

National Telecommunications and Information Administration
Broadband Technology Opportunities Program
Finding of No Significant Impact
Zito Media Communications II, LLC
Northeastern Ohio and Northwestern Pennsylvania Fiber Ring Project

Summary

Zito Media Communications II, LLC (Zito Media) applied to the Broadband Technology Opportunities Program (BTOP) for a grant to install and operate a 475-mile fiber ring in northeastern Ohio and northwestern Pennsylvania. The proposed action will support improved voice and data communications, including broadband Internet service, and is called the Northeastern Ohio and Northwestern Pennsylvania Fiber Ring Project (Project).

The National Telecommunications and Information Administration (NTIA) awarded a grant for the Project to Zito Media, 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 (74 *FR* 32876 and 74 *FR* 33204). 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.

Zito Media completed an EA for this Project in September 2010. NTIA reviewed the EA, determined it is sufficient, and adopted it as part of the development of this FONSI.

The Project includes:

- Installing and operating a 475-mile fiber ring in northeastern Ohio and northwestern Pennsylvania;
- Installing new fiber in existing utility rights-of-way (ROWs), with 99% of the installation to be placed on existing poles or in existing underground conduit;
- Installing and placing fiber on up to 55 new utility poles;
- Installing four new underground fiber conduits via trenching; and

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- Installing hub sites and associated telecommunications equipment on the premises of fiber ring customers and at select community anchor institutions. The exact number of and locations for the hubs are to be determined.

Based on a review of the analysis in the EA, NTIA has determined that the Project, if implemented in accordance with the preferred alternative and incorporating mitigation 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 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 the Project is to provide areas of northeastern Ohio and northwestern Pennsylvania with high-speed, efficient, low-cost broadband infrastructure and service. The Project will result in implementation and operation of a fiber ring that provides electronic data and voice communication services to community anchor institutions, businesses, and residences. This Project is needed to handle the increasing demand for broadband services in northeastern Ohio and northwestern Pennsylvania. Under current conditions, these areas have insufficient communications connectivity (including voice and information technology), operate on dial-up networks, or lack Internet service entirely. The inadequate communication infrastructure limits economic growth and development. The Project will benefit an area identified as having high unemployment, high poverty rates, below average family incomes, and low population densities.

Project Description

The Project will install and operate a 475-mile fiber ring in northeastern Ohio and northwestern Pennsylvania. The backbone fiber network will be installed on existing utility poles, within existing underground conduits, on new utility poles, and within up to four new underground

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conduits. Over 99% of the fiber route will use existing utility infrastructure. In limited areas where existing infrastructure (i.e., utility poles or conduit) is not available, or where existing utility poles are overloaded, up to approximately 55 new poles and approximately 0.93 miles of new trenches will be installed. Cumulatively, the new poles and trenches will result in the disturbance of approximately 0.48 acres of ground in existing ROWs.

Zito Media will also construct and operate a redundant fiber ring from each hub site to other community anchor institutions and customer locations in that town or city. These local fiber rings will be constructed by installing strand and fiber on existing poles and in existing underground conduits owned by local utilities along each route.

Trenching will be conducted in up to four locations along the planned network ring in Pennsylvania; no trenching is proposed in Ohio. In three of the four locations, trenching will occur between existing utility poles. In the fourth trenching location, trenching will occur along a distance of approximately 3,590 feet within an existing utility ROW in the Fairview Business Park in Pennsylvania. Planned trenching activities in Pennsylvania are expected to disturb a total of 0.45 acres of ground. Within each trenching location, 4-foot wide ditch witch trenching equipment will be used. The equipment will be used to make a 4-inch wide trench with a maximum depth of 3 feet. The fiber will be laid within this trench immediately. The soil displaced by the ditch witch equipment will then be put back in the trench and tamped down manually. Work at each trenching location will be completed within 1 day.

Where pole replacements are required, poles will be installed adjacent to the existing pole, with no more than 20 square feet disturbed per pole location. Due to the installation of up to 55 poles, this part of the Project could result in a total of 0.03 acre of ground disturbance in Pennsylvania (0.02 acres) and Ohio (0.01 acres). In locations where poles will be replaced, the existing pole will be removed using a pole setting truck that pulls the pole vertically out of the ground; the resulting hole will be filled with clean topsoil. New pole installation will also be accomplished using a pole setting truck. If necessary, a new hole will be drilled by an auger truck to a maximum depth of 6 feet, and the pole will be inserted. Clean topsoil will be used to immediately fill in the hole around the newly placed pole. The removed pole will be taken to an appropriate hazardous waste disposal location. Pole replacement or new pole installation will take a maximum of 0.5 day per location. All ground disturbance will occur during construction, within existing, maintained utility ROWs. No additional long-term maintenance of the existing utility ROW will be required.

Zito Media will also purchase approximately 22 miles of existing, unused fiber from the Conneaut Telephone Company, extending from the Ohio/Pennsylvania border on State Route 20 west to the middle of Ashtabula. All of this existing fiber is underground, and will be connected to the ring. This 22-mile length is included in the 475-mile project total. In addition, Zito Media will connect its existing fiber network in northeastern Ohio to the new ring; this existing fiber is also included in the proposed 475-mile route total. In these specific areas, no changes to existing infrastructure are proposed.

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Hub sites will be sited in each community served and located on the premises of fiber ring customers. These hub sites provide a location for system hardware in each community. Wherever possible, hub sites will be located within critical community anchor institutions. Electronic hub equipment will be located near the customer's information technology equipment and require the space equivalent to a large filing cabinet. No interior or exterior building renovation is required. Hub equipment will be connected to the ring via overhead lines similar to other existing electric and telephone lines, or placed within existing conduit. Hub sites will be located at customer facilities that have 24-hour access and an existing, maintained backup generator for power during outages. Hub sites will be located in specific locations in existing facilities to minimize potential adverse environmental effects.

Alternatives

The EA includes an analysis of the alternatives for implementing the proposed 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 – Underground and Aerial Fiber Placement (Preferred Alternative). As noted in the Project Description, this effort involves a combination of fiber installation techniques. Most fiber will be placed on existing utility poles or in existing underground conduit. Up to 55 new poles will be installed to handle the additional cable load. Fiber will also be placed in new buried conduit in four locations. All fiber will be installed in existing utility ROWs. System hardware will be maintained at new hub sites established on the premises of fiber ring customers.

No Action Alternative. No action was also considered. Under the no action alternative, the Project would not occur. The increasing demand for broadband services by community anchor institutions, residents, and businesses in northeastern Ohio and northwestern Pennsylvania would not be met. The EA examined this possibility as the baseline for evaluating impacts relative to other alternatives being considered.

Alternatives Considered But Not Carried Forward. Zito Media considered several alternatives during the preliminary design phase of the Project. These included installing a wireless system, all-aerial construction, all-underground construction, and alternative routes. Zito Media determined that a tower-based or other wireless broadband system would not be technologically or economically feasible. Wireless technology also provides inferior bandwidth availability and reduced operational reliability. An all-aerial approach was determined to be cost prohibitive due to overcrowded existing utility poles along certain portions of the planned Project route. An all-underground approach was determined to be more expensive, likely to result in greater adverse environmental effects, and applicable only to a more limited ring geography. Zito Media also considered alternative routes, but determined that these routes would not reach as many potential community anchor institutions and customers. These alternatives would also require additional infrastructure upgrades due to overloaded poles or conduits, would require additional new utility

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ROWS, would not achieve the necessary redundant ring, and/or would incur additional costs without reaching a reasonable number of additional potential users. Alternatives involving new utility ROWs and/or additional ground disturbance would also likely result in increased adverse environmental effects. Based on these findings, alternative routes and technologies were eliminated from further consideration for the Project.

Findings and Conclusions

The EA analyzes existing conditions and environmental consequences of the preferred alternative and the no action alternative. To analyze the conditions and consequences, 11 major resource areas were analyzed, including Noise, Air Quality, 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 of each alternative were also evaluated.

Noise

Project construction activities will have minor, short-term effects on ambient noise and may have some impact on nearby sensitive receptors, such as residential areas, hospitals, nursing homes and other long-term care facilities, educational facilities, libraries, and churches. Construction activities associated with the Project will occur over a short period of time in any one area. Zito Media will limit construction work to daylight hours to avoid adverse noise effects on the nearby sensitive receptors. Work will typically occur on weekdays, but limited daytime weekend work could occur if the schedule requires. Per contractual agreements, Zito Media's contractors will maintain all construction equipment per the manufacturer's recommendations. They will also be required to limit construction activity to the minimum amount of time required. Noise resulting from construction equipment used for the installation of the Project will be localized and short-term; no long-term noise effects will occur. Thus, the preferred alternative is not expected to have significant adverse impacts on noise in the Project area. Under the no action alternative, no impacts on noise levels would occur, as the Project would not be implemented.

Air Quality

Project implementation will cause minor short-term effects on air quality. There will be short-term generation of fugitive dust caused by minor earth disturbance. There will also be short-term increased air emissions from heavy equipment operation at the construction site. To minimize air quality effects during the construction period, Zito Media's contractors will maintain all construction equipment per the manufacturer's recommendations, and limit construction activity to the minimum amount of time required. Zito Media will include these requirements within all contract documents as a flow-down requirement. Any increases in air emissions during construction will be short-term, very minor, and localized. These increases will not result in significant or long-term increases in criteria pollutants. The Project will constitute a short-term minor increase in the use of fossil fuel and associated greenhouse gas (GHG) emissions during construction. The Project will result in the release of an insignificant amount of carbon dioxide (CO₂) emissions. There will be less than 100 metric tons of CO₂-equivalent emissions during

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construction. This calculation assumes a conservative estimate of 20 gallons of diesel fuel consumed per construction mile over the 475-mile alignment. Therefore, GHG emissions from the Project will not contribute appreciably to climate change or global warming. There will be no additional GHG emissions during operation of the Project. Overall, the preferred alternative will result in minimal, localized, short-term increases in air emissions during the construction phase. Under the no action alternative, no impacts to air quality would occur, as the Project would not be implemented.

Geology and Soils

Project implementation will result in minimal short-term effects on soils, with no effects on geology in the Project area. The majority of the fiber will be placed on existing overhead utility poles or within existing underground conduits. However, some trenching and new poles will be required. Restorative grading will occur along a total of 0.93 miles of new trenching corridor. Where pole replacements are required, poles will be installed adjacent to the existing pole, with no more than 20 square feet disturbed per pole location. With up to 55 poles being installed, this part of the Project involves a total of 0.03 acre of disturbance in Pennsylvania (0.02 acre) and Ohio (0.01 acre). Clean topsoil will be used to immediately fill in the hole around the newly placed pole. Less than 0.48 acres of ground will be disturbed in a non-contiguous area along the Project route. The Project will not impact Prime Farmland soils. All areas proposed for disturbance are located in previously disturbed utility ROWs. The Project will not permanently alter soils or substantially preclude future use for other purposes. Thus, no significant effects on this resource area are anticipated under the preferred alternative. Under the no action alternative, no impacts to geology or soils would occur, as the Project would not be implemented.

Water Resources

Approximately 250 ponds and lakes are located within 1.5 miles of the Project route. The largest lake, Lake Erie, is located within 1 mile of the northern portion of the network route. In addition, there are at least 200 perennial streams within the immediate vicinity of the Project route, and several hundred unnamed tributaries and intermittent streams within the Project area. Based on available National Wetlands Inventory (NWI) data, the Project alignment also traverses approximately 9,800 linear feet of wetlands, most of which are located in Ohio.

To avoid impacts to surface water resources in the Project area, only overhead infrastructure will be installed near streams and wetlands. No trenching will occur within any "waters of the US," including wetlands, as regulated by the United States Army Corps of Engineers (USACE) under Section 401 and 404 of the Federal Clean Water Act (CWA) and various State regulations. Zito Media will also employ a qualified wetland biologist to inspect all areas proposed for ground disturbance prior to construction. The biologist will survey areas proposed for both trenching and new pole installation. As necessary, Zito Media will relocate ground disturbing activities to areas that the biologist determines do not contain potential jurisdictional surface water resources. In rare cases where avoidance of surface water resources is not possible, Zito Media will coordinate with the USACE and appropriate State agencies to obtain appropriate authorization and permits prior to construction. Under the CWA, Zito Media will also obtain authorization for

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construction under Nationwide Permit 12, *Utility Line Activities*. Although a National Pollution Discharge Elimination System (NPDES) permit is not required due to the small amount of ground disturbance planned, Zito Media will implement appropriate erosion-control best management practices (BMPs) during construction to minimize the potential for adverse effects to down-slope receiving waters. These BMPs include minimizing the extent of ground disturbance and returning the project site to pre-project conditions as quickly as possible following construction. All disturbed areas will be restored within one day.

The Project will cross 100-year floodplains, but any effects on floodplains will be short-term and the Project will not alter the capacity or extent of these areas. As the Project will only involve minor earth disturbance, no effects on groundwater resources are anticipated. Although the Project will cross designated Wild and Scenic Rivers, no new disturbance of these resources is planned. The Project will not place any new poles or trenches in the vicinity of such rivers, and existing utility infrastructure will be used.

Zito Media coordinated with State agencies to ensure that the Project is consistent with each State's Coastal Zone Management Program. In a letter dated July 8, 2010, the Pennsylvania Department of Environmental Protection stated that the Project is consistent with their Coastal Resources Management Program. An email dated May 3, 2010, from the Ohio Department of Natural Resources, Office of Coastal Management, stated that the Project is not subject to a Federal Consistency review.

Based on these findings, no significant adverse impacts on water resources are anticipated as a result of implementing the Project in accordance with the preferred alternative. Under the no action alternative, no impacts to water resources would occur, as the Project would not be implemented.

Biological Resources

During project construction, short-term, minor adverse effects on biological resources will occur. Construction activities will occur on an estimated total area of 0.48 acres over the entire project route within existing utility ROWs. Despite its limited nature, this activity could disturb and temporarily displace biological resources, including migratory bird populations. However, these species are expected to return following construction and restoration of the affected areas.

The Pennsylvania Department of Conservation and Natural Resources (PADCNR) identified five sensitive plant species located in four areas of concern (AOCs) in Erie and Crawford Counties that could be impacted by Project activities. The sensitive plant species identified are:

- Racemed milkwort (*Polygala polygama*) - proposed for listing as State Endangered
- False hop sedge (*Carex lupuliformis*) - proposed for listing as State Endangered
- Pumpkin ash (*Fraxinus profunda*) - proposed for listing as State Endangered
- Leafy northern green orchid (*Platanthera hyperborea*) - listed as State Endangered
- Whorled water milfoil (*Myriophyllum verticillatum*) - listed as State Endangered.

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PADCNR identified the following specific management measures to mitigate adverse effects on PADCNR-identified sensitive plant species. Zito Media will avoid work within the four AOCs identified by PADCNR. When installing fiber within the vicinity of the four AOCs, field personnel will implement highway lane closures so that work may be conducted from the road surface itself, and not disturb the road shoulder in any way, or park any vehicles within the road shoulders. Zito Media's contractors will avoid any vegetation or ground disturbance in the road shoulders on both sides of the roadway. Zito Media agreed to implement the management measures identified by PADCNR. A "no impact anticipated" determination was received from PADCNR in a letter dated July 7, 2010. This determination was based on Zito Media's agreement to implement the avoidance measures, as specified by PADCNR, to protect Pennsylvania plant species of concern within the four AOCs.

Zito Media also corresponded with the US Fish and Wildlife Service (USFWS), Pennsylvania Game Commission, and the Pennsylvania Fish and Boat Commission concerning the potential presence of, and effects on, protected species. In correspondence dated May 3, 2010, the USFWS stated that they had no objection to the Project. In a letter dated June 28, 2010, the Pennsylvania Game Commission also made a "no impact anticipated" determination. Each of these agencies replied and acknowledged that, while threatened and endangered species under their respective jurisdictions are likely present within the vicinity of the Project area, no adverse effects on such species are anticipated based on the nature of the Project.

Given implementation of the protective measures outlined above, no significant adverse impacts are anticipated during the construction phase of the preferred alternative. Over the long-term, no additional maintenance of the utility ROW is proposed; accordingly, no long-term effects on biological resources are anticipated under the preferred alternative. Under the no action alternative, no impacts to biological resources would occur, as the Project would not be implemented.

Historic and Cultural Resources

Cultural resources found within the Project area may include archaeological resources, historic sites, historic districts, historic landmarks, and Native American tribal resources. As part of the preferred alternative, Zito Media will implement specific environmental management measures to mitigate adverse effects on cultural resources. Zito Media will monitor all ground-disturbing activities for inadvertent discoveries of cultural resources. If any significant archaeological resources are unearthed, Project activity will be immediately suspended, pending consultation with the State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). Zito Media will also avoid modifications to any structure listed or eligible for listing on the National Register of Historic Places. Any unavoidable internal or external structural modifications proposed to such a structure will be evaluated in advance by a qualified historical architectural specialist in consultation with the SHPO. As necessary, the action will be modified to minimize adverse effects on any historic property under Section 106 of the National Historic Preservation Act (NHPA).

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Federally recognized Native American tribes having ancestral ties to the Project area were identified and invited to participate in consultation early in the planning process. The following five tribes responded to the NTIA's invitation to consult under applicable regulations:

1. Wyandotte Nation
2. Keweenaw Bay Indian Community
3. Shawnee Tribe
4. Miami Tribe of Oklahoma
5. Eastern Shawnee Tribe of Oklahoma

Of the five tribes notified through the Federal Communications Commission's Tower Construction Notification System, two tribes (Wyandotte and Keweenaw) indicated no interest in consulting on the Project. The Shawnee Tribe indicated that they were interested in consulting on this Project, and requested more information. Zito Media will provide the Shawnee Tribe with additional data concerning the Project. The Miami Tribe of Oklahoma and the Eastern Shawnee Tribe of Oklahoma both indicated that they should be contacted in the event that any items protected under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during the course of the Project.

In a letter dated July 20, 2010, the Ohio SHPO concurred that the preferred alternative will have no adverse effect on historic properties in Ohio, including archaeological and architectural resources protected under Section 106 of the NHPA. Similarly, in a letter dated May 24, 2010, the Pennsylvania SHPO concurred that the Project will have no adverse effect on Pennsylvania historic properties. Thus, no significant adverse effects on historic and cultural resources will occur under the preferred alternative. Under the no action alternative, no impacts to historic and cultural resources would occur, as the Project would not be implemented.

Aesthetic and Visual Resources

The Project area is characterized by mostly undeveloped woodlands and open agricultural fields, with urbanized areas scattered throughout. More than 50 cities and towns are located within 2 miles of the preferred alternative alignment. Scenic countryside and rural vistas are present throughout the Project area, as well as several protected State parks. Nevertheless, the Project will be limited to existing disturbed utility ROWs, and only minimal changes are proposed (i.e., up to 55 new poles over the 475-mile route). Hub sites will be located on the premises of fiber ring customers. The hub equipment will be connected to the ring via overhead lines similar to other existing electric and telephone lines, or will be placed within existing conduit. Electronic hub equipment requires the space equivalent to a large filing cabinet; no interior or exterior structure renovation will be required. As such, no aesthetic or visual resources (including those in nearby State parks and other sensitive areas) will be adversely impacted by Project construction or operation as outlined under the preferred alternative. Under the no action alternative, no impacts to aesthetic and visual resources would occur, as the Project would not be implemented.

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Land Use

The Project is consistent with and will support the current land uses within the boundaries of the Project area. The minor construction associated with the Project will not produce any land use effects, and will be limited to lands already designated as utility ROWs. In addition, Project hub sites will not alter existing land use; they will be located on the premises of fiber ring customers. Any economic or other development fostered by the Project is anticipated to occur in accordance with local zoning regulations. As such, neither construction nor operation of the preferred alternative will result in land use effects. Under the no action alternative, no impacts to land use would occur, as the Project would not be implemented.

Infrastructure

Implementing the Project will have a long-term positive effect on utilities infrastructure. Specifically, operation of the Project will provide improved voice and internet connectivity. The Project will provide low-cost, high-speed broadband access to areas that are either underserved or lacking broadband services entirely. The fiber alignment will pass approximately 315,000 residents, 135,000 households, 5,000 businesses, and 150 community anchor institutions, public safety entities, and critical community organizations. The Project will allow these residents and entities access to a broadband network with the capabilities for internet service, voice communication, point-to-point data transfers, and other telecommunications services.

The Project will result in no adverse effects on existing local utilities infrastructure during construction. Zito Media will contact the appropriate State utilities protection services prior to commencing ground disturbing activities to identify the locations of existing subsurface utilities, and will avoid disruption of other utilities' systems during construction or operation. Zito Media will implement management measures during construction to mitigate short-term effects on the local transportation network. These measures will include implementation of routine traffic control measures to minimize required road closures and allow traffic to be maintained at acceptable levels. Zito Media will also coordinate with railroad companies to cross the railroad ROWs in specific locations during installation. The Project, if implemented as outlined under the preferred alternative, will have long-term positive effects on utilities infrastructure and potential short-term, insignificant adverse impacts during construction. Under the no action alternative, there would be no effects on utility infrastructure within the Project area. However, the positive effects of low-cost, high-speed broadband access and improvements on telecommunications infrastructure would not occur in the Project area.

Socioeconomic Resources

The Project will provide low-cost broadband services to areas that have generally high unemployment, high poverty rates, below average family incomes, and low population densities. The areas served by the Project are currently unserved (i.e., lack broadband access) or underserved (i.e., currently have only one provider). By improving connectivity of community anchor institutions (e.g., government facilities, schools, libraries, community colleges, and healthcare facilities), public administration, public health, emergency response, and education

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services will be enhanced in the Project area. Zito Media also anticipates that the Project will result in increased employment opportunities in the Project area, including up to 116 short-term construction jobs; 10 short-term jobs through the purchase of materials and equipment; 69 short-term jobs indirectly resulting from the increased monetary spending in the Project area; and over 500 long-term jobs associated with infrastructure enhancement. As such, implementation of the preferred alternative will have a long-term positive socioeconomic effect.

Under the no action alternative, there would be no effects on the socioeconomic environment of the Project area. Residents, businesses, and community anchor institutions within the Project area would not be provided the anticipated socioeconomic benefits of a low-cost, high-speed broadband network. Ongoing socioeconomic challenges in the Project area will continue without the benefit of improved communications infrastructure.

Human Health and Safety

Numerous hazardous waste sites have been identified within one-half mile of the Project route. However, hazardous materials and hazardous waste sites are not anticipated to be present within the Project alignment itself, which follows existing utility ROWs. Moreover, the majority of Project work will occur overhead on existing utility poles, and any necessary trenching will take place in previously cleared areas within existing utility ROWs.

Hazardous materials and waste sites will not be generated, transported, treated, or stored as a result of this Project. However, Zito Media will implement construction BMPs to minimize any potential release of hazardous materials and wastes to the environment. Zito Media will properly dispose of removed utility poles as hazardous waste. Zito Media's contractors will maintain all construction equipment per the manufacturer's recommendations and limit construction activity to the minimum amount of time required. Zito Media will ensure this requirement is within all contract documents as a flow-down requirement. This will minimize the potential for release of hazardous materials during the construction period.

During project construction, Zito Media will work to protect human health and safety, including that of both the general public and construction workers, by following their "Outside Plant Manual." This Manual highlights and outlines the Company's safety requirements during any construction project. Zito Media requires its employees and all of its contractors to comply with this Manual. Safety requirements set forth in this Manual include, but are not limited to:

- All protection equipment will satisfy the appropriate standards, e.g., Occupational Safety and Health Administration (OSHA). All personnel working on-site will be certified as having completed a course in safety training.
- OSHA regulations require that precautions be observed to avoid cave-ins when digging or boring pits and trenches, especially under wet soil conditions. These regulations will be followed in all cases.

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- All contractors are required to abide by applicable regulations of the OSHA Act of 1970 and any subsequent revisions. Each contractor must provide employees with all safety equipment required by OSHA, Zito Media, and the various governing agencies.
- All contractors must ensure their employees and subcontract employees are familiar with, and are in compliance with, all appropriate regulations and codes, such as OSHA and Safety and Health Standards of the US Department of Labor.
- All machinery and equipment left on an unattended ROW must be left inoperable and secured against movement.
- Safeguards and safety signs will be kept in place and in good condition.
- Appropriate personal protective equipment is required at all job sites.

Zito Media will also implement routine traffic control measures to minimize public health and safety risks during construction. Road closures will occur on major Interstate routes, including I-90 and I-79, as well as other public roadways that have four lanes or more. In these cases, Zito Media will notify the State Police in advance, schedule a date and time for construction on that specific span that crosses the highway, and have the State Police close that portion of highway for not more than one hour during construction. Zito Media will also implement temporary road closures in the vicinity of the PADCNr's four sensitive plant species AOCs during construction. These closures will be temporary, carefully coordinated with local authorities, include appropriate signage and detours, and involve only portions of US Routes 322, 20, and possibly 8. Zito Media will use routine traffic detours, including cones, signs, and flagmen, as appropriate, to control traffic. If pedestrian traffic could be an issue in the construction area, Zito Media will use tape or fences to detour pedestrians away from the construction area to suitable alternative pedestrian routes. In all cases, Zito Media will follow State and local rules for such activities along public roadways. No long-term effects on human health and safety will occur during the operation of the Project. Based on this analysis, the Project (as detailed with regard to the preferred alternative) will have no significant adverse impacts on human health and safety. Under the no action alternative, no impacts on human health and safety would occur, as the Project would not be implemented.

Cumulative Impacts

The Project is not expected to have significant adverse cumulative effects on any resource area. The Project will result in no effects on historic and cultural resources, aesthetics and visual resources, or land use. As such, the Project will not contribute to cumulative effects on any of these resource areas. The Project will result in short-term, minor effects on the local noise environment, air quality, and geology and soils. No long-term effects on these resource areas will occur. These effects will be localized, short in duration, and controlled through management measures. Water resources effects of the Project will be avoided through implementation of environmental management measures. Short-term, minor adverse impacts on biological resources will occur during construction of the Project. Human health and safety effects of the Project will be avoided through implementation of management measures. Such potential effects will only be short-term (during construction), and will be properly controlled; no

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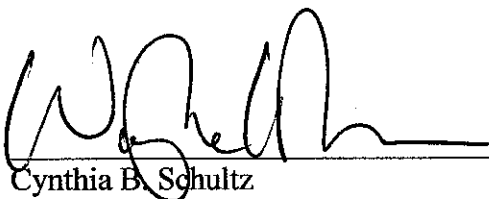
long-term human health and safety effects are anticipated. As such, this Project will have no identifiable cumulative impact on the noise environment, air quality, geology and soils, water resources, biological resources, and human health and safety.

Long-term positive infrastructure (i.e., improved communications infrastructure) effects are anticipated through implementation of the preferred alternative. This Project will contribute to an overall positive cumulative effect on telecommunications infrastructure in northeastern Ohio and northwestern Pennsylvania. Both short- and long-term positive socioeconomic effects will occur as a result of Project implementation. The Project will improve community services, including healthcare and education, and could indirectly foster additional economic growth and development in the area, resulting in a positive cumulative socioeconomic effect.

Decision

Based on the above analysis, NTIA concludes that constructing and operating the Project as defined by the preferred alternative, and in accordance with identified protocols and environmental protection 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:



Cynthia B. Schultz
Director of Compliance and Audits
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Date