



WYOMING'S PERMITTING LANDSCAPE

Permitting Series • Session 2 • October 8, 2026

WHY WE'RE HERE TODAY

Our goal: Set all parties up for success before the permitting application volume reaches peak levels.

1

Introduce our permitting partners to subgrantees

2

Highlight NTIA's role in BEAD permitting

3

Show the breadth and depth of the permitting work

This is a federal effort, not just a state initiative: WBO and NTIA are working on permitting together.

MEET OUR PERMITTING PARTNERS



Federal agencies

Bureau of Indian Affairs
Bureau of Land Management
US Forest Service
US Army Corps of Engineers
US Fish and Wildlife Service
National Telecommunication
and Information
Administration



State of Wyoming

Office of the Governor
State Historic Preservation
Office
Game and Fish Department
Department of
Transportation
Local Government and
Municipalities



Other partners

Subgrantees
One-Call Wyoming
Utilities
Railways

ONE SHARED VIEW OF EVERY PENDING PERMIT



How we work together: WBO and our permitting partners keep a shared view of pending permits — where each one sits, and where support is needed.



What we expect from everyone: Transparent, active information sharing is the core expectation for every permitting partner and subgrantee.



Flag delays early: Subgrantees should flag permitting delays early and report them consistently. Problems we do not know about are problems we cannot help resolve.

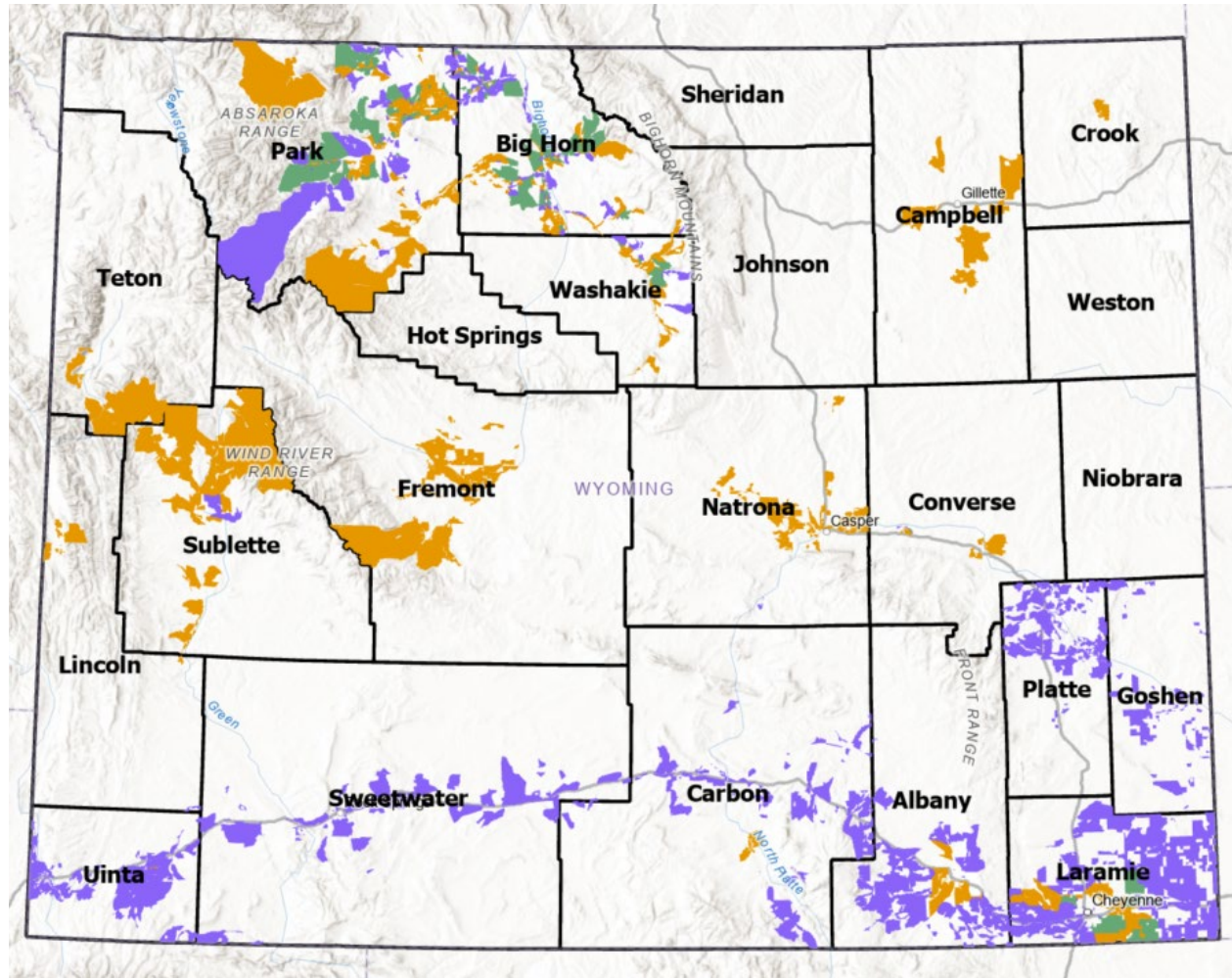
THE SLOWEST AUTHORIZATION SETS THE PACE

SAME DEPLOYMENT TIMELINE (4 YEARS)



1. **A single route can need authorizations from:**
 - a. Federal land managers
 - b. State agencies
 - c. Counties
 - d. Municipalities
 - e. Railroads
 - f. Tribal authorities
2. **Each reviews on its own timeline,** so the slowest authorization on a route sets the pace for the whole project.

WHERE PROJECTS ARE AND WHAT IS COMING



What partners can gauge

- Where each funded project is located
- Anticipated permitting impacts by jurisdiction — the workload headed your way

Technology

-  Fiber
-  Fiber and Fixed Wireless
-  Fixed Wireless

PROGRAM MONITORING

TWO LIVING DOCUMENTS, KEPT UNTIL CLOSEOUT



Permit Status Summary:

Lists every known permit — rights-of-way, environmental, special crossings, private easements, franchise agreements, and federal permits — with each one's project phase, permitting authority, and anticipated execution date.



Project Timeline:

Covers EHP permitting, non-environmental permitting, design, and deployment, by phase. Its dates must match the Permit Status Summary.

Both are updated quarterly or at WBO's request.

PERMITTING SHOWS UP IN EVERY REVIEW CYCLE



Quarterly desk reviews

Track permit application and approval progress, may request GIS maps of permit status and a record of permitting delays.



Semi-annual reports

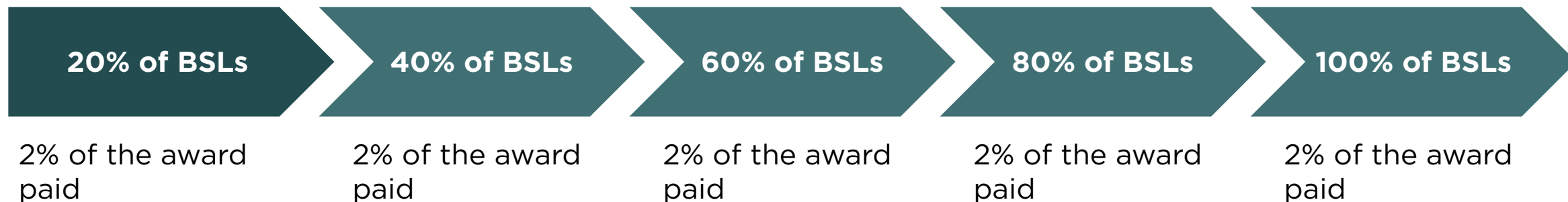
Cover milestone status and any extension requests.



Annual reports

Require updated timelines, with an explanation for any deviation.

PERMITS ARE TIED TO PAYMENT



Engineering & Permitting milestone: 10% of the award

Evidence of approved permits for the corresponding percentage of BSLs must be signed by the permitting authority — so our partners' approvals directly affect when subgrantees get paid.

ESCALATE EARLY: THE PATH FOR A STUCK PERMIT

1

Subgrantees escalate to WBO immediately: Permit problems should be brought to the state as soon as they arise, rather than discovered later as a missed forecast.

2

WBO escalates complex delays to NTIA through approved channels and support networks.

3

Missed forecasts raise the monitoring level: “Failure to secure permitting as forecasted” is a listed trigger for moving a subgrantee to a higher monitoring level.

NEXT: NTIA ON FEDERAL PERMITTING

What NTIA will cover

- NTIA's role in BEAD permitting
- How the joint lead agency arrangement works, and who does what
- Where NTIA's process ends and WBO's begins
- Federal monitoring, building on the state-level picture just described
- **NTIA speakers:**
 - Grace Stephens: Federal Program Officer, Wyoming & Montana
 - Eric Forsch: Federal Program Officer, Oregon & Idaho; Western Region Permitting Lead
 - Mike Way: Environmental Program Officer

How questions will be addressed

- Questions from the partner pre-meeting have already been sent to NTIA
- Most of the remaining time is reserved for discussion
- Questions outside NTIA's scope, or needing follow-up, will be captured and answered after the session



Introduction to BEAD Permitting

October 2026

Environmental Screening and Permitting Tracking Tool (ESAPTT) Overview



Disclaimer

This document is intended solely to assist recipients in better understanding the Broadband Equity, Access, and Deployment (BEAD) Program and the requirements set forth in the Infrastructure Investment and Jobs Act, Notice of Funding Opportunity (NOFO), as modified by the BEAD Restructuring Policy Notice (RPN). This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, the terms and conditions of the award, or the specific application requirements set forth in the NOFO not modified by the RPN. In all cases, statutory and regulatory mandates, the terms and conditions of the award, and follow-on policies and guidance, shall prevail over any inconsistencies contained in this document.

Environmental Screening and Permitting Tracking Tool (ESAPTT)

ESAPTT will help Eligible Entities obtain and track environmental screening approvals and ensure sub-recipient permitting compliance for the BEAD program.

WHAT IS ESAPTT?

ESAPTT is a Salesforce-based tool developed by NTIA to help streamline the NEPA review and permitting processes for BEAD. Eligible Entities will use the tool to **screen projects for environmental effects, to transmit and maintain NEPA documents, and to track subgrantee permitting requirements and timelines**. NTIA will use ESAPTT to review and approve final NEPA decisions.

ESAPTT HELPS ELIGIBLE ENTITIES



Accelerate NEPA Processing Timelines: ESAPTT expedites NEPA approvals for Eligible Entities by automating Categorical Exclusions (CATEX) and Extraordinary Circumstances (EC) reviews.



Increase Coordination and Efficiency: ESAPTT provides a centralized platform for Eligible Entities to submit the documentation of each project’s potential environmental effects to NTIA for review.



Organize and Track Permitting Requirements: ESAPTT helps Eligible Entities identify the relevant permit requirements and monitor milestone schedule progress for federal permits.

ESAPTT COMPONENTS

ENVIRONMENTAL SCREENING

PERMITTING TRACKING

Environmental Screening Process

NEPA specialists within the State and Territory Broadband Offices will perform NEPA screening and certify the sufficiency of subgrantee documentation through the ESAPTT tool.



ENVIRONMENTAL SCREENING STEP-BY-STEP

- 1 Input Project Information:** Users will upload a Project Description Summary, a Project Map and Project Description to ESAPTT.
- 2 Initiate ESAPTT Questionnaires:** The State or Territory NEPA specialist will answer questions on the Categorical Exclusions on the project's scope to identify potentially applicable CEs; select the CE(s) that apply; and confirm that the project qualifies.
- 3 Review for Extraordinary Circumstances (ECs) and Required Consultations:** Upload documentation showing consultation under Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act, and any additional EC documentation. Consult the BEAD Tribal Section 106 Requirement and include requisite documentation, if applicable. The State or Territory NEPA specialist will identify if environmentally sensitive resources (e.g., listed species, critical habitat, or historic properties) are present; upload documentation directly through ESAPTT; and indicate mitigation commitments to avoid potentially significant impacts.
- 4 Summary, Validation, Submittal, and Approval:** The State or Territory NEPA specialist will use their professional expertise to validate that the categorical exclusion should be applied and transmit the Draft NEPA Decision Memo to NTIA for review and approval within ESAPTT.

ESAPTT | Permitting Tracking

Eligible Entities may track the progress of their projects' permits using the Permitting Tracking capabilities of ESAPTT.



PERMITTING TRACKING STEP-BY-STEP

- 1 Import Permit Information:** NTIA may, depending on the information provided by NTIA's ArcGIS Pro Permitting and Environmental Information Tool (APPEIT), pre-populate identified federal and Tribal permits for each project area.
- 2 Identify Permits:** Eligible Entities may cross-reference the imported permits with their milestone schedules and add additional permit details to each permit record, like permit type and application acceptance date. Eligible Entities may choose to add additional permits, where identified.
- 3 Track Permit Progress:** ESAPTT will have pre-built reports and dashboards to assist Eligible Entities in viewing their progress towards obtaining permits including upcoming deadlines, when data is available.
- 4 Escalate Issues to FPO:** Eligible Entities will be able to track permit progress against average permitting timelines, enabling them to identify and escalate any major delays and other permitting issues to FPOs for their review and resolution.
- 5 Document Permitting Progress:** Eligible Entities will be able to add updates about their permit progress including the date the permit was obtained, which will be reflected in the dashboard.

NEPA for BEAD Environmental Screening

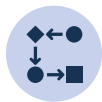
Eligible Entities will fulfill their responsibilities as joint lead agencies for NEPA review via the Environmental Screening and Permitting Tracking Tool (ESAPTT).



NTIA has partnered with States and Territories as joint lead agencies to maximize NEPA review efficiency.



States and Territories are building NEPA capacity within their organizations to support environmental compliance and permitting oversight for BEAD projects.



NTIA has developed ESAPTT to support Eligible Entities in applying categorical exclusions, considering extraordinary circumstances, and generating NEPA decision documents for BEAD.

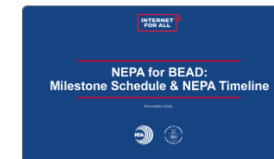
NEPA Resources

NEPA for BEAD



BEAD NEPA OBLIGATIONS are detailed in Section 13 Environmental and Historic Preservation (EHP) Review on page 7

[2024 BEAD Program General Terms and Conditions \(GTCs\)](#)



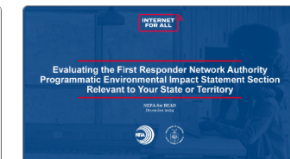
NEPA for BEAD: Milestone Schedule & NEPA Timeline

[Download Guidance](#)



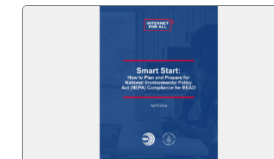
NEPA for BEAD: Programmatic Environmental Impact Statement Evaluation Sample Memo & Recommendations

[Download Now](#)

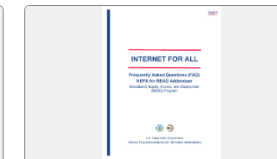


Evaluating FirstNet PEIS Statement Sections for States/Territories

[Download Now](#)



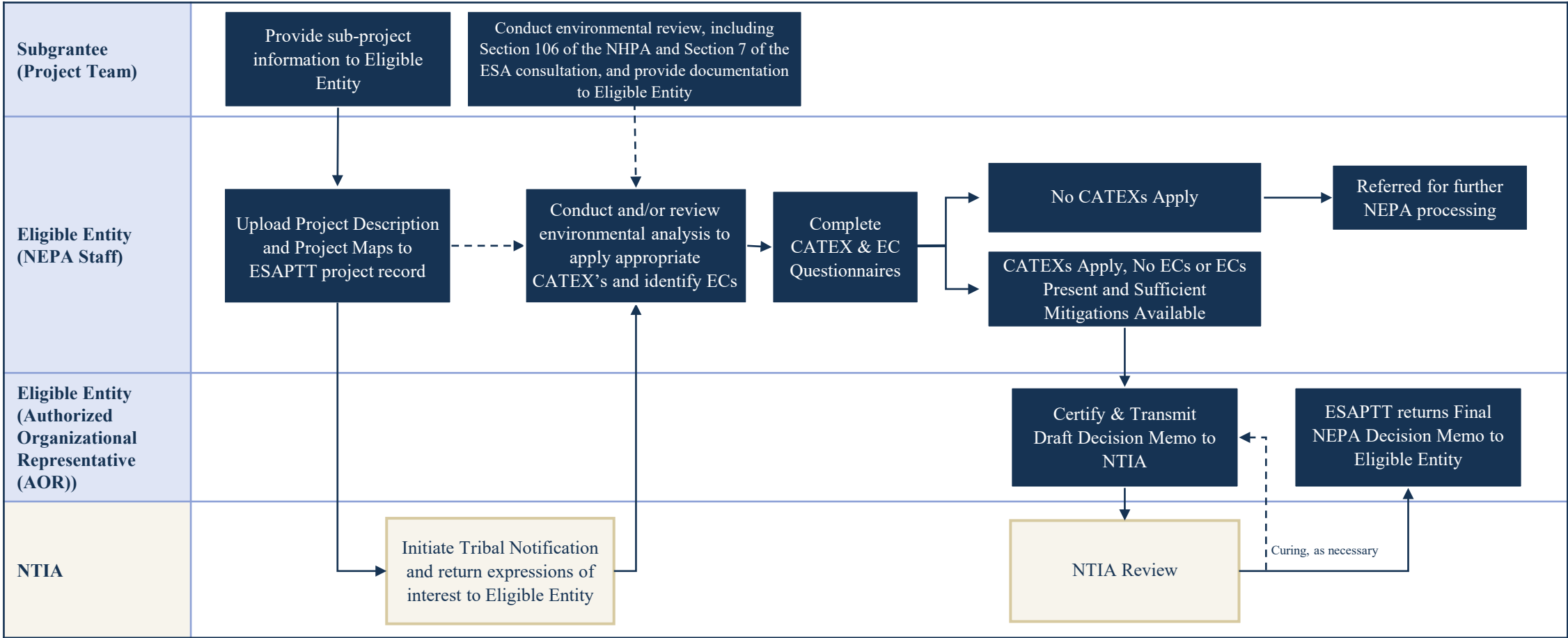
Smart Start - How to Plan and Prepare for National Environmental Policy Act (NEPA) Compliance for BEAD



Frequently Asked Questions (FAQ) NEPA for BEAD Addendum

Environmental Screening Process Flow

ESAPTT will help automate and expedite portions of the environmental screening review and expedite NTIA NEPA approvals for BEAD projects.



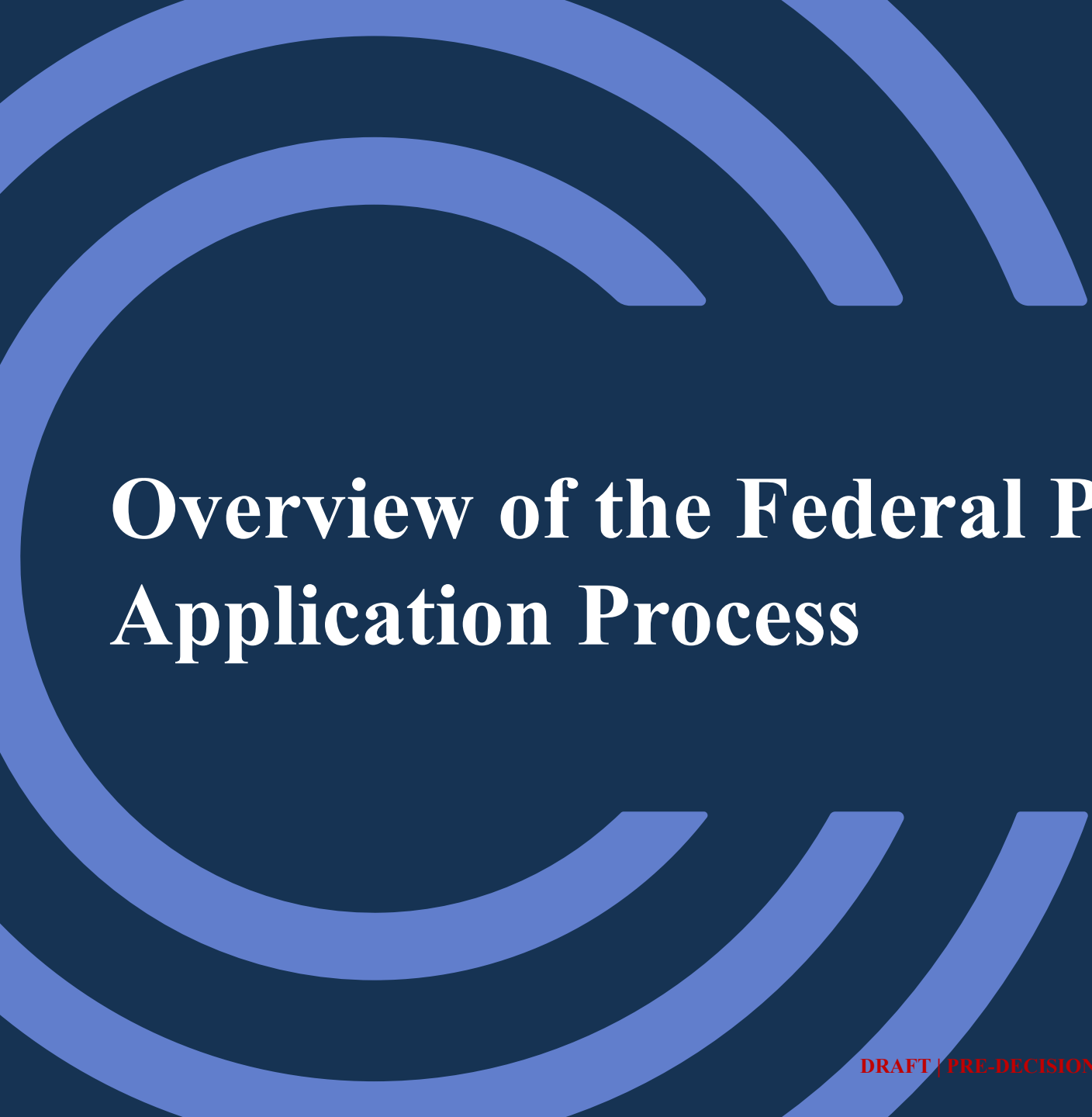
This is a notional and simplified flowchart, representing the external ESAPTT user experience.

How to Apply for a Federal Right of Way Permit



Agenda

- Overview of the Federal Permitting Application Process
- How to Apply for a Federal ROW Permit
- Specific Federal Agency Permit Application Processes
- Strategies for Effective Permitting Applications
- Additional Resources
- Q&A



Overview of the Federal Permitting Application Process

Federal Permitting Roles & Responsibilities

In the BEAD program, Grantees and Subgrantees each have distinct permitting and environmental & historic preservation (EHP) compliance responsibilities.

ROLE SUMMARY *



Grantee

- Serve as a “joint lead agency” under 42 U.S.C. 4336a(a)(1)(B) and obtain specialized environmental and historic preservation (EHP) expertise.
- Certify the sufficiency of all Subgrantee NEPA documentation.
- Submit all NEPA documentation—including any supporting environmental documentation required or requested by NTIA—to NTIA through Environmental Screening and Permitting Tracking Tool (ESAPTT) for review and approval.
- Establish Permitting Roundtables and/or working groups to identify and resolve permitting delays/disputes.



Subgrantee

- Prepare any required NEPA documents in a timely manner
- Obtain federal, state, Tribal, or local permits and authorizations with jurisdictional authorities prior to accessing rights-of-way and assets for construction.

* Note that this is not a comprehensive list, please refer to the [BEAD General Terms & Conditions](#) (GT&Cs) for all Grantee & Subgrantee requirements.



NTIA’s NEPA Decision Memo **does not** authorize construction until all permits are obtained, nor does NTIA’s decision represent that of other federal permitting agencies with their own NEPA process.

Easements to Access Government or Private Assets

Applicants will need permission – such as a right-of-way or other easement – from a range of owners/authorities when their deployment crosses: government or privately owned land, bridges, overpasses, railroads, buried deployment (running cables underground), aerial deployment (attaching cables to utility poles and tower builds), etc.



Federal Permitting

The federal government alone owns about 28% of U.S. land, and this land is managed by many different federal agencies. Each agency may have their own specific permitting process and required documents for securing an easement. Agencies that are engaged in federal permitting include: *Department of Energy, Department of Transportation, Department of Interior, Department of Commerce, the U.S. Military, and the Department of Defense.*

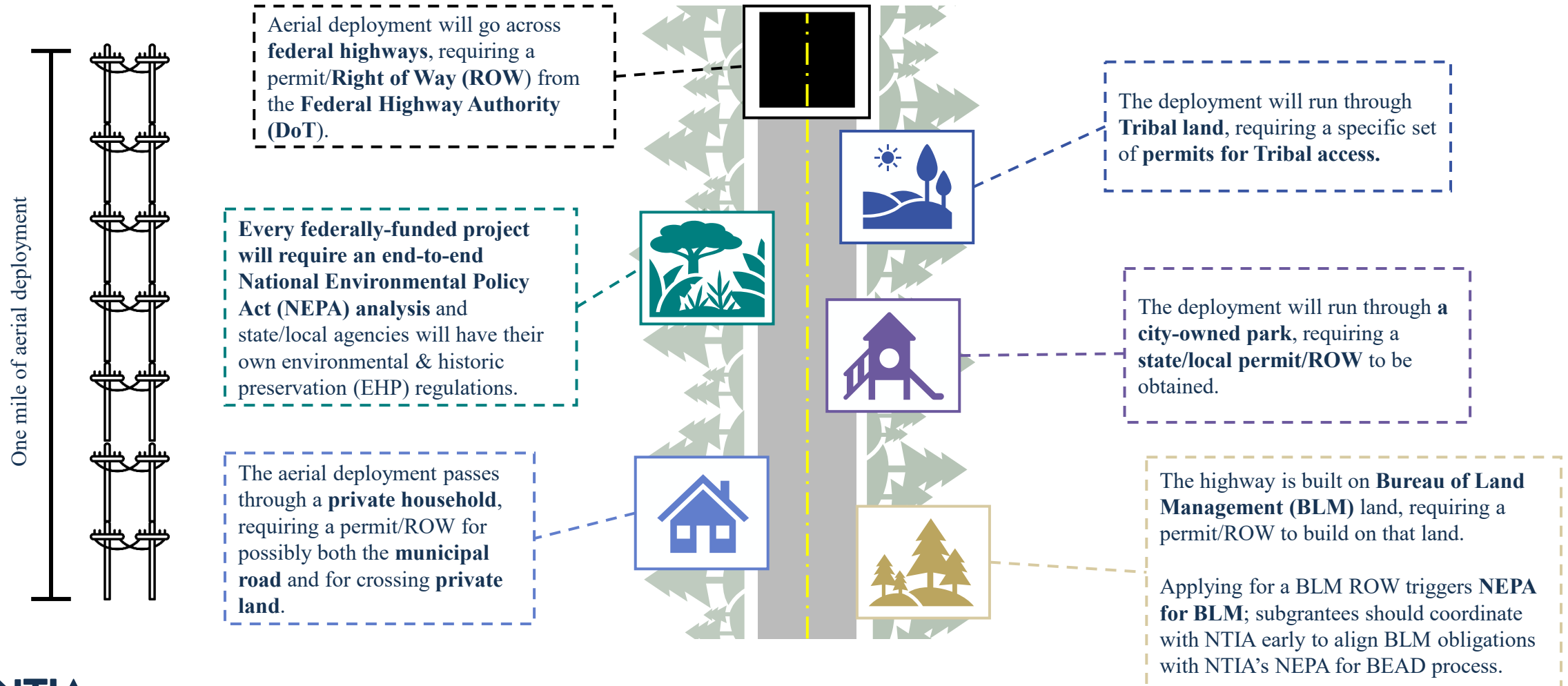


State, Local, and Private Permitting

Along with obtaining federal permits, applicants will need to obtain multiple state/local permits, all under the rules and regulations of their individual state, local and Tribal governments. If applicants need access to state-owned lands or infrastructure, they should coordinate with their *State Department of Transportation* to secure a right-of-way, along with their *State Department of Environment/Natural Resources* to coordinate any environmental, historical, or cultural resource impacts. To access private land, the applicant must contact the direct property owner for permission, and they may have their own rules and regulations as well.

Potential Permits Required

A simple one-mile deployment may require many permits if it runs through many different types of land, so pay attention to where and what lands/properties the deployment will be going through.



Federal Permitting Agency Overview

Subgrantee must obtain federal permits with jurisdictional authorities prior to accessing rights-of-way and assets for construction. Each agency may have their own specific permitting process and required documents for securing an easement.



Department of Energy



Department of Transportation



U.S. Military



Department of Defense



Department of Agriculture



Department of Interior



Department of Commerce



U.S. Army Corps of Engineers



General Services Administration

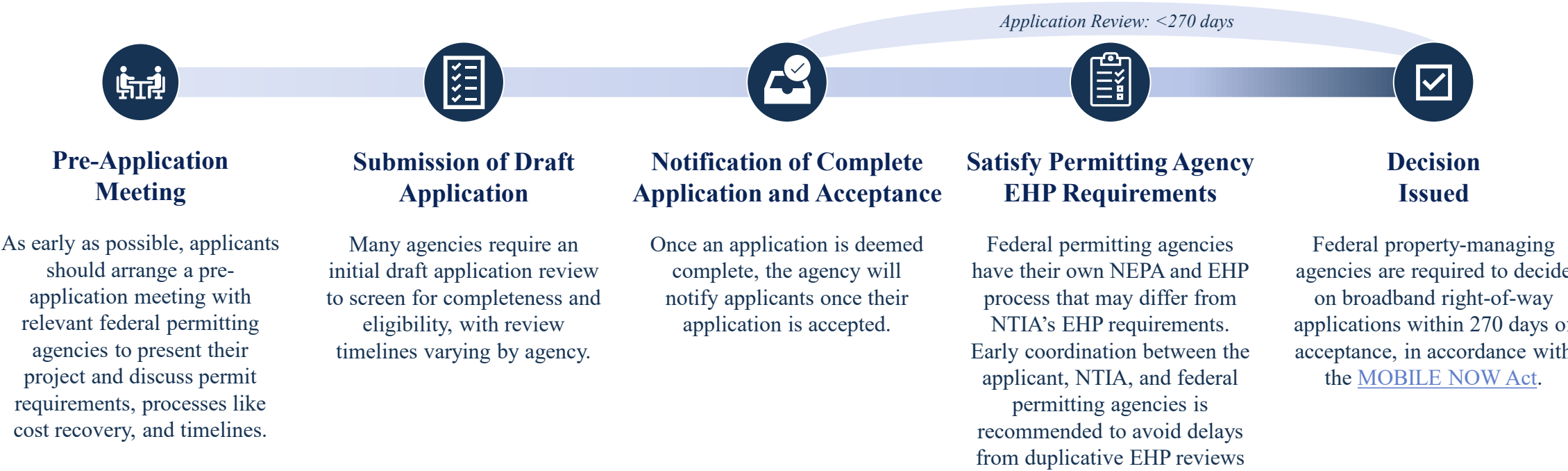


Any other relevant federal agency

Federal Permitting Agency Application Process

Grantees and Subgrantees should be familiar with the applicable federal agency application process and procedures, which often includes a pre-application meeting, draft application review, EHP requirements, and resubmission.

AVERAGE FEDERAL PERMITTING PROCESS



For more information on federal permitting processes, view the [NTIA and BLM Federal Interagency Broadband Permitting Summit](#) recordings. Applicants should also consider any required state, local, and Tribal permits.



How to Apply for a Federal ROW Permit

Agency's Resource Plans and Application Requirements

Subgrantees seeking a federal permit or right of way authorization should be familiar with the federal agency's application process and confirm whether their proposed activities are allowable on federal lands.

- 1 Understand the Agency's Resource Plans:** Become familiar with Resource Management Plans, Comprehensive Conservation Plans, Forest Management Plans, Land Management Plans, et cetera for the specific federal lands that your project proposes to cross to understand whether the proposed activities are allowable on those lands.
- 2 Review Required Documentation and Steps:** Visit the federal permitting agency's website or contact the federal agency to learn about the application requirements and any supporting technical assistance.
- 3 Schedule a Pre-Application Meeting:** Applicants should schedule their pre-application meeting well in advance of when the proposed project intends for deployment to begin.
Applicant should schedule their meeting when they have:
 - Identified that the proposed project will cross federal lands
 - A mature project design

The Pre-Application Meeting

The Subgrantee should arrange a pre-application meeting with relevant federal land/resource management agencies to preview their proposed project to the agency and discuss permit application processes.

WHAT ARE PRE-APPLICATION MEETINGS?

Federal permitting pre-application meetings are **collaborative, multi-stakeholder meetings** scheduled by applicants to **review and identify** permitting requirements and potential concerns early in the permitting process.

Pre-application meetings provide an opportunity for the federal agency to clarify process requirements and preview the project to **identify potential issues** and **facilitate application acceptance** and approval.

Pre-application meeting materials may include:



Project Description

High level overview of the project's goals, including:

- Identified project purpose and reason for the necessity to cross federal lands
- Alternative(s) considered to crossing federal land and reasons the alternative(s) were ruled out
- Proposed technology type and deployment methodologies



Project Plan and Schedule

Review of project timeline, including:

- Applicant's grant performance period
- Funding agency NEPA schedule
- Anticipated construction timeline, accounting for seasonal constraints



Construction Plans

Information on broadband deployment activities, including:

- Detailed engineering and construction drawings
- Initial environmental appraisals and specific locations relative to the federal land or resource

Please refer to each agency's website for more information on federal agency's pre-application requirements.

The SF-299

SF-299 (Standard Form 299) is a common federal application used to request authorization to construct, operate, and maintain transportation or utility systems and facilities, such as broadband fiber, on federal lands.

The image shows a thumbnail of the SF-299 form. The title is 'APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES ON FEDERAL LANDS AND PROPERTY'. It includes a 'NOTE' section, a 'FORM APPROVED' section with OMB Control Number 0596-0249 and Expiration Date 10/12/2027, and a 'FOR AGENCY USE ONLY' section. The form is divided into several numbered sections for applicant information, project details, and approvals.

Access the most updated SF-299 form on the [General Service Administration Forms Library](#).



What is the SF-299 form?

The **SF-299** form, **Application for Transportation and Utility Systems and Facilities on Federal Lands**, is a common application form for telecommunications permits.

Applicants should submit a complete SF-299, a project map, and all required supplemental documentation, including a Plan of Development (POD), to the appropriate federal permitting agency to avoid delays.*

**Please note that the SF-299 Form can acknowledge that future environmental analysis will be conducted to be able to fully address all questions.*



Each federal agency may impose different permit application requirements, and while many agencies use the SF-299, not all do. Applicants should consult the relevant agency's website for agency-specific requirements, points of contact, and other additional information.

Plan of Development

Federal agencies will require applicants to develop a detailed Plan of Development along with the SF-299 form, which provides a highly specific description of the proposed project and methods of deployment.

PLAN OF DEVELOPMENT OVERVIEW



A Plan of Development is a highly detailed overview of the project's purposes and objectives, as well as its deployment, operational, and maintenance processes.

DETAILED PLAN OF DEVELOPMENT

-  **The project objectives, the purpose & need, and intended solution**
-  **The type of technology being deployed** (e.g., fiber, towers), site preparation and other pre-construction activities, and the **methods used to install the technology** (e.g., vibratory plow, HDD, aerial fiber on existing poles, etc.)
-  **The type of equipment that will be used**, and any other information relevant to the deployment process and proposed use of federal lands
-  **Specific details about operations, maintenance, and decommissioning of the proposed infrastructure**, including maps and design drawings where available

Please refer to each agency's permitting webpages for more guidance on their Plan of Development requirements.

Agency Application Review

Prior to the application being accepted for processing, the permitting agency will review the application materials for completeness to determine whether the information provided is sufficient.

APPLICATION COMPLETENESS REVIEW



The **Applicant** files an application package, including the SF-299, map(s), Plan of Development, and other project details.



The **federal agency** will review the application for completeness to confirm:

- Application conforms with the relevant federal land management procedures.
- Application has no conflicts with other authorizations or valid existing rights.



To avoid delays, the application should include all required materials and a detailed, highly specific description of the proposed project and methods of deployment.



Within 60 days, the **federal agency** will notify the applicant of the application's status:

- If deficiencies are identified, applications returned for additional information must be resubmitted within 30 days, from which point the agencies have 30 days to review the revised application.
- If the application is deemed complete, the agency will notify applicants once their application is accepted.

Per the MOBILE NOW Act, federal property-managing agencies are generally required to grant or deny a complete application for a communication-facility easement not later than 270-days after an application is deemed complete; please refer to each agency's website for specific timelines.

Cost Recovery Fee

Once the federal agency accepts the application, some agencies will prepare a cost recovery bill which the applicant must pay to begin processing the accepted application.

WHAT IS A COST RECOVERY FEE?

Some federal agencies charge cost recovery fees to cover the reasonable, estimated cost the agency will incur for processing applications and monitoring compliance.

- Cost recovery must be paid promptly in order for the agency to begin processing the application.
- Agencies that charge cost recovery include the U.S. Forest Service, the Bureau of Land Management, and the National Park Service. Refer to each federal agency's website to see the cost recovery fee schedules and the dollar amount.



Agencies have a very limited ability to engage with applicants prior to cost recovery being paid, outside of time to attend pre-application meetings and review the SF-299 and accompanying materials.

Submitting Synchronized NEPA Documentation

Applicants must complete NTIA’s NEPA obligations alongside each relevant federal permitting agency’s NEPA obligations, which will require interagency coordination and may require additional analysis.

SYNCHRONIZED NEPA REVIEW

NEPA is triggered by a range of federal actions, including funding and permit decision-making. Completing NTIA’s NEPA review does not satisfy the separate NEPA obligations of other federal permitting agencies.

-  For BEAD projects that require authorizations or permits from other federal agencies, NTIA will coordinate with each relevant federal permitting agency on overlapping NEPA requirements.
-  Coordination with NTIA regarding environmental requirements early in the process will reduce duplication of effort and can support smoother and more efficient permitting processes overall.
-  NTIA’s NEPA Process may inform other agencies’ reviews, but each applicable federal permitting agency remains responsible for its own NEPA process and may require additional analysis.
-  Surveys and other activities that may be required to assess site suitability or effects to the environment may require a separate access permit to conduct that work on federal lands.

Once NEPA requirements are satisfied and a decision document is completed (a Decision Memo or a Finding of No Significant Impact), the permitting agency will issue a decision record and begin the real estate process.

Application Approval and Finalization

When a Permitting Agency approves an application, the Grantee will need to complete additional steps before the permit/authorization is fully approved and goes into effect.

PERMIT/AUTHORIZATION FINALIZATION PROCESS



The Permitting Agency will issue a decision record and begin the real estate process, which will require an appraisal.



The Permitting Agency may require additional fees for bonding. Once the applicant has paid the fees, the Permitting Agency will offer the ROW for signature.



Once the applicant and the Permitting Agency have signed, the ROW is in effect.

Project Revisions Impact NEPA & Permits

If a project change materially alters the project description, shifts the route or footprint, or creates the potential for effects on environmental or historic resources that were not previously reviewed, the Grantee must notify NTIA for further consideration.

PROJECT REVISIONS, NEPA IMPACTS, AND BUDGET MODIFICATION

Grantees may request project revisions and budget changes for BEAD projects. However, some project changes may require NTIA (and/or NIST) approval. *Please see the [Scope Change and Budget Modification Guidance for Grantees](#).*

Project design and implementation changes that may trigger revised Environmental Screening:

- Project alignments / locations
- Increase or change in vegetation clearing
- Change in technology type
- Extending schedule or changing seasonal timing of ground disturbance
- Installation and deployment methods
- Temporary or permanent site access, stockpiles, laydown areas, and/or staging areas
- Any change that may affect the applicability of the project's Categorical Exclusion clearance

The Grantee should immediately contact the relevant federal agency if their project design and implementation changes.

Grant Monitoring and Compliance

After NEPA approval and during construction, Grantees and Subgrantees must perform several monitoring and compliance activities to stay compliant with federal, state, and local regulations.

MONITORING AND COMPLIANCE ACTIVITIES

During construction, the Grantee or Subgrantee, as applicable, is responsible for:

- Ensuring that it meets all deadlines in approved plans and specifications;
- Monitoring the progress of grant funded activities;
- Reporting progress;
- Providing for required construction permits and adequate construction inspection;
- Promptly paying costs incurred for grant funded activities;
- Monitoring contractors’ compliance with Federal, State, and Local requirements; and
- Constructing and maintaining in good condition throughout the construction period a sign or signs, at the site of grant funded activities in a conspicuous place indicating that the Federal Government is participating in the activities.

Please refer to the GT&C ([GT&C Section 11 \("Requirements During Construction"\)](#)) for additional guidance.



Specific Federal Agency Permit Application Processes

U.S. Army Corps of Engineers (USACE)

Subgrantees may seek different types of USACE permits depending on the proposed project activities.

WHAT ARE THE DIFFERENT USACE PERMITS?

- **Section 404 of the Clean Water Act** regulates discharges of dredged or fill material into waters of the United States.
- **Section 10 of the Rivers and Harbors Act of 1899 Authorizations** regulates work in waters of the United States and work affecting waters of the United States.
- **Section 408** allows another party to alter USACE Civil Works projects. These permits will include a non-federal sponsor that is responsible for the operations and maintenance of the USACE project.
- **Right of Way (ROW) Permit** is required for crossing of USACE owned land.

USACE PERMIT PROCESS

-  To obtain a permit, applicants should first [identify the USACE resources](#), the [applicable USACE district](#) and attend a pre-application meeting.
-  Section 408 follows a different application process than Section 404 & Section 10. Applicants seeking a Section 408 permit will coordinate with a non-federal sponsor to obtain a Statement of No Objection, which notes that the non-federal sponsor does not object to the proposed project.
-  The decision timeline is typically 30-45 days for Section 404 & Section 10 applications, while it may take up to 90 days for a Section 408 application and up to 120 days for a ROW permit.

Please see USACE’s “[Obtain a Permit](#)” page for more information.

Bureau of Indian Affairs (BIA)

Applicants should refer to BIA’s application process for specific requirements to deploy broadband on Tribal land or other land managed by the BIA. BIA does not use the SF-299.

HOW ARE BIA PERMITS DIFFERENT?

BIA ROW authorization under Part 169 applies to qualifying broadband projects crossing Indian trust or restricted land, including individually Indian-owned land. Applicants must obtain the applicable Tribal authorization or consent from the relevant Indian landowners and submit a ROW application to BIA when Part 169 requires BIA approval.

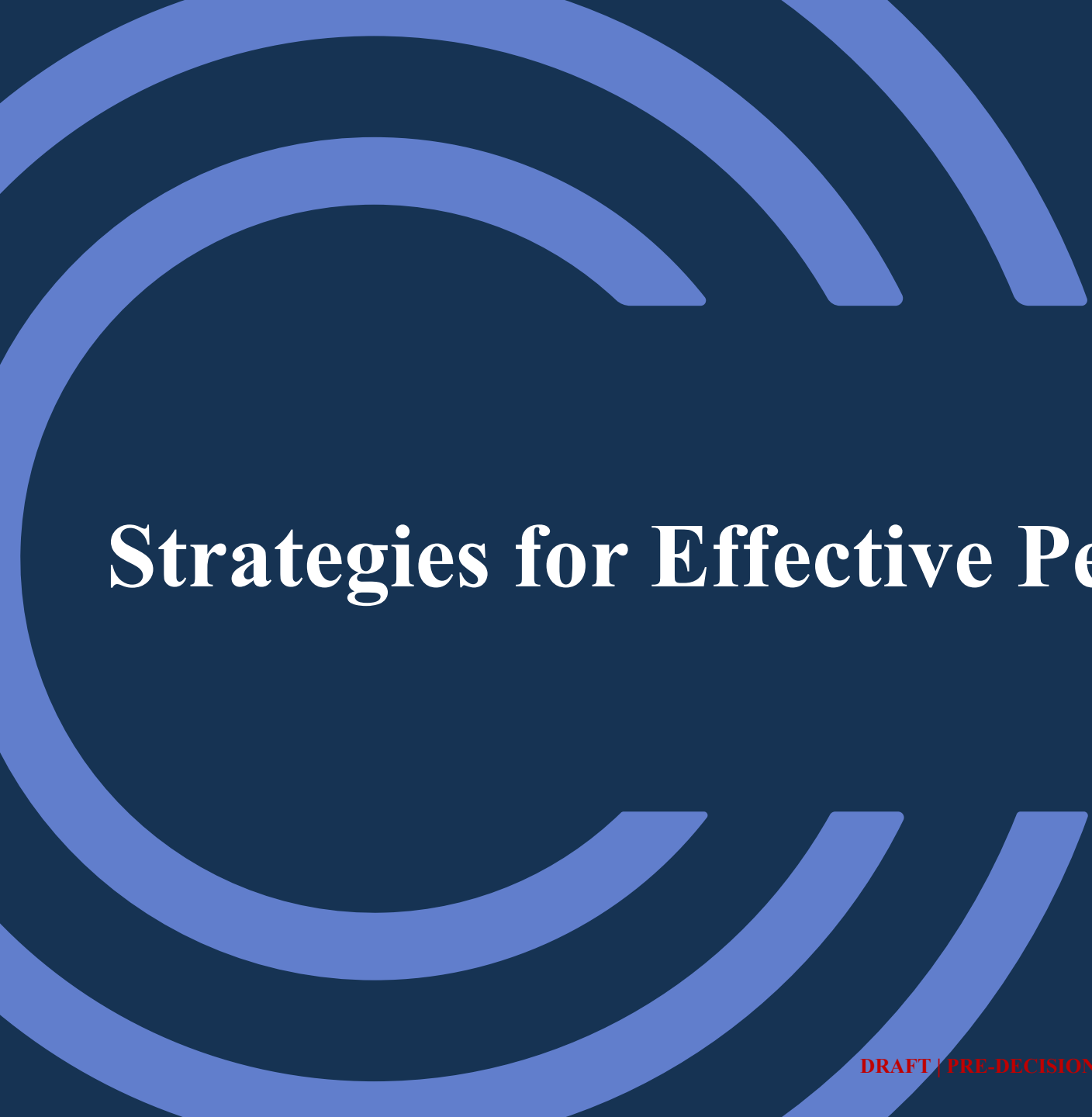
Part 169 identifies exceptions where an approved BIA ROW may not be required, including:

- **Indian landowners:** An Indian landowner owns 100% of the trust or restricted interests in the tract.
- **Tribal lands:** The project crosses 100% Tribal trust land.

For the Tribal-land exception, NPM-TRUS-44 A2 clarifies that the applicant must be the Tribe or a Tribal utility. If the applicant is an independent legal entity, even if owned and operated by a Tribe, it may need a lease or other authorization before taking possession of the land.

ROW grants, business leases, Tribal authorizations, related agreements, and maps must still be filed with BIA for recording in Trust Asset Accounting Management System (TAAMS) within 30 days of approval or grant.

Please see BIA’s “[Apply for Broadband Right-of-Way in Indian Country](#)” page for more information.



Strategies for Effective Permitting Application

DRAFT | PRE-DECISIONAL

Strategies for Effective Permitting Application

Applicants should be familiar with federal agencies’ application procedures, as broadband infrastructure projects may cross federal lands or other federal assets that require permits or ROWs.

STRATEGIES FOR EFFECTIVE PERMITTING APPLICATIONS

Applicants should consider the following strategies to create efficiencies when planning a complex project or requesting multiple federal permits:

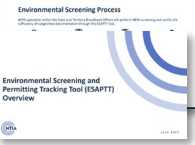
-  **Design projects early and gather necessary project documentation**, such as [project descriptions](#), [maps](#), financial information, etc.
-  Early coordination should be undertaken to **determine the types of environmental or cultural resources** in the project area to identify the authorizing agencies and synchronize requirements among agencies.
-  Use [mapping tools](#) to **understand land and resources** in the project area, and plan alternatives such as attempting to avoid federal lands or sensitive resources, or using existing ROWs.
-  [Permitting Roundtables](#) are designed to be issue resolution forums but may, if planned, also serve as a forum for pre-application meetings, to promote early project scope and permit coordination.
-  **Complete a thorough review of the application package**, including a SF-299 form and a Plan of Development if applicable, prior to submission to avoid potential delays. Application packages should include a detailed, highly specific description of the proposed project and methods of deployment.



Additional Resources

Additional Resources

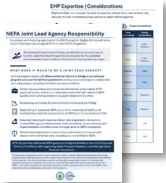
For additional questions or guidance, NTIA has published comprehensive resources to support every stage of the ESAPTT and permitting process, ensuring users have detailed reference materials and technical support to successfully navigate these processes.



ESAPTT Overview

Guide

Provides an overview of ESAPTT, NTIA’s portal for completing environmental screenings and tracking and managing broadband project permits for BEAD.



Smart Start – How to Plan and Prepare for NEPA Compliance for BEAD

Guide

Offers step-by-step guidance for grantees for early planning and preparation to incorporate NEPA compliance considerations.



ESAPTT External User Guide

Guide

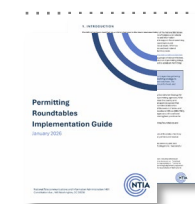
Outlines detailed click-path instructions for every process in the ESAPTT system, from creating project records to uploading documentation and completing environmental screening.



Smart Start Part II: How to Approach and Implement BEAD Subgrant Permitting Conditions

Guide

Assists grantees in meeting program requirements and promoting permitting success in their capacity as BEAD administering agencies and joint lead agencies for NEPA compliance.



Permitting Roundtables Implementation Guide

Guide

Serves as a resource to support the establishment and execution of Permitting Roundtables across every state and territory.



Environmental Review and Permitting for Broadband Roadmap

Guide

Provides tools and efficiencies for navigating the NEPA and Permitting processes. Serves as a visual with a roadmap timeline for projects.



Best Management Practices (BMP) and Mitigation Measures

Guide

Provides examples of best management practices (BMPs) and mitigation measures to help grant recipients (grantees) avoid or minimize potential impacts during the construction, deployment, and operation of NTIA funded broadband projects.



BEAD Guidance on NEPA and NHPA for LEO Satellite Service

Fact Sheet

Provides BEAD guidance on NEPA and NHPA for Low Earth Orbit (LEO) Satellite Service.