



NEPA for BEAD

Smart Start Part II:

How to Approach and Implement BEAD Subgrant Permitting Conditions

November 2025



Resource Overview

This guide can assist grantees in meeting program requirements and promoting permitting success in their capacity as BEAD administering agencies and joint lead agencies for National Environmental Policy Act (NEPA) compliance.

SUBGRANTING GUIDANCE FOR NEPA AND PERMITTING

Grantees can leverage the following resources to prepare a comprehensive NEPA and Permitting compliance framework for subgrantees executing BEAD projects.



[NEPA Joint Lead Agency Requirements](#)

Grantees can access [Smart Start: How to Plan and Prepare for NEPA Compliance for BEAD](#) to review what it means to be a joint lead agency.



[Specific Award Conditions for NEPA/Permitting \(page 3\)](#)

Grantees are required to include NEPA-related provisions in Specific Award Conditions (SACs) for the BEAD program. In this resource, NTIA provides an example SAC template to assist grantees as they develop subgrant contracts.



[What is a BEAD Milestone Schedule? \(page 3-4\)](#)

Grantees must obtain from subgrantees a milestone schedule that identifies and explains how they plan to meet NEPA deadlines. This template can assist grantees in defining requirements and assessing the viability of subgrantee NEPA schedules to support monitoring using the Environmental Screening and Permitting Tracking Tool (ESAPTT) dashboard.



[DRAFT EHP SAC and NEPA Milestone Schedule Templates \(page 5-8\)](#)

Grantees can adapt the templates to support BEAD EHP compliance.



[Environmental Screening and Permitting Tracking Tool \(ESAPTT\) \(page 9\)](#)

Grantees may use the ESAPTT dashboard to review and monitor subgrantee NEPA progress and milestone completion to support timely project implementation.

NOTE: A BEAD subgrant award may include multiple "ESAPTT NEPA Projects," per the NTIA guidance on [Dividing BEAD Subgrant Awards into Multiple ESAPTT NEPA Project Areas](#). Grantees should consider how to approach SACs for subcomponent NEPA Projects that may have different permitting requirements, environmental considerations, and timelines.

Specific Award Conditions for NEPA/Permitting

NTIA uses specific award conditions (SACs) to convey specific requirements that ensure environmental and historic preservation (EHP) compliance and protect federal interests. Section 13B of the [BEAD General Terms and Conditions](#) lists three conditions that Grantees must include in all subgrantee awards to ensure that EHP requirements are completed prior to construction.

SUBGRANTEES ARE KEY TO BEAD NEPA SUCCESS

As joint lead agencies, Grantees will certify the sufficiency of all subgrantee NEPA documentation by supervising or independently reviewing and verifying the adequacy of draft NEPA documents prior to transmittal to NTIA in ESAPTT.

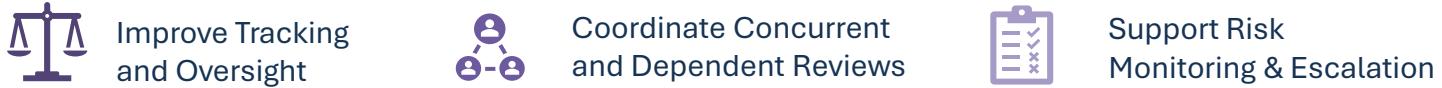
BEAD subgrant SACs will bind the subgrantee to ensure that:

- Construction will not commence until NTIA approves that environmental review is complete.
- The Subgrantee timely prepares NEPA documents and obtains all necessary permits.
- The Subgrantee has a viable **NEPA MILESTONE SCHEDULE** illustrating timelines for completion.

What is a BEAD Milestone Schedule?

A milestone schedule is a project management tool that lists key events, deadlines, or deliverables along a project timeline. Each milestone represents a significant achievement or decision point, such as completing an environmental review, submitting a permit application, receiving a permit, and starting construction.

NTIA and the Federal Permitting Improvement Steering Council have increased broadband permitting accountability by using “performance schedules” that identify the intermediate and final completion dates for environmental reviews and authorizations necessary to construct grant funded projects within the period of performance and can:



ESAPTT’s optional permitting dashboard can help Grantees track and compare milestone progress against typical performance schedules for broadband projects.

USING ESAPTT FOR MILESTONE SCHEDULE TRACKING STEP-BY-STEP



NOTE: Grantees should consider how to approach SACs, including milestone schedules, to facilitate deployment of subcomponent ESAPTT NEPA Projects for BEAD Subgrant projects with different environmental review and permitting considerations.

Subgrantee Milestone Schedules

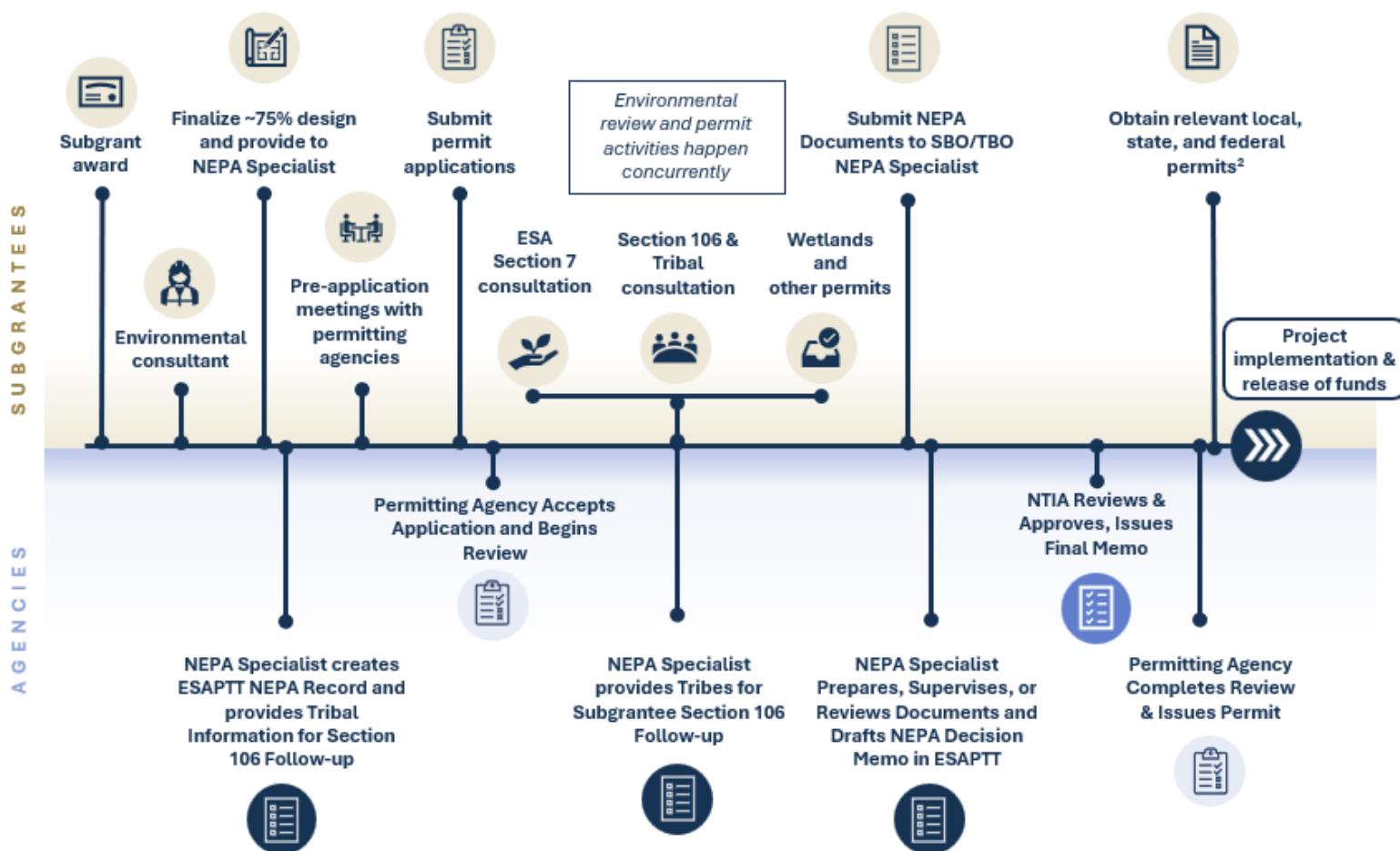


At a minimum, the Subgrantee must identify specific environmental review and permitting deadlines and describe how to meet timing requirements for:

- the completion of any required consultations
- the completion of applicable reviews for NEPA, National Historic Protection Act (NHPA) Section 106, and Endangered Species Act (ESA) Section 7
- the submission of Environmental Assessments (EAs) if anticipated (NOTE: NTIA will assist in developing an EA schedule if ESAPTT determines categorical exclusion is not possible.)

Early and integrated planning can enhance permitting success and speed deployment. Milestone Schedules should identify all applicable environmental review and permitting requirements, anticipated dates for application/submittal, acceptance, and approval or review completion.

SAMPLE NEPA / PERMITTING MILESTONES



Sample NEPA/Permitting SAC Template (1/3)

ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) COMPLIANCE: SPECIFIC AWARD CONDITIONS

I. COMPLETION OF ENVIRONMENTAL REVIEW

The Recipient must comply with all applicable statutory environmental and historic preservation regulations and identify to <State> and NTIA when a proposed infrastructure project may have potentially significant effects on the environment. The Recipient may not expend any federal BEAD funds other than for the limited permissible activities identified in General Terms and Conditions for NTIA BEAD Program Funds Section 13.E prior to the following:

- The completion of any review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.) (NEPA), and issuance by NTIA and the Grantee, as required, of a Categorical Exclusion (Cat Ex) determination, Record of Environmental Consideration (REC), Finding of No Significant Impact (FONSI), or Record of Decision (ROD) (hereinafter “decision documents”) that meets the requirements of NEPA;
- The completion of reviews required under Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 300101, et seq.) (NHPA), including any consultations required by Federal law, to include consultations with the State Historic Preservation Office (SHPO), and Federally recognized Native American tribes;
- The completion of consultations with the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS), as applicable, under Section 7 of the Endangered Species Act (16 U.S.C. 1531, et seq.), and/or consultations with the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (33 U.S.C. 1251, et seq.), as applicable; and
- Demonstration of compliance with all other applicable Federal, state, and local environmental laws and regulations.

Project implementation (site preparation, demolition, construction, ground disturbance, or any other project implementation activities) may not begin prior to the completion of the above activities. The Recipient must comply with all conditions placed on the grant funded activities as the result of environmental reviews and associated consultations as the result of NEPA or NHPA consultation or processes under other applicable laws —e.g., mitigation requirements, best management practices, or other measures necessary to reduce environmental impacts.

The allowable use of funds prior to beginning project implementation includes, but is not limited to, activities necessary for the completion of the following:

- Pre-construction planning, including collecting information necessary to complete environmental reviews;
- Applications for environmental permits;
- Studies including, but not limited to, Environmental Assessments (EA), wetland delineations, biological assessments, archaeological surveys, and other environmental reviews and analyses;
- Administrative costs;
- Pre-award application costs;

Sample NEPA/Permitting SAC Template (2/3)

ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) COMPLIANCE: SPECIFIC AWARD CONDITIONS (Section I, CONTINUED)

- Activities supporting consultations required under the NHPA, the Endangered Species Act, and the Clean Water Act;
- Limited, preliminary procurement, including the purchase or lease of equipment, or entering into binding contracts to do so; the purchase of applicable or conditional insurance; and/or funds used to secure land or building leases (including right-of-way easements).

Recipients that undertake unauthorized project activities in contravention of this Section proceed at their own risk and may face de-obligation of funding.

II. TIMELY PROVISION OF NEPA DOCUMENTS AND PERMITS

The Recipient is required to timely provide any information requested by <STATE or NTIA> to support initial and ongoing compliance with environmental and historic preservation laws and regulations. Once consultation activities have been completed, <STATE> will review all documentation and determine sufficiency. Projects with potentially significant impacts to environmental or historic resources may face de-obligation of funding if impacts cannot be mitigated.

The Recipient must comply with all conditions placed on the grant funded activities as the result of NEPA or NHPA consultation or processes under other applicable laws—e.g., mitigation requirements, best management practices, or other measures necessary to reduce environmental impacts.

The Recipient shall notify <STATE> within 24 hours upon receipt of any notices of foreclosure; requests for additional consultation received from the SHPO, THPO, Tribal representative, USFWS, or other consulting party; or notices of noncompliance received from consulting authorities or regulatory agencies.

The Recipient must notify <STATE> of any change to the approved project scope that has the potential for altering the nature or extent of environmental or cultural resources impacts. Projects with such potential will be re-evaluated for compliance with applicable regulatory requirements.

III. MILESTONE SCHEDULE FOR NEPA AND PERMITTING

Within thirty days of entering this subgrant agreement, the Recipient must provide <STATE> a draft milestone schedule <OPTION: for each NEPA project included in the BEAD subgrant award> identifying environmental review and permitting activities, dependencies, and deadlines and describing how the Subgrantee proposes to meet timing requirements including, as required:

- The completion of any statutorily required reviews and consultations including, but not limited to, Endangered Species Act Section 7 and National Historic Preservation Act Section 106;

Sample NEPA/Permitting SAC Template (3/3)

ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) COMPLIANCE: SPECIFIC AWARD CONDITIONS (Section III, CONTINUED)

- The completion of NEPA, including the submission of Environmental Assessments (EAs) or Environmental Impact Statements (EISs) if anticipated; and
- Anticipated dates for any necessary federal permit applications, including application acceptance and permit decisions.

<STATE> may stipulate the format of the NEPA and Permitting milestone schedule and, upon review, request revisions to reflect statutorily driven sequencing requirements. **<OPTION: states using ESAPTT's permitting dashboard should include a periodic reporting requirement to track milestone progress>**

IV. UNANTICIPATED DISCOVERIES

Burial sites, human remains, and funerary objects are subject to the requirements of all applicable Federal, Tribal, state, and local laws and protocols, such as the Native American Graves Protection and Repatriation Act (NAGPRA), in addition to Section 106 of the NHPA. Grantees must notify <STATE> and NTIA of inadvertent discoveries and potential impacts to these resources and identify and follow all applicable laws or protocols. Grantees should have an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards monitor ground disturbance for grant funded activities proposed in the vicinity of National Register eligible archaeological sites and suspected or known burials. If any potential archeological resources or buried human remains are discovered during construction, the Grantee must immediately stop work in that area, secure that area, and keep information about the discovery confidential, except to notify <STATE> and NTIA and the interested SHPO, THPO, and potentially affected Tribes. Such construction activities may then only continue with the written approval of NTIA.

Sample NEPA Project Milestone Schedule

Permit Types				
Permit Tracking Name	Submission to Reviewer	Acceptance	Approval or Issue	Notes
Categorical Exclusion Review				
*Endangered Species Act (ESA) Section 7				
*National Historic Preservation Act (NHPA) Section 106				
Federal Agency Permits				
Bureau of Land Management (BLM) ROW Authorization				
Forest Service (FS) Special Uses				
Clean Water Act Section (CWA) 404 / Rivers and Harbors Act (RHA) Section 10 - General Permit**				
Less common permits				
National Park Service (NPS) ROW				
U.S. Fish & Wildlife Service (USFWS) Special Uses Permit/ROW				
Army Corps of Engineers (USACE) Section 408				
Clean Water Act Section 401				
Bureau of Indian Affairs (BIA) ROW				
Bureau of Reclamation (BOR) ROW Authorization				
State permits				
Local permits				
Private authorizations				

ESAPTT Permitting Dashboard

Permitting Tracking is an **optional** function in ESAPTT designed to help Grantees track, manage, monitor, and report on permit progress and approvals for a range of authorization types identified in subgrant Milestone Schedules.

- NTIA can import subgrant project intersects with federal and Tribal permitting boundaries once a Grantee notifies the FPO of intent to use the dashboard and provides NTIA with NEPA project areas, if different than BEAD subgrant awards.
- NTIA can provide a CSV file supporting bulk upload of permit information.

KEY: Project specific permitting progress information will be manually entered into ESAPTT.

PERMITTING TRACKING BENEFITS



Centralized Permitting Platform

Record permitting milestones (e.g., application submission, acceptance, authorization) within a single system with sophisticated reporting capacity.



Automated Timeline Calculations (Federal permits only)

Auto-generates notional schedules for common federal permit types based on best- and worst-case broadband performance schedules.



Support “Permitting Roundtables”

Project specific permitting data can be used to identify and escalate issues and delays for Permitting Roundtable review and resolution.



Identify Project or Program Risks

Dashboarding tools can identify trends among permit types, authorizing agencies, geographic areas, and project proponents.

KEY: Notify your NTIA FPO of interest in using the ESAPTT Permitting Tracking functionality as soon as possible to support set up and training.

OPTIONS TO INITIATE ESAPTT PERMIT TRACKING

- Request that NTIA import federal and Tribal permitting intersects from APPEIT map data.
- Provide subgrantee **NTIA’s Permitting Tracking Intake CSV template** as part of the NEPA Milestone Schedule SAC. NTIA can use this information to streamline ESAPTT permitting dashboard setup via bulk upload.
- Manually input permit and schedule details from the subgrantee Milestone schedule.

NOTE: Grantees will need to obtain subgrantee permit progress updates, which can be addressed in the Milestone Schedule SAC, and manually input information into ESAPTT.