

# Final Proposal

(REQUIREMENTS 1, 3-7,11-16, and Waivers)

# Broadband Equity, Access, and Deployment (BEAD) Program



ConnectALL Office  
Empire State Development  
State of New York



ConnectALL

A Division of Empire State Development

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## Definitions

*Definitions of common terms referenced in the Final Proposal.*

**Applicant** – The entity applying for funding by submitting a Project Area Application.

**Consolidated Funding Application (CFA) Portal** – The New York State online portal where the Applicant must submit its Project Area Application(s), available at <https://apps.cio.ny.gov/apps/cfa>.

**Eligible Location** – A broadband serviceable location (BSL) determined to be eligible for BEAD funding by the ConnectALL Office.

**Eligible Location List** – A list of all Eligible Locations in the State by Project Area, available at <https://broadband.ny.gov/connectall-deployment-program-rfa>.

**Initial Proposal** – The plan submitted to and approved by NTIA under the BEAD Program, outlining the proposed use of BEAD funds. The Initial Proposal consists of Volume I and Volume II, and serves as the foundation for developing this Final Proposal.

**Incentive Proposal** – An agreement outlining the terms of a proposed grant award. The award is contingent on approval by the ESD Board of Directors, and compliance with applicable laws and regulations. If awarded, the Incentive Proposal expires two years from the date of acceptance by the recipient. The final terms and conditions of a grant award will be set forth in a grant disbursement agreement, executed after the Incentive Proposal is accepted.

**Low-Cost Service Option** – A broadband service plan offered at a reduced monthly rate to make internet access affordable for low-income households.

**Non-Priority Broadband Project** – A project that meets the speed and latency requirements of the BEAD Program but does not meet the definition of a Priority Broadband Project.

**Prequalification Application** – An application, completed prior to the submission of a Project Area Application, to establish the threshold qualifications of a prospective Applicant.

**Priority Broadband Project** – A project that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services.

**Project Area** – A defined geographic area containing a set of Eligible Locations.

**Project Area Application** – An application for funding to serve one or more Project Areas.

**Project Cost** – Refers to eligible costs associated with serving Eligible Locations in a Project Area.

**Project Proposal** – A proposal to deploy broadband service to a specific coverage percentage of BSLs within a Project Area. Within a single Project Area Application, the Applicant may submit multiple Project Proposals.

## Introduction

The State of New York’s ConnectALL Office (“ConnectALL”) hereby submits its Broadband, Equity, Access, and Deployment (“BEAD”) Program Final Proposal to the National Telecommunications and Information Administration (“NTIA”).

This document represents one of five separate reports submitted by ConnectALL to NTIA in compliance with the BEAD Notice of Funding Opportunity (“NOFO”). The other documents include New York’s Five-Year Action Plan (submitted to NTIA on August 28, 2023), Initial Proposal Volume I (“IPV1”) (submitted to NTIA on December 21, 2023), and Initial Proposal, Volume II (“IPV2”) (submitted to NTIA on December 22, 2023).

This document addresses the following requirements outlined in the BEAD NOFO:

0. The document provides data attachments including the outcomes of the Eligible Entity’s subgrantee selection process.
1. The document describes the outcomes of the competitive subgrantee selection process for broadband deployment activities under the BEAD Program (Final Proposal Requirement 1).
2. The document describes measures the Eligible Entity will take to ensure that service is deployed within the required BEAD Program timeline (Final Proposal Requirement 3).
3. The document describes the oversight and accountability processes that the Eligible Entity will use to ensure subgrantee compliance with all Program requirements and to monitor project performance, including financial and Programmatic reporting (Final Proposal Requirement 4).
4. The document confirms that the Eligible Entity will fulfill the Final Proposal public comment requirements (Final Proposal Requirement 5).
5. The document summarizes the results of the BEAD Challenge Process, including the date that final location classifications of unserved, underserved, and Community Anchor Institution (“CAI”) locations were publicly posted (Final Proposal Requirement 6).
6. The document confirms whether the Eligible Entity will ensure coverage to all unserved and underserved locations (Final Proposal Requirement 7).
7. The document provides an update on the implementation status of the Eligible Entity’s efforts related to cost and barrier reduction, compliance with labor laws, low-cost plans, and network reliability and resilience (Requirement 11).
8. The document details the Eligible Entity’s approach to substantiating Priority Broadband Projects, including the methodology used to make determinations (Final Proposal Requirement 12).

9. The document describes how the Eligible Entity scored and evaluated proposals (Final Proposal Requirement 13).
10. The document describes how the Eligible Entity will comply with applicable environmental and historic preservation (“EHP”) requirements, describes how the Eligible Entity will fulfill its obligations as a joint lead agency for NEPA, and includes an evaluation of the sufficiency of the FirstNet Regional Programmatic Environmental Impact Statement (“PEIS”) for the State (Final Proposal Requirement 14).
11. The document confirms that the Eligible Entity will provide evidence of consent from Tribal entities for projects located on Tribal lands within six months of Final Proposal approval, in accordance with updated NTIA guidance (Final Proposal Requirement 15).
12. The document includes a certification that cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, and local governments were not excluded from eligibility for a subgrant (Final Proposal Requirement 16).
13. The document describes waivers requested by the Eligible Entity.

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# Final Proposal Data

## 0. Final Proposal Data

### 0.1 Last-Mile Deployment Subgrantees

*Complete and submit the Subgrantees CSV file (named “fp\_subgrantees.csv”) using the NTIA template provided.*

See **Appendix 1: Subgrantees.**

### 0.2 Last-Mile Deployment Projects

*Complete and submit the Deployment Projects CSV file (named “fp\_deployment\_projects.csv”) using the NTIA template provided.*

See **Appendix 2: Deployment Projects.**

### 0.3 BEAD-funded Locations

*Complete and submit the Locations CSV file (named “fp\_locations.csv”) using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.*

See **Appendix 3: Locations.**

### 0.4 No BEAD Locations

*Complete and submit the No BEAD Locations CSV file (named “fp\_no\_BEAD\_locations.csv”) using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations*

See **Appendix 4: No BEAD Locations.**

### 0.5 Use of Funds to Serve CAIs

*If the Eligible Entity intends to use BEAD funds to serve CAIs, does the Eligible Entity certify that it ensures coverage of broadband service to all unserved and underserved locations, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2)?*

Not applicable.

### 0.6 BEAD-funded CAIs

*Complete and submit the CAIs CSV file (named “fp\_cai.csv”) using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity’s compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. The Eligible Entity must only include CAIs funded via BEAD in this list; the Eligible Entity may not propose funding CAIs that were not present on the approved final list from the Eligible Entity’s Challenge Process results.*

Not applicable.

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# Subgrantee Selection

**(REQUIREMENT 1)**

# 1. Subgrantee Selection (Requirement 1)

## 1.1 Subgrantee Selection Process

*Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice.*

Prior to initiating the subgrantee selection process, ConnectALL, per applicable requirements of the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”), submitted Program Guidelines for approval by ESD’s Board of Directors, which were approved in January 2024. Program guidelines included the background and statutory authority for the grant Program, goals and objectives for the Program, eligible Applicants, eligible and ineligible uses of funds, details on the grant application and award process, evaluation criteria, and compliance, monitoring, and reporting requirements. In approving the Program Guidelines, the Board adopted a resolution approving and accepting the overall Program. After this approval, the subgrantee selection process proceeded as described below and in IPV2 as modified by the BEAD Restructuring Policy Notice (“RPN”).

Consistent with IPV2, ConnectALL implemented a multi-step process for selecting subgrantees that began with prequalification of Applicants (hereinafter referred to as the “Prequalification Phase”) and then proceeded to receipt and scoring of Project Area Applications (hereinafter referred to as the “Scoring Phase”). Once NTIA approves the Final Proposal and its provisional awards, ConnectALL will finalize awards by negotiating and executing Incentive Proposals and Grant Disbursement Agreements with selected Applicants, following ESD’s standard grant procedures.

### **Prequalification Phase**

ConnectALL conducted three rounds of solicitation for Prequalification Applications:

- Round 1: June 6 – September 30, 2024
- Round 2: December 12, 2024 – February 7, 2025
- Round 3: April 15 – July 25, 2025

As described in IPV2 Sections 4.2.1 and 4.11, the Prequalification Application requested information on Applicants’ financial capability, managerial capability, technical capability, legal compliance, operational capability, ownership information, other public funding, labor standards and protection, workforce readiness, MWBE and labor surplus area firm participation, natural hazard risk mitigation, low-cost service option, certification on nondiscrimination and civil rights, and cybersecurity and supply chain risk management. Following the issuance of the RPN in June 2025, ConnectALL

revised the Prequalification Application to align with updated Program requirements. ConnectALL made adjustments to the Prequalification Application including:

- Removing application elements eliminated by the RPN:
  - Details on Applicants' wage and overtime payment practices
  - Details on workforce unionization and workforce development efforts
  - MWBE and labor surplus area firm participation
  - Nondiscrimination and civil rights certifications
- Removing a reference to Prequalification labor and workforce submissions being scored during the Scoring Phase (as described in IPV2 Section 4.2.1)

## **Scoring Phase**

As outlined in IPV2 Section 4.1.3, the Scoring Phase included a Project Area Determination Process (previously referred to as the "Grant Area Determination Process"), receipt of applications, and a Negotiation Phase.

### **Project Area Determination Process**

As described in IPV2 Section 4.1.2 and 4.6, ConnectALL designed and specified the geographic boundaries of Project Areas for which prospective subgrantees could submit proposals. These boundaries aligned with county boundaries or with other features such as geography or existing network architecture. In areas in which municipal or county boundaries did not align with efficient design parameters or the locations of unserved and underserved locations, ConnectALL designed the Project Areas based on alternative geographic parameters and other features that naturally define broadband infrastructure architecture because traversing them is complex and costly. ConnectALL established geographic boundaries that took into account: potential for competition, economic and technical viability and efficiency, and overall Program efficiency, among other factors. ConnectALL's Project Areas included only Eligible Locations (unserved and underserved), no served locations.

ConnectALL solicited three rounds of public comment on Project Areas from April 25 – June 14, 2024, September 5 – 30, 2024, and October 24 – November 13, 2024, incorporating input from 57 commenters across the private and public sector.

ConnectALL made information regarding the Project Areas available to potential Applicants at the time of release of grant materials in the form of an interactive map, downloadable shapefiles, and lists of eligible locations as identified through the State's Challenge Process. ConnectALL made the list of Project Area ID numbers and the lists of individual Federal Communications Commission ("FCC") location IDs included in each Project Area available on the ConnectALL website:

<https://broadband.ny.gov/connectall-deployment-program-rfa>.

In June 2025, ConnectALL aligned the Project Area and Eligible Location Lists with the NTIA-provided list of defaulted federal enforceable commitment locations per the RPN.

### Receipt of Applications

ConnectALL conducted a total of four rounds of solicitation for Project Area Applications:

- Round 1: December 13, 2024 – February 7, 2025
- Round 2: March 5 – 28, 2025
- Round 3: April 14 – May 5, 2025
- Round 4: July 22 – 30, 2025

As described in IPV2 Section 4.11, ConnectALL requested information on Applicants' proposed project costs, project-specific management approach and key personnel, and network design and other project-specific technical details. In Round 1, ConnectALL required Applicants to submit proposals addressing 100% of the Eligible Locations in each Project Area, with the option to submit additional proposals for lower "secondary" or "tertiary" coverage percentages, in accordance with the methodology described in the Initial Proposal (see IPV2 Section 4.6.2). Following review of proposals received in this round, ConnectALL conducted Rounds 2 and 3 of solicitations for Project Areas for which no viable proposals were received (see IPV2 Section 4.7), including revisions to the application structure and templates to streamline submission and review, and elimination of the requirement to submit 100% coverage proposals.

Following the issuance of the RPN, ConnectALL issued a new Request for Applications for the prescribed application round, updating Program requirements to align with the RPN. ConnectALL made adjustments including:

- Removing technology-based application categories and prioritization
- Replacing scoring criteria with Minimal BEAD Outlay and secondary scoring criteria outlined in the RPN
- Adding a mechanism for Applicants to request their proposal be treated as a Priority Broadband Project and submit optional technical templates to make that demonstration
- Adding terms related to LEO Capacity Subgrants
- Removing application elements eliminated by the RPN:
  - MWBE participation
  - Local government letters of support
  - Labor-related application questions (e.g., regarding project labor agreements, union neutrality, and labor peace agreements)
  - Prohibition on data usage caps
  - Specific requirements for low-cost service option terms

## Optimizing BEAD Locations

ConnectALL identified a total of 19,149 locations to be removed from eligibility for funding in alignment with the RPN and using the process detailed in the Final Proposal Guidance. The removed locations are included in the “fp\_no\_bead\_locations.csv” file.

ConnectALL began this process in December 2024 by soliciting submissions from ISPs, local governments, and other entities to identify locations subject to enforceable commitments, already served by non-subsidized service, or not appropriate for mass-market broadband service. ConnectALL reviewed evidence provided by submitters and provided multiple revision opportunities to ensure robust documentation was collected for all relevant locations. ConnectALL also deduplicated other locations that it is aware are subject to an enforceable commitment, as well as conducting its own analysis and engaging directly with units of local government to identify locations that are not appropriate for mass-market service.

ConnectALL continued this process through July 2025 and processed information from a total of 48 stakeholders. This effort contributed an estimated savings to the Program of over \$100 million.

As locations were removed from eligibility after multiple application rounds had already taken place, in August 2025, ConnectALL contacted all Applicants with proposals in Project Areas affected by location eligibility changes and required them to revise their proposals to account for the removed locations (i.e., adjusting proposed grant and match amounts, adjusting deployment timelines, etc.). ConnectALL then scored all revised proposals as described below.

## Proposal Scoring

Prior to July 2025, proposals from the first three solicitation rounds were preliminarily reviewed using the scoring criteria outlined in IPV2 Section 4.2.2. In September 2025, proposals from Rounds 1 – 4 were scored based on the scoring framework outlined in the RPN. Applicants from Rounds 1-3 were given the opportunity to replace existing proposals with revised submissions in Round 4, withdraw their original proposals, or let their existing proposals stand. All proposals were first reviewed for completeness prior to scoring.

## Technical Assistance and Administrative Support

As described in IPV2 Section 4.1.4, ConnectALL utilized its extensive email list, website, and social media channels to provide regular updates to potential Applicants on milestones in the grant application process, technical assistance opportunities, and updated information about Program requirements. ConnectALL used its website as a repository for potential Applicants to access detailed application materials and technical

assistance resources, with clear change logs and version control notation to ensure that Applicants were always able to access the latest guidance.

ConnectALL followed the process outlined in IPV2 Section 4.1.4 regarding announcement of the opening of each application phase, making application materials available online, conducting application workshops, posting updated materials on the website when available, utilizing a dedicated email address for Applicant questions, and notifying Applicants of their status through each step of the evaluation process.

## 1.2 Fair, Open, Competitive Subgrantee Selection

*Describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.*

ConnectALL's subgrantee selection process used the established policies, processes, and procedures of ESD<sup>1</sup> as authorized under the New York State Urban Development Corporation Act and the New York State WIRED Broadband Act.

ConnectALL's BEAD approach was designed with the goals of fairness, openness, and competition at the forefront. Multiple safeguards were implemented to prevent conflicts of interest, support transparency, and promote consistency.

**Fairness** for Applicants was essential to encourage competition, innovation, and the efficient use of resources while ensuring that unserved and underserved areas received the connectivity they need. To ensure fairness in its BEAD grant process, ConnectALL implemented the following:

- An open and transparent process, with all grant materials and guidance available to all potential Applicants on the same timeline, including publication of the scoring rubric. Potential Applicants were notified and given access to the updated RFA, which included revised scoring criteria and guidance per the RPN, via email and the Program website on July 9, 2025, prior to the application reopening for the final round of subgrantee selection on July 22, 2025.
- Ongoing and frequent communications through public means such as information sessions, office hours, email blasts, and website announcements to enable maximum information sharing with potential Applicants.
- Inclusive eligibility criteria that were clear and not overly restrictive, within the parameters of the BEAD Program, to ensure that entities of all sizes, both public and private, could participate.

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<sup>1</sup> These policies are outlined in ESD's publicly available *Guidelines Regarding the Use, Awarding, Monitoring, and Reporting of Procurement Contracts* here: <https://esd.ny.gov/sites/default/files/media/document/ESD-Procurement-Guidelines-2024-25-FINAL.pdf>.

- A fair review process that was impartial and free from conflicts of interest, with independent evaluators engaged to assess proposals. To safeguard against bias, collusion, conflict of interest, and self-dealing, ConnectALL ensured that all reviewers were entirely financially independent of all Applicants. Reviewers were required to certify in writing that they had no employment, contractor, or other business relationship with any Applicant or any affiliate or subsidiary of any Applicant. In addition to the requirement that reviewers complete an Evaluation Conflict Disclosure Statement, ESD employees are also subject to NYS laws and regulations governing ethical conduct, including NY Public Officers Law Sections 73 and 74, which govern a wide array of conduct.
- Training and shadowing all reviewers at the onset of the Scoring Phase to ensure consistent review standards. Trainings included an overview of the review objectives and workflow, and allowed reviewers to clarify questions on the process. All scoring forms provided detailed scoring guidance and collected both quantitative scores and qualitative comments or justifications for scoring. All scores rolled up into a centralized dashboard visible to the program management team to monitor the progress of reviews and request clarifications as needed.
- A balance of internal reviewers and qualified external subject-matter experts to assess technical proposals. Reviewer qualifications were vetted in advance and reviewer assignments were segmented by application component to ensure relevant expertise and reduce bias. In partnership with ConnectALL, the ESD Finance team conducted financial reviews of Prequalification Applications. ConnectALL also engaged consultants to provide engineering reviews of network designs and technical documents, and to assess operational, compliance, and labor components.

**Openness** was crucial to ensure the best outcomes for unserved and underserved communities and involved a range of strategies:

- Open and inclusive eligibility for grant awards, welcoming applications from both public and private entities large and small, as well as collaborations and public private partnerships.
- Provision of adequate notice of funding and engagement opportunities to enable participation by a wide variety of Applicants. Engagement opportunities included a series of information sessions and technical assistance events, including live webinars, office hours, topic-specific trainings, and responses to Applicant questions, covering both the Prequalification and Scoring Phases. These events were conducted from September 2024 to April 2025 and supported Applicants in understanding eligibility, application development, and compliance expectations.
- Multiple rounds of solicitation between December 2024 and July 2025, accompanied by updated materials, scoring criteria, and Program guidance. The

fourth and final round of the RFA was released in alignment with the RPN. Multiple rounds encouraged participation by a wide variety of Applicants. Each RFA round was publicized with an email to an email distribution list including local, county, and regional government entities, ISPs, and industry association representatives; and on the ConnectALL website, which provided the latest RFA, updated application templates, answers to Applicant questions, and recordings of information and technical assistance sessions. Any changes to existing information on the website were denoted with references to the date a resource was added or updated.

- Review and approval of Deployment Program Guidelines by the ESD Board and public posting of the Guidelines, further reinforcing transparency.
- Community input at all stages of the BEAD process, including through engagement and feedback on the plans and Project Areas. ConnectALL conducted a public comment process for its Initial Proposal, three rounds of public comment on draft Project Areas before they were finalized, and a public comment process for this Final Proposal.

**Competition** remains at the heart of ConnectALL's goals, methodology, and commitments. Creating a competitive environment for the BEAD Program was ensured through multiple means:

- Broad eligibility and participation, including municipalities, counties, electric utilities, a full range of nonprofit and for-profit private entities, and partnerships or consortia between one or more of these entities.
- A grant program that, while consistent with the BEAD rules, was designed to make it feasible for all sizes of entities to compete without facing unreasonable costs or inordinate levels of hardship.
- Multiple application rounds which provided returning Applicants the opportunity to improve submissions or revise prior responses based on updated guidance, while also providing opportunities for new Applicants to participate.
- Iterative adjustments to the application structure between rounds based on lessons learned, designed to lower application barriers and maximize competition. Changes included streamlined application templates, allowing for submission of materials for multiple Project Areas within one application, and removal of duplicative requests between different sections of the application.
- Use of competitively neutral criteria for scoring and awards, aligned with BEAD guidance including the RPN, that did not favor any technology type and prioritized cost-effectiveness, speed to deployment, and speed of network and other technical capabilities. In the event that ConnectALL received two or more Project Proposals for the same Project Area, ConnectALL selected the Project Proposal with the lowest cost based on Minimal BEAD Program Outlay. In the

event that one or more Project Proposals were within 15% of the lowest-cost Project Proposal, ConnectALL selected the Project Proposal with the highest score within that Project Area, using the scoring framework described in the published scoring criteria. If no Project Proposals were within 15% of the lowest-cost proposal, the scoring criteria were not applied for that Project Area.

### 1.3 No Applications

*Affirm that, when no application was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal.*

Following the first solicitation round, ConnectALL conducted three additional solicitation rounds to formally attract bids for the Project Areas that did not receive proposals and to align the subgrantee selection process with the RPN. For each of these additional solicitation rounds, the RFA was re-issued with amendments, and the process was managed in the same fair, open, and competitive manner to enable all eligible entities to participate.

After the completion of four solicitation rounds, for locations in the State that remained without any proposal, ConnectALL engaged in direct negotiations with a provisional awardee to determine if they would be willing to add locations to their project scope. ConnectALL was able to identify a solution for all locations.

### 1.4 CAI Revisions

*If applicable, Eligible Entity must describe its methodology for revising its list of eligible CAIs to conform with the statutory definition of a CAI as established by the Infrastructure Act. The Eligible Entity shall not propose to serve a CAI that does not meet the statutory definition (i.e., a CAI that fits an additional category that was approved in the Eligible Entity's Initial Proposal Volume I).*

Not applicable. ConnectALL is not proposing to use BEAD funds to connect CAIs.

### 1.5 Records Retention Certification

*The Eligible Entity must certify that it will retain all subgrantee records for a period of at least three (3) years from the date of closeout of the relevant subgrant and in accordance with 2 C.F.R. § 200.334. This should include all subgrantee network designs, diagrams, project costs, build-out timelines and milestones for project implementation, and capital investment schedules submitted as a part of the application process.*

Yes.

# Timeline for Implementation (REQUIREMENT 3)

## 2. Timeline for Implementation (Requirement 3)

### 2.1 Timeline of All BEAD Grant Activities

*Has the Eligible Entity taken measures to: (a) ensure that each subgrantee will begin providing services to each customer that desires broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the Eligible Entity's period of performance, in accordance with 2 C.F.R. 200.344; and (c) ensure that all programmatic BEAD grant activities undertaken by the Eligible Entity are completed by the end of the period of performance for its award, in accordance with 2 C.F.R. 200.344.*

As described in IPV2 Section 16.2.1, ConnectALL, in executing the BEAD Program, will work diligently to ensure the success of all its recipients' projects so that all New Yorkers have access to broadband by 2030. ConnectALL has created and begun implementing robust Programmatic monitoring, including effective risk-based assessments and active interventions to make sure its subgrantees (a) will begin providing services to each customer that desires broadband service within the project area not later than four years after the start of each subgrant; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the grant period of performance; and (c) ensure that all Programmatic BEAD grant activities undertaken by New York are completed by the end of the period of performance for its award (June 30, 2032, except for LEO Capacity Subgrants, which conclude ten years from the date upon which the subgrantee certifies to ConnectALL that broadband is available to every location covered by the project).

ConnectALL will actively protect this investment, at a minimum, using the following measures: risk-based oversight and engagement; reporting of fraud, waste, and abuse; distribution of funding on a reimbursement basis; appropriate provisions to claw back funds from subrecipients if needed; timely reporting requirements; and robust subrecipient monitoring consistent with the requirements of 2 C.F.R. 200 and the BEAD NOFO. ConnectALL will utilize its monitoring process to ensure compliance with all requirements by tracking subgrantee progress through deployment milestones that will be defined in subgrant agreements and through regular project meetings, the frequency of which ConnectALL bases on progress against interim milestones. This process will allow ConnectALL to identify potential delays early, conduct targeted technical assistance, and, when necessary, intervene to keep projects on schedule.

As described in IPV2 Section 16.2.2, ConnectALL established an approach to its risk-based management that included evaluation of organizational, financial, and technical capacity and qualifications of each subgrantee through the Prequalification and Project Area Application processes and additional project validation activities following

preliminary selection. Subgrantees identified as posing higher risk were required to provide additional documentation and demonstrate sufficient capacity and capability before awards were determined. ConnectALL will monitor individual grants, but it will also monitor the portfolio using Program-wide data to ensure early intervention when it finds crosscutting issues.

ConnectALL will require each subgrantee to sign an Incentive Proposal followed by a Grant Disbursement Agreement (subgrant agreement) that defines project commencement and completion dates, as well as interim deployment milestones, ensuring completion at least 120 days before the end of ConnectALL's NTIA period of performance. The Incentive Proposal and Grant Disbursement Agreement will also align with ConnectALL's monitoring process, which includes milestone-based disbursements paid in arrears. Funds will only be released upon submission of proof of payment or expenditure and ConnectALL's confirmation that required project deliverables, milestones, and/or performance indicators have been met. This process ensures subgrantees adhere to the timelines and "speed to deployment" commitments stated in their applications.

# Oversight and Accountability Processes (REQUIREMENT 4)

## 3. Oversight and Accountability Processes (Requirement 4)

### 3.1 Public Waste, Fraud, and Abuse Hotline

*Does the Eligible Entity have a public waste, fraud, and abuse hotline, and a plan to publicize the contact information for this hotline?*

Yes.

### 3.2 Oversight and Accountability

*Upload the following two required documents: (1) BEAD program monitoring plan; (2) Agency policy documentation which includes the following practices: a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize) or on a basis determined by the terms and conditions of a fixed amount subaward agreement; and b. Timely subgrantee (to Eligible Entity) reporting mandates.*

**See Appendix 5: BEAD Program Monitoring Plan.**

**See Appendix 6: ESD Policy Guidelines Regarding the Use, Awarding, Monitoring and Reporting of Procurement Contracts.**

### 3.3 Subgrant Agreement Certification

*Certify that the subgrant agreements will include, at a minimum, the following conditions: a. Compliance with Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, including timely subgrantee reporting mandates, including at least semiannual reporting, for the duration of the subgrant to track the effectiveness of the use of funds provided; b. Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions; c. Compliance with all relevant obligations in the Eligible Entity's approved Initial and Final Proposals, including the BEAD General Terms and Conditions and the Specific Award Conditions incorporated into the Eligible Entity's BEAD award; d. Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis; e. Subgrantee accountability practices that include the use of clawback provisions between the Eligible Entity and any subgrantee (i.e., provisions allowing recoupment of funds previously disbursed); f. Mandate for subgrantees to publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) and/or subgrantees' internal ethics office (or comparable entity) for the purpose of reporting waste, fraud or abuse in the Program. This includes an acknowledge of the responsibility to produce copies of materials used for such purposes upon request of the Federal Program Officer; and g. Mechanisms to provide effective oversight, such as subgrantee accountability procedures and practices in use during subgrantee performance, financial management, compliance, and program performance at regular intervals to ensure that subgrantee performance is consistently assessed and tracked over time.*

Yes.

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# Local Coordination

**(REQUIREMENT 5)**

## 4. Local Coordination (Requirement 5)

### 4.1 Local Coordination – Public Comment

*Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period, including how the Eligible Entity addressed the comments.*

ConnectALL posted its draft Final Proposal for public comment from September 17, 2025 to September 24, 2025. ConnectALL posted materials on its website and collected feedback through an online form. ConnectALL promoted the public comment period via public posting on the ConnectALL website and email blasts to stakeholders including members of the public, government and economic development entities, internet service providers, digital equity organizations, community anchor institutions, non-profits, and community-based organizations. ConnectALL additionally hosted a webinar session on September 18, 2025 with 80 registrants to provide stakeholders with an overview of the contents of the Final Proposal and the process for submitting comments.

Over the seven-day comment period ConnectALL received a total of 27 comment submissions from a range of stakeholders, including members of the public, government and economic development entities, internet service providers, digital equity organizations, non-profits, and labor unions. The following is a summary of the comments received:

- Several commenters expressed overall support for the Program and emphasized the importance of BEAD investments in upgraded broadband infrastructure.
- Seven commenters highlighted the need for improved broadband service in their local areas.
- Three commenters expressed opposition to Low Earth Orbit Satellite and Fixed Wireless awards, citing concerns with network performance, local job creation, and long-term cost, instead urging prioritization of fiber-based solutions.
- One commenter expressed concerns about Fixed Wireless performance in heavily forested areas.
- Six commenters urged ConnectALL to use remaining BEAD allocation funds to support programs that improve digital skills, access, and adoption.
- One commenter urged ConnectALL to use remaining BEAD allocation funds to support additional network resiliency and infrastructure.
- Three commenters flagged concerns about potential service duplication, noting that some provisionally awarded locations may already be served by existing grants or incumbent providers.
- Two commenters provided suggested revisions to ConnectALL's draft subgrantee agreement.

ConnectALL reviewed all comments and determined no changes to the Final Proposal were warranted. ConnectALL continues to review whether any additional locations should be removed from eligibility for awards.

# Challenge Process Results

**(REQUIREMENT 6)**

## 5. Challenge Process Results (Requirement 6)

### 5.1 Certification of Challenge Process

*Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.*

Yes.

### 5.2 Public Post Website – Challenge Process

*Provide a link to the website where the Eligible Entity has publicly posted the final location classifications (unserved/underserved/CAIs) and note the date that it was publicly posted.*

ConnectALL received approval of its BEAD Challenge Process on December 3, 2024. Final location classifications were posted on December 12, 2024 at the following link: <https://broadband.ny.gov/new-york-state-broadband-challenge-process>.

Following the completion of the Challenge Process, ConnectALL continued to identify enforceable commitments, locations already served, and locations that should not receive mass-market service. Following these additional revisions, the final list of locations eligible for Program funding was posted on August 19, 2025 to: <https://broadband.ny.gov/connectall-deployment-program-request-applications-0>.

# Unserved and Underserved Locations (REQUIREMENT 7)

## 6. Unserved and Underserved Locations (Requirement 7)

### 6.1 Coverage of Unserved Locations

*Certify whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).*

Yes.

### 6.2 Unserved Locations – Financially Incapable Narrative

*If the Eligible Entity does not serve an unserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.*

Not applicable.

### 6.3 Unserved Locations – Financially Incapable Documentation

If applicable to support the Eligible Entity's response to Question 6.2, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

### 6.4 Coverage of Underserved Locations

*Certify whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).*

Yes.

## 6.5 Underserved Locations – Financially Incapable Narrative

*If the Eligible Entity does not serve an underserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonable excessive, explain and include a strong showing of how the Eligible Entity made that determination.*

Not applicable.

## 6.6 Underserved Locations – Financially Incapable Documentation

*If applicable to support the Eligible Entity's response to Question 6.5, provide relevant files supporting the Eligible Entity's determination.*

Not applicable.

## 6.7 Certification of No BEAD Location Documentation

*Certify that the Eligible Entity has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that the Eligible Entity will utilize reason codes 1, 2, and 3 for the entire period of performance, and that the Eligible Entity will maintain documentation, following the guidelines provided by NTIA, to justify its determination if there is a reason to not serve any unserved or underserved location on the NTIA-approved Challenge Process list through a BEAD project. The documentation for each location must be relevant for the specific reason indicated by the Eligible Entity in the fp\_no\_BEAD\_locations.csv file. The Eligible Entity shall provide the documentation for any such location for NTIA review, as requested during Final Proposal review or after the Final Proposal has been approved.*

Yes.

## 6.8 Certification of Enforceable Commitments

*Certify that the Eligible Entity has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that the Eligible Entity was notified of and did not object to, and/or federally-funded awards for which the Eligible Entity has discretion over where they are spent (e.g., regional commission funding or Capital Projects Fund/State and Local Fiscal Recovery Funds), in its list of proposed projects.*

Yes.

# Implementation Status of Plans (REQUIREMENT 11)

## 7. Implementation Status of Plans (Requirement 11)

### 7.1 Implementation Status of Plans – Cost and Barrier Reduction

*Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 14 related to reducing costs and barriers to deployment.*

In accordance with Requirement 11 of the BEAD NOFO, ConnectALL developed a multifaceted strategy to reduce costs and barriers to broadband deployment in New York. The information below summarizes the implementation status of each strategy initially outlined in Sections 10.1 through 10.8 of the IPV2.

#### **Promote the Use of Existing Infrastructure (IPV2 Section 10.1): In Progress**

ConnectALL continues to leverage existing infrastructure in the State, including publicly-owned infrastructure where feasible, to facilitate last-mile projects. These efforts are consistent with the priorities set in the IPV2 and the New York WIRED Broadband Act (enacted in 2022), which established the ConnectALL Office within ESD and directs it to coordinate across agencies, work with local governments, and promote efficient use of public assets to expand universal access to high-speed broadband. ConnectALL works regularly with the Public Service Commission (“PSC”) and its staff arm, the Department of Public Service (“DPS”), municipalities, and utility pole owners to address deployment barriers. As part of its implementation efforts, ConnectALL holds monthly calls with grantees and infrastructure stakeholders to monitor project progress and identify potential issues, including delays related to pole attachments. Grantees are encouraged to submit escalation requests in advance of these calls and are informed that they may also raise issues directly with the PSC if needed. This structured engagement helps ensure a coordinated response to any deployment barriers.

ConnectALL also participates in the DPS Statewide Pole Attachment Working Group, launched in Fall 2024. The working group includes more than 100 participants, primarily industry stakeholders, working on a range of issues related to pole attachments. The group’s primary focus has been to work with DPS staff to facilitate delays in the pole attachment licensing process which can delay broadband deployment. In order to assist industry stakeholders (pole owners and attachers) with licensing delays, DPS utilizes a tracking system to help identify where delays are occurring and, together with pole owners and attachers, works to navigate obstacles and identify areas that require additional assistance.

The working group was created as a result of a PSC Order issued on July 18, 2024 that modified PSC’s long-standing 2004 Policy Statement on Pole Attachments. These changes are expected to help facilitate the deployment of high-speed broadband and wireless cellular services throughout New York. Among other provisions, the Order: establishes more concrete timeframes to facilitate resolution of pole attachment disputes; creates the above-mentioned statewide working group; requires consideration of alternative pole attachment methods; and adopts a new pole attachment process that includes “One Touch Make Ready” for simple attachments in the communications space, provided it is not precluded by collective bargaining.

### **Streamline Permitting Processes (IPV2 Section 10.2): In Progress**

ConnectALL has worked over the past several years to improve broadband permitting processes across New York and will continue to support subgrantees in navigating federal, state, and local requirements. Key statewide improvements include enhanced tracking systems, waived local fees, and streamlined application procedures.

In partnership with the New York State Department of Transportation (“NYSDOT”), ConnectALL is advancing efforts to ensure all New Yorkers have access to reliable broadband. To support timely and efficient reviews for use of State rights-of-way, NYSDOT has implemented several permitting improvements, including: the creation of a dedicated unit specializing in the review and issuance of fiber optic permits and small cell wireless facilities within New York State right-of-way; one consolidated process for the review and issuance of a joint occupancy and highway work permit; the issuance of comprehensive guidance for Applicants to ensure complete submissions, which, in turn, leads to more efficient permit reviews; regular meetings with new Applicants to explain the application submission and review requirements; and the employment of an online portal. These reforms are designed to reduce delays, improve coordination, and accelerate broadband deployment across the State.

ConnectALL coordinates with environmental review agencies to review and implement available project screening tools.

- New York City Department of Environmental Protection (“NYC DEP”), which has jurisdiction in New York City and the City’s 2,000-square-mile watershed across eight Hudson Valley and Catskills counties to the north of the City, reviews the environmental impact of projects and issues permits for activities throughout the watershed region.
- The Adirondack Park Agency (“APA”), which has jurisdiction in the Adirondack Park, reviews the environmental impact of projects and issues permits for activities inside the Adirondack Park.

- New York State Department of Environmental Conservation (“DEC”), which has environmental jurisdiction over the entire State, establishes regulations for the New York State Environmental Quality Review (“SEQR”) process under which projects are evaluated for environmental impact, and issues environmental permits for an array of project types.

ConnectALL works with the New York State Office of Parks and Recreation and Historic Preservation (“OPRHP”), which is the State agency that manages the State Historic Preservation reviews commonly referenced as the State Historic Preservation Office (“SHPO”), to facilitate: establishing communication paths to the OPRHP office for projects that fall under the BEAD Program; and reviewing the utilization and implementation of the New York State Cultural Resource Information System (“CRIS”) as a screening tool and best practices for utilization.

To reduce federal permitting delays, ConnectALL will continue to align with NTIA’s process improvement initiatives, such as utilizing the Environmental Screening and Permitting Tracking Tool (“ESAPTT”).

### **Reduce Construction Costs (IPV2 Section 10.3): In Progress**

ConnectALL continues to pursue strategies that reduce the cost of broadband infrastructure deployment. Through its Connectivity Innovation Program (“CIP”), ConnectALL supports pilot projects and technology trials that demonstrate new approaches to network design, construction, and service delivery, helping identify methods that can lower costs and accelerate deployment. ConnectALL has reviewed innovative fiber construction models through the CIP and other program efforts and continues to explore opportunities for further cost reduction.

ConnectALL encourages municipalities to make poles and conduits available for deployment and has mapped these assets through its Municipal Infrastructure Program (“MIP”).

### **Reduce Labor Costs (IPV2 Section 10.4): In Progress**

ConnectALL is ensuring compliance with all applicable federal and state labor standards, while applying labor certification standards that match task-specific risks and roles and are aligned with the NOFO and the RPN. This approach promotes safe and efficient project delivery without imposing unnecessary labor costs on subgrantees.

### **Reduce Overhead Costs (IPV2 Section 10.5): In Progress**

ConnectALL is reducing the overhead costs of construction and network operation by maintaining regulatory and reporting policies that balance compliance with efficiency. Reporting intervals will be set at reasonable frequencies in alignment with the BEAD NOFO’s semiannual minimum requirement, and workflows clearly documented so

subgrantees can dedicate resources to project delivery. Where possible, ConnectALL will continue to leverage existing reporting templates from other State grants to reduce duplicative administrative work while meeting all NTIA and BEAD Program requirements.

Additionally, ConnectALL will seek to incorporate best practices for consultation with environmental and historic preservation agencies into its educational outreach to counties and localities to streamline reviews and ensure localities are prepared for BEAD deployments in their areas.

### **Reduce Materials Costs (IPV2 Section 10.6): In Progress**

ConnectALL will follow NTIA's Build America, Buy America ("BABA") guidance to ensure all applicable materials used in BEAD-funded projects meet domestic content requirements. This includes identifying vendors that have been confirmed as BABA-compliant under NTIA's standards and making that information available to subgrantees. ConnectALL will also explore opportunities to reduce costs by supporting joint purchasing arrangements among subgrantees, consistent with NTIA's guidance, while maintaining full BABA compliance. ConnectALL will encourage subgrantees to form joint purchase coalitions and agreements, where possible.

### **Reduce the Initial Capital Cost Burden on Smaller ISPs (IPV2 Section 10.7): In Progress**

ESD offers the Small Business Capital Access Program, which provides loan loss reserve support to participating lenders to help expand access to credit. ESD also administers a range of small business programs that smaller ISPs may be able to access, including the New York Forward Loan Fund, the Linked Deposit Program, and the Surety Bond Assistance Program. These programs can offer financing tools, lower interest rates, and bonding support that may help ISPs secure the resources needed for broadband deployment projects.

### **Provide Technical Assistance and Facilitate Knowledge Sharing (IPV2 Section 10.8): In Progress**

ConnectALL will continue to support subgrantees through targeted technical assistance and knowledge-sharing activities. During the application process, this included regular webinars, scheduled office hours, and regular publication of Applicant Q&A.

## 7.2 Status of Compliance – Federal Labor and Employment Laws

*Affirm that the Eligible Entity required subgrantees to certify compliance with existing federal labor and employment laws.*

Yes.

## 7.3 Status of Compliance – Federal Labor and Employment Laws Explained

*If the Eligible Entity does not affirm that subgrantees were required to certify compliance with federal labor and employment laws, explain why the Eligible Entity was unable to do so.*

Not applicable.

## 7.4 Status of Compliance – Low-Cost Service Option

*Certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period.*

Yes.

## 7.5 Status of Compliance – Low-Cost Service Option Explained

*If the Eligible Entity does not certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period, explain why the Eligible Entity was unable to do so.*

Not applicable.

## 7.6 Status of Compliance - Network Reliability and Resiliency

*Certify that all subgrantees have planned for the reliability and resilience of BEAD-funded Networks.*

Yes.

## 7.7 Status of Compliance - Network Reliability and Resiliency Explained

*If the Eligible Entity does not certify that subgrantees have ensured planned for the reliability and resilience of BEAD-funded networks in their network designs, explain why the Eligible Entity was unable to do so.*

Not applicable.

# Priority Broadband Projects

**(REQUIREMENT 12)**

## 8. Priority Broadband Projects (Requirement 12)

### 8.1 Priority Broadband Projects

*Describe how the Eligible Entity applied the definition of Priority Project as defined in the Infrastructure Act and the BEAD Restructuring Policy Notice.*

ConnectALL applied the definition of Priority Broadband Projects as outlined in the Infrastructure Investment and Jobs Act and the RPN. The Round 4 RFA included the statutory definition of Priority Broadband Projects: those capable of delivering minimum speeds of 100 Mbps download and 20 Mbps upload, with latency of 100 milliseconds or less, and which can scale over time to meet the evolving demands of households and businesses, including support for 5G and other advanced services.

ConnectALL allowed Round 4 Applicants to request that their Project Proposal be considered a Priority Broadband Project, regardless of technology type, within their Project Area Applications. ConnectALL evaluated Applicants from Rounds 1 – 3 who did not revise and resubmit their applications in Round 4 against the Priority Broadband Project definition. ConnectALL required all Applicants to submit network design documentation demonstrating that their proposed project would meet Program performance requirements. ConnectALL provided all Applicants with the option to submit Technology Evidence Templates, with detailed technical questions tailored to each technology type, to further demonstrate their ability to meet the Priority Broadband Project definition.

ConnectALL utilized a third-party engineering consultant, LiRo-Hill (“LiRo”) to conduct technical reviews of application materials. LiRo first reviewed the required network design documentation to assess whether the proposed technology solution was generally capable of providing service meeting the Priority speed, latency, and scalability requirements and whether the Applicant demonstrated that service meeting BEAD requirements could be delivered to all locations within the proposed project. If the network design documentation showed that service meeting the Priority requirements could be delivered to all locations in the proposed project, LiRo confirmed the Priority Broadband Project designation. If the network design documentation showed that the proposed technology would only be capable of meeting Priority requirements under certain conditions, or if it did not clearly demonstrate that Priority service would be delivered to all locations within the proposed project, LiRo proceeded to review the optional Technology Evidence Templates.

The optional Technology Evidence Templates included questions specific to each technology type to assess the projected performance of the Applicant's proposed solution within the specific proposed Project Area. Applicants were asked to submit an individual template for each of their proposed Project Areas. For example, the Fixed Wireless template asked the Applicant to identify the anticipated signal strength for each location, which LiRo reviewed against the technical information the Applicant provided showing the performance specifications for the equipment at that signal strength. Low Earth Orbit Satellite Applicants provided technical documentation describing network performance, including the conditions that could degrade performance to the point that it would not meet the speed and latency requirements for a Priority designation. The template for Low Earth Orbit Satellite asked Applicants to provide information about how their network would perform for the Eligible Locations in the Project Area to demonstrate that the network would meet the speed and latency requirements for a Priority designation for all proposed locations, including to demonstrate that the conditions that could degrade performance would not do so for these locations.

LiRo reviewed the templates to determine whether each proposed project met the Priority requirements for all locations within the proposed project. If yes, LiRo confirmed the Priority Broadband Project designation. If the Applicant did not demonstrate that the requirements could be met for all locations, or if the materials indicated that the proposed technology would only be capable of meeting Priority requirements under certain conditions and the Applicant did not provide additional information to demonstrate that those conditions applied to all locations in the Project Area, then LiRo was unable to confirm the Priority Broadband Project designation. For all projects unable to be confirmed as Priority, ConnectALL provided the Applicant with an additional opportunity to revise submitted materials or provide additional documentation to make the determination. If, following review of revised materials, the Applicant still did not demonstrate that the project met those standards, ConnectALL classified the project as Non-Priority.

This methodology was applied consistently across all applications. ConnectALL relied solely on materials provided by Applicants in making its determinations.

# Subgrantee Selection Certification

**(REQUIREMENT 13)**

## 9. Subgrantee Selection Certification (Requirement 13)

### 9.1 Eligible Entity Scoring Criteria

*Provide a narrative summary of how the Eligible Entity applied the BEAD Restructuring Policy Notice's scoring criteria to each competitive project application and describe the weight assigned to each Secondary Criteria by the Eligible Entity. Scoring criteria must be applied consistent with the prioritization framework laid out in Section 3.4 of the BEAD Restructuring Policy Notice.*

Within each Project Area, ConnectALL first considered Priority Broadband Projects, then Non-Priority Broadband Projects.

When evaluating proposals within the Priority and Non-Priority categories, ConnectALL applied the scoring framework outlined in the RPN. Proposals were first evaluated for Minimal BEAD Program Outlay, based on total grant funding requested, the grant post per Eligible Location, and the combination of proposals with the lowest overall cost to the Program.

If proposals were received within a given Project Area that included different numbers of locations, as described in BEAD FAQs 3.15, ConnectALL considered how much it would cost to serve the locations omitted by the lower-coverage proposal(s). For each lower-coverage proposal within a Project Area, ConnectALL calculated a theoretical cost for the excluded locations based on the average cost per location from all other received proposals statewide. ConnectALL was then able to make an apples-to-apples comparison between the theoretical cost for the proposal(s) with omitted locations against the cost for the highest-coverage proposal to identify the most cost-effective proposal.

If multiple proposals were received within the same Project Area with proposed costs within 15% of the lowest-cost proposal, ConnectALL utilized secondary scoring criteria to award up to 25 points as follows:

- **Speed to Deployment:** Applicants were awarded an extra point if they demonstrated that they will be able to deploy the network in three years or less.
- **Speed of Network and Other Technical Capabilities:** Applicants were awarded up to 24 points based on whether they demonstrated that the proposed project could reliably deliver the following speeds of service to all Eligible Locations in the proposed Project Area:
  - 100/100 Mbps (5 points)
  - 300/300 Mbps (5 points)

- 1 Gbps download (5 points)
- 1/1 Gbps service (9 points)

In two cases where two proposals were within 15% of each other on cost but received the same score via the secondary scoring criteria, ConnectALL selected the lower-cost proposal.

# Environmental and Historic Preservation Documentation (REQUIREMENT 14)

## 10. Environmental and Historic Preservation Documentation (Requirement 14)

### 10.1 Complying with Environmental and Historic Preservation Requirements

*Submit a document which includes the following: (1) Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's programmatic and National Environmental Policy Act (NEPA) guidance. The methodology must reference how the Eligible Entity will use NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to create NEPA project records, evaluate the applicability of categorical exclusions, consider and document the presence (or absence) of Extraordinary Circumstances, and transmit information and draft NEPA documents to NTIA for review and approval. (2) Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents. (3) Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at <https://www.firstnet.gov/network/environmental-compliance/projects/regional-programmatic-environmental-impact-statements> (4) Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS. (5) Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.*

**See Appendix 7: Environmental and Historic Preservation Documentation.**

# Consent from Tribal Entities

**(REQUIREMENT 15)**

# 11. Consent from Tribal Entities (Requirement 15)

## 11.1 Resolution of Consent

*Upload a Resolution of Consent from each Tribal Government (in PDF format) from which consent was obtained to deploy broadband on its Tribal Land. The Resolution(s) of Consent submitted by the Eligible Entity should include appropriate signatories and relevant context on the planned (f)(1) broadband deployment including the timeframe of the agreement. The Eligible Entity must include the name of the Resolution of Consent PDF in the Deployment Projects CSV file.*

At this time, ConnectALL is not submitting any Resolutions of Consent. In accordance with NTIA's Programmatic Waiver of Tribal Consent Deadline (published August 26, 2025), ConnectALL will provide Resolutions of Consent for projects including deployment on Tribal lands within six months of approval of the Final Proposal.

# Prohibition on Excluding Provider Types (REQUIREMENT 16)

## 12. Prohibition on Excluding Provider Types (Requirement 16)

### 12.1 Prohibition on Excluding Provider Types

*Does the Eligible Entity certify that it did not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for a BEAD subgrant, consistent with the requirement at 47 U.S.C. § 1702(h)(1)(A)(iii)?*

Yes.

# Waivers

## 13. Waivers

### 13.1 Waivers

*If any waivers are in process and/or approved as part of the BEAD Initial Proposal or at any point prior to the submission of the Final Proposal, list the applicable requirement(s) addressed by the waiver(s) and date(s) of submission. Changes to conform to the BEAD Restructuring Policy Notice should be excluded. If not applicable to the Eligible Entity, note 'not applicable.'*

ConnectALL requested a waiver to the requirement to submit the Final Proposal within 90 days of the release of the RPN on August 18, 2025. NTIA approved the waiver on September 5, 2025. As a result, ConnectALL's Final Proposal submission date was extended to September 25, 2025.

ConnectALL is utilizing NTIA's conditional limited programmatic waiver of the Final Proposal's Tribal consent requirement deadline. Per NTIA guidance, ConnectALL will provide evidence of consent from Tribal entities for projects located on Tribal lands within six months of Final Proposal approval.

### 13.2 Waivers Upload

*If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD program requirement, upload a completed Waiver Request Form [here](#). If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again.*

Not applicable.

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# Appendices

# Appendices

## Appendix 1: Subgrantees Data Submission

See **Appendix 1: Subgrantees**, submitted separately.

## Appendix 2: Deployment Projects Data Submission

See **Appendix 2: Deployment Projects**, submitted separately.

## Appendix 3: Locations Data Submission

See **Appendix 3: Locations**, submitted separately.

## Appendix 4: No BEAD Locations Data Submission

See **Appendix 4: No BEAD Locations**, submitted separately.

## Appendix 5: BEAD Program Monitoring Plan

### **Purpose**

ConnectALL, in executing the BEAD Program, will work diligently to ensure the success of all its recipients' projects so that all New Yorkers have access to broadband by 2030. ConnectALL has created and begun implementing robust Programmatic monitoring, including effective risk-based assessments and active interventions to make sure its subgrantees (a) will begin providing services to each customer that desires broadband service within the project area not later than four years after the start of each subgrant; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the grant period of performance; and (c) ensure that all Programmatic BEAD grant activities undertaken by New York are completed by the end of the period of performance for its award. ConnectALL will actively protect this investment, at a minimum, using the following measures: risk-based oversight and engagement; reporting of fraud, waste, and abuse; distribution of funding on a reimbursement basis; appropriate provisions to claw back funds from subrecipients if needed; timely reporting requirements; and robust subrecipient monitoring consistent with the requirements of 2 C.F.R. 200, and the BEAD NOFO, as modified by the RPN. ConnectALL will ensure that subgrantees expend Federal funds solely for authorized purposes and within the established period of performance through ongoing financial monitoring, milestone-based reimbursements, and verification of supporting documentation prior to payment.

### **Risk-Based Oversight and Engagement**

ConnectALL established an approach to its risk-based management that included evaluation of organizational, financial, and technical capacity and qualifications of each subgrantee through the Prequalification and Project Area Application processes and additional project validation activities following preliminary selection. Subgrantees identified as posing higher risk were required to provide additional documentation and demonstrate sufficient capacity and capability before awards were determined. ConnectALL will monitor individual grants, but it will also monitor the portfolio using Program-wide data to ensure early intervention when it finds crosscutting issues.

### **Reporting of Fraud, Waste, and Abuse**

Consistent with ConnectALL practices, BEAD subgrantees will utilize the mechanism to report fraud, waste, and abuse operated by the Office of the New York State Comptroller<sup>2</sup> and the U.S. Department of Commerce's Inspector General hotline.<sup>3</sup>

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<sup>2</sup> "Report Fraud Here." New York State Comptroller, <https://www.osc.state.ny.us/investigations>.

<sup>3</sup> "Report Fraud, Waste, Abuse, & Whistleblower Reprisal." Office of the Inspector General, U.S. Department of Commerce, <https://www.oig.doc.gov/Pages/Hotline.aspx>.

Subgrantees must maintain internal controls to detect and prevent misuse of funds. ConnectALL will promptly investigate any reported allegations of fraud, waste, or abuse of BEAD funds and, when warranted, take enforcement action, including clawback of funds and/or termination of the award

## **Distribution of Funding on a Reimbursement Basis**

All BEAD subgrants will be issued on a reimbursement-only basis. ConnectALL will require the following from subgrantees before dispersing BEAD funds:

- **Reaching grant milestones:** ConnectALL will require the timely reporting of the completion of grant milestones, according to the agreed-upon project timeline included in each subgrantee’s award agreement.
- **Providing compliant documentation:** ConnectALL will require subgrantees to support a request for reimbursement through a certification and a submittal of as-builts and GIS location data, which will be verified according to procedures outlined in the contracting documents. ConnectALL will ensure that it has a right to access documents and physical assets as needed to verify eligibility of funding requests.

## **Clawback Provisions**

ConnectALL will include clawback (or “recapture”) provisions in Incentive Proposals and Grant Disbursement Agreements. If subgrantees fail to meet the obligations of their awards, ConnectALL retains the ability to deny a reimbursement request, require partial or full forfeiture of BEAD funds, or issue financial penalties for fraud, misconduct, or non-performance. For its purposes, ConnectALL considers non-performance to include failure to complete broadband deployment on committed timelines, failure to meet contractual Low-Cost Broadband Service Option (“LCSSO”) obligations<sup>4</sup>, missing reporting deadlines, providing inaccurate deployment data, violating federal or state labor and employment laws, or failing to fulfill other BEAD Program obligations such as minimum service speeds.

Circumstances that may trigger recapture include, but are not limited to, situations where the project recipient indicates at any time that the project will not proceed. In such cases, the funding may be reallocated to another project in accordance with NTIA guidelines. ESD reserves the right to require the recipient to provide any additional information or documentation it deems necessary.

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<sup>4</sup> As defined in the BEAD Restructuring Policy Notice.

## Timely Reporting Requirements

Building on its existing broadband funding and grantmaking experience, ConnectALL will require subgrantees to submit timely reports on their awards to identify and mitigate risks to ensure both the State's and subgrantees' compliance with statutory (e.g., 2 C.F.R 200) and BEAD NOFO requirements. In accordance with BEAD requirements, each subgrantee will submit reports at least semiannually for the duration of the subgrant to track the effectiveness of the use of funds provided. These reports will include the following information:

- Addresses or location IDs that will be served through the funded project and the status of buildout to each location.
- Details on the facilities and infrastructure constructed and installed.
- Technology, speeds, and pricing of service delivered to funded locations.
- Active service subscriptions at any funded locations.
- Contracts and subcontracts awarded.
- Details on financial expenditures.
- Labor compliance certifications.
- Other data required to comply with FCC and PSC data and mapping collection standards.

## Subrecipient Monitoring

ConnectALL will use various monitoring activities that produce data about subgrantee performance and progress to assess individual and portfolio risks and inform ConnectALL decisions about targeting technical assistance, corrective action, or enforcement actions as needed. Beyond performance and financial reporting, such activities may include:

- **Desk reviews:** periodic review of subgrantees' progress and financial reports designed to ensure that ConnectALL's own reports to NTIA contain timely information.
- **Field Engineering Reviews/Audits:** engineering team evaluation of constructed segments and full projects against as-built reporting and application requirements.
- **Site Visits:** periodic visits using a standardized agenda to capture firsthand observations of recipient performance along various dimensions, including subgrantee capacity, performance validation, safety practices, and employment practices.

## **Procurement Compliance**

Subgrantees must comply with ConnectALL Grantee Procurement Compliance Policy, which requires:

- Competitive, fair, and transparent procurement processes consistent with ESD's Procurement Guidelines.
- Documentation retention for all solicitations, advertisements, proposals, evaluations, and awards for at least six years.
- Equal opportunity for vendors, clarity in solicitations, and disclosure of selection criteria.

Waivers from procurement requirements may be requested per the ConnectALL Grantee Procurement Compliance Policy procedures.

ConnectALL will incorporate and align this Monitoring Plan with any forthcoming NTIA guidance to ensure full compliance with BEAD Program requirements.

## Appendix 6: ESD Policy Guidelines Regarding the Use, Awarding, Monitoring and Reporting of Procurement Contracts

Agency Policy Documentation is publicly available at the following link:

<https://esd.ny.gov/sites/default/files/media/document/ESD-Procurement-Guidelines-2024-25-FINAL.pdf>.

## Appendix 7: Environmental and Historic Preservation Documentation

### **ConnectALL Office's Compliance with Environmental and Historic Preservation ("EHP") Requirements under the National Environmental Policy Act ("NEPA")**

ConnectALL will ensure compliance with all applicable Environmental and Historic Preservation ("EHP") requirements including but not limited to the National Environmental Policy Act of 1969 ("NEPA"), Section 106 of the National Historic Preservation Act ("NHPA") of 1966, Section 7 of the Endangered Species Act ("ESA"), Section 404 of the Clean Water Act ("CWA") and all other applicable federal, state, and local environmental laws and regulations, as applicable. All subgrantee projects will undergo a detailed evaluation using the Environmental Screening and Permitting Tracking Tool ("ESAPTT") to determine their consistency with NTIA's NEPA guidance.

ConnectALL will utilize eligible consultant(s) with EHP expertise ("Environmental Consultant") to facilitate an evaluation of proposed subgrantee projects and project activities against NTIA's Programmatic and NEPA guidance. ConnectALL currently has an Environmental Consultant, LiRo-Hill, under contract that will advance the work as described in this section. LiRo-Hill has sub-contracted Fisher Associates, who prepared the Programmatic Environmental Impact Statement ("PEIS") assessment included in this Appendix.

ConnectALL's Environmental Consultant will screen projects based on project Broadband Serviceable Locations ("BSL"), preliminary route maps, facility locations, scope and details, project size, location, for construction methods, and proximity to sensitive environmental or historical areas. This screening process will utilize ESAPTT which serves as the central system for creating and managing NEPA project records, to create project records, evaluate the applicability of Categorical Exclusions ("CE"), the presence or absence of Extraordinary Circumstances ("EC") applicable to subgrantee projects, and transmit information and draft documents to NTIA for review and approval.

Prior to the submission of projects to NTIA via ESAPTT, ConnectALL will collect details of each proposed deployment project from subgrantees and solicit subgrantee input on how projects should be sub-divided into NEPA Project Areas for maximum review efficiency. ConnectALL will then submit the "NEPA\_Project\_id.csv" file to NTIA to facilitate the creation of ESAPTT project records. At this time, ConnectALL anticipates that multiple NEPA Project Areas will be associated with each deployment project.

ConnectALL's Environmental Consultant will initiate the Environmental Screening Process by completing the initial upload of the project description and maps into ESAPTT. This step will initiate the Tribal Notification process. The Environmental

Consultant will then follow up with recognized Tribes to determine if subgrantee projects and activities will have any potential impacts to historic properties of Tribal significance. Subsequently, ESAPTT questionnaires to determine the potential applicability and qualification of CE's will be completed by the Environmental Consultant. The EC questionnaire will also be completed to identify if environmentally sensitive resources are present and if so, incorporate mitigation commitments that will be prepared and implemented to avoid any potentially significant impacts. Provided that CE's apply, and no EC's are present with sufficient mitigation, ConnectALL's Environmental Consultant will certify that the CE should be applied and transmit the Draft NEPA Decision Memo to NTIA for review and approval within ESAPTT. ConnectALL will track the progress of Notice of Organizations ("NOO") which may include any information needed to contact interested tribes and final NEPA decision memos for CE's and EA's via the ESAPTT tool, as applicable.

Any projects where CE's are not applicable will be referred to NTIA for further NEPA processing. In those instances, ConnectALL and its Environmental Consultant along with the subgrantee will continue to work with NTIA for the development of an Environmental Assessment ("EA") or an Environmental Impact Statement ("EIS"), as appropriate.

### **ConnectALL's obligations as a Joint Lead Agency to implement NEPA**

ConnectALL will serve as joint lead agency for New York State to ensure compliance with NEPA and supervise the preparation of all required environmental analyses and timely completion of environmental reviews for all BEAD-funded activities. ConnectALL will either directly prepare or supervise the preparation of the required analyses and review documents as identified in this memo. As needed, ConnectALL will retain appropriate subject matter experts including an Environmental Consultant.

### **Evaluation of the FirstNet Regional Programmatic Environmental Impact Statement ("PEIS") for sufficiency within New York State:**

ConnectALL has followed NTIA's step-by-step guidance to complete an evaluation of the sufficiency, applicability, and accuracy of all analyses included in the FirstNet Regional PEIS, issued in 2017, as it applies to anticipated BEAD subgrantee projects and project activities anticipated in New York State (Chapter 11). ConnectALL has engaged with an Environmental Consultant to assist in the FirstNet Regional PEIS evaluation.

Certain environmental setting and circumstance data related to utilities and infrastructure, wetlands, threatened and endangered species, and environmental justice, among other impact categories, has changed, evolved, or been updated since

the publication of the PEIS in 2017. However, due to the scope and nature of future BEAD-funded broadband infrastructure projects in New York the environmental impact analysis presented in the 2017 PEIS combined with the future application of best management practices which will incorporate avoidance, minimization, and/or mitigation measures, where applicable and appropriate, remains valid and is sufficient to support future tiered NEPA reviews.

Based on a thorough review of the Eastern United States Regional PEIS, Chapter 11 (New York), it has been determined that the analysis contained in this PEIS remains valid for use in subsequent environmental documents and may still be relied upon by NTIA to support future tiered NEPA reviews and associated decision-making for future BEAD-funded broadband infrastructure projects. ConnectALL's detailed FirstNet Regional PEIS Evaluation Memorandum will be submitted as a standalone document to accompany the Final Proposal.

**Specific Award Conditions (“SAC”) Description for disbursement of funds**

To ensure proper procedures and approvals are in place for disbursement of funds while the projects await EHP clearances, and to certify the sufficiency of all subgrantee NEPA documentation, ConnectALL, as per NTIA guidance, will include the following required conditions in all awards to subgrantees:

- The completion of any review required under NEPA (42 U.S.C. 4321, et seq.), and issuance by NTIA and ConnectALL, as required, of a CE determination, Record of Environmental Consideration (“REC”), Finding of No Significant Impact (“FONSI”), or Record of Decision (“ROD”) that meets these requirements;
- The completion of reviews required under Section 106 of the NHPA (54 U.S.C. 300101, et seq.), including any consultations required by federal law, to include consultations with the State Historic Preservation Office (“SHPO”), and federally recognized Native American tribes;
- The completion of consultations with the U.S. Fish and Wildlife Service (“USFWS”) or the National Marine Fisheries Service (“NMFS”), as applicable, under Section 7 of the Endangered Species Act (16 U.S.C. 1531, et seq.), and/or consultations with the U.S. Army Corps of Engineers (“USACE”) under Section 404 of the CWA (33 U.S.C. 1251, et seq.), as applicable; and
- Demonstration of compliance with all other applicable Federal, State, and local environmental laws and regulations.

In addition to demonstrating compliance with the above requirements, subgrantees must also adhere to the following implementation and timing conditions:

- The subgrantee will not commence implementation, and funds will not be disbursed, until all necessary environmental review documentation is complete;

- The subgrantee must timely prepare any required NEPA documents and obtain any required permits and must adhere to any applicable statutory deadlines as described in 42 U.S.C. 4336a(g); and
- The subgrantee must provide a milestone schedule identifying specific deadlines and describing how the subgrantee proposes to meet these timing requirements including, as required, the completion of consultations, the completion of NEPA and Section 106 reviews, and the submission of EAs or EISs.

Limited Permissible pre-implementation activities are included below:

- Pre-construction planning, including activity associated with the completion of environmental reviews;
- Applications for environmental permits;
- Studies, consultations and screenings including but not limited to:
  - Environmental Investigation;
  - Wetland Delineation;
  - Biological Assessments;
  - Archaeological surveys; and
  - Other environmental review and analysis;
- Administrative and pre-award application costs;
- Activities supporting consultations required under NHPA, the ESA and the CWA; and
- 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 or other real property agreements (including right of way easements).

## Memorandum for the Record

**Memorandum for:** Jill A. Springer  
Senior Policy Advisor for Permitting  
Chief Environmental Review and Permitting Officer  
Office of Internet Connectivity and Growth

Amanda Pereira  
Environmental and Historic Preservation Team Lead  
Office of Internet Connectivity and Growth

**From:** Joshua Breitbart  
Senior Vice President, ConnectALL  
New York State Urban Development Corporation d/b/a Empire  
State Development

**Prepared by:** Fisher Associates  
180 Charlotte Street  
Rochester, NY 14607

**Subject:** FirstNet Regional Programmatic Environmental Impact Statement  
Revalidation – New York State

**Date:** August 21, 2025

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In September 2017, the First Responder Network Authority published the Final Regional Programmatic Environmental Impact Statement (“PEIS”) and Record of Decision (“ROD”) for the Eastern United States Region (Chapter 11, New York). The National Telecommunications and Information Administration (“NTIA”) was a Cooperating Agency on the analysis and is conducting this revalidation of the original analysis performed in accordance with requirements for reevaluation of programmatic documentation older than 5 years in Section 108 of the National Environmental Policy Act (“NEPA”), as amended by the Fiscal Responsibility Act of 2023. This revalidation describes any changes to the proposed action, regulatory setting, or areas of concern or sensitivity identified in the original PEIS analysis and determines whether NTIA may still rely on it for purposes of subsequent environmental documents.

## ***Changes in Environmental Setting***

### 11.1.1 Infrastructure

#### *11.1.1.3 Transportation*

The PEIS indicates that there are:

- Over 113,000 miles of highways and over 17,400 bridges (NYSDOT, 2015b);
- 3,500 miles of rail network that includes passenger rail and freight (NYSDOT, 2015b);
- 600 aviation facilities that include both public and private airports (FAA, 2015a) (USDOT, 2015a);
- 62 harbors (US Harbors, 2015); and
- 12 major ports that include both public and private facilities (NYSDOT, 2015b).

This information is presumed to still be generally accurate although slight variations may have occurred. For instance, New York’s 2024 Freight Plan indicates that there are 11 major ports in New York State (see below).

The PEIS indicates that New York State has three National Scenic Byways: Great Lakes Seaway Trail, Lakes to Locks Passage, and Mohawk Towpath Byway. The PEIS references the Palisades Scenic Byway as a State Scenic Byway, although it is listed as a National Scenic Byway by the NYSDOT as of August 2025.

The PEIS does not list the Catskills Mountains Scenic Byway as a State Scenic Byway.

Table 11.1.1-3 in the PEIS lists “Amtrak Train Routes Serving New York.” The list does not include the “Berkshire Flyer” route which extends between New York, Poughkeepsie, Albany, and Pittsfield.

The PEIS indicates the Long Island Railroad (“LIRR”) is the “second largest commuter railroad in the U.S.” with “112 routes along the length of Long Island.” Since the PEIS was published in September 2017, the LIRR has completed several service projects and expansions, including the addition of track in multiple locations and opening of the LIRR’s newest terminal, Grand Central Madison, in 2023. These modernizations have enhanced the LIRR’s service and made the LIRR the busiest commuter railroad in North America.

The PEIS indicates that the New York City subway system has 468 stations. As of 2023, the New York City subway system had 472 stations.=

Broadly, the transportation data recorded in the PEIS does not reference the temporary impacts of the COVID-19 pandemic, including the impacts of the COVID-19 pandemic on ridership data for public transportation services including rail transportation.

The PEIS indicates there are 12 Ports of Entry for New York listed by the U.S. Customs and Border Protection (“CBP”): Albany, Alexandria Bay, Binghamton, Buffalo, Champlain, John F. Kennedy International Airport, Massena, Ogdensburg, Rochester, Rome, Syracuse, and Trout River. As of August 2025, these have been updated to 11 Ports of Entry for New York: Albany, Alexandria Bay, Buffalo, Cape Vincent, Champlain, John F. Kennedy International Airport, Massena, Ogdensburg, Rochester, Syracuse, and Trout River. Binghamton and Rome have been removed as Ports of Entry on the CBP website, and Cape Vincent has been added as a Port of Entry on the CBP website.

The PEIS indicates that New York maintains five major inland and seaports throughout the state: New York Harbor, the Port of Albany, the Port of Buffalo, the Port of Ogdensburg, and the Port of Oswego. New York State’s 2024 Freight Plan has an updated list of Major Ports in New York State, which includes:

- Great Lakes: Port of Buffalo, Port of Oswego, and Port of Ogdensburg
- Inland Waterways: Port of Albany, Port of Coeymans
- Atlantic Coast: Port of NY/NJ, Port Jefferson Harbor

#### *11.1.1.4 Public Safety Services*

The PEIS presents demographic data in Table 11.1.1-4 “Key New York Indicators.” The U.S. Census Bureau has published updated demographics data since the publication of the PEIS in September 2017.

The PEIS presents public safety infrastructure data in Table 11.1.1-5 “Public Safety Infrastructure in New York by Type” and Table 11.1.1-5 “First Responder Personnel in New York by Type” which was sourced from the National Fire Department Census in 2015. An updated “US Fire Department Profile 2020” was published in September 2022 using data collected in 2020 by NFPA’s “Survey of Fire Departments for US Fire Experience During 2020” and NFPA’s fire service survey from 2018-2020.

#### *11.1.1.5 Telecommunications Resources*

National Institute of Standards and Technology (“NIST”) publishes updates to its Public Safety Communications Research on its website at <https://www.nist.gov/public-safety-communications-research>. No specific updates were identified.

Table 11.1.1-7 “Telecommunications Access Providers and Coverage in New York as of December 31, 2013” relies on data published by the FCC and NTIA in 2014, which is out of date. New York State maintains geospatial data showing broadband access in New York State at: <https://mapmybroadband.dps.ny.gov/explore>. The FCC also maintains a geospatial database showing various telecommunications data on its

website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0\\_0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0_0&pct_cvg=0)

Figure 11.1.1-3 “Technology Availability in New York” relies on data published in the New York State GIS Clearinghouse in 2014. New York State maintains geospatial data showing broadband access in New York State at:

<https://mapmybroadband.dps.ny.gov/explore>. The FCC also maintains a geospatial database showing various telecommunications data on its website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0\\_0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0_0&pct_cvg=0)

Figure 11.1.1-4 “Wireless Technology in New York State” relies on data published in the New York State GIS Clearinghouse in 2014, and does not include reference to 5G Mobile coverage. New York State maintains geospatial data showing broadband access in New York State at: <https://mapmybroadband.dps.ny.gov/explore>. The FCC also maintains a geospatial database showing various telecommunications data on its website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0\\_0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0_0&pct_cvg=0)

The PEIS references three main types of telecommunications towers: Lattice, Guyed, and Monopole. However, in recent years the types of telecommunications towers have expanded and changed, notably due to the transition to 4G and 5G, increased tower density, energy efficiency and renewable energy initiatives, and more. In addition to the towers listed in the PEIS, other increasingly common types of towers include: Camouflage Towers, Self-Support Towers, and Mobile Cell on Wheels.

Table 11.1.1-8 “Number of Commercial Towers in New York by Type” relies on data published by the FCC in 2015 which is potentially outdated. The FCC maintains a geospatial database showing various telecommunications data on its website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0\\_0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0_0&pct_cvg=0)

Figure 11.1.1-6 “FCC Tower Structure Locations in New York” relies on data published by the FCC in 2015 which is potentially outdated. The FCC maintains a geospatial

database showing various telecommunications data on its website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0 0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0 0&pct_cvg=0)

Figure 11.1.1-8 “Broadband Fiber Access” relies on data published by New York State GIS Clearinghouse in 2014 which is potentially outdated. The FCC maintains a geospatial database showing various telecommunications data on its website at:

[https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0 0&pct\\_cvg=0](https://broadbandmap.fcc.gov/provider-detail/fixed?version=dec2024&zoom=4.68&vlon=-76.860383&vlat=43.299951&br=r&speed=0 0&pct_cvg=0)

#### *11.1.1.6 Utilities*

The PEIS references NYPA’s Life Extension and Modernization (“LEM”) program which was intended to last until 2025. The status of the LEM program may have changed since 2017.

The PEIS references NYPA’s Marcy-South Series Compensation Project which underwent multiple changes (referenced as NC-4, MC-5, MC-6, and MC-7) with the NYS Department of Public Service between 2020 and 2022. The status of this program may have changed since 2017.

The PEIS references datasets that analyzed electricity price and generation in New York State, including retail price per kilowatt hour, megawatt hours produced in the state, and sources of electricity generation. This data may be outdated.

The PEIS references a NYS goal of installing “3,000 megawatts of small-scale (less than 200 kilowatts) solar photovoltaic facilities by 2023.” New York State has updated its goals for solar energy and reached important milestones in solar installation, including the goal of deploying 6,000 megawatts of distributed solar energy by 2025, as set by the Climate Act.

The PEIS references the New York Public Service Commission’s Reforming the Energy Vision (“REV”) initiative. Since publication of the PEIS in September 2017, additional reports, studies, motions, and implementation strategies have resulted from REV.

Since publication of the PEIS in September 2017, New York State passed the New York State Climate Leadership and Community Protection Act (“CLCPA”), which set the goal to achieve 100% zero-emission electricity by 2040 and to reduce emissions at least 85% below 1990 levels by 2050.

The PEIS indicates there are 277 private water companies in New York. The New York State Department of Public Services reports that as of August 2025, there are approximately 230 private water companies in New York.

The PEIS indicates that wastewater treatment plants in New York are certified by the New York State Department of Environmental Conservation (“NYSDEC”), and states the following information about wastewater treatment and management in New York State:

- New York has 87 Certified Wastewater Treatment Operators.
- New York City alone has 14 treatment plants to handle 1.3 billion gallons of wastewater that must be treated daily.
- New York’s wastewater treatment facilities service over 15 million people through the operation of 610 wastewater treatment facilities across the state.
- Almost 25% of the wastewater treatment facilities in New York are being used past their intended life expectancy or lack current technology treatments
- An estimated 27 billion gallons of untreated sewage flow into New York Harbor each year.

The NYSDEC website reiterates that certification of wastewater treatment plants is mandatory in New York State and certification is administered through the New York Water Environment Association (“NYWEA”). The number of Certified Wastewater Treatment Operators in New York State, amount of wastewater treated, and number of facilities and residents served has likely changed since September 2017. Several wastewater treatment facility upgrades have taken place across New York State in recent years to address aging wastewater treatment infrastructure, with funding through programs administered through state programs by the NYS Environmental Facilities Corporation (“NYSEFC”), by the NYSDEC (e.g. through its Water Quality Improvement Project (“WQIP”) grant program), and through federal funding sources like the Clean Water State Revolving Fund (“CWSRF”) and Bipartisan Infrastructure Law (“BIL”).

The PEIS indicates there are 27 municipal solid waste landfills operated by NYS. The NYSDEC’s website indicates that NYS currently operates 25 municipal solid waste landfills.

The PEIS references New York State’s recycling initiatives. The NYSDEC has published updated facts and figures regarding its recycling, composting, and product stewardship on its website at <https://dec.ny.gov/environmental-protection/recycling-composting>.

### 11.1.2 Soils

#### *11.1.2.4 Soil Suborders*

Since the PEIS was published in 2027, the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (“NRCS”) published an updated Major Land Resource Area (“MLRA”) Geographic Database in 2022.

### 11.1.3 Geology

#### *11.1.3.7 Fossil Fuel and Mineral Resources*

The NYSDEC maintains records of oil and gas wells operating in New York State on its Information Locator and through the NYS GIS Clearinghouse. The data in Figure 11.1.3-4 “New York Oil and Gas Fields” may be outdated.

Since the PEIS was published in 2027, the NYSDEC published updated data regarding its Mineral resources in 2020, available online at

[https://extapps.dec.ny.gov/docs/materials\\_minerals\\_pdf/minfactsht.pdf](https://extapps.dec.ny.gov/docs/materials_minerals_pdf/minfactsht.pdf) and [https://extapps.dec.ny.gov/docs/materials\\_minerals\\_pdf/annualreport2020.pdf](https://extapps.dec.ny.gov/docs/materials_minerals_pdf/annualreport2020.pdf).

#### *11.1.3.8 Geologic Hazards*

The PEIS presents data regarding the impact of landslides in New York State, including the number of major landslide events between 1960-2012, and the economic losses and property damage incurred by landslides in New York State. Updated data regarding major landslide incidences in New York State (including featured landslide occurrences in 2020 and 2018) are available online on the New York State “Mitigate NY” database, at [https://mitigateny.org/assess\\_risk/natural\\_hazards/landslide](https://mitigateny.org/assess_risk/natural_hazards/landslide).

### 11.1.4 Water Resources

#### *11.1.4.5 Impaired Waterbodies*

The PEIS lists “Section 303(d) Impaired Waters of New York, 2014” in Table 11.1.4-2 and depicts these waterbodies in Figure 11.1.4-3. The most recent Section 303(d) New York State Water Quality Report was issued in 2024 and includes an updated list of impaired waterbodies. The data listed in Table 11.1.4-2 and depicted in Figure 11.1.4-3 shows the 2014 data.

The conclusions drawn from the 2014 data include:

- “Based on the WI/PWL, urban/stormwater runoff, contaminated sediment, inadequate wastewater treatment infrastructure, and atmospheric deposition (including acid rain) are the most probable sources of impaired waters within the state.”

- “The leading source of impairment is due to urban stormwater runoff for almost 40 percent of all waterbodies assessed throughout the state, with the greatest impact in and around major metropolitan areas, such as New York City, Buffalo, Syracuse, Rochester, and Albany.”
- “Discharges from wastewater treatment systems affect almost 25 percent of all waterbodies in the state because of inadequate wastewater infrastructure and treatment, typically occurring in more populated areas.”

These conclusions are still accurate.

#### *11.1.4.6 Floodplains*

The PEIS indicates that there are 1,480 communities designated as flood-prone areas in New York. Since September 2017, when the PEIS was published, many communities throughout New York State have experienced updates to Federal Emergency Management Agency (“FEMA”) Floodplain Mapping.

The PEIS indicates that there were 39 communities in New York State participating in the National Flood Insurance Program (“NFIP”) Community Rating System (“CRS”) as of May 2014. As of April 2025, there are 53 communities in New York State participating in the NFIP CRS.

#### 11.1.5 Wetlands

##### *11.1.5.3 Environmental Setting: Wetland Types and Functions*

The United States Fish and Wildlife Service (“USFWS”) National Wetland Inventory (“NWI”) is updated twice a year. Therefore, the “Amount (acres)” presented in Table 11.1.5-2 “New York Wetland Types, Descriptions, Location, and Amount, 2014” and the geospatial data presented in Figure 11.1.5-1 “Wetlands by Type, in Western New York, 2014,” Figure 11.1.5-2 “Wetlands by Type, Northern New York, 2014,” and Figure 11.1.5-3 “Wetlands by Type, Southern New York, 2014” may not reflect current conditions.

##### *11.1.5.4: Environmental Setting: Wetlands of Special Concern or Value*

The PEIS indicates that “Due to their small size (less than 12.4 acres), woodland pools are not protected by state and federal wetland regulations, nor included on state wetland maps, and are often overlooked by state planners (NYSDEC, 2015am).” The 2023 Court Case *Sackett v. Environmental Protection Agency* further clarified wetland regulations to state that “jurisdiction over wetlands depends upon the existence of a significant nexus between the wetlands in question and navigable waters in the traditional sense.” In other words, the Clean Water Act defines regulatory wetlands as those that have a continuous surface connection with “Waters of the United States.”

### 11.1.6. Biological Resources

#### *11.1.6.3 Vegetation*

Some changes to listed Threatened and Endangered Species have occurred since 2017 (see “Environmental Circumstances – Threatened and Endangered Species” for additional information).

#### *11.1.6.4 Terrestrial Wildlife*

Some changes to listed Threatened and Endangered Species have occurred since 2017 (see “Environmental Circumstances – Threatened and Endangered Species” for additional information).

The PEIS references “Invasive Wildlife Species” which are regulated in NYS by 6 NYCRR Part 575. In 2018, the NYSDEC and NYS Department of Agriculture and Markets published the “New York State Invasive Species Comprehensive Management Plan” which is available online at [https://extapps.dec.ny.gov/docs/lands\\_forests\\_pdf/iscmpfinal.pdf](https://extapps.dec.ny.gov/docs/lands_forests_pdf/iscmpfinal.pdf).

#### *11.1.6.5 Fisheries and Aquatic Habitat*

Some changes to listed Threatened and Endangered Species have occurred since 2017 (see “Environmental Circumstances – Threatened and Endangered Species” for additional information).

#### *11.1.6.6 Threatened and Endangered Species*

Some changes to listed Threatened and Endangered Species have occurred since 2017 (see “Environmental Circumstances – Threatened and Endangered Species” for additional information).

### 11.1.7 Land Use, Recreation, and Airspace

#### *11.1.7.3 Land Use and Ownership*

Table 11.1.7-1 “Major Land Uses in New York” references data published by the United States Geologic Survey (“USGS”) published in 2012 which is potentially out of date. Land cover is updated annually by USGS, and the results are published online at <https://www.usgs.gov/centers/eros/science/annual-national-land-cover-database>

Figure 11.1.7-2 “Land Ownership Distribution” relies on data published by the NYS GIS Clearinghouse in 2015 which is potentially out of date. See updated datasets listed below.

Table 11.1.7-3 “Federal Land in New York” relies on data published by the USGS in 2014 which is potentially out of date. An updated dataset of federally-owned properties in NYS is available online at:

[https://data.gis.ny.gov/datasets/5d8f081fa69e405daddee78149b71575\\_0/explore](https://data.gis.ny.gov/datasets/5d8f081fa69e405daddee78149b71575_0/explore)

Table 11.1.7-4 “State Land in New York” relies on data published by the NYSDEC in 2015 which is potentially out of date. An updated dataset of state-owned properties in NYS is available online at:

<https://data.gis.ny.gov/maps/c756ab8f4b654789812c1b9d6d783640/about>

#### *11.1.7.4 Recreation*

Figure 11.1.7-3 “New York State Recreation Resources” relies on data published by the USGS in 2014 and NYPRHP in 2015 which is potentially out of date. New York State maintains several geospatial databases showing its outdoor recreational facilities, which are available online at:

[https://data.gis.ny.gov/datasets/229089e7a2c741e5a79d68939837014a\\_0/explore?location=42.615468%2C-75.923250%2C5.81](https://data.gis.ny.gov/datasets/229089e7a2c741e5a79d68939837014a_0/explore?location=42.615468%2C-75.923250%2C5.81)

[https://data.gis.ny.gov/datasets/84b4cce8a8974c31a1c5584540f3aaae\\_0/explore?location=42.661039%2C-75.897235%2C6.78](https://data.gis.ny.gov/datasets/84b4cce8a8974c31a1c5584540f3aaae_0/explore?location=42.661039%2C-75.897235%2C6.78)

[https://data.gis.ny.gov/datasets/bb2dfa2cce0462ebe40e4efd8e2252f\\_0/explore?location=42.680006%2C-75.713896%2C6.79](https://data.gis.ny.gov/datasets/bb2dfa2cce0462ebe40e4efd8e2252f_0/explore?location=42.680006%2C-75.713896%2C6.79)

#### *11.1.7.8 New York Airspace*

Figure 11.1.7-5 “Composite of New York Airports/Facilities,” Figure 11.1.7-6 “Public New York Airports/Facilities,” and Figure 11.1.7-7 “Private New York Airports/Facilities” rely on data published by the National Transportation Atlas Database (“NTAD”) in 2014 and FAA in 2015 which is potentially out of date.

Figure 11.1.7-8 “SUAs in New York” and Figure 11.1.7-9 “MRTs in New York” rely on data published by the Digital Aeronautical Flight Information File (“DAFIF”) in July 2015 which is potentially out of date.

### 11.1.8 Visual Resources

#### *11.1.8.4 Visually Important Historic Properties and Cultural Resources*

The PEIS indicates that “there are 5,703 National Register of Historic Places (“NRHP”) listed sites, which include four National Heritage Areas, 271 National Historic Landmarks, 10 National Historical Sites, two National Historical Parks, and six National Monuments.” Similarly, Figure 11.1.8-1 “Cultural and Heritage Resources that May be

Visually Sensitive” relies on data published by the National Heritage Areas Program Office in 2011, the National Register of Historic Places in 2015, New York State Parks in 2015, and the National Park Service in 2015, which is potentially out of date. According to the New York State Office of Historic Preservation (“SHPO”), there are roughly 6,500 places on the National Register of Historic Places.

#### *11.1.8.5 Parks and Recreation Areas*

Figure 11.1.8-2 “Natural Areas that May be Visually Sensitive” relies on data published by Highway Safety Improvement Program (“HSIP”) in 2015, the NY Department of Environmental Protection in 2015, the US National Atlas in 2014, and the US Geological Survey in 2012, which may be outdated in some instances.

#### *11.1.8.6 Natural Areas*

Table 11.1.8-6 does not include John Boyd Thatcher State Park, which was designated a National Natural Landmark in 2023.

#### *11.1.8.7 Additional Areas*

*See the revisions to Scenic Byways listed in 11.1.1.3 Transportation.*

### 11.1.9 Socioeconomics

#### *11.1.9.1 Definition of the Resource*

It should be noted that this section references Environmental Justice as defined in Executive Order (“EO”) 12898, which was rescinded in January 2025.

This section indicates that the socioeconomic data used in the PEIS is “typically for 2013-2014,” and uses the Census Bureau’s 2009-2013 American Community Survey (ACS). The most recent ACS five-year data spans 2019-2023.

#### *11.1.9.3 Communities and Populations*

Overall, this section uses data that was current as of 2017 and predominantly data spanning 2000-2014 and data from the 2009-2013 American Community Survey (“ACS”). The most recent ACS five-year data spans 2019-2023 and there may be slight variations in data. Projections included in this section (e.g. Table 11.1.9-3 “Project Population Growth of New York”) may also rely on datasets which are out of date.

#### *11.1.9.4 Economic Activity, Housing, Property Values, and Government Revenues*

Overall, this section uses data that was current as of 2017 which may be outdated (e.g. see “Table 11.1.9-5 “Selected Economic Indicators for New York” which uses data from 2015). As noted in the PEIS, this data is relevant to FirstNet infrastructure as these

industries may be involved in real estate transactions and the design, deployment and management of FirstNet Infrastructure.

This section does not include changes in economic and employment trends, housing patterns, and other socioeconomic conditions due to the COVID-19 pandemic.

#### 11.1.10 Environmental Justice

##### *11.1.10.1 Definition of the Resource*

As described above, it should be noted that this section references Environmental Justice as defined in EO 12898, which was rescinded in January 2025.

##### *11.1.10.3 Environmental Setting: Minority and Low-Income Populations*

As described above in 11.1.9, this section also references Environmental Justice as defined in EO 12898, which was rescinded in January 2025.

##### *11.1.10.4 Environmental Justice Screening Results*

As described above in 11.1.9, this section also references Environmental Justice as defined in EO 12898, which was rescinded in January 2025.

#### 11.1.11 Cultural Resources

##### *11.1.11.6 Historic Context*

Figure 11.1.11-4 “National Heritage Areas (“NHA”) and NRHP Sites in New York relies on data from the National Register of Historic Places in 2015, and may be outdated.

#### 11.1.12 Air Quality

##### *11.1.12.3 Environmental Setting: Ambient Air Quality*

Certain datasets presented in the PEIS, such as Table 11.1.12-5 “New York Nonattainment and Maintenance Areas by Pollutant Standard and County, may have updated data available. Otherwise, this section sufficiently identified the existing Environmental Setting / existing resources.

#### 11.1.14 Climate Change

##### *11.1.14.3 New York Greenhouse Gas Emissions*

Certain datasets presented in the PEIS, such as Table 11.1.14-2 “New York CO<sub>2</sub> Emissions from Fossil Fuels by Fuel Type and Sector, 2014”, may have updated data available. Otherwise, this section sufficiently identified the existing Environmental Setting / existing resources.

#### *11.1.14.5 Existing Climate*

Certain datasets presented in the PEIS, such as annual precipitation figures and sea level rise data may have changed since September 2017. Otherwise, this section sufficiently identified the existing Environmental Setting / existing resources.

#### 11.1.15 Human Health and Safety

##### *11.1.15.3 Environmental Setting: Existing Telecommunication Sites*

Data reported in the PEIS regarding the number of telecommunication line installation and repair workers, telecommunication equipment installers and repairs, and injury and fatality data may be outdated.

##### *11.1.15.4 Environmental Setting: Contaminated Properties at or near Telecommunication Sites*

The PEIS reports on the number of sites in the New York Environmental Remediation Database as of July 2015 (e.g. Class 1 sites, RCRA Corrective Action sites, brownfields, and Superfund/NPL sites). More recent data is available for remediation sites in New York State.

The PEIS references the NIH TOXMAP database reporting on Toxics Release Inventory (“TRI”) facilities in New York State. TOXMAP was discontinued in 2019.

Similarly, the geospatial data presented in Figure 11.1.15-2 “TOXMAP Superfund/NPL and TRI Facilities in New York (2013)” may be outdated.

### ***Changes in Environmental Circumstances***

#### 11.1.3 Geology

##### *11.1.3.2 Specific Regulatory Considerations*

New York City Construction Codes were updated in 2022 and included updated design guidelines to help minimize the probability of new structures collapsing or sustaining significant damage during an earthquake. In addition, NYS Building Codes were updated in 2024 and include seismic requirements, earthquake load requirements, and geotechnical investigations. Project activities would be required to adhere to these updated codes.

#### 11.1.4 Water Resources

##### *11.1.4.2 Specific Regulatory Considerations*

Since the publication of the PEIS, the Clean Water Act was amended relating to Water Resources. These amendments do not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

As stated in 11.1.5.4 above, the 2023 Court Case *Sackett v. Environmental Protection Agency* further clarified wetlands regulations to state that “jurisdiction over wetlands depends upon the existence of a significant nexus between the wetlands in question and navigable waters in the traditional sense.” In other words, the Clean Water Act defines regulatory wetlands as those that have a continuous surface connection with “Waters of the United States.” This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

The Safe Water Drinking Act was amended since the September 2017 publication of the PEIS. However, the amendments do not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

On March 15, 2023, NYSDEC announced the issuance of final water quality guidance values to regulate Perfluorooctanoic acid (“PFOA”), Perfluorooctane sulfonic acid (“PFOS”), and 1,4-Dioxane (1,4-D). This guidance does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

#### 11.1.5 Wetlands

##### *11.1.5.2 Specific Regulatory Considerations*

As stated in 11.1.5.4 above, the 2023 Court Case *Sackett v. Environmental Protection Agency* further clarified wetlands regulations to state that “jurisdiction over wetlands depends upon the existence of a significant nexus between the wetlands in question and navigable waters in the traditional sense.” In other words, the Clean Water Act defines regulatory wetlands as those that have a continuous surface connection with “Waters of the United States.” This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

The NYSDEC issued updated regulations for Freshwater Wetlands effective January 1, 2025. As noted on the NYSDEC’s website, “On January 1, 2025, changes to 6 NYCRR Part 664, Freshwater Wetlands Mapping and Classification to Freshwater Wetlands Jurisdiction and Classification to implement amendments to the Freshwater Wetlands Act went into effect. The newly adopted regulations define key terms, describe the revised freshwater wetland classification system, present criteria for the identification of Wetlands of Unusual Importance, and describe procedures DEC uses in making jurisdictional determinations to enhance consistency and conservation.” This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

11.1.6. Biological Resources

11.1.6.2 *Specific Regulatory Considerations*

Several updates to Threatened and Endangered species have been made since the September 2017 publication of the PEIS. These updates are summarized below:

<b>Common Name</b>	<b>Scientific Name</b>	<b>Type</b>	<b>Status / Change</b>
Tricolored Bat	<i>Perimyotis subflavus</i>	Mammal	Proposed Endangered
Northern Long-Eared Bat	<i>Myotis septentrionalis</i>	Mammal	Endangered (formerly listed as Threatened)
Rufa Red Knot	<i>Calidris canutus rufa</i>	Birds	Critical Habitat Added
Kemp’s Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Reptiles	Jurisdiction boundary no longer includes New York (though species may still be found in New York)
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Reptiles	Jurisdiction boundary no longer includes New York (though species may still be found in New York)
Eastern Massasauga Rattlesnake	<i>Sistrurus catenatus</i>	Reptiles	Threatened
Eastern Hellbender	<i>Cryptobranchus alleganiensis alleganiensis</i>	Amphibian	Proposed Endangered

Green Floater	<i>Lasmigona subviridis</i>	Clams	Proposed Threatened (and Critical Habitat for Green Floater added)
Longsolid	<i>Fusconaia subrotunda</i>	Clams	Threatened
Rayed Bean	<i>Villosa fabalis</i>	Clams	Critical Habitat Added
Northern Riffleshell	<i>Epioblasma torulosa rangiana</i>	Clams	Endangered
Salamander Mussel	<i>Simpsonaias ambigua</i>	Clams	Endangered
Snuffboc Mussel	<i>Epioblasma triquetra</i>	Clams	Endangered
Bog Buck Moth	<i>Hemileuca maia menyanthevora</i>	Insects	Endangered
Monarch Butterfly	<i>Danaus plexippus</i>	Insects	Proposed Threatened
American Hart Tongue Fern	<i>Asplenium scolopendrium var. americanum</i>	Plants	Removed (formerly endangered)
Northern Wild Monkshood	<i>Aconitum noveboracense</i>	Plants	Removed (formerly threatened)
Swamp Pink	<i>Helonias bullata</i>	Plants	Threatened

These updates do not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

11.1.7 Land Use, Recreation, and Airspace

*11.1.7.2 Specific Regulatory Considerations*

The “Guide to Planning and Zoning Laws of New York (2011)” referenced on page 11-129 was revised in 2021. The revision does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

### 11.1.8 Visual Resources

#### *11.1.8.2 Specific Regulatory Consideration*

The PEIS notes that “According to the New York State Legislative Commission on Rural Resources, 30 of 57 counties in New York have plans for comprehensive planning and development, many of which include consideration of visual resources, scenic easements, and telecommunications regulations.” This figure has likely changed since September 2017. However, this change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

### 11.1.10 Environmental Justice

#### *11.1.10.2 Specific Regulatory Consideration*

As explained above, federally, “Environmental Justice” was defined in EO 12898, which was rescinded in January 2025.

In New York State, Environmental Justice programs and procedures continue to be active. According to the NYSDEC’s Environmental Justice webpage, recent actions impacting Environmental Justice in New York State include the finalization of criteria to identify disadvantage communities (“DACs”) across New York State, which will help to guide the equitable implementation of the NYS Climate Act. This additional program does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

### 11.1.12 Air Quality

#### *11.1.12.2 Specific Regulatory Considerations*

The current federal administration is currently reviewing the PM2.5 National Ambient Air Quality Standards (“NAAQS”) which may impact regulatory guidance and requirements surrounding air quality. This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

As noted in 11.1.1.6 above, New York State passed the CLCPA, which set the goal to achieve 100% zero-emission electricity by 2040 and to reduce emissions at least 85% below 1990 levels by 2050. This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

### 11.1.14 Climate Change

#### *11.1.14.2 Specific Regulatory Consideration*

The PEIS references Executive Order 13693, which was revoked by EO 13834 in 2018. This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

Since publication of the PEIS in September 2017, the Council on Environmental Quality (“CEQ”) issued interim guidance in 2023 to assist Federal agencies in their consideration of the effects of greenhouse gas (“GHG”) emissions and climate change when conducting environmental reviews pursuant to NEPA. However, the interim guidance was revoked following EO 14154 “Unleashing American Energy” as CEQ concluded that the January 9, 2023 Interim Guidance is inconsistent with current policy objectives. These changes do not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

Table 11.1.1401 “Relevant New York Climate Change Statutes and Regulations” references EO 24, which set a goal to reduce GHG emissions by 80% below level emitted in 1990 by year 2050 and established the New York State Climate Action Council (“CAC”). As noted in 11.1.1.6 above, New York State passed the CLCPA, which set the goal to achieve 100% zero-emission electricity by 2040 and to reduce emissions at least 85% below 1990 levels by 2050. This change does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

#### 11.1.15 Human Health and Safety

##### *11.1.15.2 Specific Regulatory Consideration*

The PEIS references Title 6 NYCRR Part 360 Materials Management Program which provides general operational requirements for solid waste management facilities. It is noted that the amendments were adopted in July 2023. The revision does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

### ***Changes to Environmental Impacts of the Project***

#### 11.2.5 Wetlands

##### *11.2.5.3 Description of Environmental Concerns*

Because of the updates to 6 NYCRR Part 664, Freshwater Wetlands Mapping and Classification to Freshwater Wetlands Jurisdiction and Classification enacted on January 1, 2025, the number of potential state regulated wetlands has likely increased. Therefore, this section could be revised to acknowledge the “unusual importance criteria” that applies to New York State wetlands and the possible permitting that may be required.

#### 11.2.6. Biological Resources

##### *11.2.6.6. Threatened and Endangered Species*

As noted in 11.1.6.2, several updates to Threatened and Endangered species have been made since the September 2017 publication of the PEIS. However, this section

sufficiently identified the existing Environmental Impacts related to threatened and endangered species.

#### 11.2.10 Environmental Justice

##### *11.2.10.3 Description of Environmental Concerns*

As described above in 11.1.9, this section references Environmental Justice as defined in EO 12898, which was rescinded in January 2025. Additionally, this section also references USEPA’s EJSCREEN tool which has been rolled back. Therefore, this section could be revised to acknowledge the change in federal regulations regarding Environmental Justice.

##### *11.2.10.4 Potential Impacts of the Preferred Alternative*

Overall, Environmental Justice as defined in EO 12898 was rescinded in January 2025, making this section inapplicable at the federal level, However, New York State continues to implement Environmental Justice initiatives. Therefore, this section sufficiently identified “Potential Deployment Impacts” and “Potential Operational Impacts” at the state level.

#### 11.2.14 Climate Change

##### *11.2.13.2 Impact Assessment Methodology and Significance Criteria*

This section references the CEQ requirements for the consideration of climate change. As noted in 11.1.14.2, CEQ issued interim guidance in 2023 to assist Federal agencies in their consideration of the effects of GHG emissions and climate change when conducting environmental reviews pursuant to NEPA. However, the interim guidance was revoked following EO 14154 “Unleashing American Energy” as CEQ concluded that the January 9, 2023 Interim Guidance is inconsistent with current policy objectives. Therefore, this section could be revised to acknowledge the change in federal policy based on Executive Order 14154.

#### ***Changes to Avoidance, Minimization, Mitigation Measures or Best Management Practices***

##### 11.1.1 Infrastructure

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance:

[https://broadbandusa.ntia.gov/sites/default/files/2025-06/EHP\\_NTIA\\_BMPs\\_and\\_Mitigation\\_Measures.pdf](https://broadbandusa.ntia.gov/sites/default/files/2025-06/EHP_NTIA_BMPs_and_Mitigation_Measures.pdf)

#### 11.1.2 Soils

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of BMPs and current NTIA guidance.

#### 11.1.3 Geology

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of BMPs and current NTIA guidance.

#### 11.1.4 Water Resources

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of BMPs and current NTIA guidance.

#### 11.1.5 Wetlands

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of BMPs and current NTIA guidance.

#### 11.1.6. Biological Resources

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

Include updated USFWS Best Management Practices for each newly listed endangered and threatened species and critical habitat.

Include updated NYSDEC guidance for each newly regulated invasive species.

#### 11.1.7 Land Use, Recreation, and Airspace

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.8 Visual Resources

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.9 Socioeconomics

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.10 Environmental Justice

As mentioned above in Section 11.1.9, this section references “environmental justice communities, as defined by the EPA.” EO 12898, which defined environmental justice communities, was rescinded in January 2025. In New York State, Environmental Justice programs and procedures continue to be active. According to the NYSDEC’s Environmental Justice webpage, recent actions impacting Environmental Justice in New York State include the finalization of criteria to identify DACs across New York State, which will help to guide the equitable implementation of the NYS Climate Act. This additional program does not impact the Environmental Setting or Environmental Circumstances as described in the PEIS.

It is noted that NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.11 Cultural Resources

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.12 Air Quality

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.13. Noise and Vibration

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### 11.1.14 Climate Change

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of BMPs and current NTIA guidance.

#### 11.1.15 Human Health and Safety

NTIA has published updated Best Management Practices since the publication of the PEIS in September 2017. NTIA should reference the most recent set of Best Management Practices and current NTIA guidance.

#### ***Recommendation***

As documented herein, certain environmental setting and circumstance data related to utilities and infrastructure, wetlands, threatened and endangered species, and environmental justice, among other impact categories, has changed, evolved, or been updated since the publication of the PEIS in 2017. However, due to the scope and nature of future BEAD-funded broadband infrastructure projects in New York, the environmental impact analysis presented in the 2017 PEIS combined with the future application of best management practices which will incorporate avoidance, minimization, and/or mitigation measures, where applicable and appropriate, remains valid and is sufficient to support future tiered NEPA reviews.

Based on a thorough review of the Eastern United States Regional PEIS, Chapter 11 (New York), it has been determined that the analysis contained in this PEIS remains valid for use in subsequent environmental documents and may still be relied upon by NTIA to support future tiered NEPA reviews and associated decision-making for future BEAD-funded broadband infrastructure projects.

## Document Change Log

Version	Date Published	Summary of Changes
1.0	September 17, 2025	Initial publication
1.1	September 25, 2025	<p>Revised publication of Proposal as submitted to NTIA. Changes after public comment include:</p> <ul style="list-style-type: none"> <li>• Updated section and sub-section titles to match NTIA Final Proposal guidance</li> <li>• 1.1: Corrected the formatting of prequalification phase dates; updated the number of locations that were removed from eligibility</li> <li>• 1.3: Updated the number of locations remaining without a proposal</li> <li>• 2.1: Added reference to interim deployment milestones that will be included in subgrantee Incentive Proposals</li> <li>• 4.1: Added details on the Final Proposal public comment period and summary of comments received</li> <li>• 5.2: Added date of approval of Challenge Process results</li> <li>• 6.2 and 6.5: Updated the numbers of unserved and underserved locations remaining without a proposal</li> <li>• 7.1: Corrected a sub-section title to align with the corresponding section of the Initial Proposal, Vol. II</li> <li>• 9.1: Revised reference to lowest cost scoring criteria to clarify that this was the Minimal BEAD Program Outlay criterion from the Restructuring Policy Notice (RPN)</li> <li>• 13.1: Updated to include the date of New York’s extended Final Proposal submission deadline, as approved by NTIA; added reference to conditional limited programmatic waiver for Tribal consents</li> <li>• Appendices: Updated language to refer to files submitted separately via NTIA’s grants portal</li> </ul>
2.0	December 4, 2025	<p>Revised publication of Proposal as approved by NTIA. Changes after NTIA submission include:</p> <ul style="list-style-type: none"> <li>• Removed “Submitted for NTIA Review” from document cover</li> <li>• Updated document header date</li> </ul>

		<ul style="list-style-type: none"> <li>• Added Document Change Log to Table of Contents and updated page numbers</li> <li>• 1.1: Added details on changes made to Prequalification Application and Request for Applications to align with the RPN; added clarification that pre-RPN applicants were given the opportunity to revise, withdraw, or let stand their existing proposals</li> <li>• 1.3: Updated to note that ConnectALL was able to identify a solution for all locations that did not receive proposals</li> <li>• 2.1: Added clarification that LEO Capacity Subgrants will have an extended period of performance; added language noting that deployment milestones will be defined in subgrant agreements and ConnectALL will monitor progress through regular project check-ins</li> <li>• 6: Revised to reflect that the Final Proposal addresses all unserved and underserved locations</li> <li>• 8.1: Added detail on technical reviews conducted to make Priority Broadband Project determinations</li> <li>• 9.1: Removed reference to New York State Urban Development Corporation Act; added detail on how proposals that tied on secondary scoring were resolved</li> <li>• Appendix 5: Clarified that any potential funding reallocations would be made in accordance with NTIA guidelines</li> <li>• Appendix 7: Added names of environmental consultants</li> <li>• Added document change log</li> </ul>
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