

Special Award Conditions

Award Number: NT10BIX5570026

Amendment Number: 2

1) Revised Environmental SAC (NT10BIX5570026)

The grantee may not expend any Federal funds other than Management and Administration (M&A) funds prior to the following:

- The completion of an environmental assessment (EA) in order to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). Review of the application indicates that proposed activities may impact wetlands, critical habitats, and cultural sites.
- The completion of consultation with the State Historic Preservation Office (SHPO) and with the appropriate federally recognized Native American tribes, as required under Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.) (NHPA), and with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act (16 U.S.C. 1531 et seq.);
- The acquisition of all required permits from the U.S. Army Corps of Engineers to address potential impacts to wetlands from vehicle traffic, if needed, and;
- The compliance with all other applicable federal, state, and local environmental and historic preservation laws.

Project implementation (procurements, demolition, construction, ground disturbance, etc.) may not begin prior to the completion of the above activities. The grantee must comply with all conditions placed on the project as the result of consultation processes.

The allowable use of M&A funds prior to beginning project implementation includes, but is not limited to, activities necessary for the completion of the following:

- Pre-construction project planning, including collecting environmentally related information;
- Applications for environmental permits;
- Studies such as the EA, and any wetland delineations, Biological Assessments (BAs), archaeological surveys, or other required analyses, and;
- Required consultation activities.

While this Special Award Condition is in effect, the Recipient shall submit, in advance of any draw downs from the Automated Standard Application for Payments (ASAP), documentation that details all M&A expenditures to be covered with the requested disbursement of funds. This documentation will be submitted electronically to the Grant Office and reviewed and approved by the Program Officer prior to funds being approved for disbursement through ASAP.

Once the EA has been completed, NTIA will review all documentation and determine whether the EA sufficiently addresses all resource areas and whether the project may qualify for a Finding of No Significant Impact (FONSI). Projects found to have significant impacts to environmental or historic resources may face de-obligation of funding if impacts cannot be mitigated. The grantee is required to provide any information requested by NTIA to ensure both initial and ongoing compliance with environmental and historic preservation laws, regulations, and best practices. The grantee shall notify NTIA within twenty-four (24) hours upon receipt of any notices of foreclosure, notices for continuing consultation received from the SHPO, Tribal Historic Preservation Office (THPO), USFWS, or other consulting party, or notices of noncompliance received from consulting authorities or regulatory agencies.

Any change to the approved project scope that has the potential for altering the nature or extent of environmental or cultural resources impacts must be brought to the attention of NTIA and will be re-evaluated for compliance with applicable regulatory requirements.

For all ground disturbing activities that occur during project implementation, the recipient must ensure that an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards monitors ground disturbance, and if any potential archeological resources are discovered, then the grantee will immediately cease construction in that area and notify NTIA and the appropriate SHPO or THPO.

Due Date: 09/01/2010

2) Revised PS SAC - Accounting System Verification (NT10BIX5570026)

1. Accounting System Verification

The recipient shall submit a signed statement from a licensed public accountant, certifying the ability of the recipient's financial management system to appropriately track and account for federal grants funds and expenditures associated with the funded project. This statement must be received within 60 days of the award start date and the recipient is not allowed to obligate, expend, or draw down any funds until this statement is received and accepted by the Grants Officer.

Due Date: 04/29/2010

3) Revised BTOP-Wide SAC - Post Award Reporting Requirements (NT10BIX5570026)

7. Post Award Reporting Requirements:

The recipient shall submit a "Financial Status Report" (SF-425) on a quarterly basis for the periods ending March 31, June 30, September 30, and December 31 or any portion thereof. Reports are due no later than 30 days following the end of each reporting period. A final SF-425 shall be submitted within 90 days after the expiration date of the award.

The recipient shall submit program-specific quarterly performance reports electronically to the Federal Program Officer in the same frequency as the Financial Status Report (SF- 425) unless otherwise authorized by the Grants Officer. The Federal Program Officer will provide updated instructions for accurate report completion at least 30 days prior to reporting period end date.

Recipients shall submit baseline project plans and details regarding key outputs and outcomes from their projects with their first quarterly performance (technical) report. Federal Program Officers will provide guidance on the format and content of these baseline plans and details for this one-time data gathering activity.

