otherwise classified (HNOC)	None known.
Supplemental information	5% of the mixture consists of component(s) of unknown acute dermal toxicity. 5% of the mixture consists of component(s) of unknown long-term hazards to the aquatic environment.

3. Composition/information on ingredients

Mixtures

Chemical name	Common name and synonyms	CAS number	%
TRADE SECRET*		Proprietary*	5
Diethanolamine		111-42-2	<0.25
Other components below reportable levels			94.98

Composition comments This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

4. First-aid measures

Inhalation If gas/fume/vapor/dust/mist from the material is inhaled, remove the affected person immediately to fresh air. Call a physician if symptoms develop or persist.

Skin contact Remove contaminated clothing immediately and wash skin with soap and water. In case of eczema or other skin disorders: Seek medical attention and take along these instructions.

Eye contact Immediately flush eyes with plenty of water for at least 15 minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Get medical attention immediately.

Ingestion Rinse mouth. If vomiting occurs, keep head low so that stomach content doesn't get into the lungs. Get medical advice/attention if you feel unwell.

Most important symptoms/effects, acute and delayed Severe eye irritation. Symptoms may include stinging, tearing, redness, swelling, and blurred vision. Permanent eye damage including blindness could result. May cause an allergic skin reaction. Dermatitis. Rash.

Indication of immediate medical attention and special treatment needed Provide general supportive measures and treat symptomatically. Keep victim warm. Keep victim under observation. Symptoms may be delayed.

General information Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves. Show this safety data sheet to the doctor in attendance. Wash contaminated clothing before reuse.

5. Fire-fighting measures

Suitable extinguishing media Dry chemical, CO2, water spray or regular foam. Use methods for the surrounding fire.

Unsuitable extinguishing media Do not use water jet as an extinguisher, as this will spread the fire.

Specific hazards arising from the chemical During fire, gases hazardous to health may be formed.

Special protective equipment and precautions for firefighters As in any fire, wear self-contained breathing apparatus pressure-demand, MSHA/NIOSH (approved or equivalent) and full protective gear.

Fire fighting equipment/instructions Move containers from fire area if you can do it without risk. Cool containers with flooding quantities of water until well after fire is out.

Specific methods Use standard firefighting procedures and consider the hazards of other involved materials.

General fire hazards No unusual fire or explosion hazards noted. This material will not burn.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures Keep unnecessary personnel away. Keep people away from and upwind of spill/leak. Wear appropriate protective equipment and clothing during clean-up. Avoid breathing mist/vapors. Do not touch damaged containers or spilled material unless wearing appropriate protective clothing. Ensure adequate ventilation. Local authorities should be advised if significant spillages cannot be contained. For personal protection, see section 8 of the SDS.

Methods and materials for containment and cleaning up Stop leak if you can do so without risk. Flush with plenty of water.

Large Spills: Dike the spilled material, where this is possible. Absorb in vermiculite, dry sand or earth and place into containers. Following product recovery, flush area with water.

Small Spills: Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination.

Never return spills to original containers for re-use. Absorb spill with inert material (e.g., dry sand or earth), then place in a chemical waste container. For waste disposal, see section 13 of the SDS.

Environmental precautions No special environmental precautions required. Contact local authorities in case of spillage to drain/aquatic environment. Prevent discharge of larger quantity to drain.

7. Handling and storage

Precautions for safe handling

Do not get this material in contact with eyes. Do not taste or swallow. Avoid breathing mist/vapors. Avoid contact with eyes, skin, and clothing. Avoid prolonged exposure. When using, do not eat, drink or smoke. Provide adequate ventilation. Wear appropriate personal protective equipment. Wash hands thoroughly after handling. Avoid release to the environment. Observe good industrial hygiene practices. Keep away from heat and flame.

Conditions for safe storage, including any incompatibilities

Store in tightly closed container. Keep out of the reach of children. Store away from incompatible materials (see Section 10 of the SDS). Keep in a cool, well-ventilated place.

8. Exposure controls/personal protection

Occupational exposure limits

The following constituents are the only constituents of the product which have a PEL, TLV or other recommended exposure limit. At this time, the other constituents have no known exposure limits.

US. ACGIH Threshold Limit Values

Components	Type	Value	Form
Diethanolamine (CAS 111-42-2)	TWA	1 mg/m3	Inhalable fraction and vapor.

US. NIOSH: Pocket Guide to Chemical Hazards

Components	Type	Value
Diethanolamine (CAS 111-42-2)	TWA	15 mg/m3
		3 ppm

Biological limit values

No biological exposure limits noted for the ingredient(s).

Exposure guidelines

US - California OELs: Skin designation

Diethanolamine (CAS 111-42-2) Can be absorbed through the skin.

US ACGIH Threshold Limit Values: Skin designation

Diethanolamine (CAS 111-42-2) Can be absorbed through the skin.

Appropriate engineering controls

Good general ventilation should be used. Ventilation rates should be matched to conditions. If applicable, use process enclosures, local exhaust ventilation, or other engineering controls to maintain airborne levels below recommended exposure limits. If exposure limits have not been established, maintain airborne levels to an acceptable level. Provide eyewash station. Good general ventilation should be sufficient to control airborne levels. Local exhaust is suggested for use, where possible, in enclosed or confined spaces.

Individual protection measures, such as personal protective equipment

Eye/face protection

Applicable for industrial settings only. Wear eye/face protection. Wear safety glasses with side shields (or goggles) and a face shield. Face shield is recommended.

Skin protection

Hand protection

Applicable for industrial settings only. For prolonged or repeated skin contact use suitable protective gloves. Suitable gloves can be recommended by the glove supplier.

Other

Applicable for industrial settings only. Wear suitable protective clothing. Wear appropriate chemical resistant gloves. Use of an impervious apron is recommended. The use of natural rubber gloves is recommended.

Respiratory protection

Applicable for industrial settings only. In case of insufficient ventilation, wear suitable respiratory equipment. Not normally needed. If ventilation is not sufficient to effectively prevent buildup of aerosols or vapors, appropriate NIOSH/MSHA respiratory protection must be provided.

Thermal hazards

Wear appropriate thermal protective clothing, when necessary.

General hygiene considerations

Keep away from food and drink. Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Contaminated work clothing should not be allowed out of the workplace. Use good industrial hygiene practices in handling this material. Eye wash fountain is recommended.

9. Physical and chemical properties

Appearance Clear.

Physical state Liquid.

Form Liquid.

Color	Blue.
Odor	Slight.
Odor threshold	Not available.
pH	8.7 - 9.3
Melting point/freezing point	Not available.
Initial boiling point and boiling range	212 °F (100 °C)
Flash point	Not available.
Evaporation rate	Not available.
Flammability (solid, gas)	Not applicable.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	0.00001 hPa estimated
Vapor density	Not available.
Relative density	Not available.
Solubility(ies)	
Solubility (water)	Not available.
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	Not available.
Other information	
Density	1.10 g/cm3 estimated
Explosive properties	Not explosive.
Oxidizing properties	Not oxidizing.
Percent volatile	94.98 % estimated
Specific gravity	1.02
VOC	CARB

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Stable at normal conditions.
Possibility of hazardous reactions	Will not occur.
Conditions to avoid	Contact with incompatible materials. Avoid temperatures above 190°F (87.8°C).
Incompatible materials	Peroxides. Phenols. strong acids and strong bases
Hazardous decomposition products	Upon decomposition, this product may yield oxides of nitrogen and ammonia, carbon dioxide, carbon monoxide and other low molecular weight hydrocarbons.

11. Toxicological information

Information on likely routes of exposure

Inhalation	Prolonged inhalation may be harmful.
Skin contact	May cause an allergic skin reaction.
Eye contact	Causes serious eye damage.
Ingestion	Harmful if swallowed.

Symptoms related to the physical, chemical and toxicological characteristics Severe eye irritation. Symptoms may include stinging, tearing, redness, swelling, and blurred vision. Permanent eye damage including blindness could result. May cause an allergic skin reaction. Dermatitis. Rash.

Information on toxicological effects

Acute toxicity Harmful if swallowed.

Components	Species	Test Results
Diethanolamine (CAS 111-42-2)		
Acute		
Oral		
LD50	Rat	710 mg/kg
TRADE SECRET		
Acute		
Oral		
LD50	Rat	> 5000 mg/kg

Skin corrosion/irritation Due to partial or complete lack of data the classification is not possible.

Serious eye damage/eye irritation Causes serious eye damage.

Respiratory or skin sensitization

Respiratory sensitization Due to partial or complete lack of data the classification is not possible.

Skin sensitization May cause an allergic skin reaction.

Germ cell mutagenicity Due to partial or complete lack of data the classification is not possible.

Carcinogenicity Risk of cancer cannot be excluded with prolonged exposure.

IARC Monographs. Overall Evaluation of Carcinogenicity

Diethanolamine (CAS 111-42-2)	2B Possibly carcinogenic to humans.
TRADE SECRET (CAS Proprietary)	2B Possibly carcinogenic to humans.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

US. National Toxicology Program (NTP) Report on Carcinogens

Not listed.

Reproductive toxicity Due to partial or complete lack of data the classification is not possible.

Specific target organ toxicity - single exposure Due to partial or complete lack of data the classification is not possible.

Specific target organ toxicity - repeated exposure Knowledge about health hazard is incomplete.

Aspiration hazard Due to partial or complete lack of data the classification is not possible.

Chronic effects Prolonged inhalation may be harmful. Prolonged exposure may cause chronic effects.

12. Ecological information

Ecotoxicity Harmful to aquatic life. This product is not expected to produce significant ecotoxicity upon exposure to aquatic organisms and aquatic systems.

Components		Species	Test Results
Diethanolamine (CAS 111-42-2)			
Aquatic			
Algae	IC50	Algae	7.8 mg/L, 72 Hours
Crustacea	EC50	Daphnia	55 mg/L, 48 Hours
Fish	LC50	Fathead minnow (Pimephales promelas)	100 mg/l, 96 hours
		Fish	4710 mg/L, 96 Hours

Persistence and degradability No data is available on the degradability of this product.

Bioaccumulative potential

Partition coefficient n-octanol / water (log Kow)

Diethanolamine	-1.43

Mobility in soil No data available.

Other adverse effects No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

13. Disposal considerations

Disposal instructions Do not allow this material to drain into sewers/water supplies. Do not contaminate ponds, waterways or ditches with chemical or used container. Dispose of contents/container in accordance with local/regional/national/international regulations.

Local disposal regulations Dispose in accordance with all applicable regulations.

Hazardous waste code The waste code should be assigned in discussion between the user, the producer and the waste disposal company.

Waste from residues / unused products Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).

Contaminated packaging Since emptied containers may retain product residue, follow label warnings even after container is emptied. Empty containers should be taken to an approved waste handling site for recycling or disposal.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code Not established.

15. Regulatory information

US federal regulations This product is a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

Toxic Substances Control Act (TSCA)

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

CERCLA Hazardous Substance List (40 CFR 302.4)

Diethanolamine (CAS 111-42-2) Listed.

SARA 304 Emergency release notification

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical No (Exempt)

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Diethanolamine (CAS 111-42-2)

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA) Not regulated.

US state regulations

California Proposition 65

WARNING: This product can expose you to Diethanolamine, which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.

California Proposition 65 - CRT: Listed date/Carcinogenic substance

Diethanolamine (CAS 111-42-2) Listed: June 22, 2012

US. California. Candidate Chemicals List. Safer Consumer Products Regulations (Cal. Code Regs, tit. 22, 69502.3, subd. (a))

Diethanolamine (CAS 111-42-2)
TRADE SECRET (CAS Proprietary)

International Inventories

Country(s) or region	Inventory name	On inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	Yes
Canada	Domestic Substances List (DSL)	Yes
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	Yes
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	Yes
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	Yes
Korea	Existing Chemicals List (ECL)	Yes
New Zealand	New Zealand Inventory	Yes
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	Yes
Taiwan	Taiwan Chemical Substance Inventory (TCSI)	Yes
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	Yes

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)
A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision

Issue date	05-September-2013
Revision date	20-August-2020
Version #	15
Further information	This safety datasheet only contains information relating to safety and does not replace any product information or product specification.
HMIS® ratings	Health: 1 Flammability: 1 Physical hazard: 0
NFPA ratings	Health: 1 Flammability: 1 Instability: 0

Disclaimer

CETCO, an MTI Company cannot anticipate all conditions under which this information and its product, or the products of other manufacturers in combination with its product, may be used. It is the user's responsibility to ensure safe conditions for handling, storage and disposal of the product, and to assume liability for loss, injury, damage or expense due to improper use. The information in the sheet was written based on the best knowledge and experience currently available. The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The manufacturer expressly does not make any representations, warranties, or guarantees as to its accuracy, reliability or completeness nor assumes any liability, for its use. It is the user's responsibility to verify the suitability and completeness of such information for each particular use.

Third party materials: Insofar as materials not manufactured or supplied by this manufacturer are used in conjunction with, or instead of this product, it is the responsibility of the customer to obtain, from the manufacturer or supplier, all technical data and other properties relating to these and other materials and to obtain all necessary information relating to them. No liability can be accepted in respect of the use of this product in conjunction with materials from another supplier. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

Revision information

Hazard(s) identification: Response
Disposal considerations: Disposal instructions

SAFETY DATA SHEET

1. Identification

Product identifier	**INSTA-VIS™ DRY**
Other means of identification	None.
Recommended use	Not available.
Recommended restrictions	None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name	CETCO, an MTI Company
Address	2870 Forbs Avenue Hoffman Estates, IL 60192 United States
Telephone	General Information 800 527-9948
Website	http://www.cetco.com/
E-mail	safetydata@mineralstech.com
Emergency phone number	Emergency 1.866.519.4752/1 760 476 3962
Americas	1.866.519.4752 (US, Canada, Mexico) 1 760 476 3962

2. Hazard(s) identification

Physical hazards	Not classified.
Health hazards	Not classified.
Environmental hazards	Not classified.
OSHA defined hazards	Not classified.

Label elements

Hazard symbol	None.
Signal word	None.
Hazard statement	The mixture does not meet the criteria for classification.
Precautionary statement	
Prevention	Observe good industrial hygiene practices.
Response	Wash hands after handling.
Storage	Store away from incompatible materials.
Disposal	Dispose of waste and residues in accordance with local authority requirements.
Hazard(s) not otherwise classified (HNOC)	None known.
Supplemental information	None.

3. Composition/information on ingredients

Mixtures

The manufacturer lists no ingredients as hazardous according to OSHA 29 CFR 1910.1200.

*Designates that a specific chemical identity and/or percentage of composition has been withheld as a trade secret.

Composition comments	Occupational Exposure Limits for constituents are listed in Section 8. This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

4. First-aid measures

Inhalation	Remove to fresh air. Call a physician if symptoms develop or persist.
Skin contact	Rinse with water. Get medical attention if irritation develops or persists.
Eye contact	Flush eyes with water as a precaution. Get medical attention if irritation develops or persists.
Ingestion	Have victim rinse mouth thoroughly with water. If ingestion of a large amount does occur, seek medical attention.

Most important symptoms/effects, acute and delayed	Direct contact with eyes may cause temporary irritation.
Indication of immediate medical attention and special treatment needed	Treat symptomatically.
General information	If you feel unwell, seek medical advice (show the label where possible).

5. Fire-fighting measures

Suitable extinguishing media	Dry chemical, CO2, water spray or regular foam.
Unsuitable extinguishing media	Do not use water jet as an extinguisher, as this will spread the fire.
Specific hazards arising from the chemical	During fire, gases hazardous to health may be formed.
Special protective equipment and precautions for firefighters	None known.
Fire fighting equipment/instructions	Use water spray to cool unopened containers. Material can be slippery when wet.
Specific methods	Use standard firefighting procedures and consider the hazards of other involved materials.
General fire hazards	Not a fire hazard. No unusual fire or explosion hazards noted.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures	Keep unnecessary personnel away. Material can be slippery when wet
Methods and materials for containment and cleaning up	DO NOT GET WATER on spilled material or inside containers. Stop leak if you can do so without risk. Vacuum or sweep up material and place in a disposal container. After removal flush contaminated area thoroughly with water. Following product recovery, flush area with water.
Environmental precautions	Prevent further leakage or spillage if safe to do so.

7. Handling and storage

Precautions for safe handling	Keep formation of airborne dusts to a minimum. Provide appropriate exhaust ventilation at places where dust is formed.
Conditions for safe storage, including any incompatibilities	Keep at temperatures between 0 and 35°C. Keep in a well-ventilated place. Store in original tightly closed container.

8. Exposure controls/personal protection

Occupational exposure limits

US. OSHA Table Z-3 (29 CFR 1910.1000)

Constituents	Type	Value	Form
INERT OR NUISANCE DUSTS	TWA	5 mg/m3	Respirable fraction.
		15 mg/m3	Total dust.
		50 mppcf	Total dust.
		15 mppcf	Respirable fraction.

Biological limit values	No biological exposure limits noted for the ingredient(s).
Appropriate engineering controls	Keep formation of airborne dusts to a minimum. Good general ventilation should be sufficient to control airborne levels. Use process enclosures, local exhaust ventilation, or other engineering controls to control airborne levels below recommended exposure limits. If engineering measures are not sufficient to maintain concentrations of dust particulates below the OEL, suitable respiratory protection must be worn.

Individual protection measures, such as personal protective equipment

Eye/face protection	Wear safety glasses with side shields (or goggles). Safety glasses with side-shields.
Skin protection	
Hand protection	Wear appropriate chemical resistant gloves. Rubber gloves. Suitable gloves can be recommended by the glove supplier.
Other	Not normally needed. Wear suitable protective clothing.

Respiratory protection	No personal respiratory protective equipment normally required. Use a particulate filter respirator for particulate concentrations exceeding the Occupational Exposure Limit.
Thermal hazards	Wear appropriate thermal protective clothing, when necessary.
General hygiene considerations	Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants.

9. Physical and chemical properties

Appearance	Granular.
Physical state	Solid.
Form	Solid.
Color	White.
Odor	Not available.
Odor threshold	Not available.
pH	5 - 9
Melting point/freezing point	Not available.
Initial boiling point and boiling range	Not available.
Flash point	Not available.
Evaporation rate	Not available.
Flammability (solid, gas)	Not available.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	Not available.
Vapor density	Not available.
Relative density	Not available.
Solubility(ies)	
Solubility (water)	Not available.
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	Not available.
Other information	
Explosive properties	Not explosive.
Oxidizing properties	Not oxidizing.
VOC	CARB

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Stable at normal conditions.
Possibility of hazardous reactions	Will not occur.
Conditions to avoid	Contact with incompatible materials.
Incompatible materials	Strong oxidizing agents.
Hazardous decomposition products	At thermal decomposition temperatures, carbon monoxide and carbon dioxide.

11. Toxicological information

Information on likely routes of exposure

Inhalation	No adverse effects due to inhalation are expected.
Skin contact	No adverse effects due to skin contact are expected.
Eye contact	Direct contact with eyes may cause temporary irritation.
Ingestion	Expected to be a low ingestion hazard.
Symptoms related to the physical, chemical and toxicological characteristics	Direct contact with eyes may cause temporary irritation.

Information on toxicological effects

Acute toxicity	Not available.
Skin corrosion/irritation	Prolonged skin contact may cause temporary irritation.
Serious eye damage/eye irritation	Direct contact with eyes may cause temporary irritation.
Respiratory or skin sensitization	
Respiratory sensitization	Not a respiratory sensitizer.
Skin sensitization	This product is not expected to cause skin sensitization.
Germ cell mutagenicity	No data available to indicate product or any components present at greater than 0.1% are mutagenic or genotoxic.
Carcinogenicity	This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

IARC Monographs. Overall Evaluation of Carcinogenicity

Not listed.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1052)

Not regulated.

US. National Toxicology Program (NTP) Report on Carcinogens

Not listed.

Reproductive toxicity	This product is not expected to cause reproductive or developmental effects.
Specific target organ toxicity - single exposure	Not classified.
Specific target organ toxicity - repeated exposure	Not classified.
Aspiration hazard	Not an aspiration hazard.
Further information	This product has no known adverse effect on human health.

12. Ecological information

Ecotoxicity	This material is not expected to be harmful to aquatic life.
Persistence and degradability	No data is available on the degradability of this product.
Bioaccumulative potential	No data available.
Mobility in soil	No data available.
Other adverse effects	No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

13. Disposal considerations

Disposal instructions	Collect and reclaim or dispose in sealed containers at licensed waste disposal site. Dispose in accordance with all applicable regulations.
Local disposal regulations	Dispose in accordance with all applicable regulations.
Hazardous waste code	The waste code should be assigned in discussion between the user, the producer and the waste disposal company.
Waste from residues / unused products	Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).
Contaminated packaging	Since emptied containers may retain product residue, follow label warnings even after container is emptied. Empty containers should be taken to an approved waste handling site for recycling or disposal.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code Not applicable.

15. Regulatory information

US federal regulations OSHA Process Safety Standard: This material is not known to be hazardous by the OSHA Highly Hazardous Process Safety Standard, 29 CFR 1910.119.

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

CERCLA Hazardous Substance List (40 CFR 302.4)

Not listed.

SARA 304 Emergency release notification

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1052)

Not regulated.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical No

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Not regulated.

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA) Not regulated.

US state regulations This product does not contain a chemical known to the State of California to cause cancer, birth defects or other reproductive harm.

California Proposition 65

California Safe Drinking Water and Toxic Enforcement Act of 2016 (Proposition 65): This material is not known to contain any chemicals currently listed as carcinogens or reproductive toxins. For more information go to www.P65Warnings.ca.gov.

International Inventories

Country(s) or region	Inventory name	On inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	Yes
Canada	Domestic Substances List (DSL)	Yes
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	Yes
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	No
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	Yes
Korea	Existing Chemicals List (ECL)	Yes
New Zealand	New Zealand Inventory	Yes

Country(s) or region	Inventory name	On inventory (yes/no)*
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	Yes
Taiwan	Taiwan Chemical Substance Inventory (TCSI)	Yes
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	Yes

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)
A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision

Issue date 13-March-2014

Revision date 24-October-2018

Version # 16

Further information This safety datasheet only contains information relating to safety and does not replace any product information or product specification.

HMIS® ratings
Health: 0
Flammability: 0
Physical hazard: 0

NFPA ratings
Health: 0
Flammability: 0
Instability: 0

Disclaimer The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The manufacturer expressly does not make any representations, warranties, or guarantees as to its accuracy, reliability or completeness nor assumes any liability, for its use. It is the user's responsibility to verify the suitability and completeness of such information for each particular use.

Third party materials: Insofar as materials not manufactured or supplied by this manufacturer are used in conjunction with, or instead of this product, it is the responsibility of the customer to obtain, from the manufacturer or supplier, all technical data and other properties relating to these and other materials and to obtain all necessary information relating to them. No liability can be accepted in respect of the use of this product in conjunction with materials from another supplier. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text. CETCO, an MTI Company cannot anticipate all conditions under which this information and its product, or the products of other manufacturers in combination with its product, may be used. It is the user's responsibility to ensure safe conditions for handling, storage and disposal of the product, and to assume liability for loss, injury, damage or expense due to improper use. The information in the sheet was written based on the best knowledge and experience currently available.

Revision information Product and Company Identification: Product and Company Identification

SAFETY DATA SHEET

1. Identification

Product identifier **INSTA-VIS™ PLUS**

Other means of identification None.

Recommended use Not available.

Recommended restrictions None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name CETCO, an MTI Company

Address 2870 Forbs Avenue
Hoffman Estates, IL 60192
United States

Telephone General Information 800 527-9948

Website http://www.cetco.com/

E-mail safetydata@mineralstech.com

Emergency phone number Emergency 1.866.519.4752/1 760 476 3962

Americas 1.866.519.4752 (US, Canada, Mexico) 1 760 476 3962

2. Hazard(s) identification

Physical hazards Not classified.

Health hazards Not classified.

Environmental hazards Not classified.

OSHA defined hazards Not classified.

Label elements

Hazard symbol None.

Signal word None.

Hazard statement The mixture does not meet the criteria for classification.

Precautionary statement

Prevention Wash thoroughly after handling.

Response Wash hands after handling.

Storage Store away from incompatible materials.

Disposal Dispose of waste and residues in accordance with local authority requirements.

Hazard(s) not otherwise classified (HNOC) None known.

Supplemental information 5% of the mixture consists of component(s) of unknown acute oral toxicity. 5% of the mixture consists of component(s) of unknown acute dermal toxicity. 2.5% of the mixture consists of component(s) of unknown long-term hazards to the aquatic environment.

3. Composition/information on ingredients

Mixtures

Chemical name	Common name and synonyms	CAS number	%
TRADE SECRET*		Proprietary*	30 - < 40
Other components below reportable levels			60 - < 70

4. First-aid measures

Inhalation If gas/fume/vapor/dust/mist from the material is inhaled, remove the affected person immediately to fresh air.

Skin contact Immediately flush skin with running water for at least 20 minutes. Launder contaminated clothing before reuse.

Eye contact Rinse with water. Get medical attention if irritation develops and persists.

Ingestion	Do not induce vomiting without advice from poison control center. If vomiting occurs, keep head low so that stomach content doesn't get into the lungs. No need for first aid is anticipated if material is swallowed. Product is not considered toxic in small amounts.
Most important symptoms/effects, acute and delayed	Vapors have a narcotic effect and may cause headache, fatigue, dizziness and nausea.
Indication of immediate medical attention and special treatment needed	Treat symptomatically.
General information	Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.

5. Fire-fighting measures

Suitable extinguishing media	Alcohol resistant foam. Powder. Dry chemical, CO2, water spray or regular foam. Dry chemicals.
Unsuitable extinguishing media	Do not use water jet as an extinguisher, as this will spread the fire.
Specific hazards arising from the chemical	During fire, gases hazardous to health may be formed.
Special protective equipment and precautions for firefighters	As in any fire, wear self-contained breathing apparatus pressure-demand, MSHA/NIOSH (approved or equivalent) and full protective gear.
Fire fighting equipment/instructions	Cool containers exposed to heat with water spray and remove container, if no risk is involved.
Specific methods	Use standard firefighting procedures and consider the hazards of other involved materials.
General fire hazards	Will burn if involved in a fire. No unusual fire or explosion hazards noted.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures	Keep unnecessary personnel away. For personal protection, see section 8 of the SDS.
Methods and materials for containment and cleaning up	Use water spray to reduce vapors or divert vapor cloud drift. Large Spills: Stop the flow of material, if this is without risk. Dike the spilled material, where this is possible. Following product recovery, flush area with water. Small Spills: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal. Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination. Never return spills to original containers for re-use. For waste disposal, see section 13 of the SDS.
Environmental precautions	Prevent further leakage or spillage if safe to do so. Do not contaminate water. Do not flush into surface water or sanitary sewer system.

7. Handling and storage

Precautions for safe handling	Avoid prolonged or repeated contact with skin. Use only in well-ventilated areas. Avoid release to the environment.
Conditions for safe storage, including any incompatibilities	Keep at temperatures between 0 and 30°C. Keep away from heat and sources of ignition. Keep containers tightly closed in a dry, cool and well-ventilated place. Keep out of the reach of children. Store away from incompatible materials (see Section 10 of the SDS). Do not freeze.

8. Exposure controls/personal protection

Occupational exposure limits	This mixture has no ingredients that have PEL, TLV, or other recommended exposure limit.
Biological limit values	No biological exposure limits noted for the ingredient(s).
Appropriate engineering controls	Ensure adequate ventilation, especially in confined areas. Ventilation should effectively remove and prevent buildup of any vapor/mist/fume/dust generated from the handling of this product.

Individual protection measures, such as personal protective equipment

Eye/face protection	Applicable for industrial settings only. Wear safety glasses with side shields (or goggles).
Skin protection	
Hand protection	Applicable for industrial settings only. Wear appropriate chemical resistant gloves.
Other	Wear oil-impervious garments if contact is unavoidable. Applicable for industrial settings only. Normal work clothing (long sleeved shirts and long pants) is recommended. Use impervious gloves.

Respiratory protection	Applicable for industrial settings only. In case of insufficient ventilation, wear suitable respiratory equipment. If mist is generated (heating, spraying) and engineering controls are not sufficient, wear approved organic vapor respirator suitable for oil mist.
Thermal hazards	Wear appropriate thermal protective clothing, when necessary.
General hygiene considerations	Use good industrial hygiene practices in handling this material. Eye wash fountain and emergency showers are recommended.

9. Physical and chemical properties

Appearance	Viscous.
Physical state	Liquid.
Form	Liquid.
Color	White. Milky.
Odor	Aliphatic.
Odor threshold	Not available.
pH	5.5 - 8.5
Melting point/freezing point	< 41 °F (< 5 °C)
Initial boiling point and boiling range	> 212 °F (> 100 °C)
Flash point	Not available.
Evaporation rate	Not available.
Flammability (solid, gas)	Not applicable.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	2.3 kPa @20°C
Vapor density	Not available.
Relative density	1 - 1.2
Solubility(ies)	
Solubility (water)	miscible
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	> 302 °F (> 150 °C)
Viscosity	> 20.5 mm²/s @40°C
Other information	
Explosive properties	Not explosive.
Oxidizing properties	Not oxidizing.
VOC	CARB

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Stable at normal conditions.
Possibility of hazardous reactions	Will not occur.
Conditions to avoid	Contact with incompatible materials.
Incompatible materials	Strong oxidizing agents.
Hazardous decomposition products	At thermal decomposition temperatures, carbon monoxide and carbon dioxide.

11. Toxicological information

Information on likely routes of exposure

Inhalation	Vapors have a narcotic effect and may cause headache, fatigue, dizziness and nausea.
Skin contact	Knowledge about health hazard is incomplete.
Eye contact	Direct contact with eyes may cause temporary irritation.
Ingestion	Knowledge about health hazard is incomplete.
Symptoms related to the physical, chemical and toxicological characteristics	Direct contact with eyes may cause temporary irritation.

Information on toxicological effects

Acute toxicity Not known.

Components	Species	Test Results
TRADE SECRET		
Acute		
Dermal		
LD50	Rabbit	2000 mg/kg
Inhalation		
LC50	Rat	5.2 mg/l/4h
Oral		
LD50	Rat	5000 mg/kg

Skin corrosion/irritation	Based on available data, the classification criteria are not met.
Serious eye damage/eye irritation	Direct contact with eyes may cause temporary irritation.

Respiratory or skin sensitization

Respiratory sensitization	Due to partial or complete lack of data the classification is not possible.
Skin sensitization	Due to partial or complete lack of data the classification is not possible. Repeated or prolonged exposure may cause skin irritation and dermatitis, due to degreasing properties of the product.
Germ cell mutagenicity	Due to partial or complete lack of data the classification is not possible.
Carcinogenicity	This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA. This product contains trace levels (<0.1%) of a potential carcinogen.

IARC Monographs. Overall Evaluation of Carcinogenicity

Not listed.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

US. National Toxicology Program (NTP) Report on Carcinogens

Not listed.

Reproductive toxicity	Due to partial or complete lack of data the classification is not possible.
Specific target organ toxicity - single exposure	Not classified.
Specific target organ toxicity - repeated exposure	Due to partial or complete lack of data the classification is not possible.
Aspiration hazard	Knowledge about health hazard is incomplete.

12. Ecological information

Ecotoxicity Not readily biodegradable (40 % after 28 days).

Components		Species	Test Results
TRADE SECRET			
Aquatic			
Fish	LC50	Fish	45 mg/L, 96 Hours
		Rainbow trout,donaldson trout (Oncorhynchus mykiss)	2.9 mg/l, 96 hours

Persistence and degradability No data is available on the degradability of this product.

Bioaccumulative potential	No data available.
Mobility in soil	No data available.
Other adverse effects	No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

13. Disposal considerations

Disposal instructions	Do not allow this material to drain into sewers/water supplies.
Local disposal regulations	Dispose in accordance with all applicable regulations.
Hazardous waste code	The waste code should be assigned in discussion between the user, the producer and the waste disposal company.
Waste from residues / unused products	Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).
Contaminated packaging	Since emptied containers may retain product residue, follow label warnings even after container is emptied. Empty containers should be taken to an approved waste handling site for recycling or disposal.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code	Not established.

15. Regulatory information

US federal regulations

This product is not known to be a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.
OSHA Process Safety Standard: This material is not known to be hazardous by the OSHA Highly Hazardous Process Safety Standard, 29 CFR 1910.119.

Toxic Substances Control Act (TSCA)

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

CERCLA Hazardous Substance List (40 CFR 302.4)

Not listed.

SARA 304 Emergency release notification

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical	No (Exempt)

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Not regulated.

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA)	Not regulated.

US state regulations

California Proposition 65

California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): This material is not known to contain any chemicals currently listed as carcinogens or reproductive toxins. For more information go to www.P65Warnings.ca.gov.

International Inventories

Country(s) or region	Inventory name	On inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	Yes
Canada	Domestic Substances List (DSL)	Yes
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	Yes
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	Yes
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	Yes
Korea	Existing Chemicals List (ECL)	Yes
New Zealand	New Zealand Inventory	No
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	Yes
Taiwan	Taiwan Chemical Substance Inventory (TCSI)	No
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	Yes

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)
A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision

Issue date 18-November-2013

Revision date 19-August-2020

Version # 21

Further information This safety datasheet only contains information relating to safety and does not replace any product information or product specification. HMIS® is a registered trade and service mark of the NPCA.

HMIS® ratings
Health: 0
Flammability: 1
Physical hazard: 0
Personal protection: B

NFPA ratings
Health: 0
Flammability: 1
Instability: 0

Disclaimer CETCO, an MTI Company cannot anticipate all conditions under which this information and its product, or the products of other manufacturers in combination with its product, may be used. It is the user's responsibility to ensure safe conditions for handling, storage and disposal of the product, and to assume liability for loss, injury, damage or expense due to improper use. The information in the sheet was written based on the best knowledge and experience currently available. The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The manufacturer expressly does not make any representations, warranties, or guarantees as to its accuracy, reliability or completeness nor assumes any liability, for its use. It is the user's responsibility to verify the suitability and completeness of such information for each particular use.

Third party materials: Insofar as materials not manufactured or supplied by this manufacturer are used in conjunction with, or instead of this product, it is the responsibility of the customer to obtain, from the manufacturer or supplier, all technical data and other properties relating to these and other materials and to obtain all necessary information relating to them. No liability can be accepted in respect of the use of this product in conjunction with materials from another supplier. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

Revision information Disposal considerations: Disposal instructions

SAFETY DATA SHEET

1. Identification

Product identifier	**REL-PAC®**
Other means of identification	None.
Recommended use	Not available.
Recommended restrictions	None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name	CETCO, an MTI Company	
Address	2870 Forbs Avenue Hoffman Estates, IL 60192 United States	
Telephone	General Information	800 527-9948
Website	http://www.cetco.com/	
E-mail	safetydata@mineralstech.com	
Emergency phone number	Emergency	1.866.519.4752/1 760 476 3962
Americas	1.866.519.4752 (US, Canada, Mexico) 1 760 476 3962	

2. Hazard(s) identification

Physical hazards	Not classified.
Health hazards	Not classified.
Environmental hazards	Not classified.
OSHA defined hazards	Combustible dust

Label elements

Hazard symbol	None.
Signal word	None.
Hazard statement	The mixture does not meet the criteria for classification.
Precautionary statement	
Prevention	Observe good industrial hygiene practices.
Response	Wash hands after handling.
Storage	Store away from incompatible materials.
Disposal	Dispose of waste and residues in accordance with local authority requirements.
Hazard(s) not otherwise classified (HNOC)	May form combustible dust concentrations in air.
Supplemental information	100% of the mixture consists of component(s) of unknown acute oral toxicity. 100% of the mixture consists of component(s) of unknown acute dermal toxicity. 100% of the mixture consists of component(s) of unknown acute hazards to the aquatic environment. 100% of the mixture consists of component(s) of unknown long-term hazards to the aquatic environment.

3. Composition/information on ingredients

Mixtures

The manufacturer lists no ingredients as hazardous to health according to OSHA 29 CFR 1910.1200.

*Designates that a specific chemical identity and/or percentage of composition has been withheld as a trade secret.

Composition comments	Occupational Exposure Limits for constituents are listed in Section 8. This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

4. First-aid measures

Inhalation	Remove to fresh air. Call a physician if symptoms develop or persist.
Skin contact	Wash off with soap and water. Get medical attention if irritation develops or persists.
Eye contact	Flush eyes with water as a precaution. Get medical attention if irritation develops or persists.

Ingestion	Have victim rinse mouth thoroughly with water. If ingestion of a large amount does occur, seek medical attention. Give several glasses of water.
Most important symptoms/effects, acute and delayed	Direct contact with eyes may cause temporary irritation.
Indication of immediate medical attention and special treatment needed	Treat symptomatically.
General information	If you feel unwell, seek medical advice (show the label where possible).

5. Fire-fighting measures

Suitable extinguishing media	Dry chemical, CO2, water spray or regular foam.
Unsuitable extinguishing media	Do not use water jet as an extinguisher, as this will spread the fire.
Specific hazards arising from the chemical	During fire, gases hazardous to health may be formed.
Special protective equipment and precautions for firefighters	Wear self contained breathing apparatus for fire fighting if necessary.
Fire fighting equipment/instructions	Vapors are heavier than air and may travel along the floor and in the bottom of containers. Vapors may be ignited by a spark, a hot surface or an ember.
Specific methods	Use standard firefighting procedures and consider the hazards of other involved materials.
General fire hazards	No unusual fire or explosion hazards noted.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures	Keep unnecessary personnel away. Ventilate closed spaces before entering. For personal protection, see section 8 of the SDS. Material can be slippery when wet
Methods and materials for containment and cleaning up	Stop leak if you can do so without risk. Sweep up or gather material and place in appropriate container for disposal. Following product recovery, flush area with water. For waste disposal, see section 13 of the SDS.
Environmental precautions	Prevent further leakage or spillage if safe to do so.

7. Handling and storage

Precautions for safe handling	Use this product with adequate ventilation. Keep formation of airborne dusts to a minimum. Use spark-proof tools and explosion-proof equipment.
Conditions for safe storage, including any incompatibilities	Store at room temperature in the original container. Keep the container dry. Store in tightly closed container. Keep out of the reach of children. Store away from incompatible materials (see Section 10 of the SDS).

8. Exposure controls/personal protection

Occupational exposure limits

US. OSHA Table Z-3 (29 CFR 1910.1000)

Constituents	Type	Value	Form
INERT OR NUISANCE DUSTS (CAS SEQ250)	TWA	5 mg/m3	Respirable fraction.
		15 mg/m3	Total dust.
		50 mppcf	Total dust.
		15 mppcf	Respirable fraction.

Biological limit values	No biological exposure limits noted for the ingredient(s).
Exposure guidelines	Contains no substances with occupational exposure limit values.
Appropriate engineering controls	Use local exhaust ventilation.

Individual protection measures, such as personal protective equipment

Eye/face protection	Not normally needed. Wear safety glasses with side shields (or goggles). Applicable for industrial settings only.
Skin protection	
Hand protection	Wear appropriate chemical resistant gloves. Applicable for industrial settings only.

Other	Not normally needed. Applicable for industrial settings only.
Respiratory protection	Use a particulate filter respirator for particulate concentrations exceeding the Occupational Exposure Limit. Applicable for industrial settings only.
Thermal hazards	Wear appropriate thermal protective clothing, when necessary.
General hygiene considerations	Use good industrial hygiene practices in handling this material.

9. Physical and chemical properties

Appearance	Free flowing wettable powder.
Physical state	Solid.
Form	Powder.
Color	Off-white.
Odor	None.
Odor threshold	Not available.
pH	Not available.
Melting point/freezing point	Not available.
Initial boiling point and boiling range	Not available.
Flash point	Not available.
Evaporation rate	Not available.
Flammability (solid, gas)	Not available.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	Not available.
Vapor density	Not available.
Relative density	Not available.
Solubility(ies)	
Solubility (water)	Not available.
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	10 - 12 mPas (1% solution, 25 C Brookfield LV; 30 rpm) 10 - 12 mPas (1% solution, 25 C Brookfield LV; 30 rpm)
Other information	
Bulk density	300 - 900 g/cm3 300 - 900 g/cm3
Explosive properties	Not explosive.
Molecular formula	C2H4O3.xNa.xUnspecified
Oxidizing properties	Not oxidizing.
Percent volatile	0 %
VOC	CARB

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Stable at normal conditions.
Possibility of hazardous reactions	Will not occur.

Conditions to avoid	Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. Contact with incompatible materials. Risk of dust explosion.
Incompatible materials	None known.
Hazardous decomposition products	None known.

11. Toxicological information

Information on likely routes of exposure

Inhalation	No adverse effects due to inhalation are expected.
Skin contact	No adverse effects due to skin contact are expected.
Eye contact	Direct contact with eyes may cause temporary irritation.
Ingestion	Expected to be a low ingestion hazard.
Symptoms related to the physical, chemical and toxicological characteristics	Direct contact with eyes may cause temporary irritation.

Information on toxicological effects

Acute toxicity Not known.

Product	Species	Test Results
REL-PAC®		
Acute		
Dermal		
LD50	Rat	2286 mg/kg
Inhalation		
LC50	Rat	6824 mg/l/4h
Oral		
LD50	Rat	15000 - 27000 mg/kg

Skin corrosion/irritation	Prolonged skin contact may cause temporary irritation.
Serious eye damage/eye irritation	Direct contact with eyes may cause temporary irritation.

Respiratory or skin sensitization

Respiratory sensitization	Not a respiratory sensitizer.
Skin sensitization	This product is not expected to cause skin sensitization.
Germ cell mutagenicity	Not mutagenic in AMES Test.
Carcinogenicity	Not classifiable as to carcinogenicity to humans.

IARC Monographs. Overall Evaluation of Carcinogenicity

Not listed.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

US. National Toxicology Program (NTP) Report on Carcinogens

Not listed.

Reproductive toxicity	This product is not expected to cause reproductive or developmental effects.
Specific target organ toxicity - single exposure	Not classified.
Specific target organ toxicity - repeated exposure	Not classified.
Aspiration hazard	Not an aspiration hazard.
Further information	This product has no known adverse effect on human health.

12. Ecological information

Ecotoxicity Inherently biodegradable.

Product	Species	Test Results
REL-PAC®		
Aquatic		
Chronic		
Crustacea LC50	Opossum shrimp (Americamysis bahia)	1000000 ppm, 96 h

Persistence and degradability No data is available on the degradability of this product.

Bioaccumulative potential No data available.

Mobility in soil No data available.

Other adverse effects No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

13. Disposal considerations

Disposal instructions Dispose in accordance with all applicable regulations.

Local disposal regulations Dispose in accordance with all applicable regulations.

Hazardous waste code The waste code should be assigned in discussion between the user, the producer and the waste disposal company.

Waste from residues / unused products Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).

Contaminated packaging Since emptied containers may retain product residue, follow label warnings even after container is emptied. Empty containers should be taken to an approved waste handling site for recycling or disposal.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code Not applicable.

15. Regulatory information

US federal regulations OSHA Process Safety Standard: This material is not known to be hazardous by the OSHA Highly Hazardous Process Safety Standard, 29 CFR 1910.119.
This product is not known to be a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

Toxic Substances Control Act (TSCA)

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

CERCLA Hazardous Substance List (40 CFR 302.4)

Not listed.

SARA 304 Emergency release notification

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1053)

Not listed.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical No (Exempt)

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Not regulated.

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA) Contains component(s) regulated under the Safe Drinking Water Act.

US state regulations This product does not contain a chemical known to the State of California to cause cancer, birth defects or other reproductive harm.

California Proposition 65

California Safe Drinking Water and Toxic Enforcement Act of 2016 (Proposition 65): This material is not known to contain any chemicals currently listed as carcinogens or reproductive toxins. For more information go to www.P65Warnings.ca.gov.

International Inventories

Country(s) or region	Inventory name	On inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	No
Canada	Domestic Substances List (DSL)	No
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	No
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	No
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	No
Korea	Existing Chemicals List (ECL)	No
New Zealand	New Zealand Inventory	No
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	No
Taiwan	Taiwan Chemical Substance Inventory (TCSI)	No
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	No

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)
A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision

Issue date 02-January-2014

Revision date 31-March-2021

Version # 19

Further information This safety datasheet only contains information relating to safety and does not replace any product information or product specification.

HMIS® ratings
Health: 0
Flammability: 2
Physical hazard: 0

NFPA ratings
Health: 1
Flammability: 2
Instability: 0

Disclaimer

The manufacturer expressly does not make any representations, warranties, or guarantees as to its accuracy, reliability or completeness nor assumes any liability, for its use. It is the user's responsibility to verify the suitability and completeness of such information for each particular use. The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication.

Third party materials: Insofar as materials not manufactured or supplied by this manufacturer are used in conjunction with, or instead of this product, it is the responsibility of the customer to obtain, from the manufacturer or supplier, all technical data and other properties relating to these and other materials and to obtain all necessary information relating to them. No liability can be accepted in respect of the use of this product in conjunction with materials from another supplier. CETCO, an MTI Company cannot anticipate all conditions under which this information and its product, or the products of other manufacturers in combination with its product, may be used. It is the user's responsibility to ensure safe conditions for handling, storage and disposal of the product, and to assume liability for loss, injury, damage or expense due to improper use. The information in the sheet was written based on the best knowledge and experience currently available.

SAFETY DATA SHEET

1. Identification

Product identifier **SUSPEND-IT™**

Other means of identification

CAS number 11138-66-2

Synonyms XANTHAN GUM

Recommended use Not available.

Recommended restrictions None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name CETCO, an MTI Company

Address 2870 Forbs Avenue
Hoffman Estates, IL 60192
United States

Telephone General Information 800 527-9948

Website http://www.cetco.com/

E-mail safetydata@mineralstech.com

Emergency phone number Emergency 1.866.519.4752/1 760 476 3962

Americas 1.866.519.4752 (US, Canada, Mexico) 1 760 476 3962

2. Hazard(s) identification

Physical hazards Not classified.

Health hazards Serious eye damage/eye irritation Category 2B

Specific target organ toxicity, single exposure Category 3 respiratory tract irritation

Environmental hazards Not classified.

OSHA defined hazards Combustible dust

Label elements

Signal word Warning

Hazard statement Causes eye irritation. May cause respiratory irritation. May form combustible dust concentrations in air.

Precautionary statement

Prevention Prevent dust accumulation to minimize explosion hazard. Keep away from heat/sparks/open flames/hot surfaces. - No smoking. Keep container tightly closed. Ground/bond container and receiving equipment. Avoid breathing dust. Wash thoroughly after handling. Use only outdoors or in a well-ventilated area. Observe good industrial hygiene practices.

Response If inhaled: Remove person to fresh air and keep comfortable for breathing. If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Call a poison center/doctor if you feel unwell. Specific treatment (see on this label). If eye irritation persists: Get medical advice/attention. Take off contaminated clothing and wash before reuse. In case of fire: Use appropriate media to extinguish.

Storage Store in a well-ventilated place. Keep container tightly closed. Store locked up.

Disposal Dispose of contents/container in accordance with local/regional/national/international regulations.

Hazard(s) not otherwise classified (HNOC) None known.

Supplemental information % of the substance consists of component(s) of unknown acute oral toxicity. % of the substance consists of component(s) of unknown acute dermal toxicity. % of the substance consists of component(s) of unknown acute inhalation toxicity. % of the substance consists of component(s) of unknown acute hazards to the aquatic environment. % of the substance consists of component(s) of unknown long-term hazards to the aquatic environment.

3. Composition/information on ingredients

Substances

Chemical name	Common name and synonyms	CAS number	%
XANTHAN GUM	XANTHAN GUM	11138-66-2	100

*Designates that a specific chemical identity and/or percentage of composition has been withheld as a trade secret.

Composition comments Occupational Exposure Limits for constituents are listed in Section 8.

4. First-aid measures

Inhalation Remove victim to fresh air and keep at rest in a position comfortable for breathing. Call a poison center or doctor/physician if you feel unwell.

Skin contact Wash off with soap and water. Get medical attention if irritation develops and persists.

Eye contact Do not rub eyes. Immediately flush eyes with plenty of water for at least 15 minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Get medical attention if irritation develops and persists.

Ingestion Rinse mouth. Get medical attention if symptoms occur. No special measures required

Most important symptoms/effects, acute and delayed Irritation of eyes. Exposed individuals may experience eye tearing, redness, and discomfort. Dusts may irritate the respiratory tract, skin and eyes.

Indication of immediate medical attention and special treatment needed Provide general supportive measures and treat symptomatically. Keep victim under observation. Symptoms may be delayed.

General information If you feel unwell, seek medical advice (show the label where possible). Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.

5. Fire-fighting measures

Suitable extinguishing media Water fog. Foam. Dry chemical powder. Dry chemical, CO2, water spray or regular foam. Apply extinguishing media carefully to avoid creating airborne dust. Avoid high pressure media which could cause the formation of a potentially explosible dust-air mixture.

Unsuitable extinguishing media Do not use water jet as an extinguisher, as this will spread the fire.

Specific hazards arising from the chemical Explosion hazard: Avoid generating dust; fine dust dispersed in air in sufficient concentrations and in the presence of an ignition source is a potential dust explosion hazard. During fire, gases hazardous to health may be formed.

Special protective equipment and precautions for firefighters Self-contained breathing apparatus and full protective clothing must be worn in case of fire. As in any fire, wear self-contained breathing apparatus pressure-demand, MSHA/NIOSH (approved or equivalent) and full protective gear.

Fire fighting equipment/instructions In case of fire and/or explosion do not breathe fumes. Move containers from fire area if you can do it without risk. Move containers from fire area if you can do so without risk. Material can be slippery when wet..

Specific methods Use standard firefighting procedures and consider the hazards of other involved materials.

General fire hazards May form combustible dust concentrations in air. This product is combustible at high temperatures.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures Keep unnecessary personnel away. Keep people away from and upwind of spill/leak. Use only non-sparking tools. Dust deposits should not be allowed to accumulate on surfaces, as these may form an explosive mixture if they are released into the atmosphere in sufficient concentration. Wear appropriate protective equipment and clothing during clean-up. Avoid inhalation of dust. Use a NIOSH/MSHA approved respirator if there is a risk of exposure to dust/fume at levels exceeding the exposure limits. Do not touch damaged containers or spilled material unless wearing appropriate protective clothing. Ensure adequate ventilation. Local authorities should be advised if significant spillages cannot be contained. For personal protection, see section 8 of the SDS. Material can be slippery when wet.

Methods and materials for containment and cleaning up

Stop leak if you can do so without risk. Take precautionary measures against static discharge. Use only non-sparking tools. Avoid dispersal of dust in the air (i.e., clearing dust surfaces with compressed air). Collect dust using a vacuum cleaner equipped with HEPA filter. Sweep up or gather material and place in appropriate container for disposal.

Large Spills: Wet down with water and dike for later disposal. Absorb in vermiculite, dry sand or earth and place into containers. Shovel the material into waste container. Following product recovery, flush area with water.

Small Spills: Sweep up or vacuum up spillage and collect in suitable container for disposal. Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination.

Never return spills to original containers for re-use. For waste disposal, see section 13 of the SDS.

Environmental precautions

Prevent further leakage or spillage if safe to do so. Avoid discharge into drains, water courses or onto the ground. Do not flush into surface water or sanitary sewer system.

7. Handling and storage

Precautions for safe handling

Minimize dust generation and accumulation. Avoid significant deposits of material, especially on horizontal surfaces, which may become airborne and form combustible dust clouds and may contribute to secondary explosions. Routine housekeeping should be instituted to ensure that dusts do not accumulate on surfaces. Dry powders can build static electricity charges when subjected to the friction of transfer and mixing operations. Provide adequate precautions, such as electrical grounding and bonding, or inert atmospheres. Keep away from heat/sparks/open flames/hot surfaces. - No smoking. Take measures to prevent the build up of electrostatic charge. Explosion-proof general and local exhaust ventilation. Avoid breathing dust. Avoid contact with eyes. Wear appropriate personal protective equipment. Observe good industrial hygiene practices. Material can be slippery when wet. Refer to NFPA Pamphlet No. 654, "Prevention of Fire and Dust Explosions in the Chemical, Dye, Pharmaceutical, and Plastics Industries."

Conditions for safe storage, including any incompatibilities

Store locked up. Keep containers tightly closed in a dry, cool and well-ventilated place. Guard against dust accumulation of this material. Keep out of the reach of children. Store away from incompatible materials (see Section 10 of the SDS).

8. Exposure controls/personal protection

Occupational exposure limits

US. OSHA Table Z-3 (29 CFR 1910.1000)

Constituents	Type	Value	Form
INERT OR NUISANCE DUSTS	TWA	5 mg/m3	Respirable fraction.
		15 mg/m3	Total dust.
		50 mppcf	Total dust.
		15 mppcf	Respirable fraction.

Biological limit values

No biological exposure limits noted for the ingredient(s).

Appropriate engineering controls

Explosion-proof general and local exhaust ventilation. If engineering measures are not sufficient to maintain concentrations of dust particulates below the OEL, suitable respiratory protection must be worn. Good general ventilation (typically 10 air changes per hour) should be used. Ventilation rates should be matched to conditions. If applicable, use process enclosures, local exhaust ventilation, or other engineering controls to maintain airborne levels below recommended exposure limits. If exposure limits have not been established, maintain airborne levels to an acceptable level. Provide eyewash station.

Individual protection measures, such as personal protective equipment

Eye/face protection

Chemical respirator with organic vapor cartridge, full facepiece, dust and mist filter. Applicable for industrial settings only.

Skin protection

Hand protection

Wear appropriate chemical resistant gloves. Applicable for industrial settings only.

Other

Wear suitable protective clothing. Applicable for industrial settings only.

Respiratory protection

Use a NIOSH/MSHA approved respirator if there is a risk of exposure to dust/fume at levels exceeding the exposure limits. Chemical respirator with organic vapor cartridge, full facepiece, dust and mist filter. Applicable for industrial settings only.

Thermal hazards

Wear appropriate thermal protective clothing, when necessary.

General hygiene considerations	When using, do not eat, drink or smoke. Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Use good industrial hygiene practices in handling this material.

9. Physical and chemical properties

Appearance	Powder.
Physical state	Solid.
Form	Powder.
Color	Off-white.
Odor	Flour-like
Odor threshold	Not available.
pH	Not available.
Melting point/freezing point	Not available.
Initial boiling point and boiling range	Not available.
Flash point	> 199.4 °F (> 93.0 °C)
Evaporation rate	Not available.
Flammability (solid, gas)	Not available.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	Not available.
Vapor density	Not available.
Relative density	Not available.
Solubility(ies)	
Solubility (water)	Not available.
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	Not available.
Other information	
Explosive properties	Not explosive.
Flammability class	Combustible IIIA estimated
Flash point class	Combustible IIIA
Oxidizing properties	Not oxidizing.
VOC	CARB

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Stable at normal conditions.
Possibility of hazardous reactions	Will not occur.
Conditions to avoid	Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. Avoid temperatures exceeding the flash point. Contact with incompatible materials. Minimize dust generation and accumulation. Dust cloud ignition temperature 590°C.
Incompatible materials	Strong oxidizing agents.
Hazardous decomposition products	Upon decomposition, this product emits carbon monoxide, carbon dioxide and/or low molecular weight hydrocarbons.

11. Toxicological information

Information on likely routes of exposure

Inhalation Dust may irritate respiratory system.

Skin contact Dust or powder may irritate the skin.

Eye contact Causes eye irritation.

Ingestion Expected to be a low ingestion hazard.

Symptoms related to the physical, chemical and toxicological characteristics Irritation of eyes. Exposed individuals may experience eye tearing, redness, and discomfort. Dusts may irritate the respiratory tract, skin and eyes.

Information on toxicological effects

Acute toxicity Not known.

Skin corrosion/irritation Prolonged skin contact may cause temporary irritation.

Serious eye damage/eye irritation Causes eye irritation.

Respiratory or skin sensitization

Respiratory sensitization Not a respiratory sensitizer.

Skin sensitization This product is not expected to cause skin sensitization.

Germ cell mutagenicity No data available for this product.

Carcinogenicity Not listed by ACGIH, IARC, NIOSH, NTP OR OSHA.

IARC Monographs. Overall Evaluation of Carcinogenicity

Not listed.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1052)

Not regulated.

US. National Toxicology Program (NTP) Report on Carcinogens

Not listed.

Reproductive toxicity This product is not expected to cause reproductive or developmental effects.

Specific target organ toxicity - single exposure May cause respiratory irritation.

Specific target organ toxicity - repeated exposure Not classified.

Aspiration hazard Not an aspiration hazard.

Further information This product has no known adverse effect on human health.

12. Ecological information

Ecotoxicity No data is available on the product itself. This product is not expected to produce significant ecotoxicity upon exposure to aquatic organisms and aquatic systems.

Product		Species	Test Results
XANTHAN GUM (CAS 11138-66-2)			
Aquatic			
Fish	LC50	Rainbow trout,donaldson trout (Oncorhynchus mykiss)	320 - 560 mg/l, 96 hours

Persistence and degradability No data is available on the degradability of this product.

Bioaccumulative potential No data available.

Mobility in soil No data available.

Other adverse effects No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

13. Disposal considerations

Disposal instructions Collect and reclaim or dispose in sealed containers at licensed waste disposal site. Dispose of contents/container in accordance with local/regional/national/international regulations.

Local disposal regulations Dispose in accordance with all applicable regulations.

Hazardous waste code The waste code should be assigned in discussion between the user, the producer and the waste disposal company.

Waste from residues / unused products	Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).
Contaminated packaging	Since emptied containers may retain product residue, follow label warnings even after container is emptied. Empty containers should be taken to an approved waste handling site for recycling or disposal.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code	Not applicable.

15. Regulatory information

US federal regulations

This product is a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

CERCLA Hazardous Substance List (40 CFR 302.4)

Not listed.

SARA 304 Emergency release notification

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1052)

Not regulated.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical	No (Exempt)

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Not regulated.

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA)	Not regulated.

US state regulations

California Proposition 65

California Safe Drinking Water and Toxic Enforcement Act of 2016 (Proposition 65): This material is not known to contain any chemicals currently listed as carcinogens or reproductive toxins. For more information go to www.P65Warnings.ca.gov.

International Inventories

Country(s) or region	Inventory name	On inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	Yes
Canada	Domestic Substances List (DSL)	Yes
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	Yes
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	Yes

Country(s) or region	Inventory name	On inventory (yes/no)*
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	Yes
Korea	Existing Chemicals List (ECL)	Yes
New Zealand	New Zealand Inventory	Yes
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	Yes
Taiwan	Taiwan Chemical Substance Inventory (TCSI)	Yes
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	Yes

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)
A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision

Issue date 04-August-2014

Revision date 28-August-2018

Version # 14

Further information This safety datasheet only contains information relating to safety and does not replace any product information or product specification. Refer to NFPA 654, Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, for safe handling.

HMIS® ratings
Health: 2
Flammability: 2
Physical hazard: 0

NFPA ratings
Health: 2
Flammability: 2
Instability: 0

Disclaimer The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The manufacturer expressly does not make any representations, warranties, or guarantees as to its accuracy, reliability or completeness nor assumes any liability, for its use. It is the user's responsibility to verify the suitability and completeness of such information for each particular use.

Third party materials: Insofar as materials not manufactured or supplied by this manufacturer are used in conjunction with, or instead of this product, it is the responsibility of the customer to obtain, from the manufacturer or supplier, all technical data and other properties relating to these and other materials and to obtain all necessary information relating to them. No liability can be accepted in respect of the use of this product in conjunction with materials from another supplier. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text. CETCO, an MTI Company cannot anticipate all conditions under which this information and its product, or the products of other manufacturers in combination with its product, may be used. It is the user's responsibility to ensure safe conditions for handling, storage and disposal of the product, and to assume liability for loss, injury, damage or expense due to improper use. The information in the sheet was written based on the best knowledge and experience currently available.

Revision information This document has undergone significant changes and should be reviewed in its entirety.

TRU-BORE®

Certified to NSF/ANSI/CAN 60

Product Information

Description

TRU-BORE® is a highly concentrated bentonite-based drilling fluid designed for difficult drilling operations in both vertical and horizontal borings. It is an extremely effective high performance viscosifier for horizontal drilling applications to maintain borehole integrity during pullback. It is non-toxic and environmentally safe. Its fast-hydrating formula allows contractors to mix fast and build viscosity quickly. **TRU-BORE®** stabilizes formations ranging from moderate clay soils to high concentrations of sand. By forming a thin tough filter cake, fluid loss to areas around the borehole is reduced. These factors, coupled with excellent gel strength values make **TRU-BORE®** the best risk management tool available today.

Characteristics

- Barrel Yield: 240 - 250
- Fluid Loss: 12 – cc.
- Mesh: 80% ± 2 passing 200 mesh
- PH 8.1 ± .2
- Moisture: 8% ± 1.5

Application

For every 100 gallons of make-up water, adding 15 to 25 pounds of **TRU-BORE®** will yield a viscosity of approximately 45 seconds on a Marsh Funnel. At a rate of 27 pounds per 100 gallons, viscosity can climb to 60 seconds.

CLAY
1½ bags for viscosity of 32-35 seconds, then add **UNI-DRILL®** liquid polymer to reach a viscosity of 42-45 seconds. (The addition of **UNI-DRILL®** keeps the clays from thickening the mud system even more.)
SAND
2¼ - 3 bags for viscosity of 55 ± seconds
UNKNOWN OR MEDIUM SOILS
1½ - 3 bags for viscosity of 45 seconds

Packaging

TRU-BORE® is packaged in 50 pound multi-walled paper bags, palletized 60 bags per pallet and shrink-wrapped.

4375/201302

WYO-BEN, INC., Billings, Montana 800.548.7055 406.652.6351 **www.wyoben.com**

U.S. Fish and Wildlife Service (USFWS) Section 7 Compliance

Appendix B

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
Phone: (775) 861-6300 Fax: (775) 861-6301

In Reply Refer To: 06/23/2025 14:32:42 UTC
Project Code: 2024-0055882
Project Name: Walker River Paiute Tribe Broadband Infrastructure Deployment Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service (fws.gov).

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

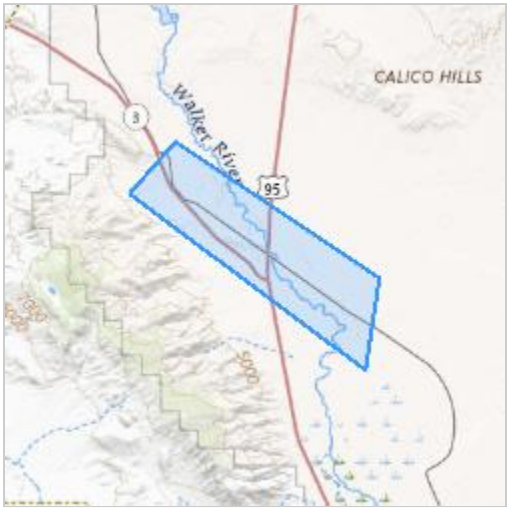
Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
(775) 861-6300

PROJECT SUMMARY

Project Code: 2024-0055882
Project Name: Walker River Paiute Tribe Broadband Infrastructure Deployment Project
Project Type: Federal Grant / Loan Related
Project Description: The Walker River Paiute Tribe seeks to deploy broadband infrastructure to unserved Native American households, tribal businesses, and community anchor institution located on the Reservation. The service area encompasses 10 miles of FTTH as well as new wireless service to areas on the Reservation where FTTH is not currently available due to logistical issues. The Project will serve up to 418 households, 10 businesses, and 22 community anchor institutions

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.9582722,-118.81865195733924,14z



Counties: Mineral County, Nevada

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
Greater Sage-grouse *Centrocercus urophasianus* Population: Bi-State There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8159	Proposed Threatened
Yellow-billed Cuckoo *Coccyzus americanus* Population: Western U.S. DPS There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The Bald and Golden Eagle Protection Act of 1940.
2. The Migratory Birds Treaty Act of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (MBTA). Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The data in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the Supplemental Information on Migratory Birds and Eagles document to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBFx
- PUSJ
- PUSCx
- PUSAx

RIVERINE

- R4SBCx
- R3UBF
- R4SBAx
- R4SBJ
- R3USC
- R4SBJx

FRESHWATER EMERGENT WETLAND

- PEM1C

FRESHWATER FORESTED/SHRUB WETLAND

- PSS1A
- PSS1C

IPAC USER CONTACT INFORMATION

Agency: Walker River Paiute Tribe of the Walker River Reservation, Nevada
Name: Tracy Johnston
Address: 1 E. Liberty Street
Address Line 2: Suite 600
City: Reno
State: NV
Zip: 89501
Email tjohnston@converseconsultants.com
Phone: 7752257655

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Commerce
Name: Josh Fitzpatrick
Email: jfitzpatrick@ntia.gov
Phone: 2028343123

Appendix C

Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427
Telephone: (775) 773-2306
Fax: (775) 773-2585

March 18, 2024

John Fitzpatrick
Environmental Program Officer
National Telecommunications and Information Administration
Office of Internet Connectivity and Growth

RE: Tribal Broadband Connectivity Program, Project #NT23TBC0290026
Cultural Resource Monitoring, Letter of Determination

Dear Sir or Madam:

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, I am providing information in concurrence regarding the above-referenced project.

Upon review of the proposed project area, fiber optics broadband communications area of potential effects, it has been determined that the Broadband Communications project will not have an impact on any cultural resources or historical sites. It has been determined that there are no significant cultural resources or historic properties, in the proposed areas for the project.

Therefore, we are free to move forward with the proposed project as the proposed area may not have direct, indirect, or cumulative effects on any cultural or historic properties. There are no extraordinary circumstances that require further review at this time.

Respectfully,
Linzey J Scott

Linzey Scott
Walker River Paiute Tribal Historic Preservation Officer
Culture Department
775-316-6311

Service Provider Agreement
Between CCCom and Tribe

Appendix D

SERVICE PROVIDER AGREEMENT

BETWEEN

CC COMMUNICATIONS AN ONGOING OPERATION OF

CHURCHILL COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA

AND

WALKER RIVER PAIUTE TRIBE, A FEDERALLY RECOGNIZED INDIAN TRIBE

THIS SERVICE PROVIDER AGREEMENT ("Agreement") entered into as of the 13th day of July, 2023 is made by and between **CC Communications** an ongoing operation of Churchill County Nevada, a political subdivision of the State of Nevada, ("CC Communications") and the Walker River Paiute Tribe ("the Tribe"). Each of the Tribe and CC Communications may also be collectively referred to in this Agreement as the "Parties" or, individually, as a "Party."

WHEREAS, CC Communications has been a telecommunications provider in Northern Nevada for over 125 years with experience in nearly every telecommunication advancement during that period. CC Communications has an extensive network of fiber to the home (FTTH) systems within Northern Nevada, including operations in Elko and Spring Creek; and,

WHEREAS, the Tribe is a is an independent sovereign nation and a federally recognized Indian tribe. The Tribe is empowered to address local concerns such a telecommunication services, and would be benefitted by the deployment of a fiber optic network within its territory; and

WHEREAS, the parties have applied for a National Telecommunications and Information Administration (NTIA) Broadband Infrastructure Program (BIP) Grant for the installation of fiber network infrastructure, which is included herein by reference; and

WHEREAS, CC Communications designed, engineered, and created the capital budget for the project, which was provided to NTIA and utilized in the evaluation and granting of the award; and

WHEREAS, the National Telecommunications and Information Administration has issued Federal Award No. **NT22TBC0290026** , dated _November 25, 2022, for the Project under the Tribal Broadband Connectivity Program to the Walker River Paiute Tribe; and

WHEREAS, each Party recognizes the efficiencies realized in the construction of a fiber optic network within the Tribe's territory to effectuate the operations desired by both Parties and to best serve the members of the public, and is willing to work in partnership to achieve those goals with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, terms, conditions and obligations contained herein, and for other good and valuable consideration, the receipt and sufficiency of which the Parties hereby acknowledge, and intending to be legally bound hereby, the Parties hereby agree as follows:

ARTICLE 1: TERM OF AGREEMENT

1.1 This Agreement shall become effective on July 13, 2023, the effective date. This Agreement shall be in effect for a period of ten (10) years expiring on July 13, 2033.

1.2 This Agreement shall automatically renew for five (5) year terms unless either party provides notice of non-renewal at least one (1) year prior to the end of the then current term. Upon notice of intent not to renew, the parties will enter a ninety (90) day good faith negotiation period during which time they will (1) agree to a transition plan, or (2) enter mutually agreeable changes to the then current terms of the Service Provider Agreement.

ARTICLE 2: TELECOMMUNICATION SERVICES AND FEES

2.1 In consideration for providing the Services to the Tribe's residents and for providing the maintenance services to the fiber facilities deployed as part of this Agreement, CC Communications shall retain 100% of the fees that such customers will pay to CC Communications.

2.2 CC Communications shall make available to the Tribe's residents telecommunication services including Fiber to the Home broadband Internet as set forth in the NTIA Grant Application and Exhibit 1.

2.3 CC Communications shall provide services to Tribe members, subject to credit check and deposit requirements, where applicable. Customers must agree to a

standard Internet Acceptable Use Policy and an Acknowledgement of Plan Selection prior to receiving service.

2.4 Throughout the life of this Agreement, CC Communications shall offer and market Service throughout the Service Area, with plans at download and upload speeds, latency and usage allowances, and at rates that are at or below the national average rates for comparable offerings per the Federal Communications Commission's urban rate survey (or any successor thereto), (the "Rate Ceiling"). The parties agree and acknowledge that the Service plans may be updated from time to time, consistent with the goal of Grant to provide a "future-proof" service, in all cases solely in a manner consistent with the Grant and CC Communications' obligations under this Agreement, including but not limited to the requirement that each Service plan be offered at or below the applicable Rate Ceiling.

2.5 Any member of the Tribe not qualified for a federal benefit other than tribal lifeline may receive FTTH service at a rate not to exceed the tribal lifeline benefit.

2.6 Throughout the life of this Agreement, CC Communications shall offer and market Enterprise Broadband Service throughout the Service Area, with plans that are reasonably calculated to meet the bandwidth and other broadband-related needs of community anchor institutions and other enterprise broadband users available at the time the Customer subscribes to services.

ARTICLE 3: PRIVATE DATA SECURITY

3.1 CC Communications will not collect personal data from a customer's use of services, except when compelled by law or for use in network management and troubleshooting.

3.2 CC Communications will never sell customer data.

3.3 CC Communications will not block lawful internet traffic.

ARTICLE 4: DEPLOYMENT OF INFRASTRUCTURE

4.1 CC Communications shall deploy last mile FTTH Active Ethernet or XGS-PON at the locations described in the attached Network Map. See Exhibit 2. Installation will be performed by CC Communications employees or its licensed contractors.

4.2 CC Communications shall utilize its existing fabric core and fiber network to integrate Tribe customers in a like manner as Churchill County, Spring Creek, and Elko customers.

4.3 Deployment of infrastructure shall be done in compliance with all grant requirements including timelines and reporting.

ARTICLE 5: OWNERSHIP

5.1 The fiber infrastructure deployed shall remain the sole and exclusive property of the Tribe and legal title shall be held by Tribe as trustee for the beneficiaries of the Project, as required under 2 C.F.R. § 200.316. Except as may be required pursuant to the Grant, Tribe may not (a) place any lien or encumbrance on the Network or (b) sell, lease or otherwise transfer the Network to any other party, without CC Communications' consent, in each case solely to the extent such lien, encumbrance, sale, lease, or transfer materially impacts the Services to be provided by CC Communications. Tribe shall pay any and all federal, state and local property or other taxes associated with the ownership of the Network.

5.2 Tribe shall not authorize any other telecommunication service provider to utilize the infrastructure during the term of this Agreement or without the prior written consent of CC Communications.

5.3 CC Communications shall have exclusive rights to use the fiber infrastructure for the duration of the Service Provider Agreement and renewal terms.

5.4 CC Communications shall install and own all electronic components utilized in the operation of the fiber network associated with the deployed infrastructure, as well as other infrastructure not located on Tribal property. CC Communications shall be responsible for the payment of any and all maintenance and license fees and costs associated with the electronic components.

ARTICLE 6: MAINTENANCE

6.1 During the term of the Service Provider Agreement, CC Communications shall pay for all maintenance costs associated with infrastructure deployed as part of the

NTIA BIP grant, including maintenance of deployed fiber and electronic components. Maintenance shall be dictated by network performance measures, alarms, and visual inspections.

6.2 CC Communications or its contractors will regularly inspect facilities and infrastructure at least once per month.

6.3 CC Communications shall respond to all trouble tickets generated by CC Communications customers.

6.4 CC Communications will seek to hire and train a member of the Tribe to assist in maintenance operations subject to standard training and qualification requirements.

ARTICLE 7: PERFORMANCE STANDARDS

7.1 CC Communications shall comply with all FCC and NTIA BIP grant requirements for the performance of facilities installed pursuant to this Agreement. CC Communications shall further comply with all proposed and adopted FCC performance testing measurements for speed relative to subscribed service.

ARTICLE 8: DEFAULT AND TERMINATION

8.1 A Party shall be in default under this Agreement if it materially violates any applicable law, regulation, statute, ordinance, code or other legal requirement with respect to the obligations hereunder or fails to perform any material obligation under this Agreement, and such breach is not remedied within thirty (30) days after receipt of a Dispute Notice as contemplated under Article 13.

8.2 In addition to any remedies available at law or in equity, the non-defaulting Party hereunder may terminate this Agreement upon the occurrence of default.

8.3 Obligations:

8.3.1 The Parties agree that CC Communication's obligations under this Agreement that derive from the Grant, are material obligations, and CC Communication's failure to perform such obligations shall give Tribe the right to terminate this Agreement.

8.3.2 If Tribe terminates this Agreement for default by CC Communications, or if CC Communications terminates this Agreement for its own benefit, CC Communications will preserve and protect the Network at its own expense while it works with Tribe in good faith to transition the performance of activities under this Agreement to another party selected by Tribe. CC Communication will retain responsibility for operating and maintaining the Network until another party agrees to take on this responsibility. The provisions of this Section 8 shall survive termination of this Agreement. For avoidance of doubt, the provisions of this Section shall not apply should CC Communications terminate this Agreement for default by Tribe or should either Party elect not to renew the Agreement as contemplated in Article 1.

8.4 If (a) either Party makes a general assignment for the benefit of its creditors, files a voluntary petition in bankruptcy or any petition or answer seeking, consenting to, or acquiescing in reorganization, arrangement, adjustment, composition, liquidation, dissolution or similar relief; (b) an involuntary petition in bankruptcy, other insolvency protection against the Filing Party as filed and not dismissed with 120 days; or (c) the Filing Party fails to observe and perform the terms and provisions of this Agreement and such failure continues for a period of 90 days after written notice from the non-Filing Party (or if such failure is not susceptible of a cure within such 90 day period, cure has not been commenced and diligently pursued thereafter to completion), then the non-Filing Party may: (i) terminate this Agreement, in whole or in part, immediately upon (further) notice in which event the non-Filing Party shall have no further duties or obligations hereunder; and/or (ii) pursue any legal remedies it may have under applicable law or principles of equity relating to such default, including an action for damages, specific performance and/or injunctive relief.

ARTICLE 9: ASSIGNMENT.

9.1 Neither Party may transfer or assign, voluntarily or by operation of law, this Agreement or its duties and obligations contained in this Agreement without the prior written notice to and written consent of the other Party. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective permitted successors and assigns.

ARTICLE 10: REPRESENTATIONS AND WARRANTIES

10.1 Each Party represents and warrants that the undersigned has full authority to enter into this Agreement and hereby accepts this Agreement on behalf of their companies; it has full right and authority, including any requisite corporate authority, to perform its respective obligations under this Agreement; the execution of this Agreement is not violative of its charter, by-laws or any law, regulation or agreement by which it is bound or to which it is subject; and no litigation or governmental proceeding is pending or threatened in writing which might have a material adverse effect on this Agreement, the transaction contemplated by this Agreement or the rights of the Parties hereunder.

ARTICLE 11: INDEMNIFICATION

11.1 Each Party shall indemnify, defend and hold harmless the other Party and its respective directors, officers, agents, employees, successors and assigns from and against all Claims sustained in any action commenced by any third party in connection with the Indemnifying Party's performance of, or failure to perform, its obligations and duties under this Agreement except for those Claims arising from the negligence or willful misconduct of the Indemnified Party.

ARTICLE 12: LIMITATIONS OF LIABILITY

12.1 Each Party shall not be liable for loss or damage occasioned by a Force Majeure Event and to the extent allowed by law, for injury to or death of any person and for damage to or loss of any property arising out of or attributable to its operations and performance under this Agreement. Each Party's total liability to the other Party in connection with this

Agreement for any and all causes and Claims whether based in contract, warranty, negligence or otherwise shall be limited to the actual direct damages sustained by the other Party.

12.2 EXCEPT FOR A PARTY'S INDEMNIFICATION OBLIGATIONS SET FORTH IN ARTICLE 11 ABOVE AND EXCEPT FOR CLAIMS ARISING FROM A PARTY'S INTENTIONAL MISCONDUCT, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES WHATSOEVER, ARISING OUT OF, OR IN CONNECTION WITH, THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO, LOST PROFITS, LOST REVENUE, LOSS OF GOODWILL, LOSS OF ANTICIPATED SAVINGS, LOSS OF DATA, INCURRED OR SUFFERED BY EITHER PARTY, WHETHER IN AN ACTION IN CONTRACT OR TORT, EVEN IF THE OTHER PARTY OR ANY OTHER PERSON HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT, THE PARTIES MAKES NO WARRANTY, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE AS TO THE DESCRIPTION, QUALITY, MERCHANTABILITY, COMPLETENESS OR FITNESS FOR ANY PARTICULAR PURPOSE OR USE OF THE SERVICE, LOCAL ACCESS OR ANY OTHER MATTER, AND ANY SUCH WARRANTIES ARE HEREBY EXCLUDED AND DISCLAIMED.

ARTICLE 13: NOTICES

13.1 All notices shall be in writing and shall be delivered by certified mail return receipt requested or by nationally recognized overnight delivery that provides proof of delivery. Any such notice shall be deemed effective on the date of mailing. All notices including any Dispute Notice which identifies the default of either party to a term of this Agreement shall be addressed to the Parties as specified below:

If to CC Communications: CC Communications
50 West Williams Ave
Fallon, NV 89406
Attention: Mark Feest
775-423-7171

If to Tribe: Walker River Paiute Tribe
Attention: Tribal Chairman
_____
_____
_____

ARTICLE 14: GOVERNING LAW & WAIVER OF JURY TRIAL

14.1 This Agreement shall be construed and enforced in accordance with, and the validity and performance hereof shall be governed by the laws of the State of Nevada, without reference to its conflicts of law principles. Each Party hereby submits to the jurisdiction and venue of the courts in Churchill County for purposes of any litigation related to the Agreement and irrevocably waives any defense of an inconvenient forum to the maintenance of any action or proceeding in any such court, any objection to venue with respect to any such action or proceeding and any right of jurisdiction on account of the place of residence or domicile of any Party thereto. Each Party hereby irrevocably and unconditionally waives the right to a jury trial in connection with any Claim arising out of or related to this Agreement.

ARTICLE 15: TAXES AND FRANCHISE, LEASE AND PERMIT FEES

15.1 Any Tax consequence arising from the transaction described herein shall be the financial responsibility of the Party upon which such incident falls. The Parties agree to file their respective Tax returns on such basis and, except as otherwise required by law, not to take any positions inconsistent therewith.

ARTICLE 16: MISCELLANEOUS

16.1 Survival. Any and all provisions of this Agreement which, by their nature, would reasonably be expected to be complied with or performed after the expiration or termination of this Agreement shall survive and be enforceable after the expiration or termination of this Agreement. Termination or expiration of this Agreement shall not affect the rights or obligations of either Party that have arisen before the date of such termination

or expiration. Each Party's indemnification and confidentiality obligations shall survive termination or expiration of this Agreement as further described herein.

16.2 Relationship of the Parties. The relationship of the Parties is that of independent contractors and not as the agent, employee or legal representative of the other. Each Party has and hereby retains the right to exercise full control of and supervision over the performance of its obligations hereunder and full control over the employment, direction, compensation and discharge of its employees assisting in the performance of such obligations.

1**6.3 Amendment**. No amendments, changes or modifications to this Agreement shall be valid except if the same are in writing and signed by a duly authorized representative of each of the Parties.

16.4 Rules of Construction. The captions or headings in this Agreement are strictly for convenience and shall not be considered in interpreting this Agreement or as amplifying or limiting any of the terms, provisions, or conditions of this Agreement. Words in this Agreement which import the singular connotation shall be interpreted as plural, and words which import the plural connotation shall be interpreted as singular, as the identity of the Parties or objects referred to may require. Any capitalized terms used in this Agreement but not defined herein shall have the meaning defined in the applicable Underlying Agreement. Unless otherwise expressly provided herein, any agreement, instrument or statute defined or referred to herein or in any agreement or instrument that is referred to herein means such agreement, instrument or statute as from time to time amended, modified or supplemented, including (in the case of agreements or instruments) by waiver or consent and (in the case of statutes) by succession of comparable successor statutes and references to all attachments thereto and instruments incorporated therein.

16.5 Severability. In the event that any term or provision of this Agreement is declared to be illegal, invalid or unconstitutional, then that provision shall be deemed to be deleted from this Agreement and have no force or effect and this Agreement shall thereafter continue in full force and effect, as modified.

16.6 Waiver of Compliance. Failure of either Party to enforce or insist upon compliance with any of the terms or conditions of this Agreement shall not constitute a waiver or relinquishment of any such terms or conditions. To the contrary, the same shall remain at all times in full force and effect.

16.7 Joint Work Product. This Agreement is the joint work product of both Parties hereto, accordingly, in the event of ambiguity no presumption shall be imposed against any Party by reason of document preparation.

16.8 Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference as a part of this Agreement.

16.9 Entire Agreement. This Agreement, including any Exhibits, contains the entire agreement between the Parties relating to the rights, duties and obligations granted and assumed herein and supersedes all prior and contemporaneous communications, understandings and agreements with respect to the subject matter hereof, whether written or oral, expressed or implied. No other agreement, statement, promise, or practice between the Parties relating to the Agreement shall be binding upon the Parties. This Agreement may only be modified or supplemented by an instrument in writing executed by a duly authorized representative of each Party.

16.10 Counterparts. This Agreement may be executed in counterparts, each of which when executed and delivered shall be an original, but all of which shall constitute one and the same instrument. Electronic signatures shall be treated as originals.

In confirmation of their consent and agreement to the terms and conditions contained in this Agreement and intending to be legally bound hereby, the Parties have executed this Agreement as of the date last written below ("Effective Date").

CC Communications	**Walker River Paiute Tribe**
By:_____	By: _____
Printed Name:_____	Printed Name: _____
Title:_____	Title: _____
Dated: _____	Dated: _____

EXHIBIT 1
SERVICE SHEET

EXHIBIT 2
NETWORK MAP

Appendix E

Community Survey Form

WRPT Broadband Survey

Please fill out this questionnaire and place it in the drop box in the parking lot or turn into the front desk at the Tribal Administration building. We welcome your comments. Thank you for your time.

Name:

Physical Address:

[Website] Do you currently have an internet service at your residence or business?

☐ Yes ☐ No

Please rate the quality of the service you receive from your current Internet Provider. (if you have no internet provider, please leave blank)

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

Disappointing Exceptional

Would you be interested in receiving free internet for a year?

☐ Yes ☐ No

Do you have any school age children living at your residence?

☐ Yes ☐ No

Do you have any Elders living at your residence?

☐ Yes ☐ No

Do you own or rent your house?

☐ Own ☐ Rent

What type of land does your residence reside on?

☐ Allotment ☐ Assignment ☐ Other

Please share any additional comments

WRPT Broadband Survey

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What type of land does your residence reside on?

☐ Allotment ☐ Assignment ☐ Other

Please share any additional comments