

# Special Award Conditions

**Award Number:** NT10BIX5570045

**Amendment Number:** 3

## 1) Mitigated FONSI SAC - NT10BIX5570045

This BTOP Grant Special Award Condition establishes requirements applicable to implementation of the Board of Regents of the University of Wisconsin System (Board), Metropolitan Unified Fiber Network Project. The funding of the Grant is dependent on compliance with the provisions of this Special Award Condition.

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. The Board 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, the Board 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, if they determine necessary, require additional information to ensure compliance with the protocol or measure. If, at any time, the Board 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

None

### Historic and Cultural Resource Protection Protocols and Measures

The Board consulted with the Wisconsin Historical Society, serving as State Historic Preservation Office (SHPO). Through the Tower Construction Notification System (TCNS), NTIA also provided information on the Project to 24 tribes with interest in the greater Madison metropolitan geographical area. Project stipulations resulting from these consultations include:

1. The Board will arrange for a qualified archaeologist, as defined under Wisconsin Statutes Section 157.70(1)(i) and

Wisconsin Administrative Code Section HS2.04(6), to monitor all ground-disturbing activities within non-catalogued portions of the Elmside Park Group site (47-DA-0560/BDA-0269). Wisconsin Historical Society, October 7, 2010

2. The Board will conduct no ground-disturbing activities within the catalogued portions of site 47-DA-0560/BDA-0269. Wisconsin Historical Society, October 7, 2010

3. The Board will construct the fiber network as proposed in the document provided to the SHPO on March 31 and September 22, 2010. If the Project design is modified, the Board will resume consultations with the SHPO to ensure that compliance standards have been met prior to any construction. Wisconsin Historical Society, October 7, 2010

4. If human bone is discovered during construction, Board and its subcontractors will cease work immediately and contact the Burial Sites Preservation Office for compliance with Wisconsin Stat. 157.70 which provides for the protection of burial sites.

5. In the event that other archaeological materials are encountered during Project construction, Board and its subcontractors will immediately halt all activities in the area and contact the SHPO. Wisconsin Historical Society, September 10, 2010

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

None