

FirstNet Programmatic Environmental Impact Statement (PEIS) Review Memorandum – Draft

Arizona Commerce Authority

BEAD Program

Phoenix, Arizona

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ARIZONA
COMMERCE AUTHORITY

*Prepared for the Arizona Commerce Authority
by HDR*



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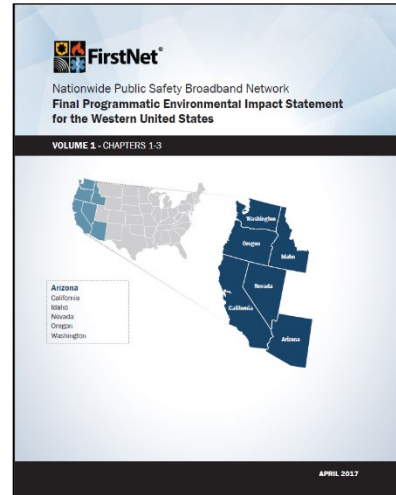
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Overview

This document summarizes the findings of a review of the April 2017 *FirstNet Nationwide Public Safety Broadband Network Final Programmatic Environmental Impact Statement for the Western United States, Volume 1, Chapter 3, Arizona*. The PEIS was prepared to document the environmental impacts resulting from implementing a nationwide public safety broadband network to support police officers, fire fighters, emergency medical service professionals, and other public safety officials. The PEIS has been adopted by the National Telecommunications and Information Administration (NTIA) to support tiered reviews under the National Environmental Policy Act (NEPA) for the Broadband Equity, Access, and Deployment (BEAD) Program.

The PEIS review was conducted to identify areas in need of revisions or updates to implement individual BEAD projects in Arizona. Specifically, reviewers identified:

- regulatory changes
- affected environment changes and data gaps
- environmental consequences changes and data gaps
- need to reevaluate/update resource analysis
- steps needed to update the resource analysis
- applicability of best management practices (BMPs)



Sufficiency of PEIS Analysis

As would be expected, this review of the 2017 PEIS revealed the need for updates based on more recent available data. Regulatory changes were also identified in several areas based on recent direction from the current presidential administration. Several errors were identified where information for another state was included in the discussion for Arizona; these errors were likely an oversight by authors who worked on PEIS documents for other states in the western region.

Data gaps related to the discussion of the affected environment and environmental consequences in Arizona were identified for some resources, as follows:

- **Geology:** fossil localities, volcanic fields and activity, minor faults and fault zones, exposed geologic beds
- **Water resources:** watersheds
- **Biological resources:** Arizona native plants, Arizona Native Plant Law, habitat connectivity, reptile and amphibian species that do not rely on aquatic habitats, potential spread of invasive species related to construction
- **Visual resources:** county and municipal scenic route designations



- **Air quality:** permits and rules of state and local entities
- **Noise and vibration:** county and municipal noise ordinances or regulations and specifics of equipment types to be used

Need for a Supplemental Environmental Document

NTIA guidance for the BEAD Program states that a supplemental environmental assessment (EA) or environmental impact statement (EIS) would be submitted only “if the evaluation identifies that PEIS information is missing, outdated, or analyses are otherwise deficient” (NTIA 2024a). The supplemental EA or EIS can be developed to “provide any information or analysis missing from the PEIS that is necessary for the programmatic review of BEAD projects in the state or territory” (NTIA 2024a).

In general, the data cited in the PEIS are outdated, and some Arizona-specific information is missing. However, addressing the old information and data gaps for the resources discussed in this memorandum would not be likely to affect the impact determination for the proposed BEAD projects. Therefore, a supplemental EA or EIS would not be needed. Instead, providing up-to-date and additional information is recommended, in the form of an addendum document.

NTIA guidance (2024a) also notes that the PEIS review should confirm that the deployment activities described in the PEIS cover the deployment activities anticipated for the BEAD projects. At the time of preparation of this memorandum, the BEAD grant applications were under review, and thus a final list of proposed projects and associated deployment activities was not available.

The following sections provide the review findings in table format, following the general structure of the PEIS document.

Chapter 1. Introduction

Chapter 1 of the PEIS introduces the programmatic approach and NEPA tiering, and describes the project regions and purpose and need for the proposed action. It also describes relevant laws and executive orders (EOs).

Section 1.1, Overview and Background

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.2, Programmatic Approach and Tiering

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> The Council on Environmental Quality (CEQ) regulations implementing NEPA were removed from the Code of Federal Regulations under an interim rule issued on February 25, 2025 (90 <i>Federal Register</i> 10610). The interim rule took effect on April 11, 2025. Federal agencies have been directed to create their own regulations implementing NEPA within a year.

Section 1.3, Project Regions and Description of the Proposed Action Area

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.4, Purpose and Need for the Proposed Action

Topic	Description
General	<ul style="list-style-type: none"> The PEIS describes the purpose and need for developing the FirstNet nationwide public safety broadband network, which focuses on emergency and public safety communications. A purpose and need statement should be developed for the BEAD Program, which focuses on expanding broadband service for unserved areas.

Section 1.5, Federal Agency Participation

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.6, Cultural Resources Consultation

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Update consultation letter dates and the number of responses, as needed. EISs often include an appendix with the consultation letters and responses.



Section 1.7, NEPA Process and Public Involvement

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> As noted previously, the CEQ regulations implementing NEPA were removed from the Code of Federal Regulations.

Section 1.8, Overview of Relevant Federal Laws and EOs

Section 1.8.1, National Environmental Policy Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> As noted previously, the CEQ regulations implementing NEPA were removed from the Code of Federal Regulations.

Section 1.8.2, National Historic Preservation Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.8.3, Endangered Species Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Ensure interpretation of the Endangered Species Act (ESA) is still current, particularly concerning “harm” and habitat. A proposed rule by the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration was published in the <i>Federal Register</i> on April 17, 2025, entitled <i>Rescinding the Definition of “Harm” Under the Endangered Species Act</i>. The summary notes: “The existing regulatory definition of “harm,” which includes habitat modification, runs contrary to the best meaning of the statutory term “take.” We are undertaking this change to adhere to the single, best meaning of the ESA.” Comments are due by May 19, 2025.

Section 1.8.4, Magnuson-Stevens Fishery Conservation and Management Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No change.

Section 1.8.5, Marine Mammal Protection Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No change.

Section 1.8.6, Migratory Bird Treaty Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No change.

Section 1.8.7, Clean Water Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Review and edit definition of Waters of the United States based on current definition. Consider whether mention of individual state's Section 401/402 responsibilities should be included. For example, the Arizona Department of Environmental Quality (ADEQ) operates the National Pollutant Discharge Elimination System (NPDES) program under the Arizona Pollutant Discharge Elimination System (AZPDES) program.

Section 1.8.8, Coastal Zone Management Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.8.9, Occupational Safety and Health Act

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.8.10, Executive Order 11988 – Floodplain Management

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.8.11, Executive Order 11990 – Protection of Wetlands

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.

Section 1.8.12, Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> EO 12898 was rescinded on January 21, 2025 (The White House 2025a).

Section 1.8.13, Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> No changes.



Section 1.8.14, Executive Order 13690 – Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input

Topic	Description
Regulatory changes	<ul style="list-style-type: none">• No changes.

Section 1.9, PEIS Organization

Topic	Description
General	<ul style="list-style-type: none">• No changes.

Chapter 2. Description of Proposed Action and Alternatives

Section 2.1, Proposed Action

Topic	Description
General	<ul style="list-style-type: none"> Section 2.1.2, <i>Proposed Action Infrastructure</i>, describes the types of proposed projects (wired, wireless, deployable, and satellite and other technologies). Should the BEAD Program include projects not covered by this section, a description of such projects should be provided.

Section 2.2, Description of Alternatives

Topic	Description
General	<ul style="list-style-type: none"> No changes.

Section 2.3, Alternatives Considered But Not Carried Forward

Topic	Description
General	<ul style="list-style-type: none"> No changes.

Section 2.4, Radiofrequency Emissions

Topic	Description
General	<ul style="list-style-type: none"> Update sections with numeric or cited data sources (Federal Communications Commission, Occupational Safety and Health Administration [OSHA], etc.). This section “provides a general overview regarding RF [radiofrequency] emissions, the existing regulatory framework for limiting RF exposures, the general discussions on the current state of research for potential effects on humans, as well as information on animal and plant species, and some of the general conclusions on data gaps and the paths forward” (First Responder Network Authority 2017a: 2-10). It does not discuss RF with relation to the proposed action and alternatives and thus the reason for its placement in Chapter 2 is not clear. This section may be better suited for inclusion in Chapter 3, in Section 3.1.6, <i>Biological Resources</i>, and in Section 3.1.15, <i>Human Health and Safety</i>.



Chapter 3. Arizona

Section 3.1, Affected Environment, and Section 3.2, Environmental Consequences

Sections 3.1.1 and 3.2.1, Infrastructure

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> The description of what is included in Table 3.1.1-1, <i>Relevant Arizona Infrastructure Laws and Regulations</i>, could be clarified. Consider relevant sections in the Arizona Revised Statutes Title 49 (The Environment), Chapter 1; and in Title 28 (Transportation), Chapters 19 and 20.
Affected environment changes	<ul style="list-style-type: none"> Update sections with numeric or cited data sources. Update information on public roads and bridges with newer Federal Highway Administration (FHWA) data from 2023 and 2024, respectively: https://www.fhwa.dot.gov/policyinformation/statistics/2014/?utm. Description of rail network is correct but updated reference exists. See the <i>Arizona State Freight Plan</i> (Arizona Department of Transportation 2022). Description of aviation facilities references Sacramento County; description's accuracy for Arizona should be checked and correct reference should be provided.
Affected environment gaps	<ul style="list-style-type: none"> No changes.
Environmental consequences changes	<ul style="list-style-type: none"> Update sections with numeric or cited data sources.
Environmental consequences gaps	<ul style="list-style-type: none"> No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections with numeric or cited data sources as described above.
Steps to update analysis	<ul style="list-style-type: none"> Locate the more recent numeric or cited data sources, update the data as needed, and provide the more recent source.

Sections 3.1.2 and 3.2.2, Soils

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> For Table 3.1.2-1, <i>Relevant Arizona Soil Laws and Regulations</i>, consider adding the Arizona Surface Water Protection Program and Arizona Administrative Code (AAC) Rules, specifically AAC Title 18, Chapter 9 (Department of Environmental Quality – Water Pollution Control).
Affected environment changes	<ul style="list-style-type: none"> Update sections with numeric or cited data sources.
Affected environment gaps	<ul style="list-style-type: none"> No changes.
Environmental consequences changes	<ul style="list-style-type: none"> Update sections with numeric or cited data sources.
Environmental consequences gaps	<ul style="list-style-type: none"> No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections with numeric or cited data sources as described above.

Topic	Description
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent numeric or cited data sources, update the data as needed, and provide the more recent source.

Sections 3.1.3 and 3.2.3, Geology

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • Add the Paleontological Resources Preservation Act and Federal Land Policy and Management Act of 1976, which cover paleontological resources on federal and public lands; these are the main federal laws that pertain to federal lands and/or federal undertakings for this resource.
Affected environment changes	<ul style="list-style-type: none"> • Add discussion of geologic setting for state. • Update Figure 3.1.3-3, <i>Generalized Bedrock Geology for Arizona</i>; the figure is from 1995 and more detailed maps are available. • Expand the discussion of bedrock geology in Section 3.1.3.5, <i>Bedrock Geology</i>, to capture the complexity of the resource. • Update oil, gas, and minerals metrics for Section 3.1.3.7, <i>Fossil Fuel and Mineral Resources</i>, since they are from 2015 and 2016. Also add discussion of mining districts. • In Section 3.1.3.8, <i>Geologic Hazards</i>, restructure the discussion of types of tectonic movements that cause earthquakes: divergent, convergent, and transform.
Affected environment gaps	<ul style="list-style-type: none"> • Fossil localities and environmental descriptions in southern Arizona need to be added to Section 3.1.3.6, <i>Paleontological Resources</i>. Pleistocene deposits are not mentioned. Overall, section is missing general information on paleontology. • Mantle hot spots in Arizona created several volcanic mountains/fields such as the San Francisco Peaks and other obsidian sources. Arizona has three active volcanic fields that should be mentioned (currently dormant or in repose period): San Francisco, Uinkaret, and Piñacate Fields. Recommend including volcanic activity along with geologic hazards and elaborating relationship with earthquakes. • Provenience descriptions should be elaborated, including adding significant geologic and geographic features that are missing from the discussion. • In Section 3.1.3.4, <i>Surface Geology</i>, the main rivers creating alluvial deposits are not mentioned. • Arizona contains several minor faults and fault zones, which should be added to Section 3.1.3.8, <i>Geologic Hazards</i>.
Environmental consequences changes	<ul style="list-style-type: none"> • Update data sources for seismic activity and landslide risk.
Environmental consequences gaps	<ul style="list-style-type: none"> • In Section 3.2.2.5, <i>Alternatives Impact Assessment</i>, for the Deployable Technologies Alternative, deployment impacts should take into account exposed geologic beds.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source. Discussion of additional resources, such as faults and volcanic fields, may require additional background research.



Sections 3.1.4 and 3.2.4, Water Resources

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> In Table 3.1.4-1, <i>Major Relevant Arizona Water Laws and Regulations</i>, the Clean Water Act (CWA) Section 404 row contains information pertaining to Wyoming and needs to be revised to address Arizona specifics. Change state in first column, change district in second column to Los Angeles District, and edit waterbodies in third column to be Arizona-specific. Also update table data sources, as necessary. Add ADEQ as a regulatory agency for the CWA Section 404 row because the agency regulates non-federal waters in Arizona.
Affected environment changes	<ul style="list-style-type: none"> Section 3.1.4.3, <i>Environmental Setting: Surface Water</i>, should also reference washes/arroyos because most water features in Arizona are described as washes/arroyos. In Section 3.1.4.5, <i>Impaired Waterbodies</i>, update Table 3.1.4-2, <i>Section 303(d) Impaired Waters of Arizona, 2010</i>, and associated text and Figure 3.1.4-2, <i>Section 303(d) Impaired Waters of Arizona, 2010</i>, to reflect more recent information on impaired waters. Update sections with numeric or cited data sources. Update website links that are no longer functioning.
Affected environment gaps	<ul style="list-style-type: none"> In the <i>Watersheds</i> subsection, only three watersheds are discussed. Other watersheds in Arizona should be discussed or listed.
Environmental consequences changes	<ul style="list-style-type: none"> Update website links that are no longer functioning.
Environmental consequences gaps	<ul style="list-style-type: none"> No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> Locate the more recent data sources, update the data as needed, and provide the more recent source. Discussion of additional resources, such as watersheds, may require additional background research.

Sections 3.1.5 and 3.2.5, Wetlands

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Revise Table 3.1.5-1, <i>Relevant Arizona Laws and Regulations</i>, to include “Section 402” with “AZPDES Program.” Change Applicability under CWA Section 404 to NWP from NWP 12 to NWP 57 – Electric Utility Line and Telecommunications Activities.
Affected environment changes	<ul style="list-style-type: none"> Update Table 3.1.5-2, <i>Arizona Wetland Types, Descriptions, Location, and Amount, 2014</i>, with revised acreages, if needed. Review National Wetland Inventory data to determine whether more up-to-date information is available. Update wetland acreage in text, if needed. Update conservation easement acreage in text, if needed. Update website links that are no longer functioning.
Affected environment gaps	<ul style="list-style-type: none"> No changes.
Environmental consequences changes	<ul style="list-style-type: none"> Update wetland acreage in text, if needed.
Environmental consequences gaps	<ul style="list-style-type: none"> No changes.



Topic	Description
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> Locate the more recent data sources, update the data as needed, and provide the more recent source.

Sections 3.1.6 and 3.2.6, Biological Resources

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Update Table 3.1.6-1, <i>Relevant Arizona Biological Resources Laws and Regulations</i>, to include the following: <ul style="list-style-type: none"> Fish and Wildlife Conservation Act of 1980 Fish and Wildlife Coordination Act of 1934 Plant Protection Act of 2000 EO 13112 – Invasive Species Arizona Native Plant Law
Affected environment changes	<ul style="list-style-type: none"> Review and update scientific names throughout section, as needed. Update text regarding species of greatest conservation need (SGCN) numbers, based on the <i>Arizona Wildlife Conservation Strategy</i> (Arizona Game and Fish Department 2022). Update the following as needed and provide updated citations: <ul style="list-style-type: none"> number of threatened/endangered/candidate species in Arizona and associated critical habitat (for example, the monarch butterfly [<i>Danaus plexippus</i>] is now proposed threatened) number of SGCN species number of federally recognized noxious species numbers of mammal, bird, reptile, amphibian, and invertebrate species number of nonnative amphibian species number of fish species Review and update the background information provided for each threatened and endangered species. Update Figure 3.1.6-3, <i>ESA Designated Critical Habitat in Arizona</i>. Update website links that are no longer functioning.
Affected environment gaps	<ul style="list-style-type: none"> Add a subsection on Arizona native plants. Add a discussion of habitat connectivity. <i>Arizona's Wildlife Linkages Assessment</i> (Arizona Wildlife Linkages Workgroup 2006) includes areas of connectivity, or Potential Linkage Zones, that would be useful to include in this discussion and carry into the environmental consequences section.
Environmental consequences changes	<ul style="list-style-type: none"> Lacks a reference to the RF discussion pertaining to potential RF effects on species previously provided in Section 2.4, <i>Radiofrequency Emissions</i>. Review and update number of state-listed noxious plants. Review literature to determine whether updated data are available regarding mortality/injury to birds as a result of communication towers and RF exposure. For Section 3.2.6.6, <i>Threatened and Endangered Species and Species of Conservation Concern</i>, update number of federally listed species in each section (mammals, birds, fish, reptiles, amphibians, invertebrates, and plants) and update potential impacts as needed. Also, update the <i>Loss or Degradation of Designated Critical Habitat</i> section based on updated critical habitat designations.



Topic	Description
Environmental consequences gaps	<ul style="list-style-type: none"> • Add discussion of how Arizona Native Plant Law would be addressed to Section 3.2.6.3, <i>Terrestrial Vegetation</i>. • The discussion of reptiles and amphibians seems to focus on impacts to aquatic or semiaquatic reptiles and amphibians; however, Arizona has numerous other reptile and amphibian species that do not rely on aquatic habitats. • The <i>Invasive Species Effects</i> section should include analysis of the potential to spread invasive plant species during construction of the proposed action.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source. Discussion of additional issues and resources, such as habitat connectivity, the Arizona Native Plant Law, and reptile and amphibian species not associated with aquatic habitats, may require additional background research.

Sections 3.1.7 and 3.2.7, Land Use, Recreation, and Airspace

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • Include Arizona Revised Statutes Title 9 (Cities and Towns), Chapter 5, Article 8; Title 11 (Counties), Chapter 6; and Title 28 (Transportation), Chapter 25.
Affected environment changes	<ul style="list-style-type: none"> • Update sections with numeric or cited data sources. • Add county-level information.
Affected environment gaps	<ul style="list-style-type: none"> • No changes.
Environmental consequences changes	<ul style="list-style-type: none"> • Reference county ordinances in impact determination.
Environmental consequences gaps	<ul style="list-style-type: none"> • No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source. Discussion of additional issues and resources, such as county ordinances, may require additional background research.

Sections 3.1.8 and 3.2.8, Visual Resources

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • Consider using FHWA's <i>Guidelines for the Visual Impact Assessment of Highway Projects</i> (2015) as additional guidance. This guidance is pertinent because some proposed projects under the BEAD Program are expected to be located along highway rights-of-way and because the guidance includes consideration of both “neighbors” and “travelers.” • Add information about state and county light pollution and dark sky regulations.

Topic	Description
Affected environment changes	<ul style="list-style-type: none"> • Correct the inaccurate description of vegetation on the Superstition Mountains. • Update figures and tables describing national and state historic resources, parks, natural areas, etc. with any newly designated resources.
Affected environment gaps	<ul style="list-style-type: none"> • Add text indicating that some Arizona counties and municipalities also designate scenic routes.
Environmental consequences changes	<ul style="list-style-type: none"> • No changes.
Environmental consequences gaps	<ul style="list-style-type: none"> • No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source. Discussion of additional issues and resources, such as light pollution, dark sky regulations, and local designations of scenic routes, may require additional background research.

Sections 3.1.9 and 3.2.9, Socioeconomics

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • Note that EO 12898 has been rescinded.
Affected environment changes	<ul style="list-style-type: none"> • No changes.
Affected environment gaps	<ul style="list-style-type: none"> • No changes.
Environmental consequences changes	<ul style="list-style-type: none"> • Update discussion of economic benefits related to the provision of better broadband Internet service through the proposed projects under the BEAD Program, which specifically targets the provision of broadband service in rural and underserved areas.
Environmental consequences gaps	<ul style="list-style-type: none"> • No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • As noted above, the discussion of economic benefits may be updated to reflect the expansion of broadband service in rural and underserved areas. Provide a qualitative discussion of the economic benefits related to expanded broadband access.

Sections 3.1.10 and 3.2.10, Environmental Justice

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • EO 12898 was rescinded on January 21, 2025 (The White House 2025a).
Affected environment changes	<ul style="list-style-type: none"> • Not applicable.
Affected environment gaps	<ul style="list-style-type: none"> • Not applicable.
Environmental consequences changes	<ul style="list-style-type: none"> • Not applicable.



Topic	Description
Environmental consequences gaps	<ul style="list-style-type: none"> • Not applicable.
Need to reevaluate or update	<ul style="list-style-type: none"> • Not applicable.
Steps to update analysis	<ul style="list-style-type: none"> • Not applicable.

Sections 3.1.11 and 3.2.11, Cultural Resources

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • Note that Secretary of the Interior Order 3389 (issued December 22, 2020) changed Section 106 consultation requirements for the Bureau of Land Management, was since rescinded, but could be reinstated. • Potential changes in the role of the Advisory Council on Historic Preservation (ACHP) may need to be addressed. The ACHP plays an important advisory role in oversight of Section 106 reviews; however, the Department of Government Efficiency has recommended elimination or streamlining of ACHP.
Affected environment changes	<ul style="list-style-type: none"> • Revise Sections 3.1.11.6, <i>Historic Context</i>, and 3.1.11.7, <i>Architectural Context</i>, to provide more complete and well-written accounts of the historical and architectural contexts, in keeping with <i>Prehistoric Setting</i> section. • Add the Pueblo of Zuni to list of tribes in Section 3.1.11.4, <i>Federally Recognized Tribes of Arizona</i>. • Update the following: <ul style="list-style-type: none"> ○ count of National Register of Historic Places-listed properties in Section 3.1.11.3, <i>Cultural and Natural Setting</i> ○ count of sites in Section 3.1.11.5, <i>Significant Archaeological Sites of Arizona</i> ○ Table 3.1.11-2, <i>Archaeological Sites on the National Register of Historic Places in Arizona</i> ○ counts of historic properties in Section 3.1.11.6, <i>Historic Context</i> ○ Figure 3.1.11-4, <i>National Heritage Areas (NHA) and National Register of Historic Places (NRHP) Sites in Arizona</i>
Affected environment gaps	<ul style="list-style-type: none"> • No changes.
Environmental consequences changes	<ul style="list-style-type: none"> • No changes.
Environmental consequences gaps	<ul style="list-style-type: none"> • No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source. Expansion of the historic and architectural context discussions may require additional background research.

Sections 3.1.12 and 3.2.12, Air Quality

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> ADEQ R18-2-101.144 is now ADEQ R18-2-101.146.
Affected environment changes	<ul style="list-style-type: none"> Update Table 3.1.12-6, <i>Maricopa County Ambient Air Quality Standards (NAAQS)</i>, as follows: <ul style="list-style-type: none"> PM_{2.5} 24-hour primary standard should be 35 micrograms/cubic meter. PM_{2.5} annual primary standard should be 9 micrograms/cubic meter. O₃ 8-hour standard should be 0.070 ppm. SO_x 1-hour standard should be 75 ppb. (https://www.maricopa.gov/DocumentCenter/View/5288/Rule-510---Air-Quality-Standards-PDF). Revise section number references for Maricopa County Air Quality Department (MCAQD) permits (exemptions are now in Section 305) and check permit descriptions with the latest regulations. (https://www.maricopa.gov/DocumentCenter/View/5341/Rule-200---Permit-Requirements-PDF?bidId=). Update Table 3.1.12-7, <i>Arizona Nonattainment and Maintenance Areas by Pollutant Standard and County</i>, and Figure 3.1.12-1, <i>Nonattainment and Maintenance Counties in Arizona</i>, to reflect the current attainment statuses using the latest information from the U.S. Environmental Protection Agency (EPA) Greenbook. Update pollutant data exceedances in the <i>Air Quality Monitoring and Reporting</i> section with more recent information.
Affected environment gaps	<ul style="list-style-type: none"> Discuss dust permit types and areas for the Pinal County Air Quality Department (PCAQD). Add discussion of MCAQD Rule 205 Mobile Emission Reduction Credits. Add discussion of ADEQ R18-2-D1301–D1303 (rules for PM₁₀ dust emission limits) for compliance with the Regional Haze Rule. Check whether any permit thresholds should be listed for ADEQ, MCAQD, PCAQCD, and Pima County Department of Environmental Quality (PDEQ).
Environmental consequences changes	<ul style="list-style-type: none"> No changes.
Environmental consequences gaps	<ul style="list-style-type: none"> Add discussion regarding permits since they were discussed extensively in the affected environment section but not analyzed in the environmental consequences section. For instance, what activities/projects could trigger what permits?
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> Locate the more recent data sources (ADEQ, MCAQD, PCAQD, PDEQ, and EPA Greenbook websites), update the data as needed, and provide the more recent source. Discussion of permits related to the environmental consequences of the proposed action may require more research.



Sections 3.1.13 and 3.2.13, Noise and Vibration

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> Where applicable, agency citations should be updated to most current versions. It is unlikely the information derived from those citations will change content. For example, the Federal Transit Administration (FTA) document, <i>Transit Noise and Vibration Impact Assessment</i>, dates to 2006, and the latest version is from 2018—content from this resource remains accurate.
Affected environment changes	<ul style="list-style-type: none"> Table 3.1.13-1, <i>Vibration Source Levels for Select Construction Equipment (VdB)</i>, is a general list from FTA's <i>Transit Noise and Vibration Impact Assessment</i>. Expand the discussion to indicate what kinds of equipment from that list are likely to be used for the types of projects discussed in the PEIS. Add a separate discussion of groundborne noise; it is unclear whether it is included with noise or vibration. Phoenix has neighborhoods and villages, not boroughs.
Affected environment gaps	<ul style="list-style-type: none"> This section states that Phoenix, Tucson, and Flagstaff are “likely” to have noise regulations applied to sources and maximum permissible noise levels; however, regulations are not defined.
Environmental consequences changes	<ul style="list-style-type: none"> Table 3.2.13-1, <i>Impact Significance Rating Criteria for Noise and Vibration at the Programmatic Level</i>, mentions “state noise limits.” This needs revision/clarification. For Table 3.2.13-1, <i>Impact Significance Rating Criteria for Noise and Vibration at the Programmatic Level</i>, if 55 dBA is a noise impact, it would likely be mitigated below significance, so these types of impacts could go into the category of “Less than Significant with BMPs and Mitigation Measures Incorporated.” Potentially significant impacts are those that cannot be mitigated below specific thresholds.
Environmental consequences gaps	<ul style="list-style-type: none"> The affected environment section provides an equipment list with the noise levels produced by different pieces of equipment. These should be carried to the environmental consequences discussion as backup for the conclusions of no impact, etc. Include any county ordinances in impact determination. State that local ordinances do exist and should be followed.
Need to reevaluate or update	<ul style="list-style-type: none"> Update sections as described above.
Steps to update analysis	<ul style="list-style-type: none"> Locate the more recent data sources, update the data as needed, and provide the more recent citation. Discussion of additional issues and resources, such as equipment noise and county/local ordinances, may require additional background research.

Sections 3.1.14 and 3.2.14, Climate Change

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • EO 14008 – Tackling the Climate Crisis at Home and Abroad. The rescission of this EO on January 20, 2025, removes the CEQ’s guidance on climate change and GHG emissions. • EO 14154 – Unleashing American Energy (The White House 2025b), all federal agencies have been directed to revise their NEPA implementing procedures. The greenhouse gas (GHG) measurement rule has been rescinded. Climate change and GHGs are no longer analyzed in NEPA documents.
Affected environment changes	<ul style="list-style-type: none"> • Not applicable.
Affected environment gaps	<ul style="list-style-type: none"> • Not applicable.
Environmental consequences changes	<ul style="list-style-type: none"> • Not applicable.
Environmental consequences gaps	<ul style="list-style-type: none"> • Not applicable.
Need to reevaluate or update	<ul style="list-style-type: none"> • Not applicable.
Steps to update analysis	<ul style="list-style-type: none"> • Not applicable.

Sections 3.1.15 and 3.2.15, Human Health and Safety

Topic	Description
Regulatory changes	<ul style="list-style-type: none"> • On April 21, 2022, OSHA published its intent to revoke the final approval of the Arizona State Plan for Occupational Safety and Health in the <i>Federal Register</i>. On July 5, 2022, Arizona advised OSHA that the state’s plan had completed significant actions to address OSHA’s concerns as identified in the <i>Federal Register</i>. In light of this action, OSHA withdrew its proposal to revoke final approval of the state plan. Check the applicability of the revised state plan to NEPA and update the citation. • Update all other citations (note that some citations are dates retrieved from websites, and these appear to remain accurate).
Affected environment changes	<ul style="list-style-type: none"> • Update Figure 3.1.15-1, <i>Number of Telecommunication Line Installers and Repairers Employed per State, May 2014</i>—the statistics are more than a decade old. • Update BLS, WONDER, RCRA, brownfields, etc., statistics and counts to reflect the most recent information. Revisit EPA’s Cleanups in My Community and update the information. • Update Figure 3.1.15-2, <i>TOXMAP Superfund/NPL and TRI Facilities in Arizona (2013)</i>. • In general, the information in this section is old and could be updated, but updates would not affect the conclusions in the PEIS impact sections.
Affected environment gaps	<ul style="list-style-type: none"> • No changes.
Environmental consequences changes	<ul style="list-style-type: none"> • Remove all references to CEQ and associated Code of Federal Regulations citations.
Environmental consequences gaps	<ul style="list-style-type: none"> • No changes.
Need to reevaluate or update	<ul style="list-style-type: none"> • Update sections as described above.



Topic	Description
Steps to update analysis	<ul style="list-style-type: none"> • Locate the more recent data sources, update the data as needed, and provide the more recent source.

Appendices

Appendix C, Environmental Laws and Regulations

This appendix summarizes the federal laws and regulations, EOs, and guidance pertinent to resources discussed in the PEIS. Table C-1 lists the documents, and the table below highlights those that been updated.

Topic	Description
Regulatory changes	<p><i>Row: Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR Parts 1500–1508):</i></p> <ul style="list-style-type: none"> • The CEQ regulations implementing NEPA were removed from the Code of Federal Regulations under an interim rule issued on February 25, 2025 (90 <i>Federal Register</i> 10610). The interim rule took effect on April 11, 2025. Federal agencies have been directed to create their own regulations implementing NEPA within a year. <p><i>Row: Endangered Species Act (ESA) of 1973 (16 U.S.C. §1531 et seq.)</i></p> <ul style="list-style-type: none"> • A proposed rule by the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration was published in the <i>Federal Register</i> on April 17, 2025, entitled <i>Rescinding the Definition of “Harm” Under the Endangered Species Act</i>. The summary notes: “The existing regulatory definition of “harm,” which includes habitat modification, runs contrary to the best meaning of the statutory term “take.” We are undertaking this change to adhere to the single, best meaning of the ESA.” Comments are due by May 19, 2025. <p><i>Row: National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.):</i></p> <ul style="list-style-type: none"> • The CEQ regulations implementing NEPA were removed from the Code of Federal Regulations under an interim rule issued on February 25, 2025 (90 <i>Federal Register</i> 10610). The interim rule took effect on April 11, 2025. Federal agencies have been directed to create their own regulations implementing NEPA within a year. <p><i>Row: Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations:</i></p> <ul style="list-style-type: none"> • EO 12898 was rescinded on January 21, 2025 (The White House 2025a). <p><i>Row: Executive Order 13653 Preparing the United States for the Impacts of Climate Change</i></p> <ul style="list-style-type: none"> • EO 13653 was rescinded on March 28, 2017 (82 <i>Federal Register</i> 16093). <p><i>Row: Council on Environmental Quality Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions</i></p> <ul style="list-style-type: none"> • EO 14008 – Tackling the Climate Crisis at Home and Abroad was rescinded on January 20, 2025, removing CEQ’s guidance on climate change and GHG emissions (The White House 2025b). • EO 14154 – Unleashing American Energy (The White House 2025b) directs all federal agencies to revise their NEPA implementing procedures. The GHG measurement rule has been rescinded. Climate change and GHGs are no longer analyzed in NEPA documents (The White House 2025b).



Appendix E, Air Quality

Topic	Description
Regulatory changes	<p><i>Row: PM_{2.5}</i></p> <ul style="list-style-type: none"> The PM_{2.5} Annual Primary Standard has been updated to 9 micrograms/cubic meter.

Best Management Practices

BMPs establish measures to be taken during construction to minimize potential environmental impacts. NTIA guidance (2024b) for the PEIS review calls for reviewing two sets of BMPs: (1) BMPs included in the 2017 FirstNet PEIS (Chapter 9 of First Responder Network Authority 2017b) and (2) BMPs developed for the BEAD Program in 2024 (NTIA 2024c). This review was completed, and it was found that the BMPs were suitable for application to projects under the BEAD Program, although additional BMPs and mitigation measures may be included in the environmental documents for specific projects, as needed. Note that the BMPs listed in the 2017 PEIS and in NTIA’s 2024 BMP document included those pertaining to environmental justice and climate change; as noted previously, the EOs pertaining to those topics have been rescinded.

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