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# INTERNET FOR ALL

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## Finding of No Significant Impact

*Choggiung Limited  
(NT22TBC0290085)*



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

# Finding of No Significant Impact

## National Telecommunications and Information Administration Tribal Broadband Connectivity Program

### Levelock to Dillingham Fiber Optic Cable Installation Project

## Overview

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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:	Choggiung Limited
Grant Project Name:	Levelock to Dillingham Fiber Optic Cable Installation Project
Grant Award No.	NT22TBC0290085
Program Location:	Levelock, Aleknagik, and Dillingham, Alaska

The NTIA awarded a grant to Choggiung Limited (Choggiung), 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 Levelock to Dillingham Fiber Optic Cable Installation Project is scheduled to occur in Levelock, Aleknagik, and Dillingham, Alaska and the surrounding area.

Choggiung completed an EA for this proposed project in January 2024. 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.gov/reporting/EA\\_Levelock\\_to\\_Dillingham\\_Fiber\\_Optic\\_Cable\\_Installation\\_Project](https://broadbandusa.ntia.gov/reporting/EA_Levelock_to_Dillingham_Fiber_Optic_Cable_Installation_Project)) and the following contact:

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National Telecommunications and Information Administration  
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## Project Purpose and Need

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The Levelock to Dillingham fiber optic cable (FOC) Installation Project is in southwest Alaska in the Dillingham Census Area and the Lake and Peninsula Borough. Currently, Nushagak Electric & Telephone Cooperative, Inc. (NETC) provides telecommunication services to the remote villages of Dillingham and Aleknagik. The existing outside plant network infrastructure consists of a combination of hybrid fiber coax (HFC) in the Dillingham area, and copper twisted pair in Aleknagik. External connections to the public telephone network and Internet are currently satellite-based via an AT&T earth station located in Dillingham, as well as a microwave connection via GCI's TERRA microwave network. Existing digital subscriber line and data over cable service interface specification service platforms provide up to 10-megabit per second speed with a 300-gigabit per month data cap. The purpose of the proposed project is to install new fiber optic cable (FOC) to connect 944 unserved/underserved Alaska Native households. This project is needed to connect unserved/underserved Alaska Native households to qualifying service of 100 megabits per second or greater.

## Project Description & Analysis of Alternatives

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The Choggiung 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):** The proposed project would install a mainline FOC extending 77 miles from Levelock to Aleknagik and an additional 40 miles of fiber from Aleknagik to the Dillingham. Installation will be completed through a combination of buried and aerial/overhead cable. The proposed route will also include a regeneration site in Ekwok, Alaska;
- **Project Activity 2 (No Action Alternative):** The proposed project would not move forward, and these remote communities would remain underserved/unserved 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):** Considering the remote nature of this project, a multitude of minor and major route variations were not considered for the FOC routing because the middle-mile communities (Levelock, Ekwok, and Aleknagik) are not currently connected. The proposed route crosses mostly open space and undeveloped public and private lands. Most of the FOC in the Aleknagik and Dillingham service areas was considered for aerial or underground installation with a majority of work in this area ultimately chosen for aerial installation along existing telephone lines. The proposed route considered avoidance of resources and constructability issues, but, at the same time, took the most direct route possible. This approach reduced the amount of land and resources that could be impacted by construction. Additionally, the timing of construction (winter or summer) was considered

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for the buried installation between Levelock and Aleknagik. Due to the many anadromous streams present and the brief time between smolt out migration and spawning fish arrival, there was insufficient time to allow for summer installation of the Levelock to Aleknagik section of the project. The work between these communities will almost exclusively be completed during winter. Winter construction will also minimize the impacts to vegetation and tundra.

## Findings and Conclusions

The Choggiung 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
<b>Noise</b>	Less than Significant Impact	No Impact
<b>Air Quality (including Greenhouse Gases [GHGs])</b>	Less than Significant Impact	No Impact
<b>Geology and Soils</b>	Less than Significant Impact	No Impact
<b>Water Resources</b>	Less than Significant Impact with best management practices (BMPs) and protective measures incorporated	No Impact
<b>Biological Resources</b>	Less than Significant Impact	No Impact
<b>Historic and Cultural Resources</b>	Less than Significant Impact	No Impact
<b>Aesthetic and Visual Resources</b>	Less than Significant Impact	No Impact
<b>Land Use</b>	Less than Significant Impact	No Impact
<b>Infrastructure</b>	Beneficial Impact	Significant Impact
<b>Socioeconomic Resources (including Environmental Justice [EJ])</b>	Beneficial Impact	Significant Impact
<b>Human Health and Safety</b>	Beneficial Impact	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:** The proposed project is located within the Bristol Bay Region and will cross multiple waterbodies, many of which are anadromous. These waterbodies will be crossed either by directional drill, plow, or aerially. Aerial installation and directional drilling will avoid all impacts to stream channels, and installation through waterbodies by plowing will be done during frozen periods of the season, thus avoiding any significant impacts to fish habitat. Fish habitat permitting has been completed and approved by the Alaska Department of Fish and Game. A project Storm Water Pollution Prevention Plan (SWPPP) will also help

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to address preventing soil erosion and sedimentation using best management practices near waterbodies.

The navigable waters in the project area regulated under Section 10 of the Rivers and Harbors Act include: Nushagak River from the mouth of Wood River for 34 miles; Wood River for 24 miles; the entire length of the Kvichak River; and waters that are subject to the ebb and flow of the tide are also considered navigable. All of these waters will be crossed aerially or by directional drill and no impacts will occur. Choggiung is in the process of Section 10 permitting with the U.S. Army Corps of Engineers (USACE), which requires this FONSI for completion and approval.

Choggiung identified various wetlands along the proposed project route and is in the process of Section 404 permitting with USACE, which requires this FONSI for completion and approval. The proposed project is seeking coverage under the USACE Alaska Division Nationwide Permit (NWP) 57, which authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of electric utility lines and telecommunication lines. The only wetland impacts for the proposed project will occur where splice vaults are required, approximately 42 square feet of gravel fill. All other wetlands identified will be avoided either by aerial installation or directional drill; therefore, the proposed project will not significantly affect wetlands. These effects are primarily temporary and are within the limitations set under NWP 57 requiring no greater than one-half acre loss of waters of the United States. Additionally, a SWPPP will address preventing soil erosion and sedimentation using best management practices near wetlands. Once authorized by USACE, the proposed project must comply with all General, Regional, Special, or Case-Specific Conditions imposed by the USACE district office under NWP 57.

### *Biological Resources*

**Preferred Alternative:** One Endangered Species Act (ESA) listed species was identified within the proposed project area. In Alaska, the Steller's Eider (*Polysticta stelleri*) is a sea duck that breeds inland but generally spends the remainder of the year in coastal marine waters. Based on the Cornell eBird tool, a tool recommended for use in the documentation from the U.S. Fish and Wildlife consultation that compiles information on exact locations where birders and the general public have sighted birds, no sightings of the Steller's Eider near Dillingham have ever been recorded. Given its location and the nature of the proposed project, the project area lacks ample suitable habitat for breeding and wintering. Additionally, critical habitat is not present within or near the proposed project area (approximately greater than 170 miles away). As a result, it has been determined that there will be no effect to the Steller's Eider or on any ESA-listed species or critical habitat.

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The proposed project will work in conformance with the Migratory Bird Treaty Act, particularly as it relates to disturbance of vegetation during the nesting periods of migratory birds. Much of the proposed project will be constructed during winter thus minimizing contact with migratory birds. Likewise, the proposed project will comply with the National Bald Eagle Management Guidelines, per the Bald and Golden Eagle Protection Act. Aerial reconnaissance during the route selection and engineering phase of the project did not note any Bald Eagle nests along the proposed construction corridor and did not generally possess the appropriate habitat for breeding. As a result, there are expected to be less than significant impacts to migratory birds and eagles.

### *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. A previous attempt to fund the proposed project was sought from the U.S. Department of Agriculture, Rural Development and was reviewed and considered by other federal, state, and local agencies, legislators, local communities, and general public. Although this previous effort to secure federal funding was not successful, NHPA was conducted and consulting parties did not identify any cultural resource concerns related to the proposed project. Although tribal consultation has occurred, the process was conducted by a different federal agency and as part of a previous effort to secure federal funding. NTIA recognizes its responsibilities pursuant to Section 106 of NHPA regarding consultation with Native American tribes concerning properties of religious and/or cultural significance that could be affected by the undertaking. Therefore, NTIA has determined that tribal consultation, consistent with the NHPA was required for the proposed project.

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:

- Aleknagik Traditional Council
- Native Village of Eek
- Ekwok Village Council
- Native Village of Goodnews Bay
- Native Village of Kalskag
- Village of Lower Kalskag
- Manokotak Village
- New Koliganek Village Council
- Platinum Traditional Village Council
- Sleetmute Traditional Council

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Based on NTIA's engagement, none of the tribes responded within the allotted time period or after follow-up and extension, indicating no interest in the proposed project. No Alaska Native traditional, cultural, or religious resources have been identified in the proposed project area.

The Alaska State Historic Preservation Office (AKSHPO) was also consulted to determine the proposed project's potential to cause adverse effects to districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture, that are listed or potentially eligible for listing in the National Register of Historic Places. AKSHPO determined that construction monitoring was required at a few discrete higher potential locations but otherwise determined that the project would have no adverse effect to historic properties. In accordance with Section 106 of the NHPA, NTIA determines that the proposed project will have no adverse 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 or tribal law and federal regulation (36 C.F.R. § 800.13(b)).

### *Infrastructure*

**Preferred Alternative:** The current existing telecommunications infrastructure provided by NETC consists of a combination of HFC in the Dillingham area and copper twisted pair in Aleknagik. External connections to the public switched telephone network and Internet are currently satellite-based via an AT&T earth station located in Dillingham as well as a microwave connection via GCI's TERRA microwave network. Existing digital subscriber line and data over cable service interface specification service platforms provide only up to 10 megabit per second speed with a 300-gigabit per month data cap. No other forms of infrastructure are significant for the purposes of a fiber optic cable installation project. The proposed project area is in need of new broadband infrastructure. Due to the isolation of the community, it is important that the citizens of this island be able to communicate and interact effectively with the outside world for purposes of economic development, government services, education, health, and for the general welfare of its people. The proposed project will provide high-speed Internet to a community that has historically experienced poor connectivity provided by the incumbent local exchange carrier. The proposed project would provide a beneficial infrastructure impact to the local community.

**No Action Alternative:** The No Action Alternative would not deploy the proposed project, and the proposed area served by the project would continue to rely on the existing broadband options for its unserved/underserved communities. Although some portions of the area 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 proposed project is in a remote part of Alaska not accessible via roads where the population primarily consists of Alaska Natives including Aleut/Alutiiq and Yup'ik. Providing high-speed broadband service will boost economic development, improve government services, facilitate educational opportunities, and provide higher quality health



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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 the proposed area served by the project would continue to rely on the existing broadband options for its unserved/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 area if it would continue to be underserved for high-speed broadband service.

### *Health and Human Safety*

**Preferred Alternative:** One of the purposes of the grant program 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 proposed area served by the project.

**No Action Alternative:** The No Action Alternative would not deploy the proposed project, and the proposed area served by the project would continue to rely on the existing broadband options for its unserved/underserved communities. Although some portions of the area have 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 proposed area served by the project. Based on a review of documents from the local jurisdictional planning and development groups, the proposed action fits within the broader goals of the community through providing gaps of broadband and Internet coverage that will allow for economic development, job creation, and education opportunities. Additionally, the work will be performed in compliance with applicable local planning and zoning requirements. 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 unserved/underserved populations of this area. 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 area.

### *Public Comment*

NTIA conducted a public comment period for the EA. Public notice was placed in the Dillingham post office and Dillingham Alaska Commercial Company grocery store. As a rural, remote community, these locations were chosen as they are places nearly every single person who lives





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in the area goes to often. 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 January 23, 2024, and ended on February 21, 2024. 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 a major federal action that will not 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 February 22, 2024, by:

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