
INTERNET FOR ALL

Finding of No Significant Impact

*Navajo Tribal Utility Authority
(NT22TBC0290066)*



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

Finding of No Significant Impact

National Telecommunications and Information Administration

Broadband Infrastructure Program

San Juan West Telecommunications Tower and Power Line Extension 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:	Navajo Tribal Utility Authority
Grant Project Name:	San Juan West Telecommunications Tower and Power Line Extension Project
Grant Award No.	NT22TBC0290066
Program Location:	San Juan Chapter, Navajo Nation, San Juan County, New Mexico

The NTIA awarded a grant to Navajo Tribal Utility Authority (NTUA), through the Tribal Broadband Connectivity Program (TBCP), as authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905(c), Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (Act). TBCP provides new federal funding for grants to eligible entities to expand access to and adoption of: (i) broadband service on Tribal Land; or (ii) for programs that promote the use of broadband to access remote learning, telework, or telehealth resources during the COVID-19 pandemic. The San Juan West Telecommunications Tower and Power Line Extension Project and proposed activities are scheduled to occur in San Juan Chapter, Navajo Nation, San Juan County, New Mexico.

NTUA completed an EA for this proposed project in October 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/reporting/environmental-assessment-san-juan-west-cell-tower>) and the following contact:

Amanda Pereira
Environmental Program Officer
Office of Internet Connectivity and Growth (OICG)

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Purpose and Need

Under the Act, the TBCP program's purpose is to provide new federal funding for grants to eligible entities to expand access to and adoption of: (i) broadband service on Tribal Land; or (ii) for programs that promote the use of broadband to access remote learning, telework, or telehealth resources during the COVID-19 pandemic.

The purpose of the proposed project is to deploy broadband to unserved and underserved populations on the Navajo Nation, and the action is needed due to insufficient access to broadband. Wireless and Internet service is limited or unavailable in parts of the Navajo Nation. This project will improve wireless and Internet communication service within San Juan Chapter. Without improvements, public safety, education, health services, and commercial establishments and residents would continue to have limited capacity to meet the public's needs.

By providing coverage, the area surrounding the proposed project area 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 unserved and underserved area of the Navajo Nation. 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.

Project Description & Analysis of Alternatives

The NTUA 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):** Under the proposed action, NTUA will construct a 180' self-supporting tower within a tract measuring 100' x 100' and NTUA will install a 61' power line extension with a 30' right of way. The project activities will involve: 1) clearing the vegetation within the tower site, 2) installing the self-supporting tower with concrete pads or pillars, 3) constructing fence around the telecommunications tower, and 4) installing power line poles and power line. No borrow material will be necessary. The project will not need additional staging area. All of the work will be done within the ROW boundaries. The potential affected area will be less than half an acre;
- **Project Activity 2 (No Action Alternative):** the proposed project would not move forward, and this area of the Navajo Nation would remain unserved or underserved with regards to access to broadband services. No construction impacts would occur within the 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; and

- Project Activity 3 (Alternatives Considered but Eliminated):** There are several processes and factors involved in the location of a new site to be added to the network. First, an objective for coverage is determined. A “search ring” is then drafted, typically by outlining a circle of a given radius around the ideal candidate location. The search ring is delivered to the development team, where site acquisitionists work to find the best candidate within the ring. The candidate is compared against the coverage objectives of the search ring. All aspects of the candidate are considered – how well the coverage objectives are met, can the candidate connect to the rest of the network via microwave backhaul, is there access to the site, and how close is commercial power. At that point, the candidate is pursued for leasing and eventual cell site construction. The preferred alternative was determined to be ideal and, therefore, the alternative sites that were considered as part of the initial alternatives analysis were eliminated from further consideration for evaluation in the EA or within this FONSI.

Findings and Conclusions

The NTUA 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 (including environmental justice [EJ]), 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 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	Less than Significant Impacts 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 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.

Infrastructure

Preferred Alternative: The San Juan Chapter of the Navajo Nation is 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 this area, who are currently unserved or underserved, with access to high-speed broadband. The proposed project would provide a beneficial infrastructure impact to the Navajo Nation.

No Action Alternative: The No Action Alternative would not deploy the proposed project, and the Navajo Nation would continue to rely on the existing broadband options for its underserved communities. Although some portions of the Navajo Nation have 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: The San Juan Chapter of the Navajo Nation is approximately 96.2% Native American, the unemployment rate was nearly 8 percent, and approximately 23.4 percent of the Chapter residents lived below the poverty level, which is indicative of an EJ Community. The San Juan Chapter of the Navajo Nation is a predominantly rural community. 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.

No Action Alternative: The No Action Alternative would not deploy the proposed project, and this area of the Navajo Nation 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 the Navajo Nation if it would continue to be underserved for high-speed broadband service.

Health and Human Safety

Preferred Alternative: One of the purposes of the BIP 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 the Navajo Nation.

No Action Alternative: The No Action Alternative would not deploy the proposed project, and this area of the Navajo Nation would continue to rely on the existing broadband options for its underserved communities. Although the Navajo Nation 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 the Navajo Nation. Based on a review of the community and existing environmental conditions, future growth, land use, and goals, policies, and strategies to guide that growth, 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 proposed project installation would not increase the overall construction impacts into a level of significance. The causal impacts of the tower installation would be improved broadband coverage to the underserved populations of this area of the Navajo Nation. 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 the Navajo Nation.

Public Comment

NTIA conducted a public comment period for the EA. Public notice was placed in the San Juan West chapter house bulletin board and on CellularOne’s Facebook page. 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 October 18, 2023 and ended on November 17, 2023. No comments were received by NTIA.

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

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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 December 12, 2023, by:

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