
INTERNET FOR ALL

Finding of No Significant Impact

*Lenoir County, North Carolina
(37-08-I2202)*



U.S. Department of Commerce
National Telecommunications and Information Administration

Finding of No Significant Impact

National Telecommunications and Information Administration

Broadband Infrastructure Program

Lenoir County Broadband Installation Project

Overview

Per the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. § 4321 et seq.) and its implementing regulations (40 C.F.R. §§ 1500-1508), this document serves as the Finding of No Significant Impact (FONSI) for the following proposed project awarded by the National Telecommunications and Information Administration (NTIA). NTIA has completed the sufficiency review of the recipient's Environmental Assessment (EA) and has determined that the proposed project will not have a significant impact on the environment. The FONSI contains information related to the review.

Recipient Name:	Lenoir County, North Carolina
Grant Project Name:	Lenoir County Broadband Installation Project
Grant Award No.	37-08-I2202
Program Location:	Lenoir County, North Carolina

The NTIA awarded a grant to Lenoir County, North Carolina, through the Broadband Infrastructure Program (BIP), as authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905(d), Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (Act). BIP provides new federal funding for the Assistant Secretary to make grants on a competitive basis for the deployment of broadband infrastructure. The Act authorizes grants to covered partnerships for covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service that provides qualifying broadband service in an eligible service area. The Lenoir County Broadband Installation Project and proposed activities are scheduled to occur in Lenoir County, North Carolina.

Lenoir County, North Carolina completed an EA for this proposed project in March 2023. NTIA reviewed the EA, determined it was sufficient, and adopted it as part of the development of this FONSI. Based on a review of the analysis in the EA, NTIA has determined that the proposed 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 Environmental Impact Statement (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 NTIA website (<https://broadbandusa.ntia.doc.gov/node/7950>) and the following contact:

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Project Purpose and Need

The purpose of the proposed project is to deploy fiber to underserved populations of Lenoir County, North Carolina and the action is needed due to insufficient access to broadband. The installation will expand Lenoir County's access to fiber internet as well as complete the coverage to all areas of the county that currently do not have access. The route will service 100% of addresses within 896 census blocks, including:

- 2,191 agricultural properties
- 1,214 commercial properties
- 160 community anchor points properties
- 186 government/other properties
- 15,256 residential properties

By providing coverage to 19,007 individual properties, Lenoir County, its businesses, citizens, and students will receive the high level of access consistent with larger urban areas. The proposed project will provide much-needed high-speed internet connectivity to public institutions and create opportunities for broadband connections to both businesses and households in this underserved region of North Carolina. By providing high-speed connectivity, the proposed project is expected to facilitate rural economic development, job creation, education, and improve access to health care and emergency services.

Under the Act, the BIP program's purpose is to use grant funding to expand broadband access needed in unserved/underserved areas of the Country. Lenoir County, North Carolina has been identified as having a significant deficiency of broadband coverage within a specific region containing 896 rural census blocks surrounding the City of Kinston. This installation will expand Lenoir County's access to fiber internet as well as complete the coverage to all areas of the county that currently do not have access.

Project Description & Analysis of Alternatives

The Lenoir County, North Carolina EA includes an analysis of the alternatives for implementing the proposed project to meet the purpose and need. NTIA conducted a review of the recipient's analysis of alternatives for implementing the proposed project to meet the purpose and need, including a review of the "no action" alternative, where applicable. Each alternative was evaluated for impacts against the no action alternative and impacts from other alternatives, as a component of selecting the preferred alternative. The following summarizes the alternatives analyzed in the EA.

- **Project Activity 1 (Preferred Alternative):** A total of approximately 786 miles of fiber optic cable is proposed for installation. This will consist of approximately 690 miles of existing overhead lines for use, and approximately 96 miles of new underground conduit installation;
- **Project Activity 2 (No Action Alternative):** the proposed project would not move forward, and Lenoir County (an EJ Community) would remain underserved with regards to access to broadband services. No construction impacts would occur within the

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proposed and existing utility rights-of-way, which would be a positive for environmental impacts, but the purpose and need would not be fulfilled and none of the net benefits would occur under the no action alternative;

- **Project Activity 3 (Alternative Considered but Eliminated – Overhead Only Alternative):** Installation of cable only on existing overhead power poles. This method was eliminated from further study due to lack of existing overhead lines over approximately 96 miles of the proposed project area, thus requiring the more invasive and costly construction of new poles along the 96-mile route; and
- **Project Activity 4 (Alternative Considered but Eliminated – Underground Only Alternative):** Installation of cable through burying within utility rights-of-way along the entire route. This method was eliminated due to added costs and unnecessary levels of ground disturbance, which could lead to greater environmental impacts.

Findings and Conclusions

The Lenoir County, North Carolina EA analyzed existing conditions and environmental consequences of the preferred alternative and the no action alternative for potential impacts in the major resource areas of Noise, Air Quality (including greenhouse gases [GHGs]), 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. The results of the analysis are summarized in the table below:

Resource Area	Preferred Alternative	No Action Alternative
Noise	Less than Significant Impact	No Impact
Air Quality (including Greenhouse Gases [GHGs])	Less than Significant Impact	No Impact
Geology and Soils	Less than Significant Impact	No Impact
Water Resources	No Impact with BMPs and Protective Measures Incorporated	No Impact
Biological Resources	No Impact with BMPs and Protective Measures Incorporated	No Impact
Historic and Cultural Resources	No Impact	No Impact
Aesthetic and Visual Resources	Less than Significant Impact	No Impact
Land Use	Less than Significant Impact	No Impact
Infrastructure	Beneficial Impact	Less than Significant Impact
Socioeconomic Resources (including Environmental Justice [EJ])	Beneficial Impact	Significant Impact
Human Health and Safety	Beneficial Impact	Less than Significant Impact

The sections that follow provide a brief narrative for those resource areas or aspects of those resource areas where there has been a potential impact indicated in the table above, provide a summary of the results of required consultation with appropriate agency or agencies, or other considerations of note. The sections below are not meant to provide a complete summary of the analysis performed for an entire resource area but instead a discussion of specific points of interest/consideration.

Water Resources

Preferred Alternative: Significant impacts to water resources are not anticipated at this time as all water features will be crossed via directional boring, mounting on existing aerial lines, or spanning across existing bridges. To minimize impacts to adjacent water resources, erosion and sediment control BMPs will be implemented prior to construction activities. BMPs will be further detailed in the final project designs but may include fiber straw wattles, silt fence, or similar treatments between the work site and the waterbody to prevent pollutant discharge into water resources. Site stabilization will begin immediately after completion of ground-disturbing activities that includes reseeding over supplemental topsoil, as needed. The U.S. Army Corps of Engineers has indicated that if these construction methods are followed, the project will have no adverse impacts on waters of the United States and Section 404 Permits would not be needed. A jurisdictional wetland delineation will be completed prior to construction as an environmental commitment of the EA. While no impacts are proposed and any delineated wetlands will be avoided through design measures as indicated above, in the case that a previously unanticipated impact were to be identified through the wetland delineation and review of final construction plans, coordination with the USACE and associated wetland permitting would occur as an environmental commitment of the EA.

Biological Resources

Preferred Alternative: Fourteen Endangered Species Act (ESA) listed species were identified within the proposed project area. No habitat was found to exist within the proposed project area, with the exception of the Rough-leaved loosestrife (*Lysimachia asperulaefolia*), which prefers wet, disturbed (no canopy) communities and can potentially be found on the margins of roadside wetlands. All sensitive terrestrial and aquatic habitats will be crossed via directional boring, mounted on existing aerial lines, or spanned across existing bridges. Equipment staging areas will utilize existing rights-of-way. To ensure no impacts occur to jurisdictional features, a comprehensive wetland delineation will be completed prior to construction. A habitat evaluation conducted concurrently with the wetland delineation will identify habitat associated with the Rough-leaved loosestrife. The delineation effort will characterize all aquatic areas to be protected and avoided during project implementation. As currently proposed, no impacts to water resources from the proposed project are anticipated. Based on the proposed design measures of the fiber installation, the proposed project will result in no significant direct or indirect impacts to biological resources.

Historic and Cultural Resources

Preferred Alternative: The National Historic Preservation Act (NHPA) requires federal agencies to consult with any Federally-recognized Tribal Nation that attach religious and cultural significant to historic properties affected by an undertaking in carrying out the Section 106 review process. NTIA has teamed with the Federal Communications Commission (FCC) to use their Tower Construction Notification System (TCNS), an on-line, password-protected system that notifies all Tribal Nations and Native Hawaiian Organizations (NHOs) of proposed communication tower construction in their areas of interest. NTIA initiated tribal consultation using grantee prepared information/documentation to notify Tribal Nations of the proposed project. Through the TCNS system, NTIA consulted with the following Federally-recognized tribes:

- Tuscarora Nation

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- Prairie Island Indian Community
- Seminole Nation of Oklahoma
- Cherokee Nation
- Eastern Shawnee Tribe of Oklahoma (ESTO)
- Catawba Indian Nation

Based on NTIA's engagement, three tribes (Catawba, Cherokee, and ESTO) replied that they have no concerns with the project. The remainder of the tribes did not respond within the allotted time period, indicating no interest in the project. No Alaska Native traditional, cultural, or religious resources have been identified in the proposed project area.

In accordance with Section 106 of the NHPA, NTIA determines that the proposed project will have no effect to historic properties.

Please note, in the unlikely event that unanticipated historic properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, all ground disturbing activities must halt immediately, and NTIA along with the appropriate tribal and/or state agencies must be contacted, in accordance with applicable state law and federal regulation (36 C.F.R. § 800.13(b)).

Infrastructure

Preferred Alternative: Lenoir County, North Carolina residences, businesses, and government buildings are currently operating without adequate bandwidth for everyday necessities in the 21st century. It is important that these citizens be able to communicate and interact effectively for purposes of economic development, government services, education, health, and for the general welfare of its people. The proposed project is anticipated to provide citizens in rural Lenoir County, who are currently underserved, with access to high-speed broadband. The proposed project would provide a beneficial infrastructure impact to Lenoir County.

No Action Alternative: The No Action Alternative would not deploy the proposed project, and Lenoir County would continue to rely on the existing broadband options for its underserved communities. Although Lenoir County has broadband services available, it is assumed that the benefits afforded under the Preferred Alternative by adding high-speed broadband service would not be realized.

Socioeconomic Resources

Preferred Alternative: Lenoir County, North Carolina has a higher demographic index, more people of color, lower income, a higher unemployment rate, and lower education than the state and U.S. averages, which is indicative of an EJ Community. Lenoir County is a predominantly rural community of North Carolina. Providing high-speed broadband service will boost economic development, improve government services, facilitate educational opportunities, and provide higher quality health care options throughout the community. The proposed project is anticipated to have a beneficial impact on the occupants of this rural area, who have previously lacked access to high-speed broadband that is available in more urban areas.



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No Action Alternative: The No Action Alternative would not deploy the proposed project, and Lenoir County would continue to rely on the existing broadband options for its underserved communities. Without the improved broadband infrastructure of the proposed project, it is assumed that the broadband infrastructure and service would continue as it currently exists, and the benefits afforded under the Preferred Alternative would not be realized. The No Action Alternative would provide a significant, long-term socioeconomic impact to Lenoir County if it would continue to be underserved for high-speed broadband service.

Health and Human Safety

Preferred Alternative: One of the purposes of the TBCP is to provide new federal funding for grants that promote the use of broadband to access telehealth resources. Providing gigabit broadband service will provide higher quality health care options throughout the community. The Preferred Alternative would provide a beneficial health and human safety impact to Lenoir County.

No Action Alternative: The No Action Alternative would not deploy the proposed project, and Lenoir County would continue to rely on the existing broadband options for its underserved communities. Although Lenoir County has healthcare services available, it is assumed that the benefits afforded under the Preferred Alternative by adding high-speed broadband service would not be realized.

Cumulative Impacts

As in other places across the country, the design of infrastructure, residential developments, and settlement patterns all contribute to the relative health and wellness of Lenoir County, North Carolina. Based on a review of the community and existing environmental conditions, future growth, land use, and goals, policies, and strategies to guide that growth, as discussed in area planning documents from the Lenoir County's Planning & Inspections Department, the proposed project would be consistent with the growth goals for the region. Additionally, the construction impacts associated with the proposed project would be minimal and localized in scale and would not interfere with larger ways of life or construction projects. In the cases where other construction projects exist in the same area, the minor construction impacts resulting from the fiber installation would not increase the overall construction impacts into a level of significance. The causal impacts of the fiber installation would be improved broadband coverage to the underserved populations of Lenoir County. Long-term beneficial impacts of the coverage include improved access to education, health care, and emergency services. Improved access will also facilitate economic growth and provide more opportunities for the citizens of Lenoir County.

Public Comment

NTIA conducted a public comment period for the EA. Public notice was placed in Kinston Free Press, a daily newspaper of general circulation, printed and published in Kinston, Lenoir County, North Carolina. The notice of the proposal and EA was also posted on NTIA's website for national exposure. The notice described the proposed project and comment process and provided guidance on where to view the document and federal points of contact. The comment period started on April 6, 2023 and ended on May 6, 2023. No comments were received by NTIA.



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Other Local, State, Tribal, or Federal Permits/Approvals

The grantee and its contractor(s) shall comply with all applicable environmental and historic preservation laws and regulations addressed as part of the NEPA review as well as those outside of it (collectively, “Environmental Requirements”). Environmental Requirements include, without limitation, any statute, law, act, ordinance, rule, regulation, order, decree, permit, or ruling of any federal, State, local, and/or tribal government, or administrative regulatory body, agency, board, or commission or a judicial body, regulating and/or restricting impacts to and/or protection of human health, the environment, and/or historic preservation. The grantee or its contractor(s) shall be the party of record for all permits and/or approvals related to deploying, operating, and maintaining the proposed project and shall be solely responsible for obtaining any new or revised permits and/or approvals needed to deploy, operate, and maintain the proposed project.

Decision

NTIA concludes that constructing and operating the proposed 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 proposed project. The analyses indicate that the proposed project 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.

This NEPA Determination was made based on the proposed project information provided by the grantee and its contractor(s). Material misrepresentation of fact upon which NTIA relies when making this determination could affect the execution of an award and/or the pursuance of other remedies. If any information was excluded or misrepresented, or the proposed project changes materially, NTIA and all other permitting/approval agencies should be notified immediately.

Issued on July 3, 2023, by:

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