

A black and white photograph showing two construction workers on a rebar grid. One worker in the foreground is wearing a white hard hat, a white long-sleeved shirt, and a high-visibility safety vest, pointing towards the rebar. Another worker is visible in the background, also wearing a hard hat and safety gear. A large metal bucket is positioned near the workers. The background is a dark blue gradient.

Broadband Equity, Access, and Deployment (BEAD) Environmental Screening Compliance Guide



Department of
**Economic &
Community Development**

Tennessee Department of Economic & Community Development

Table of Contents

01	Document Overview	3
1.1	Understanding the NEPA Environmental Screening	3
02	Environmental Screening.....	4
2.1	NEPA Categorical Exclusion (CE) Checklist	4
2.2	NHPA Section 106 Process Checklist.....	5
2.3	ESA Section 7 Obligations Checklist	9
03	Additional Environmental Regulations and Permits.....	11
04	Tennessee Maps (Reference Only)	13

01 | Document Overview

This document guides BEAD grantees through the National Environmental Policy Act (NEPA) environmental screening process. Grantees are strongly encouraged to begin identifying and applying for required permits in parallel with the environmental screening process.

Please note that this document is intended as a practical guide and does not supersede any applicable state or federal agency guidance. Where any inconsistency exists, follow the relevant state or federal requirements.

1.1 Understanding the NEPA Environmental Screening

Before construction can begin, your project must undergo environmental screening to determine the appropriate level of NEPA review. Most BEAD broadband deployment projects will qualify for a Categorical Exclusion (CE), a category of actions that the federal government has determined does not individually or cumulatively have a significant effect on the human environment. Note that a CE is a type of NEPA review, not an exemption from NEPA obligations.

Before a CE can be applied, the project must be screened for Extraordinary Circumstances (ECs), which are conditions that could indicate a potentially significant environmental impact and trigger a higher level of review. This screening is completed through TNECD's Environmental Questionnaire, described in the Environmental Screening section below.

Construction may not begin until the environmental screening is complete and TNECD provides the final NEPA Decision Memo approving the project. See Section E.3 of your contract for more information.

02 | Environmental Screening

2.1 NEPA Categorical Exclusion (CE) Checklist

Use this checklist to determine whether your project falls under Categorical Exclusions or if Extraordinary Circumstances exist, requiring a higher level of review. This screening is completed through TNECD's Environmental Questionnaire, following the steps below:

Step 1. Become Familiar with CEs

- ☐ Use the below links to familiarize yourself with the CEs established by NTIA to support broadband infrastructure deployment:
 - [National Environmental Policy Act Procedures and Categorical Exclusions](#)
 - [Adoption of First Responder Network Authority Categorical Exclusions Under the National Environmental Policy Act](#)
 - For additional information, see slides 9-14 of the [NTIA NEPA, Categorical Exclusion, Extraordinary Circumstances](#)

Step 2. Gather Required Documents

In order to complete the Environmental Questionnaire, grantees must prepare the following documents that will be uploaded to the Formstack. Please view the [Sample Project Descriptions and Maps for BEAD Environmental and Historic Preservation \(EHP\) Review](#) for examples of acceptable project descriptions and the PDF map requirement.

- ☐ PDF Project Map
 - Complete and sufficiently scaled.
 - Specific to the contracted project area.
 - Illustrative of all routes, locations, and footprints of the BEAD-funded infrastructure.
 - Clearly keyed/labeled by technology types and existing versus new infrastructure.
- ☐ KMZ
 - Project route/limits (the full build area).
 - Construction method segments (aerial vs. underground; trenching vs. boring).
 - New poles and any new facilities (cabinets/pads/huts/shelters).
 - Stream/wetland/road crossing points.
 - Laydown/staging areas and any access routes that may disturb ground.
- ☐ Detailed Project Description
 - What will be constructed.
 - Where the work will occur.
 - The site and surrounding area, with maps and photographs as needed.

- How the project will be implemented.

Step 3. Complete the Environmental Questionnaire

- ☐ Your organization is inherently working through the Extraordinary Circumstances review when completing the [Environmental Questionnaire](#).
- ☐ Complete the National Historic Preservation Act (NHPA) Section 106 Process and Endangered Species Act (ESA) Section 7 Obligations checklists below and provide evidence prior to submitting the Environmental Questionnaire.
- ☐ The below resources can be leveraged when conducting an environmental screening, though additional steps may be required to determine whether environmental conditions apply:
 - [FEMA Flood Map Service Center](#)
 - [Wetlands Mapper USFWS](#)

Step 4. Clearance

- ☐ TNECD will review your Environmental Questionnaire and may follow up directly with your organization with any questions.
- ☐ You may start construction only after TNECD emails you written confirmation that NTIA has issued your project's final NEPA decision memo. Once received, save this file to your records.

Note: If NTIA determines that a Categorical Exclusion cannot be applied to your project, you will be required to complete an Environmental Assessment (EA) before construction may begin. Contact TNECD as soon as possible if you believe your project may not qualify for a CE.

2.2 NHPA Section 106 Process Checklist

Use this checklist to complete NHPA Section 106 steps for your project. As stated in [36 CFR 800](#), organizations are required to determine whether the actions of their project have the potential to affect historic properties. For more information, see the Tennessee State Historic Preservation Office (SHPO) [Section 106 Review](#) page. Per the [Program Comment](#), all grantees are required to hire a Qualified Professional (those who meet Secretary of the Interior Professional Standards) to satisfy Section 106 compliance. Please coordinate with your Qualified Professional to complete the following steps.

Your organization is not responsible for contacting Tribes or completing any Tribal-related work as part of the Section 106 process. NTIA handles Tribal notification automatically during the environmental screening, and TNECD will contact you directly if any Tribes are identified and if any further consultation or consent is required on your part.

Step 1. Decide if Section 106 Applies

- ❑ Section 106 is required if your project meets the definition of an “undertaking” as defined by [36 CFR 800](#). This is defined as a project, activity, or program that requires a federal license, permit, approval, or funding. This definition applies to all projects awarded BEAD funding unless the project is implementing low earth orbit (LEO) technology.

Step 2. Define your Area of Potential Effects (APE)

- ❑ Use your project map to create your APE, which should be a USGS Topographic Map that includes latitude and longitude. This is the area where your project activities have the potential to affect historic properties if present.
- ❑ The following activities should be considered when defining your APE:
 - Any ground disturbance (trenching, boring, excavation, plowing)
 - New poles
 - New cabinets/pads/huts/shelters/facilities
 - Work outside existing right-of-way/expanded footprint
 - New staging/laydown/access areas that disturb new ground
 - Visual effects (for example, tower structures taller than 199')

Step 3. Conduct a Records Check

- ❑ Use [TN Historical Commission Viewer](#) to screen for historic properties within your APE. Points and polygons in purple are listed historic properties on this viewer.
- ❑ Save screenshot(s) of the screening; this will be required evidence for the Environmental Questionnaire.
- ❑ If your organization determines that no historic properties within your APE will be affected:
 - Consider whether the following criteria apply.
 - That has been previously surveyed (acceptable to current state standards or within the past 10 years, utilizing relevant disciplines such as archaeology or ethnography) and there are no known historic properties located within the APE; or
 - That has been previously disturbed to the extent and depth where the probability of finding intact historic properties is low; or
 - That is not considered to have a high probability for historic properties by qualified professionals and based on professional expertise, familiarity with the area, and similar geomorphology elsewhere.
 - If none of the above criteria apply, continue to Step 4.
 - If the above criteria apply, document the finding and provide to SHPO for concurrence in the [e106 Portal](#). Ensure that the following materials are submitted:
 - [Section 106 of the National Historic Preservation Act \(NHPA\) Delegation Memo](#)
 - Cover letter with project description

- APE map (USGS Topographic Map)
- Records check map (preferably with the imagery base map) from the [TN Historical Commission Viewer](#)
- Latitude/Longitude
- After receiving SHPO's concurrence, your Section 106 obligations are complete. Save all documentation as it will be required evidence for the Environmental Questionnaire.

Step 4. Determine Whether Conditional Exemptions Apply

- ☐ If historic properties are identified, determine whether the following conditional exemptions apply. See the [Program Comment](#) for more information.
 - Antenna collocations
 - Above-ground comms connections
 - Above-ground on existing poles or structures
 - Buried communications cable
 - Tower replacement
 - New tower construction
- ☐ If your organization determines that the conditional exemptions apply:
 - Document the finding and provide to SHPO for concurrence in the [e106 Portal](#). Ensure that the following materials are submitted:
 - [Section 106 of the National Historic Preservation Act \(NHPA\) Delegation Memo](#)
 - Cover letter with project description
 - APE map (USGS Topographic Map)
 - Records check map (preferably with the imagery base map) from the [TN Historical Commission Viewer](#)
 - Latitude/Longitude
 - Notify other consulting parties and the public of the finding of no adverse effect.
 - After receiving SHPO's concurrence and notifying consulting parties and the public, your Section 106 obligations are complete. Save all documentation as it will be required evidence for the Environmental Questionnaire.
- ☐ If Conditional Exemptions do not apply, continue to Step 5.

Step 5. Assess Effects

- ☐ If conditional exemptions do not apply, view [36 CFR 800.5](#) to understand what qualifies as an adverse effect.
- ☐ Apply the criteria of adverse effect to any historic properties identified in Step 2. This may include:
 - Physical destruction or damage to the property.
 - Changing the character of the property's setting (e.g., construction nearby that alters the visual or atmospheric feel).
 - Introducing vibration, noise, or visual intrusions.

- ❑ Save documentation created as it will be required evidence for the Environmental Questionnaire.

Step 6. Resolve Adverse Effects

- ❑ If an adverse effect is found in Step 5, your organization must work to avoid, minimize, or mitigate it.
 - Once complete, save the avoidance plan and provide to SHPO for concurrence in the [e106 Portal](#). Ensure that the following materials are submitted:
 - [Section 106 of the National Historic Preservation Act \(NHPA\) Delegation Memo](#)
 - Cover letter with project description
 - APE map (USGS Topographic Map)
 - Records check map (preferably with the imagery base map) from the [TN Historical Commission Viewer](#)
 - Latitude/Longitude
- ❑ If full avoidance isn't possible, the agency must develop a Memorandum of Agreement (MOA) by following these steps:
 - **Notify the Advisory Council on Historic Preservation (ACHP):** Complete their e106 form on the ACHP website. ACHP has 15 days to decide whether to participate in the consultation or if more information is required.
 - **Notify the public and consulting parties:** Inform potential parties about the adverse effect and give them a chance to participate. Most agencies allow 30–60 days for responses.
 - **Consult with all parties:** Work with consulting parties and the public to decide how to minimize or mitigate the adverse effect. This determines what goes into the MOA. All parties should be kept informed of each other's views throughout this process.
 - **Sign the MOA and proceed:** Once the MOA is signed, save this file as it will be required evidence for the Environmental Questionnaire.

Relevant Contacts

Contact Type	Contact Information
Tennessee SHPO Key Contacts	Casey Lee (Section 106 Coordinator) Email: Casey.Lee@tn.gov Phone: (615) 779-3353 Kelley Reid (Section 106 Coordinator) Email: Kelley.Reid@tn.gov Phone: (615) 877-1031 Jennifer Barnett (DSHPO & Section 106 Archaeologist) Email: Jennifer.Barnett@tn.gov

Contact Type	Contact Information
	Phone: (615) 687-4780
e106 Technical Help	Email: Apps.Support@tn.gov (Note: SHPO responses may come from TNHELP@SERVICE-NOW.COM)

2.3 ESA Section 7 Obligations Checklist

Use this checklist to help your project meet ESA Section 7 obligations. ESA Section 7 requires consultation with U.S. Fish & Wildlife Service (USFWS) to make sure the project will not harm listed species or critical habitats. More information on this process can be found in the [NTIA's Guide to Streamlined Endangered Species Act \(ESA\) Compliance for Broadband Deployments](#).

Step 1. Check NTIA's "No Effect" List

- ☐ See if your work falls under the [USFWS Section 7 "No Effect" List and Consultation Memo](#). This memo provides a list of broadband activities exempt from ESA consultation because they have no potential to affect protected species and/or critical habitats.
- ☐ If all activities fall within the "No Effect" list:
 - Mark your project as No Effect for ESA.
 - Your ESA Section 7 obligation is complete. Save a short note saying which "No Effect" item you used; this will be required evidence for the Environmental Questionnaire.

Step 2. Run an IPaC Review

- ☐ If your project does not fall on the "No Effect" list, use USFWS [Information for Planning and Consultation \(IPaC\)](#):
 - After logging in, hit get started in IPaC. If you haven't used IPaC previously, you'll need to create a login account at IPaC: Home (fws.gov).
 - Find the location and draw in the project boundary, or linear line.
 - Define the project.
 - Then Request Species List by selecting Start Review in order for you to set up the project.
 - Select Continue.
 - Click Yes, Request a Species List.
 - After you request the species list, it will ask a series of questions about who you are, and what agencies might be involved with the project.
 - After answering the questions, click submit the species list request, then you may also be asked to complete species determination keys. If Indiana, northern long-eared, or tricolored bats are on the list, there are range-wide keys for those. There is also a TN state-wide determination key for species other than the bats.

- It will likely ask if you would like to Analyze Project. You do not need to go through this step. You can Exit the review, and you are done with IPaC.

Step 3. Email the project code to USFWS Tennessee Ecological Services Field Office

- ☐ Once you have completed that IPaC process, email the Project Code given in IPaC and the review request package to TennesseeES@fws.gov.
- ☐ Once received, it will be assigned to a biologist for review and comment.

Step 4. Flag “May Affect” Projects Early

- ☐ Email your TNECD PM right away if you receive either of the following results:
 - May Affect, Not Likely to Adversely Affect Determination.
 - May Affect, Likely to Adversely Affect Determination and Formal Consultation.

These determinations require coordination with NTIA, which will be led by TNECD. TNECD may be in touch for additional information throughout this process. Please view the [USFWS Section 7 “No Effect” List and Consultation Memo](#) for a detailed overview of the process.

If this step is required, TNECD will provide the concurrence letter or biological opinions (BO) once it is issued by USFWS. Save this file as it will be required evidence for the Environmental Questionnaire.

Relevant Contacts

Contact Type	Contact Information
USFWS Tennessee Ecological Services Field Office - General Office Contact	Email: tennesseeES@fws.gov Phone: (931) 528-6481

03 | Additional Environmental Regulations and Permits

Act/Executive Order	Applies If	Action Required	Documents to be Submitted to TNECD (in quarterly report)
Wild & Scenic Rivers Act	The proposed activity is located 45.3 miles of the Obed River, the one Tennessee River that is designated as Wild and Scenic .	Contact the U.S. Fish and Wildlife Service's Southeast Regional Office for further guidance.	1. Consultation documentation with USFWS assessment of potential impacts 2. Mitigation plan
Tennessee Valley Authority (TVA) Section 26a Regulations	When a project involves any construction or structures in or along the Tennessee River or within its watershed.	See the Section 26a Regulations page for required steps in submitting a section 26a application.	1. Location map submitted for application 2. TVA permit
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	The proposed activity is located on or involves a known Superfund site (i.e., a site listed for hazardous substance cleanup under CERCLA).	Check the EPA Superfund site database to confirm if the project area overlaps with or is adjacent to a listed site. If so, they must coordinate with the EPA Region 4 Office to evaluate site status and determine any constraints or remediation protocols before proceeding.	1. Site map showing proximity to Superfund location 2. Confirmation from EPA regarding site status and requirements 3. Remediation or containment plan (if applicable) 4. Environmental assessment showing mitigation of any risks
Farmland Protection Policy Act (FPPA)	The proposed activity is for new construction, acquisition of undeveloped land or change in use of land or property.	Coordinate with the Tennessee office of the USDA Natural Resources Conservation Service (NRCS) to determine if the project site includes protected farmland. If applicable, they must submit Form AD-1006 and consult with the NRCS District Conservationist to assess impacts and identify alternatives. See Farmland Protection Policy Act for additional information.	1. Form AD-1006 2. Impact rating score of land evaluation and site assessment 3. Correspondence with NRCS confirming farmland status

Act/Executive Order	Applies If	Action Required	Documents to be Submitted to TNECD (in quarterly report)
E.O. 11988 and 13690 - Floodplain Management	The project is located in or may affect a designated floodplain on a National Flood Insurance Program (NFIP) map .	Coordinate with the local floodplain administrators . Floodplain Development Permits are required for all activities in the Special Flood Hazard Areas (SFHAs). See the Floodplain Management for detailed guidance.	1. Floodplain map overlay showing the project site 2. Floodplain Development Permit 3. Coordination records with FEMA or state agencies
E.O. 13112 - Invasive Species	The proposed activity has the potential to introduce or spread invasive species.	Assess whether the project could introduce invasive species from National Invasive Species Information Center's list of invasive species . If risks are identified, they must document that the benefits outweigh potential harm and that all feasible measures to reduce spread will be implemented.	1. Documentation showing the activity's benefits outweigh potential harm from invasive species and that all feasible measures to minimize risk will be taken
E.O. 13186 - Protection of Migratory Birds	The activity is likely to occur during times or in areas where migratory birds are present.	Assess potential impacts on migratory birds and consult the USFWS Southeast Region . If impacts are likely, project schedules and designs should be adjusted to avoid harm, and minimization measures should be documented.	1. Correspondence with USFWS 2. Mitigation Plan

04 | Tennessee Maps (Reference Only)

Please find below maps outlining the environmental agencies and regulations relevant to each region of Tennessee. **These maps are for informational awareness only and are not intended to determine whether certain permits are required.**

Please follow these links for additional mapping resources for the [Tennessee State Forest Boundaries](#), [Tennessee State Parks](#), and [Wildlife Management Areas in Tennessee](#).

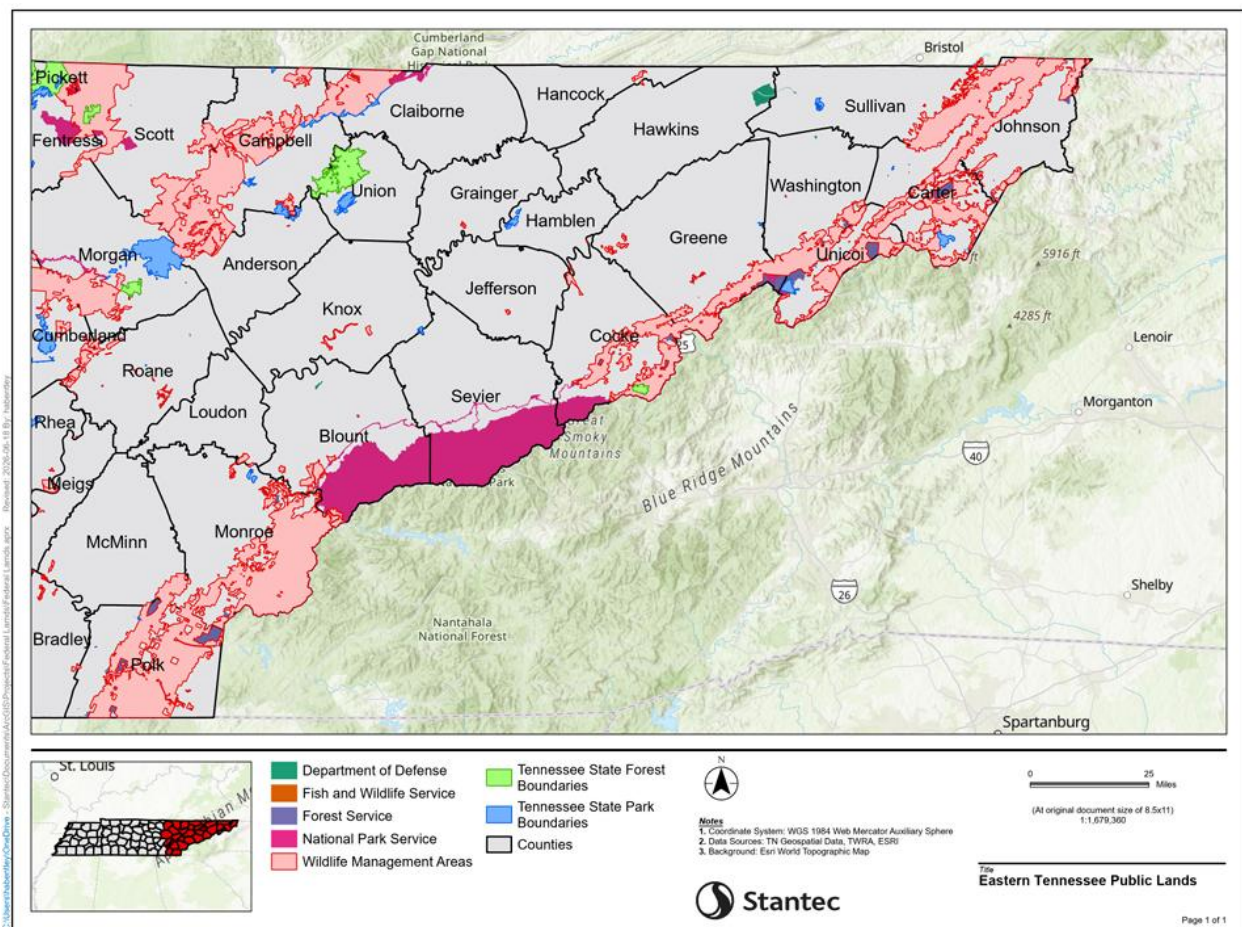
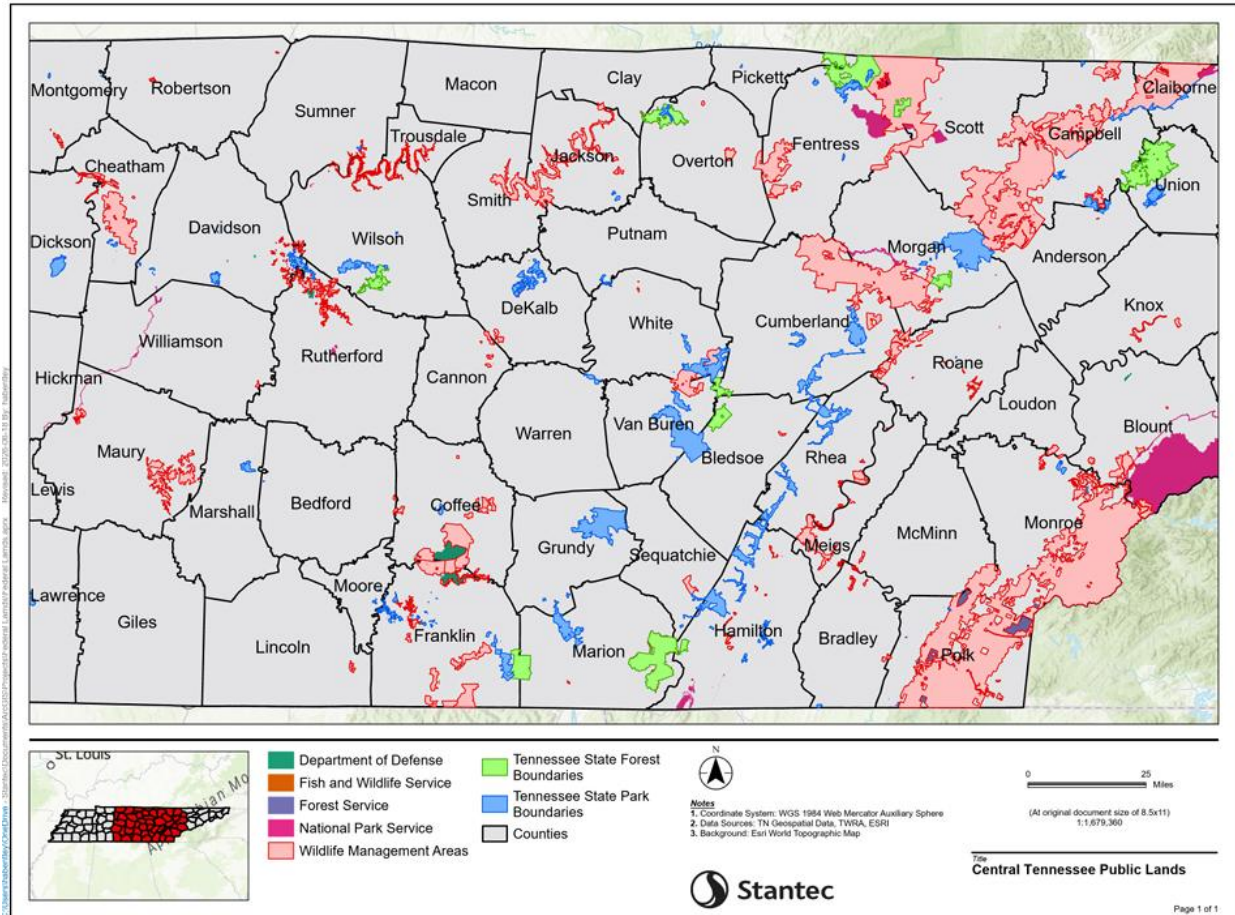


Figure 1. Map of East Tennessee



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

Figure 2. Map of Middle Tennessee

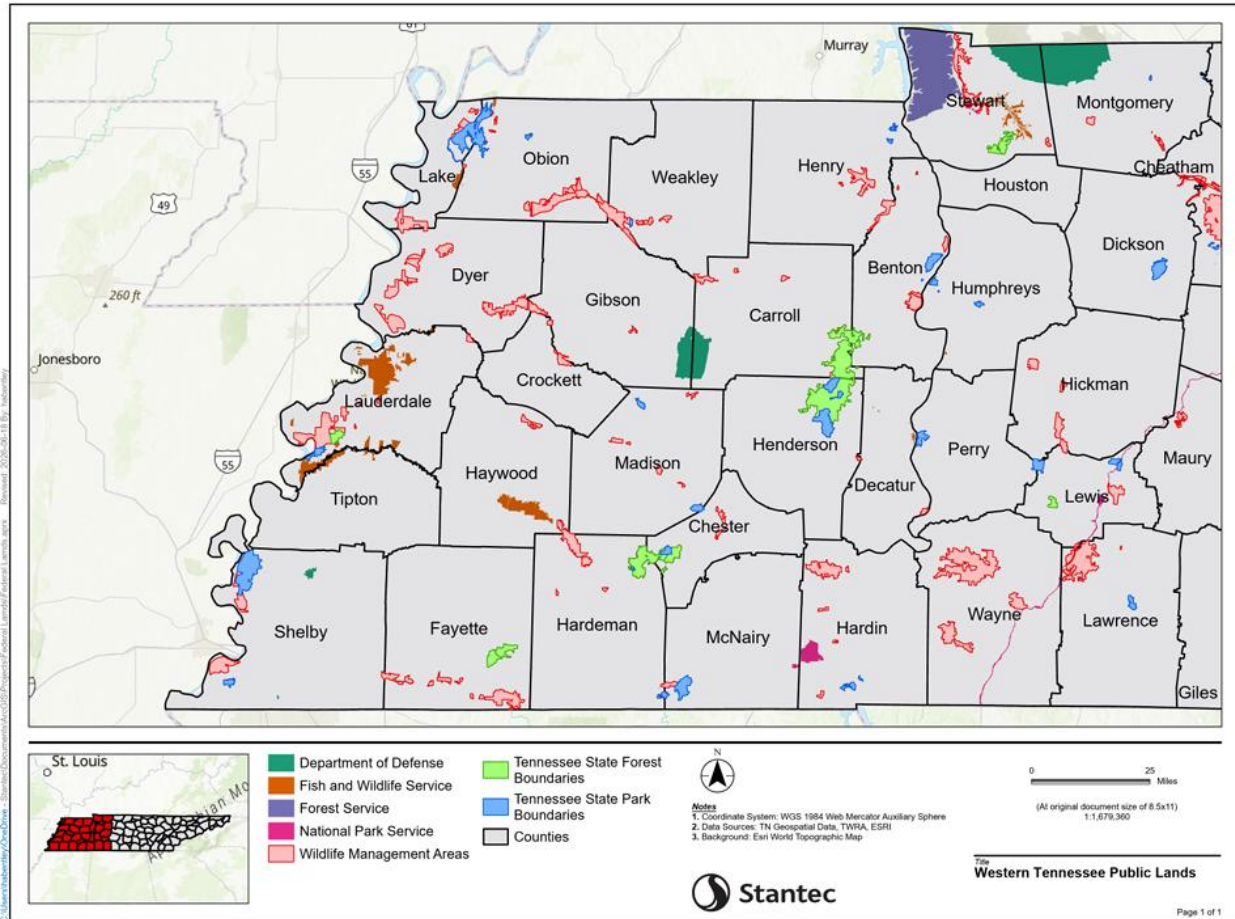


Figure 3. Map of West Tennessee

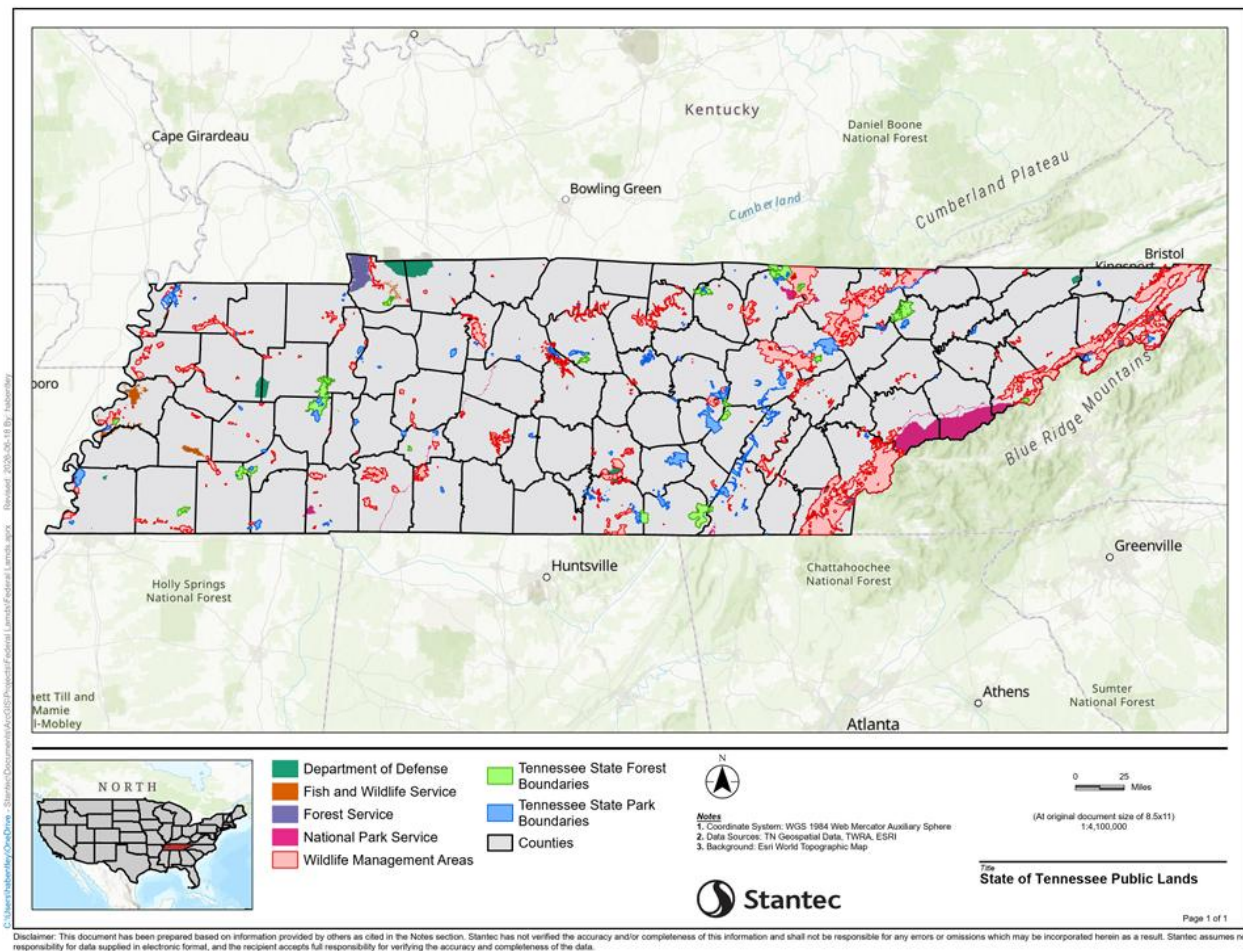


Figure 4. Map of Tennessee Statewide