

Special Award Conditions

Award Number: NT10BIX5570117

Amendment Number: 1

1) Compliance with Environmental Protocols and Measures

Post-award environmental reviews of the Project included consultation with regulatory agencies related to the protection of biological and historic and cultural resources. These consultations identified specific protocols or environmental protection measures. These protocols or protective measures may be either required or recommended to be included in the implementation of the Project to minimize potential impacts to biological resources and effects on historic and cultural resources. The protocols and measures are listed below.

Note that this Special Award Condition does not distinguish requirements identified during the consultations from recommendations that were also provided. Oconee County shall implement the identified protocols and measures without regard to this distinction and advise the Federal Project Officer (FPO) immediately if any issues arise related to the ability to fully comply with any requirement or recommendation listed below.

For each protocol or measure listed, Oconee County shall include the following information in its periodic report to the FPO administering the grant:

- a. Specifically where and when the protocol has been used or a measure has been implemented during the reporting period, and
- b. Whether full compliance with the protocol or measure was achieved.

The FPO may require, if they determine necessary, additional information to ensure compliance with the protocol or measure. If, at any time, Oconee County has questions or requires clarification regarding any of these protocols or measures, they shall notify the FPO, who will coordinate with the appropriate regulatory authority to provide the necessary information.

Biological Resource Protection Protocols and Measures

In a letter dated January 6, 2011, the U.S. Fish and Wildlife Service (USFWS) U.S. Fish and Wildlife Service (USFWS) determined that no Federally listed species, candidate species, or designated critical habitat is located within the Project area. Correspondingly, there are no award conditions that pertain to the protection of biological resources for this BTOP project.

Historic and Cultural Resource Protection Protocols and Measures

County of Oconee consulted with the South Carolina (SC) State Historic Preservation Office (SHPO). Through the Tower Construction Notification System (TCNS), NTIA also provided information on the Project to Tribes with interest in the Project vicinity in SC. Project stipulations resulting from these consultations include:

- " All construction will be restricted to previously disturbed rights-of-way and will not exceed the ditch line.
- " If construction becomes necessary in an area that has not been previously disturbed by utilities installation or other ground disturbing activities then the SHPO must be contacted for additional review.
- " If archaeological materials are encountered during construction, the recipient must follow the procedures codified in 36 CFR 800.13(b), including immediately contacting the SHPO and halting all construction activities until a qualified archaeologist assesses the historic property.
- " If any human skeletal remains or protected Native objects are uncovered during construction, construction will stop immediately, and all consulting parties will be contacted.
- " Oconee will provide additional information to the Shawnee Tribe, per their request. Should the tribe express any specific cultural resource concerns, the County of Oconee will notify NTIA and participate in consultation to resolve associated issues.

Mitigation Measures identified in the Environmental Assessment as being required to avoid potential significant environmental impacts:

Oconee County will implement standard BMP practices and methodologies in and around receptors of noise, air quality, geology and soils, biological, human health and safety, and water resources in the Project Area. If the Project must install fiber under streams, the County will contact the USACE to determine the appropriate methodologies and obtain necessary permits, including USACE Nationwide Permit No. 12 for utility crossings, and Rivers and Harbors Act Section 10 Permit for large river crossings.

Portions of the Project will traverse the Sumter National Forest. A total of 52.2 miles of highways and roads will 'touch' the U.S. Forest Service (USFS) land where fiber optic cable will be installed. According to correspondence with the USFS dated February 1, 2011, Oconee County will be required to obtain the necessary permits from the agency before installing fiber optic cable along portions of the fiber route. The pending permitting process will determine which portions of the route Project segments will require a permit.