

**14.1 Attachment (Required): Submit a document which includes the following:**

***Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's National Environmental Policy Act (NEPA) guidance. The methodology must reference how the Eligible Entity will use NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to create NEPA project records, evaluate the applicability of categorical exclusions, consider and document the presence (or absence) of Extraordinary Circumstances, and transmit information and draft NEPA documents to NTIA for review and approval.***

The Georgia Technology Authority (GTA) will maintain full compliance with applicable Environmental and Historical Preservation (EHP) requirements as part of Georgia's implementation of the Broadband, Equity, Access, and Deployment (BEAD) program. This includes adherence to the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and all relevant federal, state, and local environmental statutes and regulations.

**Pre-Application Assistance**

During the pre-application phase, GTA provided targeted support to help applicants prepare compliant applications aligned with NEPA and NHPA requirements. On November 19, 2024, GTA hosted a kickoff webinar introducing Georgia's participation in the Broadband Equity, Access, and Deployment program. The webinar outlined the state's \$1.3 billion allocation, the application process, permitting requirements, and compliance expectations for subgrantees. A recording of the webinar and related materials were made available on the State's website.

GTA held office hours multiple times a week, offering applicants the opportunity to ask questions and better understand permitting requirements. Authoritative guidance from the National Telecommunications and Information Administration ("NTIA") on the permitting process, environmental considerations, and historic preservation standards is accessible through office hours, ad-hoc meetings, and our website (<https://gta.georgia.gov/policies-and-programs/broadband/funding/bead-program>).

GTA also developed a comprehensive Frequently Asked Questions ("FAQ") document containing pertinent information about the application process. Additionally, subgrantee applications included Environmental and Historic Preservation ("EHP") and permitting-related questions with embedded information boxes that link directly to relevant NTIA resources, streamlining access to critical information. GTA required that all applicants submit certifications that demonstrate their commitment to compliance with all environmental, historic preservation, and permitting requirements. These certifications provide critical assurances and insights into the applicant's preparedness to address potential challenges.

Applicants were required to explain their efforts to mitigate potential delays, shortages, and constraints related to supply chains, workforce development, federal BEAD program requirements, and permitting. This narrative allows GTA to assess the applicant's readiness to proactively address challenges associated with broadband network construction.

Applicants also certified that they would obtain all necessary federal, state, and local permits and approvals required to complete the proposed work. This certification ensured that subgrantees are aware of and committed to fulfilling all permitting obligations. GTA reviewed these certifications alongside other

application materials to confirm the applicant's capacity to comply with permitting and environmental requirements. This process provided an early opportunity to identify and address potential gaps, ensuring applications are robust and well-prepared for approval.

### Technical Reviews

The Georgia Technology Authority's technical review process is an integral part of the state's efforts to comply with EHP requirements and is designed to identify and mitigate environmental and historical compliance risks early in the project lifecycle. Leveraging geographic information system ("GIS") software and advanced clash detection techniques, GTA evaluates subgrantee-submitted GIS linework files to confirm alignment with federal, state, and local permitting requirements under NEPA and NHPA regulations. The following are key steps in the review and evaluation process:

- **GIS Linework Submission:** Subgrantees are required to submit detailed GIS linework files as part of their application. These files serve as the foundation for EHP evaluations and clash detection analyses.
- **Clash Detection Analysis:** GTA utilizes a suite of mapping layers provided by the NTIA and other agencies to perform clash detection, compiled in NTIA's National Broadband Availability Map (NBAM), identifying areas where permitting conflicts or compliance risks may occur. The specific layers analyzed include, but are not limited to:
  - ❑ **Railroads:** Identifies railroad crossings requiring permits from the responsible agency.
  - ❑ **Federal Lands:** Highlights federal lands managed by agencies such as the Bureau of Land Management, National Park Service, and U.S. Forest Service.
  - ❑ **DOT Ownership:** Details road ownership (state, local, or other), providing insight into permits required from transportation authorities.
  - ❑ **USGS Flowline and Waterbody:** Maps waterbodies and flowlines, helping identify areas regulated by the U.S. Army Corps of Engineers or state environmental agencies.
  - ❑ **Historic Locations:** Pinpoints locations listed on the National Register of Historic Places, managed by the State Historic Preservation Office ("SHPO").
- **Spatial Analysis and Outputs:** Subgrantee linework is buffered (e.g., 50-foot for linework, 250-foot for historical sites) and overlaid with these layers to detect clashes. The results are exported into tables summarizing potential EHP conflicts, which serve as actionable guidance for subgrantees.
- **Categorical Exclusion Identification:** GTA will work with each subgrantee to obtain detailed project information — including infrastructure type, construction methods, location data and proximity to sensitive environmental or historic resources — needed for complete and accurate data entry into the NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) and will use the information to complete the ESAPPT Questionnaires in order to identify instances of Categorical Exclusions (CatEx) and Extraordinary Circumstances. GTA will validate any categorical exclusions that should be applied and will produce a NEPA Decision Memo for submission to NTIA for review and approval.

This technical review process offers significant benefits to subgrantees by streamlining compliance and minimizing environmental and historical impacts. Findings from GIS-based clash detection provide subgrantees with a clear understanding of the permits and consultations they need to obtain and areas to avoid, allowing them to address compliance requirements proactively. This early guidance will help subgrantees adjust project designs to mitigate risks and avoid unnecessary delays. Additionally, the review

process will foster collaboration, enabling GTA and subgrantees to work together in addressing identified risks and developing solutions tailored to project-specific challenges.

### **Compliance Monitoring**

GTA will execute grant agreements that include terms and conditions designed to promote compliance with Environmental and Historic Preservation requirements. These agreements will clearly define the responsibilities of subgrantees and establish expectations for permitting and environmental stewardship throughout the project lifecycle, as well as any special award conditions. Terms and conditions will include specific language regarding compliance with all applicable federal, state, and local environmental and historic preservation regulations, laws, and executive orders, including the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, and executive orders related to floodplains, wetlands, and environmental justice.

Grant agreements also require applicants to provide any information requested by the GTA, NTIA, or other relevant authorities to demonstrate compliance with applicable laws and regulations. Furthermore, subgrantees will be contractually obligated to secure all necessary federal, state, and local permits and approvals before initiating any project activities, including site preparation, demolition, construction, or ground disturbance.

GTA will actively monitor subgrantees' compliance with these agreements through regular reporting, permit reviews, and ongoing communication. This structured approach ensures that all grant-funded projects are implemented successfully while upholding rigorous environmental and historic preservation standards. The framework includes the following key activities:

- **Permit Identification:**
  - GTA will independently compile a list of required permits for each project, using federal mapping tools, GIS layering, and clash detection to identify permitting needs.
  - GTA obtains a detailed list of required permits from each subgrantee.
- **Gap Analysis:**
  - GTA will compare the subgrantee's provided permit list against the required permit list to identify gaps, such as overlooked federal, state, or local requirements.
- **Permit Validation:**
  - Subgrantees must provide detailed records for permits, including supporting documents, jurisdictional approvals, inspection results and evidence of closure.
- **Stakeholder Interviews:**
  - GTA will conduct interviews with subgrantees and, when necessary, their contractors or engineers to clarify permitting processes and resolve outstanding environmental requirements.
- **Monitoring Project Modifications:**
  - GTA reviews scope changes, such as route adjustments, to verify they do not introduce new permitting or environmental compliance obligations.
  - Updated plans are assessed to ensure alignment with regulatory expectations and to mitigate risks of non-compliance.
- **Reporting:**

- Subgrantees are required to submit periodic updates on milestones as part of project reporting.
- GTA reviews these reports, providing feedback to address errors or omissions.

GTA's project monitoring framework will help to ensure that subgrantees remain aligned with permitting and environmental requirements throughout the lifecycle of their projects. By combining detailed analysis, proactive validation, and consistent oversight, GTA mitigates compliance risks, addresses potential gaps, and fosters collaboration with stakeholders. This approach not only supports efficient project execution but also upholds the integrity of environmental and historic preservation standards, reinforcing GTA's commitment to responsible broadband infrastructure deployment.

*Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents.*

GTA acknowledges its statutory obligation to serve as a joint lead agency with the National Telecommunications and Information Administration (NTIA) in implementing the requirements of the National Environmental Policy Act (NEPA) pursuant to 42 U.S.C. § 4336a.

GTA further understands that, as a joint lead agency, it shares responsibility with NTIA for ensuring that all broadband infrastructure projects funded under the BEAD program are planned, reviewed, and implemented in a manner that complies with federal environmental laws. GTA further understands its role in fulfilling the following obligations as a joint lead agency:

- Supervise the preparation of an environmental document if, with respect to such proposed agency action, there is more than one participating Federal agency;
- Request the participation of each cooperating agency at the earliest practicable time;
- In preparing an environmental document, give consideration to any analysis or proposal created by a cooperating agency;
- Develop a schedule, in consultation with each cooperating agency, the applicant, and such other entities as the lead agency determines appropriate, for completion of any environmental review, permit, or authorization required to carry out the proposed agency action;
- If the lead agency determines that a review, permit, or authorization will not be completed in accordance with the schedule developed under subparagraph (D), notify the agency responsible for issuing such review, permit, or authorization of the discrepancy and request that such agency take such measures as such agency determines appropriate to comply with such schedule; and
- Meet with a cooperating agency that requests such a meeting.

*Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant chapter of the FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at <https://www.firstnet.gov/network/environmentalcompliance/projects/regional-programmatic-environmental-impact-statements>.*

As part of their commitment to ensuring compliance with federal environmental requirements under the National Environmental Policy Act (NEPA), GTA has completed a comprehensive revalidation of the 2017 FirstNet Regional Programmatic Environmental Impact Statement (PEIS) for the Southern Region. This revalidation evaluates changes in environmental conditions, regulatory frameworks, and resource sensitivity within Georgia.

The PEIS Validation Memo, included as an attachment to this Final Proposal, affirms that the original PEIS remains valid for use in subsequent environmental reviews for broadband infrastructure projects under the BEAD program. The memo identifies minor updates related to telecommunications and road networks infrastructure, land use and ownership, wetlands regulations, threatened and endangered species, and other localized environmental considerations. These updates do not alter the overall conclusions of the original PEIS but will inform future project-level assessments and best management practices.

The inclusion of this memo demonstrates GTA's proactive approach to environmental stewardship and readiness to support streamlined NEPA compliance for broadband deployment activities. It provides a foundational environmental analysis that can be referenced for projects meeting the criteria outlined in the PEIS, reducing duplication and expediting permitting while ensuring robust environmental oversight.

See attached GTA PEIS Validation Memo.pdf

*Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS.*

GTA conducted a formal revalidation of the 2017 FirstNet Final Regional PEIS for the Southern Region. This effort was carried out in accordance with Section 108 of the NEPA, as amended by the Fiscal Responsibility Act of 2023, which requires reevaluation of programmatic environmental documents that are more than five years old.

The Georgia Technology Authority (GTA) understands that the FirstNet Regional PEIS considers the following deployment activities for the Proposed Action:

- Wired (new or existing buried fiber, aerial fiber, submarine fiber optic plant, optical transmission, and centralized transmission equipment)
- Wireless (new wireless communication towers and equipment installation on existing wireless towers, structures, or buildings)
- Deployable (cell on wheels, cell on light truck, system on wheels, deployable aerial communications architecture)
- Satellite (satellite-enabled devices and satellite deployment)

The deployment related activities to be implemented within Georgia as part of the BEAD program fall within the deployment activities covered in the PEIS. Therefore, GTA has determined that the existing PEIS remains a valid and appropriate framework for future environmental compliance efforts related to

broadband infrastructure deployment in Georgia and that the PEIS will sufficiently cover the anticipated deployment-related activities anticipated under the BEAD program.

*Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.*

GTA anticipates attaching EHP-focused specific award conditions (SACs) to all subgrantee awards that involve construction or activities that may result in ground disturbance, visual alterations, or other environmental impacts. These SACs will explicitly prohibit the use of BEAD funds for construction, installation, or other physical site work until all required NEPA approvals and other applicable environmental permits have been obtained. Subgrantees will be permitted to engage in allowable pre-construction activities—such as planning, engineering, environmental assessments, and permitting work—prior to receiving final NEPA clearance, provided those activities are clearly separated from ground-disturbing actions.

To operationalize this strategy, GTA will integrate SACs into its grant agreements and grants management system, ensuring that both the subgrantee and program staff are fully aware of the restrictions on fund use and the conditions for release of construction funding. Each SAC will specify the documentation required to demonstrate environmental compliance, including NEPA determinations, Section 106 consultation outcomes (where applicable), and any other federal, state, or local permits required under environmental law.

Additionally, GTA is developing internal monitoring and tracking tools to ensure that all SACs are actively managed and enforced throughout the grant lifecycle. Prior to releasing any disbursements for construction-related costs, GTA will verify that all NEPA reviews have been completed and that the subgrantee has received written authorization to proceed.