SPECIAL CONTRACT REQUIREMENTS

I. Wildlife, Habitat, and Sensitive Resource Protection

1. Contractors will be informed of special status species and legal penalties for taking or harming of species.
2. Allow National Park Service staff to access the construction site or staging areas for any required resource monitoring, as coordinated by the CO/COR.
3. Helibases and/or helicopter sling-load staging areas: Kautz and Ricksecker are the helibase locations approved for this project, subject to space limitations. Chinook-47/Vertol 234 Chinook helicopters are not approved for operations out of Kautz or Ricksecker to minimize effects on special status wildlife species. Helibases outside the Park may be used as approved by the CO/COR.
4. All flights shall maintain at least 2,000 ft above ground level except during takeoff/ landing or as required for safety.
5. Helicopter lifts shall be accomplished with aircraft capable of safely operating at Camp Muir.
6. All vehicles/equipment must have functioning mufflers. Unmuffled compression brakes are prohibited.
7. Use of air horns is prohibited except for emergencies.
8. Limit idling of vehicles and equipment to 15 minutes except for safety/mechanical needs.
9. Report all wildlife collisions ("roadkill") to the park within 1 hour.
10. Feeding or approaching wildlife is prohibited.
11. Notify the CO/COR of bear, fox, wolverine, or wolf activity near helibases or project areas.
12. Implement a litter control program; store food in wildlife resistant containers.
13. Avoid mapped rare lichen areas at Camp Muir per maps will be provided by CO/COR.
14. Use the quietest equipment and methods feasible to accomplish the work.
15. Work below 4800 ft elevation must occur during daylight hours from March 15 through September 30.
16. Work below 3800 ft elevation occurring from April 1 through Sept 23 must occur no earlier than two hours after official sunrise and will stop at least two hours before official sunset.
17. Nighttime construction is prohibited.

II. Imported Materials – Weed Free Requirements

1. Weed free certification. All material sources and materials incorporated into the work must be certified to be free from noxious weeds, invasive plants, and other deleterious materials by a federal, state or local public agency. Commercial certifications may be acceptable if materials have been certified to meet or exceed the North American Invasive Species Management Association (NAISMA) standards (http://www.naisma.org/). Submit material certifications to the CO/COR for approval at least 5 days before their use in the work.

The term "noxious weed" includes all plant species that have been declared noxious in the jurisdiction (Federal, state, and county) where the material source is located, but also includes all plant species on the Washington State Noxious Weed List and Pierce County Noxious Weed List. Provide noxious weed-free certification for all imported aggregate, borrow, bedding material, riprap and erosion control materials that are capable of harboring noxious weed seed. All components are to be inspected in the State/Province of origin by authorized officials. For a material source provider to be considered certified noxious weed-free, all staging areas, work areas and facilities associated with producing the material must be inspected by authorized officials, and determined to be free of all noxious weeds. Authorized officials approved to perform weed-free inspections include:
(a) National Park Service (NPS) representative designated by Mount Rainier National Park, who may be referred to as the "NPS Representative," "the Park" or "the NPS", hereafter. To request an inspection by the NPS, submit request to the CO &COR and allow up to seven working days for NPS inspection. Previous inspection may also be accepted is conducted by:
(b) Representative of that State's Department of Agriculture;
(c) County weed supervisor, county weed inspector, county weed superintendent and/or county weed coordinator;
(d) University Extension Agent; or
(e) An individual designated by that State's law or regulation. This individual will be trained and certified in accordance with the State's standard operating procedures.

2. Submit material certifications to the CO &COR for approval at least 14 days prior to their use in the work.
3. Quarry materials shall be recently harvested and processed from areas with lowest risk of weed contamination. Materials that have been stored in stockpiles for more than one growing season are prohibited from use in the project.
4. Materials shall be covered before leaving quarry to keep out wind-borne weed seed.
5. If a source is not certified weed free, heat all materials to 300º F prior to entering Park boundaries.
6. Do not stockpile the materials outside of Park boundaries before delivery. Deliver materials directly to the Park. This requirement may be waived if the interim storage site meets weed-free inspection. Provide a written request to the CO & COR and allow up to 14 days for the inspection to be conducted.
7. Hauling vehicles shall be cleaned prior to material loading, and truck exteriors shall be cleaned prior to entry into park.

III. Contractor-located sources

The Contractor is responsible for Contractor-located material sources, including established commercial material sources. Use sources that fulfill the contract quantity and quality requirements. Determine the quantity, type of equipment, and work necessary to

select and produce an acceptable material. Secure permits and clearances for use of the source and submit copies of the documents to the CO.

Sites outside construction limits. Activities outside the construction limits that will require ground disturbance, occupation, clearing, or other environmental impacts are limited to the following: helibase

The requirements (1) through (6) below do not apply to Government designated sources or commercial sources that are established, have provided material to public and private entities on a regular basis over the last two years, have appropriate State and local permits, and do not require expansion outside their currently established and permitted area.

(1) **Proposed activity description.** Submit a description, schedule, and location of the proposed activities for approval by the CO &COR. Include maps of the area and other relevant information.

(2) **Cultural resources.** Submit written documentation satisfactory to the CO &COR for a recommendation of either "no historic properties affected" or “no effect” according to 36 CFR 800.4(d)(1) for historic properties on or eligible for listing to the National Register of Historic Places. Provide either: This is required for locations not designated as construction/laydown areas by NPS and outside of Mount Rainier National Park (MORA).

(a) Documentation showing there are no cultural resources present, and a recommendation of either "no historic properties affected" or “no effect” according to 36 CFR 800.4(d)(1). Documents must be prepared by an individual qualified under the Secretary of the Interiors’ Standards and Guidelines for Archeology and Historic Preservation. Documentation must be satisfactory to the State Historic Preservations Officer (SHPO) or Tribal Historic Preservations Officer (THPO) as appropriate, according to 36 CFR 800.3(c). The CO will submit the documentation to the SHPO or THPO. Anticipate a minimum of 45 days from receipt of the documentation by the SHPO or THPO before use of the site may be approved; or

(b) Documentation showing a finding of either "no historic properties affected" or “no effect” according to 36 CFR 800.4(d)(1) has been previously obtained for the proposed activities from the State, Tribal Government or Federal Land Management Agency responsible for the land. Include attached copies of SHPO concurrence, or Memorandum of Agreement (MOA) where concurrence is not required.

(3) **Species protected under the Endangered Species Act of 1973.** Submit written documentation satisfactory to the CO that the proposed action will have no effect to any threatened or endangered species or their critical habitat. Provide either:

(a) A current list of all threatened or endangered species in the site of proposed activities from the U.S. Fish and Wildlife Service; and a recommendation of a "no

effect" determination according to Section 7 of the Endangered Species Act prepared by a biological specialist with a minimum of 3 years of experience in Endangered Species Act compliance or other qualifications acceptable to the CO. Allow for a minimum of 45 days from submittal to the CO before use of the site may be approved; or

(b) Documentation showing the proposed activities have previously been determined to comply with the Endangered Species Act and this determination remains valid. This documentation must be from the State, Tribal Government or Federal Land Management Agency responsible for the land. Attach evidence of compliance, including correspondence with the U.S. Fish and Wildlife Service.

(5) **Federal lands.** Before use of sites on federal lands, submit a copy of the Letter of Approval or Special Use Permit from the applicable federal agency allowing use of the site for intended purposes.

(6) **Tribal, state and local approvals**. Comply with applicable laws regarding the proposed activities. Submit copies of required clearances, including hazardous waste compliance, tribal, State and local permits and approvals.

Allow 12 days (in addition to other agency time requirements) for approval of documents submitted to the CO.

Water Sources. Water necessary for construction will be obtained from commercial sources or as directed by the CO. Water may be flown in if required. No water may be drawn from streams or natural waterbodies.

Material Sources. The Contractor is responsible for identifying and securing acceptable material sources.

1. Provide list of proposed sources, end uses, and temporary storage requirements 14 days before delivery.
2. Material will be hauled directly from source to Mount Rainier National Park staging area(s) without interim stockpiling or as approved by the CO/COR.
3. Imported material must be free of contaminants.
   NPS will provide sample rock; contractor samples require COR approval.

IV. Dirt, plant, and foreign material.

1. Remove dirt, plant, and foreign material from vehicles and equipment before entry into Mount Rainier National Park.
2. Prevent introduction of noxious weeds and non-native plant species into the work site.
3. Follow applicable Federal land management agency requirements and state requirements.
4. Maintain cleaning and inspection records.

5. Clean hauling vehicles before their initial entry; subsequent entries will not require cleaning unless requested. Notify the CO/COR a minimum of 48 hours before entry to allow for inspection.
6. Loads must be covered during transport.
7. Prevent contamination of staged materials by weeds or weed seeds.