

Disclaimer: The **DRAFT** BEAD Program Environmental Impacts and Documentation Screening Questionnaire and Instructions provided in this document is a DRAFT to be used for planning purposes and information for eligible and potential BEAD applicants. The Wisconsin Broadband Office reserves the right to modify or update this document as necessary to effectuate the goals of the BEAD program and remain compliant with State, Federal or NTIA requirements or for any other reason to administer the BEAD program.

DRAFT

DRAFT BEAD Program Environmental Impacts and Documentation Screening Instructions and Resources

The National Environmental Policy Act of 1969 ([42 U.S.C. 4321, et seq](#)) (NEPA) requires the consideration of environmental effects related to federal decision making, including the awarding of grant funds. Broadband Equity, Access and Deployment (BEAD) Program Grant Recipients cannot complete any project activities (except those considered Limited Permissible Pre-Implementation Activities in the [General Terms and Conditions for NTIA BEAD Program Funds](#)) prior to the completion of review required under NEPA. To facilitate the review of awarded and preliminarily awarded BEAD projects, the Public Service Commission (PSC or Commission)—in fulfillment of its role as a joint lead agency for the BEAD Program in accordance with [42 U.S.C. 4336a, et seq](#)—requires grant recipients to complete a screening questionnaire for the NEPA environmental review based in part on information requested by the National Telecommunications and Information Administration (NTIA). Grant recipients should provide thorough answers to the items in the environmental questionnaire to reduce the time needed for additional PSC staff review or follow-up questions. The questionnaire is designed to meet federal requirements and does not include all information regarding all applicable state, county, and municipal regulations. Grant recipients shall submit one completed questionnaire per awarded project. PSC staff will review the questionnaire. If more information is needed from recipients, or answers in this questionnaire are unclear, PSC staff will follow up with the grant recipient.

Following the completion of the Environmental Impacts Documentation and Screening (EIDS) Questionnaire, as capacity is available PSC staff will facilitate the following required consultations as part of the NEPA review:

- National Historic Preservation Act of 1966 ([54 U.S.C. §306101, et seq.](#); [36 CFR Part 800](#)) (NHPA) Section 106 Consultation with Wisconsin State Historic Preservation Office (SHPO) and NTIA.
- Endangered Species Act of 1973 ([16 U.S.C. §1531, et seq.](#); [50 CFR Part 17](#)) (ESA) Section 7 Consultation with the U.S. Fish and Wildlife Service.
- Endangered Resources Review via the Wisconsin Department of Natural Resources (WDNR) Natural Heritage Inventory Program ([Wis. Stats. 29.604](#); [Wis. Adm. Code Ch. NR 27.05](#); [Wis. Adm. Code Ch NR 29](#)). **Note:** While this review is not required under NEPA, all projects are still subject to state-level laws, rules, and policies.

Following the completion of these consultations and any additional consultations deemed necessary through the review process, PSC staff will submit project information to NTIA for issuance of NEPA decision documents. Issued decision documents may be Categorical Exclusion (Cat Ex) determination, Record of Environmental Consideration (REC), Finding of No Significant Impact (FONSI), or Record of Decision (ROD), as according to [42 U.S.C. 4321, et seq.](#) and the [NTIA General Terms and Conditions for NTIA BEAD Program Funds](#).

BEAD Broadband Deployment Projects awarded by the Commission and funded by NTIA are for the deployment of last mile of broadband projects. Per the [Notice of Funding Opportunity \(NOFO\)](#), the eligible uses of funding in connection with last-mile broadband deployment projects include the following:

1. Construction, improvement, and/or acquisition of facilities and telecommunications equipment required to provide qualifying broadband service, including infrastructure for backhaul, middle- and last-mile networks, and multi-tenant buildings.
2. Long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including indefeasible right-of-use (IRU) agreements.
3. Deployment of internet and Wi-Fi infrastructure within an eligible multi-family residential building.
4. Engineering design, permitting, and work related to environmental, historical and cultural reviews.
5. Personnel costs, including salaries and fringe benefits for staff and consultants providing services directly connected to the implementation of the BEAD Program (such as project managers, program directors, and subject matter experts).
6. Network software upgrades, including, but not limited to, cybersecurity solutions.
7. Training for cybersecurity professionals who will be working on BEAD-funded networks.

Project Definition

Recipients must submit environmental impact documentation that corresponds to a specific project. Within each project, the grant recipient will submit documentation that captures all construction-related project activities, also known as the **Project Area**. The NEPA review considers all construction-related activity for the project, including areas outside of the awarded project units.

What is a Project Area?

The Project Area is the construction space needed to complete the awarded project. This includes (but is not limited to):

- the total construction footprint
- all groundbreaking associated with construction
- the proposed route and/or facilities
- associated existing facilities and connections to existing facilities
- temporary and permanent access roads proposed outside of road ROWs
- laydown/preparation areas.

The environmental review outlined in these instructions must consider all construction activities necessary to complete the awarded projects. Defining the Project Area assists Commission staff with evaluating the impacts of different construction activities and the total environmental impact possible from the project.

Permit approvals do not need to be in hand to be NEPA compliant for BEAD. However, grant recipients must follow all federal, state, county, and municipal rules and requirements. Per the [NTIA General Terms and Conditions for NTIA BEAD Program Funds](#), applying for environmental permits can be a permissible pre-implementation activity. BEAD Program recipients may need to obtain permits from the following federal and state programs prior to proceeding with their BEAD funded project:

- Appropriate federal agencies (if project takes place on [Federal Land](#))
- U.S. Army Corps of Engineers Permits (if impacting a [Waters of the United States](#))
- WDNR Wetlands and Waterways Permits
- WDNR Stormwater Permits
- WDNR Endangered Resources Program*
- Wisconsin Department of Transportation Rights-of-Way Permits
- County/Municipal Permits

^This is not a complete list of potentially required permits

*As capacity allows, the Commission will coordinate Endangered Resource reviews for every BEAD Project with the WDNR.

Limited Permissible Pre-Implementation Activities

According to the [NTIA General Terms and Conditions for NTIA BEAD Program Funds](#), grant recipients shall not begin implementation activities prior to the completion of all environmental requirements. Recipients shall also comply with all conditions placed on the grant-funded activities resulting from the environmental review, such as mitigation requirements, best management practices, or other measures necessary to reduce environmental impacts.

The grant recipient may undertake limited permissible activities under NEPA using award funds prior to the completion of the environmental review process, including the following:

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

Historic Properties and the National Register of Historic Places Eligibility

Historic properties include historic buildings and districts, archeological sites, and human burial locations. Archeological and human burial sites are confidential resources. Every BEAD project requires historic property review as described in Section 106 of the National Historic Preservation Act. BEAD Projects are subject to the [Advisory Council on Historic Preservation Program Comment for Communications Projects on Federal Lands and Property](#). Historic property reviews use the Area of Potential Effect (APE). The APE comprises the physical project area where any ground disturbing may occur (e.g., digging, heavy equipment movement, etc.). For historic buildings and districts, the APE consists of the distance that the project may be visible from outside of the project area.

According to the Wisconsin Historical Society, National/State Register of Historic Places eligible properties must retain the essential physical appearance of the historical period in which they were important, and meet one of four [criteria for eligibility](#):

1. **Be a good local example of an architectural style:** To be individually eligible in architecture, a property must retain the majority of its original architectural features and be a good example of the style and period.
2. **Be associated with a person important in our past:** The property must be the resource most closely related to a person's period and area of importance.
3. **Represent an important historic trend or event:** Represent an era, movement or trend in local, state or national history.
4. **Have the potential to yield information:** These types of properties are primarily archaeological sites.

Project Maps, Geographic Information System (GIS) Data, and Other Documents

Maps are static and shall be submitted in a PDF format to the PSC Grant System. For review organization, the corresponding Project ID shall be included in the name of each uploaded document. Maps should use the best and most recent data available. Maps must clearly portray the project in a format and scale that is unambiguous and easy to understand, where reviewers can clearly identify the location of the proposed project. Labels and symbology used on the maps must be clearly visible. It is acceptable to submit multiple pages of maps. Below is a summary of the four requested maps and relative required elements in the EIDS Questionnaire:

- **Project Data Maps:** Project Maps should contain the following:
 - Proposed routes and/or facilities.
 - Associated existing facilities and connections to existing facilities (if applicable).
 - Construction method symbology (open trench, HDD, etc.).
 - Temporary and permanent access roads proposed outside of road ROWs.
 - Laydown/preparation areas.
 - Satellite/aerial imagery basemap. Satellite/aerial imagery must be within the last three years.

- **Environmental Data Maps:** The Documentation and Screening Questionnaire requires grant recipients to submit the following three environmental maps:
 1. U.S. Fish and Wildlife Service National Wetland Inventory Map with overlain Project Area.
 2. Wisconsin Department of Natural Resources Surface Water Data Viewer Map with overlain Project Area and the following layers turned on:
 - i. Mapped Wetlands
 - ii. Wetland Indicator Soils
 3. Federal Emergency Management Agency (FEMA) Floodplain Map with overlain Project Area.

Per the Commission's BEAD Award process, the PSC required applicants to submit geospatial files as part of their application. Commission staff use GIS data in multiple NEPA analyses and review processes. The grant recipient shall provide ESRI shapefile files of the project area to the PSC Grants System that support all maps submitted for the questionnaire as described above. GIS data files must be submitted in a format compatible with the current version of ArcGIS. Data file names should be descriptive of the contents. All GIS data must be projected in "NAD 1983 HARN Wisconsin TM (Meters)." **Only provide shapefiles. Do not provide geodatabases or aerial imagery raster data.** The Commission also requires a summary of submitted GIS files in the form of a spreadsheet as part of the questionnaire submission.

Including maps, grant recipients shall submit the following documents as part of the EIDS Questionnaire:

- Project Description Document
- [If Applicable] Official Correspondence Document between grant recipient and all state, federal, county, or local governments (relating to permitting)
- Project Map
- Ground-level and aerial photographs along the project route
- GIS Data of the Project Area as a shapefile
- Excel Spreadsheet of GIS metadata
- Endangered Resources Preliminary Assessment
- FEMA Floodplain Map with Project Area overlain
- USFWS NWI Wetlands Map with Project Area overlain
- WDNR SWDV Wetlands and Wetland Indicator Soils Map with Project Area overlain

NTIA Tools and Resources for BEAD Grant Recipients

Grant recipients may find NTIA NEPA resources helpful in preparing for the BEAD Environmental Review. These resources are intended to solely assist BEAD grant recipients in better understanding BEAD Program requirements set forth in the [NOFO](#). NTIA tools should be used for informational purposes only and is intended solely to assist users with preliminary identification of broadband deployments that may require permits or planning to avoid potentially significant impacts to environmental resources subject to NEPA and/or other

statutory requirements. These tools and resources are not exhaustive or complete, and do not intend to substitute, supersede, modify, or otherwise alter any applicable statutory or regulatory requirements, or the specific application requirements set forth in any [NTIA BEAD NOFO](#) and [Terms and Conditions](#). Below is not an exhaustive list of resources available on the [NTIA BEAD Program Page](#):

- **[NTIA Permitting and Environmental Information Application](#)**: This Application was created to help with permitting planning and environmental review preparation efforts by providing access to multiple maps from publicly available sources, including federal review, permitting, and resource agencies. The layers included are all feature-services from various Federal and State agencies. A video tutorial can be found [here](#).
- **[ArcGIS Pro Permitting and Environmental Information Tool \(APPEIT\)](#)**: This Project Package includes all the layers that are in the NTIA Permitting and Environmental Information Application which will allow users to input a project area and determine what layers from the application overlap with it. To use APPEIT, users will input a project area boundary or project route line in a shapefile or feature class format. The tool will return as a CSV and PDF report that lists any federal layers from the ArcGIS Pro Permitting and Environmental Information Web Map that intersect the project.
 - [The User Guide for APPEIT](#)
 - [ArcGIS Pro Permitting and Environmental Information Web Map](#)
 - [Video Tutorial](#)
- **[Guidance on NTIA National Environmental Policy Act Compliance](#)**: Guidance on NEPA process requirements, roles and responsibilities, and Appendices containing the full list of categorical exclusions and extraordinary circumstances applicable to NTIA programs. Up to date as of April 2024.
- **[Best Management Practices \(BMPs\) and Mitigation Measures](#)**: This guide provides examples of BMPs and mitigation measures to help Grant Recipients avoid or minimize potential environmental impacts during the construction, deployment, and operation of NTIA funded broadband projects.

Submitting Environmental Files to the PSC

Grant recipients should use the PSC Grants System to submit files associated with the questionnaire to the Wisconsin Broadband Office. For review organization, the corresponding Project ID shall be included in the name of each uploaded document. Unless indicated (ESRI ArcGIS data, Microsoft Excel tables, modeling, etc.), grant recipients must submit all environmental documents in the format requested by the Commission.

Grant recipients should also submit any official correspondence between the recipient and local, state, or federal government agencies related to permitting.

Confidential and non-confidential environmental documents are acceptable to add using the instructions provided within the grant system for filing. Certain attachments can be uploaded

using the 'Upload Confidential Document' button to request confidential handling in limited circumstances.

Important Note: Filing confidential documents requires the presence of a Notary Public with the upload or a notarized attachment. See the application instructions for specific directions or confidentiality requirements or limitations for specific programs.

Upon receipt of this request, the disposition of any requests for confidentiality will be determined by the PSC's legal staff. For redacted documents, the information redacted within the document must specifically be marked within the document for each confidential filing requested. An entire document may not be filed confidentially. Also, a confidential filing requires both the original document and a redacted version to be filed and made available to the public on ERF. Only PSC staff can view the original document in the grant system and on ERF. No external parties – not even the recipient – can view the original confidential document in the grant system or ERF.

Resources and Contact for Questions

Resources to assist in completing the Environmental Impacts and Documentation Screening Questionnaire can be found below.

Grant recipients can direct questions about the environmental documentation to:

Wisconsin Broadband Office BEAD General Inbox: PSCBEADGrants@wisconsin.gov

Resources and Links

Weblinks in this document are active as of June 4, 2025. The PSC is not responsible for maintaining links that are not managed by Commission staff.

General Links

NTIA Permitting and Environmental Information Application:

<https://nbam.maps.arcgis.com/apps/instant/portfolio/index.html?appid=c7906b72e14045bf9fa6fe9addd469a0>

ArcGIS Pro Permitting and Environmental Information Tool (APPEIT): [ArcGIS Pro Permitting and Environmental Information Tool \(APPEIT\) Project Package | Home](#)

NTIA BEAD Program Webpage: [Broadband Equity Access and Deployment Program | BroadbandUSA](#)

Public Service Commission of Wisconsin BEAD Webpage:

<https://psc.wi.gov/Pages/ServiceType/Broadband/GrantBEAD.aspx>

Wisconsin Public Land Survey System (PLSS): <https://www.sco.wisc.edu/plss-data/>

WDNR Office of Energy Projects: <https://dnr.wi.gov/topic/Sectors/Energy.html>

Easements and Right-of-Way Permits

WisDOT State Road Right-of-Way Permits: <https://wisconsindot.gov/Pages/doing-bus/real-estate/permits/default.aspx>

WisDOT State Trunk Highway Maps by County:

<https://wisconsindot.gov/Pages/travel/road/hwy-maps/sth-map.aspx>

Endangered Resources

USFWS Information for Planning and Consultation (IPaC) Webpage:

<https://ipac.ecosphere.fws.gov/>

WDNR Endangered Resources Preliminary Assessment:

<https://dnr.wisconsin.gov/topic/erreview/PublicPortal>

Floodplains and Flood Resilience

FEMA Floodplain Map: [FEMA Flood Map Service Center | Welcome!](#)

It may be helpful to get in touch with the local (municipal/county) Floodplain Manager for additional information.

Historic Properties

Advisory Council on Historic Preservation (ACHP) Program Comment:

https://www.achp.gov/sites/default/files/program_comments/2024-

[04/Communications%20Project%20PC%20amendment%20-%2020240313%20letterhead_SIGNED.pdf](#)

Wisconsin Historical Society State Historic Preservation Office (SHPO):
<https://wisconsinhistory.org/Records/Article/CS3557>

Wisconsin Historical Society | Preservation of Wisconsin Archeological Sites:
<https://wisconsinhistory.org/Records/Article/CS4050>

Wisconsin Historical Society | Historic Preservation and Archeological Consultants:
<https://wisconsinhistory.org/Records/Article/CS2835>

Ceded Territories in Wisconsin: <https://dnr.wisconsin.gov/topic/Fishing/ceded>

National/State Register of Historic Places Eligibility Criteria:
<https://wisconsinhistory.org/Records/Article/CS2843>

Waterways and Wetlands

USFWS National Wetland Inventory (NWI):
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

WDNR Surface Water Data Viewer (SWDV):
<https://dnr.wisconsin.gov/topic/SurfaceWater/swdv>

WDNR Surface Water Data Viewer (SWDV) User Guide:
<https://apps.dnr.wi.gov/swims/Documents/DownloadDocument?id=358818031>

Wisconsin Waters of the United States:
<https://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/navigable%20waters%20wi.pdf>

WDNR Water Quality Standards and Classifications:
<https://dnr.wisconsin.gov/topic/SurfaceWater/Standards.html>

U.S. Army Corps of Engineers—Eggers and Reed Classifications:
<https://usace.contentdm.oclc.org/digital/collection/p266001coll1/id/2801/>

WDNR Wetland Functional Values: <https://dnr.wisconsin.gov/topic/Wetlands/function.html>

WDNR Storm Water Runoff Permits: <https://dnr.wisconsin.gov/topic/Stormwater>

WDNR Storm Water Technical Standards and Best Management Practices:
<https://dnr.wisconsin.gov/topic/Stormwater/standards>

Relevant Federal Laws and State Statutes

Below shows an overview of environmental laws and may fail to capture all federal, state, county, and municipal policies. This is not an exhaustive list of potential permits, responsibilities, and resources. Presence or absence of laws and statutes on this list does not represent a Commission opinion or interpretation of law.

Federal Laws

National Environmental Policy Act, [42 U.S.C. 4321, et seq](#)

Endangered Species Act, [16 U.S.C. § 1531 et seq.](#)

Fish and Wildlife Coordination Act, [16 U.S.C. § 661 et seq.](#)

National Historic Preservation Act, [54 U.S.C. § 300101 et seq.](#)

Migratory Bird Treaty Act, [16 U.S.C. § 703 et seq.](#)

Bald and Golden Eagle Protection Act, [16 U.S.C. § 668 et seq.](#)

Clean Air Act, [42 U.S.C. § 7401 et seq.](#)

Clean Water Act, [33 U.S.C. § 1251 et seq.](#)

Safe Drinking Water Act, [42 U.S.C. § 300f et seq.](#)

Coastal Zone Management Act, [16 U.S.C. § 1451 et seq.](#)

Wild and Scenic Rivers Act, [16 U.S.C. § 1271 et seq.](#)

Marine Mammal Protection Act, [16 U.S.C. § 31 et seq.](#)

River and Harbors Act, 33 U.S.C. § [401](#) and [403](#)

Fiscal Responsibility Act, [Public Law 118-5](#)

State Laws and Rules

Historic Preservation, [Wis. Stat. § 44.30 et seq.](#)

Stormwater and Erosion Control, [NR 216 et seq.](#)

Pollution Discharge Elimination, [Wis. Stat. § 283 et seq.](#)

Runoff Management, [NR 151 et seq.](#)

Wisconsin Endangered Species Law, [Wis. Stat. § 29.604](#)

Burial Sites Preservation, [Wis. Stat. § 157.70](#)

Navigable Waters, Harbors, and Navigation, [Wis. Stat. § 30.01 et seq.](#)

Water Quality and Quantity; General Regulations, [Wis. Stat. § 281.31 et seq.](#)

Permits for Discharges into Wetlands; Mitigations, [Wis. Stat. § 281.36](#)

Water Quality Standards for Wetlands, [NR 103 et seq.](#)

Water Quality Certification, [NR 299 et seq.](#)

Particulate Matter Emissions Standards, [NR 415.04](#)

Control of Hazardous Pollutants, [NR 445 et seq.](#)