

Categorical Exclusions and Administrative Record
The U.S. Department of Commerce
National Telecommunications and Information Administration Broadband
Technology Opportunity Program

The National Telecommunications and Information Administration (NTIA) does not currently have any existing Categorical Exclusions (CEs) covering the Broadband Technology Opportunity Program (BTOP). The Department of Commerce has initiated a public comment period in the Federal Register for CEs that will address some aspects of this program. However, in light of the recent American Recovery and Reinvestment Act (ARRA) and funding provided to NTIA to fulfill the requirements of ARRA, NTIA is submitting the following CEs (and their associated Administrative Records) for consideration. These CEs are necessary to comply with the appropriate level of National Environmental Policy Act (NEPA) and meet the time restraints imposed by the ARRA and are intended to expedite NEPA compliance for specific projects funded under the Act.

BTOP includes \$4.37B to accelerate broadband deployment to unserved and underserved areas, of which \$250M shall be available to increase sustained broadband adoption, \$200M to upgrade technology and capacity at public computing centers and \$10M for a transfer to Office of the Inspector General (OIG) for grant and audits and oversight. Also, \$350M is provided to develop and maintain a broadband inventory map of current U.S. broadband deployment. Transfer authority is provided to transfer funds to the Federal Communications Commission. The BTOP grants will provide funding to: 1) acquire equipment, hardware and software, networking capability, and digital network technology for broadband services; 2) ensure access to broadband service by community organizations; 3) facilitate access to broadband service by low-income, aged and other vulnerable populations in order to provide educational and employment opportunities; and 4) construct and deploy broadband service related facilities and infrastructure.

Due to the similarity in project type, it was determined during consultation with the Council on Environmental Quality (CEQ) that the existing NEPA program and requirements of the US Department of Agriculture, Rural Utilities Services' (RUS) Telecommunication Program would serve as a template for the NTIA BTOP program and the RUS Broadband Initiatives Program (BIP). For decades, RUS has financed the installation of hundreds of telecommunication systems, including broadband systems across the United States. As a result, RUS has experience in understanding the potential environmental impacts from installation of such systems on the environment in a variety of contexts. Furthermore, the similarities between the two programs suggested that an alignment of the requirements documents and applicable CEs would streamline the application process and reduce confusion between similar applicants.

This list of CEs was compiled at DOC Headquarters through a joint effort with RUS, NTIA, and DOC's Energy, Safety and Environment Division, and NOAA. All have been approved by DOC Office of General Counsel (OGC) and the designated Senior Agency Official for NEPA. Combined, these representatives from RUS, NTIA, NO The Hollings Marine Laboratory is built

on an approximately 8-acre site within the Fort Johnson campus of the South Carolina Marine Resources Center in Charleston, South Carolina. Dedicated on December 21, 2000, the laboratory is a facility that promotes collaborative and interdisciplinary scientific research to sustain, protect, and restore coastal ecosystems.

The HML approach brings basic, applied, and medical researchers together to work collaboratively on factors that affect the health of coastal waters and humans who live in or visit the coastal zone. The HML paradigm is based on four central premises: (1) modern marine research is increasingly complex, necessitating an interdisciplinary approach; (2) no one organization possesses the breadth of intellectual capital needed to address the increasingly complicated coastal issues facing society; (3) the interaction of the research findings of scientists from different disciplines and institutional backgrounds often results in significant synergy, leading to unanticipated advances in, and applications of, human knowledge; and (4) involvement of undergraduate, graduate and postdoctoral students, distinguished visiting scholars, and resource management practitioners in research related to NOAA's missions provides invaluable long-term benefits to the nation.

Although the HML is a NOAA-owned facility, it is a fully collaborative enterprise, governed by the [five partner organizations](#) through a [Joint Project Agreement \(.pdf\)](#). Scientists from all partner institutions work side-by-side in the new laboratory, taking advantage of each other's special expertise.

AA, DOC, and OGC represent the review panel responsible for determining appropriate CEs for the NTIA BTOP. Due to the time restraints placed on project funding and the need to promulgate associated CEs, it was determined that only CEs that contained an adequate Administrative Record would be included in this list. In some cases, Administrative Records have been incorporated from Agencies' other than DOC. Also, in those cases where a similar CE was developed by another Agency, that CE has been incorporated as written with no modification to the text.

Each proposed CE was reviewed and deliberated in concept, coverage, applicability, and wording by members of the review panel. The review panel carefully reviewed the Administrative Record on each of these CEs to ensure they fulfilled the goal of balancing increased administrative efficiency in NEPA compliance with avoidance of misinterpretations and misapplications of exclusionary language that could lead to non-compliance with NEPA requirements. The review panel concurred that the attached categorical exclusions meet both objectives.

All projects involving a major federal action will be subject to evaluation by the joint BTOP/BIP NEPA Environmental Questionnaire. Any project that obtains a "YES" answer in any category is not permitted to utilize the CE without further consultation with BTOP/RUS and additional NEPA documentation may be required.

National Historic Preservation Act requirements, if appropriate, still apply to all projects. The use of these CEs does not constitute a release from Section 106 consultation requirements.

BACKGROUND

In general, in implementing the Recovery Act, NTIA and RUS have created four distinct categories of projects authorized under the statute to achieve the objectives of the Recovery Act and the Administration's Broadband Initiative. These four categories are: 1) Broadband Infrastructure – Last Mile, 2) Broadband Infrastructure – Middle Mile, 3) Public Computer Centers, and 4) Sustainable Broadband Adoption. Applicants may submit projects that fit within one or more categories and each application will be compared against objective criteria to determine whether an award is warranted. A vast majority of the investment of both programs will be in infrastructure building. Both NTIA and RUS will be funding similar projects entailing the construction and expansion of telecommunications infrastructure as described below:

- *Buried Plant/Facilities:* The construction of buried outside plant facilities generally consists of plowing or trenching cable at a depth of approximately 36" to 48" alongside the road usually in a utility corridor or within public road rights-of-way.
- *Aerial Plant/Facilities:* The construction of aerial facilities is either done by installing new poles and hanging cables on it on public rights-of-way or by installing cables using existing poles lines from a third party.
- *Buildings:* Building construction generally consists on installing small pre-fabricated buildings that are used for housing electronic equipment. These buildings are usually placed on concrete pads and generally require very minimal disturbance of the land. On extremely rare occasions, funds are also used for constructing a headquarters and/or warehouse building. The amount of land disturbance resulting from this type of construction can vary depending on the size of the proposed building.
- *Towers:* Tower construction is typically done by installing a concrete foundation and building the tower on it. The heights of the towers vary from 120 feet to 400 feet.

Traditionally RUS program loans and grants are used to finance the purchase and installation of equipment and facilities, which include but are not limited to, access (fiber-to-the-premise, wireless, cable, etc.); broadband-over-powerline; switching, transport, and head-end; construction of buried and aerial outside plant facilities; construction of new self-supporting, guyed, or monopole towers; construction of equipment, headquarters, or warehouse buildings; renovations and/or additions to existing buildings; purchase and installation of back-up power systems; purchase of customer premise equipment, including but not limited, to video set-top boxes, voice-over-IP adapters, modems, and routers; and purchase of operating equipment including, but not limited to, test equipment, office equipment, furniture, construction vehicles, and special-purpose vehicles. BIP and BTOP Recovery Act financing will be used for similar purposes.

RUS' environmental policies and procedures are promulgated and codified in 7 CFR 1794, Environmental Policies and Procedures. In accordance with 40 CFR 1507.3, these regulations supplement the CEQ procedures and classify agency actions into classes of action, i.e., Categorical Exclusions (CE), Environmental Assessments, and Environmental Impact

Statements. In accordance with 7 CFR 1794.3, Actions requiring environmental review, “The provisions of this part apply to actions by RUS including the approval of financial assistance pursuant to the Electric, Telecommunications, and Water and Waste Programs...” Therefore, RUS’ federal action, as well as NTIA, is whether or not to provide financial assistance. Prior to the approval of financial assistance, NTIA/RUS must complete the environmental review process established by NEPA, the CEQ procedures and the agency’s environmental policies and procedures.

Since 1998, RUS had approved and obligated funds for 578 loans in the Telecommunications Program totaling approximately \$8.21 billion dollars. Some loans include multiple “projects.” Project is defined as those activities that are site-specific and require a separate planning process, i.e., an environmental report (if appropriate) and construction contract. RUS has reviewed and approved approximately 900 projects in the 10-year period between 1999 and 2008.

The review panel noted that RUS has categorical exclusions for similar activities that are sufficiently descriptive of the activity as to establish for the review panel that those activities were similar in nature, scope, and impact on the human environment as those for BTOP. In addition, the review panel recognized that all Federal agencies, with very few limitations, must meet the same requirements to protect the environment. The review panel determined from their experience in or on behalf of other Federal agencies that the characteristics of the activities performed by BTOP were no different than those performed by RUS. In some cases, due to the different review processes, BTOP may require more extensive information from the applicant in the application package. The review panel also determined that RUS’ extensive history of granting loans under these types of projects have adequately demonstrated that there are no significant impacts on the human environment.

CATEGORICAL EXCLUSIONS for ADMINISTRATIVE AND REGULATORY ACTIVITIES. These Categorical Exclusions must also be used in conformance with the Executive Orders on Greening the Government, e.g., EO 13101, 13123, 13148, 13149, and 13150.

The actions contemplated by these categorical exclusions encompass administrative activities that have no inherent potential for significant environmental impacts. These categorical exclusions are supported by long standing categorical exclusions that were brought to BTOP by RUS. Further, the review panel found that actions of a similar nature, scope, and intensity were performed by other Federal Agencies without significant environmental impacts.

I. Categorically excluded proposals not requiring the applicant to fill out an Environmental Questionnaire (EQ).

(a) General. Certain types of actions taken by BTOP do not normally require an EQ. Proposed actions within this classification are:

A1 The issuance of bulletins and information publications that do not concern

environmental matters or substantial facility design, construction, or maintenance practices.

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, these legacy Categorical Exclusions are determined to be applicable to BTOP projects.

U.S. Department of Homeland Security

Reference: 71 FR 16790

A3 Promulgation of rules, issuance of rulings or interpretations, and the development and publication of policies, orders, directives, notices, procedures, manuals, advisory circulars, and other guidance documents of the following nature:

- (a) Those of a strictly administrative or procedural nature,*
- (b) Those that implement, without substantive change, statutory or regulatory requirements,*
- (c) Those that implement, without substantive change, procedures, manuals, and other guidance documents'*
- (d) Those that interpret or amend an existing regulation without changing its environmental effect,*
- (e) Technical guidance on safety and security matters; or,*
- (f) Guidance for the preparation of security plans.*

U.S. Department of Homeland Security, FEMA

Reference: 44CFR10.8 (d) (2)

(ii) Preparation, revision, and adoption of regulations, directives, manuals, and other guidance.

U.S. Coast Guard

Reference: Figure 2-1 Coast Guard Categorical Exclusions

1. Administrative Actions: e. Preparation of guidance documents that implement, without substantive change, the applicable Commandant Instruction or other Federal agency regulations, procedures, manuals, and other guidance documents.

U.S. Air Force

Reference: Air Force Instruction 32-7061, January 24, 1995. A2.3. Categorical Exclusion List.

A2.3.5. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that do not, themselves, result in an action being taken.

A2.3.6. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that implement (without substantial change) the regulations, instructions, directives, or guidance documents from higher headquarters or other Federal agencies with superior subject matter jurisdiction.

A2 Procurement activities related to the operation of BTOP

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Procurement activities related to the operation of BTOP.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, these legacy Categorical Exclusions are determined to be applicable to BTOP projects.

U.S. Department of Homeland Security

Reference: 71 FR 16790

A6 Procurement of non-hazardous goods and services, and storage, recycling, and disposal of non-hazardous materials and wastes, that complies with applicable requirements and is in support of routine administrative, operational, or maintenance activities. Storage activities must occur on previously disturbed land or in existing facilities. Examples include but are not limited to:

- (a) Office supplies,*
- (b) Equipment,*
- (c) Mobile assets,*
- (d) Utility services,*
- (e) Chemicals and low level radio nuclides for laboratory use,*
- (f) Deployable emergency response supplies and equipment, and,*
- (g) Waste disposal and contracts for waste disposal in established permitted landfills and facilities.*

U.S. Department of Homeland Security, FEMA

Reference: 44 CFR 10.8 (d) (2)

(vi) Procurement of goods and services for support of day-to-day and emergency operational activities, and the temporary storage of goods other than hazardous materials, so long as storage occurs on previously disturbed land or in existing facilities.

U.S. Coast Guard

Reference: Figure 2-1 Coast Guard Categorical exclusions

1. Administrative Actions: b. Routine procurement activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.

(24) Routine movement of personnel and equipment, and the routine movement, handling, and distribution of non-hazardous and hazardous materials and wastes in accordance with applicable regulations.

U.S. Air Force

Reference: Air Force Instruction 32-7061, January 24, 1995

A2.3. Categorical Exclusion List. Actions that are categorically excluded in the absence of unique circumstances are:

A2.3.1. Routine procurement of goods and services.

U.S. Navy

Reference: 32 CFR Part 775, Chapter VI. Sec. 775.6 Planning considerations.

(f) Categorical exclusions.

(7) Routine procurement of goods and services conducted in accordance with applicable procurement regulations, executive orders, and policies;

(12) Routine procurement, management, storage, handling, installation, and disposal of commercial items, where the items are used and handled in accordance with applicable regulations (e.g., consumables, electronic components, computer equipment, pumps).

U.S. General Services Administration

Reference: PBS NEPA Deskguide, October 1999.

CHAPTER 5 categorical exclusions

5.3 AUTOMATIC categorical exclusions

(o) Procurement contracts for professional services and supplies not addressed elsewhere here.

U.S. Department of the Interior

Reference: 40 CFR 1508.4

Routine financial transactions including such things as salaries and expenses, procurement contracts (in accordance with applicable procedures and Executive Orders for sustainable or green procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.

A3 Personnel and Administrative Actions

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Personnel and administrative actions.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, these legacy Categorical Exclusions are determined to be applicable to BTOP projects.

U.S. Department of Homeland Security

Reference: 71 CFR 16790

Personnel, fiscal, management, and administrative activities, such as recruiting, processing, paying, recordkeeping, resource management, budgeting, personnel actions, and travel.

U.S. Department of Homeland Security, APHIS

Reference: 7 CFR 372.5 I

(1) Policy development, planning and implementation which relate to routine activities, such as personnel, organizational changes, or similar administrative functions

(2) Activities which deal solely with the funding of programs, such as program budget proposals, disbursements, and transfer or reprogramming of funds.

U.S. Department of Homeland Security, FEMA

Reference: 44CFR10.8 (d) (2)

(vii) Administrative actions such as personnel actions, travel, procurement of supplies, etc., in support of normal day-to-day activities and disaster related activities;

U.S. Coast Guard

Reference: Figure 2-1 Coast Guard Categorical Exclusions

1. Administrative Actions: c. Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and record keeping.

U.S. Air Force

Reference: Air Force Instruction, January 24, 1995

A2.3.4. Normal personnel, fiscal or budgeting, and administrative activities and decisions including those involving military and civilian personnel (for example, recruiting, processing, paying, and records keeping).

U.S. Army

Reference: Department of the Army Categorical Exclusions, 32CFR651 Appendix B

(b) Administration/operation activities:

(5) Normal personnel, fiscal, and administrative activities involving military and civilian personnel (recruiting, processing, paying, and records keeping).

U.S. Department of Interior

Reference: Departmental Manual 516, Part 2, Appendix 1.

1.1 Personnel actions and investigations and personnel services contracts.

1.3 Routine financial transactions including such things as salaries and expenses, procurement contracts (in accordance with applicable procedures and Executive Orders

for sustainable or green 5 procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.

1.7 Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

1.8 Management, formulation, allocation, transfer, and reprogramming of the Department's budget at all levels. (This does not exclude the preparation of environmental documents for proposals included in the budget when otherwise required.)

A4 Purchase of existing facilities or a portion thereof where use or operation will remain unchanged

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Purchase of existing facilities or a portion thereof where use or operation will remain unchanged.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, these legacy Categorical Exclusions are determined to be applicable to BTOP projects.

U.S. Department of Homeland Security, FEMA

Reference: 44 CFR 10.8

(viii) Acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements.

General Services Administration

Reference: PBS NEPA Desk Guide

5.3 (b) Acquisition of space within an existing structure, either by purchase or lease, where no change in the general type of use and only minimal change from previous occupancy level is proposed (previous occupant need not have been a Federal tenant).

A5 Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, these legacy Categorical Exclusions are determined to be applicable to BTOP projects.

U.S. Department of Homeland Security

Reference: 71 FR 16790

D1 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g. realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC would not require an environmental assessment or environmental impact statement for the installation).

U.S. Department of Homeland Security, FEMA

Reference: 44 CFR 10.8

(xvii) Actions conducted within enclosed facilities where all airborne emissions, waterborne effluent, external radiation levels, outdoor noise, and solid and bulk waste disposal practices comply with existing Federal, state, and local laws and regulations.

II. Broadband Programs. Applications for financial assistance for the types of proposed actions covered in this section require the submission of an EQ. Applicants shall sufficiently identify all proposed actions so their proper classification can be determined. Detailed descriptions shall be provided for each proposal noted in this section. BTOP may require additional information in addition to a description of what is being proposed, to ensure that proposals are properly classified. Proposed actions within this classification are:

B1 Construction of buried and aerial telecommunications lines, cables, and related facilities

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Construction of buried and aerial telecommunications lines, cables, and related facilities.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of the Interior/U.S. Park Service

Reference: Categorical Exclusion.

3.4C (15) Installation of underground utilities in areas showing clear evidence of recent human disturbance or areas within existing road prism or within an existing utility right-of-way.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021 Appendix B, B4.7 *Adding/burying fiber optic cable.*

B2 Construction of microwave facilities involving no more than five acres (2 hectares) of physical disturbance at any single site

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORDS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures.

Construction of microwave facilities and energy management systems involving no more than five acres (2 hectares) of physical disturbance at any single site.

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: 10 CFR 1021, Appendix B- Categorical Exclusion

B1.19 Siting, construction, and operation of microwave and radio communication towers and associated facilities, if the towers and associated facilities would not be in an area of great visual value.

National Telecommunications and Information Administration

Reference: Public Safety Interoperable Communications Grant Program Programmatic Environmental Assessment

The purpose of this environmental assessment (EA) is to evaluate the project types proposed and the potential environmental effects on the nationwide public safety grant program. The construction of new sites to address all voice, data, video, and interoperability requirements are evaluated.

Analysis: This action resulted in a Finding of No Significant Impact.

U.S. Department of Energy

Reference: Environmental Assessment for Construction of Eight Microwave Communication Facilities.

Western Area Power Administration proposed to construct, operate, and maintain eight microwave communication facilities in southwestern Colorado, southeastern Utah, and northern Arizona. The project would upgrade to meet the minimum fade margin criteria.

Analysis: Western prepared an environmental assessment on the proposal which indicated that the impacts would not be significant. EIS not required

Reference: Determination Memorandum for Akron Hill Microwave Communications Site, Colorado.

The proposed Akron Hill microwave communications site is located in Washington County, Colorado. A 199-foot guyed tower would be located centrally in a 600-foot by 600-foot plot of ground, with 80 percent (160-foot) guying. The area to be fenced would include a 50-foot by 90-foot chain link fence around the building, propane tank, and tower; and wood pole fencing around each of the three guy anchors. All other land would be allowed to remain in its present condition.

Analysis: The proposed action is not a major Federal action significantly affecting the quality of the human environment and the preparation of an EA or EIS is not required.

Reference: Determination Memorandum, Billings Area Microwave—North Dakota Stage II Relocation of the Eckelson Repeater Site.

One of the original 16 repeater sites would not allow a clear signal to be transmitted to the next repeater site without using a much taller tower than planned. It therefore became necessary to select another site. The new Eckleson Repeater would consist of a guyed steel lattice tower, 125 feet tall, a 10' x 20' single story building, and a 500-gallon propane fuel tank. About three acres of land would be acquired. The site would be located adjacent to a county road, therefore, no new access would be required.

Analysis: The proposed microwave repeater station would clearly have no significant environmental impact, it is recommended that the proposed action not require the preparation of an environmental impact statement or assessment.

B3 Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORDS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Coast Guard

Reference: Coast Guard Categorical Exclusions

Real and Personal Property Related Actions h. Coast Guard new construction upon, or improvement of, land where all of the following conditions are met (Checklist and CED required.): The structure and proposed use are substantially in compliance with prevailing local planning and zoning standards. The site is on heavily developed property and/or located on a previously disturbed site in a developed area. The proposed use will not substantially increase the number of motor vehicles at the facility. The site and scale of construction are consistent with those of existing, adjacent, or nearby buildings.

U.S. Navy

Reference: 32 CFR 775.6

(9) New construction that is consistent with existing land use and, when completed, the use or operation of which complies with existing regulatory requirements and constraints, e.g., a building on a parking lot with associated discharges/runoff within existing handling capacities, a bus stop along a roadway, and a foundation pad for portable buildings within a building complex.

Economic Development Administration

Reference: *Environmental Assessment for Grantsburg Business Enterprise Center.*

This project involved the construction of a new insulated, heated, metal skinned, Manufacturing Facility within the Village limits of Grantsburg, WI. This facility will be constructed with at grade and truck bed level loading docks. This facility was designed to allow utilization by any type of light or heavy manufacturing and/or warehousing needs. The facility is approximately 18,000 square feet of usable space plus flexible restroom facilities.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

National Oceanic and Atmospheric Administration

Reference: *U.S. Climate Reference Network (USCRN) Project.*

This project consists of site preparation and climate instrument installation. The site will encompass approximately a 60x60 square foot area of land, with an approximate 4 foot high fence and wind shield, surrounding 2 sets of instruments within the site area. A concrete pad (3 x 3 foot) will be used to anchor the 10 foot high instrument tower with a second pad (2 x 2 foot) used to anchor the precipitation gauge. The remaining area will retain the original ground cover. AC power to the site will be via underground cable with the burial depth dependent on local code requirements. Permits may be required to pull AC power from local lines to the site. Duration of site preparation and installation will not exceed 2 weeks. Following installation, the site will operate automatically with site

maintenance frequency dictated by the location and the physical characteristics of each site.

Analysis: Based upon the results of the NOAA NEPA Checklist, this project was Categorically Excluded from additional NEPA documentation.

B4 Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. Subpart D, 10 C.F.R. Part 1021. B4.6 *Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.*

B5 Changes or additions to existing substations, switching stations, telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Changes or additions to existing*

substations, switching stations, telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property.

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

B6 Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021, Appendix B. B4.11 *Construction of electric power substations (including switching stations and support facilities) with power delivery at 230 kV or below, or modification (other than voltage increases) of existing substations and support facilities, that could involve the construction of electric powerlines approximately 10 miles in length or less, or relocation of existing electric powerlines approximately 20 miles in length or less, but not the integration of major new generation resources into a main transmission system.*

B7 Changes or additions to microwave sites, substations, switching stations, telecommunications switching or multiplexing centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (0.4 hectare)

COMPARABLE AGENCY CATEGORICAL EXCLUSION

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Changes or additions to microwave sites, substations, switching stations, telecommunications switching or multiplexing*

centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (0.4 hectare).

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

B8 Ordinary maintenance or replacement of equipment or small structures (e.g., line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites)

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Ordinary maintenance or replacement of equipment or small structures (e.g., line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites).*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion, 10 CFR 1021 Appendix B. B1.3
Routine maintenance activities and custodial services for buildings, structures, rights-of-way, infrastructures. (m) Repair and maintenance of transmission facilities, including replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed transmission lines, in accordance, where appropriate, with 40 CFR part 761 (Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions).

B9 The construction of telecommunications facilities within the fenced area of an existing substation, switching station, or within the boundaries of an existing electric generating facility site

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *The construction of telecommunications facilities within the fenced area of an existing substation, switching station, or within the boundaries of an existing electric generating facility site.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: *Categorical Exclusion. 10 CFR 1021, Appendix B. B4.11 Construction or modification of electric power substations.*

B10 Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring)

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring).*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021, Appendix B. B3.1 *Onsite and offsite site characterization and environmental monitoring, including siting, construction (or modification), operation, and dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:*

(a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, and radar), geochemical, and engineering surveys and mapping, including the establishment of survey marks;

(b) Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;

- (c) *Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells;*
- (d) *Aquifer response testing;*
- (e) *Installation and operation of ambient air monitoring equipment;*
- (f) *Sampling and characterization of water, soil, rock, or contaminants;*
- (g) *Sampling and characterization of water effluents, air emissions, or solid waste streams;*
- (h) *Installation and operation of meteorological towers and associated activities, including assessment of potential wind energy resources;*
- (i) *Sampling of flora or fauna; and*
- (j) *Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.*

B11 Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021, Appendix B. B3.1 *Onsite and offsite site characterization and environmental monitoring, including siting, construction (or modification), operation, and dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:*

- (a) *Geological, geophysical (such as gravity, magnetic, electrical, seismic, and radar), geochemical, and engineering surveys and mapping, including the establishment of survey marks;*
- (b) *Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;*

- (c) *Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells;*
- (d) *Aquifer response testing;*
- (e) *Installation and operation of ambient air monitoring equipment;*
- (f) *Sampling and characterization of water, soil, rock, or contaminants;*
- (g) *Sampling and characterization of water effluents, air emissions, or solid waste streams;*
- (h) *Installation and operation of meteorological towers and associated activities, including assessment of potential wind energy resources;*
- (i) *Sampling of flora or fauna; and*
- (j) *Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.*

B12 Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021, Appendix B. B4.6
Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

B13 Phase or voltage conversions, reconductoring or upgrading of existing electric distribution lines, or telecommunication facilities

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Phase or voltage conversions, reconductoring or upgrading of existing electric distribution lines, or telecommunication facilities.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

U.S. Department of Energy

Reference: Categorical Exclusion. 10 CFR 1021, Appendix B. B4.6
Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

B14 Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant

COMPARABLE AGENCY CATEGORICAL EXCLUSION

U.S. Department of Agriculture, Rural Utilities Services

Reference: Legacy Categorical Exclusions contained in 7 CFR, 1794.3, Rural Utilities Services Environmental Policies and Procedures. *Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant.*

Analysis: Based upon the extensive history of RUS application of these Categorical Exclusions and the lack of extraordinary circumstances associated with their application, this legacy Categorical Exclusion is determined to be applicable to BTOP projects.

Curriculum Vitae for the NTIA BTOP Review Panel Technical Experts

Steve Kokkinakis

Senior Advisor on NEPA
Office of Program Planning and Integration (PPI)
National Oceanic and Atmospheric Administration (NOAA)
Department of Commerce

Steve Kokkinakis is the senior advisor on the National Environmental Policy Act (NEPA) for the agency (NOAA) and Department of Commerce. In this position, he is responsible for overseeing coordination and implementation on NEPA. He is responsible for ensuring reviews and final clearance on all NEPA environmental documents; transmitting PPI cleared NEPA documents to the public and Federal agencies; developing and recommending national policy, procedures, and training necessary to ensure agency compliance on NEPA. He also provides liaison between NOAA and the White House Council on Environmental Quality (CEQ), including consultation with CEQ on emergencies and pre-decisional NEPA referrals to CEQ. Steve was the primary NOAA lead for coordinating the highly controversial 2001 referral on “Oregon Inlet, North Carolina” to CEQ, which resulted in a successful outcome for the agency. Additionally, he has served as NOAA’s lead representative on two CEQ NEPA Task Force Interagency working groups developing guidance documents for Federal agencies to improve the NEPA process. Finally, Steve is also responsible for providing day-to-day management for PPI’s one junior permanent NEPA staff and one contractor.

Prior to joining PPI in 1999, from 1993-1999, Steve joined NOAA’s Ocean Service, Coastal Monitoring & Bioeffects Assessment Division working on national monitoring programs. He was first hired by NOAA’s Ocean Service in 1992, coordinating science policy for the Assistant Administrator. Steve was accepted to the class of 1991 John A. Knauss Sea Grant Fellowship program, where he served as a legislative assistant within Congressman James Saxton’s (R-NJ) personal office, focusing on Merchant Marine and Fisheries Committee issues. Steve received his B.A. in biological sciences from Colgate University in 1983. He completed a M.S. in biological oceanography from Oregon State University (OSU) in 1987, publishing his thesis and other studies in major research journals, and worked as an oceanographic research assistant from 1986-1990.

Genevieve J. Walker

Acting Chief, Energy, Safety, and Environment Division
United States Department of Commerce

Ms. Walker is currently the Environmental Programs Manager for the Department of Commerce and has over 25-years experience in Environmental Management. She was previously the Project Manager overseeing National Environmental Policy Act (NEPA) compliance assessments for the Federal Aviation Administration, has prepared numerous Environmental Assessments for the National Guard, the Department of Energy, the World

Bank, and a private rocket launching company. Ms. Walker was also part of the team that addressed comments on the Environmental Impact Statement for the disposal of spent nuclear fuel and high-level radioactive waste at Yucca Mountain. Additionally, Ms. Walker has developed several multi-media environmental management programs for the Air National Guard, the US Coast Guard, Miami International Airport, and Richmond International Airport. She has also worked extensively with NASA, assisting them at the HQ level in development of a Sustainability Program, an Environmental Management System (agency-wide), several training programs for environmental compliance (including NEPA), development of a staffing protocol, preparation of briefings and white papers for presentation to Congress and the White House, and development of an agency-wide policy on perchlorate contamination.

Mark S. Plank

Experience

2006 - Present U. S. Department of Agriculture
Rural Utilities Service
Engineering and Environmental Staff
Washington. DC 20250

Director

Director of the Engineering and Environmental Staff. Staff is responsible for engineering support for the Water and Environmental Programs and responsible for environmental compliance support for the Electric, Water and Environmental Program, and Telecommunications Programs.

1995–2006 U. S. Department of Agriculture
Rural Utilities Service
Engineering and Environmental Staff
Washington. DC 20250

Senior Environmental Scientist

National technical and program manager for the environmental compliance aspects of the Water and Waste Program. Responsible for technical and scientific, regulatory, and training support for the implementation of the Agency's programs nationwide.

1991–1995 U. S. Department of Agriculture
Farmers Home Administration
Program Support Staff
Washington, DC 20250

Environmental Protection Specialist

Responsible for providing technical, regulatory, management, and budgetary oversight for Agency's environmental risk management program and environmental restoration activities.

1988 - 1991 U. S. Army Corps of Engineers
U. S. Army Toxic and Hazardous Material Agency
Aberdeen, MD

Environmental Scientist

Project Officer and Technical Manager for environmental restoration projects on Army properties slated for property transfers. Responsible for managing all technical, regulatory, management, and budgetary aspects of restoration activities.

1985 - 1988 U.S. Department of Agriculture
Fairfax County Cooperative Extension Service

Fairfax, VA

Soil Scientist

Responsible for characterizing and developing interpretive guidelines for site-specific environmental and engineering characteristics in the northern Virginia area. Responsible for developing environmental protection programs, coordinating and reviewing local and regional land use plans and residential and commercial development activities, determining and delineating areal extent of releases of hazardous substances and petroleum products, and administering natural resource management programs.

1984 - 1985 Defense Mapping Agency
Washington, DC

Physical Scientist/Cartographer

Provided and prepared digital terrain and engineering analyses (soil, geologic, hydrologic, and vegetative) for a variety of cross-country graphics utilized by military planners. Employed a wide variety of technical and scientific source materials from source countries and remote sensing imagery for generating analyses.

1979 - 1984 Indiana Department of Natural Resources
Purdue University
West Lafayette, IN

Soil Scientist

Conducted extensive and detailed field mapping and classification of soil and geologic deposits in various geographic locations in the State of Indiana. Performed characterization studies and research to quantify the physical, chemical, engineering, and agricultural properties of soil and geologic deposits over extensive land areas.

Education

Purdue University, West Lafayette, IN

B.S. Environmental Sciences (1976)

Post-Baccalaureate - Soil Sciences (1978)

Graduate School - Soil Sciences, Geology, Geotechnical Engineering (1984)



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

June 23, 2009

Dr. Paul N. Doremus, Ph.D.
National Oceanic and Atmospheric Administration
Office of Program Planning and Integration
1315 East West Highway
SSMC3, Room 15629
Silver Spring, MD 20910

Re: National Telecommunications and Information Administration NEPA Procedures

Dear Dr. Doremus:

Thank you for coordinating with the Council on Environmental Quality (CEQ) as the National Telecommunications and Information Administration developed the attached Categorical Exclusions for applying National Environmental Policy Act (NEPA) procedures to a particular set of broadband activities under the American Recovery and Reinvestment Act of 2009 being undertaken by the Department of Commerce, National Telecommunications and Information Administration. The CEQ regulations provide that agencies review their NEPA policies and procedures and, in consultation with CEQ, to revise them as necessary to ensure full compliance with the purposes and provisions of NEPA (40 C.F.R. § 1507.3). This letter memorializes the discussions and reviews that resulted in the attached National Telecommunications and Information Administration supplementation of the DOC NEPA procedures.

CEQ reviewed the proposed categorical exclusions and met with Department of Commerce, National Telecommunications and Information Administration representatives as well as Rural Utility Service, US Department of Agriculture, representatives familiar with the agencies' broadband programs. The National Telecommunications and Information Administration considered the potential environmental impacts of the activities covered by these categorical exclusions and, based on the agencies' experience with these types of activities, determined that the decisions to undertake and the implementation of the activities described in the attachment will not individually or cumulatively create a significant impact on the environment and therefore do not require additional NEPA analysis and documentation unless extraordinary circumstances exist (40 C.F.R. § 1508.4).

Based on this review, CEQ concluded that the attached National Telecommunications and Information Administration categorical exclusions are being prepared in conformity with NEPA and the CEQ regulations. The National Telecommunications and Information Administration will satisfy NEPA when using this categorical exclusion by determining whether a proposed action falls within the description of the activities and by reviewing the proposed action to determine whether extraordinary circumstances exist. In the event extraordinary circumstances exist, an environmental assessment or an environmental impact statement would be prepared before proceeding with the proposed action. The National Telecommunications and

Information Administration will publish the Categorical Exclusions to be effective immediately and request public review and comment for thirty days. The National Telecommunications and Information Administration will consider, in consultation with CEQ, whether the Categorical Exclusions should be revised based on the comments received. Further, the Department of Commerce and National Telecommunications and Information Administration will continue to work with CEQ as they revise the Department of Commerce Administrative Order and develop additional National Telecommunications and Information Administration NEPA implementing procedures.

Thank you for your responsiveness to our comments and recommendations.

Sincerely,

Horst Greczmiel
Associate Director for NEPA Oversight

National Telecommunications and Information Administration Categorical Exclusions

A1 The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.

A2 Procurement activities related to the operation of BTOP

A3 Personnel and Administrative Actions

A4 Purchase of existing facilities or a portion thereof where use or operation will remain unchanged

A5 Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings

B1 Construction of buried and aerial telecommunications lines, cables, and related facilities

B2 Construction of microwave facilities involving no more than five acres (2 hectares) of physical disturbance at any single site

B3 Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property

B4 Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction

B5 Changes or additions to existing substations, switching stations, telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property

B6 Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property

B7 Changes or additions to microwave sites, substations, switching stations, telecommunications switching or multiplexing centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (0.4 hectare)

B8 Ordinary maintenance or replacement of equipment or small structures (e.g.,

line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites)

B9 The construction of telecommunications facilities within the fenced area of an existing substation, switching station, or within the boundaries of an existing electric generating facility site

B10 Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring)

B11 Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed

B12 Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way

B13 Phase or voltage conversions, reconductoring or upgrading of existing electric distribution lines, or telecommunication facilities

B14 Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant