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FirstNet Environmental Requirements



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FirstNet Environmental Team



It is the mission of the FirstNet Environmental Compliance Team to ensure that the nationwide public safety broadband network can be built as efficiently as possible, using the environmental compliance process as a tool to improve network planning while minimizing adverse impacts to the human environment

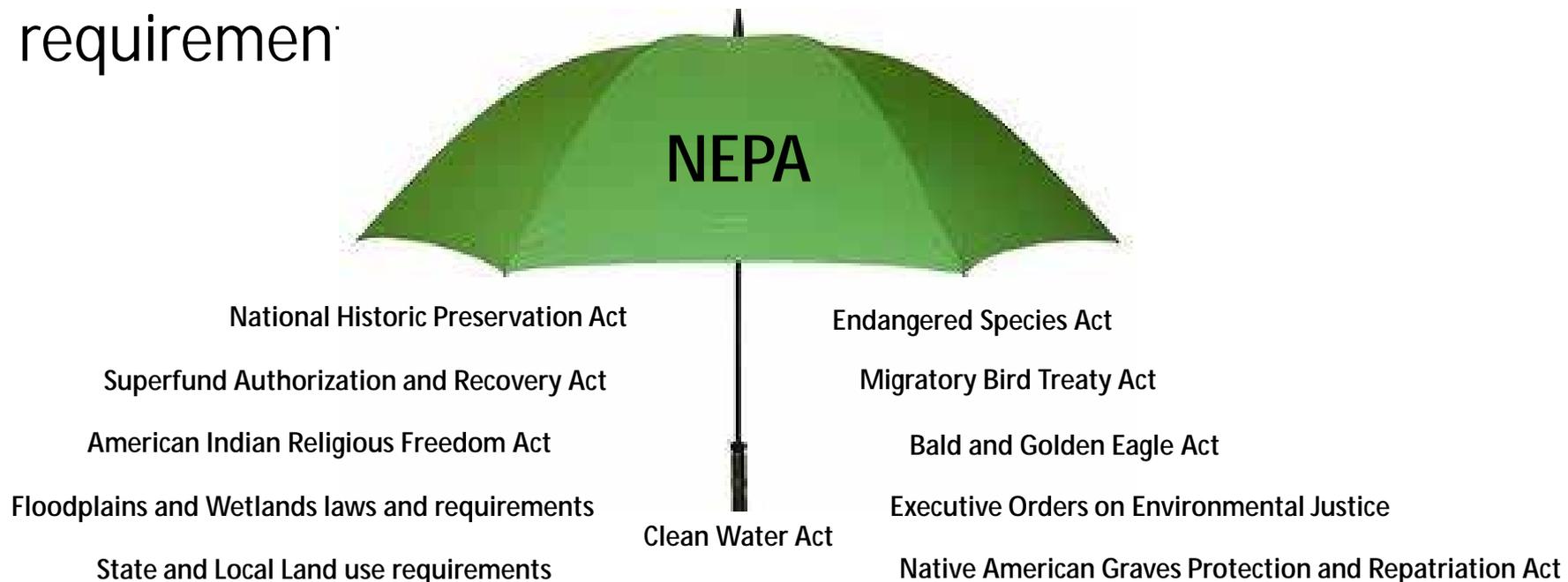


Environmental Compliance



- § As a Federal entity, FirstNet is required by law to evaluate the potential environmental and historic preservation impact of its proposed actions
- § FirstNet must comply with hundreds of Laws, Regulations, Treaties, Conventions, Agreements, and Executive Orders (EO) that are typically identified through the National Environmental Policy Act (NEPA) process

§ NEPA is considered an “umbrella law” as it provides a framework within which a wide variety of environmental requirements:



Just a few of the requirements addressed under NEPA

Why NEPA is Important?



- § NEPA compliance promotes well-informed decisions to improve planning, resulting in a more reliable network
- § Failure to adequately address NEPA could result in significant project delays or cancellation, injunctions, costly litigation, and poor public opinion
- § The NEPA process can incorporate compliance with other environmental laws that carry criminal penalties for Federal and non-Federal staff in cases of non-compliance

Addressing NEPA

§ There are three ways to document compliance with NEPA:

- Categorical Exclusion;
- Environmental Assessment* ; or
- Environmental Impact Statement*



§ There are no Categorical Exclusions under the National Historic Preservation Act (NHPA)

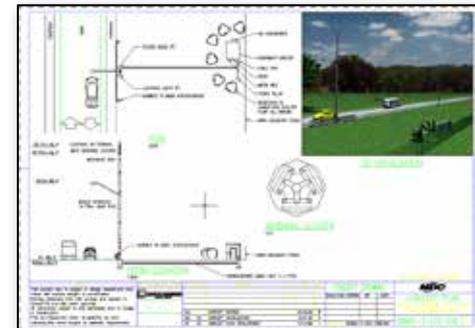
§ Due to the geographic scope of the program, we anticipate that each of these compliance mechanisms will be required for NEPA compliance

**Environmental Assessments or Environmental Impact Statements can be site-specific or overarching*

NEPA and Uncertainties

- § Although it is anticipated that the majority of FirstNet actions will be covered by the existing Categorical Exclusions, there will likely be numerous actions that will require detailed environmental analysis

- § Any construction, irrevocable commitment of resources, or other network build-out activities cannot begin until completion of NEPA documentation
 - Documentation for actions such as planning and network design can be completed immediately



Moving Forward with the Network



§ We propose an approach that will enable FirstNet to move forward with network build-out as efficiently and rapidly as possible while still remaining fully compliant with all environmental and historic preservation requirements



FirstNet Issues



- § FirstNet will likely employ multiple build scenarios that are not yet fully defined and could encompass multiple technology and location options anywhere in the 56 states and territories
- § In circumstances like these, the preparation of an overarching analysis before the project is fully defined is referred to as a Programmatic NEPA document



FirstNet NEPA Compliance

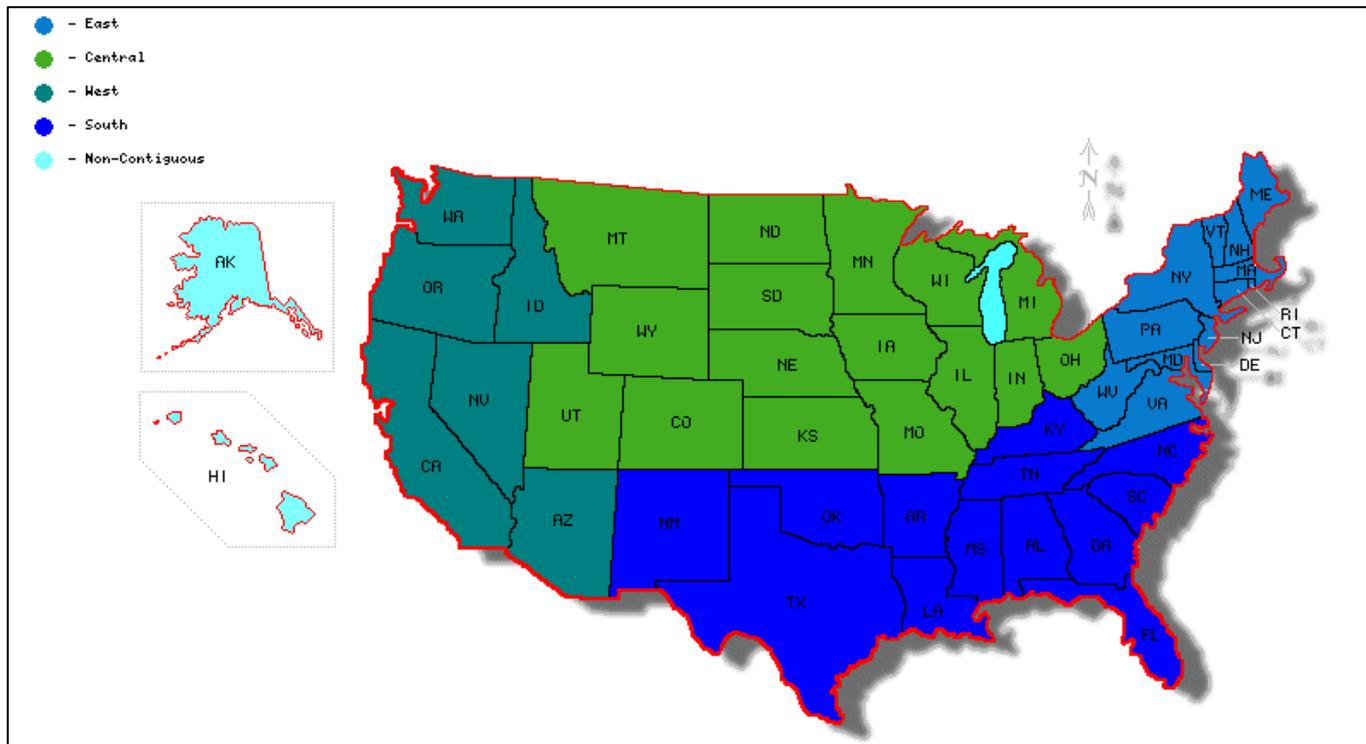


- § We recommend preparing five coordinated regional Programmatic Environmental Impact Statements (PEIS)
- § The PEISs would address most of the potential issues associated with FirstNet implementation, and identify best management practices and mitigation measures to reduce potential impacts
- § This would decrease the time needed for future site-specific analysis once individual projects are defined



Proposed NEPA Analysis

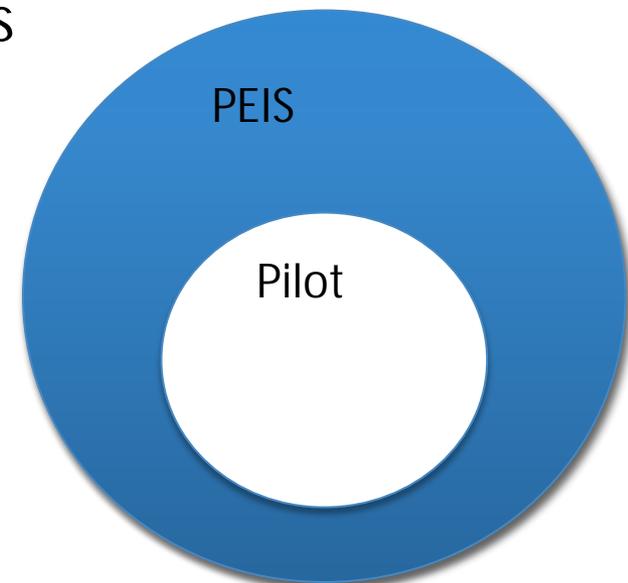
The programmatic documents will cover five regions



Note: Puerto Rico, USVI, Guam, American Samoa, and the Northern Mariana Islands, not shown, are categorized as "Non-Contiguous"

PEIS Benefits

- § Subsequent site-specific NEPA documents would only need to address issues not covered by the PEISs, reducing duplicative analyses and significantly streamlining any further environmental work
- § Without a programmatic framework, each project would need to undergo full analysis once its design was complete
- § Analysis for Pilot or Demonstration Projects could go forward and would not be affected by the PEIS schedule as they would become part of the development of the PEIS



Summary



- § Early action to address environmental and historic preservation regulations will enable FirstNet to fulfill its obligations in a timely manner
- § The proposed programmatic approach will provide FirstNet with the tools it needs to meet its environmental and historic preservation compliance requirements as rapidly as possible

Thank you



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