

Special Award Conditions

Award Number: NT10BIX5570130

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. Trillion 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, Trillion 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, Trillion 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

Consultation with the U.S. Fish and Wildlife Service (USFWS), U.S. Department of Agriculture Forest Service (USDA-FS), and the Alabama Department of Conservation and Natural Resources (ADCNR) have been completed. Based on these consultations, the following requirements and recommendations were identified:

- " No further consultation with the USFWS is required, unless the project is modified, new information becomes available, or new species are listed. In any of these events, Trillion will contact the USFWS to initiate new consultations.
- " Trillion will consult with the USFWS if any vegetation over ten feet in height is to be removed, in order to assess potential impacts to the Red Hills salamander (*Phaeognathus hubrichti*).
- " Trillion will avoid removal of mature, woody vegetation and will use silt fencing to ensure that no dirt falls down the slopes and into the forest habitat of the Red Hills salamander along US-31 south of Georgiana in Butler County, and on SR-83 in Conecuh County from the Monroe County line to the town of Bowles.

Historic and Cultural Resource Protection Protocols and Measures

Trillion consulted with the Alabama Historical Commission (State Historic Preservation Office [SHPO]). Through the Tower Construction Notification System (TCNS), NTIA also provided information on the Project to tribes with interest in Alabama. Project stipulations resulting from these consultations include:

1. If any human skeletal remains or protected Native objects are uncovered during construction, construction will stop immediately, and all consulting parties will be contacted.
2. The Seminole Nation of Oklahoma and Cherokee Nation will be provided the additional project information requested. If these tribal nations respond to the recipient with any concerns, the recipient shall notify and consult with the NTIA and the tribal nation to resolve the identified concern.
3. The recipient must fulfill the requirements of tribes, regulatory and land managing agencies authorized to regulate or permit this project.

Other Protection Protocols and Measures

- " Trillion will continue to work with the U.S. Army Corps of Engineers (USACE) to finalize the Nationwide Permit #12 for Utility Line Activities (which covers both Section 404 and Section 10 considerations) prior to construction in the affected areas.
- " Trillion will not reduce the clearance between the water and the bottom of the bridge, nor will impact any navigation lights on the bridge, while installing cable on the existing bridge crossing of the Alabama River.
- " Trillion will maintain a minimum vertical clearance of four feet between the bottom of the water body channels and the buried cable for all directional drilling.
- " Trillion will ensure that the Project does not interfere with active stream bank protection and active dredging projects at the Burnt Corn Creek Intra-Coastal Waterway.
- " Trillion will continue to work with the Alabama Department of Conservation and Natural Resources (ADCNR) to obtain all applicable state permits for the Project, including a pipeline ROW permit for each crossing of a stream or river determined to be navigable waters owned by the State of Alabama, and a permit for proposed construction in the Lowndes Wildlife Management Area.
- " JKM Consulting will provide the U.S. Department of Agriculture Forest Service (USDA-FS) with a copy of the approved final EA and FONSI documents. Trillion will continue to work with the USDA-FS to obtain a Special Use Permit for an approximately 8-mile route segment in the Tuskegee National Forest and will not construct this segment prior to obtaining the permit.
- " Trillion will continue to work with the Alabama Department of Transportation to obtain the necessary permits for

placing the proposed cable within state ROWs.

" Trillion will complete hazardous building material surveys at the CTC locations prior to beginning renovation activities.