Preparing for Permitting to Accelerate Broadband Deployment

December 2022

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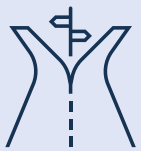
Introduction to Permitting

What Types of Permits Will a Deployment Require?

IFA programs emphasize building high-speed internet infrastructure for unserved and underserved communities, which require all kinds of permits at the federal, state, and local level. Each permit is unique in its application process, so applicants must pay keen attention to the various permits they will need to juggle. It is imperative that all applicants fully understand permitting requirements and procedures to ensure a streamlined process.



Easements to Access Government or Private Assets

Applicants and subgrantees 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. The federal government alone owns about 28% of U.S. land, and this land is managed by many different federal agencies.*

Environmental and Historic Preservation (EHP) Considerations

Federally-funded broadband projects ***must*** *perform a* ***National Environmental Policy Act (NEPA) analysis*** *and meet state, local, and/or Tribal government environmental and historic preservation permitting requirements as well. A NEPA/EHP toolkit will be provided to assist with environmental permits.*

What are the Different Types of Assets and Owners?

The owners of the infrastructure or property to be used in deployment can vary widely, ranging from government entities to private corporations.

TYPES OF ASSETS


State/Locally-Owned Land


Privately-Owned Land


Federally-Owned Land


Tribal-Owned Land


Railways


Bridges/Overpasses


Poles and Towers (Aerial Deployment)


Ducts and Conduits (Buried Deployment)


Federal Road/Highways

TYPES OF OWNERS

- Internet Service Provider
- Federal Government
- State, Local, or Tribal Government
- Telecommunications Company
- Private/Personal Ownership
- Utility Company

Who is Engaged in Federal Permitting?

Multiple federal agencies own land and require permits, plus each agency may have their own specific permitting process and **required documents for securing an easement**.

- Department of Energy
- Department of Interior
- Department of Transportation
- Department of Commerce
- U.S. Military
- U.S. Army Corps of Engineers
- Department of Defense
- General Services Administration
- Department of Agriculture
- Any other relevant federal agency

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 access to state-owned lands or infrastructure is needed, coordinate with your *State Department of Transportation* or any other relevant state agencies to identify the landowners and required **Rights of Way** (ROW).

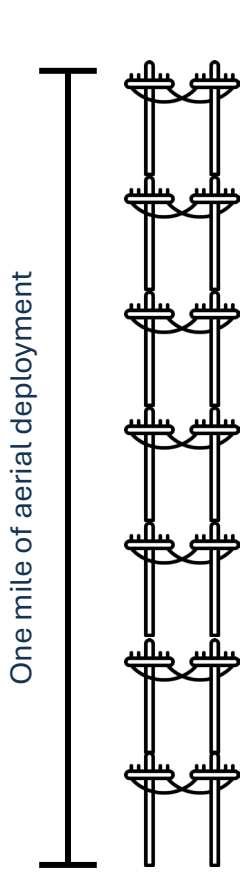
If the land has any **regulated environmental, historic, or cultural resources impacted**, be sure to coordinate with your *State Department of Environment, Department of Natural Resources*, or any other relevant state agencies. **Environmental permits will almost always be required**.

Permitting forms vary county-by-county, city-by-city, and across state agencies, so be sure to start identifying the documentation needed early in the process, along with tracking and following relevant timelines.

Accessing private land in a state/county requires **contacting the direct property owner for permission**, and these owners may have their own forms, rules, and regulations to follow for the land.

Potential Permits Required

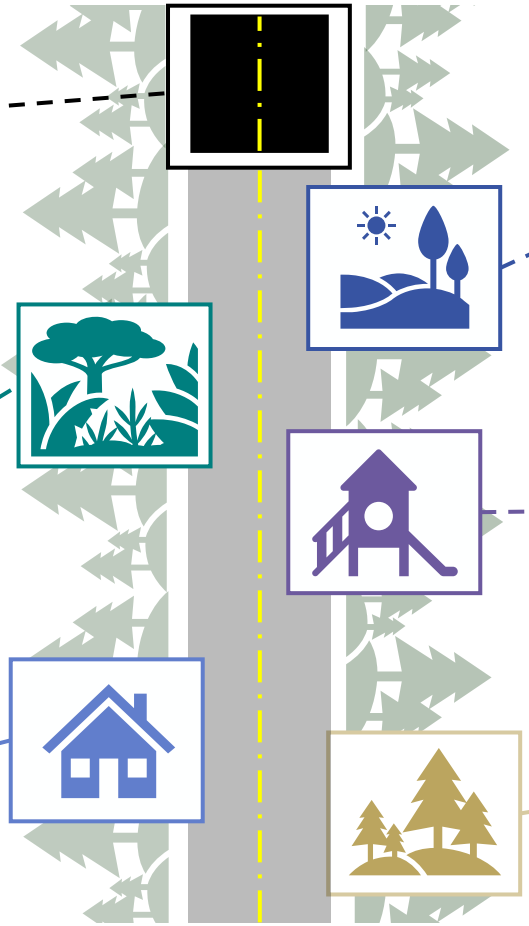
A simple one-mile deployment may require many permits if it runs through many different types of land, so pay attention to where and what lands/properties the deployment will be going through.



Aerial deployment will go across **federal highways**, requiring a permit/ROW from the **Federal Highway Authority (DoT)**.

Every federally-funded project will require an end-to-end NEPA analysis and state/local agencies will have their own environmental/ historic preservation regulations.

The aerial deployment passes through a **private household**, requiring a permit/ROW for possibly both the **municipal road** and for crossing **private land**.



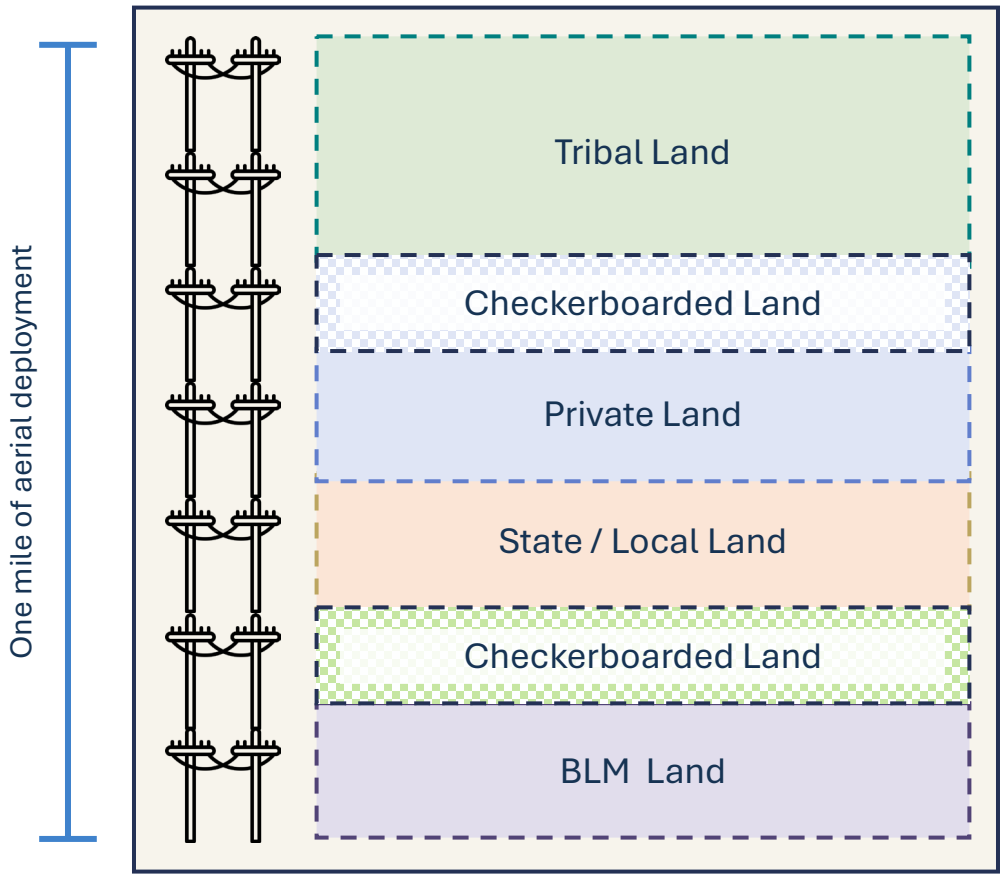
The deployment will run through **Tribal land**, requiring a specific set of **permits for Tribal access.**

The deployment will run through **a city-owned park**, requiring a **state/local permit/ROW** to be obtained.

The highway is built on **Bureau of Land Management (BLM)** land, requiring a permit/ROW to build on that land.

Land Ownership and Checkerboarding

Land in the U.S. is often owned by multiple owners, requiring applicants to seek permits through multiple owners to fully access the land.



What does it mean when land is checkerboarded?

- Checkerboarding refers to when **land ownership is intermingled between two or more owners**, resulting in a checkerboard pattern across a given area.
- This is typically common among **railroads, private properties, forest land,** and **Tribal lands**.
- To best prepare for checkerboarding, always be confident of the landowners and **coordinate early with each agency**. **Early coordination** and **pre-meetings** will be the best way to tackle this issue early and quickly.

Planning For A Successful Process

Gather Required Documentation

It is vital that applicants have all the required documentation to perform a clean, streamlined permitting process. Potential required documents include:


Application


Legal Description


Owner Consent*


Engineering/Design


Traffic Control Plan


Environmental/Cultural Study


Fees/Appraisals


Period of Construction


Bonding/Insurance

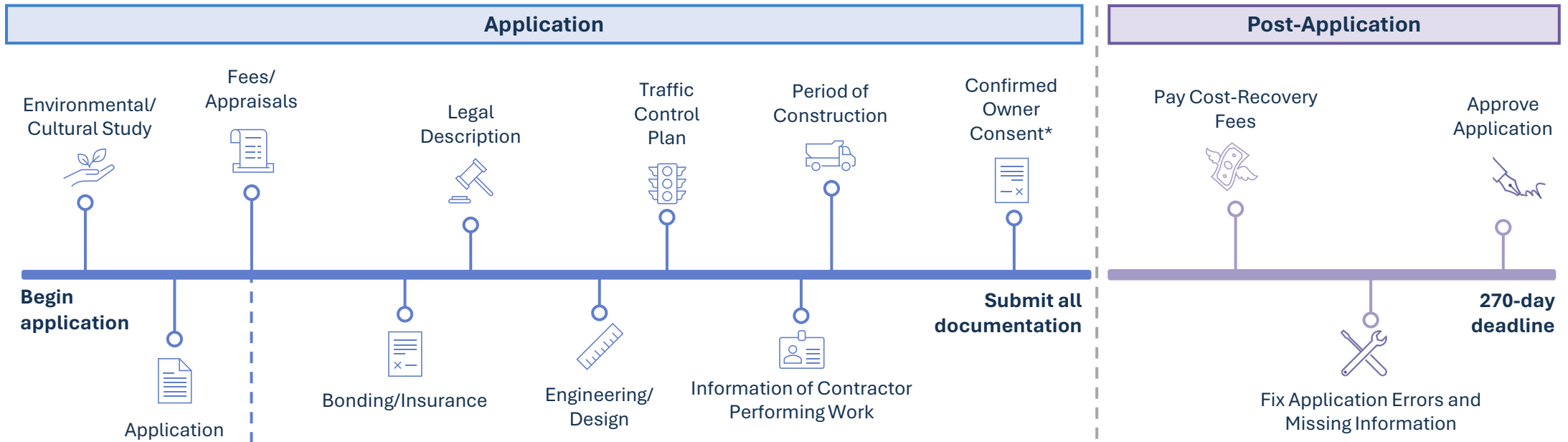

Information of Contractor Performing Work

**Note that for most federal agencies, owner consent is not needed as the federal government is the owner of the land. Owner consent is typically needed for Tribal lands and privately-owned land.*

- Remember that a ***NEPA analysis*** is required for ***all*** federally-funded projects. Please reference the EHP Toolkit for information and best practices regarding environmental permitting.
- **Different state and local agencies may have various environmental and historic preservation permit requirements**, so pay attention to the different permits required.
- **Engage early** and **schedule pre-meetings** to obtain all your documentation and ensure application completeness.

Timeline of Documentation

Getting a head start on the required permitting documentation is critical to a successful application, as many of the documents take significant time to complete and process.



Performing an **environmental/cultural** study per NEPA and state/local regulations, gathering **application materials**, and assessing the **appropriate fees and appraisals** will be the ***most time-consuming activities*** and documentation of the permitting process. It is important to begin these activities as ***early as possible*** in the permitting process, as they provide the foundation for the rest of your application. **Engaging early**, **scheduling pre-meetings**, and **coordinating with all relevant permitting agencies** is critical to accurately and timely submission of all documentation.

**Note that owner consent must be accurate to the date of application submission.*

Note that federal permitting agencies have a **270-day deadline to approve permitting applications**. The 270 days starts directly after a ***complete and comprehensive application is submitted***. Incomplete applications will be returned, and the 270-day deadline will not trigger until the application is complete.

Rights-Of-Way and Other Easements

How To Apply For A Right-Of-Way or Other Easement

Due to the varying rules and regulations for gaining access to land and other assets, be sure to coordinate with the correct agencies and take the appropriate actions and steps to ensure a streamlined process.

STEPS:

1. Identify the **owner** of the infrastructure or property to be used in deployment.
2. If government owned, identify the **federal, state, or local agency**.
3. Identify the **type of permit to be obtained** and understand its process.
4. **Engage early** and schedule pre-meetings to obtain all your **documentation** and ensure application **completeness**.
5. **Submit** required documentation.
6. **Follow up** and **track** your application.

OWNERS:

*If **government-owned land**, coordinate with your relevant federal, state, or local agencies.*

*If **privately-owned land**, coordinate with the appropriate individual or corporation.*

*If access to **poles** or **towers** are needed (aerial deployment), coordinate with the relevant pole/tower owners to obtain a **Right of Way**.*

*If access to **ducts** or **conduit access** is needed (burial deployment), coordinate with the relevant duct/conduit owners to obtain a **Right of Way**.*

*If **railway** access is necessary, coordinate with your relevant railroad owner to obtain a **Right of Way**.*

*If **bridge/overpass** access is necessary, coordinate with your relevant state, or local office to obtain a **Right of Way**.*

SF-299 for Federal Easements

When beginning the permitting process, be sure to use the correct application form. The SF-299 is a common form that is used by most federal agencies today.

What is the SF-299 form?

The **SF-299** form is the **Common Application Form** suitable for telecommunication purposes. ***Most*** **major federal property-managing agencies use the SF-299** as the common application form to authorize permits for wireline or wireless communications uses or facilities. Access the SF-299 form at *https://www.gsa.gov/forms-library/application-transportation-utility-systems-telecommunications-and-facilities-federal*.

All state and local agencies will have their **own specific forms** as well, so be sure to check the permitting websites of all applicable agencies. Follow all **relevant timelines** and be sure to appropriately fill out and submit all necessary forms and documentation.

Permitting agencies that use the SF-299 include:

- Bureau of Land Management (BLM)
- Department of Interior (DoI)
- Department of Transportation (DoT)
- General Services Administration (GSA)
- National Park Service (NPS)
- U.S. Fish and Wildlife Service (FWS)
- U.S. Department of Agriculture (USDA)

NEPA / EHP

What is NEPA?

Passed in 1970, the National Environmental Policy Act (NEPA) is considered an “umbrella law” as it provides a framework within which all other environmental, historic, and cultural resources laws can be evaluated.

NEPA, along with the National Historic Preservation Act (NHPA), requires that Federal agencies understand the impact of their proposed actions before taking them.

As there are many different environmental laws and Executive Orders (EOs) that impact Federal activities, the NEPA process provides a way to address compliance requirements with multiple laws and EOs in one process.

NEPA

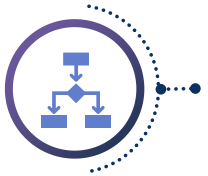
- Resource Conservation and Recovery Act
- Superfund Authorization and Recovery Act
- Archaeological and Historic Preservation Act
- American Indian Religious Freedom Act
- Floodplains and Wetlands laws and requirements
- Safe Drinking Water Act
- Coastal Zone Management
- Clean Water Act
- Clean Air Act
- State and Local land use requirements
- Climate Resiliency
- Endangered Species Act
- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act
- Executive Orders on Environmental Justice
- Toxic Substances Control Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Farmland Protection Policy Act
- Native American Graves Protection and Repatriation Act

What does NEPA do?

Determines whether a Proposed Action and Alternatives have the potential to **significantly impact the environment**

Requires the **preparation of environmental documentation** when federal funds, permits, lands, and/or rulemaking are involved

Addresses **requirements under other environmental and historic preservation laws, regulations, and Executive Orders** without the need for duplicative analysis



Requires that **environmental effects be considered as decision points** along with technical, economic, and other factors

Requires **early consideration of the environmental effects** of a Proposed Action

Provides **interdisciplinary analysis of the effects of a Proposed Action and Alternatives** on the human environment

Aids in **decision making**

Requires **public involvement**

NTIA

Levels of NEPA Review

	Overview	Timeline*
Categorical Exclusion (CATEX)	**CATEXs** are issued **by NTIA** for defined actions that the agency has determined **do not individually or cumulatively have a significant effect on the environment**. An analysis of the environmental considerations of the proposed actions must be completed to determine whether a CATEX can apply.	Grant recipient will develop project description and supporting documentation, including engaging in consultation, which will undergo environmental analysis. Typically, **3-6 months** to develop and deliver to NTIA. Upon receipt of a complete package and the conclusion of any consultation, NTIA estimates **30-45 days** to evaluate and issue a CATEX, if applicable.
Environmental Assessment (EA)	An EA will be prepared when the **significance of the project's environmental impact is not clearly established**. Should environmental analysis find a project to have no significant impacts on the quality of the environment, a Finding of No Significant Impact (FONSI) is issued. If environmental analysis finds that actions could have significant impact, an EIS would be required.	Grant recipient will develop EA in coordination with NTIA, approximately **6-12 months or more** to develop and deliver EA to NTIA. NTIA will review the draft and final documents for technical and legal sufficiency, publish the final document for public comment, and develop a FONSI.
Environmental Impact Statement (EIS)	An EIS will be prepared for projects when the **action will likely have a significant effect on the environment**. This is the most comprehensive form of NEPA analysis. The final decision is documented in a Record of Decision (ROD), which codifies the final decision made, whether to approve the project or not, and the basis for that decision.	Grant recipient will develop EIS in coordination with NTIA, extensive public involvement requirements apply, approximately **12-24 months or more** to develop and deliver EIS to NTIA. NTIA will review for technical and legal sufficiency, publish draft and final documents for public comment, and develop a ROD once the final EIS public comment period concludes.

**These timelines do not take into account any other outstanding agency approvals. A project is not considered cleared for NEPA until NTIA issues a decision document (FONSI or ROD).*

EHP Preparation Checklist for BEAD States and Territories

The below list of activities is specific to Eligible Entities for the BEAD Program, but everyone participating in BIL Programs is encouraged to utilize and review this checklist.

1 REVIEW AVAILABLE RESOURCES & UNDERSTAND REQUIREMENTS

- ❑ Become familiar with the EHP requirements and additional guidance in the BEAD NOFO.
- ❑ Gain an understanding of the requirements of the National Environmental Policy Act (NEPA) review process and the National Historic Preservation Act (NHPA).

2 HIRE EHP-FOCUSED STAFF or CONTRACTORS

- ❑ Assess the readiness of your broadband team to analyze potential environmental impacts.
- ❑ If necessary, hire additional staff or contractor support to ensure your broadband team has the appropriate capacity and expertise to manage EHP activities.
- ❑ Designate certain individuals to be specifically responsible for EHP activities. Outline their responsibilities associated with managing EHP and NEPA review activities.
- ❑ Invite collaborators or SMEs to support your team.

3 OUTLINE AN APPROACH FOR EHP ACTIVITIES

- ❑ Outline steps and activities necessary to ensure that potential subgrantee applicants understand the requirements to comply with NEPA.
- ❑ Coordinate with other State offices that have experience administering federal grants to identify best practices and approaches for managing the NEPA review process.
- ❑ Consider contractors who you may engage to support with potential environmental assessments.
- ❑ Share best practices for developing a project description that provides enough detail about the potential impacts to the environment to make a preliminary determination about the level of NEPA review required.

Best Practices for Applicants

Best Practices

Tracking and actively following your applications will be vital to ensure deadlines and dates are being met.

Ensure all applications are complete

One of the most common delays in the permitting process are applications that are incorrect or incomplete. To solve this, be sure to engage early with all relevant field offices. Get to know the permitting officials, the steps/processes, needed forms, etc. to ensure all parts of the application are complete. The review process does not begin until the application is accurately completed. **Engaging early with agency field offices** is the best way to ensure complete applications.

Be responsive

Another major setback for permit applications is the amount of time for communication. **Being responsive, paying fees on time, and appropriately fixing errors** in applications will speed up the permitting process while ensuring a robust review. A delay in response from the applicants will lead to a delay in the permit being approved.

Track the Timeline and Be Timely

Track the timeline of permit applications to **ensure all permits will be completed in a timely fashion for proper post-award deployment**. Applicants must juggle multiple permit applications simultaneously. Careful attention should be paid to ensure applications are completed and processed in a timely fashion so that projects are not delayed.

How State and Local Governments can Prepare for Broadband Deployment

BEAD NOFO Requires State/Local Permitting Review

The BEAD NOFO directs Eligible Entities to formulate and begin implementing plans to reform their own permitting rules and processes to expedite broadband network deployment. Eligible Entities will also work with subgrantees to ensure they obtain all federal, state, and private permits required for completion of the BEAD project.

BEAD NOFO Section IV.B.5.b Program Structure, Sequencing and Requirements; Program Sequencing; Initial Proposal; **Form and Content of Initial Proposal**, Pg.32; BEAD NOFO Section IV.B.9.b Program Structure, Sequencing and Requirements; Program Sequencing; Final Proposal; **Form and Content of Final Proposal**, Pg.47-48

Initial Proposal Requirements

Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment, promote the use of existing infrastructure, and promote and adopt:

- Dig-once policies
- Streamlined permitting processes
- Cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements

Final Proposal Requirements:

Include implementation status of plans described in the Initial Proposal related to:

(a.) Steps that the Eligible Entity has taken or intends to take to promote streamlined permitting processes and cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements

As federally-funded projects, Eligible Entities must submit all required environmental impact documentation to NTIA with their Final Proposals, which must describe how they will comply with applicable environmental preservation requirements and analysis (NEPA).

Streamlining Permitting

How State and Local Governments Can Streamline Permitting

When designing right-of-way access and permitting policies, Eligible Entities and State Broadband Offices (SBOs) should consider streamlining permitting processes.

STREAMLINE PERMITTING & INSPECTION

Consider simplifying the number and complexity of permit applications (the “one-stop shop”), offering expedited permitting for minimally invasive construction practices, and adopting e-permitting.

DEFINING PARAMETERS

Consider the appropriate sizing and location of conduit, small cells, and other broadband infrastructure to ensure safety and durability. Many cities, including Los Angeles and New York, define the parameters for micro-trenching, a lower-impact method that, when done correctly, can reduce construction cost and minimize disruptions.[1]

REQUIRING EXCESS CAPACITY

Consider whether to require excess capacity within conduit to ensure that they are “future-proof” (i.e., have capacity to meet future needs).

ENCOURAGE DIG ONCE POLICIES

Dig once policies encourage or require project owners to install multiple conduits or micro-ducts (or both) for future use. This can reduce future costs and minimize disruption to services.

1. Los Angeles Municipal Code, “Sections 62.00, 62.03” 2020 (link); The Rules of the City of New York, “Title 67, Chapter 1” 2015 (https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCrules/0-0-0-93779)

Streamlining State/Local Permitting Tips and Examples

Many states and localities have implemented policies and regulations to assist with the permitting application and process.

Broadband Ready Communities

Indiana and Wisconsin have set programs that provide incentives and assistance to local governments to help streamline permitting.

Indiana Broadband Ready Communities

Broadband Ready Communities Program

Created in 2015 as "a tool to encourage broadband deployment throughout Indiana" and focuses on reducing local regulatory and administrative barriers that may hinder broadband infrastructure deployment.

Public Service Commission of Wisconsin

Wisconsin "Broadband Forward!" Certification

The Public Service Commission of Wisconsin has operated the "Broadband Forward!" program to certify that a local government has taken specific steps to reduce barriers for broadband investment.

ADDITONAL RESOURCE

Pew Charitable Trusts

How Broadband Infrastructure Gets Built

Fact sheet that provides an overview of the logistical and legal processes involved in network construction.

Buried Deployment

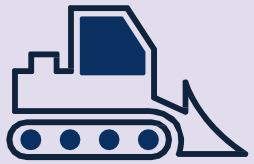
Buried Deployment

Buried deployment

Run cable underground for terrestrial broadband and fixed or mobile wireless fiber backhaul along the ROW

Historically, project owners dug trenches each time they installed infrastructure or did maintenance

Potential **buried deployment** policies



Dig once

Dig Once Policies

OVERVIEW

Dig once policies encourage or require project owners to install multiple conduits or micro-ducts (or both) for future use
Can apply to any construction (e.g., telecoms, transportation, utilities) along the public ROW, especially highways and roads

BENEFITS

- ✓ Can reduce future costs by minimizing the need for future construction
- ✓ Can minimize disruption to services
- ✓ Can take advantage of BIL spending

Streamlining and Promoting Dig Once Policies

Implementation mechanism: Influences the policy's stringency and several key structural questions

Legislation or ordinance
Typically, a mandate that applies to all construction along the public ROW
More likely to ensure that conduit gets installed

Executive Order
Typically, the jurisdiction promotes public notice for upcoming work and providers choose to add conduit
Less likely to ensure that conduit gets installed

In North Carolina, a 2019 executive order mandated dig once. For state transportation projects, a provider may decide to install new conduit. In addition, they must provide notice of a joint-trench opportunity, allowing other providers to negotiate a joint access agreement to also install conduit.2

Cost and ownership of conduit: Which entity owns and can benefit from the conduit, as well as how to pay for it

Jurisdiction
Owning the conduit includes more involvement but also allows the jurisdiction to use it or lease it to providers

Private entity
The jurisdiction's role is more hands-off, but does not provide the benefits of conduit ownership

In Illinois, legislation requires state agencies to install conduit for state-funded projects along state-owned roads. The state pays for the conduit, owns it, and leases it to providers with "market-based, non-discriminatory pricing."[3]

2. North Carolina Department of Transportation, "Dig Once Policy" 2021 (link);
3. Illinois Compiled Statutes, "605 ILCS 5/9-131" 2009 (link)

Risks & Other Considerations For Dig Once

When designing and implementing Dig Once policies, Eligible Entities need to be cautious of **potential risks** and **challenges** that may arise. **Coordinating with other agencies** and **involving stakeholders** at an early stage will be the best course of action.

Engineering Design

- The permitting agency can ensure that the conduit is accessible (e.g., in pull boxes, manholes)
- The installation should also allow access to other installed infrastructure (e.g., power lines, sanitation pipes)

Marginal cost increase

- For a non-broadband project, it will increase CapEx and installation time
- May impact project viability on the margins

Call to Action: Buried Deployment

States and local governments must take action to streamline buried deployment to ease the permitting process for applicants.

Understand the Landscape

State and local governments must be aware of all dig once policies in their state or territory, as it can apply to any construction along public ROW. Additionally, state and local governments need to pay attention to which entities own the conduits and how they are paid for. **Learn whether your state or territory has requirements related to dig once** and learn if there are any other relevant state/local regulations.

Identify Changes

If changes and improvements can be identified in the permitting process that can further streamline buried deployment, be sure to identify and note those changes. **For example, if your state or territory does not require dig once policies, consider mandating it.**

Promote a Streamlined Process

Using the identified changes, work with your state and local permitting agencies to **implement the newly developed streamlined policies** and processes.

Aerial Deployment

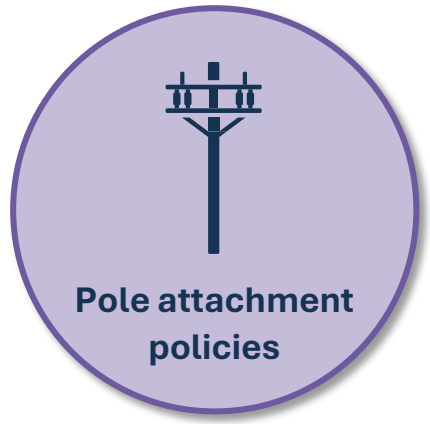
Buried Deployment

Aerial deployment

Attach cables to utility poles along the ROW

Utility poles with multiple existing services (e.g., telephone, electricity, cable) require policies to regulate pole attachments

Potential **aerial deployment** policies



States should meet with the pole regulators for entities within their state to learn more about their process

NTIA

Aerial Deployment
Pole Attachment Policies

Pole Attachment Policies

OVERVIEW

Pole attachment policies **address rates, access requests, timelines, procedures to mediate disputes, and other terms and conditions**

For incumbent providers, they influence operational expenses

For new attachers, they are a potential barrier to entry, particularly in unserved rural areas

BENEFITS

- ✓ **Can reduce costs for new deployment**
  - ✓ Jurisdictions can determine streamlined attachment processes and reasonable rates
  - ✓ Work with all interested parties
- ✓ **Can provide certainty**
  - ✓ Consistent pole attachment policies provide clarity to the market
  - ✓ All relevant entities are able to incorporate the process into their long-term planning

Pole Attachment Regulatory Authority and Policy

Regulatory authority

Jurisdictions need to identify which entity has regulatory authority

- FCC or quasi-public agencies
- State agency
- Local authority
- Pole owners

- The Tennessee Valley Authority (TVA) works with the FCC to set rates and other policies for broadband providers to attach to poles owned by local power companies within the TVA system.[4]
- Illinois statutes grant pole attachment authority to local governments and provide specific parameters in which they can operate, such as requiring permitting decisions within 45 days.[5]
- In Idaho, pole owners are in charge of reaching pole attachment agreements with attachers. The state PUC will set rates, terms and conditions, and make-ready costs when the parties cannot reach an agreement.[6]

Applicability

Wherever possible, jurisdictions should consider aligning policies for all pole owners, including municipal and cooperative utilities, and work with these groups to address their specific circumstances and needs

4. The Tennessee Valley Authority, Determination on Regulation of Pole Attachments, "Appendix J" 2016 (link); *see also* TVA, "Appendix L" 2017 (link);
5. Illinois Compiled Statutes, "220 ILCS 5/21-1001" 2009 (link);
6. Idaho Statutes, "Title 61-501" (link)

FCC Pole Attachment Regulation

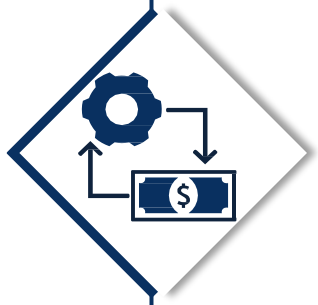
FCC REGULATIONS:

- Section 224 gives the FCC authority to regulate pole attachments, though states can exempt themselves. 20 states and the District of Columbia have done so.[7]
- FCC rules do not apply to cooperatives or municipalities.[8]
- In 2019, the FCC adopted an OTMR policy that "permit[s] new attachers to elect an OTMR process for simple make-ready for wireline attachments in the 'communications space' on a pole."[9]

7. U.S. Code, "Title 47 – Telecommunications" 2020 (link); 8. FCC, DA 19-445, 2019 (link); 9. FCC Public Notice, "DA 19-445" 2019 (link)

Risks & Other Considerations For Pole Attachments

When implementing pole attachment policies, Eligible Entities need to consider **potential risks** and **challenges** that may arise.



Economic Impacts

- Jurisdictions should be aware of the economic impacts of pole attachment policies on pole owners
- Particularly in rural areas, pole owners typically install more poles per customer and have smaller customer bases on average, so rely more on revenue from pole attachment fees

Next Steps

Call to Action

Be sure to consider all aspects of permitting, especially non-broadband related permits, and to effectively prepare for the influx of permitting applications

Understand the Process

State and local governments need to be communicating with broadband providers in their area.

Broadband providers in your relevant jurisdiction bring immense value and information regarding the types and amounts of permits needed for broadband deployment. It is imperative that local government **communicate with broadband providers** in their jurisdiction to understand all the relevant permits and processes required for that area.

Find Ways to Streamline

Using the information from local agencies and broadband providers, find ways to streamline permitting.

Overall, there will be a large increase in permitting applications that will happen across all IIJA programs, not just related to broadband, that individuals and agencies need to be prepared for. It is important that all participants **identify ways to expedite the permitting process** while still **protecting all interests in play**.

Assess Capacity

With the large influx of incoming permitting applications, state/local governments and other relevant agencies need to be sure they have the appropriate capacity to address the permitting uptake.

States and local governments need to **assess their current capacity** and be sure that they have sufficient capacity to support the influx of applications that come with increased infrastructure funding. If not, state and local governments need to think about planning for the increase of requested permits from the full span of infrastructure (IIJA) funding, not just broadband.

Next Steps

INFRASTRUCTURE BUILDERS

- ✓ **Identify all appropriate landowners/agencies** that must grant access for the deployment.
- ✓ **Prepare early for a NEPA/EHP analysis** if receiving federal funding.
- ✓ **Engage early and schedule pre meetings** with all relevant agencies to ensure application completeness.
- ✓ **Submit all required documents** and track the timelines.
- ✓ **Learn about all relevant permitting/pole/Dig Once policies** planned or implemented in your area.

STATE AND LOCAL GOVERNMENTS

- ✓ Fully **understand all required permits and processes in your area**, not just focusing on broadband-related permits.
- ✓ **Encourage a streamlined permitting process** with ideas such as simplifying the number of permits, defining parameters, requiring excess capacity, and encouraging dig once policies.
- ✓ **Assess your current capacity** to handle the influx of permits.

THANK YOU!

Contact Us

You can contact the National Telecommunications and Information Administration (NTIA) at press@ntia.gov.