

# Let's Get Moving

Broadband deployment and the  
need for federal permitting reform

A scenic view of a sunset over a valley. In the foreground, a telecommunications tower stands on a grassy hill. The background shows a vast valley with a city and a lake, all under a sky with a vibrant sunset. The text is overlaid on the top half of the image.

Idaho Legislative Committee on Federalism  
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# The Problem



- Wired and wireless broadband is a fiercely competitive private-sector industry with an enormous amount of investment in infrastructure.

- New federal dollars are supercharging that market, expanding it to new areas and will hopefully lead to new economic opportunities throughout the West.

- Even without the public dollars, private industry is investing significant amounts of private capital into rural Idaho.

- Since most of the land in rural Idaho is publicly owned, public agencies have to allow the installation of the conduit, fiber and towers needed for broadband.

- The frustratingly slow pace of permitting means projects can have years of delay before construction even starts.

- The bigger problem is the projects we never even see because permitting delays cause companies to simply move on, and permit applications are never submitted.





“... permitting for broadband projects on BLM or National Forest Service land can take anywhere between 16 and 48 months. In Utah, one provider waited almost three years for approval from the U.S. Forest Service to repair a fiber optic line on federal land.” – Letter from U.S. senators to three federal agencies

“We can’t get anyone [at the BLM] to respond. So not only is it getting the whole process of the rights-of-way, it’s getting somebody to respond and start the process.” – Kelly Schlegel, New Mexico Office of Broadband Access

“Providers can face lengthy and frustrating delays and the need to expend substantial sums beyond the actual costs of construction to access federal lands, or other rights of way, for broadband deployment.” – Michael Romano, executive vice president of NTCA—The Rural Broadband Association

“It shouldn’t take years for internet service providers to get approval to install or make simple repairs on federal land. Streamlining the permitting process is a vital step in closing the digital divide in rural communities ...” – Sen. John Barrasso, R-Wyoming





# The Solution

- We need companies to install conduit, build out fiber and construct towers with as few restrictions or delays as possible.

- All that work is done by the private sector. They pay very well for jobs that don't require a college degree, and much of the money is staying here in Idaho.

- When we build out broadband capacity quickly we can more quickly realize the benefits. Too many communities have been waiting for too long.







- No more committees. The 'Federal Permitting Council' represents 15 separate agencies, and it hasn't worked.
- Require 'shot clocks.' It's simple – if an agency can't review a permit within a set time that permit should be approved.
- Streamline reviews. We need federal agencies to only do what is necessary, not what is the normal course of the bureaucracy.
- More state authority. Wherever possible, state agencies should dictate how broadband is permitted.



# Next Steps



We need state legislatures to be vocal about the need for reform. There are several options under consideration by Congress:

- Sen. Sinema (D-AZ) and Sen Barrasso (R-WY) have a bill to create regulation task forces.
- The BROADBAND Leadership Act. would streamline permitting processes for telecommunications.
- A draft bill requires states accepting BEAD money reform state and local application fees.
- The best bill is from Congressman Russ Fulcher, which exempts some projects from NEPA.

There is opportunity for state and local reforms:

- Open up state lands as much as possible to fiber, conduit and tower development.
- Level the playing field between publicly owned fiber and privately funded projects.
- Put 'shot clocks' on local planning and zoning agencies, especially for projects funded with public money.
- Streamline the approval process for hanging fiber on power poles to prevent expensive trenching.



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