



ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) FOR SUBGRANTEES

March 27, 2026

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EHP OVERVIEW



The National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) establish requirements for environmental and cultural resources review

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NEPA and NHPA require federal agencies to “stop, look, and listen” before making decisions that impact historic properties and the human environment

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NEPA and NHPA review, including consultation with regulatory agencies, must be completed before an awarded project can begin deployment

* BEAD requirements include NEPA, Section 106 of NHPA, Section 7 of the Endangered Species Act, and Section 404 of the Clean Water Act

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KEY TAKEAWAYS FOR BEAD

1

NEPA and NHPA are procedural laws that require federal agencies to **evaluate projects prior to funding deployment activities**

2

EHP review—including consultations with federal agencies, state agencies, and Tribes—**must be completed before** an awarded project can perform ground disturbing work

- Reasonable engineering, permitting, and materials acquisition may occur in parallel

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NTIA requires Specific Award Conditions (SACs) between states and subgrantees **to enforce EHP requirements**

- SACs may be lifted (to permit deployment) or added/modified (to enforce required mitigation measures or protections), depending on the findings associated with each project

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EHP PROCESS

Subgrantees are responsible for complying with all EHP requirements as a condition of their BEAD awards before any grant-funded ground disturbing work can be initiated

- Subgrantees are expected to play a proactive role in all EHP-related activities required for their projects
- WBO's role is to supervise and administer grant awards, providing oversight and guidance to subgrantees to help them prepare for and achieve NEPA and NHPA compliance
- NTIA will require comprehensive subgrantee documentation to determine the appropriate level of NEPA analysis required for each BEAD-funded project
- Subgrantees will need to provide detailed project descriptions that include:
 - Deployment procedures
 - Potential impacts associated with those deployment procedures
 - Photos and maps required to evaluate whether a Categorical Exclusion (CATEX), Environmental Assessment (EA), or Environmental Impact Statement (EIS) is necessary to determine potential impacts in compliance with NEPA, NHPA Section 106, and other relevant federal, state, and local regulations

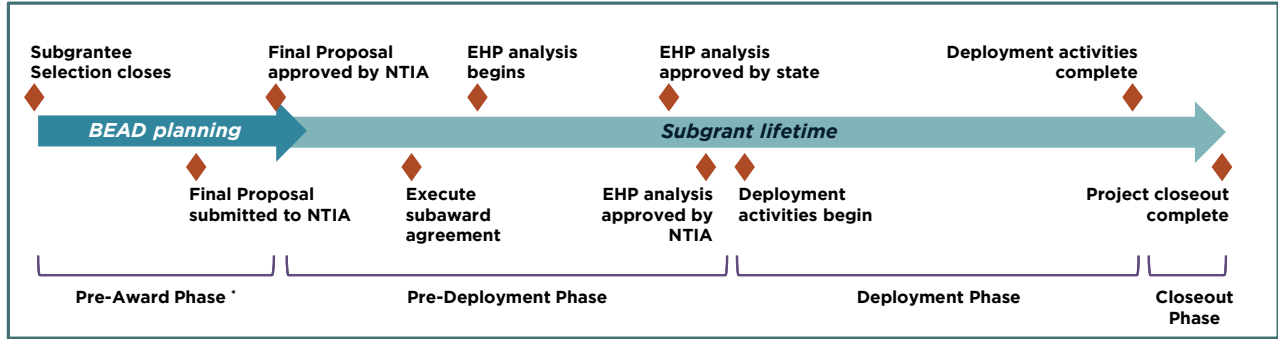
Subgrantees should note that these guidelines are not binding, exhaustive, or final, and they may be updated by WBO at any time, as guidance is updated

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EHP ROADMAP



*Final Proposal inputs do not require evaluation of individual projects. Subsequent phases are specific to each NTIA-authorized subgrant

**EHP is implemented based on the "federal action" that funds deployment activities. If instead, for example, a state made a single award to a subgrantee for a dozen project areas, those project areas would be "Connected Actions." Deployment could not start in any area until the EHP review for all dozen project areas was complete. This could lead to delays in deployment where an EHP issue in one region could hold up progress in other parts of the state

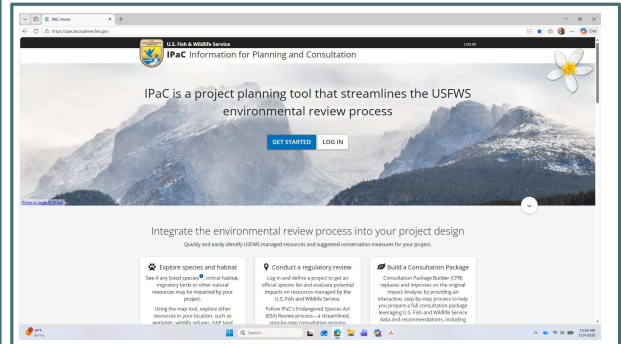
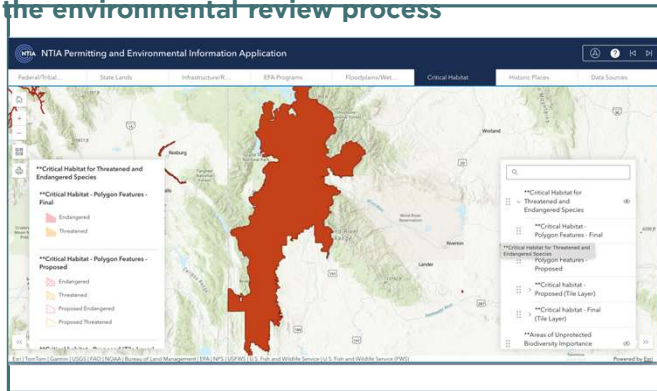
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NTIA RESOURCES



PERMITTING RESOURCES

NTIA developed the ArcGIS Pro Permitting and Environmental Information Tool (APPEIT) to help subgrantees with permitting planning and environmental review preparation efforts, while USFWS developed the Information for Planning and Consultation (IPaC) to streamline the environmental review process



Source: NTIA Permitting and Environmental Information Application, US Fish & Wildlife Service Environmental Conservation Online System



NTIA'S ESAPTT SCREENING PROCESS

NEPA specialists within WBO will perform NEPA screening and certify the sufficiency of subgrantee documentation through the ESAPTT tool

Environmental screening step-by-step



1) Input project information:

WBO will upload a project map and project description to the tool



2) Complete Tribal notification process:

The NEPA specialist will receive a list of federally recognized Tribes with interest in the project area and follow up to determine potential impacts to historic properties of Tribal significance



3) Complete ESAPTT CATEX Questionnaire:

The NEPA specialist will answer questions on the project's scope to identify potentially applicable CATEX(s), select the CATEX(s) that apply, and confirm that the project qualifies



4) Complete ESAPTT Extraordinary Circumstances (EC) Questionnaire:

The NEPA specialist will identify if environmentally sensitive resources (e.g., endangered species or historic properties) are present, upload documentation directly through ESAPTT, and indicate mitigation commitments to avoid potentially significant impacts



5) Summary, validation, submittal, & approval:

The NEPA specialist will use their professional expertise to validate that the CATEX should be applied and transmit the Draft NEPA Decision Memo to NTIA for review and approval within ESAPTT

Source: Environmental Screening and Permitting Tracking Tool (ESAPTT) Overview

SH1 [@Freny Cooper] I recommend
numbering the steps here

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SUBGRANTEE RESPONSIBILITIES

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PRE-DEPLOYMENT ASSESSMENT



NTIA requirements

- Assess applicability of NTIA EHP guidance:
 - NEPA Categorical Exclusions
 - Advisory Council on Historic Preservation (ACHP) Program Comment for Communications Projects on Federal Lands and Property (2024 Update)
- Evaluate known biological resources
- Evaluate known historic properties and State Historic Preservation Office (SHPO) requirements
- Evaluate known federal and Tribal consultation and permitting requirements
- Assess other risk factors impacting EHP and permitting

State oversight activities

- Evaluate subgrantee deployment methodologies
- Utilize GIS to assess project areas for potential impacts to federal lands, Tribal lands, and known biological, historic, cultural, and other resources
- Categorize EHP risk based on complexity of consultations, known environmental and cultural resources, and other findings
- Develop a roadmap for EHP analysis of each project

Subgrantee activities

- Respond to EHP questionnaire to gather additional data needed for analysis (if needed)
- Respond to other information requests necessary to tune assessment and roadmap (if needed)

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PRE-DEPLOYMENT (NEPA)

NTIA requirements

- Determine appropriate level of analysis; conduct the analysis
- Determine required consultations; conduct the consultations
- Review and approve level of analysis, sufficiency, documentation, and outcome—such as a “no effect” determination or other appropriate go-forward decision (with mitigation, if applicable)
- [NTIA and NIST must] Address existing, new, or modified SACs

State oversight activities

- Identify any deployment deviations from CATEX that would require additional NEPA analysis
- Identify any biological or environmental resources near proposed project areas
- Finalize NEPA roadmap for the project
- Gain NTIA concurrence with NEPA roadmap
- Oversee analysis and deliver guidance/technical assistance to subgrantees

Subgrantee activities

- Submit any requested data, including:
 - Detailed project description
 - Route maps
 - Deployment methodology
 - Photos or field work
- Engage EHP experts to help:
 - Perform NEPA analysis and fieldwork
 - Support consultations
 - Develop documentation in accordance with agreed upon roadmap
 - Submit and revise documentation as needed
 - Support mitigation planning



PRE-DEPLOYMENT (NHPA)

NTIA requirements

- Determine appropriate level of analysis; conduct the analysis
- Determine required consultation; conduct the consultations
- Confirm level of analysis, sufficiency of consultations, and associated documentation
- Final determinations come from consulting partners, such as a “no effect” concurrence or other appropriate go-forward decision (with mitigation, if applicable)
- Address existing, new, or modified SACs

State oversight activities

- Identify known historic and cultural resources near proposed deployment areas
- Determine applicability of updated Program Comment
- Finalize NHPA roadmap for the project, including necessary consultations
- Gain NTIA concurrence with NEPA roadmap
- Conduct consultations (SHPO, Tribal, federal)
- Oversee analysis and deliver guidance/technical assistance to subgrantees

Subgrantee activities

- Submit any requested data, including:
 - Detailed project description
 - Route maps
 - Deployment methodology
 - Photos or field work
- Engage cultural resources experts to help:
 - Engage in all consultations
 - Perform analysis and fieldwork
 - Develop documentation in accordance with agreed upon roadmap
 - Submit and revise documentation as needed
 - Support mitigation planning

SH1 [@Freny Cooper] Please verify that all instances of "Tribe" and "Tribal" are consistently capitalized or not capitalized

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DEPLOYMENT PHASE

NTIA requirements

- Monitor ongoing NEPA/NHPA compliance, including any SACs and mitigation activities required from EHP analysis
- Identify and address any changes to scope (including route deviations not previously analyzed)

State oversight activities

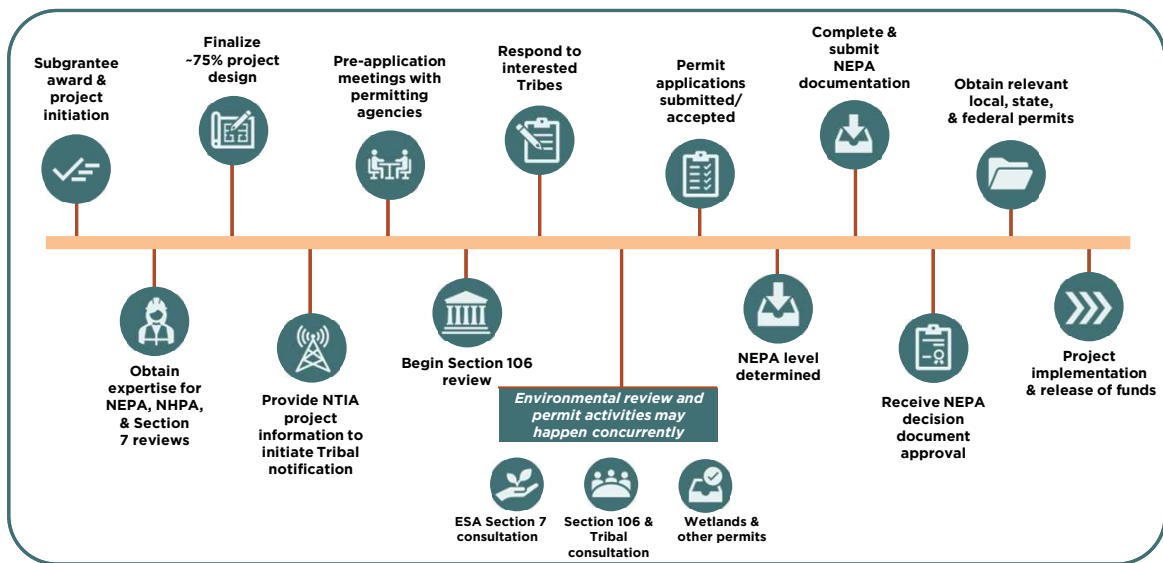
- Conduct monitoring and oversight—including site visits—and incorporate EHP into those tasks
- Pay special attention to mitigation activities, if applicable (e.g., Tribal monitors, seasonal deployment prohibitions, and so on)
- Analyze any changes to scope or route per NTIA-approved procedures
- Oversee implementation and deliver guidance/technical assistance to subgrantees

Subgrantee activities

- Implement awards in a manner compliant with all terms and conditions, including EHP SACs and mitigating activities
- Provide regular reports and updates
- Identify scope changes, route changes, or EHP issues, and alert the state immediately
- Provide any requested documents, maps, field notes, or other materials

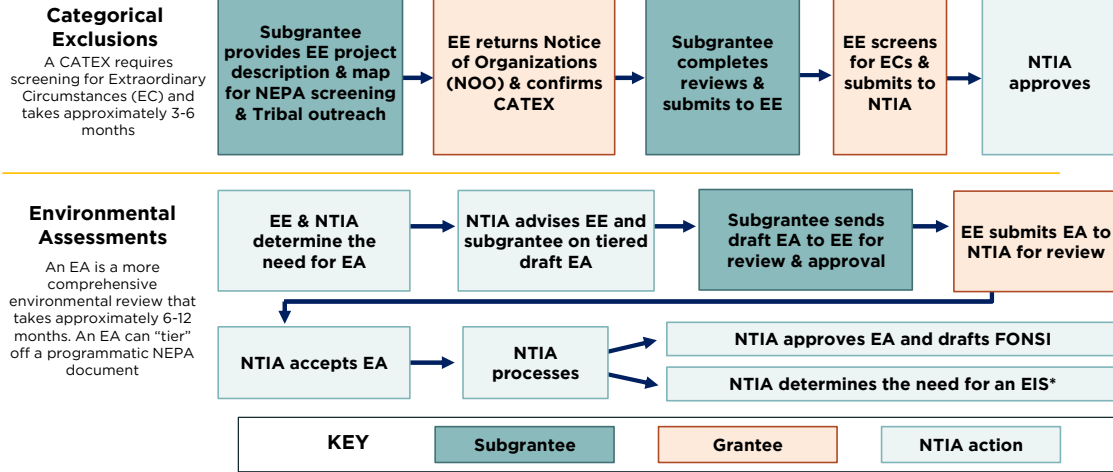


SUBGRANTEE MILESTONE SCHEDULE CONSIDERATIONS





LEVELS OF NEPA REVIEW



*Note: Broadband deployments do not typically trigger an EIS, which can take 12-24 months to complete

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BEST PRACTICES



PREPARATION & BEST PRACTICES

- Subgrantees must **complete EHP evaluations and receive consent** from NTIA **before beginning ground disturbing activities**; this step unlocks access to deployment funds
- WBO recommends that subgrantees **procure support from a firm that specializes in EHP** with expertise in their region
- Subgrantees must leverage their EHP expertise to complete and return the [WBO BEAD EHP Questionnaire](#)
- Subgrantees should use the [WBO EHP Guide and BEAD Subgrantee EHP Task List](#) to navigate EHP requirements
- Subgrantees must follow [risk management practices](#) and should not proceed with any ground disturbing work in areas subject to additional EHP review to reduce the potential for costly re-work
- WBO will verify subgrantee compliance through **monitoring and oversight**; subgrantees should be transparent and actively participate in that process
- Note: Successful subgrantees will be required to [certify their continuing compliance](#) with applicable EHP requirements
- WBO must monitor each project to ensure that **deployment does not deviate from the approved plan**; should deviations be proposed, WBO must ensure they are fully evaluated for potential EHP impacts and pursue clearance with NTIA **prior to the subgrantee undertaking ground disturbing activities**

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UPCOMING WEBINARS

Technical Assistance Webinar	Time (MT)	Date	Registration Link
Milestone Disbursement Process - Reporting - Auditing Requirements	11 a.m.	Tuesday, March 31	Register Here
Portal Training	1 p.m.	Friday, April 3	Register Here
EHP & NEPA Office Hours	11 a.m.	Tuesday, April 21	Register Here

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COMPLIANCE DOCUMENTS AND RESOURCES



For in-depth information on the BEAD program, please consult the following documents:

- [2 CFR § 200 Uniform Guidance](#)
- [General Terms & Conditions \(GTC\)](#)
- [BEAD Restructuring Policy Notice \(RPN\)](#)
- [BEAD Notice of Funding Opportunity \(NOFO\)](#)
- [BEAD Performance Testing Requirements](#)
- [NTIA FAQs](#)
- [NTIA BEAD resources](#)

Where to find key documents for Wyoming:

- [Wyoming website for BEAD](#)
- [Final Proposal for Wyoming](#)
- **Subgrantee Program Guide** FCI
(to be posted on the WBO BEAD page)

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QUESTIONS?



For general questions about the BEAD program in Wyoming, please email Wyoming Broadband Manager Chad Bolling at chad.bolling@wyo.gov

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