

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

Purpose

This document provides information on how the Office of Broadband Expansion and Accessibility of Mississippi (BEAM) will ensure it BEAD subrecipients comply with environmental and historic preservation (EHP) requirements under the BEAD Program. It ensures alignment with NTIA's 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. All BEAD subrecipients will be encouraged to consult NTIA resources regularly and reach out to BEAM for clarification.

Environmental and Historic Preservation Requirements

BEAM will ensure full compliance with all applicable environmental and historic preservation requirements among its BEAD subrecipients. This includes adherence to NEPA, NHPA, the Endangered Species Act, the Clean Water Act, and related state and local laws. BEAM will require subrecipients to submit detailed project information, which will be reviewed and processed through the Environmental Screening and Permitting Tracking Tool (ESAPTT). No construction may begin until NTIA issues written approval of all required decision documents.

NEPA Compliance

BEAM will act as participating agency for NEPA and will design and implement a program to ensure BEAD subrecipient compliance. Subrecipients will be required to provide project-specific documentation including NEPA questionnaires, scope of work narratives, project maps and shapefiles, and environmental surveys such as wetlands and floodplain analyses or U.S. Fish & Wildlife Service (USFWS) IPaC reports. BEAM's Environmental Compliance Team, consisting of its contracted engineers, will review these submissions, generate GIS-based environmental assessments, and consult relevant databases to determine whether projects qualify for Categorical Exclusions or require Environmental Assessments.

All finalized project data will be uploaded into ESAPTT. Within the system, BEAM's Environmental Compliance team will also complete the Environmental Screening Questionnaire, document any Extraordinary Circumstances, and ensure consultation records are included. ESAPTT will generate draft NEPA Decision Memos, which will then be transmitted to NTIA for review and approval. No construction activities may begin until NTIA issues the final decision document (CE, FONSI, or Record of Decision).

NHPA Compliance

BEAM will ensure compliance with Section 106 of the NHPA for all BEAD funded activities. Subrecipients must provide sufficient data to facilitate review by the Mississippi Department of Archives and History (MDAH), Tribal Historic Preservation Offices (THPOs), and federally recognized tribes. BEAM will coordinate consultation efforts through ESAPTT and will apply Advisory Council on Historic Preservation (ACHP) Program Comments where applicable. All correspondence and determinations will be fully documented in ESAPTT.

Joint Lead Agency Responsibility Summary

As a joint lead agency under 42 U.S.C. 4336a, BEAM will either directly prepare or supervise preparation of the required EHP analyses and review documents. Where subrecipients lack technical capacity, BEAM's Environmental Compliance team will provide direct support to ensure compliance.

Description of FirstNet Regional PEIS Evaluation

BEAM has reviewed the FirstNet Regional Programmatic Environmental Impact Statement (PEIS). While final project scopes are not yet determined, Mississippi anticipates that many broadband deployment activities including buried fiber, aerial fiber, and collocation—will fall within the activities analyzed in Chapter 8 of the PEIS. In cases where proposed activities are not sufficiently covered by the PEIS, BEAM's Environmental Compliance team will conduct supplemental environmental assessments or analyses as required.

NTIA Categorical Exclusion (CE) Screening Description

BEAM will utilize NTIA's June 2025 NEPA guidance to identify projects likely to qualify for Categorical Exclusions. Each project will undergo an initial scope review, cross-referencing with NTIA's CE list, and an evaluation for Extraordinary Circumstances. These steps will be performed concurrently with ESAPTT submissions to ensure efficiency and compliance.

Specific Award Conditions (SACs)

BEAM's Subgrant Agreements will prohibit subrecipients from initiating construction until NEPA reviews are complete and decision documents have been issued through ESAPTT, Section 106 consultations with MDAH and federally recognized tribes are concluded, and consultations with USFWS or the U.S. Army Corps of Engineers are complete, as applicable. Subrecipients will be required to provide milestone schedules for completing required reviews, obtaining necessary permits, and adhering to statutory deadlines. All compliance records will be maintained within ESAPTT.

Archaeological and Cultural Resources

Mississippi contains significant cultural and archaeological resources, including Native American mound sites, Civil War battlefields, and Civil Rights–era landmarks. If archaeological resources, burial sites, or human remains are encountered during construction, work must stop immediately in the affected area, and BEAM, NTIA, MDAH, and relevant tribes must be notified. Construction may only resume after written approval is received. All requirements under the Native American Graves Protection and Repatriation Act (NAGPRA) and related laws will be enforced.

Mississippi Environmental Context

Mississippi's geography and ecology present unique considerations for broadband deployment. Coastal wetlands and estuaries along the Gulf Coast, Mississippi River floodplains prone to seasonal inundation, and critical habitats for species such as the gopher tortoise and red-cockaded woodpecker require careful management. Additionally, the state's rich historic and cultural landscapes, including tribal heritage areas and Civil Rights–era districts, must be respected. BEAM will integrate these considerations into ESAPTT screenings and compliance reviews to minimize adverse impacts.

Summary

BEAM certifies that Mississippi's BEAD program will fully comply with all applicable environmental and historic preservation requirements. Through the use of NTIA's ESAPTT, interagency coordination, and robust compliance processes, BEAM will ensure broadband deployment proceeds responsibly, balancing infrastructure expansion with stewardship of Mississippi's environmental and cultural resources.