# Supplemental Finding of No Significant Impact

## *The Winnebago Tribe of Nebraska Broadband Connectivity Project (Grant Number: NT22TBC0290076)*

**Lead Federal Agency**
U.S. Department of Commerce:
National Telecommunications and Information Administration

**FAST-41 Cooperating Agency**
U.S. Department of Defense:
U.S. Army Corps of Engineers – Omaha District

NEPA Unique Identification Number: SEAXX-006-60-28B-1770809845

National Telecommunications and Information Administration 1401 Constitution Ave., NW Washington, DC 20230

# CONTENTS

# FINDING OF NO SIGNIFICANT IMPACT

*NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION*

*TRIBAL BROADBAND CONNECTIVITY PROGRAM*

*THE WINNEBAGO TRIBE OF NEBRASKA BROADBAND CONNECTIVITY PROJECT (GRANT NUMBER: NT22TBC0290076)*

# OVERVIEW

This document serves as the Finding of No Significant Impact (FONSI) for the following project awarded by the National Telecommunications and Information Administration (NTIA). The NTIA and cooperating agencies, including the Bureau of Indian Affairs (BIA)-Great Plains Region and the U.S. Army Corps of Engineers (USACE)-Omaha District have completed the sufficiency review of the recipient's Environmental Assessment (EA) and have determined that the Project (proposed action) will not have a significant impact on the environment. The BIA will issue Rights of Way (ROW) for native allotment crossings and use of BIA Road ROWs. The USACE has federal actions under Section 404 of the Clean Water Act, Sections 10 and 408 of the Rivers and Harbors Act and has a real estate action for use of their federal land for the proposed project. USACE will issue their own Categorical Exclusion (CATEXes) for the proposed project and is not a signatory to this joint agency FONSI but has remained as a cooperating agency on the overall environmental review to ensure accurate information is portrayed regarding impacts to Waters of the United States, navigable waters, and USACE civil works projects. The FONSI contains information related to the review.

*NTIA has completed the sufficiency review of the recipient's Supplemental EA (SEA) and determined that the Project will not have a significant impact on the environment. The Supplemental FONSI contains information related to the review.*

*All text in the original FONSI remains in black font. Supplemental FONSI text is italicized in blue font to differentiate from the original FONSI text. This supplemental FONSI is specific to the revised alignment only. Please refer to the original EA and FONSI for details on the Project as a whole.*

| | |
|---|---|
| Recipient Name: | The Winnebago Tribe of Nebraska |
| Grant Project Name: | The Winnebago Tribe of Nebraska Broadband Connectivity Project |
| Grant Award No. | NT22TBC0290076 |
| Program Location: | Wayne, Dixon, Thurston, Dakota Counties, Nebraska and Woodbury County, Iowa |

# PROGRAM SUMMARY

The NTIA awarded a grant to The Winnebago Tribe of Nebraska, 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 Winnebago Tribe of Nebraska project is called the Winnebago Tribe of Nebraska Broadband Connectivity Project and proposed activities are scheduled to occur in Wayne, Dixon, Thurston, Dakota Counties, Nebraska and Woodbury County, Iowa.

The Winnebago Tribe of Nebraska completed an EA for this Project in June 2024. NTIA, BIA and USACE reviewed the EA, determined it was sufficient, and adopted it as part of the development of this FONSI.

*Since the Approved EA and FONSI, the Winnebago Tribe of Nebraska made small adjustments to the alignment of the original proposed action, primarily in the northern portion of the Project. The route adjustments were made to accommodate the city of Sioux City, Iowa, to better utilize a plot of land for potential future development without conflicts and to allow the Winnebago Tribe of Nebraska to place a new optical line terminal (OLT) at the casino and racetrack, which is owned by a subsidiary of the tribe.*

*A SEA was subsequently prepared to assess potential environmental impacts of installing this alternative route. This document serves as the Supplemental FONSI for the SEA completed in August 2024 for the alternative route within the Winnebago Tribe of Nebraska Reservation. NTIA has determined that the Final SEA meets the requirements of NEPA and NTIA NEPA regulations.*

The Project includes:

**Project Activity 1 (Preferred Alternative):** The proposed action involves the construction of a multi-conduit, underground Fiber to the Premises (FTTP) system. The Project includes accessing backbone fiber, the construction of approximately 235 miles of middle- and last-mile fiber and interconnection, and development of robust back haul connections. The new fiber-optic cable would be buried within protective conduit along existing road ROW and under the Missouri River in the Project area. The buried fiber-optic line installation, which consists of the telecommunications cable and its protective conduit, would be performed using plowing and trenching construction techniques along roadways, and a directional boring machine would be used to install line under waterway, road, and railroad crossings. To facilitate operation and maintenance of the FTTP system, ancillary equipment would be installed along the alignment including optical line terminals (OLT), vaults, handholes, pedestals, markers, and network interface devices (NID).

Based on a review of the analysis in the EA, the NTIA, BIA and USACE have determined that the 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.

*Revised fiber route (SEA Project):*

*The route adjustments include:*

- *The north bore site includes a new alignment of the bore under the Missouri River and an adjusted exit point of the bore location in Iowa. The exit point of the bore has shifted approximately 145 feet north of the original exit point.*
- *The Modified South Sioux City Alignment travels south, east of 149th Street and under Interstate 129 to 152nd Street. From there, rather than continuing south along C Avenue, the Modified Alignment now follows East 48th Street to Dakota Avenue, continuing south to Cedar Street.*

*Based on a review of the analysis in the SEA, NTIA has determined that the Project, implemented in accordance with the preferred alternative, and incorporating BMPs and protective measures identified in this Supplemental FONSI, will not result in any significant environmental impacts. Therefore, preparation of an EIS is not required. The basis for this determination is described in this Supplemental FONSI.*

Additional information and copies of the Executive Summary 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

Environmental Program Officer
Office of Internet Connectivity and Growth (OICG)
National Telecommunications and Information Administration
U.S. Department of Commerce Room 4874
1401 Constitution Avenue, NW
Washington, DC 20230

# PROJECT PURPOSE AND NEED

The purposeof the Project is to deploy a broadband infrastructure network to provide reliable and affordable high-speed Internet to the Winnebago Tribe and community. The Winnebago Reservation includes a high percentage of residents and businesses without internet service either because of lack of infrastructure or high cost. Of the 886 households on the reservation 602 are unserved Native American households. There are also 44 unserved Native American tribal businesses (out of 46) and 19 unserved anchor institutions (out of 19). Those with internet service must contend with connection speeds much slower than the Federal Communications Commission's (FCC) current (2015) definition for broadband of 25 megabits per second (Mbps) download speeds and 3 Mbps upload speeds. A sample speed test survey conducted by the Winnebago Tribe of Nebraska in 2021 determined that speed averaged 15.12 Mbps for upload speeds and 6.74 Mbps for download speeds. Therefore, the service of the Winnebago Reservation is considered "unserved."

The 2020 U.S Broadband Pricing index reported the average monthly costs for internet access was $60. Winnebago Tribal households on average are paying in excess of $100 per month for service. The lack of available internet service or inadequate access at higher-than-average prices has limited opportunities for residents of the Winnebago Reservation to pursue educational enrichment, employment opportunities, economic mobility, and access to vital health care services.

By providing qualified broadband service to the Winnebago Reservation and in the adjacent communities of Emerson, Homer, and Wakefield, the Project is expected to facilitate economic development and commercial activity, create remote employment and entrepreneurial opportunities, and increase availability of remote learning and telehealth services.

*The purpose of the route adjustments are to adjust the alignment slightly to better serve all parties involved, including to accommodate the city of Sioux City, Iowa, to better utilize the plot of land for potential future development and to allow the Winnebago Tribe of Nebraska to place a new OLT at the casino and racetrack, which is owned by a subsidiary of the tribe.*

# PROJECT DESCRIPTION

The proposed action involves the construction of a multi-conduit, underground Fiber to the Premises (FTTP) system capable of 200 Mbps download speeds and 40 Mbps upload speeds. The Project includes accessing backbone fiber, the construction of approximately 235 miles of middle- and last-mile fiber and interconnection, and development of robust back haul connections. The new fiber-optic cable would be buried within protective conduit along existing road Right of Way (ROW) and under the Missouri River in the Project area.

In total, the Project would provide qualified broadband service to approximately 600 unserved Native American households, 40 unserved Native American and/or tribal businesses, and 16

tribal anchor institutions. A tribal anchor institution is a communal entity that supports broadband services for vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals. In addition, the Project includes a rate stabilization program designed to provide up to a maximum payment on broadband household monthly bills to alleviate the burden felt most heavily by those in poverty and to prevent disconnection of service.

Construction components include obtaining ROW agreements, developing staging areas, the burying of a fiber-optic line, and the construction of ancillary facilities. Fiber would be installed by plowing, trenching, or directional boring construction methods.

To support boring under the Missouri River at River Mile (RM) 711.0, staging areas are located on either side of the river. Six staging areas have been identified for the Project to temporarily store equipment and materials. All staging areas are located on the Winnebago Reservation. Temporary roads would be installed to provide access to each staging area. The six staging areas were reviewed and surveyed by the grantee to assess impacts to resources. The first staging area is an approximately 647-acre site located south of Link 17B and west of the Missouri River. Of the total area, only 330 acres will be used for the staging area. The second staging area is an approximately 238-acre site, of which 150 acres will be used, located west-southwest of the WinnaVegas Casino Resort. Four other staging areas for equipment and material storage are located on the southwestern corner of D Avenue and 17th Road (26.1-acre), just north of B Avenue directly west of U.S. Highway 75 (5.19 acres), north of East Beck Street 0.25 mile east of U.S. Highway 75 (3.6 acres), and south of Link 30 along Link 3 (4.86 acres).

Approximately 156 miles of the proposed installations would be performed using plowing or trenching construction techniques within existing road ROW. Plowed conduit would be installed using a track-type bulldozer equipped with a specialized single ripper that loosens the soil along the installation path. Conduit would be fed either from the plow bulldozer or from a separate truck-mounted reel through a plow chute attached to the ripper and laid directly at a nominal depth of approximately 36 to 48 inches, depending on permit requirements. A compaction machine would follow directly behind the plow bulldozer and restore the ground surface to its original contour. Ground disturbance associated with the plowed installation would be limited to an approximately 8-foot-wide corridor. In areas that are too narrow for plowing equipment to be used and where directional boring is not required to avoid surface disturbance, trenching construction techniques would be used for the conduit installations. Typically, a backhoe would be used to dig the required trench, although a compact excavator may be used in areas that are exceedingly narrow. The nominal trench depth would be the same as for plowed installations, but the disturbance width would be less.

Approximately 78 miles of the proposed installations would be performed using directional boring construction techniques. Directional boring is a method used to install utility lines

under waterways and roads and in other areas where the avoidance of surface disturbance is desirable. Directional boring machines are horizontal drilling rigs with a steerable drill bit. In general, each bore begins with the creation of a pilot hole (entry pit), through which the drill bit is guided by the operator as it progresses along the desired boring path toward the exit pit. After the pilot hole has been bored, conduit is attached to the end of the drill string, and the conduit is pulled back through the bore.

In addition to shorter road and railroad boring installations, the proposed action includes horizontal drilling underneath the Missouri River from Nebraska to Iowa at RM 711.0 (with a bore length of approximately 5,240 feet) and RM 729.7 (with a bore length of approximately 2,400 feet). For this installation, a drilling rig would be stationed at a fixed point, or entry pit, where the operator installs a piloted drilling bit while adding segments of drill rod at predetermined depths horizontally across the river. At the surface level, a locator assists the rig operator by locating the position and the depth of the piloted drilling bit as it moves away from the drilling rig. While drilling, the rig operator would continuously inject an inert clay-based fluid that lubricates and stabilizes the bore hole. This process would continue until the piloted drilling bit reaches the exit pit on the other side of the river. The piloted drilling bit would then be removed, and stages of larger reamers and drill rod would be added and pulled toward the rig operator to enlarge the hole in preparation for pipe installation. This method allows for the continuous monitoring of the bore hole and maintains a pathway until the pipe package is ready for installation. Once the hole is large enough for the determined diameter of pipe(s), the pipe package would be connected to the drilling rods and pulled across the river toward the drilling rig operator. The pipe package would then be secured at both the entry and exit pits, and the annular space around the pipe package would be filled/grouted if required or determined necessary and the ground surface restored to its original contour.

Exploratory drill borings were completed on July 26, November 3, and November 7, 2023, to determine the soil structure of the proposed drill holes. Borings were taken in order to determine the stratigraphy of the soils and if the borings under the river will hold.

Ancillary facilities will include the installation of vaults, handholes, pedestals, and markers. To the extent feasible, installations would occur in previously disturbed areas and ground disturbance would be limited to the minimum area necessary to complete the installation. Excavated soils that could not be reused onsite as backfill would be disposed of in accordance with local, state, and federal regulations.

Following the telecommunications line and ancillary facility installations, the contractor would promptly perform site cleanup and surface restoration. Cleanup would include removing all construction debris, and surface restoration would involve returning the surface contours of disturbed areas to their preconstruction condition. Waste would be disposed of in accordance with local, state, and federal requirements.

***SUPPLEMENTAL EA PROPOSED PROJECT:***

*The Project involves the construction of a multi-conduit, underground FTTP system capable of 200 Mbps download speeds and 40 Mbps upload speeds. The Modified Alignment includes accessing backbone fiber, the construction of approximately 4.9 miles of fiber and interconnection, and development of robust back haul connections. The new fiber-optic cable would be buried within protective conduit along existing road ROWs and under the Missouri River in the Project area. The buried fiber-optic line installation would be performed using plowing and trenching construction techniques along roadways, and a directional boring machine would be used to install line under waterway, road, and railroad crossings. In addition, to facilitate operation and maintenance of the FTTP system, ancillary equipment would be installed along the alignment including OLTs, vaults, handholes, markers, and manholes.*

# ANALYSIS OF ALTERNATIVES

The Winnebago Tribe of Nebraska EA includes an analysis of the alternatives for implementing the Project to meet the purpose and need. The NTIA, BIA and USACE conducted a review of the recipient's analysis of alternatives for implementing the 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 consideration when selecting the preferred alternative. The following summarizes the alternatives analyzed in the EA.

*NTIA reviewed the recipient's alternatives analysis including the no action alternative for the revised fiber route. The preferred alternative was evaluated for impacts against the no action alternative.*

## ALTERNATIVE 1(PREFERRED ALTERNATIVE) *IN THE ORIGINAL EA*

The proposed action involves the construction of a multi-conduit, underground FTTP system. The Project includes accessing backbone fiber, the construction of approximately 235 miles of middle- and last-mile fiber and interconnection, and development of robust back haul connections. The new fiber-optic cable would be buried within protective conduit along existing road ROW and under the Missouri River in the Project area. The buried fiber-optic line installation, which consists of the telecommunications cable and its protective conduit, would be performed using plowing and trenching construction techniques along roadways, and a directional boring machine would be used to install line under waterway, road, and railroad crossings. To facilitate operation and maintenance of the FTTP system, ancillary equipment would be installed along the alignment including optical line terminals (OLT), vaults, handholes, pedestals, markers, and network interface devices (NID).

## *ALTERNATIVE REVISED FIBER ROUTE FOR SUPPLEMENTAL EA ANALYSIS:*

*Since the Approved EA and FONSI, the Winnebago Tribe of Nebraska made small adjustments to the alignment of the original proposed action, primarily in the northern portion of the Project. The Modified Alignment alternative includes changes to the original proposed action in the Approved EA in two areas, 1) the north bore site, and 2) the Dakota Avenue alignment. The north bore site includes a new alignment of the bore under the Missouri River and an adjusted exit point of the bore location in Iowa. The exit point of the bore has shifted approximately 145 feet north of the original exit point. This adjustment was necessary to allow the city of Sioux City, Iowa, to better utilize the plot of land for potential future development without conflicts. No other modifications to the original proposed action are anticipated.*

*Changes to the Dakota Avenue alignment consist of adjusting the route of the fiber-optic line from C Avenue to Dakota Avenue between South Sioux City and Dakota City, Nebraska (see SEA Exhibit 3). More specifically, the Modified Alignment travels south, east of 149th Street and under Interstate 129 to 152nd Street. From there, rather than continuing south along C Avenue, the Modified Alignment now follows East 48th Street to Dakota Avenue, continuing south to Cedar Street. This adjustment was necessary to allow the Winnebago Tribe of Nebraska to place a new OLT at the casino and racetrack, which is owned by a subsidiary of the tribe.*

# NO ACTION ALTERNATIVE

The no action alternative represents a scenario under which the Project would not be implemented. This alternative assumes that the Winnebago Reservation and communities within the Project area would remain unserved with regard to access to services and that infrastructure would not be expanded. Under the no action alternative, the existing environmental setting would be generally maintained. Changes to that setting that would result from construction, operation, and maintenance of the Project would not occur, and local communities and businesses would not realize the benefits of improved communication. Existing wireless infrastructure would remain in place, and Internet service would generally continue to be provided as it is now which is unusable in its current state. No permits, encroachment permits, or easements would be granted for the installation of broadband infrastructure to serve the Project area under the no action alternative.

No legal, regulatory, or technical feasibility issues were identified that would eliminate the no action alternative from consideration. However, this alternative would not meet any of the Project objectives, purposes, or need. As a no-development alternative, the no action alternative would avoid all project-related impacts. It would cause no new impacts on the physical environment. Existing land uses would continue to affect environmental conditions as they are now.

*Under the SEA no action alternative, the existing environmental setting would be generally maintained, and local communities and businesses would not realize the benefits of improved*

*communication. Under the no action alternative, existing wireless infrastructure would remain in place, and internet service would generally continue to be provided in its current, unusable state.*

## ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER DISCUSSION

The Winnebago Tribe of Nebraska, the recipient, also considered the following alternatives:

- Overhead Cable Alternative – Includes installation of aerial cable on existing power poles and construction of new power poles along routes that lack overhead lines or replacement of existing poles requiring improvement/upgrade. The Winnebago Tribe of Nebraska eliminated this alternative from further consideration based on the following reason: This alternative was eliminated from further study because of the high susceptibility of aerial cable and poles to damage caused by (1) extreme weather events typical of the region (e.g., high winds, low temperatures), (2) vandalism, and (3) pests and other wildlife, all of which could result in disruption of service. Aerial cable and poles also have less longevity and greater long-term maintenance costs than underground installations.
- Wireless Alternative – Includes installation of a wireless network. This alternative was eliminated from further study because of a lack of cellular providers and service in the Project area. The Project area is in a remote, rural area with hilly forested terrain that does not allow for sufficient signal to reach each dwelling requiring service. In addition, a wireless network is unlikely to be able to provide the same reliability, capacity, or speeds as those provided by a fiber-optic cable network.

# FINDINGS AND CONCLUSIONS

The recipient's EA analyzed existing conditions and environmental consequences of the preferred alternative, other alternatives, 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 determinations of the analysis are generally the same between the original EA and SEA. These results are summarized in the table below:*

| Resource Area | Preferred Alternative | No Action Alternative |
|---|---|---|
| **Noise** | No Significant Impact | No Impact |
| **Air Quality (including greenhouse gases [GHGs])** | No Significant Impact | No Impact |
| **Geology and Soils** | No Significant Impact | No Impact |
| **Water Resources** | No Significant Impact | No Impact |
| **Biological Resources** | No Significant Impact | No Impact |

| | | |
|---|---|---|
| **Historic and Cultural Resources** | No Significant Impact | No Impact |
| **Aesthetic and Visual Resources** | No Significant Impact | No Impact |
| **Land Use** | No Significant Impact | No Impact |
| **Infrastructure** | No Significant Impact | No Impact |
| **Socioeconomic Resources** | Beneficial Impact | Negative Impact |
| **Human Health and Safety**[a] | *No Significant Impact* | *No Impact* |
| [a] *The original EA and FONSI reported Beneficial Impacts for the Proposed Alternative and No Impact for the No Action Alternative.* | | |

The sections that follow provide a brief narrative for resource areas indicated in the table above or provide a summary of the results of required consultation with the appropriate agency or agencies. *The rationale for effects determinations of the revised route is detailed in the SEA.*

# NOISE

The Proposed Action Alternative will have short-term direct impacts to ambient noise levels in the Project area from the use of construction equipment (pickup trucks, boring equipment, etc.) that would occur during the fiber installation. Construction equipment noise levels can range from 70 to 95 decibels (USDOT, 2017). These impacts would be temporary and minor throughout most of the Project area. The most affected area would be at the location of the noise-generating equipment. Mitigation methods include confirming workers follow Occupational Safety and Health Administration (OSHA) regulations for worker protection, limiting hours of construction to occur during normal business hours, and avoiding work on the weekends, where applicable. Since fiber installation would occur underground and no noise emanating equipment is proposed to be installed, no long-term impacts to noise would occur.

The No Action Alternative would have no temporary or permanent impacts to noise levels.

*No significant impacts are expected for the rerouted portion of the Project.*

# AIR QUALITY

Construction activities associated with the Proposed Action Alternative would generate particulate matter from soil disturbances and equipment (direct impacts). Air emissions from construction vehicles and equipment would be temporary and minor, resulting in negligible impacts. When equipment is not in use, best practice will be implemented such that equipment will be shut off and will not be allowed to run idle. Activities such as clearing for hand holes and trenching would temporarily generate dust emissions. To minimize these emissions during construction, dust suppression (water trucks) would be implemented along with seeding and stabilization activities in accordance with stormwater pollution prevention plan best

management practices (BMPs). Post-construction, all areas would be revegetated to help reduce the dust. Implementation of the Proposed Action would result in temporary, short-term impacts to

air quality during construction which are considered to be minor. Equipment to be installed does not generate emissions, therefore, no long-term impacts to air quality would occur.

The No Action Alternative would have no temporary or permanent impacts to air quality.

*No significant impacts are expected for the rerouted portion of the Project.*

# GEOLOGY AND SOILS

The Proposed Action Alternative would be installed in existing road ROW that is previously disturbed. Depth of construction is not anticipated to reach bedrock in these road ROWs and would be limited to 3 to 4 feet of soil. During construction, soil erosion and sedimentation would be avoided or minimized through BMPs and would be compliant with National Pollutant Discharge Elimination System (NPDES) permit requirements. All areas would be revegetated where necessary. Geologic and soil impacts from the Project are not considered to be significant.

The No Action Alternative would have no temporary or permanent impacts to geology and soils.

*No significant impacts are expected for the rerouted portion of the Project.*

# WATER RESOURCES

Impacts from the Proposed Action Alternative to water resources will be minimized and avoided. During construction, where soil erosion and sedimentation may take place, BMPs including silt fences may be utilized to prevent silt and soil deposition runoff in local waterways. A wetland delineation was completed in July and August of 2023 at all staging areas and bore locations. Wetlands were identified at some sites. A copy of the wetland delineation report is included in Appendix C of the EA. The wetland delineation report will be submitted with the Section 10 permit application. Coordination with USACE has been on-going and will continue throughout the permit application. Assuming that all identified water resources are jurisdictional, all water resources will be avoided within staging areas, and water resources within the ROW will be bored or drilled under to avoid permanent impacts. Because fiber will be installed below the channel grade/floodplain width and far enough below the bottom of the river as to not cause river scour, there will be no change in floodplain conveyance capacity within the regulated floodplain. No changes in the surface grade or water surface elevation will occur as a part of this Project. All necessary permits will be obtained for any impacts to water resources. The necessary permits include, but are not limited to, Clean Water Act (CWA) Section 404, Section 408 of Section 14 of the Rivers and Harbors Act (RHA) of 1899, Section 10 of the RHA, floodplain permits, and any other needed permits.

The No Action Alternative would have no temporary or permanent impacts to water resources.

*No significant impacts are expected for the rerouted portion of the Project.*

# BIOLOGICAL RESOURCES

Consultation for critical habitat with the US Fish and Wildlife Service (USFWS) and appropriate state agencies has occurred. Based on coordination efforts with the USFWS Nebraska office, the NTIA made a no effect determination to all federally listed species in the Project's action area. Coordination with the Nebraska Game and Parks Commission (NGPC) was completed through its online tool and conservation measures for the northern long-eared bat will be implemented. The Iowa DNR responded on September 14, 2023, with no site-specific records found within the Project area. No suitable habitat for listed species was identified within the existing road ROW or within staging areas. The Project does not involve tree removal. If this were to change, a survey for migratory birds and bat species will be conducted by a qualified biologist. After consultation with USFWS, NGPC, and Iowa DNR, the Proposed Action Alternative would have no effect on listed threatened and endangered species.

The No Action Alternative would have no temporary or permanent impacts to biological resources.

*The USFWS Information, Planning, and Conservation System (IPaC) database was searched on January 27, 2026, to update the results for the rerouted alignment. Endangered Species Act effect determinations for listed and proposed for listing species are provided in SEA Table 3-1 below.*

***Table 3-1. Federal and State Endangered, Threatened, and Proposed Species***

| Common Name | Status* | Habitat | Potential Impact |
|---|---|---|---|
| | | *Mammals* | |
| *Northern Long-eared Bat Myotis septentrionalis* | *FE, N-SE* | *Suitable spring staging/fall swarming habitat for the northern long-eared bat consists of a variety of forested/wooded areas where they roost, forage, and travel, which is most typically within 5 miles (8 kilometers) of a hibernaculum. In the summer months, the species can be found in woodland areas and forested riparian corridors. It roosts singly or in colonies under the bark of trees and in tree cavities. Wintering habitat includes caves and mines.* | *Suitable summer habitat is likely present within the Project Area. After reviewing the areas of horizontal directional boring under the Missouri River, there are no karst features or other suitable hibernacula habitat in the vicinity, therefore no effect to bats is anticipated for this Project due to noise or vibration associated with drilling. Conservation Measure NLEB CM-3 (NGPC CERT 2026b) will be implemented which states no removal of trees or woody vegetation. Tree removal is not anticipated. If tree removal is required, removal would occur outside the active season (April 1 – November 15). If removal cannot occur outside the active season, a survey should be completed by a qualified biologist following USFWS guidelines (UFWS 2026b) and coordination with USFWS should occur prior to and after the surveys. Therefore, it is determined the Project will have no effect on this federally-listed species.* |

| | | | |
|---|---|---|---|
| *Tricolored Bat Perimyotis subflavus* | *FPE* | *During the summer, maternity and other roosts are mainly in dead or live leaf clusters. Maternity colonies may also utilize human-made structures (buildings, bridges, etc.) or tree cavities. Caves, mines, and rock crevices may be used as night roosts. Most foraging occurs in riparian areas within forested landscapes. Hibernation sites are often in caves, but they may roost in culverts and trees in areas where caves are limited.* | *Suitable summer habitat is likely present within the Project Area. After reviewing the areas of horizontal directional boring under the Missouri River, there are no karst features or other suitable hibernacula habitat in the vicinity, therefore no effect to bats is anticipated for this Project due to noise or vibration associated with drilling. Tree removal is not anticipated. If tree removal is required, removal would occur outside the active season (April 1 – November 15). If removal cannot occur outside the active season, a survey should be completed by a qualified biologist following USFWS guidelines (UFWS 2026b) and coordination with USFWS should occur prior to and after the surveys. Therefore, the Project is not likely to jeopardize the continued existence of this proposed species.* |
| ***Birds*** | | | |
| *Barn Owl Tyto alba* | *I-SE* | *Barn owls nest and roost in dark, secluded places. They can be found within tree cavities or more commonly in old barns or abandoned buildings. They hunt in grassland habitats along field or wetland edges.* | *Suitable habitat is unlikely present as a majority of the Project would occur within right of way (ROW) or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |
| *Interior Least Tern Sterna antillarum athalassos* | *I-SE* | *Interior least terns use dry riverine sandbars in wide, braided rivers, and along the shores of reservoirs and lakes. They can also be found on sand and gravel piles at mining operations.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Additionally, all riverine habitat will be avoided by use of the horizontal directional boring. Therefore, it is unlikely the species will be impacted by the Project.* |
| *Piping Plover Charadrius melodus* | *FT, I-ST, N-ST* | *Piping plovers use wide, flat, open, sandy beaches with sparse vegetation. However, they can also be found on sand and gravel sandpits and along lakeshore housing developments and reservoir shorelines.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Additionally, all riverine habitat will be avoided by use of horizontal directional boring. Therefore, it is determined the Project will have no effect on this federally-listed species.* |
| ***Fishes*** | | | |
| *Blacknose Shiner Notropis heterolepis* | *I-ST* | *Blacknose shiners can be found within small streams, slow-moving rivers, or lakes with sandy bottoms.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |

| | | | |
|---|---|---|---|
| *Lake Sturgeon Acipenser fulvescens* | *N-ST* | *Lake sturgeon occupy the bottom habitats of large freshwater lakes and rivers. They spend a majority of their time in lakes or coastal systems but migrate to large rivers to lay eggs in rocky, swift flowing parts of the river.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Additionally, all riverine habitat will be avoided by use of the horizontal directional boring. Therefore, it is unlikely the species will be impacted by the Project.* |
| *Pallid Sturgeon Scaphirhynchus albus* | *FE, I-SE, N-SE* | *Pallid sturgeon primarily reside in the main channels of the Missouri River and Lower Mississippi River from Montana to Louisiana. Adult pallid sturgeon inhabit large, deep turbid river channels, usually in strong current over firm sand or gravel.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Additionally, all riverine habitat will be avoided by use of the horizontal directional boring. Therefore, it is determined the Project will have no effect on this federally-listed species.* |
| *Sturgeon Chub Macrhybopsis gelida* | *N-SE* | *Sturgeon chub can be found in fast, free flowing river with high turbidity and low visibility.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Additionally, all riverine habitat will be avoided by use of the horizontal directional boring. Therefore, it is unlikely the species will be impacted by the Project.* |
| *Topeka Shiner Notropis topeka* | *FE^, I-ST* | *Topeka shiners prefer prairie streams with stable stream channels. They can also be found in off-channel oxbows with sandy or gravel bottoms. Topeka shiners need clear, clean water.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project. Therefore, it is determined the Project will have no effect on this federally-listed species.* |
| | | ***Insects*** | |
| *Dakota Skipper Hesperia dacotae* | *FT^, I-SE* | *Dakota skippers can be found within two types of prairies: moist bluestem prairie and dry, upland prairie. They prefer environments that have not been influenced by humans, including agriculture.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project. Therefore, it is determined the Project will have no effect on this federally-listed species.* |
| *Monarch Butterfly Danaus plexippus* | *FPT* | *In the summer, this species lays eggs on milkweed (Asclepias spp.), the obligate larval host plant. Adults nectar on various flowering plants in a wide range of habitats including grasslands, roadsides, wet areas, and urban and suburban plantings.* | *Suitable habitat may be present within ROW areas. Though it is a proposed species without formal take prohibitions, it must still be reviewed and voluntary actions can be implemented to reduce any impacts. Therefore, the Project is not likely to jeopardize the continued existence of this proposed species.* |
| *Poweshiek Skipperling Oarisma powesheik* | *FE^, I-ST* | *Poweshiek skipperlings can be found within prairie fens, grassy lake or stream margins, moist meadows, or native prairie. This species relies on unplowed, native prairies.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields. Therefore, it is determined the Project will have no effect on this federally-listed species.* |

| | | | |
|---|---|---|---|
| *Suckley's Cuckoo Bumble Bee Bombus suckleyi* | *FPE* | *This species is found in a wide variety of habitats including prairies, woodlands, agricultural fields, and urban areas, and requires diverse, native floral resources for pollen and nectar. More important to their survival is suitable host nest availability, as the species is an obligate parasite of other bumble bee species for reproduction.* | *Suitable habitat may be present within ROW areas. Though it is a proposed species without formal take prohibitions, it must still be reviewed and voluntary actions can be implemented to reduce any impacts. Therefore, the Project is not likely to jeopardize the continued existence of this proposed species.* |
| *Western Regal Fritillary Argynnis idalia occidentalis* | *FPT* | *This species is typically found in tallgrass prairies, damp meadows, marshes, and wet fields. They rely on violet species for their larvae and nectaring plants for adult stages. Adults tend to remain within the boundaries of suitable prairie habitat.* | *Suitable habitat may be present within ROW areas. Though it is a proposed species without formal take prohibitions, it must still be reviewed and voluntary actions can be implemented to reduce any impacts. Therefore, the Project is not likely to jeopardize the continued existence of this proposed species.* |
| | | ***Plants*** | |
| *American Ginseng Panax quinquefolius* | *N-ST* | *Suitable habitat includes the understory of eastern deciduous forest with rich soils. It prefers moist, but not wet soils along hillsides and throughout wooded ravines. Adequate shade must be present within woodlands.* | *Suitable habitat may be present in mature deciduous forest along a river bluff. Conservation Measure AG CM-1 (NGPC CERT 2026b) will be implemented including a field survey during the growing season prior to construction. If the survey identifies the plant within the Project Area, further consultation with NGPC will be required. Therefore, it is unlikely the species will be impacted by the Project.* |
| *Bigroot Prickly-pear Opuntia macrorhiza* | *I-SE* | *Bigroot prickly-pear can be found within dry, rocky, or sandy prairies.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |
| *Leathery Grape Fern Botrychium multifidum* | *I-ST* | *Leathery grape fern can be found in open areas, sometimes at forest edges or in forest openings.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |
| *Narrow-leaved Milkweed Asclepias stenophylla* | *I-SE* | *Narrow-leaved milkweed can be found within dry prairies or in loess and gravel prairies with direct sun.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |
| *Silver Buffaloberry Shepherdia argentea* | *I-ST* | *Silver buffaloberry can be found in dry uplands and prairie woodland edges and loess bluffs.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |

| | | | |
|---|---|---|---|
| *Spring Ladies' tresses Spiranthes vernalis* | *I-ST* | *Spring Ladies' tresses can be found in dry to moist meadows, prairies, fields, along roadsides, and occasionally in bogs.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |
| *Wooly Milkweed Asclepias lanuginose* | *I-ST* | *Wooly milkweed can be found within sandy or rocky soils of prairies, dry upland woods, or gravelly hillside prairies.* | *Suitable habitat is unlikely present as a majority of the Project would occur within ROW or agricultural fields; therefore, it is unlikely the species will be impacted by the Project.* |

** FE= Federally Endangered, FT= Federally Threatened, FPE= Federally Proposed Endangered, FPT= Federally Proposed Threatened, I-SE= Iowa State Endangered, I-ST= Iowa State Threatened, N-SE= Nebraska State Endangered, N-ST= Nebraska State Threatened*

*^ No coordination with the USFWS was completed for the species given it was not identified on the IPaC, was only identified on the Iowa DNR NAI, and the Project is therefore outside the federal coordination area for this species.*

*No significant impacts are expected for the rerouted portion of the Project.*

# HISTORICAL AND CULTURAL RESOURCES

Cultural resources and historic properties are present within the Project area as indicated in the EA (Table 5-1), and a Class III cultural survey was conducted. Consultation with the Winnebago Tribal Historic preservation Officer (THPO) and Omaha THPO has been conducted and will continue throughout Project construction. NTIA submitted a Section 106 Finding of No Adverse Effect to Historic Properties to both the Winnebago Tribe of Nebraska and Omaha Tribe of Nebraska on February 21, 2024. The Winnebago THPO and Omaha THPO concurred with the Section 106 finding of No Adverse Effect to Historic Properties. The Winnebago and Omaha THPOs are participating in field investigations. An Unanticipated Discovery plan has been developed if any resources are found during construction.

NTIA utilized the Tower Construction Notification System (TCNS) to notify tribes claiming ancestral ties to the area to meet federal agency requirements for government-to-government consultation. This notification was uploaded to TCNS on February 14, 2024, with a 30-day response period. Six tribes responded within the 30-day period. Three tribes responded after the 30-day response period. Copies of the responses are included in Appendix E of the EA. Tribes that have an interest in the Project and would like to be kept informed include Flandreau Santee Sioux Tribe and Spirit Lake Nation. All tribes that responded have asked to be informed if archaeological remains or resources are discovered during construction.

Coordination with the Nebraska State Historic Preservation Officer (SHPO) has occurred, and NTIA submitted a Section 106 Finding of No Adverse Effect to Historic Properties on February 21, 2024. Nebraska SHPO concurred the determination of No Adverse Effect to Historic Properties is appropriate as long as the following conditions are met:

1. Proposed Project construction will remain within existing ground disturbances when working within or near the documented NRHP listed, eligible, or unevaluated sites.

2. Archaeological and tribal monitoring is required when construction is occurring within and near to each of the sites identified in Table 5-1 of the EA.

Coordination with Iowa SHPO has also occurred, and Iowa SHPO concurred with the No Historic Properties Affected – No Effect determination for the undertaking within Woodbury County, Iowa. Further coordination was conducted regarding the vertical drill pressure relief boring that may be required for the horizontal drill boring. Iowa SHPO further concurred with No Historic Properties Affected – No Effect and archeological resources are unlikely to be affected by this activity. Documentation of consultation with Nebraska and Iowa SHPO are also included in Appendix E of the EA.

No direct effects are anticipated to occur to NRHP-listed structure sites because there will not be any modifications to the structures, and fiber line will not be connected. Furthermore, no changes to the eligible structure are being conducted as part of this Project.

The No Action alternative would have no temporary or permanent impacts to historic or cultural resources.

*All ground-disturbing activities associated with the Modified Alignment will occur within the previously reviewed Area of Potential Effects (APE) evaluated in the original Cultural Desktop Review. The APE of the original Cultural Desktop Review was evaluated for sites located within a 1-mile buffer around the Modified Alignment (hereafter Modified APE).*

*Coordination with Nebraska SHPO occurred, with their concurrence received on an NTIA Section 106 determination of no adverse effects to cultural resources on January 5, 2026. Nebraska SHPO concurred the determination of No Adverse Effect to Historic Properties is appropriate as long as the following conditions are met:*

1. *Proposed Project construction will remain within existing ground disturbances when working within (100 feet) or near the documented National Register of Historic Places (NRHP) listed, eligible, or unevaluated cultural resources.*

2. *Archaeological and tribal monitoring is required when construction is occurring within 100 feet of each cultural resource that has previously been identified through this Project.*

*Coordination with Iowa SHPO also occurred, with concurrence on a Section 106 determination of no adverse effects to cultural resources on February 4, 2026.*

*No significant impacts on Indian Trust Assets are expected for the rerouted portion of the Project.*

# AESTHETIC VISUAL RESOURCES

Aesthetic and visual resources do exist within the Project area; the Proposed Action Alternative consists of installing fiber underground within existing road ROW. Temporary impacts around

staging areas will occur to these resources but will be temporary. After construction, equipment and materials will be removed from staging areas and resources will return to preconstruction conditions. The above-ground components are small in size and will not significantly impact these resources. Based on the proposed design measures of the fiber installation, the Proposed Action will not result in significant impacts to aesthetic and visual resources.

The No Action Alternative would have no temporary or permanent impacts to aesthetic and visual resources.

*No significant impacts are expected for the rerouted portion of the Project.*

# LAND USE

The Project area mainly consists of rural land use. This includes agricultural, pastureland, or not densely populated areas. The Proposed Action Alternative is anticipated to have a beneficial impact on the population of the Winnebago Reservation. The fiber would be installed within existing ROW and will not change the designation of land use. The Natural Resources Conservation Services concurred on September 21, 2023, that no permanent or irreversible impacts will occur to farmland. Staging areas will be temporarily affected. Another small portion of the project is located under the Winnebago Bend property owned by USACE. Use of this property for the fiber project is currently being negotiated with USACE. The portion of the Project that is located near the Winnebago Bend property will not be impacted or disturbed by the horizontal boring occurring underneath the Missouri River. The depth of the bore will be 30 feet below the flowline of the Missouri River and the exit point is outside the boundary of the Winnebago Bend property.

Most of the land within the project area is owned and leased by the Winnebago Tribal Council. A portion of the project is located on BIA lands or within BIA Road ROW and would cross native allotments. Agreements from the BIA Great Plains Region are in in progress and will be in place prior to fiber installation for BIA-managed ROW or lands. The Proposed Action will result in no significant impacts to overall land use.

The No Action Alternative would have no temporary or permanent impacts to land use.

*No significant impacts are expected for the rerouted portion of the Project.*

# INFRASTRUCTURE

The Proposed Action Alternative includes installing fiber and other necessary facilities within existing road ROW. These areas will not be altered outside of small disturbances during the installation of the fiber and will not result in impacts to traffic during construction. The staging area on the east side of the Missouri River can be accessed via the bridge crossings at Interstate 129 in Sioux City, Nebraska or United States Highway-175 in Decatur, Nebraska. The Proposed Action has an overall beneficial impact to the residents of the Winnebago Reservation who lack reliable

broadband infrastructure. To guarantee minimal conflict, the Grantee and contractor will call 811 before digging to identify buried utilities. Temporary staging areas will be returned to preconstruction states when installation is completed. The Proposed Action will result in no significant impacts, directly or indirectly.

The No Action Alternative would have no temporary or permanent impacts to infrastructure.

*No significant impacts are expected for the rerouted portion of the Project.*

## SOCIOECONOMIC RESOURCES

The Proposed Action Alternative is anticipated to have a positive impact on the Winnebago Reservation and surrounding communities, who have previously lacked access or affordable broadband. The Proposed Action Alternative will not result in disproportionately high and adverse effects to Environmental Justice (EJ) communities.

The No Action Alternative would have negative impacts to the residents of the Winnebago Reservation. These residents would continue to lack reliable, high-speed broadband infrastructure.

*No significant impacts are expected for the rerouted portion of the Project. There would be negative socioeconomic impacts related to the no action alternative due to the lack of telehealth, education, and employment opportunities to the tribe.*

## HEALTH AND HUMAN SAFETY

The Proposed Action Alternative is anticipated to benefit Tribal health by providing access to Internet based medical resources such as telemedicine in the future. The Project area contains many active and inactive hazardous waste sites and USTs. These sites do not pose a significant risk to the Proposed Action because most of the Project will occur within already disturbed road ROW. For work areas near identified sites, the Grantee and contractor will make sure of worker safety from potential contaminated areas. Only qualified workers will be permitted to operate heavy machinery and equipment. A Soil and Groundwater Management Plan will be developed and adhered to in areas near hazardous sites. The Proposed Action will not have significant impacts to human health and safety.

The No Action Alternative would have no temporary or permanent impacts to human health and safety.

*No significant impacts are expected for the rerouted portion of the Project.*

## REASONABLY FORSEEABLE EFFECTS

Cumulative impacts take into consideration foreseeable future actions that will occur within the Project vicinity. The Winnebago Tribe of Nebraska has a planning document that was reviewed for

such actions. There are eight transportation projects listed on page 34-35 of the EA and are being completed by the Nebraska Department of Transportation (NDOT) and they are anticipated to begin between 2025 and 2029.

In regard to the Proposed Action and other proposed projects within the Project vicinity, it is anticipated that the execution of the Proposed Action will not significantly affect the environment when analyzed cumulatively with other proposed projects in the area.

As described throughout this FONSI, the project will not have significant adverse impacts on any of the environmental resource areas evaluated in the EA. As such, no cumulative impacts on the environment are anticipated.

The No Action Alternative would have no temporary or permanent impacts to cumulative impacts.

*No significant impacts are expected for the rerouted portion of the Project.*

# MITIGATION CONDITIONS

1. NTIA will require the proposed project construction remain within existing ground disturbances when working within or near (within 100' of) the remaining 20 previously documented NRHP listed, eligible, or unevaluated cultural resource sites. Archaeological and tribal monitoring is also required when construction is occurring within and near to (within 100' of) each these sites (Table 4 of the cultural resources report).

2. *Construction activities will be limited to normal business hours to minimize noise impacts from the Project.*

3. *Use of water trucks during construction will reduce dust emissions and fugitive dust particles.*

4. *All wetlands and waterbodies will be bored or drilled.*

# PUBLIC COMMENT

The NTIA, BIA and USACE conducted a public comment period for the EA. Public notice was placed in local newspapers of general circulation including the Pender Times, Sioux City Journal, South Sioux City Star, Nebraska Journal Leader and the Winnebago Indian News. Flyers were also posted around the Winnebago Reservation notifying the public of the EA comment period. 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 began on July 11, 2024, and concluded on August 19, 2024. No comments were received by the NTIA, BIA or USACE.

*Since no comments were received on the original draft EA and public comment is discretionary under NEPA, NTIA determined further solicitation of public comments was not warranted for the SEA.*

# DECISION

The NTIA, BIA and USACE conclude that constructing and operating the 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 Project. The analyses indicate that the Proposed Action is not a major federal action that will significantly affect the quality of the human environment. The NTIA, BIA and USACE have determined that preparation of an EIS is not required.

Issued on May 14, 2026, by:

AMANDA PEREIRA

Digitally signed by AMANDA PEREIRA
Date: 2026.05.14 12:40:40 -04'00'

Amanda Pereira

Environmental Program Officer
Office of Internet Connectivity and Growth (OICG)
National Telecommunications and Information Administration
U.S. Department of Commerce Room 4874
1401 Constitution Avenue, NW
Washington, DC 20230