

April 20, 2026

The Honorable Doug Burgum  
Secretary Department of the Interior  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Secretary Burgum,

On behalf of USTelecom, I am writing to commend the Department of the Interior's continued efforts to support responsible infrastructure deployment on federal lands and to highlight an important opportunity to further streamline broadband permitting consistent with recent White House guidance.

As you know, the Council on Environmental Quality (CEQ) recently issued updated guidance on the use of categorical exclusions (CEs) under the National Environmental Policy Act (NEPA). This guidance encourages agencies to expand the use of CEs for activities that do not have significant environmental impacts and reinforces agencies' authority under Section 109 of NEPA to adopt categorical exclusions established by other federal agencies. Council on Environmental Quality Chair Katherine Scarlett said, "It should never take longer to permit a critical infrastructure project than it takes to build it."

We appreciate that DOI has already taken initial steps to adopt certain NTIA categorical exclusions. Building on this progress, we respectfully request the Department to expand and standardize adoption across all its bureaus—particularly for broadband-relevant categories. Formal adoption of additional Department of Commerce (DOC) and National Telecommunications and Information Administration (NTIA) CEs, as well as FirstNet CEs used by NTIA, would unify these approaches, reduce fragmentation, and enable more consistent, efficient permitting across federal lands.

Included below is a list of categorical exclusions established by various agencies that DOI should consider and adopt. They cover many routine broadband activities—such as fiber installation within existing rights-of-way, equipment replacements and upgrades—that are highly relevant to critical broadband projects requiring approvals on Interior-managed lands.

USTelecom has worked closely with the White House, including CEQ, to advance policies that support more efficient and predictable permitting processes. The recent guidance reflects these shared priorities, and its effective implementation across agencies like DOI will be critical to realizing its full benefits.

We stand ready to work with you and your team to support this effort and to ensure that broadband deployment proceeds efficiently while maintaining strong environmental stewardship.

Thank you for your leadership and consideration.

Sincerely,

A handwritten signature in black ink, reading "Jonathan Spalter". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Jonathan Spalter

cc:

Bill Groffy, Acting Director, Bureau of Land Management

Katherine Scarlett, Director of the Council on Environmental Quality

**Categorical Exclusion (CE)**

**Reason for DOI Adoption / Relevance**

**FirstNet B.3 – Construction of buried and aerial telecommunications lines, cables, and related facilities**

While DOI already has similar authority, adopting NTIA C-8 would standardize and simplify application across bureaus and reduce case-by-case review.

**NTIA C-8 – Use of existing rights-of-way for communications systems (fiber, cable, etc.)**

Would standardize and streamline permitting for fiber installation across DOI lands where similar authority exists but is inconsistently applied.

**NTIA C-4 – Facilities supporting wired/other communications systems on previously disturbed land with ≤1 acre disturbance**

Would create a consistent, broadband-focused standard for deploying huts, switching stations, and support infrastructure.

**NTIA C-6 – Temporary facilities on previously disturbed land with ≤1 acre disturbance**

Facilitates deployment logistics (e.g., staging, testing) with minimal environmental impact; improves efficiency during buildout phases.

**FirstNet B.4 – Changes to existing lines with <20% pole replacement / rebuild within existing ROW**

Adoption would provide clearer pathways for routine upgrades and modernization.

**FirstNet B.7 – Changes or additions to telecom facilities with <1 acre new disturbance**

Closely mirrors NTIA C-4. B-7 expressly references “new” disturbance of “less than” one acre, whereas NTIA C-4 requires both “a developed area and/or on previously disturbed ground” *and* “no more than” one acre of disturbance (i.e., less than *or equal to* one acre of disturbance).

**FirstNet B.12 – Relocation of telecom lines due to road/highway work**

Narrower focus than NTIA C-8; adopting together with the NTIA CE would allow proactive deployment, not just relocation tied to other projects.

**Categorical Exclusion (CE)**

**Reason for DOI Adoption / Relevance**

**FirstNet B.13 – Upgrades to existing telecom facilities**

Aligns with NTIA C-8; adoption would simplify and standardize approvals for modernization and capacity upgrades.

**Commerce A-2 – New construction in developed/disturbed areas (with limits)**

Reinforces NTIA C-4 approach; supports small-footprint broadband facilities with clear siting criteria, improving consistency across agencies.

**Commerce A-7 – Acquisition, installation, operation, and removal of communications systems/equipment**

Supports streamlined deployment and lifecycle management of telecom equipment; aligns with NTIA C-8 and would reduce administrative and permitting friction.

**Commerce A-6 -Adding fiber to transmission structures or burying fiber in existing transmission line ROWs**

Directly aligns with NTIA C-8 and USDA-supported fiber deployment along existing corridors; would streamline installation by clarifying that use of existing transmission ROWs does not require duplicative environmental review.

**Commerce A-10 -Siting or modification of support buildings and structures within or contiguous to an already developed area**

Reinforces NTIA C-4 approach; enables efficient deployment or expansion of small support facilities (e.g., huts, switching stations) in developed areas with minimal environmental impact, reducing permitting delays for USDA-funded projects.