

National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc., Mississippi Delta Broadband Infrastructure Project

Summary

Contact Network, Inc. (Contact), doing business as InLine, applied to the Broadband Technology Opportunities Program (BTOP) for a grant to deploy a 595-mile network through twelve counties in Mississippi's delta region. In 10 of these counties, Contact will install 375 miles of new middle mile fiber and 45 miles of new last mile fiber. Approximately 23% of this new fiber will be installed by lashing aerial cable to existing utility poles; the remaining 77% will be installed by burying underground cable via plowing, trenching, or directional boring in existing transportation or utility rights-of-way (ROWs). In addition to the placement of new fiber, approximately 175 miles of existing commercial fiber in Grenada and Humphries Counties will be leased and incorporated into the network. Contact will also construct 12 prefabricated concrete telecommunication huts to establish points of interconnection at strategic locations throughout the region. The network will provide broadband connections to more than 164 community anchor institutions (CAIs), and is referred to as the Mississippi Delta Broadband Infrastructure Project (Project).

The National Telecommunications and Information Administration (NTIA) awarded a grant for the Project to Contact 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 is driven by 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.

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

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

The Project includes:

- Installing a hybrid broadband network of middle mile and last mile aerial and buried fiber in existing transportation or utility ROWs throughout ten counties in Mississippi;
- Installing approximately 97 miles of fiber (23%) aerially by attaching it to existing utility poles, replacing poles when necessary;
- Installing approximately 323 miles of buried fiber (77%) via plowing, trenching and directional boring;
- Leasing approximately 175 miles of existing commercial fiber in two counties;
- Constructing 12 prefabricated concrete telecommunication huts to establish appropriately located network points of interconnection; and
- Providing direct network connections to more than 164 CAIs throughout the Mississippi delta region.

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

Middle mile fiber access is extremely limited in Mississippi, particularly in the delta region. The current market for bandwidth is insufficient to justify private sector development of fiber networks to support the long-term needs of the region. A robust middle mile infrastructure between the Internet backbone and local Internet service provider networks (the last mile) is necessary to ensure that schools, businesses, and residential users have access to the Internet at

National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project

speeds suitable for modern, high-bandwidth applications. The purpose of this Project is to provide the middle mile fiber infrastructure necessary to enhance broadband access opportunities for core CAIs and last mile service providers in the Mississippi delta region. This Project will facilitate distance learning, video conferencing, and improved security through direct connections to public school districts, community colleges, and government facilities. This Project will also link hospitals and healthcare providers to enable telemedicine and more effective sharing of electronic medical records. This Project will deliver bandwidth necessary for Mississippi Department of Transportation (MDOT) to run intelligent transportation system applications on priority state roadways to relieve congestion and improve public safety. Finally, the new network will provide the broadband infrastructure necessary for economic growth, attraction of new businesses and industry, and job creation in the 12 affected Mississippi counties.

Project Description

The Project consists of installing approximately 420 miles of new fiber optic broadband infrastructure (375 miles of middle mile and 45 miles of last mile). The cable will be installed within existing ROWs along roadways or previously disturbed utility corridors. Construction in undeveloped and undisturbed areas is not anticipated. Approximately 23% of the new fiber will be lashed to existing utility pole lines, and the remaining 77% will be installed underground via plowing, trenching, or directional boring. Several factors were used to determine the preferred method for cable installation, but the Project primarily specifies installation of overhead cable within city limits where the potential for future connections is greatest and underground cable for longer sections of fiber between communities. Aerial installation will also be used in some areas to avoid impacts to archaeological resources identified within the Project corridor.

Approximately 97 miles of aerial fiber optic cable will be installed along the Project route. Aerial construction methods may vary based on field conditions. In some cases, a bucket truck equipped with a hydraulic basket lifting system will be used to affix the fiber cable to the utility pole. Where field conditions limit the use of bucket trucks, the fiber will be installed with workers on the ground lashing the cable to the utility pole. Metal hardware attachments will be used to hang cable on existing wood utility poles. If necessary, deteriorated wooden poles located along the roadside will be replaced by the utility pole owner. Poles will be installed using a drilling machine, and any excess soil will be either removed or mounded around the base of the new pole. The old pole will be refurbished by the owner or disposed of in a municipal landfill. It is estimated that fewer than 5% of the poles along the Project route will require replacement.

Approximately 323 miles of buried fiber optic cable will also be installed along the Project route. Buried cable will be placed at a minimum depth of 30 inches, with a minimum of 36 inches clearance provided under drainage ditches. Buried cable will be installed by plowing, trenching, or directional boring. Plowing involves use of a plowing machine to create a linear opening in the soil and simultaneously place the underground cable. Trenching involves use of heavy

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

equipment to dig a trench approximately six inches wide. The cable is then placed in the trench. Both methods require some soil disturbance and backfilling of disturbed soil on top of the new cable. Directional boring techniques will be used when crossing driveways and roads, and at river and stream crossings. This method involves drilling a horizontal cable pathway from one excavated access point along the route to another, installing conduit to house the cable, and the pulling the cable back through the conduit. To avoid impacts on waterways, cable will either be attached to an existing bridge over the waterway, attached aerially to existing utility poles, or installed under the waterway via directional boring. Depending on field conditions, ditches or other non-jurisdictional drainage features may be crossed using trenching.

In addition to the 420 miles of new fiber, approximately 175 miles of existing commercial fiber would also be leased in Grenada and Humphries Counties. Leasing and accessing existing fiber does not involve any construction, ground disturbance, or other type of physical action or handling of the fiber. The existing fiber would be accessed and activated remotely from an existing network facility. No new fiber optic cable or telecommunication huts would be installed in these two counties.

In addition, 12 telecommunication hut sites will be established along the Project route. The huts will be located on developed land alongside major roadways or within city limits, in areas where significant middle and last mile connections are needed. Once these areas were identified, specific site locations were based on several factors including aesthetic considerations (e.g., in terms of historic resource viewsheds), access for equipment, and ability to pull cable to the location. Easements or property acquisition is not currently planned, but could be required for the hut locations. Each hut will consist of a prefabricated concrete structure measuring eight feet wide by eight feet long by nine feet tall. Hut installation requires minor site grading, placement of a 10-foot by 20-foot gravel pad, placing the building, and pulling cable to the building. A privacy fence may be constructed around the huts where required by local regulations or restrictions. Each hut will be equipped with a 1.5-ton heating, ventilating, and air conditioning (HVAC) system that will use the latest green refrigerant technology.

Installation methods for completing cable runs to CAIs will be determined based on the route configuration and availability of existing utility infrastructure at these facilities. The preferred method is to pull new fiber through existing conduit from the edge of the property line to the telecom closet at the CAI facility. If existing conduit is not available, aerial installation or directional boring will be used to complete these connections. The cables will terminate at the CAIs and connect to their existing communications equipment. These installation methods will require minimal or no ground disturbance or impact to the existing landscape. No modification of the buildings or their surroundings is required and no new structures will be constructed to complete cable runs to CAIs.

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

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.

Hybrid Fiber Installation (Preferred Alternative). As noted in the Project Description, this effort will include installation of approximately 420 miles of new fiber, leasing 175 miles of existing commercial fiber, and establishing 12 telecommunication hut sites. The new fiber optic cable will be installed aerially on existing pole lines and buried via trenching, plowing, and directional boring within existing roadway and utility ROWs.

No Action Alternative. No action was also considered. This alternative represents conditions as they currently exist in the Mississippi delta region. Under the no action alternative, new fiber optic infrastructure would not be constructed. Many rural communities would continue to be unserved or underserved with respect to broadband internet access. Additionally, broadband services would not be provided to CAIs in the Project area. The EA examined this alternative as the baseline for evaluating impacts related to other alternatives being considered.

Alternatives Considered But Not Carried Forward. Although installation of an all-aerial network was considered for this Project, there are segments along the route where attachments to existing utility poles require lease agreements that are too stringent, or where existing poles are not available and installation of new poles is not permitted. Installation of an all-buried network was also considered for the Project, but the roadway ROW along some portions of the route is too narrow and cannot accommodate new buried cable. Based on these assessments, all-aerial and all-buried network options were eliminated from further consideration. Contact also considered an all-wireless telecommunications network for the Project. However, wireless technology is not a viable alternative because it would not support the broadband widths required to meet data transfer needs of key CAIs in the study area.

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 (including greenhouse gases), Geology and Soils, Water Resources, Biological Resources, Historic and Cultural Resources, Aesthetic and Visual Resources, Land Use, Infrastructure, Socioeconomic Resources, and Human Health and Safety. Cumulative impacts were also evaluated.

Noise

Use of heavy equipment during construction activities will increase noise levels in the Project area, but these impacts will be temporary and localized in nature. To minimize noise impacts,

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

construction activities will comply with local noise ordinances and may be limited to specific work hours. Additionally, construction equipment will be equipped with noise attenuation devices. The only anticipated long-term noise impacts are associated with operation of HVAC systems at the telecommunication hut sites. Because these huts will be located in developed areas, HVAC noise is not expected to be a significant new source of noise in the Project area. Based on these assessments, no significant noise impacts are expected to occur as a result of the Project.

Air Quality

This Project may have impacts on air quality during both initial construction and subsequent operation and maintenance activities. Because trenching, plowing, and directional boring techniques result in only minor ground disturbance, fugitive dust emissions will be minor. Pole replacement, if required, and site preparation for the 12 new telecommunication huts will also create minor amounts of fugitive dust. These impacts will be limited to the construction period and occasional maintenance events. Best Management Practices (BMPs) will be used to control Project-related fugitive dust emissions. These BMPs may include covering earth-moving trucks to keep dust levels down and watering haul roads.

A short-term, minor increase in the use of fossil fuel and associated greenhouse gas emissions will also occur as a result of Project construction. Contact estimates that approximately 2,596 metric tons of equivalent carbon dioxide emissions will be released as a result of this Project. This volume is well below the Council on Environmental Quality's presumptive effects threshold of 25,000 metric tons. Nevertheless, all construction and maintenance vehicles will be maintained in good operating condition to minimize exhaust emissions. HVAC systems required for operation of the interconnection huts will use the latest green refrigerant technology for maximum efficiency and reduced emissions.

Based on these assessments, no significant impacts to air quality are expected to result from operation and maintenance of the Project.

Geology and Soils

New fiber will be installed in existing and previously disturbed ROWs. Trenching, plowing, and directional boring activities to be completed under this Project will result in minor and temporary disruption of the soils. Aerial cable installation will have only minor impacts on geology and soil when existing poles have to be replaced. To limit the amount of ground disturbance, replacement poles will be placed either in the same location as, or adjacent to and as near as possible to, the existing pole. Although installation of telecommunications huts will require minor grading for pad construction, these buildings will be located on developed lands. Total soil disturbance for all hut construction activities will be less than 0.1 acre. Erosion control measures and BMPs will be implemented for all construction activities. Consequently, the Project is not expected to result in significant adverse impacts on geology or soils.

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

Water Resources

Project construction activities may result in minor impacts on water resources in the Mississippi delta region. The Project's fiber route involves 11 crossings of three major rivers and 55 crossings of perennial streams. Whenever these waterways are encountered, the cable will be attached to an existing bridge, attached aerially to existing utility poles, or installed under the waterway via directional boring. BMPs will be used to minimize soil erosion into nearby water bodies. Possible BMPs include preservation of vegetation beyond limits of construction and along streams; early re-vegetation of disturbed areas to minimize soil movement into streams; and use of temporary erosion control devices (e.g., berms, dikes, sediment basins, fiber mats, silt fences, netting, mulch, gravel, and slope drains).

Two of the river crossings (planned at the Yazoo River in Leflore County and the Sunflower River in Sunflower County) may require a permit from the Vicksburg District of the U.S. Army Corps of Engineers (USACE). Contact is working with USACE to determine applicable requirements for this portion of the Project. Contact is also coordinating with USACE to determine the Project's potential wetland impacts. Wetlands will be avoided to the extent feasible, and compensatory mitigation will be required for any unavoidable impacts. If required, compensation will be provided in one or more of the study area river basins in a bank designated by the USACE. Specific compensation ratios and sites will be determined as part of the ongoing USACE coordination and permitting process.

The Project counties are not located in the Coastal Zone of Mississippi. No portion of the Project's fiber route is within the boundaries of a sole source aquifer, and no impacts to groundwater are anticipated as a result of the Project. The fiber route will cross floodplains, but will not impede the flow of water during a flood or affect flood storage capacity. The telecommunication huts are sited outside any flood-prone areas. The installation of telecommunication huts will add a small amount of impervious surface in the Mississippi delta region. However, with an approximate 200 square-foot pad at each of the 12 hut locations, the Project will add less than 0.1 acres of impervious surface to the area. This minimal amount of additional impervious surface will not impact the storm water runoff levels or patterns in any hut location.

By avoiding construction in waterways, implementing erosion and sediment control BMPs, and providing compensatory wetlands mitigation if needed, Contact will be able to construct the network with no significant adverse impacts on water resources.

Biological Resources

Project construction activities may disturb some wildlife species or their habitats, but these effects will be minor and temporary. Ground disturbance will be limited to previously disturbed roadway and utility ROWs. However, the Project will not require tree clearing or result in permanent changes in the natural environment and species habitats.

National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project

Six federally threatened, endangered, or candidate species were identified through consultation with the U.S. Fish and Wildlife (USFWS) as potentially occurring in the Project area. In a letter dated January 3, 2011, the USFWS concurred with Contact's determination that the Project is not likely to adversely affect any federally protected species. However, USFWS requested additional consultation if the project footprint changes, or if any evidence is later found to indicate the presence of individuals or habitat associated with the Louisiana black bear (*Ursus a. luteolus*), pondberry (*Lindera melissifolia*), least tern (*Sterna antillarum*), fat pocketbook mussel (*Potamilus capax*), pallid sturgeon (*Scaphirhynchus albus*), rabbitsfoot mussel (*Quadrula cylindrica cylindrica*), or the bald eagle (*Haliaeetus leucocephalus*). In a letter dated January 8, 2011, the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP) also concurred that the Project likely poses no threat to listed species or their habitats, as long as appropriate erosion and sedimentation control BMPs are properly implemented, monitored, and maintained. Furthermore, if any bald eagles or their nests are observed during implementation of the Project, MDWFP will be notified, and appropriate BMPs will be implemented to avoid adverse impacts on this biological resource.

By limiting ground disturbance and implementing appropriate BMPs, the Project is not expected to have significant adverse impacts on biological resources.

Historic and Cultural Resources

NTIA initiated consultation with the Mississippi Department of Archives and History (MDAH) via a letter dated November 18, 2010. Following the initial notification, a cultural resources review was conducted to identify historic and cultural resources listed or eligible for listing on the National Register of Historic Places (NRHP) within the Project's area of potential effects (APE). The archaeological APE includes areas where ground disturbance is planned, and the architectural APE includes the viewshed of the planned telecommunication huts.

A records check was conducted on December 3, 2010, to determine (1) if any architectural resources had been previously recorded near any of the planned primary or alternate hut locations, and (2) if any archaeological sites had been previously recorded within the buried cable sections. A total of five previously recorded architectural resources, including one listed on the NRHP, were identified. None of the CAIs are located within the architectural APE. However, two of the alternate hut locations, one each in Leflore and Washington counties, were eliminated from the Project to avoid visually impacting nearby NRHP listed and eligible resources.

In addition, 67 known archaeological sites within or near the APE were also identified – 12 of which are either eligible or potentially eligible for the NRHP, or their NRHP eligibility is unknown. No additional unrecorded historic structures were identified. A registered professional archaeologist inspected the primary buried cable locations and determined that the likelihood of any intact archaeological sites being located in the APE is very low.

National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project

A report summarizing the findings of the cultural resources review was submitted to MDAH on December 27, 2010. In a letter dated January 26, 2011, MDAH concurred that no known architectural resources listed or eligible for listing on the NRHP are likely to be affected by the Project. This letter also requested more information on archaeological resources. A review of MDAH files on March 17, 2011 identified 14 additional archaeological sites within the APE, recorded as eligible, potentially eligible, or eligibility is unknown. The Project was subsequently modified to avoid the 26 listed, eligible, or unknown sites by switching from buried to aerial cable on existing utility poles. No ground disturbance will occur within a minimum 100-foot buffer around the sites. The avoidance plan was accepted by MDAH on March 21, 2011. MDAH concluded that, with the plan in place, the Project will have no adverse effect on significant cultural resources.

Through the Tower Construction Notification System (TCNS), NTIA provided Project details to seven tribes interested in the Project's geographical location (Mississippi's delta region). Of the seven tribes notified, three requested additional information on the Project. Contact provided additional information to these tribes as requested. After review of the additional detail, one tribe requested that, in the event of inadvertent discovery of human remains and/or archaeological artifacts, Contact cease all activity in proximity to the discovery location and notify the Tribe's Tribal Historic Preservation Office (THPO). The second tribe that requested additional information requested notification in the event that Project construction exposes buried archaeological or building materials (e.g., chipped stone, tools, pottery, bone, historic crockery, glass or metal items) or evidence of buried historic building materials (e.g., rock foundations, brick, or hand poured concrete). No response has been received to date from the third tribe to which Contact sent additional information. The remaining four tribes originally notified of the Project through TCNS have not responded to date.

All ground-disturbing activities will be limited to previously disturbed ROWs. If cultural materials (i.e. structural remains, historic artifacts, or prehistoric artifacts) are encountered during Project construction, all work will cease and Contact will immediately notify interested Tribes, MDAH, and NTIA. If Project-related ground-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. Contact will secure the area around the discovery and immediately notify relevant law enforcement personnel (e.g. local police or County Coroner) and NTIA.

Based on the cultural resources review and consultations, the Project is not expected to have significant adverse impacts on historic or cultural resources.

Aesthetic and Visual Resources

The Project involves installation of fiber optic cable along major roadways by burying it underground or attaching it overhead to existing utility poles. Neither of these fiber installation methods will result in a long-term effect on aesthetics of the Project area. The Project will have a short-term, minor impact on aesthetic and visual resources due to the presence of construction

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

equipment and limited soil disturbance. The Project is not located within or near any national or state parks, wildlife refuges, or national forests. The telecommunication huts will be placed in previously developed areas and will not be erected in historic areas or areas with scenic viewsheds. Therefore, the Project is not expected to have a significant adverse impact on any aesthetic or visual resources.

Land Use

The fiber optic cable will be installed in existing transportation or utility ROWs, and the telecommunication huts will be located on developed lands along the Project's fiber route. Thus, the Project will not result in direct changes in land use, nor will it conflict with local land use plans. The installation of the broadband network does have the potential to attract future development and subsequently convert unused or rural land to commercial, residential, or industrial use. Nevertheless, the Project will have no significant adverse impact on land use.

Infrastructure

The Project will improve communications infrastructure and is expected to result in improved transfer of information between CAIs, businesses, and households within communities in the Project area. The telecommunications huts will be located along the Project route where they will be connected to existing power sources for operation of an energy efficient HVAC system. Overall, the Project will have a positive impact on infrastructure in the Mississippi delta region.

Socioeconomic Resources

The Project will provide improved communications infrastructure and broadband capabilities to the historically underserved communities in the Mississippi delta region. The new infrastructure is expected to increase both short-term and long-term employment opportunities. Beyond the direct creation of jobs from the network implementation, the Project is also expected to provide the infrastructure necessary for the communities to attract new businesses and industry, and the presence of broadband facilities in the region will support its continued economic growth and development. The Project will have no adverse impacts on socioeconomic resources.

Human Health and Safety

Several potentially hazardous materials and waste sites were identified in the study area. However, none are within the existing road or utility ROWs where cable will be buried. None of the sites are expected to affect construction and implementation of the Project, and contact with contaminated soil and/or water is unlikely. Nevertheless, Contact and its contractors will comply with appropriate safety and health regulations for construction, as well as safety procedures and BMPs related to proper handling and disposal of fiber optic cable. Workers will be qualified and adequately trained in proper equipment operation; proper personal protective equipment (PPE); hazardous materials identification and proper handling; worker safety and visibility; traffic awareness and driver safety in the work zone; accident prevention; emergency procedures; and basic first aid and first responder techniques. Safety rules will be posted and reviewed regularly with all construction personnel. Through implementation of appropriate safety procedures and protection measures, the Project will have no adverse effects on worker health and safety.

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Contact Network, Inc.
Mississippi Delta Broadband Infrastructure Project**

Moreover, the Project will offer higher bandwidth connectivity to rural health care facilities and public safety entities in the Project area, which will have a long-term, positive impact on human health and safety of citizens of Mississippi throughout the region.

Cumulative Impacts

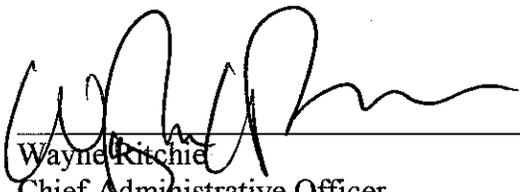
Beneficial cumulative effects of this Project could include economic stimulation derived from construction-related jobs and associated commercial activity, as well as the addition of more infrastructure improvements to support growth associated with broadband expansion. The economic base of the area will be enhanced through increased economic development opportunities and improved access to developing businesses in the area. The increased accessibility to the area could enhance the area's potential for both commercial and residential development. Such development increases property values, tax revenues, and available jobs.

Other planned projects in the area with the potential to contribute to cumulative impacts include the South Central Mississippi Broadband Infrastructure Project, as well as MDOT's proposed widening of State Route 8. However, these projects are not expected to result in any significant adverse impacts either individually or collectively.

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:



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Date