

Broadband, Equity, Access, and Deployment (BEAD) Program



Requirement 14: Environmental and Historic Preservation Documentation

DRAFT FOR PUBLIC COMMENT | July 2025

**Delaware Broadband Office Department
of Technology and Information**

This plan was prepared by the Delaware Broadband Office of Delaware's Department of Technology and Information (DTI) using federal funds under award BEAD 10-20-B136 from the National Telecommunications and Information Administration (NTIA). The statements, findings, conclusions, and recommendations are those of the authors and do not necessarily reflect the views of NTIA or the U.S. Department of Commerce.



Environmental and Historic Preservation (EHP) Documentation (Requirement 14)

NOFO Section IV.B.9.b, Page 48: Environmental documentation associated with any construction and/or ground-disturbing activities and a description of how the Eligible Entity will comply with applicable environmental and historic preservation requirements.

14.1 Attachment

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

Within a document (file type to be decided by Eligible Entity) the Eligible Entity must provide the following:

Environmental and Historic Preservation Requirements: *A 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.*

Joint Lead Agency Responsibility Summary: *A statement of the Eligible Entity's understanding of its obligations as a joint lead agency to implement NEPA requirements under 42 U.S.C. 4336a and a description of the Eligible Entity's plan to prepare and/or supervise the preparation of all required*



environmental analyses and review documents.

Description of FirstNet Regional PEIS Evaluation: *Identification of the relevant First Responder Network Authority (FirstNet) PEIS chapter pertinent to the Eligible Entity, and a concise evaluation of the sufficiency of the environmental analysis contained in the relevant FirstNet Regional PEIS (see [Sample evaluation memo](#)), updating any information necessary for the NEPA analysis contained in the FirstNet Regional PEIS to apply to the Eligible Entity's subgrant broadband deployment projects.*

Specific Award Conditions (SACs) Description: *A description of the Eligible Entity's current or planned use of SACs and/or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects are awaiting final NEPA approval. For example, this may include utilizing an EHP- focused SAC attached to subgrantee awards that are anticipated to require ground-disturbing activities.*

Environmental and historic preservation requirements

The Delaware Department of Technology and Information (DTI) will ensure full compliance with all applicable environmental and historic preservation (EHP) requirements by adhering to the requirements of the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), Section 7 of the Endangered Species Act, and Section 404 of the Clean Water Act, as applicable, and NTIA's programmatic guidance. This compliance is a critical part of the project review process, and all subgrantee projects will undergo a detailed evaluation to ensure minimal environmental and historic impacts.

Environmental documentation: DTI will work with its BEAD subgrantees to provide the environmental documentation associated with any construction and/or ground-disturbing activities for BEAD projects included in this Final Proposal.

Compliance: DTI will serve as joint lead agency for the State to ensure compliance with NEPA and the timely completion of environmental review for all BEAD-funded activities subject to NEPA review. DTI plans to use NTIA NEPA tools, including categorical exclusions and available mapping tools, and follow NTIA guidance on EHP as it is made available.

DTI has reviewed the sufficiency, applicability, and accuracy of the FirstNet Programmatic Environmental Impact Statement (PEIS) for the State. Based on FirstNet's environmental review, Delaware is a low-risk state for environmental concerns.

DTI has evaluated its BEAD applications and assigned project areas to provisional subgrantees. Provisional subgrantees' proposed projects include deploying buried and aerial fiber and directly associated deployment activities, which are included in NTIA's approved list of categorical exclusions.

Once DTI has finalized its subgrant agreements after NTIA approval, it will require subgrantees to provide detailed project information. DTI will then review that information against FirstNet's implementing procedures, NTIA's programmatic and general NEPA guidance to determine the appropriate level of review. DTI will also confirm the sufficiency of all subgrantee NEPA documentation before the disbursement of funding.



Description of methodology used to evaluate subgrantee projects and project activities against NTIA's programmatic and NEPA guidance

DTI will comply with applicable EHP requirements to evaluate subgrantee projects and project activities against NTIA's programmatic and NEPA guidance through a multi-phased process.

Initial phase: NTIA established DTI as the joint lead agency for Delaware alongside NTIA to meet NEPA obligations and to minimize potential NEPA delays in the State while implementing the BEAD program in an environmentally sensitive manner.

DTI has advised applicants to review [NTIA's Permitting and Environmental Information Application Tool](#) (Permitting Tool) to understand environmental, historic preservation, and permitting requirements and then consider NTIA best practices for mitigation in engineering and route designs if they are awarded.

DTI has followed NTIA guidance to evaluate the sufficiency of the analysis in the FirstNet Regional PEIS. Based on its evaluation of anticipated implementation activities for Delaware, DTI has found that the NEPA analysis contained in the FirstNet Regional PEIS is sufficient, pending completion of an addendum documenting updates to affected areas.

Project application phase: During the project application review, DTI reviewed the project narrative, comprised of geographic and environmental information and a logical network design that included all Broadband Serviceable Locations (BSL) to be served, all proposed broadband infrastructure routes to be constructed, and project area boundary polygons encompassing all infrastructure routes and BSLs, and indication for all infrastructure to be placed along any individual pathway.

After Final Proposal: After submission of the Final Proposal, DTI will screen projects for compliance with NEPA using NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) within the NTIA Grants Portal and State tools based on project BSLs and preliminary route maps and facility locations. DTI will provide provisional recommendations.

DTI will work with provisional subgrantees to help them prepare for NEPA and NHPA Section 106.

After subgrants are awarded, DTI plans to work with subgrantees to gather detailed project information to provide NTIA with TCNS notifications, if required, and conduct an initial NHPA Section 106 review of project areas to assess potential impact on sensitive historical and cultural structures and artifacts.¹

Based on its project screening using FirstNet's implementing procedures, DTI will determine whether specific projects may qualify for a categorical exclusion (CE) or warrant additional evaluation due to extraordinary circumstances.

DTI plans to conduct final project reviews, pending the availability of the NTIA permitting and environmental screening tool.

¹ Please note that there are no federally recognized Tribal nations in Delaware for consultations.



Ongoing subgrantee monitoring: As part of its ongoing subgrantee monitoring, DTI will:

- Ensure that project implementation (site preparation, demolition, construction, ground disturbance, fixed installation, or any other project implementation activities) does not begin prior to completion of NEPA documentation and approvals per Special Award Conditions.
- Provide training and monitor subgrantees so they understand and comply with environmental and historic preservation requirements, including but not limited to NEPA.

Joint lead agency responsibility summary

As the primary administering agency for the BEAD program in Delaware, DTI serves as joint lead agency alongside NTIA to meet NEPA obligations and to minimize potential NEPA delays in the State while implementing the BEAD program in an environmentally sensitive manner.² DTI conducts these activities in accordance with 42 U.S.C. 4336a(a)(1)(B) and carries out the duties described in 42 U.S.C. 4336a(a)(2).

In its role as joint lead agency, DTI complies with EHP requirements including but not limited to the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*) (NEPA), Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 *et seq.*) (NHPA), Section 7 of the Endangered Species Act (16 U.S.C. 1521, *et seq.*), Section 404 of the Clean Water Act (33 U.S.C. 1251, *et seq.*), and all other applicable federal, state, and local environmental laws and regulations.³

As joint lead agency, DTI has been given the following responsibilities by NTIA:

- Administer the BEAD program in accordance with 42 U.S.C. 4336a(a)(1)(B) and carry out the duties described in 42 U.S.C. 4336a(a)(2).
- Complete an evaluation of the sufficiency, applicability, and accuracy of the analysis in the relevant First Responder Network Authority (FirstNet) Regional Programmatic Environmental Impact Statement (PEIS) chapter as it applies to anticipated implementation activities for Delaware.
- Include in all awards to subgrantees conditions stating that:
 1. The subgrantee will not commence implementation and funds will not be disbursed until any necessary environmental review is complete and NTIA has approved any

² General Terms and Conditions for the NTIA Broadband Equity, Access, and Deployment Program (BEAD) Program Funds, pg. 7: https://broadbandusa.ntia.doc.gov/sites/default/files/2024-05/BEAD_IPFR_GTC_04_2024.pdf.

³ Per NTIA NEPA for the BEAD Program presentation delivered at the SBLN Virtual Monthly Meeting: Permitting Update on June 25, 2024, these include: 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, and Native American Graves Protection and Repatriation Act.



necessary decision document, except for the limited permissible activities identified in the BEAD NOFO (See "Permissible pre-implementation activities" below).

2. The subgrantee must timely prepare any required NEPA documents and obtain any required permits and must adhere to any applicable statutory deadlines as described in 42 U.S.C. 4336a(g).
 3. The subgrantee must provide a milestone schedule identifying specific deadlines and describing how the subgrantee proposes to meet these timing requirements including, as required, the completion of consultations, the completion of NEPA and Section 106 reviews, and the submission of Environmental Assessments (EA) or Environmental Impact Statements (EIS).
- For grant-funded activities carried out by subgrantees, certify the sufficiency of 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. This includes conditioning the subgrant agreement to prohibit project implementation (site preparation, demolition, construction, ground disturbance, fixed installation, or any other project implementation activities) from beginning prior to completion of NEPA review.
 - For grant-funded activities carried out by DTI, 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.
 - Submit NEPA documentation—including any supporting environmental documentation required or requested by NTIA—to NTIA for review.

Description of FirstNet Regional PEIS evaluation

The State has followed NTIA step-by-step guidance⁴ to complete an evaluation of the sufficiency, applicability, and accuracy of the analysis in the FirstNet Regional PEIS chapter, issued in 2017, as it applies to anticipated BEAD implementation activities for Delaware (Chapter 4).⁵

While the exact scope and location of subgrantee projects is yet to be determined, DTI anticipates that BEAD deployment-related project activities in Delaware are covered by the actions described in Chapter 4. All project scopes will be reviewed to evaluate whether activities specific to the project are covered by the FirstNet Regional PEIS. If a proposed project is not sufficiently covered by the FirstNet Regional PEIS, additional analysis will be conducted to determine whether supplemental environmental assessment is required to address identified gaps or deficiencies. Although final project details are not yet known, the following activities described in the FirstNet PEIS Chapter 4 may be implemented in Delaware:

- Wired projects
 - Use of Existing Conduit – New Buried Fiber Optic Plant – Disturbance associated with

⁴ https://broadbandusa.ntia.gov/sites/default/files/2024-08/DOC_NTIA_BEAD_Evaluating_FirstNet_PEIS.pdf

⁵ FirstNet PEIS for Delaware: [https://archive.firstnet.gov/2014-2018/sites/default/files/east-region/final/FINAL_Ch%204%20Delaware%20East%20FPEIS%20\(September%202017\).pdf?_gl=1*3o5mh6*_ga*_Mzk0MDc2ODk3LjE3NTUwMDcxMTg.*_ga_RMMG6T0VWC*_czE3NTUwOTk1NDIkbzlkZzAkDE3NTUwOTk1NDIkaJYwJGwwJGgw](https://archive.firstnet.gov/2014-2018/sites/default/files/east-region/final/FINAL_Ch%204%20Delaware%20East%20FPEIS%20(September%202017).pdf?_gl=1*3o5mh6*_ga*_Mzk0MDc2ODk3LjE3NTUwMDcxMTg.*_ga_RMMG6T0VWC*_czE3NTUwOTk1NDIkbzlkZzAkDE3NTUwOTk1NDIkaJYwJGwwJGgw)



the installation of fiber optic cable in existing conduit would be limited to entry and exit points of the existing conduit in previously disturbed areas.

- Use of Existing Buried or Aerial Fiber Optic Plant or Existing Submarine Cable – Lighting up of dark fiber.
- New Build – Buried Fiber Optic Plant – Plowing (including vibratory plowing), trenching, or directional boring and the construction of points of presence (POPs), huts, or other associated facilities or hand-holes to access fiber.
- New Build – Aerial Fiber Optic Plant – Installation of a new aerial fiber optic plant could impact new telecommunications infrastructure through the installation of new, or replacement of existing, telecommunications poles.
- New Build – Submarine Fiber Optic Plant – Installation of cables in limited nearshore and inland bodies of water.
- Colocation on Existing Aerial Fiber Optic Plant - Similar to new build activities, collocation on existing aerial fiber optic plant could include installation of new or replacement towers requiring ground disturbance.
- Installation of Optical Transmission or Centralized Transmission Equipment – Installation of new utility poles, hand holes, pulling vault, junction box, hut, and POP structure installation, would require ground disturbance.
- Wireless projects
 - New Wireless Communication Towers – Installation of new wireless towers and associated structures (generators, equipment sheds, fencing, security and aviation lighting, electrical feeds, and concrete foundations and pads) or access roads.
 - Colocation on Existing Wireless Towers, Structure, or Building – Mounting or installing equipment (such as antennas or microwave dishes) on an existing tower.
- Satellites and other technologies
 - Satellite-Enabled Devices and Equipment – Including permanent equipment on existing structures.
 - Deployment of satellites⁶

In its review, DTI found that the FirstNet PEIS broadband technologies analyzed are fully aligned with BEAD requirements.

DTI also reviewed the FirstNet PEIS Chapter 4 for the regulatory changes and affected environment:

- Regulatory Changes: DTI reviewed the State law database and found that State laws and regulations listed in the FirstNet PEIS remain applicable in 2024 and that no known changes to the environmental or historic preservation laws and regulations in Delaware would have a material impact on the analysis presented in the PEIS.
- Affected Environment: The PEIS adequately described the potentially affected environment

⁶ Final Programmatic Environmental Impact Statement for the Western United States, Chapter 4, [https://archive.firstnet.gov/2014-2018/sites/default/files/east-region/final/FINAL_Ch%204%20Delaware%20East%20PEIS%20\(September%202017\).pdf?_gl=1*3o5mh6*_ga*_Mzk0MDc2ODk3LjE3NTUwMDcxMTg.*_ga_RMMG6T0VWC*_czE3NTUwOTk1NDIkbzlkZzAkDE3NTUwOTk1NDIkaWJGwwJGgw](https://archive.firstnet.gov/2014-2018/sites/default/files/east-region/final/FINAL_Ch%204%20Delaware%20East%20PEIS%20(September%202017).pdf?_gl=1*3o5mh6*_ga*_Mzk0MDc2ODk3LjE3NTUwMDcxMTg.*_ga_RMMG6T0VWC*_czE3NTUwOTk1NDIkbzlkZzAkDE3NTUwOTk1NDIkaWJGwwJGgw).



in Delaware, including infrastructure and biological resources. It should be noted that the following updates apply.

- The following species have been added to the U.S. Fish and Wildlife Service's Endangered and Threatened Species List:⁷
 - Indiana bat (*Myotis sodalists*) – mammals
 - West Indian Manatee (*Trichechus manatus*) – mammals
 - Roseate tern (*Sterna dougallii dougallii*) – birds
 - Sensitive joint-vetch (*Aeschynomene virginica*) – flowering plants
- 18 new locations were also added to the National Registry of Historical Places.⁸

Based on its assessment, DTI determines that the FirstNet Regional PEIS Chapter 4, with an addendum addressing updates from its 2017 publication date, will sufficiently cover all anticipated deployment related activities and projects.

NTIA Categorical Exclusion screening description

DTI will conduct a NEPA review to assess the environmental impacts of potential projects, categorized by the significance of the impact.

1. **Categorical Exclusion (CE)** – Category of 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, including screening for Extraordinary Circumstances (EC), must be completed to determine whether a CE can apply. *Once subgrant agreements are finalized, DTI will conduct a preliminary CE review and screening of EC and certify that if there is no finding of EC for the project then a CE is provisionally approved, pending NTIA's review and approval. This screening process will rely on NEPA guidance provided by NTIA, particularly Appendix B, which outlines activities that typically qualify for CE.*
 - a. DTI will conduct a preliminary screening to determine whether any ECs⁹ apply to the project. DTI will review the project scope and details, including project size, location, construction methods, and proximity to sensitive environmental or historical areas.
 - b. DTI will cross-reference each project with the list of CEs provided in Appendix B of NTIA's NEPA guidance. Projects that involve activities with minimal or no environmental impact, such as minor upgrades, maintenance, or non-intrusive installations, are more likely to qualify for a CE.

⁷ Environmental Conservation Online System, U.S. Fish and Wildlife Service, <https://ecos.fws.gov/ecp/report/species-listings-by-state?stateAbbrev=DE&stateName=Delaware&statusCategory=Listed>.

⁸ National Register of Historic Places, National Park Service, <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>.

⁹ For a list of events that may rise to extraordinary circumstances, see Appendix C, "Guidance on NTIA National Environmental Policy Act Compliance": [https://broadbandusa.ntia.gov/sites/default/files/2025-06/NTIA NEPA Procedures June 2025.pdf](https://broadbandusa.ntia.gov/sites/default/files/2025-06/NTIA%20NEPA%20Procedures%20June%202025.pdf).



- c. DTI will review for the presence of ECs using Appendix C of the NTIA NEPA Guidance Document. If no ECs are present, DTI will apply a provisional CE¹⁰ to the project, subject to NTIA's review and approval after submission of the Final Proposal.
 - d. If ECs are present, DTI, supervising the subgrantee, will conduct and document the appropriate environmental analysis to determine if the action warrants a CE or if the preparation of an EA or EIS is required.
 - i. A CE may still apply if DTI finds that there are circumstances that lessen the impacts of other conditions sufficient to avoid significant effects.
 - ii. If a CE does not apply, DTI or the subgrantee prepares an EA or EIS.
2. **Environmental Assessment (EA)** – An EA will be prepared when the significance of the project's environmental impact is not clearly established. If environmental analysis determines a project to have no significant impacts on the quality of the environment, a Finding of No Significant Impact (FONSI) is issued. An EIS is required if the analysis determines that an action may have a significant environmental impact. *Upon the finding from DTI's preliminary CE review, if a project's environmental impact is not clearly established, DTI will certify that an EA is to be conducted for the project, pending NTIA's review and approval.*
3. **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. *Upon finding from DTI's preliminary CE review, if a project's impact is preliminarily deemed likely to have a significant effect on the environment, DTI will certify that an EIS is to be conducted for the project, pending NTIA's review and approval.*

DTI will identify, confirm, and categorize projects likely qualifying for NTIA categorical exclusions¹¹ and those requiring further environmental review, and if further review is required, how that review will be conducted.

Specific Award Conditions (SAC) description

To certify the sufficiency of all subgrantee NEPA documentation, DTI will, per NTIA guidance, include the following required conditions in all awards to subgrantees:¹²

- The subgrantee will not commence implementation, and funds will not be disbursed, until

¹⁰ For a list of NTIA categorical exclusions (CE), CE's adopted from FirstNet, and Department of Commerce CE's, see pp. 11-14: https://broadbandusa.ntia.doc.gov/sites/default/files/2024-08/NTIA_NEPA_Categorical_Exclusion_Extraordinary_Circumstances_NTIA-BLM_Permitting_Summit_Slides.pdf.

¹¹ See Appendix B, "Guidance on NTIA National Environmental Policy Act Compliance": https://broadbandusa.ntia.gov/sites/default/files/2025-06/NTIA_NEPA_Procedures_June_2025.pdf.

¹² See [NTIA's 2024 BEAD General Terms and Conditions](#).



any necessary environmental review is complete, and NTIA has approved any necessary decision document, except for the limited permissible activities listed in the following section. This review includes:

- 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 DTI, as required, of a Categorical Exclusion (CE) determination, Record of Environmental Consideration (REC), Finding of No Significant Impact (FONSI), or Record of Decision (ROD) ("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.
- The subgrantee must timely prepare any required NEPA documents and obtain any required permits and must adhere to any applicable statutory deadlines as described in 42 U.S.C. 4336a(g).
 - The subgrantee must provide a milestone schedule identifying specific deadlines and describing how the subgrantee proposes to meet these timing requirements including, as required, the completion of consultations, the completion of NEPA and Section 106 reviews, and the submission of Environmental Assessments or Environmental Impact Statements.
 - The subgrantee must immediately inform DTI if, during construction, it inadvertently encounters culturally and historically sensitive sites or artifacts such as burial sites and stop all project construction until the subgrantee and DTI can determine potential impacts and mitigations.
 - Additional Special Awards Conditions may be added if Environmental Assessments or Environmental Impact Statements are determined to be required, and specific mitigation activities are deemed to be required.



Permissible pre-implementation activities

Aligned with the BEAD NOFO¹³ and NTIA guidance, DTI will allow limited permissible pre-implementation activities under NEPA to proceed using award funds prior to the completion of the EHP review process, noting that subgrantees that undertake unauthorized project activities in contravention of these activities proceed at their own risk and may face de-obligation of funding.

- Pre-construction planning, including collecting information necessary to complete environmental reviews
- Applications for environmental permits
- Studies, including, but not limited to:
 - Environmental Assessments
 - Wetland delineations
 - Biological assessments
 - Archaeological surveys
 - Other environmental reviews and analyses
- Administrative and pre-award application costs
- 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)

¹³ BEAD NOFO, Section IV.B.7.a.ii, p. 39.