

The logo for the Arizona Commerce Authority. The word "ARIZONA" is in a large, white, sans-serif font. The letter "O" is replaced by a white silhouette of the state of Arizona. Below "ARIZONA" is the text "COMMERCE AUTHORITY" in a smaller, white, sans-serif font.

ARIZONA

COMMERCE AUTHORITY

BEAD Permitting Roundtable Federal Agencies

July 15, 2026

Agenda

Time	Discussion Topics
1:00 – 1:10 PM	Welcome and Opening Remarks
1:10 – 2:25 PM	Presentations and Q&A - NTIA - Forest Service - Bureau of Indian Affairs - Bureau of Reclamation - National Park Service - Bureau of Land Management
2:25 – 2:40 PM	State Agency Updates
2:40 – 2:55 PM	Q&A
2:55 – 3:00 PM	Readout, Closing, and Next Steps
3:00 – 3:15 PM	Networking & Tear Down



National Telecommunications & Information Administration (NTIA)

Nuts and Bolts of EHP

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.



NEPA for BEAD Requirements

As joint lead agency for NEPA and to fulfill terms and conditions of their grant award, an Eligible Entity must have qualified NEPA professional capacity within its organization and ensure that all NEPA documents meet the requirements of NEPA before transmittal to NTIA.



Eligible Entities cannot initiate grant funded implementation activities or disburse grant funds prior to completion of NEPA, with exception of the Limited Permissible Pre-Implementation Activities listed in the [BEAD General Terms and Conditions Section 13E](#).



As joint lead agency for NEPA, an Eligible Entity needs to have qualified NEPA professional capacity within its organization. [NTIA's Smart Start guide](#) outlines options for obtaining expertise: hire, contract, or coordinate with another state agency.

A qualified NEPA professional is necessary to fulfill the obligations of joint-lead agency outlined in the BEAD General Terms & Conditions.

- For grant funded activities carried out by the Grantee, complete all analyses required to prepare all NEPA documentation, draft all NEPA documents, and ensure that such documents meet the requirements of NEPA prior to transmittal to NTIA
- For grant funded activities carried out by Subgrantees, certify the sufficiency of all Subgrantee NEPA documentation, either by preparing such documentation or by supervising Subgrantees' preparation of draft documents, independently reviewing those drafts, and verifying that draft documents meet the requirements of NEPA prior to transmittal to NTIA
- Submit all NEPA documentation—including any supporting environmental documentation required or requested by NTIA—to NTIA through ESAPTT for review and approval

For more information, please refer to the [NEPA for BEAD](#) webpage.

NTIA Support for BEAD Environmental Compliance

NTIA has provided tools, training, and guidance to support Eligible Entities with environmental compliance.

NEPA TOOLS AND INITIATIVES

STATUS



New and Expanded Categorical Exclusions



In April 2024, NTIA [established 30 new categorical exclusions](#) and adopted six additional categorical exclusions from FirstNet.



Adoption of Programmatic Environmental Impact Statements (PEIS) and Tiered Environmental Assessment Template



NTIA adopted the FirstNet PEISs and has [released guidance](#) to support Eligible Entities to apply programmatic NEPA efficiencies in each state and territory.



Web-based GIS Permitting and Environmental Screening Templates



NTIA's [Permitting and Environmental Information Application](#) and [downloadable Map Package](#) help proponents identify permit requirements and avoid potential environmental impacts.



Streamlining *National Historic Preservation Act* & *Endangered Species Act* Reviews



[Advisory Council on Historic Preservation's](#) Program Comment for Federal Communications Projects was expanded to streamline Section 106 Review for NTIA projects.



NTIA expanded access to [complete ESA review online](#) using the FWS's IPaC system and applicable "Determination Keys" (DKeys)



IT Permitting Solutions: Web-based Publicly Available GIS Map Packages and Salesforce-based Environmental Screening Tool with Permitting Dashboard



NTIA's [ESAPTI](#) expedites categorical exclusion screening and approvals; the [Permitting and Environmental Information Application](#) supports permitting efficiency and tracking.

Permitting Tools and Efficiencies

NTIA provides resources for grant recipients to learn more about right of way and resource permitting processes, identify best practices to reduce delays, and track permitting progress across projects.

BROADBAND PERMITTING RESOURCES

Summary: NTIA co-hosted a multi-agency broadband permitting Summit and collected and published information on the processes and requirements of 13 federal permitting agencies.

How to use: Grant recipients can review presentation recordings and access slide resources on NTIA's BroadbandUSA [Permitting webpage](#).

View NTIA's [recordings and access presentation materials](#).

ESAPTT'S PERMITTING DASHBOARD FOR BEAD

Summary: BEAD Eligible Entities can use the ESAPTT permitting tracking function to validate permitting schedules, track permit progress, and escalate federal permitting issues to NTIA leadership.

Benefit: BEAD Eligible Entities can use the permitting tracking function to improve project planning and accountability.

View [NEPA for BEAD](#) resources, including an ESAPTT demo webinar and the [ESAPTT User Guide](#).

PERMITTING ROUNDTABLES

Summary: NTIA has prepared resources to support the establishment of Permitting Roundtables, to establish proactive lines of communication between local, state, territorial, and federal agencies.

Benefit: BEAD Grantees may opt to use NTIA's Permitting Roundtables framework and resources to support project specific permitting issue resolution to meet the BEAD Terms and Conditions Section 13D requirement.

View the [Permitting Roundtables Overview](#) and the [Permitting Roundtables Implementation Guide](#).

Project Scoping | Refine Projects with Best Management Practices

Subgrantee Project Teams can use APPEIT outputs and NTIA's Best Management Practices (BMP) to avoid, minimize or mitigate potential impacts to protected environmental resources.



Design projects to reduce potential impacts to managed federal lands and resources, which may eliminate potential application review and processing delays

- **Consider route alterations to avoid the need for permits on federal lands, when possible.** ([Section 1.7](#))
- **Seek to conduct work in an existing right-of-way.** ([Section 1.1](#))



Design projects to avoid, minimize or mitigate potential impacts to protected environmental resources, which can enable the application of a NEPA categorical exclusion and support access to other streamlined review options

- **Where possible, avoid building in wetlands. Consider deployment techniques to limit impacts.** ([Section 1.5](#))
- **Avoid critical habitats of Endangered Species and consider mitigation measures.** ([Section 1.6](#)) **Where possible, scope projects that qualify for NTIA's "No Effect" list.**
- **Avoid impacts to historic properties and cultural resources.** ([Section 1.8](#)) **Where possible, utilize the streamlined Program Comment Process.**

For more information, refer to NTIA's Best Management Practices and Mitigation Measures Document.



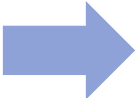
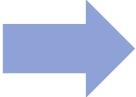
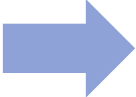
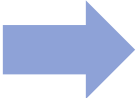
[Download Here](#)

User tip: Data layers in NTIA's online [Permitting and Environmental Information Application](#) are linked to relevant BMP resource sections.

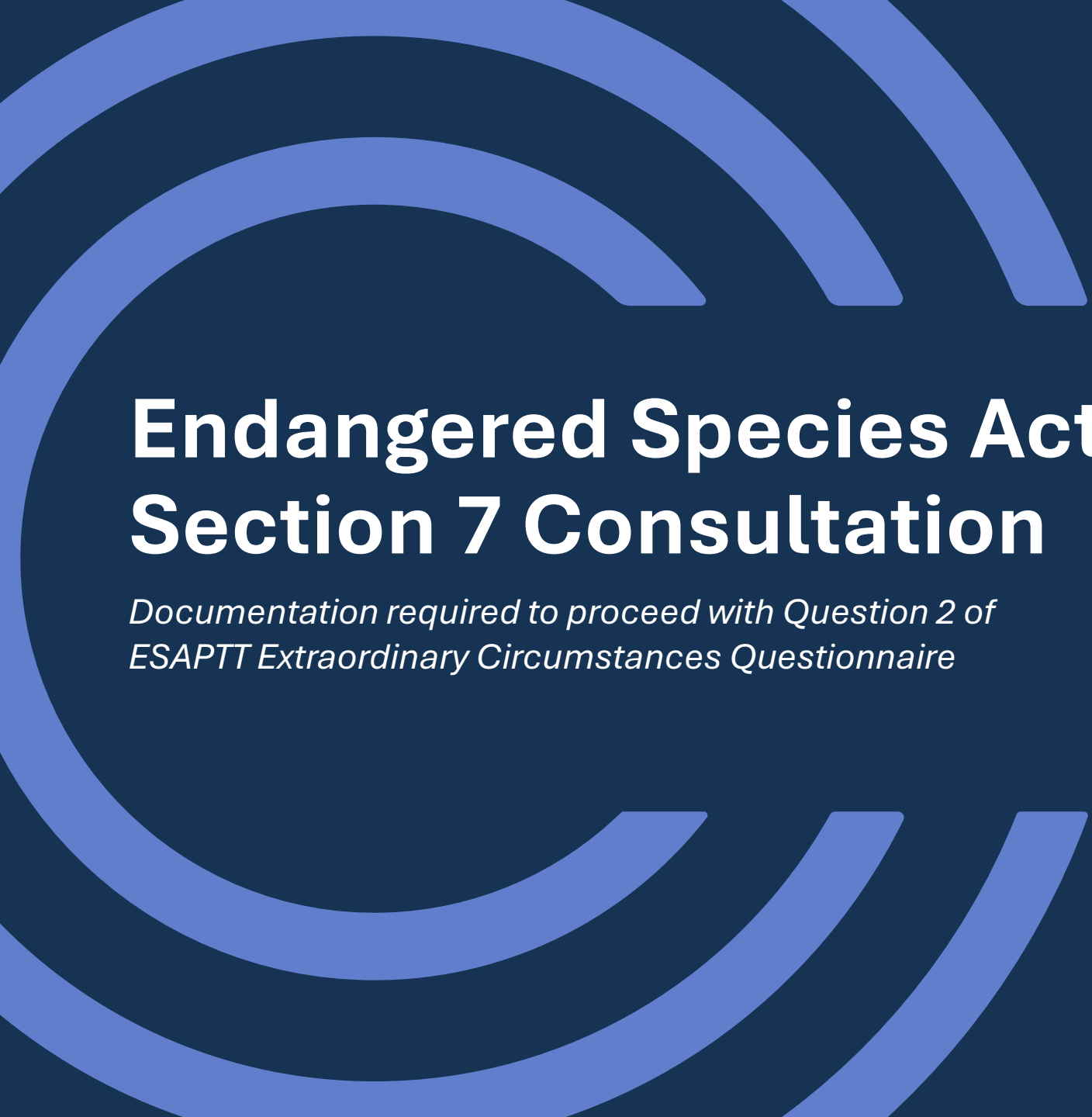
How to Prepare for NEPA Review

Applicants must submit National Environmental Policy Act (NEPA) documentation and record of consultations for NEPA review for BEAD projects via NTIA's Environmental Screening and Permitting Tracking (ESAPTT).

REQUIRED NEPA DOCUMENTATION

- ☐ A [detailed project description and mapping](#) that describes and includes all elements of a proposed project  Must be uploaded to **begin Environmental Screening** in ESAPTT to initiate NEPA review
- ☐ Documentation demonstrating that [Endangered Species Act Section 7 consultation is complete](#) (such as the application of a Determination Key (DKey) from the USFWS [Information and Planning Consultation \(IPaC\)](#) tool) **OR documentation that shows formal consultation between NTIA/FWS is required.**  Documentation required to proceed with **Question 2** of Extraordinary Circumstances Questionnaire and/or begin formal consultation, if needed
- ☐ Consultation supporting [National Historic Preservation Act](#) reviews, including State Historic Preservation Office (SHPO) **letter or other evidence of Section 106 completion**  Documentation required to proceed with **Question 4** of ESAPTT Extraordinary Circumstances Questionnaire
- ☐ **Wetlands and/or floodplains map** from the National Wetlands Inventory via NTIA's National Broadband Availability Map (NBAM) [tools](#) with your project overlaid to show the project's relationship to wetlands or waterways  Documentation required to proceed with **Question 6** of ESAPTT Extraordinary Circumstances Questionnaire

Per the BEAD Restructuring Policy Notice, Grantees must use the Environmental Screening and Permitting Tracking tool (ESAPTT) within the NTIA Grants Portal (NGP) to perform environmental screening and obtain NTIA NEPA approvals.



Endangered Species Act Section 7 Consultation

*Documentation required to proceed with Question 2 of
ESAPTT Extraordinary Circumstances Questionnaire*

Streamlined ESA Compliance Steps

NTIA has provided tools to assist grant recipients with ESA Section 7 reviews for broadband.

Step 1: Review NTIA's [Non-Federal Designation Memo](#) and “No Effect” List

This Memo explains Section 7 requirements and provides a [list of broadband activities exempt from ESA consultation](#) due to no potential to affect protected species and/or designated critical habitats.

Step 2: Conduct an Online IPaC Review

If a project does not fall on the “no-effect” list, grant recipients should consult [USFWS's Information for Planning & Consultation \(IPaC\)](#) to request an official species list.* If no species are present, Section 7 obligations are complete.

Step 3: Access and Apply Determination Keys (DKeys) if available within IPaC

Even when species are present, broadband DKeys may support online effect determinations that can eliminate the need for USFWS staff consultation.*

Step 4: Provide NTIA with Section 7 Documentation

Unless projects may potentially adversely affect protected species or habitat, grant recipients will provide NTIA with documentation of whether the project met ESA obligations through:

- The “no effect” list;
- No species identified through IPaC;
- A DKey determination (See requirements in the [Non-Federal Designation Memo](#));
- A letter from FWS documenting the conclusion of informal consultation if a Dkey is not available; or
- Documentation from FWS that formal consultation with NTIA is required.

** Note: IPaC is only used for USFWS listed species and does not cover species under the jurisdiction of the National Marine Fisheries Service (NMFS).*



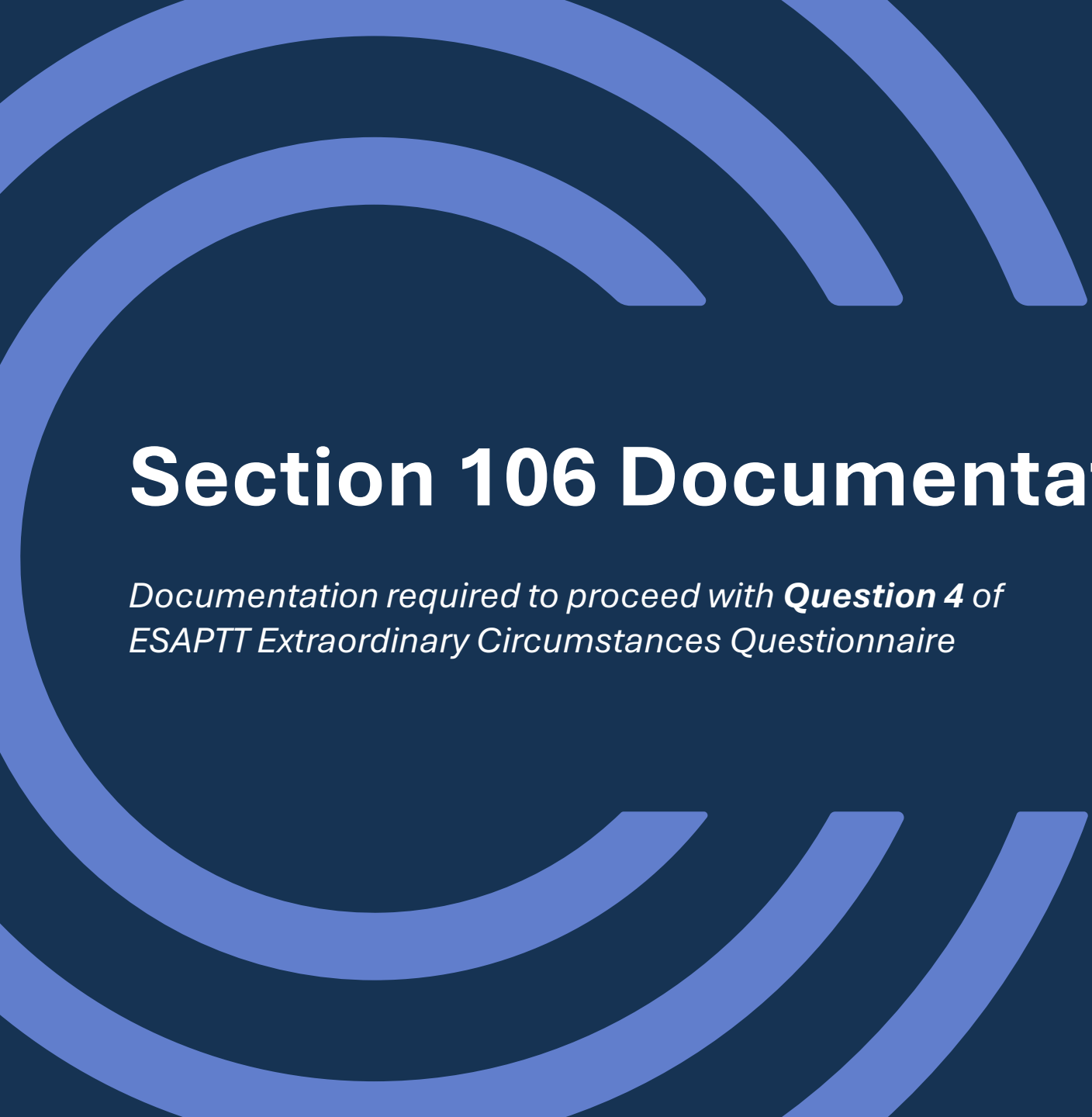
Consult NMFS for deployments that may impact marine species, including submarine and subsea cables.



Contact an Environmental Program Officer (EPO) on the consultation process for projects with potential to adversely affect protected species.



In limited instances, broadband projects may require formal Section 7 consultation.



Section 106 Documentation

*Documentation required to proceed with **Question 4** of
ESAPTT Extraordinary Circumstances Questionnaire*

Overview of National Historic Preservation Act (NHPA)

The National Historic Preservation Act of 1966 (NHPA) establishes a national preservation program and a system of review for federal undertakings that supports both the identification and protection of historic properties.

SECTION 106 CONSULTATION

Section 106 of the NHPA requires Federal agencies to consider the effects of their undertakings¹ on historic properties by completing a review process, including:

-  The identification of potentially affected historic properties
-  An assessment of the proposed project's potential for adverse effects
-  A consultation to avoid, minimize, or mitigate adverse effects, where identified

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)



The NHPA established the Advisory Council on Historic Preservation (ACHP) as an independent federal agency to promote the preservation, enhancement, and sustainable use of the nation's diverse historic resources.

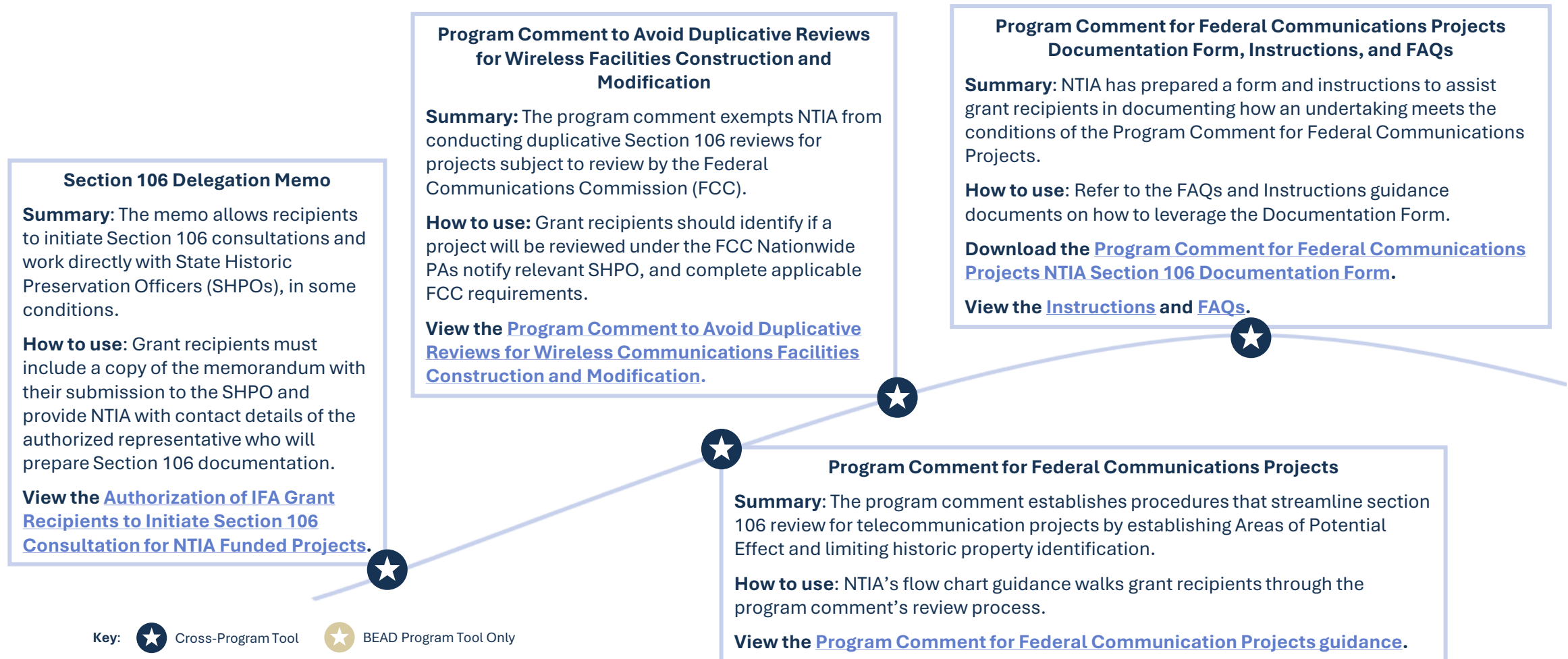
ACHP can issue program comments for a category of undertakings, such as broadband deployment, to streamline Section 106 review requirements.

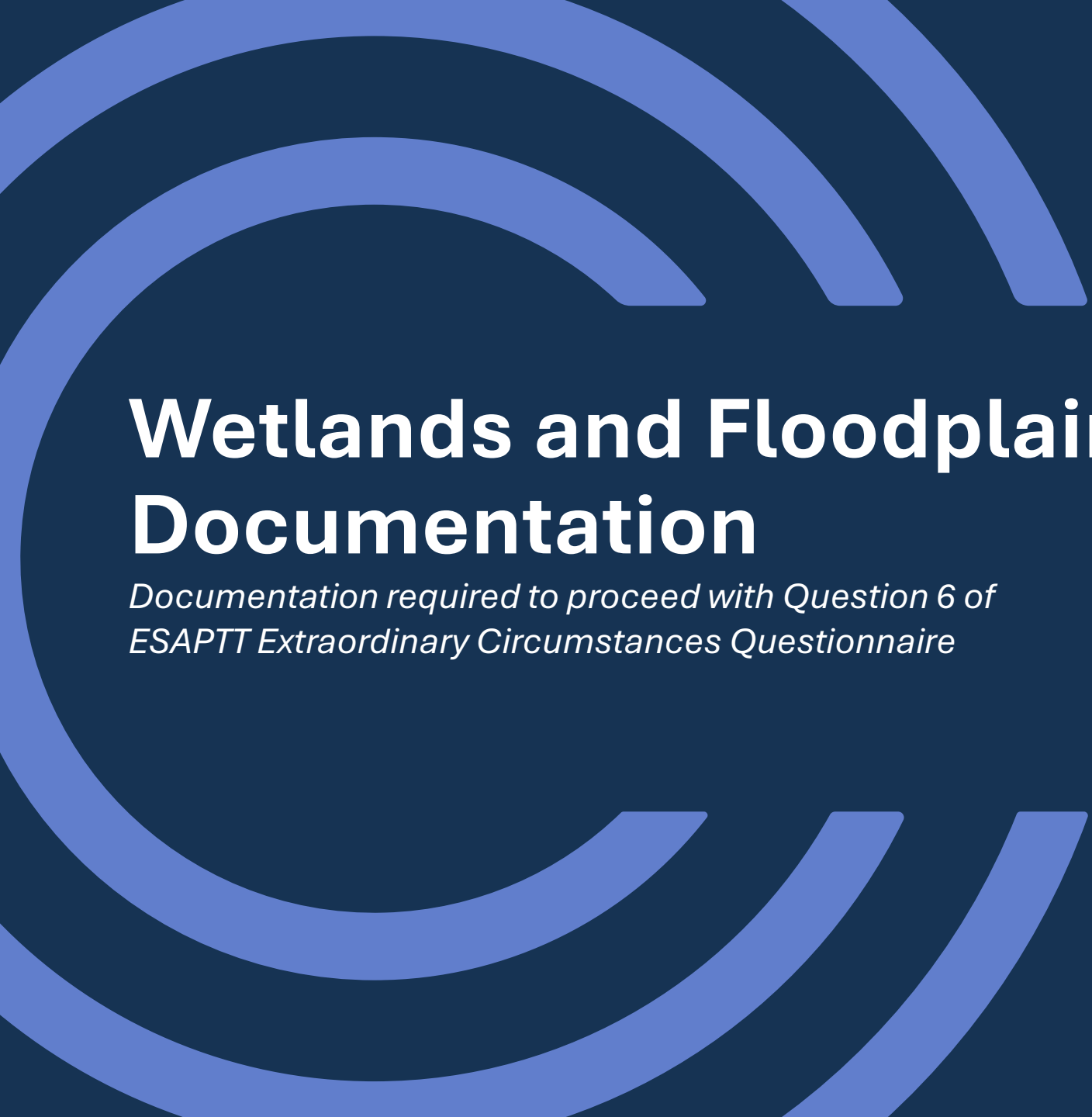
All NTIA projects must comply with NHPA Section 106 regulations and provide documentation for NEPA review.

Note: Most NTIA grant-funded actions are considered undertakings, as defined in 36 CFR 800.16(y). Please see the [BEAD Guidance on NEPA and NHPA for Leo Satellite Service Memo](#) for information about specific actions that NTIA has determined are not undertakings.

NHPA Section 106 Review | Tools and Efficiencies

NTIA has worked with the Advisory Council on Historic Preservation to establish and expand Section 106 review efficiencies to streamline consultation and reduce duplicative reviews for eligible undertakings.





Wetlands and Floodplains Documentation

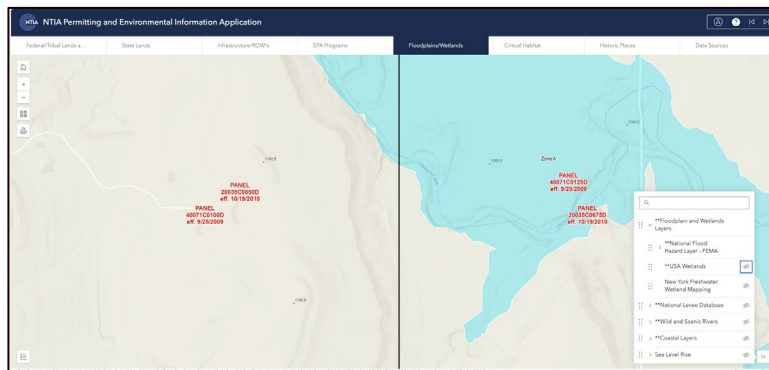
*Documentation required to proceed with Question 6 of
ESAPTT Extraordinary Circumstances Questionnaire*

Floodplains and Wetlands

Applicants are required to provide a map with the proposed project overlain to show the project's relationship to floodplains, wetlands, and/or waterways to demonstrate compliance water resources regulations ESAPTT submissions should contain one of the following:

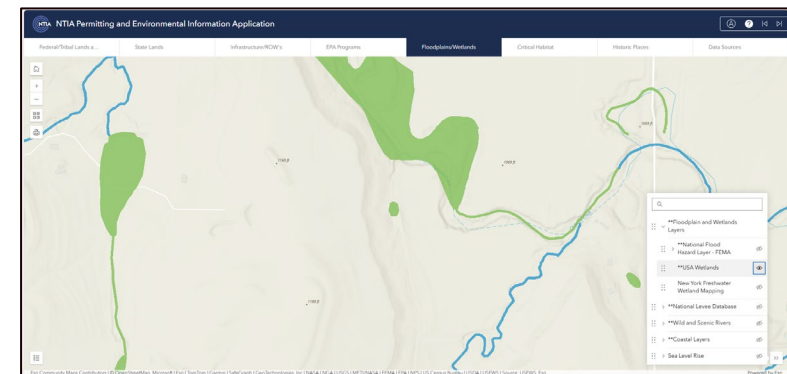
FLOODPLAINS

- A map or other relevant documentation supporting the determination that the project is located outside of the 100-year floodplain (base floodplain).
- A comparison of the proposed action against actions determined by the relevant chapter from [First Responder Network Authority's Programmatic Environmental Impact Statements](#) to have No Impact or No Significant Impact and a description of applicable [Best Management Practices and Mitigation Measures](#) to be applied.
- If impacts to a floodplain would occur and cannot be avoided, submit complete documentation showing [Executive Order 11988's](#) 8-step decision-making process, including a map, early and final public notices, and other documentation associated with each of the steps.



WETLANDS

- A map or other relevant documentation supporting the determination that the project will not intersect or impact wetlands.
- A comparison of the proposed action against actions determined by the relevant chapter from [First Responder Network Authority's Programmatic Environmental Impact Statements](#) to have No Impact or No Significant Impact and a description of applicable [Best Management Practices and Mitigation Measures](#) to be applied.
- If impacts to wetlands cannot be avoided through the use of HDD, running aerial instead of in-ground fiber, or other means, submit correspondence regarding relevant permitting with the US Army Corps of Engineers (USACE).

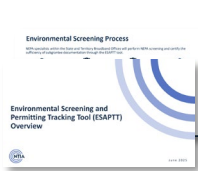




Additional Resources

Additional Resources

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



ESAPTT Overview

Guide

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



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.



ESAPTT Demonstration

Webinar

A recorded walkthrough of Environmental Screening. Serves as a visual supplement to the External User Guide.



Best Management Practices (BMP) and Mitigation Measures

Guide

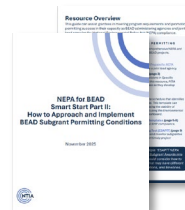
Provides examples of best management practices (BMPs) and mitigation measures to help grant recipients (grantees) avoid or minimize potential impacts during the construction, deployment, and operation of NTIA funded broadband projects.



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

Guide

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



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.



FAQ NEPA for BEAD Addendum

Frequently Asked Questions

Provides detailed answers to common applicant questions on documentation, CatEx(es), timelines, ESAPTT, and coordination with federal and state agencies during BEAD environmental reviews.



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



Questions?



United States Department of Agriculture - Forest Service (USDA - Forest Service)



Forest Service Broadband for All and Permit Process for Fiber Optic Cable



Forest Service Broadband Initiative

- Created National Broadband Action Team (BAT)
- BAT Primary Goals
 - Increase understanding
 - Improve documentation submittal
 - Increase efficiency
 - Pre and Post Proposal Coordination
 - Shorten timeline to final issuance



Proposal Submission

- **All proposals** must be submitted to the National Broadband Action Team. Proposal submissions to individual forests could result in delays in processing.
- [Broadband Communications Uses Submission](#)
- **The following documents** are required to process a proposal. Incomplete or insufficient documents will be returned to the proponent and will not be processed.
- [SF-299](#)
 - The Plan of Development for Fiber Optic/Broadband Use has been developed to assist you in submitting a complete SF-299. This document will describe the information the Forest Service requires to screen and process your proposal. [Plan Of Development Template](#).
- Maps and GIS data
 - The Forest Service requires clear, understandable maps and GIS data. Maps must show national forests and grasslands ownership.
 - Forest Service mapping standards can be found [here](#).
 - Mapping standards include – Maps, GIS data, Fiber Optic Data Spreadsheet





Tips on Proposal Submission

- Provide documentation showing the SF-299 signer has authority to sign.
- If an agent submits the proposal, include an agent authorization letter.
- Submit all required business documents listed in the SF-299 supplement.
- For SF-299 Box 7, answer A–H and include all information in the Plan of Development (POD).
- Ensure the POD fully follows the template and includes clear who/what/where/why/how details (10-foot view).
 - Do not delete any template sections, – Provide responses for every section.
- GIS Data requirements:
 - Linear shapefile for aerial (identify existing or new poles), – Linear shapefile for buried line, – Point shapefiles for handholes and vaults, – Indicate which side of the road the line follows, – Provide shapefiles for FS lands only **and** separate shapefiles for the full project area, – Ensure attribute tables clearly describe features, – No KMZs; follow mapping requirements.
- Maps: Include a complete map atlas derived from the GIS data with all required features (land ownership, T/R/S, road names, pole locations).



Tips on Proposal Submission

- Co-location on or in existing infrastructure (aerially on existing poles or buried in existing conduit space) is preferred and has the quickest processing time.
 - Utility or fiber optic companies do not have the authority to grant other entities the ability to occupy or use National Forest System (NFS) lands. Approval and authorization from the Forest Service is still required when co-locating on existing infrastructure.
 - If co-location is being requested, a letter of consent from the facility owner is required.
- Public road entities (state or county) do not have the authority to grant approval of the use or occupancy of NFS lands. The Forest Service alone must approve and authorize uses on NFS lands.
 - If the proposed use is being placed within the road right-of-way a letter of consent, permit, or similar approval is required from that public road entity to ensure there are no conflicts with their existing use.
 - Installation of infrastructure within public road rights-of-way on NFS lands require Forest Service approval and authorization.



Timeline for Broadband Proposal/Application

PROPOSAL SUBMISSION

Proposal received in the Online Portal.

Proposal reviewed for completeness by the Broadband Action Team (BAT).

If sufficient, the BAT will refer the proposal to the Forest.

If insufficient the BAT will contact proponent for additional information

WITHIN 60 CALENDAR DAYS

Proposal received at the Forest for initial and second-level screening

Forest will contact proponent to notify of suitability

APPLICATION PROCESSING BEGINS

Initial & second-level screening met

Cost Recovery fee determination initiated

270-day timeline begins to process application

(CATEGORY 1-4)

Minor Cost Recovery, Forest Service to process the applications within 60 days from receipt of Cost Recovery payment

Minor Category, notify applicant prior to 30 calendar days of reasons for delay and projected date for processing the application

(MAJOR CAT)

Notify applicant within 60 days from acceptance of an application with the anticipated steps and processing schedule

270 DAYS

Includes:
*Resource surveys for wildlife and botany for FS Sensitive Species and T&E Species, environmental review, heritage consultation and pedestrian surveys, if needed (ARPA Permit required), tribal notification, and authorized officer review

*Accessibility to complete resource surveys could increase the timeline – seasonal timing



Expediting NEPA Through Adopted Categorical Exclusions

- **Forest Service has a federal undertaking with a Special Use Permit Application and is required to produce its own NEPA documentations (Finding of Applicability and No Extraordinary Circumstances -FANEC)**
- **Leveraging Other Federal Agencies' CEs:** Forest Service adopted CEs from agencies like NTIA, Department of Commerce, Bureau of Indian Affairs, and Bureau of Land Management as well as the ability to use all of USDAs CEs per 7 CFR 1b
- **Purpose:** Streamline environmental review for broadband projects on NFS lands.
- **Impact:** Reduces need for Environmental Assessments for qualifying projects, accelerating permitting timelines.



National Broadband Team

- Email: sm.fs.broadband@usda.gov
- Website: [Communication Uses – Fiber Optic Cable | US Forest Service \(usda.gov\)](#)



Contacts and Helpful Links

Wired (Fiber)

National Broadband Action Team main email - sm.fs.broadband@usda.gov

Jennifer Whyte – National Broadband Team Project Manager

(480) 340-1824 or Jennifer.Whyte@usda.gov

Callie Ackerman-Jasper – Regional Project Manager (lead for Regions 1, 5 (North Half), and 9)

(605) 569-3072 or Callie.Ackerman-Jasper@usda.gov

Janell Corey – Regional Project Manager (lead for Regions 2, 5 (South Half), 6, and 10)

(307) 267-5398 or Janell.Corey@usda.gov

Thom Craig – Regional Project Manager (lead for Regions 3, 4, and 8)

(304) 538-4446 or Thomas.Craig@usda.gov

External Website: [Special Uses – Communications Uses | US Forest Service](#)



Forest Service

U.S. DEPARTMENT OF AGRICULTURE

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Bureau of Indian Affairs (BIA)

Bureau of Indian Affairs Permitting Process

Western Region
Phoenix, Arizona

Department Priorities and Bureau of Indian Affairs Support for Broadband



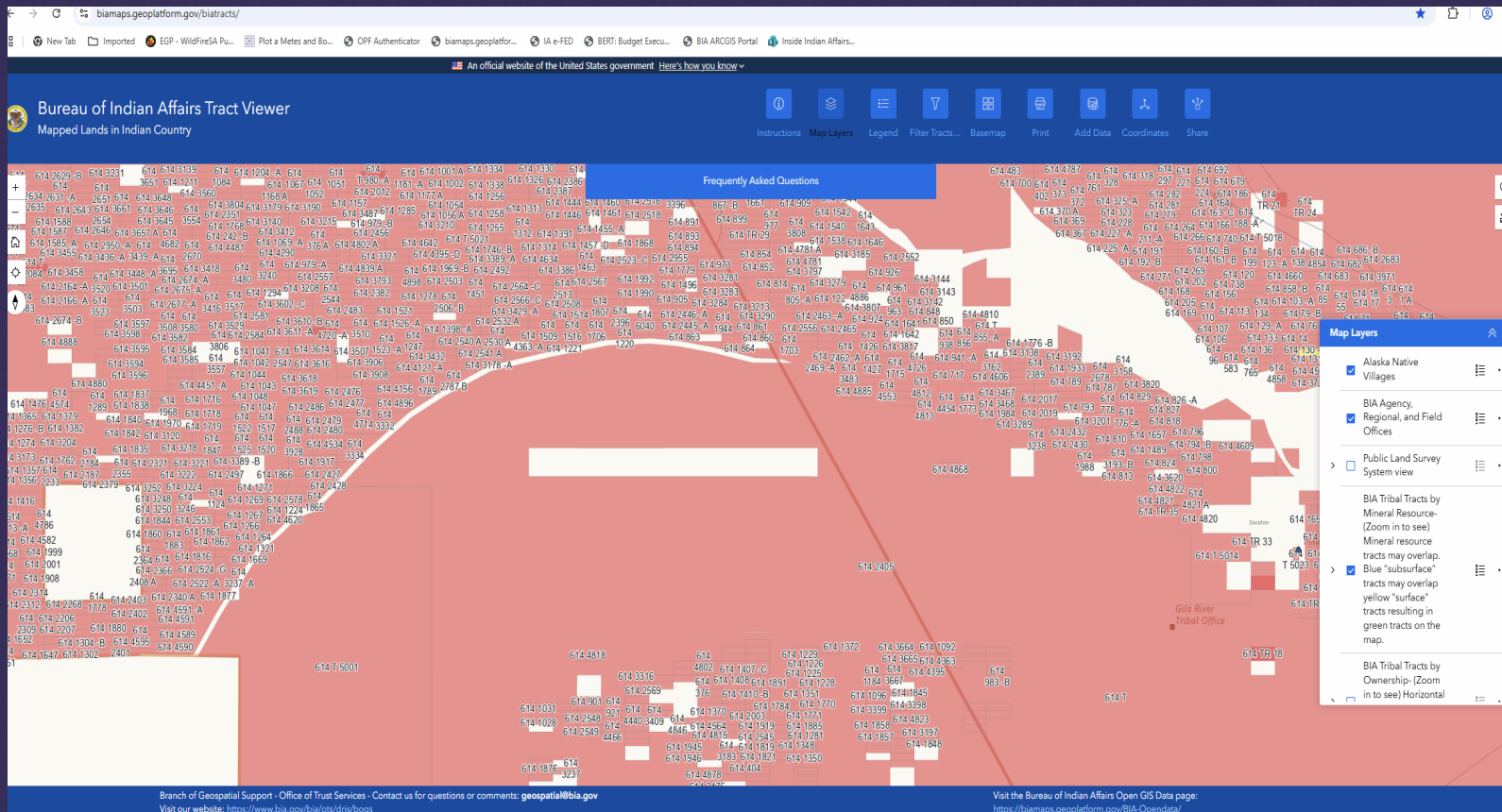
How do I know where to start?

Ask the following questions:

- What is the land status?
 - Is it Tribal Land, Individual Indian (Allotted Land), or BIA Land?
- Will I need to talk to the Tribe or BIA?
- Is there a federal action?
- Do I need permission/access?
- Who should I talk to?

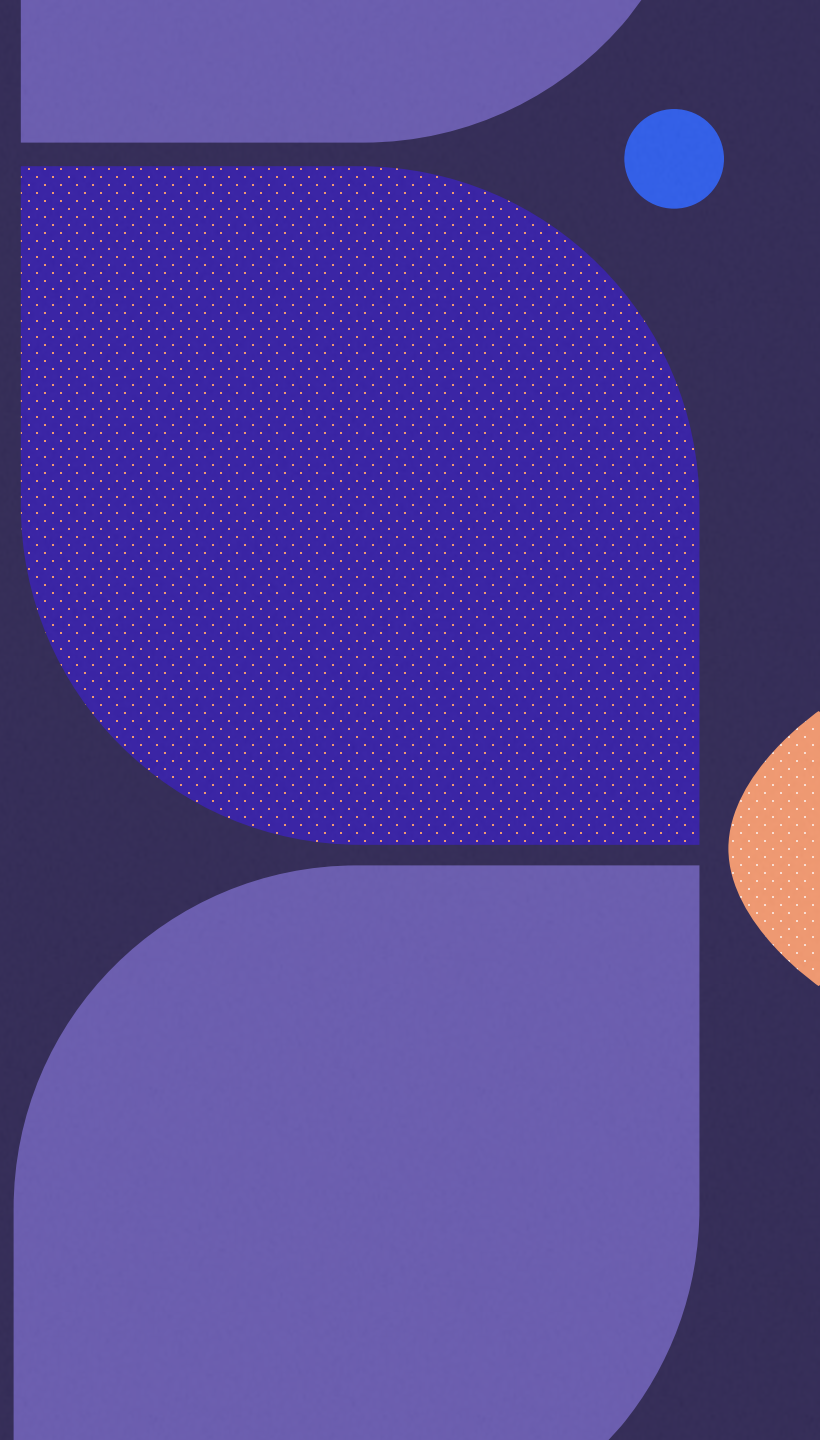
Land Status

- Preliminary Land Status Information can be found at: [BIA Tract Viewer](#)
- TAAMS – BIA's Land Title System



Bureau of Indian Affairs

- Responsible for managing trust lands and supporting tribal governments and individual Indian landowner(s).
- Agency Superintendent has authority to approve and grant right-of-way over lands held in trust with the appropriate consent from the Tribe and/or individual Indian landowner.
- ROW are authorized in accordance with 25 U.S.C 323-325, and its implementing regulations, 25 CFR 169.

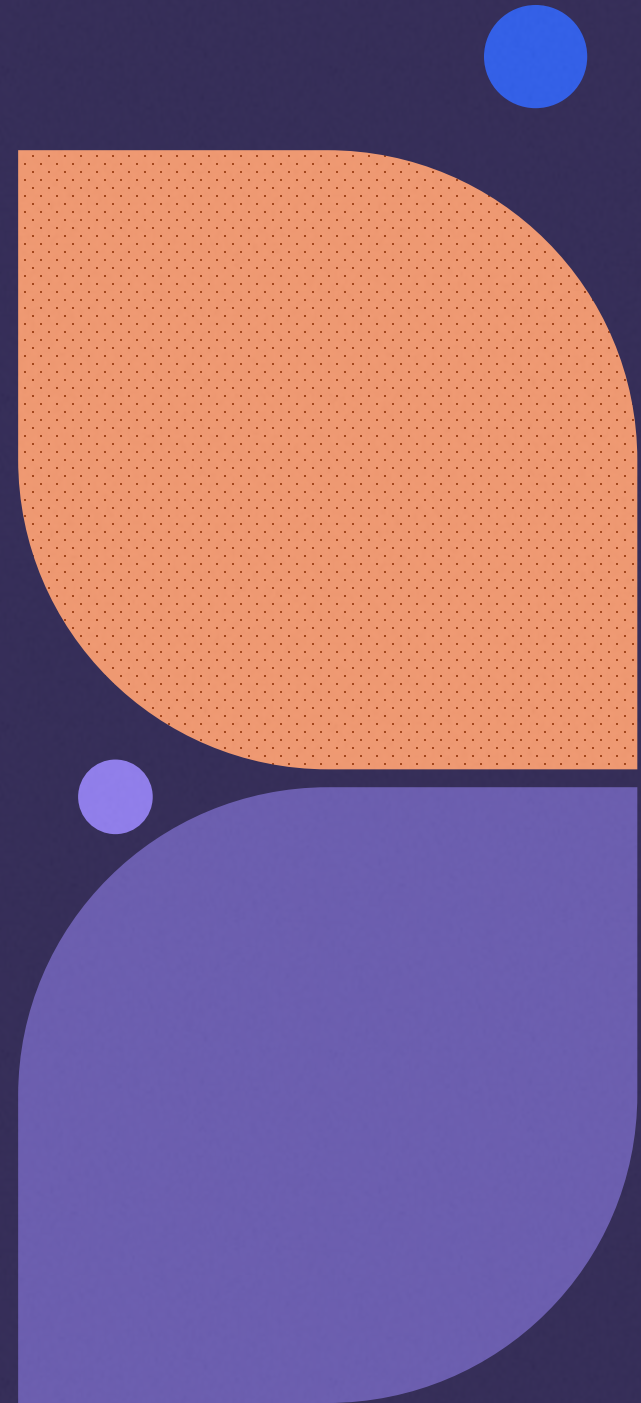


Is a Right-of-Way (ROW) necessary?

Regulations

25 CFR Part 169 establishes the procedures and conditions under which the Bureau of Indian Affairs (BIA) considers requests to approve ROW over and across Tribal lands, individually owned Indian lands, and BIA lands. Its purpose is to:

- Streamline the approval processes for ROWs.
- Support Tribal self-determination by incorporating Tribal laws and policies.
- Ensure compliance with Federal statutes while deferring to Indian landowner decisions wherever possible.

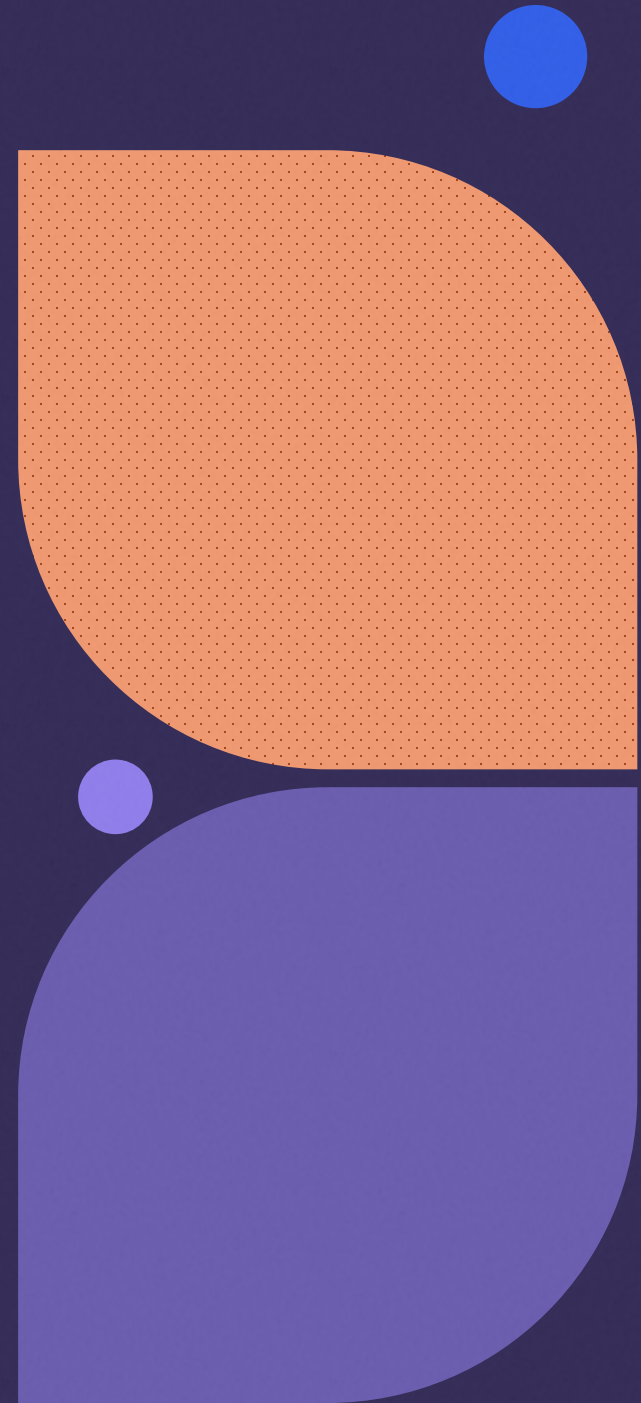


Is a Right-of-Way (ROW) necessary?

Indian Affairs Handbook

ROWs on Indian Lands Handbook, 52 IAM 9-H, was issued on January 10, 2022. This handbook was issued to provide guidance to BIA Realty staff in preparing, reviewing, and processing a grant of ROW across land(s) held in trust or restricted status by the United States for the beneficial use of an individual Indian trust landowner(s) and/or a Federally Recognized Tribe(s).

[52 IAM 9-H: Rights-of-Way on Indian Lands Handbook](#)



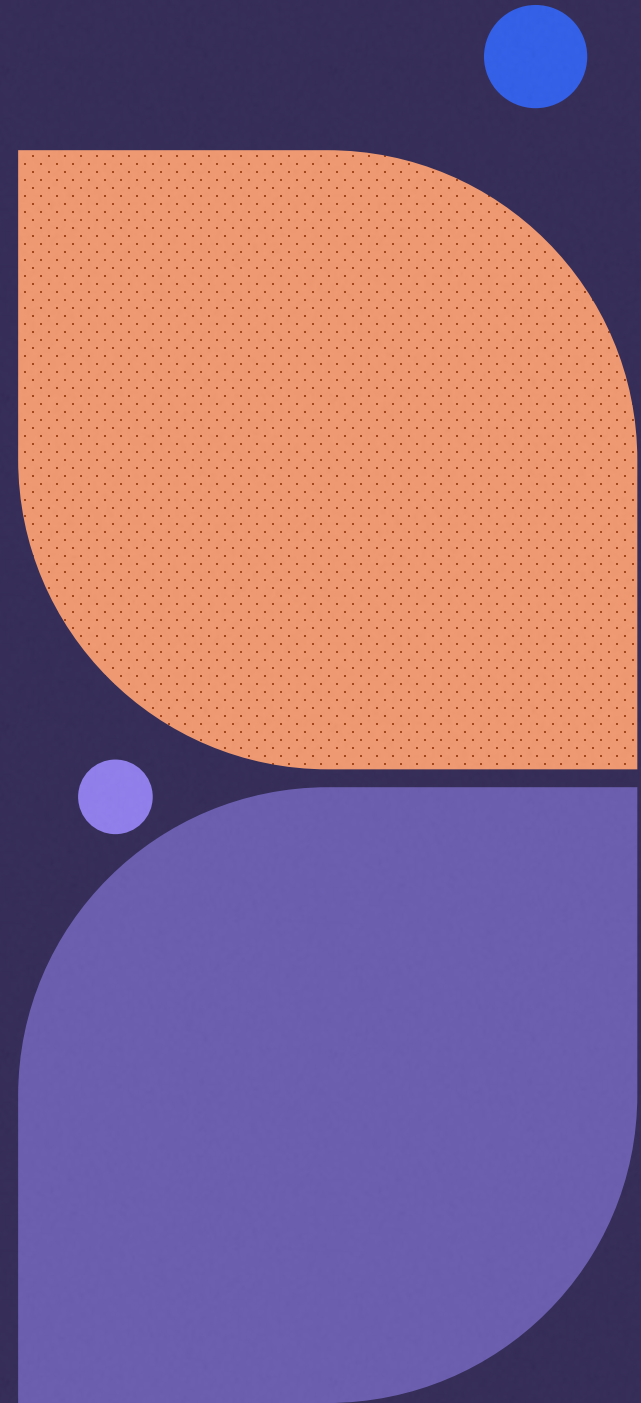
Is a Right-of-Way (ROW) necessary?

Policy

On September 3, 2025, DRES issued National Policy Memorandum (NPM) NPM-TRUS-48 titled "*Streamlining the Rights-of-Way Application Processes for Broadband Infrastructure Projects Across Indian Trust and Restricted Land*."

- [National Policy Memorandum NPM -Trus-48 Streamlining-rows-broadband_final_signed_508.pdf](#)

This memorandum establishes the Bureau of Indian Affairs' (BIA) comprehensive policy framework based on BIA's regulations for the efficient and effective processing of Rights-of-Way (ROW) applications to build broadband infrastructure in all areas within our jurisdiction, with a focus on rural unserved and underserved Tribal communities.



NPM-TRUS-48 Highlights

- Timelines
 - ROW Application review within 7 days to determine if complete.
 - Complete Application to be granted/denied within 60 days.
- Tribal Land
 - 100% owned Tribal Land + Tribal Entity = No BIA Action
 - 100% owned Tribal Land + Third Party = BIA Action
- Individual Indian Land (Allotted)
 - Owned 100% by 1 Indian owner = No BIA Action
 - Allotted Land + Tribal Entity = BIA Action
 - Allotted Land + Third Party = BIA Action
- Piggy-Backing on Existing ROW
 - Same Grantee + Same Scope = No BIA Action
 - Same Grantee + New Use = BIA Action
 - Different Grantee + Same Scope = BIA Action
 - Different Grantee + Different Scope = BIA Action
- Waivers – Compensation/Appraisal, Consent, Bond/Insurance

Newly Updated Departmental NEPA Guidance

- In February of 2026, the Department of the Interior (Department, DOI) finalized its' [NEPA Handbook of Implementing Procedures](#)
- NEPA Tracker website
- [NEPA Compliance Website](#) has information on types of activities require NEPA compliance, how to initiate the NEPA review process, and who to contact at the BIA for assistance
- NTIA lead federal agency for environmental compliance on NTIA funded projects.
 - Works with BIA
 - BIA will adopt or otherwise use all of NTIA documents for the purpose of meeting BIA's environmental obligations.
 - BIA will prepare its own decision document.

IA Categorical Exclusions

Related to broadband, IA has some CatExs that can be used
(adopted from NTIA and DOE):

Appendix 2, Section 10.6.06**
Additions and Modifications to
Transmission Facilities within a
previously disturbed facility area

Appendix 2, Section 10.6.07**
Fiber Optic Cable adding to
transmission lines or burying in
existing powerline or pipeline
ROWs

Appendix 2, Section 10.6.18**
Utilities, Communication, and
Security Systems.

**Broadband projects
frequently depend on
transmission-related
infrastructure such as
poles, ROW, and utility
corridors.**

**Broadband is a type of
utility.**

Appendix 2, Section 10.6.04**
Microwave, Meteorological, and
Radio Towers siting,
construction, modification,
operation, and removal

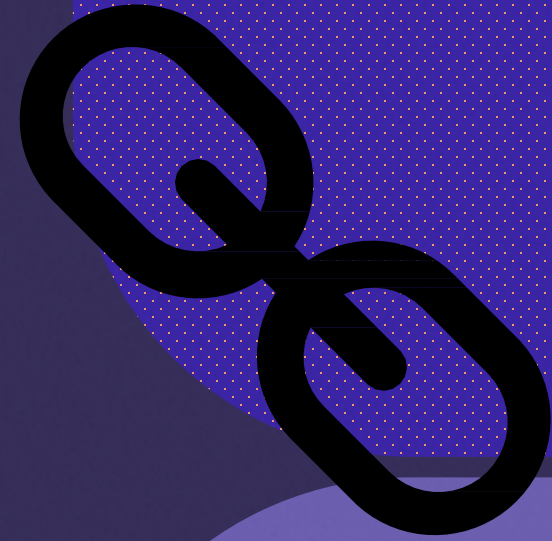
**Microwave towers are
often used for broadband
backhaul, esp. in rural
areas.**

Lessons Learned – Early Engagement

- NEPA compliance documentation
- Legal Description and Map of Definite Location (Surveys)
- Consent – Tribe v. Allotted Land Owner(s)
 - Tribal Resolution
 - Large # of fractionated interests
- Public Highway Utility Permitting vs. State/Local Public Highway Utility Permitting.
- Appraisal to determine Fair Market Value
- Compensation agreements

Helpful Links

- [How to Apply for Right-of-Way | Indian Affairs](#)
- [BIA Right-of-Way Application](#)
- [NPM TRUS-48](#)
- [25 CFR Part 169 -- Rights-of-Way over Indian Land](#)
- [Final Rule, Rights-of-Way \(25 CFR 169\) | Indian Affairs](#)
- [Department of Interior NEPA Procedures](#)



Contacts



Any questions regarding ROW submissions or applications, please contact the local BIA Agency or Regional Office at: <https://www.bia.gov/regional-offices>.

Tamera Dawes, Deputy Regional Director, Trust, Tamera.Dawes@bia.gov.

Any questions regarding Environmental or NEPA requirements, contact BIA Office of Trust Services, Division of Environmental Services & Cultural Resources Management (DESCRM): NEPA@bia.gov

John Krause, Regional Environmental Scientist, John.Krause@bia.gov.

Travis Bone, Regional Archaeologist, Travis.Bone@bia.gov



Bureau of Reclamation (BOR)



— BUREAU OF —
RECLAMATION

Phoenix Area Office (PXA0) Overview

Dominic Graziani
Manager, Environmental Resources Management
Division

Topics Covered

- PXAO Overview
- PXAO Area of Responsibility
 - Other Reclamation Offices in AZ
- Major Project Features
 - Central Arizona Project
 - Salt River Project
 - Irrigation Districts
- Permits, Workflow/Timing, POCs





— BUREAU OF —
RECLAMATION

PXAO General Info



6150 W. Thunderbird Rd., Glendale, AZ

Area Manager's Office

Program Development
Division

Environmental
Resources
Management Division

Native American
Affairs Office

Financial Management
Division

Water and Lands
Division

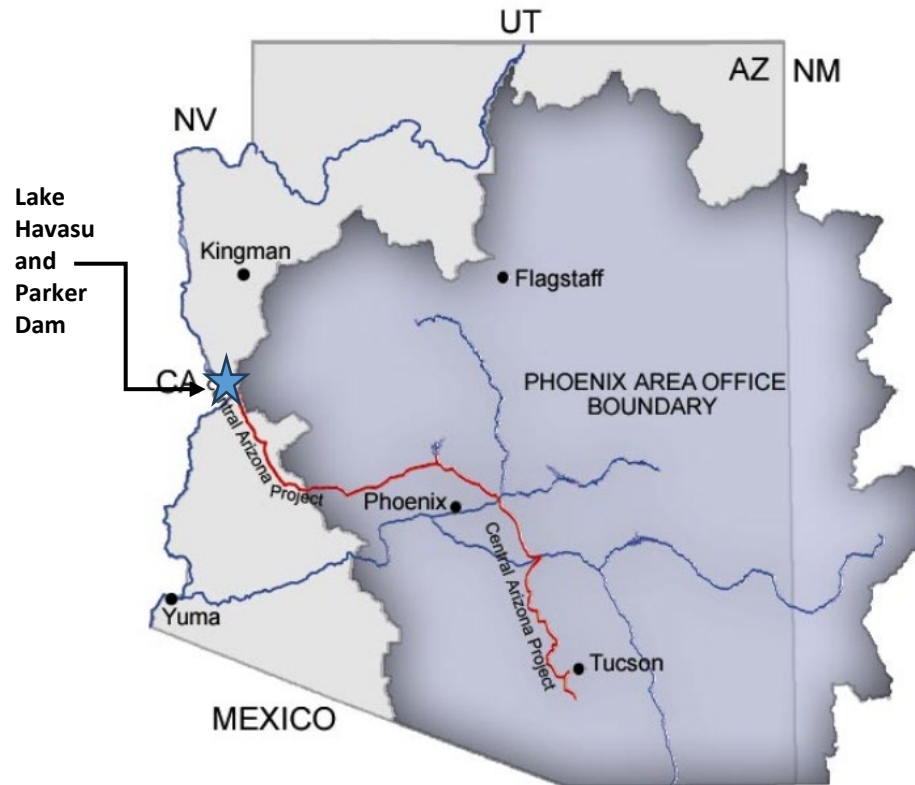
Engineering Division

Administrative
Services

PXAO Area Of Responsibility

Phoenix Area Office

Boundaries - Coverage Area



- West
 - Lake Havasu and Parker Dam



PXAO Area Of Responsibility

Phoenix Area Office



- West
 - Lake Havasu and Parker Dam
- North
 - Lake Powell and Glen Canyon Dam



PXAO Area Of Responsibility

Phoenix Area Office

Boundaries - Coverage Area

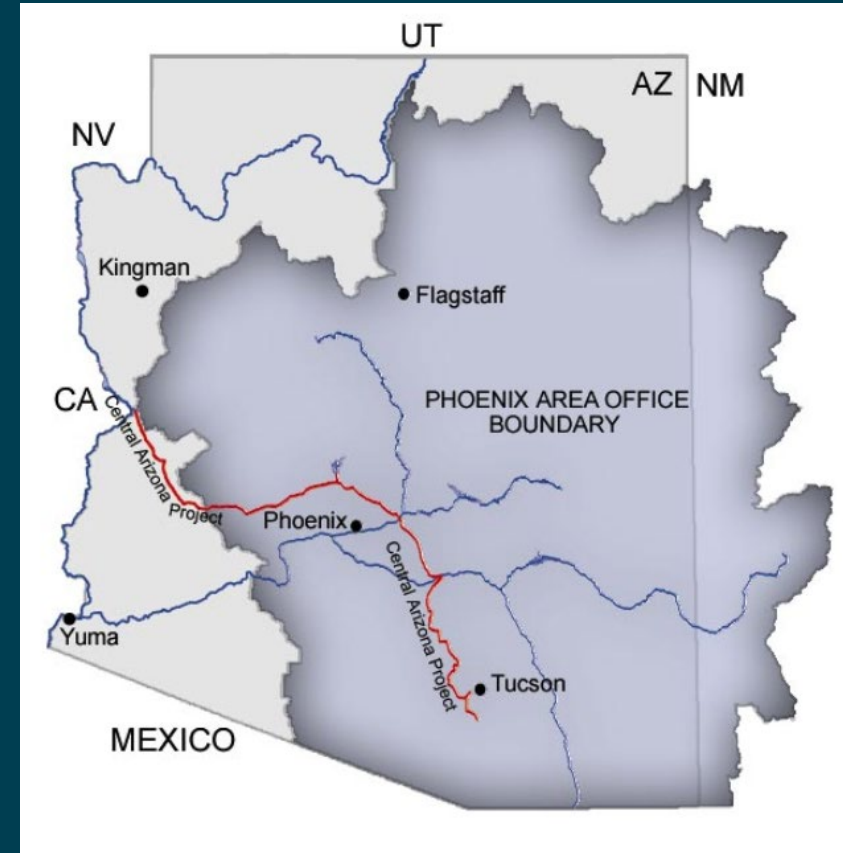


- West
 - Lake Havasu and Parker Dam
- North
 - Lake Powell and Glen Canyon Dam
- East
 - Lower Colorado River Basin/Gila River Basin
- South
 - US/Mexico Border



PXAO Area Of Responsibility

- Phoenix and Tucson metropolitan areas
- 15 Native American Tribes
 - Technical Assistance
 - Settlement Agreements
- Central Arizona Project (CAP)
- Salt River Project (SRP)
- Irrigation Districts



Central Arizona Project (CAP)



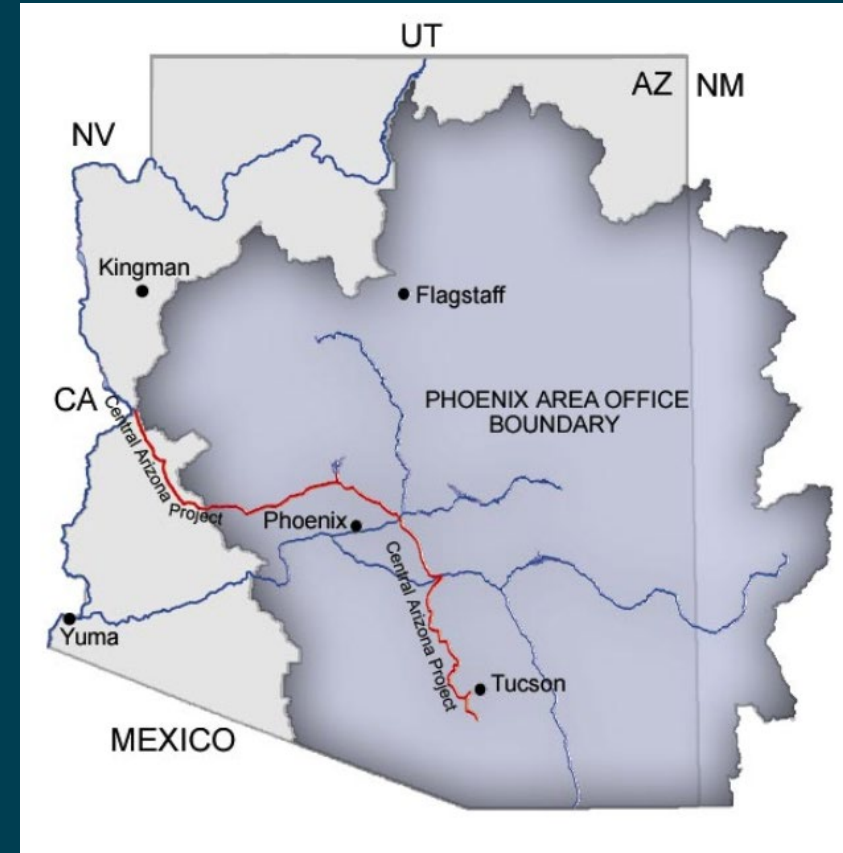
- 336-mile long through Maricopa, Pima, and Pinal Co.
- Delivers water to 8 million people – approx. 80% of AZ.

- Construction began in 1973
- Complete 1993
- Operated by Central Arizona Water Conservation District

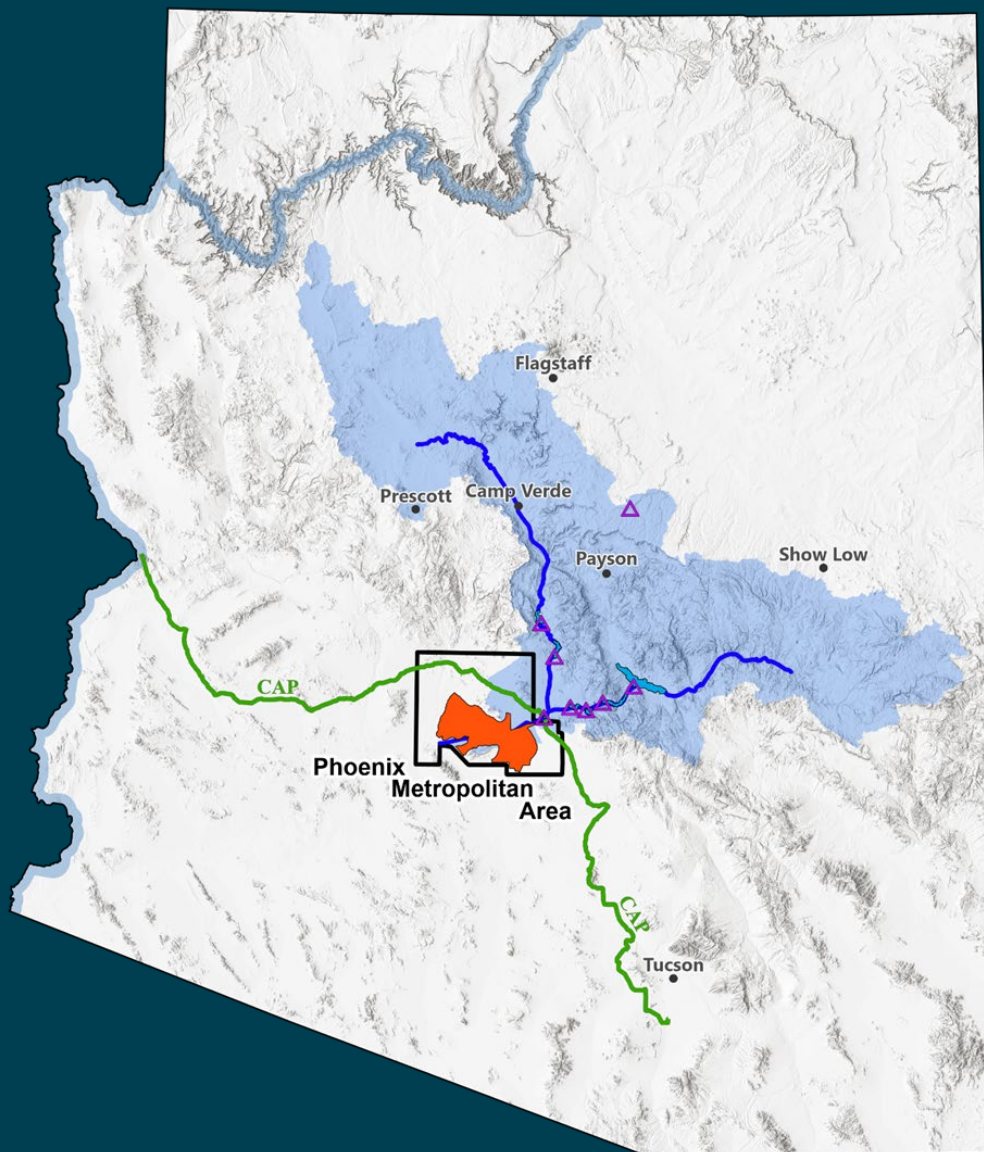


PXAO Area Of Responsibility

- Phoenix and Tucson metropolitan areas
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- Salt River Project (SRP)
- Irrigation Districts



Salt River Project (SRP)

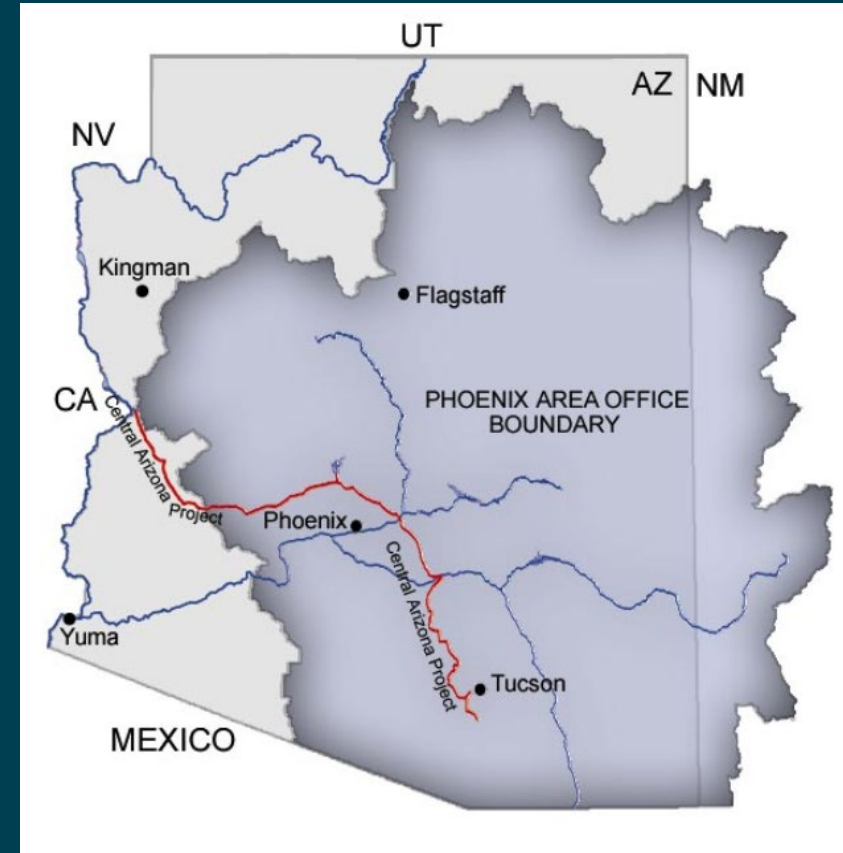


- Service Area
 - Phoenix Metro Area
- Salt and Verde River watershed
- 7 dams
 - Storage 2.3 M AF
- 131 mi canals
- 1,074 mi laterals
- Delivers 800K+ AFY
- Operated by SRP



PXAO Area Of Responsibility

- Phoenix and Tucson metropolitan areas
- 15 Native American Tribes
 - Technical Assistance
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- Central Arizona Project (CAP)
- Salt River Project (SRP)
- Irrigation Districts



Irrigation Districts

- Buckeye Water Conservation and Drainage District
- Central Arizona Irrigation and Drainage District
- Hohokam Irrigation District
- Maricopa Stanfield Irrigation and Drainage District
- Maricopa Water District
- New Magma Irrigation and Drainage District
- Queen Creek Irrigation and Drainage District
- Roosevelt Irrigation District
- San Carlos Irrigation and Drainage District



Typical Avenues for Reclamation Involvement

- Infrastructure
 - CAP
 - SRP
 - Irrigation Districts
 - Tribal Projects
- Land Ownership/Rights
 - Fee-Owned
 - Rights-of-Way/Easement
 - Withdrawal



Key Permits and Workflow

- Use Authorizations
 - CAP
 - SRP
- Workflow and timeline provided by operating agent (CAP, SRP, Irrigation District, etc.).
- Use operating agents preferred submission method and processes.



Environmental Compliance

- If an action is needed by Reclamation compliance with federal environmental law may be required.
 - National Environmental Policy Act (NEPA)
 - National Historic Preservation Act (NHPA)
 - Endangered Species Act (ESA)
 - Others as applicable
- Compliance is usually coordinated with operating agent permit/license processes.



Environmental Compliance

- Timing
 - Project/Action Dependent
- Contact Reclamation with details as early as possible to get feedback on necessary compliance and timing.



Contact Info

- Reclamation
 - Environmental Compliance
 - Dominic Graziani – Environmental Division Manager
 - dgraziani@usbr.gov
 - Water and Lands Division
 - Britt Bowen – Water and Lands Division Manager
 - bbowen@usbr.gov
- CAP
 - <https://www.cap-az.com/land-use/>



Contact Info

- SRP

SRP Land Department

<https://www.srpnet.com/doing-business/builders-developers-contractors/construction-services/land-department>

- Irrigation Districts

- Contact local irrigation district



Thank You!



— BUREAU OF —
RECLAMATION



National Park Service (NPS)



The NPS Right-of-Way Program



The NPS Mission

National Park Service Mission:

The mission of the National Park Service is to "...to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

National Park Service Organic Act, 54 U.S.C. 100101



NPS Right-of-Way (ROW) Program Organization

**ROW Permits are issued by Parks
with authorizing signature at the Superintendent
or Regional Director levels**

- **WASO Park Planning, Facilities and Lands (PPFL)**
 - NPS Land Resources Division,
 - Realty Management Branch – ROW Program
- **NPS Regions**
 - Regional Land Resources Program Centers,
 - Regional ROW Coordinators
- **System Units**
 - Park Superintendents and Park ROW Coordinators/Contacts



Right-of-Way

NPS issues ROW permits:

- A right-of-way permit is a discretionary and revocable special use permit issued by the NPS to authorize the use of lands and waters, and operation and maintenance of infrastructure, as more specifically defined in 36 CFR 14.2. A right-of-way permit does not grant, convey, or imply transfer of title to any interest in, including a leasehold or easement interest in, the lands or waters authorized for use.
- Utilities (including fiber lines, water lines, power lines, cellular antennas, etc.)
- Broadly divided up into Linear and Non-linear projects



Why Right-of-Way Permits Are Important

- The permitting process ensures there is authority for NPS to authorize the use, that the use is not against the public interest, and that the use will not cause impairment or unacceptable impacts to park resources, purposes, and values.
- A ROW permit:
 - Authorizes a use and documents the agreement for that use
 - Contains important terms and conditions
 - Establishes communications protocols
 - Fosters understanding



Right-of-Way Use Type Examples



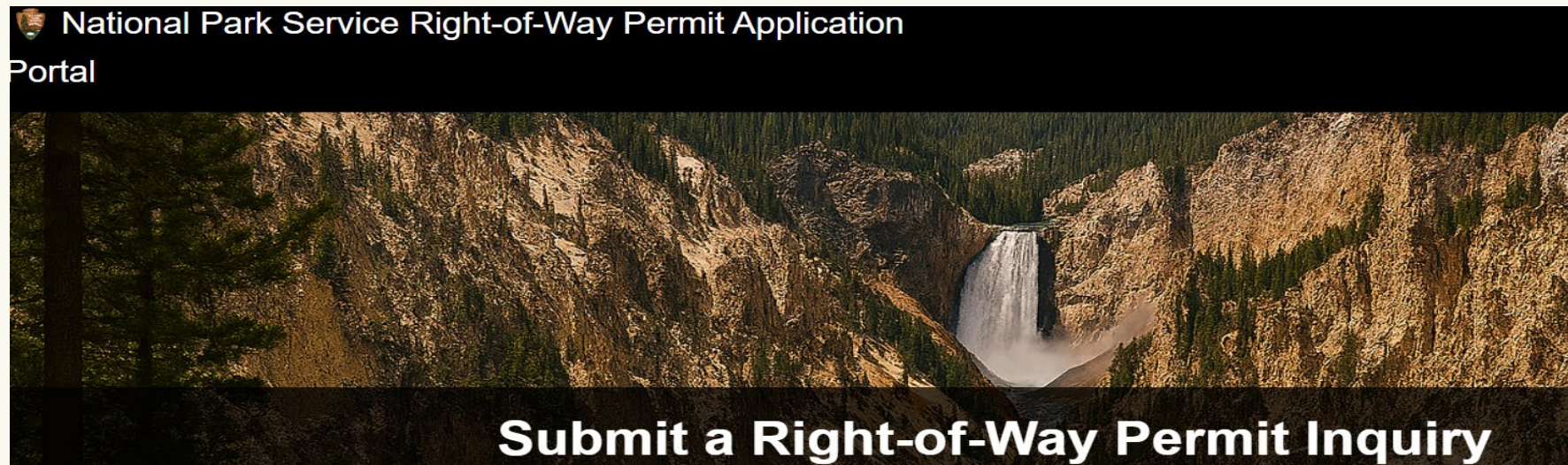
- Towers and antennas for cellular communications
- High speed fiberoptic cable
- Overhead and buried power distribution lines
- Energy Projects such as high voltage power transmission lines
- Telephone lines
- Wi-Fi systems
- Water and sewer pipelines
- Land mobile radio systems for law enforcement and emergency response



NPS "About Us" ROW Permitting Resources

The [Public NPS ROW Page](#) – Provides potential applicants with:

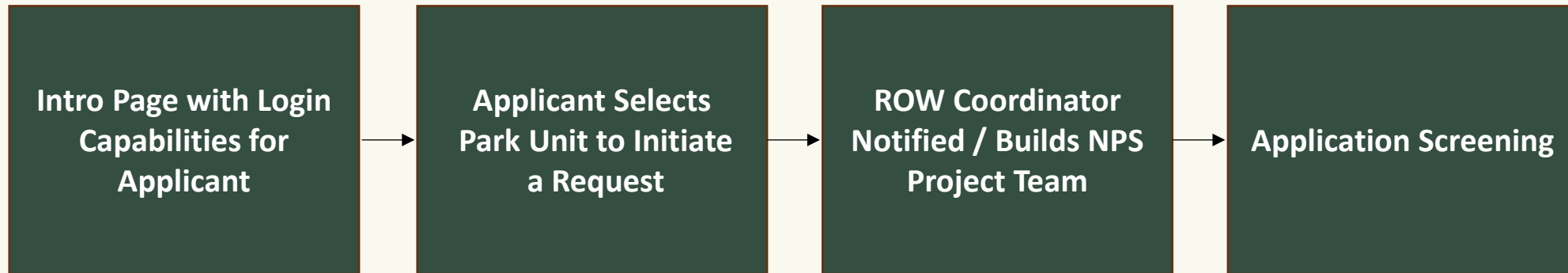
- Important information and links to learn about ROW permitting in the NPS ([36 CFR Part 14](#))
- A link to the NPS online ROW Permit Application Portal [Application Portal](#)
- A link to the SF-299 "Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property" [SF-299](#)



ROW Permit Application Portal

The Application Portal:

- Connects applicants with the park(s) where they are seeking a ROW permit
- Facilitates information sharing and allows applicants to initiate ROW permit requests
- Allows Applicants, Regional staff, and NPS ROW Program staff to track project status



GOAL: Complete Application



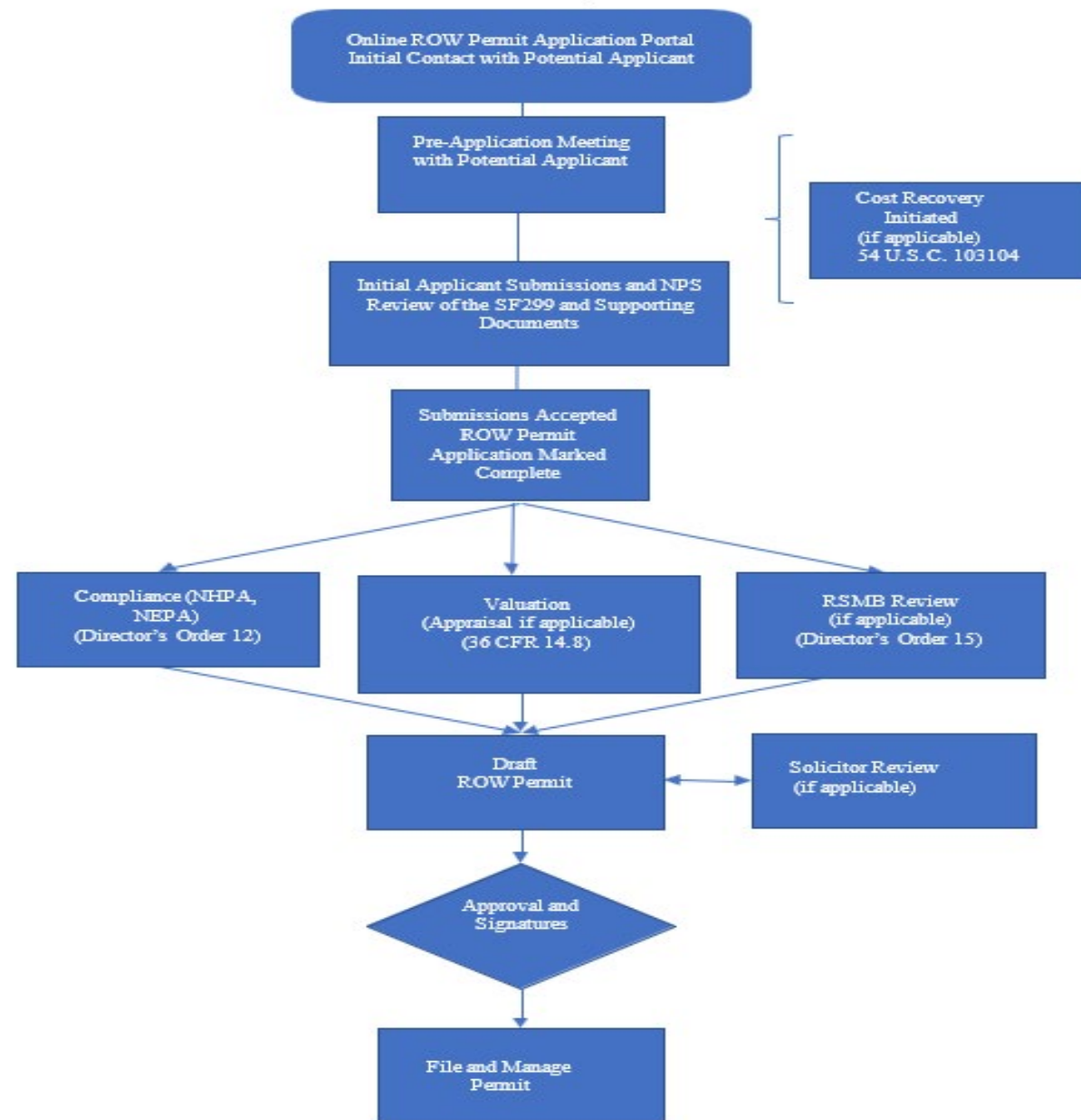
Pre-application Meeting

An opportunity to:

- Exchange information about the proposed project
- Discuss applicable laws, regulations, policies, and park planning documents
- Discuss:
 - What is required for a complete application
 - Compliance requirements
 - Constraints unique to the park
 - Cost Recovery
 - Use and occupancy fee and valuation procedures
 - Co-location
 - ROW Permit authorizes Use of the Federal Land and Operation and Maintenance
 - Construction – Special Use Permit



NPS ROW Permitting Process



Permitting Process and Considerations

GENERAL SUMMARY:

- Online ROW Permit Application Portal and Initial Contact
- Pre-application Meeting
- SF-299
- Map(s) and legal description
- Application support materials
- Cost Recovery
- Use & Occupancy Fee-Valuation (Appraisal when applicable)
- Compliance
- Radio & Spectrum Management Branch Review (when applicable)
- Draft ROW Permit
- Execute ROW Permit
- Special Use Permit for Construction



Thank you





Bureau of Land Management (BLM)



U.S. Dept:
Bureau o



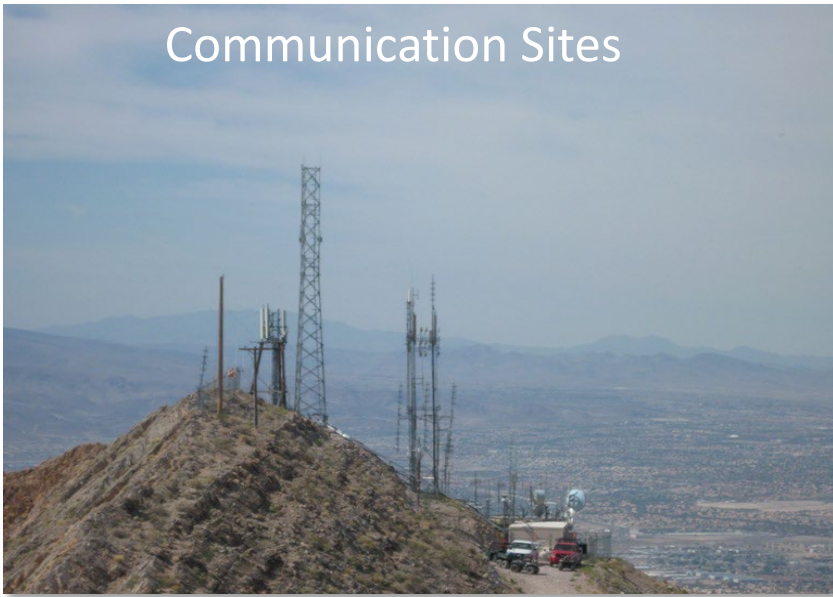
U.S. Department of the Interior
Bureau of Land Management

Bureau of Land Management

Right-of-Way Overview (July 2026)

Arizona BEAD Permitting Roundtable

Communication Sites



Telephone or Fiber Optic Lines



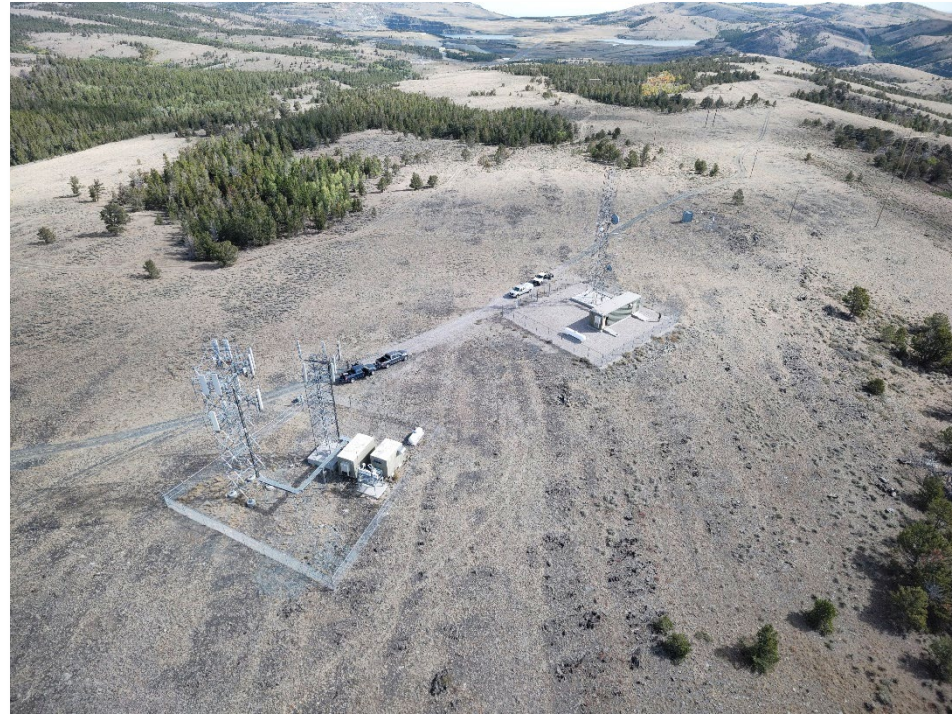


What is a Right-of-Way (ROW)?

- A ROW is the Authorization (under a particular grant or lease) for systems or facilities over, under, on or through public lands.

When do I need a ROW?

- **Anytime you plan to use public lands for systems or facilities over, under, on, or through public lands."**





Bureau of Land Management ROW Authorities:

Federal Land Policy Management Act of 1976 (FLPMA):

October 21, 1976 – Public Law 94-579, Title V of the Federal Land Policy and Management Act, as amended (43 U.S.C. 1761 et seq., 90 Stat. 2776)

Regulations:

43 Code of Federal Regulations (CFR) 2800

43 CFR 2860 “Communications Uses”



How to Start the Application Process

Obtaining a Right-of-Way



- **Contact the BLM office with responsibility for the land where the ROW is needed.** If the project involves public lands in more than one state, begin where the majority of the lands are located or with the BLM State Office for your place of business. Information is available on the [BLM ROW website](#).
- [Download an SF-299 application form](#). You will need this during the next steps in the process.
- **Arrange a pre-application meeting with BLM staff.** This is an opportunity for you to fully discuss and describe your proposal and for the BLM to fully explain the processing requirements, including fees. Bring as much information from the [Pre-application Checklist](#) as you are able.
- Review [43 CFR 2864.12](#) "What must I do when submitting my application?" for application requirements.



Application Process

- **Determine Lead Federal Agency for Section 106 Review under NHPA.** The Bureau of Land Management (BLM) and National Telecommunications and Information Administration (NTIA) have signed a Memorandum of Understanding (MOU) to determine lead agency status for complying with Section 106 of the National Historic Preservation Act on BLM Administered Lands.
- The **applicant or NTIA** will contact the BLM Broadband Coordinator with the project name, summary, location, and general map.
- **NTIA and BLM** will coordinate to determine lead Federal agency.
 - Linear applications will default to NTIA. BLM has the option to be lead agency.
 - Tower applications will default to BLM. BLM and NTIA can mutually agree to NTIA being lead agency.
- Once lead Federal agency status is determined, applicants will be able to move onto the next steps.



Application Process

- **Submit a completed [SF-299](#) by mail or in-person.** For wireless communication site applications you can submit electronically at [BLM Mineral & Lands Records System \(MLRS\)](#).
- The BLM will **review** your application for completeness and request cost recovery fees, as applicable. [ROW Fees](#) information is available on the BLM website. Applications are not considered complete until all required documentation and cost recovery processing fees are received by BLM.
- **270 Day Timeline:** The 270-day timeclock starts once BLM confirms your application is complete.



National Environmental Policy Act (NEPA)

- Most of the actions the BLM takes to implement its land-use plans are reviewed under the requirements of the National Environmental Policy Act (NEPA), through various documentation of the potential environmental effects, including:
 - Environmental Impact Statement
 - Environmental Analysis
 - Categorical Exclusion
 - Determination of NEPA Adequacy
- To date, the BLM has adopted 102 Categorical Exclusions from other agencies.
 - Approximately 9 are specific to communications uses.
- You can stay up-to-date on changes by visiting the Department of Interior's NEPA website here: <https://www.doi.gov/oepc/national-environmental-policy-act-nepa>

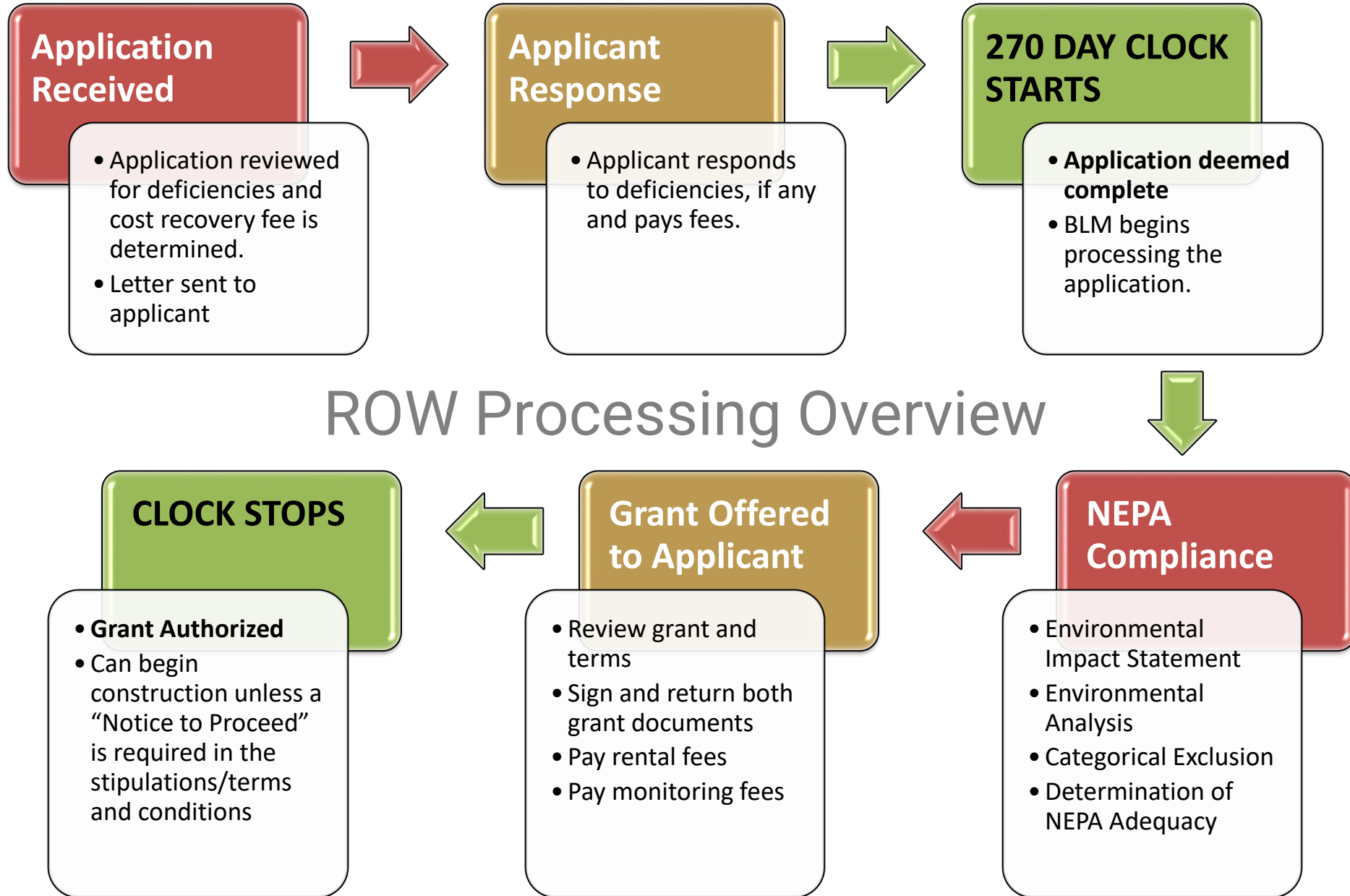




Offer Package and Grant Authorization

Offer Package: Following NEPA, an offer package will be submitted to Applicant for review and signature. Return **both signed originals** with requested fees (rental, mitigation fees, monitoring fees).*

- Grants (duplicate originals)
 - Stipulations
 - Exhibits
 - Rental fee calculations
 - Bonds (if applicable)
 - It is important for you to review the land use authorization before signing.
- *You do NOT have authorization until BLM's Authorized Officer has signed the land use authorization or you have received a Notice to Proceed.
- **Grant Authorization:** Once both copies of the Offered land use authorization have been returned to the BLM from the Applicant with **original** signatures, and all applicable fees paid, BLM may then issue the Grant.
 - Once you receive your approved land use authorization, you may proceed with construction of your project (exception - if your project requires a notice to proceed).





Helpful Information

AUTHORITY:

- [Federal Land Policy and Management Act](#) (FLPMA)

REGULATIONS:

- [Title 43 Code of Federal Regulations Part 2800](#)
- [Title 43 Code of Federal Regulations Part 2860](#)

INFORMATION:

- [ROW Processing Flowchart](#) (What is the BLM's ROW process)
- [Obtaining a Right-of-Way](#) (How do I apply for a ROW)
- [ROW Pre-Application Checklist](#) (What should I do before I apply)
- [Specifications for Descriptions of Land](#) (How to write a legal land description)
- [Land Use Planning Maps](#) (Is the land open to ROWs?)
- [Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property](#) (Where can I find the SF-299 application)
- [BLM Mineral & Lands Records System \(MLRS\)](#) (Where can I file my SF-299 electronically)
- [Communications Sites](#) (Information related to communications sites/uses)
- [Rights-of-Way](#) (Information related to right-of-way uses)
- [Right-of-Way Fees \(Costs\)](#) (Fees related to processing, monitoring, and rents)
- [National Environmental Policy Act](#) (NEPA) (information related to NEPA, including adopted Categorical Exclusions)
- [Right-of-Way Screening Tool](#) (To help identify BLM lands suitable for proposed ROWs)



Contacts

Katie White Bull

Broadband Coordinator
BLM Headquarters
Division of Lands, Realty &
Cadastral Survey

kwhitebull@blm.gov

Roberta Lopez

Arizona Lands and Realty Lead
BLM AZ State Office
Lands, Minerals, Energy &
Cadastral Survey

rlopez@blm.gov





Arizona State Agency Updates



ADOT ENCROACHMENT PERMITS

**FOR BEAD ONLY APPLICATIONS COPY
THE BELOW EMAIL ADDRESS WHEN
SUBMITTING TO DISTRICTS:**

BROADBAND@AZDOT.GOV



ADOT RIGHT-OF-WAY OCCUPANCY COMPENSATION OVERVIEW

- [AZ HB 2596 \(Laws 2021\)](#) and [A.A.C. R17-3-602](#) requires ADOT to collect compensation from telecommunication providers for longitudinal access to highways
 - General:
 - encroachment permits on/after January 1, 2023
 - new installations only (aerial or underground)
 - 30 meters or greater (parallel to the highway)
 - traverse crossings are exempt
 - installing fiber into existing conduit is exempt
 - Compensation:
 - compensation can be monetary or in-kind
 - in-kind trade/swap will not compete with provider
 - annual, 20-year, or 30-year agreements
 - monetary compensation goes directly to O&M of state-owned conduit or future broadband projects (as required by law)



Questions?

Contact the [ADOT Broadband Office](#)



ADOT RIGHT-OF-WAY OCCUPANCY COMPENSATION OVERVIEW

ADOT Broadband Office: Right-of-Way Occupancy Compensation Overview

Example: New Installation of 5 Miles of Underground or Aerial Conduit Along Different Highway Types

Type of Highway	Rate (2026)	Annual (Per Year)	20-Year*	Actual Effective Rate Per Foot**	30-Year*	Actual Effective Rate Per Foot**
Interstate (I-10)	\$1.06/ft	\$28,015	\$238,515	\$0.30/ft	\$264,103	\$0.33/ft
Controlled Access (SR-303)	\$0.53/ft	\$14,007	\$119,257	\$0.15/ft	\$132,051	\$0.16/ft
Non-Controlled Access (SR-64)	\$0.27/ft	\$7,003	\$59,628	\$0.07/ft	\$66,025	\$0.08/ft

***Incentivizing Long-Term Agreements:** 10% Discount Rate applied to Net Present Value (NPV) formula

****Effective Rate:** This is the actual rate per foot after the Discount Rate is applied to 20 and 30 Year Agreements



Questions & Answers



Readout, Closing, and Next Steps

Thank you!