

# Special Award Conditions

**Award Number:** NT10BIX5570074

**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. Contact Network 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, Contact Network 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, Contact Network 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

Contact Network, Inc. consulted with the Mississippi Department of Wildlife, Fisheries, and Parks (MDWF&P), and the U.S. Fish and Wildlife Service (USFWS) with regard to potential Project impacts on biological resources. These Endangered Species Act Section 7 consultations resulted in identification of the following requirements and recommendations:

1. Contact Network will have a qualified biologist conduct surveys for gopher tortoises and their burrows prior to construction in Forrest, Jones, Covington, Marion, Jefferson Davis, and Walthall Counties. USFWS; December 2, 2010
2. Contact Network will notify MDWF&P and USFWS if a burrow or the species itself is located during the surveys, burrow locations will be delineated on plans, and an avoidance alternative will be developed. The cable alignment will be relocated to the opposite side of the road or, where that is not possible, a 25-foot minimum buffer would be kept between the burrow and any ground disturbing activities. USFWS; December 2, 2010
3. Contact Network will educate work crews prior to construction in the six counties in recognizing gopher tortoises

and their burrows, and what to do if one is encountered. USFWS; December 2, 2010

4. Contact Network will stop work if a gopher tortoise is encountered during construction, and contact David Felder (USFWS) at 601-321-1131 and Kathy Shelton (MDWF&P) at 601-528-5705. USFWS; December 2, 2010
5. Contact Network will conduct another survey for the gopher tortoise and its burrows, if construction does not begin within 12 months of the original survey. USFWS; December 2, 2010
6. Contact Network will notify MDWF&P personnel, Scott Peyton or Tom Mann at 601-354-7303 if either the Oldfield Mouse or Florida Harvester Ant is discovered during the course of the Project. MDWF&P; October 20, 2010
7. Contact Network will first consider hand or mechanical clearing for vegetation control. If herbicide is the chosen method, Contact Network will minimize spray drift by only applying herbicide via backpack sprayers to cut stems of only problematic hardwoods and invasives. MDWF&P; October 20, 2010
8. Contact Network will visit [www.fws.gov/southeast/baldeagle/index.html](http://www.fws.gov/southeast/baldeagle/index.html) to determine what BMPs to utilize if a bald eagle or their nest is observed. MDWF&P; October 20, 2010
9. Contact Network will implement BMPs to prevent suspended silt and contaminants from leaving construction sites in storm water runoff. MDWF&P; October 20, 2010

#### Historic and Cultural Resource Protection Protocols and Measures

Contact Network consulted with the Mississippi Department of Archives and History, State Historic Preservation Officer (SHPO). Through the Tower Construction Notification System (TCNS), NTIA also provided information on the Project to seven tribes. Project stipulations resulting from these consultations include:

None