

ENVIRONMENTAL REVIEW AND DOCUMENTATION FORM

WATER SUPPLY AND WASTE DISPOSAL FACILITIES

PROJECT NAME

CHAPTER, NAVAJO NATION

COUNTY, STATE

INDIAN HEALTH SERVICE

PROJECT NUMBER

NA-xx-xxx

I certify that to the best of my knowledge and ability the information presented herein is true and correct:

NAME, Project Engineer/Manager

Signature

Print Name, Title

NAME, District Engineer

Signature

Print Name, Title

**Kelly Mortensen, Assistant Director DSFC /
Area NEPA Coordinator**

Signature

Print Name, Title

Date

{Note: Additional signatures are required for any non-OEHE action or activity.}

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE, INDIAN HEALTH SERVICE
NAVAJO AREA OFFICE**

<u>Consideration</u>	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigations to be implemented.
1. Will the proposed action result in a known violation or continuance of a violation of applicable (Federal, Tribal, State or local) laws or requirements for protection of environment or public health and safety?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED All applicable laws and requirements will be complied with on this project as per project summary. See Note #6.
2. Will the proposed action result in a conflict with existing or proposed Federal, Tribal, State, and local land use plans?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED All applicable laws and requirements will be complied with on this project as per project summary. See Note #6.
3. Is there a controversy with respect to environmental effects of the proposed action based on reasonable and substantial issues?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Project is a routine IHS water/sewer job, requested by the Chapter & Tribe, as per project summary. See Note #6.
4. Is the proposed action significantly greater in scope than normal for the area or does it have significant unusual characteristics?	Yes <input type="checkbox"/> No <input type="checkbox"/> EXPERIENCE/PRINTED NAIHS has funded many projects recently of similar scope and magnitude; see project summary. See Note #6.
5. Does the proposed action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Project is a routine PL 86-121 project, serving existing homes within previously developed areas. See project summary. See Note #6.
6. Does the proposed action have significant adverse direct or indirect effects on park land, other public lands, or areas of recognized scenic or recreational value? (For example, consider how the activity will affect the view?)	Yes <input type="checkbox"/> No <input type="checkbox"/> FIELD/PRINTED Field observations and USGS maps show no facilities will be constructed on park or recreational lands. See Note #1.
7. Does the proposed action include construction of a new municipal solid waste landfill at a new solid waste disposal site?	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Not in project scope - see project summary. See Note #6.
8. Will the proposed action create a need for additional capacity at solid waste disposal facilities?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
9. Does the proposed action include construction of a new wastewater treatment facility that will discharge treated sewage effluent to the waters of the U.S.?	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Wastewater facilities will be individual onsite systems with no surface discharge; see project summary. See Note #6.
10. Will the proposed action create a need for additional capacity at wastewater treatment facilities?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Wastewater facilities will be individual onsite systems with no surface discharge; see project summary. See Note #6.
11. Will the proposed action create a need for additional capacity in the drinking water supply?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.

<u>Consideration</u>	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigations to be implemented.
12. Are there other considerations about the proposed action that could adversely affect the environment and/or public health and safety?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
13. Will the proposed action create a need for additional capacity in health care facilities and for health care services?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
14. Will the proposed action create a need for additional energy supply or generation?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
15. Will the proposed action create a need for additional capacity in educational facilities?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
16. Will the proposed action create a need for additional capacity in transportation systems?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
17. <u>Historic Preservation:</u> a. Does the proposed action involve the purchase, construction, alteration, renovation, or lease of real property or portion of real property that is more than 50 years old?	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Programmatic Agreement between NAIHS, NNHPO, and the Advisory Council on Historic Preservation (ACHP) dated 1/31/2000 indicates that NAIHS has afforded the ACHP an opportunity to comment on the effects of P.L. 86-121 project undertakings on cultural and historic properties, that NAIHS has taken into account the potential effects of undertaking related to sanitation facilities construction on cultural and historic properties, and that NAIHS has secured the approval of the NNHPO for the undertaking developed and implemented under this agreement.
b. Will the proposed action adversely affect properties listed, or eligible for listing, on the National Register of Historic Places? (Buildings, archaeological sites; objects of significance to a Tribe including graves, funerary objects, and traditional cultural properties)	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> STUDY Project will not be constructed without field survey and NNHPO review, followed by issuance of an Archaeological Clearance. See #17.a. and Notes #4 and #6.
18. <u>Endangered Species Act:</u> Is the proposed action likely to adversely affect a plant or animal species listed on the Federal or applicable state list of endangered or threatened species or a specific critical habitat of an endangered or threatened species? (Consult with Fish & Wildlife Service or NOAA Fisheries Service. Discovering an endangered or threatened species in the project area will stop the project, and the Endangered Species Act has significant fines and penalties for violations.)	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Programmatic Agreement between NAIHS and NNDFWL dated 1/9/04 states that the Agreement by the NNDFWL, and implementation of its terms, indicates that the NAIHS has taken into account the potential impacts of undertakings related to sanitation facilities construction on endangered species within the exterior boundaries of the Navajo Nation and that NAIHS has secured the NNDFWL's recommendation of approval for undertakings developed and implemented under this Agreement. See Notes #3 & #6.
19. Will the proposed action require major sedimentation and erosion control measures? (Consider earth disturbing activities including construction or expansion of a parking lot.)	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
20. Will the proposed action violate a storm water permit or a wastewater discharge permit either for construction or on-going operations? (Earth disturbing activities may require a Notice of Intent (NOI) to be covered under a storm water general permit or individual permit from the EPA or other agency and a storm water control plan, including some parking lot construction activities. A discharge of wastewater to the environment may require a permit from Tribal, local or state authorities, or EPA.)	Yes <input type="checkbox"/> No <input type="checkbox"/> PRINTED Any applicable NPDES storm water permits will be obtained prior to the beginning of construction. See Note #6.

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21. <u>Safe Drinking Water Act</u> : Will the proposed action impact an EPA designated sole source aquifer? (Designation of sole source aquifer puts restrictions and conditions on federal expenditures, projects, and grants.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> PRINTED There are no designated sole-source aquifers on the Navajo Nation according to EPA sole-source aquifer maps.
22. <u>Wetlands and Water Resources</u> (lakes, rivers, ponds, streams, etc.): Will the proposed action violate a Section 404 (Clean Water Act) permit for actions in a wetland and/or Section 10 (Rivers and Harbors Act) permit for actions in a stream or river? (Activities in or near a wetland or river may require a permit from the U.S. Army Corps of Engineers or U.S. Coast Guard. Includes: construction in or near any wet or dry waterway, stream crossings, intake structures, outfalls, etc.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> FIELD/PRINTED Field observations and USGS maps show no wetlands near project areas See Note #1.
23. <u>Floodplains</u> : a. Is the proposed action located in either a 100-year or, for critical actions, a 500-year floodplain? (If Flood Insurance Maps do not exist for the project site, a floodplain survey or consultation may be required. Also may need to consider if the facility will require flood insurance).	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> FIELD/PRINTED No facilities will be constructed in areas subject to flooding, except at wash crossings. See Notes #1 & #2.
b. Will the proposed action adversely impact flood flows in a floodplain or support development in a floodplain?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> FIELD/PRINTED No facilities will be constructed in areas subject to flooding, except at wash crossings. See Notes #1 & #2.
24. Existing site: Would the proposed action, involving the purchase, construction or lease of new facilities (including portable facilities and trailers), substantially increase the capacity of an existing health care facility?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Not in project scope - see project summary. See Note #6.
25. New site: Does the proposed action involve purchase, construction or lease of new facilities (including portable facilities and trailers) where such action is for buildings equal to or more than 12,000 square feet of useable space when more than 5 acres of surface land area are involved at a new site ?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Not in project scope - see project summary. See Note #6.
26. New site: Does the proposed action involve purchase, construction or lease of health care facilities (other than buildings) for projects equal to or more than 5 acres of surface land area at a new site ?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Not in project scope - see project summary. See Note #6.
27. Does the proposed action involve the sale or transfer of real property, on which any hazardous substance was stored for one year or more, known to have been released, or disposed of? (Provide relevant documentation for any hazardous substance releases. See 40 CFR 373.2(b), 302.4, and 261.30 for reportable quantities.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.
28. Does the proposed action involve the sale or transfer of real property, on which underground or above ground storage tanks are located?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> PRINTED Not in project scope - see project summary. See Note #6.

<u>Consideration</u>	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigations to be implemented.
29. Will the proposed action violate Tribal, local, state, or federal law on the use and storage of hazardous substances or the transportation, storage, and disposal of hazardous wastes or medical wastes? (Activities that may generate reportable quantities include air conditioning repair and service, pesticide application, motor pools, automobile repair, welding, landscaping, agricultural activities, print shops, hospitals, clinics, medical centers, etc. Repair, renovation, or demolition activities can generate waste that has asbestos-containing materials, asbestos, lead-based paint, PCBs, CFCs, etc.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> PRINTED All applicable laws and requirements will be complied with on this project as per project summary. See Note #6.
30. Will the proposed action adversely affect community air pollution for a long period of time? (Consider if your activity must conform to an applicable air quality implementation plan.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> PRINTED Project does not have the potential to emit significant emissions of air pollution. It is in compliance with State Implementation Plan prepared under the Clean Air Act. See website www.epa.gov/airs.
31. If the proposed action is implemented, will it have a disproportionately high and adverse human health or environmental impact on the Tribe, low-income populations, or minority populations?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED Project does not create any hazards nor expose anyone to adverse environmental conditions, per project summary. See Note #6.
32. Will the proposed action adversely affect community noise levels?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> EXPERIENCE/PRINTED IHS sanitation facilities construction will not permanently alter current noise levels in the community. The proposed action consists of standard excavation and backfilling practices to install typical IHS sanitation facilities in rural areas, resulting in minimal noise impacts to any local community or residents (see project summary). Project work will occur during normal working hours (8-10 hour days) for short-term duration. However, during construction, noise levels in the vicinity of operating machinery (including blasting and/or rotohammering) may exceed safe levels. All on-site project personnel will follow applicable OSHA guidelines regarding the use of personal protective equipment when working around excessive construction noise. See Note #6.
33. <u>Wilderness Act</u> : Will the proposed action adversely impact a Wilderness Area? (Wilderness Areas are specifically designated areas of land.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED No such areas have been designated on the Navajo Nation as per Wilderness Act (16 USC 1131-1136)
34. <u>Farmland Protection Policy Act</u> : Will the proposed action convert significant agricultural lands to non-agricultural uses and exceed 160-point score on the farmland impact rating?	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> FIELD/PRINTED No Significant agricultural lands will be crossed. See Notes # 1 & #4.
35. <u>Coastal Zone Management Act</u> : Will the proposed action directly affect a Coastal Zone in a manner inconsistent with the State Coastal Zone Management Plan? (All federal programs or projects in the coastal zone must comply with the consistency provisions of the Act. Each coastal state should have a state office to manage its coastal zone development and use.)	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED The Navajo Nation has no designated "coastal zones" as per CZMA (16 USC 1451-1464)

<u>Consideration</u>	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigations to be implemented.
36. <u>Wild and Scenic Rivers Act</u> : Will the proposed action adversely affect a wild, scenic, or recreational river area or create conditions inconsistent with the character of the river? (A consideration for activities that are in or near any wild and scenic waterway including construction of stream/river crossings, intake structures, outfalls, etc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(If the answer is Yes, then an Environmental Assessment is needed.)</i> PRINTED To date, Congress has not designated any rivers in the Navajo Nation under this category. (WSRA; 16 USC 1271-1287)

Based on the available record, the IHS has made the following determination on the proposed activity/action/undertaking. The record was examined to identify potential extraordinary or exceptional circumstances which would require further environmental review. (State if an Environmental Impact Statement or Environmental Assessment is needed or which Categorical Exclusion applies to this activity/action/undertaking.):

The review found no extraordinary or exceptional circumstances as defined by the IHS-NEPA Categorical Exclusions, Subparts J and K, of January 6, 1993.

Notes:

1. Field visits by NAME of LOCATION Office of Environmental Health, MONTH, YEAR.
2. Wash crossings are adequately protected from flooding through use of the most current IHS standard wash crossing design. IHS projects are also constructed in accordance with the compliance criteria associated with class review under E.O. 11988. See the IHS Environmental Review Manual.
3. If T&E review determines that there is potential habitat for any T&E species in the project areas, a qualified biologist will be hired to survey the project site. Any potential effects seen by this review will be mitigated by avoidance in time and/or location.
4. A qualified archaeologist will be hired to survey the project for the presence of significant cultural properties in the project areas. Any potential effects seen by this review will be mitigated by avoidance through the recommendations of the archaeological report.
5. There is little to no "prime farmland" as defined by the USDA on the Navajo Nation, as shown on Natural Resources Conservation Service (NRCS) maps. In addition, IHS projects do not typically cross large areas of farmland. Where small farm plots are unavoidable, no permanent loss of farmland typically occurs, as waterlines are buried 3-4 feet below surface (below the plowed zone).
6. All documents mentioned (IHS Environmental Review Manual, T&E species determination, archaeological survey report & clearance, project summary, NRCS farmland maps, EPA sole source aquifer maps) are on file at the Office of Environmental Health & Engineering, Navajo Area IHS, Window Rock, AZ.

Supporting Information for Your Responses

The supporting information for your responses must be traceable and establish the factual data to support the response to each question. Types of information that could be used are outlined below.

1. **PRINTED MATERIALS.** These are useful sources of detailed information materials such as comprehensive land use plans, zoning maps, city master plans, environmental baseline surveys, environmental assessments, environmental impact statements and studies. Information must be current and must represent accepted methodologies; i.e., not so old that changing conditions make them irrelevant. Citations for the material should include enough information so that an outside reviewer can locate the specific reference; e.g., author, document title, publication date, and page number.

Examples include the Record of Decision, Finding of Suitability to Transfer, Finding of Suitability to Lease, GSA¹ Property Suitability Determination Form, Federal Property Information Checklist, Environmental Baseline Surveys, Preliminary Assessment Reports, Environmental Assessments, draft or final Environmental Impact Statements, and Tribal or City/County master plan or zoning map. Possible sources of these documents include as appropriate, the Tribe, BIA, IHS, HUD², the property owner, military base environmental office, local governmental organizations, local public library, and Tribal/City/County planning office.

2. **PERSONAL CONTACT.** Personal contacts are useful when the individual contacted is an accepted authority on the subject(s), and the interview is documented. Supporting documentation should include the name, organization, title of the person contacted, phone number, and the date of the conversation. Examples include EPA officials, EPA hotlines, officials from tribal, state or local planning offices and environmental offices, or an environmental officer of an agency.
3. **SITE VISIT.** A site visit does not usually involve any testing or measurements. A site visit is an important method for initial screening of the issues, but for some of the categories it may be inadequate for final evaluation. Supporting documentation should include date of the site visit, by whom, and the supporting observation; photographs may also assist in evaluating the activity/action/undertaking.

Review after project start or grant award: Since conditions can change after project initiation or grant award, the environmental document should be reviewed at selected milestones to insure the original determination is still applicable. If not, then a new or supplemental environmental document should be done and a determination made based on that new document or on the original document and the additional information if a supplemental environmental document.

Pollution Prevention. The Agency encourages the project or program managers to include pollution prevention considerations in the location, design, construction, renovation, and operation of the project or facility. The questionnaire items on sedimentation and erosion control measures and storm water control plan are also pollution prevention related.

¹General Services Administration

²Department of Housing and Urban Development