



# Finding of No Significant Impact and Decision Record

*Pima County Regional Middle Mile Project (NTIA  
NEPA ID: EAXX-006-60-3D-1754666976, BOR NEPA  
ID PXAO-26-03-FONSI)*

## **Lead Federal Agency**

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

## **Cooperating Agencies**

U.S. Department of Interior:  
Bureau of Land Management  
National Park Service  
Bureau of Reclamation



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# FINDING OF NO SIGNIFICANT IMPACT

*NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION*

*MIDDLE MILE*

*PIMA COUNTY MIDDLE MILE PROJECT (04-40-MM588) (NTIA NEPA ID EAXX-006-60-3D-1754666976, BOR NEPA ID PXAO-26-03-FONSI)*

## OVERVIEW

This document serves as the Finding of No Significant Impact (FONSI) for the following Proposed Action (also referred to as the Proposed Project or Project) awarded by the National Telecommunications and Information Administration (NTIA). NTIA and cooperating agencies including the Bureau of Land Management (BLM), Bureau of Reclamation (BOR), and the National Park Service (NPS) have completed the sufficiency review of the recipient’s Environmental Assessment (EA) and have determined that the Project would not have a significant impact on the environment. This FONSI contains information related to the review.

Recipient Name:	Pima County
Grant Project Name:	Pima County Regional Middle Mile Project
Grant Award No.:	04-40-MM588
Program Location:	Pima County, Arizona

## PROGRAM SUMMARY

The NTIA awarded a grant for Pima County through the Middle Mile (MM) Grant Program, authorized by the Infrastructure Investment and Jobs Act of 2021, Division F, Title IV, Section 60401, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (Infrastructure Act or Act), also known as the Bipartisan Infrastructure Law. The MM program provides funding to encourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the backbone of the Internet (commonly referred to as the “last mile”) and to promote broadband connection resiliency through the creation of alternative network connection paths that can be designed to prevent single points of failure on a broadband network. The Pima County Project is called Pima County Regional Middle Mile Project and proposed activities are scheduled to occur within the unincorporated portions of Pima County, Arizona, spanning from Oro Valley to Marana on the north side, south to Drexel Heights; east covering the entire Drexel Heights area; south to Sahuarita; east from Sahuarita through Corona de Tucson; and north through Vail along the County’s eastern portion to the Catalina Foothills; culminating back at Oro Valley.

U.S. Department of Interior (DOI) agencies received an Application for Transportation, Utility Systems, Telecommunication and Facilities on Federal Lands and Property (SF 299) to NPS on May 16, 2025, to BLM on July 1, 2025, and to BOR for processing by the Central Arizona Water Conservation District on July 15, 2025.



The Proposed Project would create a 134.61-mile contiguous open-access fiber ring network. Installation of the conduit would be installed via horizontal directional drilling, trenching, shallow trenching, micro-trenching within pavement, attaching to existing bridges, rocksaw, and plowing. Communication pull boxes would be placed approximately every 3,000 feet and splice vaults would be placed approximately every 25,000 feet. Fiber splice enclosures would be installed only in the vault locations.

The EA addresses measures to protect and preserve significant natural, environmental, and historical resources along and within the Project rights-of-way (ROW). Mitigation and conservation measures, along with inadvertent discovery plans, would minimize impacts to both known and unknown natural and cultural resources.

Pursuant to NEPA, BLM, BOR, and NPS were invited to participate as cooperating agencies due to their permitting authority or land management jurisdiction over portions of the proposed Project Area. This process solicited agency input through the National Environmental Policy Act (NEPA) Interagency review conducted as part of the development of this EA.

Pima County completed the Draft EA for this Project in March 2026. The site-specific EA tiers off of the Western Region Programmatic Environmental Impact Statement (PEIS) by summarizing and incorporating by reference the analyses from the PEIS where appropriate. NTIA and Pima County have reviewed the Western Region PEIS and determined that the PEIS includes detailed analyses for all applicable environmental areas of concern (resource areas) for projects in Arizona. Pima County has also reviewed, and commits to adhere to, the resource area-specific best management practices (BMPs) identified in Chapter 9 of the Western Region PEIS.

Based on a review of the analysis in the EA, the NTIA, BLM, BOR, and NPS have determined that the Project, implemented as described in the EA, would 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 and additional information is provided in the final EA, which is incorporated by reference.

Copies of the EA and FONSI are available to all interested persons and the public through the NTIA website (<https://broadbandusa.ntia.gov/funding-programs/documentation-and-reporting>) and the following contact:

Amanda Pereira

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## PROJECT PURPOSE AND NEED

To address the need for reliable and affordable broadband service in currently unserved or underserved areas, Pima County proposes to create a 134.61-mile open-access fiber middle mile ring around the County’s urban core. This Project would create a fully diverse redundant fiber infrastructure path that all carriers can utilize. A dependable, redundant broadband feed in rural areas would provide the infrastructure needed to bring Fiber to the Home (FTTH) to all communities within a 25-mile radius, including the City of Tucson, South Tucson, Oro Valley, Tortolita, Catalina Foothills, Tanque Verde, Vail, Corona de Tucson, Sahuarita, Three Points, Picture Rocks, Avra Valley, and Marana. It would also provide resources to large corporations, small businesses and data centers and encourage job creation and economic development in the region. The middle mile network would provide improved connectivity and benefits, including access to jobs, telehealth, public safety services, public WiFi access, and education, to smaller communities and the City of Tucson alike.

Pima County’s Project has three objectives:

1. Provide a carrier neutral open-access network that can be made available to any viable carrier at a reasonable price to build rural communities last mile FTTH networks.
2. Provide an opportunity for existing carriers to swap excess dark fiber in one region for dark fiber in another that would allow them to expand their customer base and build new communities with FTTH significantly reducing cost and build time.
3. Provide public expansion of resources such as public Wi-Fi, Smart Cities, Government services, public safety, traffic control, and shared resources between communities to reduce administrative cost.

This Project would advance the goals of the Middle Mile Broadband Infrastructure Grant Program being administered by the NTIA and would meet the NTIA’s objectives of “encouraging the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the backbone of the Internet” and/or “promote broadband connection resiliency through the creation of alternative network connection paths that can be designed to prevent single points of failure on a broadband network.”

### Bureau of Reclamation

The BOR owns in fee land for the Central Arizona Project (CAP) canal and for its Tucson Mitigation Corridor, a 2,514-acre property acquired as mitigation for the construction of the CAP canal, along Sandario Rd (Section 27, Township 12 South, Range 11 East), Valencia Road (Section 11, Township 15 South, Range 13 East), and West Tangerine Road (Section 31, Township 11 South, Range 12 East) in the Proposed Project area. BOR’s Proposed Action would be to review and approve any actions proposed by Pima County on BOR’s fee land and/or the CAP canal in response to any permit application request made by Pima County to the Central Arizona Water Conservation District (CAWCD) and associated with the Project.

### Bureau of Land Management



The purpose of the Proposed Action is for the BLM to issue a temporary construction ROW grant in accordance with the Federal Land Policy and Management Act (FLPMA) for the construction and installation of the fiber optic line. A 30-year FLPMA ROW grant for the fiber optic line would be issued to Pima County for use, maintenance, etc. for any actions proposed by Pima County on BLM lands.

#### National Park Service, Saguaro National Park

The purpose of the Proposed Action is for the National Park Service (NPS) to respond to an application from the Project proponent requesting authorization to install, operate, and maintain a buried fiberoptic communication conduit across NPS managed lands. To enable the proposed work, the NPS must determine whether to issue a Right-of-way (ROW) permit for long-term occupancy and a Special Use Permit (SUP) for temporary construction access and installation activities. The purpose of evaluating this request is to ensure that any authorized use protects park resources and values, maintains visitor experience, and complies with all applicable laws, regulations, and policies.

Although the County, as the Applicant, either holds valid ROW easements across portions of the existing roads or asserts that those roads were established as public highways prior to NPS ownership, these rights are limited to install, construct and maintain the easement for highway purposes only. Therefore, installation of fiber within these areas cannot proceed without NPS authorization. An NPS ROW permit and a SUP must be issued, as appropriate, before the Project can be finalized.

The need for action arises because the Applicant cannot construct or maintain utility infrastructure on NPS lands without federal authorization. The NPS must make a decision on the ROW and SUP applications, requiring an analysis of potential environmental impacts and a determination of whether the proposed use is consistent with the NPS Organic Act, enabling legislation, park management plans, and other applicable requirements. The NPS also needs to identify appropriate avoidance, minimization, or mitigation measures to protect natural, cultural, and scenic resources; evaluate the effects of construction and long-term operation of the fiber line.

## **PROJECT DESCRIPTION**

The Proposed Project would create a 134.61-mile contiguous open-access fiber ring network (Figure 1. State Map). The fiber ring network surrounds Pima County's urban core and adjacent rural communities. The proposed open-access fiber optic ring path runs within the unincorporated portions of Pima County, spanning from Oro Valley to Marana on the north side, south to Drexel Heights; east covering the entire Drexel Heights area; south to Sahuarita; east from Sahuarita through Corona de Tucson; and north through Vail along the County's eastern portion to the Catalina Foothills; culminating back at Oro Valley.

The Project would be constructed across 14 contiguous segments, entirely within existing rights-of-way, easements, and Federal, County, City, or Town property, thereby limiting disturbance to previously impacted areas. Ground disturbance would be confined to the construction footprint, where vegetation would be cleared using a bushhog or similar mowing equipment. Conduit installation would employ methods appropriate to site-specific conditions, including horizontal directional drilling, trenching, shallow trenching, micro-trenching within pavement, bridge attachment, rocksawing, and plowing.

Approximately 2.25, 3.85, and 3.50 miles of conduit would be installed on BOR, BLM, and NPS lands, respectively, using horizontal directional drilling, trenching, or plowing depending on site conditions. Communication pull boxes (approximately 4 feet wide by 6 feet long) would be placed every 3,000 feet, and splice vaults (approximately 5 feet wide by 7 feet long) would be placed every 25,000 feet, with fiber splice enclosures installed at vault locations only. All excavations would be backfilled with select excavated material and compacted to finished grade.

## **ANALYSIS OF ALTERNATIVES**

The following summarizes the alternatives analyzed in the EA.

### **NO ACTION ALTERNATIVE**

The No Action Alternative represents conditions as they currently exist. Under the No Action Alternative, the Project would not be constructed. The No Action Alternative would not meet the purpose and need of the Proposed Action. This alternative was described and analyzed as the baseline for evaluating impacts.

### **ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD**

Alternatives may be considered but not carried forward for detailed analysis under NEPA if it would not be technically or economically feasible or if it would not meet the purpose and need. These alternatives are described in Section 2.2 of the EA. They include alternative technologies (*i.e.*, microwave tower and satellite services) and alternative alignments. These were eliminated from consideration because they did not meet the purpose and need because of quality-of-service requirements, or technical or economic feasibility.

## **FINDINGS AND CONCLUSIONS**

The analysis in the final EA and the Western Region PEIS determined that there would be limited impacts resulting from the proposed action. Best management practices (BMPs) incorporated as part of the proposed action are listed in Appendix J of the final EA and implementation of BMPs would be required. The results of the analysis are summarized in the table below:

Resource Area	Preferred Alternative	No Action Alternative
Infrastructure	No Significant Impact	No Impact
Soils	No Significant Impact	No Impact
Geology	No Significant Impact	No Impact
Water Resources	No Impact	No Impact
Biological Resources	No Significant Impact with relevant site-specific BMPs and conservation measures	No Impact
Land Use, Recreation, and Airspace	No Impact	No Impact
Visual Resources	No Significant Impact	No Impact
Socioeconomics	No Impact	No Significant Impact
Historic and Cultural Resources	No Significant Impact with relevant site-specific BMPs and conservation measures	No Impact
Air Quality	No Significant Impact	No Impact
Noise and Vibrations	No Significant Impact	No Impact
Human Health and Safety	No Significant Impact	No Impact

The sections that follow provide a brief description for those resource areas indicated in the table above and, where applicable, provide a summary of the results of required consultation with the appropriate agency or agencies.

## INFRASTRUCTURE

The Project would not adversely affect access to or the function of existing surface transportation routes, airports, railroads, aerial utilities, buried utilities, utility towers, and CAP facilities. Construction activities would be temporary and of short duration. Roads would be crossed via bore, with no surface impact to the road. Impacts on traffic would be minimized through maintenance of traffic plans.

During the operation of the network, ground disturbance during routine maintenance would typically be minor if it occurred at all and would not adversely affect surface transportation routes, airports, railroads, aerial utilities, buried utilities, utility towers, and CAP facilities. Therefore, the effects of the Project on existing infrastructure would be less than significant.

## SOILS

There would be minimal adverse effects on soils due to erosion, topsoil mixing, or soil compaction. Any adverse effects on soils within the construction footprint would be temporary. The construction footprint would be restored to preconstruction conditions to the extent practicable after the conduit and pull boxes are installed. The plow, trench, shallow trench, and bore pits would be backfilled with selected excavated native backfill, compacted and returned to existing grade. Construction activities would take place adjacent to existing roadway alignments within previously disturbed areas and would not impact or convert areas of prime or unique farmland.



During the operation, ground disturbance during routine maintenance would typically be minor if it occurred at all and would be accessed via existing roads and occur adjacent to existing roadway alignments within previously disturbed shoulders. Operation activities would not impact or convert areas of prime or unique farmland. Therefore, the effects of the Project on soils would be less than significant.

## **GEOLOGY**

The construction footprint of the buried fiber would be adjacent to existing roadway alignments within previously disturbed shoulders, and would not affect, or be affected by, areas with geologic hazards as construction activities would remain in the roadway prism. The Project site does not include known sites with extensive fossils, fault zones, or oil and gas wells. A potential karst area is present along a portion of the route and trenching and directional drill methodologies would be used to install the fiber. Lack of recent data on the potential karst and shallow deployment depth would not require any protective measures throughout this area. No work would occur within the potential karst area on NPS lands. Operational activities would not affect or be affected by areas with geologic hazards. Therefore, the effects of the Project on geology would be less than significant.

## **WATER RESOURCES**

The Project would be within or immediately adjacent to water resources, including streams, rivers, canals, ditches, floodplains, aquifers, and wetlands. Jurisdictional Waters of the U.S. (WOTUS) that occur within the Project include the Santa Cruz River, Pantano Wash, Tanque Verde Creek, and Canada del Oro, as well as riverine wetlands. No Outstanding Arizona Water or Wild and Scenic Rivers would be crossed by the Project.

Work at jurisdictional WOTUS includes conduit installation via bridge attachment only. The conduit would be installed from the bridge deck by bucket truck or similar. No work would occur under the bridge; therefore, no impacts to potential WOTUS would occur and Section 404/401 permitting is not required. Although work would occur within the 100- or 500- year floodplain, new permanent impacts would be minimal because construction would take place adjacent to the existing roadway alignment within disturbed shoulders and would not redirect water flow or prevent water infiltration. Construction activities would not change overland flow or groundwater recharge. The Project would result in disturbance of 1 or more acres of land; therefore, a Stormwater Pollution Prevention Plan (SWPPP) and an Arizona Pollutant Discharge Elimination System (AZPDES) permit would be required.

During the operation of the network, ground disturbance during routine maintenance would typically be minor and infrequent, and would be accessed via existing roads and occur adjacent to the existing roadway alignment within disturbed shoulders. Operational activities would not occur within water resources; therefore, there would be no impact on any water resources. Therefore, there would be no effects on wetlands and the impacts on other water resources would be less than significant.

## **BIOLOGICAL RESOURCES**

Some ground and vegetation disturbance would occur during construction activities, and some Important Bird Areas (3), County Wildlife Movement Areas (17), County Wildlife Crossing Areas (3), or state conservation



opportunity areas (4) would be crossed in addition to federal lands managed by the BOR, BLM, or NPS. Vegetation removal would be limited to existing ROWs or easements and County/City/Town property.

On November 17, 2025, the USFWS provided a list of 17 federally listed species, proposed species, or experimental non-essential populations of species potentially occurring within the Project area. Pima County submitted a biological evaluation for the Project on December 11, 2025 that indicated that, for species under the jurisdiction of the USFWS, the Project would have no effect on 14 of the species due to lack of suitable habitat. The remaining three species, the Pima Pineapple Cactus (PPC), yellow-billed cuckoo, and monarch butterfly, have potentially suitable habitat in the Project area and were evaluated further.

Pima County holds a Section 10 Permit as part of the Multi-Species Conservation Plan, which allows for continued development while complying with the Endangered Species Act (ESA). However, approximately 83 acres affected by the Project would occur outside of the Section 10 Permit area and species-specific surveys were required for the federally listed PPC. Surveys for the PPC identified six individuals within the survey corridor, none of which occurred on federal lands. NTIA concurred with the Grantee’s determination of “no effect” (or “not likely to jeopardize” for the monarch butterfly) for all but the yellow-billed cuckoo. Potential impacts on the yellow-billed cuckoo would be covered under Pima County’s existing Section 10 Permit, therefore no consultation with the USFWS is required. The Grantee’s contractor would also implement species-specific BMPs for the state-protected Sonoran Desert tortoise, if encountered.

Operation activities would have minor ground disturbance (if any) and are not anticipated to impact biological resources in the Project area. Based on the mitigation measures proposed for use, the effects of the Project on biological resources would be less than significant.

## **LAND USE, RECREATION, AND AIRSPACE**

The Project would result in approximately 228 acres of temporary ground disturbance; specific types of vegetation impacts are discussed above, in vegetation. The Project would not result in the permanent conversion of land to a new land use category. The Project would cross federally owned and state-owned land including BLM, BOR, NPS, and Arizona State Land Department (ASLD). Changes in the existing land use would be minimal during the construction phase because the Proposed Action would install conduit in existing ROWs, and construction would be temporary and of short duration. Further, there would be no access restrictions or visitation reductions at recreation areas, including the Saguaro National Park.

Operation and maintenance activities would be implemented over the life of the Project. The utility owner would be required to apply for, obtain, and maintain an encroachment permit from lead agency to operate and maintain the telecommunications facilities within the agency’s ROW. Therefore, there would be no effects on land use, recreation, or airspace.

## **VISUAL RESOURCES**

The Project would cross or be adjacent to the following visual resources: historic properties and cultural resources (which are described further below), the Patagonia-Sonoita Scenic Road along SR 83 from Sahuarita Road to I-10,



and Saguaro National Park (Tucson and Rincon Mountain Districts) along Sandario Road and Old Spanish Trail. Changes in the existing viewshed would be isolated during the construction and deployment phases and the areas would be restored to preconstruction conditions after construction.

During operation, fiber utility markers would be utilized where the conduit is installed between 6 to 12 inches due to existing infrastructure obstructions and at each communication pull box/splice vault location. Fiber utility markers would be located adjacent to the existing roadway alignment and would not adversely affect visual resources. Therefore, the effects of the Project on visual resources would be less than significant.

## **SOCIOECONOMICS**

Because the Project would be located within existing ROWs, the Project would result in negligible adverse changes to economic conditions, including property values and/or rental fees, jobs and unemployment rates, and population changes. Any adverse effects would be locationally isolated and limited in duration. The Project may also result in direct and indirect beneficial effects associated with increased access to broadband services.

## **HISTORIC AND CULTURAL RESOURCES**

The Proposed Action traverses a culturally and archaeologically sensitive landscape, as documented in EA and further substantiated by the Programmatic Agreement (PA) between the NTIA and the State Historic Preservation Office (SHPO) (November 2025). Because the effects on historic properties cannot be fully determined prior to Project approval, NTIA, in consultation with the Arizona SHPO, federally recognized Tribes, and other stakeholders, executed a PA (November 2025) pursuant to 36 Code of Federal Regulations (CFR) Section (§) 800.14(b)(1)(ii). The PA establishes a phased process for the identification, evaluation, and treatment of historic properties within the APE, ensuring that Project implementation proceeds in compliance with Section 106 of the National Historic Preservation Act (NHPA). It requires preparation of an Inventory Report, a Historic Properties Treatment Plan (HPTP), and a Monitoring and Discovery Plan (MDP) to guide ongoing consultation, archaeological monitoring, and treatment of any unanticipated discoveries during construction.

Under the PA, Pima County—in coordination with NTIA, SHPO, federally recognized Tribes, and other consulting parties—would implement a phased approach to the identification, evaluation, and treatment of historic properties. As part of this process, Pima County would prepare an HPTP, which would define specific measures to avoid, minimize, or mitigate adverse effects on historic properties and cultural resources within the APE.

Through the detailed procedures and consultation framework established in the PA, the Proposed Action is expected to have no unmitigated adverse effect on historic properties or cultural resources. The PA and its implementing plans ensure that cultural resource protection would be integrated into all phases of Project design and construction, providing both regulatory compliance and stewardship of the region's cultural heritage.

## **AIR QUALITY**

The majority of the Project is located within a carbon monoxide maintenance area and overlaps with the particulate matter less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>) nonattainment area near

Marana. Negligible emissions would occur for any criteria pollutants within a nonattainment area through the use of construction equipment, but would not cause a National Ambient Air Quality Standards (NAAQS) exceedance because the emissions would be temporary and of short duration.

Operation and maintenance activities would be implemented over the life of the Project. Routine maintenance activities would include marking the location of the permitted infrastructure as required, which would include opening pull boxes to access the locate system. Negligible emissions would occur for any criteria pollutants within a nonattainment area through the use of maintenance equipment but would not cause a NAAQS exceedance because the emissions would be temporary and of short duration. Therefore, the effects of the Project on air quality would be less than significant.

## **NOISE AND VIBRATIONS**

The Project would be anticipated to produce noise primarily during the construction phase. Noise and vibration levels resulting from Project activities would exceed natural sounds but would not exceed typical levels from construction equipment or generators. Noise-producing activities during construction would occur during working hours based on County, City, and Town ordinances. Routine maintenance activities would include marking the location of the permitted infrastructure as required, which would include opening pull boxes to access the locate system. Noise levels from maintenance activities would be temporary and short in duration. Therefore, the effects of the Project on noise and vibration would be less than significant.

## **HUMAN HEALTH AND SAFETY**

Pima County would ensure that safe work conditions are provided and enforced during construction and operation of the Project. Several leaking underground storage tank (LUST) cases were documented adjacent to the site; however, they have been closed and met risk-based corrective action (RBCA) Tier 1, 2, or 3 standards. No LUST cases were identified within or immediately adjacent to BLM, BOR, or NPS lands. Construction of the Project would not expose workers to hazardous chemicals, and contaminated sites are not known to exist in the Project area, but any discovered during construction and deployment would be handled in accordance with applicable regulations. Although manmade disasters cannot be predicted, Pima County confirms it would monitor for natural disasters and ensure that safety plans and evacuation routes are communicated to workers.

Operation and maintenance activities would be implemented over the life of the Project. Routine maintenance would not expose workers hazardous chemicals, and contaminated sites are not known to exist in the Project area, but any discovered during construction and deployment would be handled in accordance with applicable regulations. Therefore, there would be no effects on human health and safety.

## **PUBLIC COMMENT**

On March 29, 2026, the draft EA was published for a 30-day public review and comment period. Notices of availability of the draft EA were placed in the Daily Territorial (Tucson) and the Green Valley News. The notice of

availability and the draft EA were also posted on NTIA’s website. The draft EA comment period concluded on April 29, 2026.

One non-substantive comment was received from a member of the public in support of the project. The comment received is included in Appendix K of the Final EA.



## DECISION

Based upon the analysis presented in the final EA, NTIA, BLM, BOR, and NPS have determined that the proposed action would not have a significant effect on the human environment, therefore an EIS is not warranted. BOR, BLM, and NPS certify that they have considered the requirements of NEPA and 516 Department Manual 1, all relevant information raised in the NEPA process, and that the NEPA process has concluded. Given this information, NTIA, BOR, BLM, and NPS have made the decision to implement their proposed actions described in Chapter 2 of the final EA.

Issued on May 13, 2026, by:

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Amanda Pereira

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## **National Park Service Non-Impairment Determination for the Pima County Regional Middle Mile Project Finding of No Significant Impact and Decision Record**

### **National Park Service Decision**

#### ***Selected Alternative***

A small portion of the Pima County Middle Mile Project is within the boundaries of Saguaro National Park in Arizona. The Selected Alternative would place approximately 2.85 miles of fiber optic cable within Saguaro National Park (within 8-feet of existing roadway, within existing ROW or maintenance agreement areas along the western sides of Sandario Road and Old Spanish Trail). The authorization of NPS lands for installation requires a Special Use Permit and operation and maintenance use requires a ROW permit.

Saguaro National Park protects a superb example of the Sonoran Desert ecosystem, featuring exceptional stands of saguaro cacti, important wildlife habitat, critical riparian areas, associated mountains, two designated wilderness areas, and Class 1 airsheds. Saguaro National Park provides a unique opportunity for wilderness experience adjacent to a rapidly expanding urban population. Saguaro National Park also protects significant cultural resources, including national-register-listed or -eligible archeological resources, places important to American Indian cultural traditions, and historic structures. (Foundation Document, Saguaro National Park, April 2014).

Pima County submitted an SF-299 application for the ROW permit in May 2025. The application included information to support the use or occupancy of NPS-administered lands within the park to operate and maintain fiber optic cables within a buried conduit. This installation of the fiber optic cable occurs at a minimum depth of 36 inches below the surface via directional boring (ASTM F1962-22), depending on site conditions. The directional boring technique uses a directional boring machine to drill a pilot hole with a drill head then pull the conduit through the pilot hole for installation. The directional boring method is the primary method of installation for the project. There will be no need for staging areas on park land for the project. All construction activities will remain within the defined ROW of the project, which includes the placement of heavy equipment. In addition to the ROW, a SUP will be required for the installation of the fiber optic cable.

#### ***National Park Service Authorities***

The NPS may issue a ROW permit only on finding that the ROW is not incompatible with the public interest. 54 U.S.C. § 100902. Pima County proposes to create a 134.61-mile open access fiber middle mile ring around the County's urban core to address the need for reliable and affordable broadband service in currently unserved or underserved areas. The Project would create a fully diverse redundant fiber infrastructure path that all carriers can utilize. A dependable, redundant Broadband feed in the rural areas would provide the infrastructure needed to bring Fiber to the communities within a 25-mile radius, including the City of Tucson, South Tucson, Oro Valley, Tortolita, Catalina Foothills, Tanque Verde, Vail, Corona De Tucson,

Sahuarita, Three Points, Picture Rocks, Avra Valley, and Marana. While the project will impact some park resources, those impacts are expected to be limited in scope and duration and minimized through mitigation measures and permit conditions. Based on this analysis, the NPS has determined that Pima County's broadband project is not incompatible with the public interest. Additionally, ROW permits may only be issued when there is no practicable alternative to the use of lands and waters within a System unit. Alternative locations for the fiber optic cable were evaluated in the SF 299 ROW application and Plan of Operation and Development. After review, the NPS determined there is no practicable alternative that would fully avoid use of NPS-administered lands while meeting the project's purpose and need. Thus, the NPS may issue a ROW permit consistent with the statutory authority in 54 U.S.C. § 100902 and NPS policy.

The Selected Alternative will also require Special Use Permits (SUPs) for construction activities on NPS lands. There must be specific authority in the law to allow the type of special park use requested. Here, the SUPs are attendant to the ROW, authorized pursuant to 54 U.S.C. § 100902. SUPs may be issued so long as the activity will not result in derogation of the values and purposes for which the park was established. The purpose of Saguaro National Park is to preserve and protect saguaro cacti; diverse biotic communities (including the Sonoran Desert, associated mountain ecosystems, and Rincon Creek); cultural and archeological features; and scientific, scenic, and wilderness values. The park provides opportunities for research, education, and public enjoyment, and strives to protect its resources from the effects of the encroachment from urbanization and development. The construction activities associated with the installation of the fiber optic cable and conduit will have short-term (days to weeks), small impacts within an existing disturbed road shoulder. Thus, the issuance of SUPs for the Selected Alternative will not result in derogation of the values and purposes for which the Park was established. SUPs must also include conditions for using the park that take into consideration safety, resource protection, and normal park visitation. SUPs issued for the Pima County Middle Mile Project will include terms and conditions to address these factors and ensure that impacts to resources are limited.

The Selected Alternative meets the purpose and need of the EA and is expected to fulfil the NPS's statutory mission and responsibilities, considering all the requirements for the issuance of ROW permits and SUPs. The Selected Alternative incorporates all practical means to avoid or minimize environmental harm to Park resources. NPS permit terms and conditions further ensure that impacts to the Park resources and values will be minimized. The Selected Alternative will not result in the impairment of Park resources or values or violate the NPS Organic Act. The NPS approval authority is limited to the actions within the NPS-administered lands.

#### ***National Park Service Non-Impairment Prohibition***

The Organic Act of 1916 directs the U.S. Department of the Interior and the NPS to manage units "to conserve the scenery, natural and historic objects, and wildlife in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in such manner and by such a means as will leave them unimpaired for the enjoyment of future

generations” (54 U.S.C. § 100101(a)). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which the System units have been established, except as directly and specifically provided by Congress” (54 U.S.C. § 100101(b)(2)). Impairment Definition According to NPS Management Policies 2006, Section 1.4.5, an impairment is an impact that, “in the professional judgment of the responsible NPS manager, would harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values.” Section 1.4.5 goes on to state that, “an impact to any park resource or value may, but does not necessarily, constitute an impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified as a goal in the park's general management plan or other relevant NPS planning documents as being of significance.”

Per Section 1.4.6 of the NPS Management Policies 2006, the “‘park resources and values’ that are subject to the non-impairment standard include the park’s scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park:

- the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals; appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park’s role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.”

### ***Non-Impairment Determination for the Selected Alternative***

As a cooperating agency under NEPA, the NPS contributed to the Draft and Final EA. The Final EA assessed impacts on noise, air quality, land and water resources, biological and cultural resources, aesthetic and visual resources, infrastructure, socioeconomic factors, and health and

safety, summarized in the FONSI above. Following NPS Management Policies (2006), § 1.4.6, NPS has prepared a non-impairment determination for impacts to noise, air quality, water resources, geology, soils, vegetation, biological resources, historic and cultural resources, and viewsheds. Consistent with NPS Management Policies, §1.4.6 and as described in NPS guidance for preparing non-impairment determinations, a non-impairment determination is not made for land use, infrastructure, socioeconomics or health and safety because, under the Organic Act, the NPS does not consider these impact topics to be park resources or values subject to the non-impairment standard. See Guidance for Non-Impairment Determinations and the NPS NEPA Process. This information presented here is based on consideration of the Park's purpose, an analysis of the environmental impacts described in the EA, the comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of the NPS Management Policies (2006).

### *Air Quality*

The Selected Alternative will not result in impairment of the Parks air quality due to the implementation of best management practices (BMPs) that will control dust and emissions, such as stabilizing active construction areas, prohibiting the burning of materials, and minimizing equipment idling. Additionally, construction activities will only last a few days or weeks, greatly limiting air quality impacts within the Park. Although there may be minor adverse changes or impacts to air quality on site during construction, because these are temporary and small, they will not result in impairment.

### *Geology and Soils, Vegetation*

The installation of the conduit and fiber optic cable will result in removal and disturbance to soils and vegetation within a portion of the existing road shoulder. However, these impacts are not expected to rise to the level of impairment because they are within the existing maintained road shoulders where soils have already been disturbed, the amount of disturbance is limited to 2.53 miles in the Tucson Mountain District and 0.25 miles in the Rincon Mountain District.

### *Noise*

During the installation of the proposed project, construction noise from heavy equipment will occur within the cleared road shoulder along the roadway for a maximum of 1 to 2 days or up to a week. Because of the short duration of the noise impacts, the proximity of the noise to an existing roadway, and the conservation measures included to minimize impacts on noisesensitive biological resources, there will be no impairment of the Park's soundscape.

### *Biological Impacts*

The Selected Alternative will not impair the Park's biological resources, including threatened and endangered species. The USFWS Information for Planning and Consultation (IPaC) system was accessed on November 17, 2025 (Consultation Code 2026-0016530) and the Arizona Game and

Fish Department (AGFD) Online Environmental Review Tool (OERT) was accessed on November 17, 2025. There will be no effects to threatened or endangered species, or their habitats. Potential impacts will be minimized through mitigation measures and permit conditions incorporated into the project. Given the limited scope and duration of impacts and the implementation of these protective measures, the Selected Alternative will not result in impairment of the park's biological resources.

### *Historic and Cultural Resources*

Impacts from the project will not result in impairment of the Parks historic and cultural resources because construction in each Monument will be subject to a review process that complies with 36 CFR 800.4 to 800.6. No construction will begin until evaluations identified in the Programmatic Agreement are completed and any adverse effects to historic properties are mitigated. The project planning incorporates cultural and ceremonial event schedules, and public outreach has been conducted to engage stakeholders, including consultation under Section 106 of the National Historic Preservation Act. Additionally, the Area of Potential Effect (APE) has been carefully defined to include all ground-disturbing activities, and a Records Check will identify previously surveyed historic properties, with special consideration given to Tribal consultation. Should historic properties be discovered, avoidance measures and treatment plans are stipulated in the project agreement to minimize impacts. Based on the limited scope and duration of impacts, the avoidance and mitigation measures incorporated through the Section 106 process, and ongoing consultation with affiliated Tribes and consulting parties, the Selected Alternative will not impair the Park's historic and cultural resources.

### *Viewsheds*

The Selected Alternative will not compromise the viewsheds Saguaro National Park due to the locations within viewsheds and being within existing disturbed road shoulders. Seven pull boxes will be within the park boundary; however, these are at ground level, the fiber optic cable will remain hidden from view. The Selected Alternative will result in only temporary disturbances lasting 1 to 2 days or potentially up to a week within the ROW, with disturbances limited to within 8 feet from the road shoulder. As all construction activities will be confined to the designated boundaries and appropriate mitigation measures will be implemented, no long-term impacts on the viewshed are expected, and the Parks viewsheds will remain unimpaired. Pima County Regional Middle Mile Project (04-40-MM588).

### ***NPS Decision***

Under the Selected Alternative, impacts to Saguaro National Park will occur within existing, previously disturbed road shoulders. Impacts are temporary, lasting one to two days up to a week for construction in any specific area. Given the limited geographic scope, short duration of impacts, and the fact that construction will take place within the existing ROW, the NPS has concluded that the Selected Alternative will not impair park resources or values or prevent the

Park from fulfilling its purposes. Additionally, permit terms and conditions will mitigate impacts further, while the Selected Alternative will enhance broadband access for underserved communities around Tucson, Arizona.

Issued on \_\_\_\_\_ by:

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