

Exhibit D: Environmental and Historic Preservation (EHP) Compliance Requirements

CNMI Broadband Equity, Access, and Deployment (BEAD) Program Subgrant Agreement between CNMI BPD and [Subgrantee Name]

Field	Detail
Project Name/Identifier	[Unique Name or Identifier from Exhibit A]
Subgrantee	[Full Legal Name of Subgrantee]
BPD Subgrant Award Identifier	[BPD Assigned ID]

Purpose and Mandate

This Exhibit defines the mandatory documentation and compliance steps required by the Subgrantee to satisfy all federal and CNMI territorial Environmental and Historic Preservation (EHP) requirements for the Project.

EHP review must comply with the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), and other relevant federal and local laws (e.g., Coastal Zone Management Act, Magnuson-Stevens Act).

Completion of these requirements and **NTIA/BPD approval of the EHP review are mandatory** prior to the issuance of the **Notice to Proceed with Construction (NTPC)**. Construction and ground-disturbing activities cannot commence without the NTPC.

Instructions for Subgrantee

- Compliance Mandate:** The Subgrantee must ensure the project complies with applicable environmental and historic preservation requirements.
- CNMI Joint Lead Agency (JLA):** The CNMI BPD serves as a joint lead agency for NEPA review. The Subgrantee must cooperate fully with BPD, the EHP Permitting Liaison, and any contracted EHP Permitting Firm retained by BPD to prepare or assist in preparing the required analyses.
- Mandatory Tool Use:** The Subgrantee must provide all necessary project records and data to BPD to facilitate the mandatory use of the **Environmental Screening and Permitting Tracking Tool (ESAPTT)** within the NTIA Grants Portal. ESAPTT is used to create NEPA records, document categorical exclusions, and assess extraordinary circumstances.

4. **Submission:** The Subgrantee must complete the attached forms/checklists accurately and submit all required supporting documents. Failure to provide complete information will delay project review and approval.

Required Submission Checklist for EHP Review (Exhibit D)

The Subgrantee shall submit the following documentation, which will be integrated into the CNMI BPD's ESAPTT records and final EHP determination:

Item No.	Required Documentation /Information	Stage/Compliance Reference
1. Project Screening & Description		
1.1	Detailed Project Location Maps/Site Plans	Must include GPS coordinates, addresses, and municipality (Saipan, Tinian, Rota) for all Broadband Serviceable Locations (BSLs) and Community Anchor Institutions (CAIs) to be served.
1.2	Detailed Description of Proposed Activities	Description of physical work including type of construction (e.g., underground trenching/boring, aerial installation), depth, length, equipment cabinets/huts, and real property disturbance areas.
1.3	EHP Screening Checklist (Completed)	Documentation assessing potential impacts on environmental and cultural resources (e.g., historic properties, threatened/endangered species, wetlands/WOTUS, floodplains). Must include confirmation regarding the presence or absence of Extraordinary Circumstances for any anticipated Categorical Exclusion (Cat Ex).
2. Permits and Milestones		

2.1	Permitting Status & Schedule	List of all required CNMI and federal governmental permits, easements, and rights-of-way necessary for the proposed work (e.g., permits through the CNMI One-Start Permitting Process referencing HPO, DCRM, DEQ/BECQ, DFW).
2.2	EHP Milestone Schedule and Timeline	<p>A detailed milestone schedule identifying specific deadlines for how the Subgrantee proposes to meet timing requirements, including, but not limited to:</p> <ul style="list-style-type: none"> • The completion of all required consultations (including, but not limited to, NHPA Section 106 consultation with the State Historic Preservation Office (SHPO) and Tribal entities, and ESA Section 7 consultation with the U.S. Fish and Wildlife Service/National Marine Fisheries Service). • The completion of NEPA reviews and the submission of all required NEPA documentation (e.g., Categorical Exclusion forms, Environmental Assessments (EAs), or Environmental Impact Statements (EISs), if applicable). • The acquisition of all necessary Federal, CNMI, and local permits and rights-of-way (as required prior to NTPC issuance).
2.3	Proof of Permits/Easements	Proof that all necessary permits, easements, and rights-of-way have been obtained (required <i>prior</i> to NTPC issuance).
3. Project Design & Resilience		
3.1	Climate-Resilience Documentation	Detailed documentation demonstrating that the network design and construction incorporate climate-resilient practices (e.g., underground construction methods) suitable for the CNMI environment (typhoons, flooding, extreme winds), consistent with the CNMI Initial Proposal and the Priority Broadband Project (PBP) requirements.
3.2	Best Management Practices (BMPs)	Identification and commitment to using appropriate mitigation measures and BMPs to avoid or minimize potential adverse environmental and historic preservation impacts associated with deployment and operation.

4. Certifications		
4.1	Subgrantee Certification	<p>Certification by the Authorized Representative confirming that the information provided is accurate and complete, and that the Subgrantee is committed to meeting all EHP requirements.</p>