



# ARConnect

The Arkansas State Broadband Office

**Arkansas BEAD Program**

## Frequently Asked Questions Document 52

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### **EHP Process Questions**

1. Can you provide more detail on the ESA Section 7 consultation timelines?  
The ESA Section 7 review process involves several possible pathways depending on the outcome of your initial screening. If your project qualifies for NTIA's "no effect" list, document the determination and review is complete. If not, conduct a review through IPaC. If no listed species or critical habitat are identified, review is complete. If species are identified, complete the applicable DKey. A "no effect" or NLAA determination with a concurrence letter closes out ESA obligations with no further review required, typically in under an hour. A "may affect" determination that the Arkansas Field Office subsequently confirms as NLAA triggers informal consultation of up to 30 days. A finding of likely adverse effect triggers formal consultation of up to 135 days from submission of a complete Biological Assessment. Please refer to the Permitting Toolkit for more information.
2. APPEIT includes many datasets, but not every dataset corresponds to a permit requirement. Is there a list that maps APPEIT datasets to the specific permits they trigger to make GIS review more efficient?  
Please raise this with your environmental consultant, as they will be best positioned to help you work through the dataset-to-permit mapping for your specific project area. If subgrantees have a specific question around a particular APPEIT resource flag, feel free to reach out to [argrants@mbakerintl.com](mailto:argrants@mbakerintl.com) and we will be more than happy to help.

### **Notice to Proceed Questions**

3. Do subgrantees need all permits secured before receiving a Notice to Proceed, including federal, state, local, private, and other authorizations?  
ARConnect is planning to require all EHP-related permits at the federal, state, and local levels prior to issuing a Notice to Proceed. It is important to note that the NTP is issued at the project area/NEPA subproject area level. ARConnect also recognizes that some subgrantees are planning phased build outs and that certain permits carry shorter expiration windows. We are keeping both of those considerations in mind as we shape our NTP requirements moving forward. Please stay on the lookout for further guidance on this topic.