

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Mid-Atlantic Broadband Cooperative
Fiber Optic Network Infrastructure Project**

Summary

Mid-Atlantic Broadband Cooperative (MBC) applied to the Broadband Technology Opportunities Program (BTOP) for a grant to expand an existing 800-mile fiber optic network by adding approximately 170 miles of new fiber optic cable across seven counties in eastern Virginia. While the new network will be a hybrid of buried and aerial fiber, most of the fiber will be buried underground within existing Virginia Department of Transportation (VDOT) rights-of-way (ROWs). Aerial fiber will be installed on existing utility poles. In addition to fiber installation, MBC will construct four node facilities around the fiber network to shelter network equipment and provide future connectivity within the service area. In addition, MBC will install lateral fiber runs to allow 21 community anchor institutions (CAIs), including schools and educational facilities, to connect to the new network. Local internet providers will also be allowed to connect to the new network, thereby extending service to local consumers and public safety and service agencies. The proposed action is referred to as the Fiber Optic Network Infrastructure Project (Project).

The National Telecommunications and Information Administration (NTIA) awarded this grant through BTOP, as part of the American Recovery and Reinvestment Act (ARRA). The funding must be obligated and the Project completed within three years. This timeline will comply with the laws and regulations governing the use of this ARRA grant funding.

BTOP supports the deployment of broadband infrastructure in unserved and underserved areas of the United States and its Territories. As a condition of receiving BTOP grant funding, recipients must comply with all relevant Federal legislation, including the National Environmental Policy Act of 1969 (NEPA). Specifically, NEPA limits the types of actions that the grantee can initiate prior to completing required environmental reviews. Some actions may be categorically excluded from further NEPA analyses based on the specific types and scope of work to be conducted. For projects that are not categorically excluded from further environmental review, the grant recipient must prepare an Environmental Assessment (EA) that meets the requirements of NEPA. After a sufficiency review, NTIA may adopt the EA, use it as the basis for finding that the project will not have a significant impact on the environment, and issue a finding of no significant impact (FONSI). Following such a finding, the BTOP grant recipient may then begin construction or other activities identified in the EA as the preferred alternative, in accordance with any special protocols or identified environmental protection measures.

MBC completed an EA for this Project in December 2011. NTIA reviewed the EA, determined it is sufficient, and adopted it as part of the development of this FONSI.

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The Project includes:

- Installing 170 miles of new fiber, and associated handholes, in existing VDOT ROWs to connect to an existing 800-mile fiber optic network across seven counties within eastern Virginia;
- Installing buried fiber optic cable in existing, previously disturbed ROWs by plowing or directional boring;
- Installing aerial fiber on existing utility poles;
- Constructing four node facilities at the Southampton Agri-business Center and at locations near Windsor, Smithfield, and Surry, Virginia; and
- Installing lateral fiber runs to enable local internet providers and 21 CAIs, including schools and educational facilities, to connect to the new network.

Based on a review of the analysis in the EA, NTIA has determined that the Project, implemented in accordance with the preferred alternative, and incorporating best management practices (BMPs) and protective measures identified in the EA, will not result in any significant environmental impacts. Therefore, the preparation of an EIS is not required. The basis for this determination is described in this FONSI.

Additional information and copies of the Executive Summary of the EA and FONSI are available to all interested persons and the public through the BTOP website (www2.ntia.doc.gov/) and the following contact:

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Purpose and Need

The purpose of this Project is to bring enhanced, affordable middle mile broadband service to 7 unserved and underserved counties within eastern Virginia and provide connections for 21 primary anchor institutions to the fiber network. Current broadband service in the area is inadequate or unaffordable for many residents and institutions. The planned Project will allow 8 elementary schools, 4 middle schools, 4 high schools, the Surry County School Board, New Directions Alternative Center, Isle of Wright School Board, Southampton School Board, and the City of Franklin School Board to connect directly to the network. Local internet

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providers will also be allowed to connect to the new network, thereby extending affordable broadband service to community residents and providing access to public safety agencies.

Project Description

Under this Project, MBC will add 170 miles of new fiber to an existing 800-mile fiber optic network, located primarily between Interstate 95 and Interstate 64, and construct four node facilities. New fiber optic cable will be buried within existing VDOT ROWs or attached to existing poles. The specific fiber installation method will be determined during the design phase of the Project and will be based primarily on existing infrastructure, environmentally sensitive areas, and/or traffic congestion. MBC will construct node facilities on land owned by municipalities or other public entities. Approximately 17 miles of lateral fiber runs will allow local internet service providers and 21 CAIs, including schools and educational facilities, to connect to the new network. The Project will provide broadband service along three separate routes across seven counties in eastern Virginia, including Suffolk, Isle of Wright, Surry, Sussex, Southampton (includes Franklin City), Greensville (includes Emporia City), and Chesapeake.

MBC will install the majority of cable 36 inches underground in existing ROWs by plowing and direct burial. For this installation method, the vibrating plow pulls a metal blade through the subsurface, a 6-inch wide slit-trench is created, the fiber is installed, and the trench backfilled with excavated soil. The area of disturbance for cable installation will be confined to the existing road shoulder (approximately a 10-foot corridor). Handholes will be installed along the network fiber route at road crossings and in strategic locations for future last mile connections to the network.

In addition to underground fiber placement, MBC will hang new aerial fiber on existing utility poles to cross environmentally sensitive areas and in locations where the terrain makes underground construction infeasible. MBC will use the stranding or lashing technique, which uses a bucket truck to access the poles, attaches a cable to the poles, and lashes the new fiber cable to the existing strand. Where existing poles are not accessible from the VDOT ROW, the utility poles will be climbed manually to attach the cable. No new poles are anticipated along the fiber route.

Fiber optic cable will be installed across streams and rivers by aerial installation on existing poles, within existing conduit along bridges, or directional boring techniques. Directional boring will be used to avoid selected sensitive ecological resources (e.g., wetlands, streams, and rivers), as well as construction-limited areas. The directional boring method involves excavating pits at the cable entry and exit points, drilling a horizontal cable pathway between the points, installing conduit, and pulling the cable back through the conduit. The need for aerial installation and directional boring will be determined during the Project's final design phase.

Approximately 17 miles of lateral fiber runs will be installed to allow CAIs along the fiber route to connect to the network. Direct connections to existing structures will not be provided by

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MBC. However, fiber will be attached in accordance with BMPs outlined in NTIA guidance on *Attaching Broadband Equipment to Historic Structures*.

Under this Project, MBC will also install four node facilities (equipment shelter buildings) along the fiber route at the Southampton Agri-business Center and at locations near Windsor, Smithfield, and Surry, Virginia. The node sites will be situated on a 30-foot square parcel owned by a municipality or other public entity. The exact node locations will be determined during the Project's final design phase. MBC will obtain the necessary long-term easements for the node facility locations. The shelter buildings will measure 12 feet by 20 feet and will be installed on an 8-inch thick concrete pad. A 15-foot gravel access road will be extended to each facility. Each building will include an air conditioning system for electronic cooling and an emergency diesel backup generator. Excavation activities and extensive mechanical site clearing will not be required for construction. However, MBC will remove existing ground cover (e.g. grass, weeds, and brush) to prepare the site. Power supply to each building will be provided via underground conduit.

Alternatives

The EA includes an analysis of the alternatives for implementing the Project to meet the purpose and need. NTIA also requires that an EA include a discussion of the no action alternative. The following summarizes the alternatives analyzed in the EA.

Alternative 1 – Aerial and Underground Fiber Network (Preferred Alternative). This alternative involves adding 170 miles of new fiber to an existing 800-mile fiber optic network and constructing four node facilities along three routes for the Project. Most of the new fiber optic cable will be installed underground in existing ROWs by vibratory plowing. Aerial fiber will be installed on existing utility poles and directional boring will be used to avoid environmentally sensitive areas and in construction-limited areas. Network access will be provided for CAIs through installation of 17 miles of lateral fiber runs. However, direct connections to existing structures will not be installed.

No Action Alternative. No action was also considered. This alternative represents conditions as they currently exist in the Project area. Under the no action alternative, no new fiber would be constructed and the node facilities would not be erected. This alternative would not address the lack of broadband service and associated technological disadvantages in eastern Virginia, specifically for area schools, local consumers, and safety and service agencies. Under this alternative, the Project's stated purposes would not be met. The EA examined this alternative as the baseline for evaluating impacts relative to other alternatives being considered.

Alternatives Considered But Not Carried Forward. In addition to the preferred alternative, MBC considered an alternative southern route from Emporia to Bowers Hill via Highway 58 using the same buried and aerial installation methods described above. This alternative was eliminated because of the potential increase of environmental impacts and construction challenges (i.e.

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wetlands and other waterways) compared to the Preferred Alternative. MBC also determined that the use of aerial installation as a more significant Project component was infeasible due to the need to install additional utility poles in areas where they currently do not exist. MBC also considered using a wireless, or partially wireless network to meet Project needs. Due to the lack of existing wireless infrastructure, several towers would need to be constructed under this alternative. Cost associated with tower construction and leasing, wireless coverage limitations, and network integration issues also make this an unfeasible alternative. Based on these assessments, only the preferred and no action alternatives were retained for full evaluation in the EA.

Findings and Conclusions

The EA analyzed existing conditions and environmental consequences of the preferred alternative and the no action alternative in 11 major resource areas, including Noise, Air Quality, Geology and Soils, Water Resources, Biological Resources, Historic and Cultural Resources, Aesthetic and Visual Resources, Land Use and Recreation, Infrastructure, Socioeconomic Resources, and Human Health and Safety. Cumulative impacts were also evaluated.

Noise

This Project will have short-term and long-term impacts on noise. Use of heavy equipment during the construction phase will result in short-term, temporary increases in ambient noise. However, it is unlikely that construction equipment will be near sensitive noise receptors for long durations. Nevertheless, some noise impact near sensitive receptors is unavoidable because many of the entities to be served by the new network are themselves sensitive receptors (e.g., schools). MBC will comply with local and State noise ordinances to keep noise impacts to a minimum. Specifically, sound generating equipment will be enclosed or partially enclosed with noise barriers at directional boring sites. In addition, noise monitoring will be conducted in the early stages of drilling, and if necessary, additional noise control measures will be implemented to reduce noise levels below 65 dBA Day-Night Sound Level (DNL), or levels specified by local noise ordinances. Noise from backup power generators installed at the node sites will be low and intermittent over the long-term, whenever the site experiences a power outage. Based on these assessments, no significant noise impacts are expected to occur as a result of this Project.

Air Quality

During the construction phase of the Project, emissions will be generated by construction equipment, including vibratory plows, bucket trucks, and directional drilling equipment. Emissions from this construction equipment will be temporary, minor, and transitory as construction activities move along the installation route. Negligible fugitive dust emissions will also be generated during construction operations. MBC will implement BMPs, as required by 9 VAC 5, Chapter 40, Part II of the Virginia Regulations for the Control and Abatement of Air Pollution. These BMPs include, but are not limited to, the application of water to suppress dust, preventing the burning of debris or vegetative material, and promptly removing spilled or tracked

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dirt or other materials on paved streets. The Project will also result in short-term, minor increases in the use of fossil fuel and associated greenhouse (GHG) emissions during construction. Considering the nature and scope of the planned network expansion, MBC estimates that the Project will result in the release of approximately 1,240 metric tons of carbon dioxide equivalent emissions. Thus, GHG emissions are expected to be well under the Council on Environmental Quality's presumptive effects threshold of 25,000 metric tons of carbon dioxide equivalent emissions from an action. There may also be minimal long-term impacts on air quality from the annual release of GHG from the diesel powered emergency generators installed to provide backup power at the four new node facilities. Based on implementation of BMPs, construction of the planned network is not expected to have significant adverse impacts on air quality.

Geology and Soils

Under this Project, fiber optic lines will be installed in previously disturbed ROWs along roadways and existing utility corridors. Construction using a vibratory plow or directional drilling will preserve existing soils profiles and will not adversely affect the geology or soils of the area. Installing fiber on existing utility poles should have negligible impacts on geology or soils. Installation of the node facilities will not require excavation and therefore construction activities, including gravel access roads, should have negligible impacts on geology and soil. However, BMPs will be implemented should excavation be necessary to secure fixtures, poles, or building foundations. MBC will also implement various BMPs, including appropriate erosion and sediment controls, such as drainage ditches; reestablishment of ground cover after construction; and development and implementation of an appropriate Storm Water Pollution Prevention Plan (SWPPP) before construction commences. In addition, prime farmland is present along the fiber route. However, impacts to these areas are not expected to be significant because construction activities will be limited to existing ROWs. Based on the implementation of BMPs, the Project is not expected to result in significant adverse impacts on the geology or soils in the area.

Water Resources

Project construction activities are not expected to impact to water resources. Although the fiber route intersects 62 streams and rivers, as well as adjacent wetlands, impacts to water resources will be avoided by installing the cable aerially on existing poles, burying the cable within the shoulders of existing ROWs, installing fiber within existing conduit along bridges, or installing the fiber using directional boring.

Construction activities will not occur within floodplains. Node facilities will be constructed outside of floodplain areas and water crossings will not result in substantial fills or other grading revisions within floodplains. There is the potential for a minor increase of in-stream sedimentation resulting from streamside construction and stormwater discharge during construction. However, MBC will develop an erosion and sediment control plan to minimize erosion, sedimentation, and turbidity in receiving waters.

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In addition, fiber will be placed within existing roadway ROWs and installed at a shallow depth (approximately three feet). Significant groundwater aquifers are not present at such limited depths and therefore will not be impeded by installation of the new network. Therefore, no significant direct or indirect impacts to groundwater resources are anticipated.

MBC notified the U.S. Army Corps of Engineers (USACE) of all planned water crossings, including three navigable water crossings, and is consulting with this office to obtain applicable Section 404 and Section 10 permits for all river and stream crossings. Additionally, MBC is consulting with USACE for the installation of fiber under USACE Nationwide Permit (NWP) 12 for Utility Line Activities. MBC has also submitted a Joint Permit Application to the Norfolk District USACE and Virginia Marine Resource Commission (VMRC) and is awaiting issuance of final permit documents.

State and local permits may also be required for work within the Coastal Zone in Chesapeake, Isle of Wright, Suffolk, Surry, and Sussex Counties. MBC is working with the Virginia Department of Environmental Quality (DEQ) to ensure that the Project is compliant with Federal and State coastal programs. MBC also contacted the Chesapeake Bay Act Local Assistance Program, in accordance with the Chesapeake Bay Protection Act, and confirmed that the Project meets applicable erosion and sediment control requirements. MBC will implement appropriate BMPs to reduce potential impacts on surface waters, such as parking and refueling vehicles in upland areas at least 100 feet from wetlands and waterbodies, and installing silt fences and check dams. MBC will expedite construction around waterbodies; construct crossings perpendicular to the waterbody channel; maintain ambient downstream flow rates; remove all construction material and structures from the waterbody after construction; permanently stabilize stream banks and adjacent upland areas; and inspect the ROW periodically during and after construction and repair any erosion controls and/or perform restoration, as needed. MBC will also develop a project-specific Spill Prevention, Control and Countermeasures (SPCC) plan to avoid impacts to water resources during construction. By avoiding construction through waterways, implementing erosion and sediment control BMPs, and maintaining compliance with Federal and State coastal program requirements, MBC will be able to construct the network with no significant adverse impacts on water resources.

Biological Resources

On behalf of MBC, EnSafe Inc. (EnSafe) collected preliminary background information on threatened and endangered species from the Virginia Game and Inland Fisheries database. Based on this data, 8 Federal threatened or endangered species and 21 State threatened or endangered species were identified in the Project area. These Federally listed species include the red-cockaded woodpecker (*Picodes borealis*), Roanoke logperch (*Percina rex*), Kemp's (Atlantic) Ridley sea turtle (*Lepidochelys kempii*), dwarf wedgemussel (*Alasmidonta heterodon*), Michaux's sumac (*Rhus michauxii*), American chaffseed (*Schwalbea americana*), sensitive joint-vetch (*Aeschynomene virginica*), and piping plover (*Charadrius melodus*). However, after

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further review, MBC determined that suitable habitat for only two species is present near the Project route and subject to potential disturbance: Michaux's sumac in Greensville and Sussex Counties, and Roanoke logperch in Greensville, Southampton, and Sussex Counties.

EnSafe consulted with the U.S. Fish and Wildlife Service (USFWS) regarding potential Project impacts on biological resources. In a response dated July 28, 2011, the USFWS concluded that, based on the information provided by EnSafe, the Project is not likely to adversely affect the red-cockaded woodpecker, Roanoke logperch, dwarf wedgemussel, sensitive joint-vetch, Michaux's sumac, and American chaffseed. This determination was based on the stipulations that: (1) if MBC will be clearing an area of pine forest greater than 0.25 acre, then a red-cockaded woodpecker habitat assessment will be conducted prior to tree clearing, and surveys will be conducted if suitable nesting or foraging habitat is present; (2) if pine tree removal is required, a qualified specialist will verify that no cavities suitable for use by cavity nesting species are present prior to tree removal; (3) MBC will use aerial installation or directional boring for crossing wetlands associated with the Pagan River, Chuckatuck Creek and the Nansemond River to avoid potential habitat for the sensitive joint vetch; if direct bury or new poles are required within or immediately adjacent to wetland areas, surveys will be conducted for sensitive joint vetch prior to installation; (4) MBC will install aerial fiber or use directional bore techniques in a manner that avoids all impacts to streams and rivers in the vicinity of the Project, particularly within the Nottoway River system, including sedimentation resulting from ground disturbance adjacent to stream (if MBC is unable to avoid stream or river impacts, additional coordination and consultation will be conducted); and (5) a habitat assessment will be conducted in any areas identified as potential habitat for Michaux's sumac. In that same letter, the USFWS expressed no objection to MBC's determination that the Project will have no effect on the American chaffseed and recommended strict erosion and sediment control measures for the overall Project.

In addition to considering potential impacts on listed species, MBC evaluated potential impacts on migratory birds and other wildlife. The Project may temporarily affect wildlife, including migratory birds. However, no known nesting pairs of bald eagles (*Haliaeetus leucocephalus*) are present within, or adjacent to, the Project area. If cable installation activities are scheduled during the breeding season for migratory birds (October through July), MBC will have a qualified biologist survey active construction sites to confirm the absence of nest and nesting activity. Construction activities will disturb some local vegetation. However, areas of disturbance will be re-seeded with native species to limit the establishment of invasive weed species.

By implementing these BMPs, no significant impacts will occur to migratory birds or other wildlife species. However, if the Project results in any measureable negative effects on migratory bird populations, MBC will develop a Memorandum of Understanding with the USFWS, per requirements in Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds."

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Based on this analysis and implementation of the recommended protective measures, MBC will be able to construct the fiber network with no significant adverse impacts on biological resources.

Historic and Cultural Resources

In September 2010, NTIA initiated consultation with the Virginia Department of Historic Resources (State Historic Preservation Office [SHPO]). In this correspondence, NTIA provided the SHPO with a project description and an associated map of the Project area. Following the initiation letter, MBC engaged an archaeologist with Mangi Environmental, then subsequently Thunderbird Archaeology, Inc. (Thunderbird), to analyze the archaeological and architectural resources within the Project's area of potential effect (APE).

A cultural resources report summarizing the findings of Mangi's cultural resources review was submitted to the SHPO on July 29, 2011 with a request for concurrence that the Project will have No Adverse Effect on Historic Properties. In an August 26, 2011 letter, the SHPO requested additional information supporting the report's findings and recommendation.

MBC then engaged Thunderbird to complete a records review and any required field survey. A letter dated November 1, 2011, transmitted the resultant cultural resources report, titled *Archaeological Assessment Report of the Mid-Atlantic Broadband Cooperative Project #7280, Chesapeake, Greensville, Isle of Wright, Southampton, Suffolk, Surry, and Sussex Counties, Virginia* (Kimberley A. Snyder, M.A.: October 2011), to the SHPO. The revised report identified 19 archaeological sites, 5 architectural resources, and 4 cemeteries identified within the APE, and provided recommendations ensuring that the Project will have No Adverse Effect on Historic Properties.

In a November 8, 2011 letter, the SHPO accepted the report and concurred that the Project should have No Adverse Effect on historic properties provided that the following conditions are implemented:

- A qualified archaeologist will review the final Project plans for consistency with the materials submitted on November 1, 2011.
- The locations of the archaeological sites and cemeteries identified on the individual mapping pages of the Archaeological Assessment Report (November 1, 2011 submittal) will be included on Project plans, with the exception of those previously found not eligible.
- Field personnel associated with all phases of the Project will be provided with the Best Management Practices document developed for this Project (see *Archaeological Assessment Report – Appendix IV*).
- Attachment of the fiber optic cable and associated network equipment to the buildings listed in Table 1 of the Archaeological Assessment Report submitted on November 1,

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2011 will adhere to NTIA's BMPs titled, *Attaching Broadband Equipment to Historic Buildings*.

Thunderbird also delivered the Archaeological Assessment Report to the VDOT Preservation Program District Coordinator in early November 2011. In a response dated November 14, 2011, VDOT concurred with the finding of No Adverse Effect on Historic Properties, provided that the conditions outlined in the SHPO's letter dated November 8, 2011 are implemented.

On October 1, 2010, NTIA notified five (5) Native American Tribes of the Project through the Federal Communication Commission's Tower Construction Notification System (TCNS). One Tribe did not respond within 30 days after the TCNS notification, thereby indicating no interest in the Project. One Tribe responded (via email) that they have no interest in the Project, but requested notification in the event of unanticipated discoveries.

The Cherokee Nation, Shawnee Tribe, and Catawba Indian Nation requested additional project information, mapping, and results of the cultural resource study. Thunderbird provided supplemental project information, a map, the cultural resource findings, and SHPO concurrence letter to the Shawnee Tribe and Catawba Indian Nation on December 7, 2011. The Shawnee Tribe responded on December 21, 2011 that they have no interest in the Project, but requested notification in the event of unanticipated discoveries. As of early January 2012, no comments have been received from the Catawba Indian Nation. Thunderbird will follow up with the Cherokee Nation, and NTIA and MBC will consult to resolve any expressed tribal concerns.

If Project construction activities uncover cultural materials (e.g., structural remains, historic artifacts, or prehistoric artifacts), MBC will stop all construction work and immediately notify interested Tribal Nations, the SHPO, and NTIA. If earth-disturbing activities uncover human remains, all work will cease immediately, in accordance with the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) and relevant State statutes. The area around the discovery will be secured and appropriate law enforcement personnel and NTIA will be notified immediately.

The Project is not expected to have adverse impacts on historic and cultural resources.

Aesthetic and Visual Resources

The Project will involve construction adjacent to agricultural fields, natural areas, and urban streetscapes, including divided four-lane highways. Aesthetic disruption in most areas will be limited to the short-term presence of construction equipment. Permanent aesthetic impacts will be limited because the four new node facilities are small structures located within existing developed areas. Efforts will be made to visually screen these facilities, where practicable. For aerial fiber installation, MBC will use existing utility poles to avoid creating new visual impacts. Reestablishment of vegetation along the fiber route with indigenous species, including

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wildflowers, will reduce temporary visual impacts and in time may actually improve the roadside aesthetics. Based on the analysis and consultation, the Project is not expected to have a significant adverse impact on aesthetic and visual resources in the Project area.

Land Use

Fiber will be installed in previously disturbed ROWs, primarily alongside agricultural and forested areas. There will be no change in the existing land use due to the underground fiber installation or the addition of new fiber on existing poles. The planned fiber improvements are consistent with normal use of these areas. During construction, areas immediately adjacent to the affected ROWs may experience temporary and minor impacts due to the presence of construction equipment and work crews. However, when the Project is completed, these areas will be allowed to revert to pre-construction use. Drainage tiles, where present on cultivated lands, will be repaired if damaged. Routine maintenance conducted along the ROW may result in temporary disturbances, but will not result in permanent changes to land use. Based on these consultations, the Project will have no significant adverse impact on land use.

Infrastructure

Fiber construction will occur along existing major roads in predominately rural and suburban settings. There will be minor, short-term construction impacts on roadways and traffic flow during fiber installation. Staging areas will be placed in select locations to minimize potential traffic delays. All heavy vehicles will be equipped with backing alarms, two-way radios, and appropriate vehicle signage. MBC may use directional drilling to cross roadways or railways, in accordance with applicable permitting crossing permits and approval requirements. Existing roadways and parking areas will be used during construction of the new node facilities. The new network will provide long-term benefits to schools and local communities within the Project area. Overall, this Project is expected to have a positive impact on infrastructure, and is not anticipated to result in significant adverse impacts on infrastructure.

Socioeconomic Resources

The Project will provide enhanced broadband access to users throughout seven counties in eastern Virginia. Implementation of the Project will provide enhanced broadband services to 21 local schools and educational facilities. The new network will have a positive impact on education, economic opportunities, and public safety. The network will create additional jobs within the community and provide long-term benefits with improved internet access. The Project will not disproportionately affect minority and low-income populations. Overall, this Project is expected to have a positive impact on socioeconomics in the planned service area.

Human Health and Safety

Several hazardous waste sites have been identified within or near the Project area. However, fiber will be buried approximately 3-feet deep in previously disturbed ROWs. BMPs, including the requirement of dust controls, sediment runoff protection, and worker safety equipment, will

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be implemented at the construction sites. Therefore, no impacts are anticipated along the fiber route.

Human health and safety concerns may arise during construction when such activities occur in close proximity to traffic along roadways. However, because construction activities will occur in utility corridors along highways and roads, contractors will not be directly in the path of traffic. BMPs for workplace safety will be implemented to protect workers and the public along the Project route, such as proper safety equipment and routine maintenance of equipment. Workers are required to meet Occupational Safety and Health Administration (OSHA) standards. With implementation of these protection measures, the Project will not generate any significant adverse worker or traffic-related health or safety issues. In addition, the Project is not expected to have direct impacts on human health and safety during normal operation.

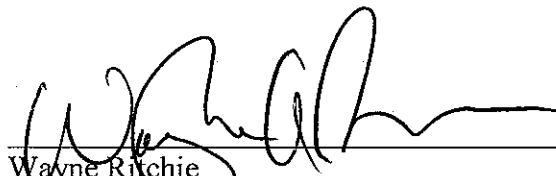
Cumulative Impacts

Based on the analyses documented in the MBC EA, as well as the correspondence record with Federal and Tribal resource agencies, no significant cumulative impacts should result from implementation of the Project. Although construction along existing ROWs presents some potential for overlap and impact with current built infrastructure and future development, the cumulative impacts from the Project were found negligible and are not expected to exceed the threshold of significance.

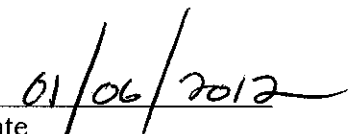
Decision

Based on the above analysis, NTIA concludes that constructing and operating the Project as defined by the preferred alternative, identified BMPs, and protective measures, will not require additional mitigation. A separate mitigation plan is not required for the Project. The analyses indicate that the proposed action is not a major Federal action that will significantly affect the quality of the human environment. NTIA has determined that preparation of an EIS is not required.

Issued:



Wayne Ritchie
Chief Administrative Officer
Office of Telecommunications and Information Applications
National Telecommunications and Information Administration


Date