Arizona Department of Transportation
Intermodal Transportation Division
Environmental Planning Group
205 South 17th Avenue
Phoenix, Arizona 85007

Draft Environmental Assessment

for

Sanders Port of Entry

TRACS No. 040 AP 340 H5526 01C
Project No. NH-040-E(001)

Approved by: Thor Anderson
Manager, Environmental Planning Group
Arizona Department of Transportation

Date: 11/13/06

Approved by: Robert E. Hollis, Division Administrator
Federal Highway Administration

Date: Jan 8, 2007

This environmental assessment has been prepared according to provisions and requirements of Chapter 1, Title 23 USC 23 CFR Part 771, relating to the implementation of the National Environmental Policy Act of 1969 (NEPA).
Draft
Environmental Assessment for
Sanders Port of Entry

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Project No. NH-040-E(001)
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January 2007
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<tr>
<td>ADA</td>
<td>Arizona Department of Agriculture</td>
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<td>ADEQ</td>
<td>Arizona Department of Environmental Quality</td>
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<td>ADOT</td>
<td>Arizona Department of Transportation</td>
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<td>ADWR</td>
<td>Arizona Department of Water Resources</td>
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<td>AHERA</td>
<td>Asbestos Hazard Emergency Response Act</td>
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<td>AIRFA</td>
<td>American Indian Religious Freedom Act</td>
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<td>AMSL</td>
<td>Above Mean Sea Level</td>
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<td>ARPA</td>
<td>Archaeological Resources Protection Act</td>
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<td>AZPDES</td>
<td>Arizona Pollutant Discharge Elimination System</td>
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<tr>
<td>BIA</td>
<td>United States Bureau of Indian Affairs</td>
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<td>BLM</td>
<td>Bureau of Land Management</td>
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<td>BNSF</td>
<td>Burlington Northern Santa Fe Railroad</td>
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<td>CEQ</td>
<td>Council on Environmental Quality</td>
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<td>CFR</td>
<td>Code of Federal Regulations</td>
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<td>United States Army Corps of Engineers</td>
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<td>CWA</td>
<td>Clean Water Act</td>
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<td>Intelligent Transportation Systems</td>
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<tr>
<td>I-40</td>
<td>Interstate 40</td>
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<td>MP</td>
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<td>Motor Vehicle Division (of ADOT)</td>
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<td>National Ambient Air Quality Standards</td>
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<td>NEPA</td>
<td>National Environmental Policy Act</td>
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<td>NESL</td>
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<td>National Historic Preservation Act</td>
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<td>NPDES</td>
<td>National Pollution Discharge Elimination System</td>
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<tr>
<td>NRHP</td>
<td>National Register of Historic Places</td>
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<td>NOI</td>
<td>Notice of Intent</td>
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<td>NOT</td>
<td>Notice of Termination</td>
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<td>NWP</td>
<td>United States Army Corps of Engineers Nationwide Permit</td>
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<td>ONHIR</td>
<td>Office of Navajo-Hopi Indian Relocation</td>
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<td>OSHA</td>
<td>Occupational Safety and Health Administration</td>
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<td>PM</td>
<td>Particulate Matter</td>
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<td>POE</td>
<td>Port of Entry</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>R/W</td>
<td>Right-of-way</td>
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<td>SHPO</td>
<td>State Historic Preservation Office</td>
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<td>SWPPP</td>
<td>Storm Water Pollution Prevention Plan</td>
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<td>TCP</td>
<td>Traditional Cultural Place</td>
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<tr>
<td>TI</td>
<td>Traffic Interchange</td>
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<td>USDA</td>
<td>United States Department of Agriculture</td>
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<td>USFWS</td>
<td>United States Fish and Wildlife Service</td>
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<td>USGS</td>
<td>United States Geological Service</td>
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<tr>
<td>VMT</td>
<td>Vehicle Miles Traveled</td>
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<td>VQO</td>
<td>Visual Quality Objective</td>
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<tr>
<td>WIMS</td>
<td>Weigh-in-Motion Scales</td>
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The following mitigation measures are not subject to change or modification without prior written approval of the Federal Highway Administration.

**Arizona Department of Transportation Design Responsibilities:**

1. During design, the Arizona Department of Transportation would implement a right-of-way acquisition program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91:646) and the Uniform Relocation Act Amendments of 1987 (Public Law 100-17) (Refer to pages 17 and 29).

2. The Arizona Department of Transportation would coordinate the relocation assistance program with the Bureau of Indian Affairs, the Navajo Nation’s Nahata Dziil and Houck chapters, and the Office of Navajo-Hopi Indian Relocation in accordance with the US Department of Transportation’s Order 5301.1 – Department of Transportation Programs, Policies, and Procedures Affecting American Indians, Alaska Natives, and Tribes and Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments (Refer to pages 17 and 29).

3. The Arizona Department of Transportation Environmental Planning Group’s Historic Preservation Team in coordination with the Navajo Nation’s Historic Preservation Department would determine the specifications and location for the interpretive plaque and barrier (fence) around the Sanders Jail. The Navajo Nation Historic Preservation Department would have an opportunity to review and comment on design plans (Refer to pages 23 and 24).

4. Cultural resources affected by the project would be treated in accordance with the Final Memorandum of Agreement to ensure the project follows the Secretary of Interior’s Standards for the Treatment of Historic Properties (Refer to page 22).

5. The Arizona Department of Transportation Utility and Railroad Engineering Section would investigate utility involvement during the final design phase of the project. Project planning would include careful scheduling and prior notification of adjacent properties that would be affected by temporary service disruptions (Refer to page 27).

6. To reduce the potential for loss of soils through erosion, all disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity (Refer to page 28).

7. Cut slope faces resulting from hillside excavation would blend with the form, line, color, and texture of the surrounding landscape. Treatment of the cut slopes will be determined later in the design process (Refer to page 31).

8. The Nahata Dziil and Houck Chapters, Office of Navajo-Hopi Indian Relocation, and the Bureau of Indian Affairs would be provided the opportunity to review and comment on the design plans (Refer to page 33).
9. Precise quantification of loss of jurisdictional waters would be determined during the design process. The Arizona Department of Transportation would be responsible for acquiring the appropriate Clean Water Act Section 401 and 404 permits (Refer to page 34).

10. The Arizona Department of Transportation’s Roadside Development Section would determine during design who would prepare the Storm Water Pollution Prevention Plan (Refer to page 34).

11. Alternatives C and E would include demolition of the existing port of entry and therefore, mitigation is required for asbestos and lead-based paint identified during testing. The Arizona Department of Transportation Property Management Section, Right-of-Way Group would be responsible for arranging for the removal of asbestos and lead-based paint as well as for all hazardous materials concerns related to the port of entry’s decommissioning. This would include, but is not limited to, coordination with the appropriate state and federal agencies (Refer to page 38).

12. During Phase IV of the final design, the Arizona Department of Transportation project manager would contact the Arizona Department of Transportation Environmental Planning Group hazardous materials coordinator (602.712.7768) to determine the need for additional site assessment. If suspected hazardous materials are encountered during construction, work would cease at that location and the Arizona Department of Transportation Engineer would be contacted to arrange for proper assessment, treatment, or disposal of those materials (Refer to page 39).

13. The Arizona Department of Transportation Property Management Section, Right-of-Way Group would arrange for the water well at the existing POE to be capped and abandoned by an Arizona Department of Water Resources registered contractor. The Arizona Department of Transportation Property Management Section, Right-of-Way Group would notify the Arizona Department of Water Resources that the well has been capped five working days after the capping (Refer to page 33).

**Arizona Department of Transportation Holbrook District Responsibilities:**

1. The Arizona Department of Transportation District Construction Office would submit the Arizona Pollutant Discharge Elimination System and National Pollutant Discharge Elimination System Notice of Intent and the Notice of Termination to the Arizona Department of Environmental Quality and the Environmental Protection Agency, respectively (Refer to page 34).

**Contractor Responsibilities:**

1. The contractor would recontour unused areas of the former facility to previously undisturbed conditions (Refer to page 15).

2. The contractor would construct sections of the existing frontage road affected by new construction first in order to ensure continuous access to the frontage and gravel roads is maintained (Refer to page 18).
3. To regulate public access, the contractor would fence the Sanders Jail and install an interpretive plaque/historical marker prior to beginning construction on the frontage road (Refer to pages 22, and 23).

4. To reduce the potential for loss of soils through erosion, all disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity (Refer to page 28).

5. Cut slope faces resulting from hillside excavation would blend with the form, line, color, and texture of the surrounding landscape. Treatment of the cut slopes will be determined during final design (Refer to page 31).

6. The contractor would submit the Arizona Pollutant Discharge Elimination System and National Discharge Elimination System Notice of Intent and the Notice of Termination to the Arizona Department of Environmental Quality and the Environmental Protection Agency, respectively (Refer to page 34).

7. To prevent the introduction of invasive species, all earth-moving and hauling equipment shall be washed at the contractor’s storage facility prior to entering the construction site (Refer to page 36).

8. To prevent invasive species seeds from leaving the site, the contractor would inspect all construction equipment and remove all attached plant/vegetation debris prior to leaving the construction site (Refer to page 36).

9. All disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity (Refer to page 36).

**Standard Specifications Included as Mitigation Measures**

1. If previously unidentified cultural resources are encountered during activity related to the construction of the project, the contractor would stop work immediately at that location and would take all reasonable steps to secure the preservation of those resources. The Engineer would contact the Arizona Department of Transportation Environmental Planning Group, Historic Preservation Team, at 602.712.7760, immediately and make arrangements for the proper treatment of those resources (Refer to page 22).

2. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, Scope of Work Subsection 08, “Prevention of Air and Noise Pollution,” “[t]he contractor would control, reduce, remove or prevent air pollution in all its forms, including air contaminants, in the performance of the contractor’s work.” The contractor would comply with all air pollution ordinances, regulations, orders, etc., during construction. All dust producing surfaces would be watered or otherwise stabilized to reduce short-term impacts associated with an increase in particulate matter attributable to construction activity (Refer to page 24).
3. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, Scope of Work Subsection 08, “Prevention of Air and Noise Pollution,” “[t]he contractor would comply with all local sound control and noise level rules, regulations and ordinances which apply to any work performed pursuant to the contract. Each internal combustion engine used for any purpose on the work or related to the work would be equipped with a muffler of a type recommended by the manufacturer” (Refer to page 26).

4. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, “Scope of Work Subsection 09, “Prevention of Landscape Defacement; Protection of Streams, Lakes, and Reservoirs,” the Holbrook District would ensure that “[t]he contractor take sufficient precautions, considering various conditions, to prevent pollution of streams, lakes, and reservoirs with fuels, oils, butumens, calcium chloride, fresh Portland cement, raw sewage, muddy water, chemicals, or other harmful materials. None of these materials would be discharged into any channels leading to such streams, lakes, or reservoirs” (Refer to page 34).

5. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, “Scope of Work Subsection 09, “Prevention of Landscape Defacement; Protection of Streams, Lakes, and Reservoirs,” “[t]he contractor would give special attention to the effect of its operations on the landscape and would take special care to maintain natural surroundings undamaged” (Refer to pages 34 and 35).

6. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 107, “Legal Relations and Responsibility to Public,” Subsection 07, “Sanitary, Health, and Safety Provisions,” should the contractor encounter potential hazardous or contaminated material, the contractor would immediately stop work and remove workers, barricade the area, provide traffic controls and notify the Arizona Department of Transportation Engineer. The Arizona Department of Transportation Engineer would arrange proper assessment, treatment, or disposal of those materials. Such locations would be investigated and proper action implemented prior to the continuation of work in that location (Refer to page 39).

7. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 1001, “Material Sources,” Subsection 2, “General” any material sources required for this project outside of the study area would be examined for environmental effects, by the contractor, prior to use, through a separate environmental analysis (Refer to page 39).

8. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 107 “Legal Relations and Responsibility to Public,” Subsection 11, “Protection and Restoration of Property and Landscape,” “[m]aterials removed during construction operations such as trees, stumps, building materials, irrigation and drainage structures, broken concrete, and other similar materials would not be dumped on either private or public property unless that contractor has obtained
permission from the owner or public agency with jurisdiction over that land. Written permission would not be required, however, when materials are disposed of at an operating, public dumping ground.” The contractor would dispose of excess waste and material and construction debris at a municipal landfill approved under Article 3 of the Arizona Revised Statutes 49-241 (Aquifer Protection Permit) administered by the ADEQ, an inert landfill, or at another approved site (Refer to pages 39 and 40).
I. INTRODUCTION

A. Executive Summary
This Environmental Assessment (EA) addresses the construction, future operation, and impacts of the proposed Sanders Port of Entry (POE) project. The purpose of this EA is to provide the baseline environmental conditions of the study area and address the potential environmental impacts associated with expanding, reconfiguring, and moving the existing operational POE. This EA contains the results of natural and cultural resource surveys, and an assessment of social, economic, utilities, and environmental justice issues. In addition, recommendations are presented for mitigating any impacts the project may have on these resources. This EA also provides documentation of coordination efforts with participating federal, state, tribal entities, and the public.

This EA has been prepared in compliance with the National Environmental Policy Act (NEPA) and the policies of the Federal Highway Administration (FHWA) as the lead federal agency.

B. Location
The existing Sanders POE is located along westbound Interstate 40 (I-40) approximately 18 miles west of the New Mexico border at milepost (MP) 340.34, near the community of Sanders, Apache County, Arizona (Figure 1, page 2). The study area is located between two traffic interchanges (TIs): the I-40/Sanders TI (MP 339.52) located to the west of the POE, and the I-40/Ortega Road TI (MP 341.50) to the east of the POE (Figure 2, page 3 and Figure 3, page 4). The study area also extends approximately 800 feet north of I-40 between the TIs.

C. Project Background and Overview
The Arizona Department of Transportation (ADOT) Motor Vehicle Division (MVD) Motor Vehicle Enforcement Services program is responsible for ensuring commercial vehicles operating on Arizona state highways are compliant with federal and state laws and regulations. This may include verifying and approving driver credentials, truck size, weight, and operating permits (MVD 2004).

Regulation of commercial vehicles entering the state of Arizona is enforced at 21 permanent POE facilities located along Arizona’s border with neighboring states and Mexico. The Sanders POE is one of the busiest in Arizona, providing regulatory enforcement for westbound commercial traffic entering Arizona from New Mexico on I-40. I-40 is one of the major transcontinental freight corridors of the U.S. The existing Sanders POE was constructed in 1966 and has since outlived its projected 25-year design life. Of the 21 POEs statewide, improving the Sanders POE is the highest priority.

Currently, to reach the Sanders TI from the Ortega Road TI, travelers can use either the mainline I-40 or an existing frontage road and the unpaved local road. This local road continues north about ½-mile from the POE and turns west to intersect County Road 7080. County Road 7080 extends south to intersect US 191 at the Sanders TI. This route, used by school buses and residents, is often awkward and impassable in bad weather.
FIGURE 2: VICINITY MAP

Apache County

Milepost 340.34
Existing Sanders Port of Entry

BEGIN PROJECT
Milepost 339.52 (Sanders TI)

County Road 7080
Sanders

Chambers

Approximately 18 miles
to the
Arizona-New Mexico Border

END PROJECT
Milepost 341.50 (Ortega Road TI)

Map Source: ADOT 2004

Sanders Port of Entry

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ADOT is proposing to build a state-of-the-art facility at approximately the same location as the existing Sanders POE. Beginning in 1994, ADOT undertook several studies to initiate improvements. These studies included:

- *Statewide Study Arizona Ports of Entry Improvements Final Report* (December 1994)
- Ports of Entry Five-Year Plan (August 2000)
- The Sanders POE *Analysis of Programming Questionnaire Response* (2000)
- *Sanders Port of Entry Final Location Study Report* (DMJM 2000)

The general location of the new POE was determined in the report, *Sanders Port of Entry Final Location Study Report* (DMJM 2000), prepared for the ADOT MVD. The report considered eight potential POE sites within a 69-mile section of I-40 between Holbrook, Arizona and Gallup, New Mexico. Based on technical merits; an environmental overview; non-technical issues such as staffing; availability of housing for POE employees; emergency service response time to serve the new POE facility; and availability of truck mechanics, the area between the Sanders TI and the Ortega Road TI was recommended as the preferred location for the construction of a new POE facility. All build alternatives would require the demolition of the existing POE. The alternative that would relocate the POE to a new site east of the existing POE would include return of the site to conditions similar to the surrounding undisturbed environment.
II. PROJECT PURPOSE AND NEED

A. Purpose and Need
The existing Sanders POE was constructed in 1966 to enforce regulatory inspection of commercial vehicles traveling into Arizona on I-40 from New Mexico through the Arizona border. Almost 40 years later, the increase in commercial vehicle traffic entering the POE has exceeded the capacity of the facility’s 25-year design life. As a result of this limited capacity, commercial vehicles are often directed to bypass the POE to limit traffic delays and to reduce the potential for accidents with vehicles waiting to receive inspections. Additionally, commercial vehicles accelerating to enter westbound I-40 from the POE travel at slower speeds than mainline traffic on I-40. The slower-moving commercial vehicles can impede westbound local traffic, resulting in unnecessary weaving and slowing of traffic.

Allowing a large number of vehicles to bypass the POE also increases the potential for overweight vehicles to damage the existing roadway and causes a loss of inspection revenue that should be collected by the State of Arizona. Commercial vehicle traffic is forecast to double by the year 2022. Specific needs for this project include:

- The outdated POE is in need of improvements in order to regulate current and future commercial vehicle traffic demands.
- The frontage road terminates at the POE, leaving no alternative access for non commercial vehicle traffic from the Ortega Road TI to the Sanders TI.
- The existing site layout is not conducive to the efficient circulation of commercial vehicle traffic, resulting in the potential for increased traffic delays and congestion. The limited amount of truck parking may also contribute to delayed traffic or congestion.
- The administration building is undersized, outdated and limits efficient operation of the POE.
- Current area lighting is inadequate for working outside in the dark and for providing security to POE personnel.
- No facilities are available for conducting truck safety inspections.
- No facilities are available for containing materials from trucks observed to have leaking loads or fuel tanks (MVD 2004).

The purpose of the proposed project is to improve the efficiency and effectiveness of the commercial vehicle regulatory enforcement operations at the Sanders POE, traffic flow along and access to westbound I-40, and local traffic operations. The project would provide a new state-of-the-art facility, and would improve general traffic operations and highway access on I-40 from this POE facility. Although not required for the operation of a new POE, the extension of the frontage road between the TIs would separate local traffic from high-speed mainline I-40 truck traffic and improve access and flow for local motorists. In addition the frontage road would connect to the POE to provide access for POE-associated vehicles.

To achieve the purpose of the POE project and address the local traffic issues associated with the discontinuous frontage road, the following improvements are planned (MVD 2004):

- Lengthening exit and entrance ramps to provide improved access to and from I-40 without interfering with TI traffic.
- Locating static scales away from the credential verification lanes to improve circulation.
• Relocating the existing PREPASS and weigh-in-motion scale (WIMS) sorting system on I-40, which allows pre-entry screening and identification of trucks that should undergo static weighing. This helps enforce weight restrictions; thus, preventing roadway damage from over-weight trucks and aiding in reducing POE congestion.
• Increasing the number and width of credential verification lanes to increase the operational capacity of the POE during peak usage periods.
• Providing truck inspection spaces for safety and cargo inspections to help satisfy the need for sufficient inspection space.
• Providing an on-ramp for truck access from the POE to I-40.
• Constructing two enclosed truck inspection bays with below ground inspection pits to satisfy the need for sufficient inspection facilities.
• Creating a loop return route for trucks to return to the scales for re-weighing. This will improve the circulation of truck traffic in the POE compound.
• Providing laboratory spaces to support cargo-testing protocols to address the need for updating the POE for current and future inspection demands.
• Providing additional parking spaces for trucks requiring permits and/or for correction of truck/cargo deficiencies.
• Providing parking for employees and visitors.
• Providing an improved central administration building for management and operation of the complex for efficient MVD enforcement.
• Providing a hazardous materials containment basin for temporary parking of trucks to collect potential hazardous materials leaks or spills.
• Providing a location suitable for agricultural decontamination of infected trucks and cargo.
• Extending the frontage road between the Ortega Road TI and the Sanders TI to reduce potential conflicts between local traffic and I-40 truck traffic and to improve access for local traffic.
• Installing complete utilities to service the new POE compound including sewer, power, water, and telecommunications to service the POE facility (MVD 2004).
• Providing access from the frontage road to the POE for POE-associated vehicle use only.

B. Conformance with Regulations, Land Use Plans, and Other Plans
Land within the vicinity of the project area is under the jurisdiction of Apache County, the Navajo Nation Houck Chapter and Nahata Dziil Chapter, the Office of Navajo-Hopi Indian Relocation and the Bureau of Indian Affairs (BIA). The Sanders POE project is in conformity and consistent with the regulations, land use plans and planning projects that have jurisdiction over or occur within the project area, which include:

• Draft Apache County Comprehensive Plan
• Navajo Nation Economic Development Divisions New Lands Shopping Center Project
• US 191 Nahata Dziil Road to Sanders Road TI Project
• Nahata Dziil Chapter New Lands Community Planning Project

Apache County prepared a Draft Comprehensive Plan in 2001 to guide development within the county. The plan provides a discussion of existing conditions, goals and objectives for planning elements such as land use and circulation. Within the jurisdiction of Apache County, land within the vicinity of the project area is zoned Agriculture General. This zoning designation allows for
public and quasi-public uses, such as the development of roadways. One of the circulation goals of the Comprehensive Plan land use element is to designate a highway service overlay district in targeted transportation nodes such as the Sanders Road TI. This designation encourages economic and commercial development along the interstate highway system to provide services to travelers and to improve transportation circulation. The Sanders POE project is consistent with the county’s initiative to increase development along the interstate and will help improve access to these future developments.

The Navajo Nation Economic Development Division plans to build the New Lands Shopping Center on the northwest corner of the Sanders TI. The proposed extension of the frontage road in Alternatives C and E, in concert with the traffic that would be generated from the proposed shopping center, is expected to increase traffic and, therefore, congestion at the Sanders TI.

Under a separate project, ADOT is proposing intersection improvements on the north side of I-40 to better manage this traffic flow. The intersection improvements would be part of the US 191 Nahata Dziil Road to Sanders TI project that is under design concurrently with the Sanders POE project.

The New Lands Community Planning Project involves the development of housing within land under the jurisdiction of the Navajo Nation Nahata Dziil Chapter. The Sanders POE project will also help to provide access to this new development.

C. General Project Schedule
Final design of the Sanders POE is scheduled to be completed by mid 2009. Construction of the POE is proposed to begin in late 2009.

D. Issues Eliminated From Detailed Study
Based on field and literature reviews of the study area, no prime or unique farmlands, sole source aquifers, riparian habitats, wetlands, or wild and scenic rivers are present within the study area that would be affected by the proposed project. Field reviews, literature searches, and interviews with tribal members determined no resources are present in the study area that would support hunting, fishing, gathering, timber harvesting and/or mining.
III. ALTERNATIVES

A. Alternative Site Evaluation and Selection
The Sanders POE Final Location Study was prepared for ADOT in 2000 (DMJM 2000). Eight potential POE sites were investigated within a 69-mile section of I-40 between Holbrook, Arizona and Gallup, New Mexico. All sites were located along westbound I-40 as follows:

- Holbrook: MP 290.00- MP 292.50
- Sun Valley: MP 295.50- MP 298.00
- Goodwater: MP 297.50- MP 300.00
- Pinta: MP 316.00- MP 318.50
- Crazy Creek: MP 321.00- MP 324.50
- Sanders: MP 339.00- MP 341.50
- Lupton: MP 355.50- MP 357.00
- Gallup, New Mexico

In addition, consideration was given to combining two facilities to save on cost. A potential combination POE/Rest Area Facility was investigated near Crazy Creek Wash at MP 323.00. This proposed concept was eliminated on the basis of excessive weaving/merging lengths required between the POE and the Rest Area Facility.

The Sanders site was recommended as the preferred location. This recommendation was based on the concerns of staff, available housing for the POE employees, and emergency service response times that will service the POE facility. In addition, all sites to the west of the existing Sanders POE would allow trucks to legally bypass the POE by using US 191 south through Sanders.

The five alternatives initially considered for the Sanders POE (classified as Alternatives A through E) ranged from no build to variations in the location of the POE and consideration of extending the frontage road to the Sanders TI:

- Alternative A – No Build
- Alternative B – Rebuild POE at Existing Location
- Alternative C – Rebuild POE at Existing Location, Extend Frontage Road
- Alternative D – Relocate POE, Realign Frontage Road
- Alternative E – Relocate POE, Extend Frontage Road

Alternatives A, C and E were retained for further consideration. Alternatives B and D were eliminated from further study. Reasons for eliminating Alternatives B and D from further study are provided below, followed by a comparison of alternatives retained for further consideration.

B. Alternatives Considered but Eliminated from Further Study

Alternative B – Rebuild POE at Existing Location
This alternative involves rebuilding the Sanders POE at approximately its existing location, but does not include an extension of the frontage road to the Sanders TI. Commercial vehicle traffic along the I-40 has the potential to impede access and flow for local motorists. Members of the public have expressed concern over this issue and strongly advocate the extension of the frontage road between the Ortega Road and Sanders TIs. Without the extension of the frontage road,
Alternative B would not satisfy the need to improve access and flow along I-40 for local traffic. Therefore Alternative B was eliminated from further study.

**Alternative D - Relocate POE, Realign Frontage Road**

Alternative D involves rebuilding the Sanders POE approximately ½-mile east of the existing POE and realigning the portion of the frontage road disturbed by construction, but does not involve the extension of the frontage road to the Sanders TI. Similar to Alternative B, this alternative was eliminated from further consideration because it does not satisfy the need to improve access and traffic flow along I-40 and the frontage road.

**C. Alternatives Considered**

**Alternative A - No Build**

Under Alternative A, the existing Sanders POE would not be expanded and would remain in operation, under its current conditions. However, this current facility is functionally obsolete—too small to service existing and future truck traffic and in poor physical condition. Alternative A’s inability to service existing and additional truck traffic would result in trucks continuing to bypass the POE without regulatory inspections. Allowing a large number of vehicles to bypass the POE increases the potential for overweight vehicles to damage the existing roadway, impeding local motorist access and flow along I-40 and the frontage road, and the potential loss of inspection revenue that should be collected by the State of Arizona. Under the No Build Alternative, current weaving and merging problems associated with the westbound on-ramp to I-40 from the POE would continue.

Under Alternative A the frontage road would not be extended from the POE to the Sanders TI. Alternative A would allow for minor improvements and routine maintenance to the POE. Choosing this alternative would permit ADOT to assign programmed funds to other POE work, but where the needs are of a lesser priority.

This alternative has the least environmental impact. The selection of this alternative would continue inefficient and ineffective commercial vehicle inspection operations assigned to the Sanders POE and therefore perpetuate the needs within the study area. Continued consideration of this alternative will be carried forward to offer baseline conditions for the evaluation of Alternatives C and E.

**Alternative C - Rebuild POE at Existing Location, Extend Frontage Road**

Alternative C would rebuild the Sanders POE in approximately the same location as the existing POE and would extend the frontage road to the Sanders TI (Figure 4, page 12). Alternative C would expand the Sanders POE to the north and east and provide additional administrative and inspection facilities, parking, and a longer off-ramp to provide optimal deceleration, vehicle queuing storage, and trucker safety features (Figure 5, page 13). This alternative would also add a longer acceleration on-ramp for traffic exiting the POE and add third lane or an auxiliary lane onto westbound I-40 that would end just past the Sanders TI. This auxiliary lane would provide an additional lane to handle the differential speeds involved as trucks leave the POE and merge with I-40 mainline traffic. Alternative C would require demolition of the existing Sanders POE. The new POE facility would require the acquisition of new right-of-way (R/W). It would also require acquisition of six private residences and relocation assistance for the owners.
Alternative C also includes the construction of a new segment of paved frontage road on the north side of I-40 between the Sanders and Ortega Road TIs. The new frontage road would extend from its present terminus near the northeast corner of the POE site to the new Sanders TI, which is planned for reconstruction as part of another ADOT project. The frontage road extension may contribute to an increase in traffic at the Sanders TI. The frontage road would also provide access to the POE; however, access would be restricted to POE-associated vehicles and would not be for general public use (MVD 2006). This alternative requires the acquisition of approximately 23 acres of additional R/W at an estimated cost of $1,380,000. Project construction costs are estimated at $19,075,166.

Alternative E - Relocate POE, Extend Frontage Road

Alternative E involves rebuilding the Sanders POE approximately ½-mile east of the existing location, realigning the portion of the frontage road disturbed by construction, and extending the frontage road from the POE to the Sanders TI (Figure 4, page 12). The configuration of the POE in Alternatives C and E would be identical (Figure 5, page 13). Alternative E would include demolition of the existing Sanders POE and its return to natural conditions. The existing frontage road in Alternative E would be affected by the new POE construction, and would require realignment to connect it to the local road.

The Sanders TI is planned for reconstruction as part of another ADOT project. Although not required for the operation of a new POE, the frontage road between the Sanders and Ortega Road TIs would separate local traffic from high-speed mainline I-40 truck traffic, and negate the need for the indirect route to/from the Sanders TI over a gravel road.

The proposed frontage road extension would extend through the abandoned Sanders POE site, improving the final alignment, simplifying construction, and reducing the additional R/W required for extension of the frontage road. Use of a portion of the abandoned POE site for the new roadway also reduces the amount of excess ADOT property that could be made available for other private or public sector uses. The frontage road extension may contribute to an increase in traffic at the Sanders TI, identical to those in Alternative C. The frontage road would also provide access to the POE; however, access would be restricted to POE-associated vehicles and would not be for general public use (MVD 2006).

The new POE facility would require the acquisition of new R/W. It would also require the acquisition of four private residences and relocation assistance for the owners. Alternative E would require approximately 33.5 acres of additional R/W at an estimated cost of $2,000,000. Estimated total project construction costs are $18,353,181.

D. Preferred Alternative

Alternative E - Relocate POE, Extend Frontage Road

Alternative E has been identified as the preferred alternative for the proposed POE (Figure 4, page 12). This alternative would meet the project objectives of improving the efficiency and effectiveness of the motor carrier enforcement operations assigned to the Sanders POE. The project would provide a new state-of-the-art facility, would improve general traffic operations and would improve access and flow along I-40 and the frontage road.
Alternative A, does not meet the project’s purpose and need. Alternative C would involve reconstructing the POE at the existing location, which provides only a short distance for truck traffic to merge with mainline traffic prior to the off-ramp to the Sanders TI. This lack of distance increases the potential for traffic congestion between cars and trucks. Construction of the POE at approximately the same location would perpetuate conditions for poor traffic flow. Additionally Alternative C would cost over $720,000 more to construct than Alternative E.

Alternative E was preferred by the public over the other alternatives because it would allow trucks to reach speeds similar to mainline traffic before entering I-40. The public, as well as the POE designers, consider this a viable alternative for improving traffic access and flow by reducing the breaking and weaving patterns of slower moving traffic.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

A. Land Ownership, Jurisdiction, and Land Use
The Sanders POE project will affect adjacent property owners, existing land uses, and planned land uses within the study area in a variety of ways. The types of land use and land ownership impacts depend on the alternative that is selected. Land ownership and land uses within the study area are identified below, followed by a discussion of effects of Alternative A, Alternative C, and Alternative E on land use and land ownership.

Land ownership within the study area is primarily composed of Navajo Nation properties (93%), followed by private lands (7%). Navajo Nation properties to the north of I-40 are within the jurisdiction of the Houck and Nahata Dziil (New Lands) Chapters (Figure 6, page 16). Residents located to the south (outside the study area) are within the jurisdiction of the Nahata Dziil Chapter. The chapter houses are the local government representation of the Navajo Nation.

Land uses within the project vicinity include scattered, low-density residential development, sheep grazing, public facilities (the POE and Sanders Unified School District facilities), and commercial development. Residential home sites are scattered along the north side of I-40 between MP 340.40 and MP 340.90. The majority of the development in the project vicinity is located south of I-40 in the community of Sanders.

Under Alternative A, the existing POE and frontage road would remain in operation under existing conditions. No properties would be relocated under this alternative. Motorists utilizing the highway in the vicinity of the POE (including adjacent property owners) will continue to experience heavy traffic delays and limited access.

Alternative C includes demolishing the existing POE facility, constructing a new expanded facility at its existing location and extending the existing frontage road west of the POE to the Sanders Road TI. This alternative would require an additional 23 acres of new R/W and utilize 6 acres of existing POE R/W. Of the 23 acres, 13 acres would be needed for the frontage road extension and 10 acres for the new POE and reconstruction of the existing frontage road. Of the 23 acres, 21.4 acres would be Tribal land, 1.5 acres would be Sanders Unified School District property and 0.1 acre would be private property. The additional R/W requirements will impact six residences.

Alternative E includes demolishing the existing POE, constructing a new POE facility ½-mile east of the existing POE location, and extending the frontage road to the Sanders Road TI. Additionally, the contractor would recontour unused areas of the former facility to previously undisturbed conditions. This alternative requires an additional 33.5 acres of R/W. Of the 33.5 acres, 4.4 acres would be needed for the frontage road extension and 29.1 acres for the new POE and reconstruction of the existing frontage road. Of the 33.5 acres, 23.0 acres would be Tribal land, 1.5 acres would be Sanders Unified School District property and 9 acres would be private property. Because the existing POE site would be removed, an existing 6 acres of R/W would be considered for return to the Navajo Nation. The additional R/W requirements will impact four residences.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

In all instances of required relocations, ADOT would implement a R/W acquisition program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91:646), and the Uniform Relocation Act Amendments of 1987 (Public Law 100-17). Private property owners would be compensated at market value for land that is acquired for project R/W in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended on February 3, 2005. The landowner required to move to a replacement site may be eligible for relocation benefits in accordance with the Uniform Act. These payments may include a housing supplement, moving costs, reestablishment costs, incidental expenses, and closing costs.

Coordination would be needed with the BIA, the Navajo Nation’s Nahata Dziil and Houck Chapters, and the Office of Navajo-Hopi Indian Relocation in accordance with the US Department of Transportation’s Order 5301.1 – Department of Transportation Programs, Policies, and Procedures Affecting American Indians, Alaska Natives, and Tribes and Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments.

Compared to all other alternatives, Alternative E would require the most new R/W (33.5 acres). Although Alternative E result in a greater area of disturbance, this alternative would require the acquisition of fewer residences than Alternative C and would also best meet the project purpose and need. The Alternative E site would provide optimal distances for car and truck acceleration and deceleration between the two TIs, thus improving traffic flow on westbound I-40 within the study area. Alternative E would also allow the existing POE to remain in use during the majority of the new POE construction period.

B. Socioeconomic Considerations

An important part of this study is to identify and evaluate the project’s effects on the character of the community and population within the study area. Characteristics of the existing community and population within the study area are described below, followed by a discussion of effects of Alternative A, Alternative C, and Alternative E on the social and economic character of the study area.

A total of 166 people reside in the project vicinity (2000 Census). Table 1 shows the population within the project vicinity compared to Apache County and Arizona. Based on projected growth in Apache County, it is anticipated that the project vicinity will increase approximately 10 percent between 2000 and 2010.

<table>
<thead>
<tr>
<th>Place</th>
<th>1990</th>
<th>2000</th>
<th>2010 (Projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>3,665,228</td>
<td>5,130,632</td>
<td>7,181,923</td>
</tr>
<tr>
<td>Apache County</td>
<td>61,591</td>
<td>69,423</td>
<td>78,251</td>
</tr>
<tr>
<td>Project Vicinity</td>
<td>-- 2</td>
<td>166</td>
<td>183</td>
</tr>
</tbody>
</table>

1. Population calculations for the project vicinity include the affected Census Blocks which extend beyond the study area boundary.

2. Project vicinity data for 1990 is not available at the Census Block level.

Interstate 40 limits north-south mobility through the area to the roadway crossings at the Ortega Road and Sanders TIs. Alternative A will have no impact on the existing limited mobility within the study area. The build alternatives would have no effect on community cohesion or continuity as both Alternative C and Alternative E require increased R/W that would be acquired immediately adjacent to the existing I-40.

During the public information meetings the community expressed interest in the frontage road extension from the POE to the Sanders TI to alleviate the need for local traffic to have to use I-40 for local trips. Both of the build alternatives include continuation of the existing frontage road to the Sanders TI and the planned New Lands Shopping Center. This would provide local motorists an alternative to using I-40 or the gravel road to the north of the existing POE.

No existing businesses are impacted by the proposed project. Alternative A may contribute to a continued need for improved traffic flow and access. Without these improvements, access to businesses such as the New Lands Shopping Center and other future businesses will continue to be limited. The build alternatives are anticipated to contribute to a beneficial economic impact on the study area. Improvement of the POE and extension of the frontage road will lead to improved access to businesses and future developments, which may spark future economic growth.

Regardless of which alternative is selected, ADOT will maintain traffic on the existing frontage road while sections of new frontage road around the POE are constructed. Existing frontage road traffic can then switch over to the new sections of road while the remainder of the POE construction (and new frontage road to the west) is completed. Residents and school buses will still be able to use the frontage and the gravel roads north of the POE while the POE is under construction. Sections of the existing frontage road affected by the new construction would be constructed first in order to ensure continuous access to the frontage and gravel roads.

The required R/W and residential relocations that would result from the Build Alternatives (Alternative C requires 23 acres for R/W and six residential relocations; Alternative E requires 33.5 acres for R/W and four residential relocations) are not anticipated to have a negative impact on the social or economic conditions of the study area. Continuation of the frontage road as a result of either of the build alternatives would be beneficial to the community by eliminating the need to access I-40 for local trips between the Sanders TI and Ortega Road TI.

C. Title VI/Environmental Justice

“Title VI of the Civil Rights Act of 1964” and related statutes (including state-level EPG “Guidance on Title VI and Environmental Justice”) assure that individuals are not excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, and disability. “Executive Order 12898” on environmental justice, dated February 11, 1994, directs that programs, policies, and activities not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.
To be consistent with the requirements of Title VI and Executive Order 12898, the demographic characteristics of the population of the project area were examined to determine if minority or low-income populations would be disproportionately affected by the proposed project.

The United States (US) Department of Commerce, Bureau of Census, 2000 Census of Population and Housing Data were used to compare the demographic and economic character of the project area with that of Apache County. The census data reported in this section (Appendix B) represent the use of year 2000 statistical numbers for the smallest geographic area encompassing the study area. The project area is contained within six census units (Census blocks 9450006125, 9450006129, 9450006131, 9451001023, 9451001024, and 9451001026), called census blocks. Some census data is unavailable at the block level, in these instances the census units used were block groups, larger areas made up of census blocks. The project area is contained within two census block groups (9450006 and 9451001). The statistics reported extend outside the study area; therefore, the exact population and demographic characteristics of the study area may vary from these data.

The social and economic data for the study area was compared to data from Apache County to determine if any relative concentrations of protected populations reside in the study area. The census data does not show a relative concentration of any minority population in the study area. To compensate for differences in the available Census data and study area data, ADOT used public outreach efforts to better characterize the demographics of the impacted households.

ADOT engaged in an extensive public involvement process to ensure the affected populations were involved in the process. Specific activities included three public information meetings (two at the Houck Chapter House in Houck, AZ and one at the Nahata Dziil Chapter House in Sanders, AZ), ADOT press releases in the Navajo Times and on Navajo Nation radio stations KTNN and KWRK, as well as direct communication with the affected property owners. A Navajo interpreter participated in these meetings and discussions with individuals. Public outreach activities are further discussed in Section V – Public Involvement/Project Coordination.

Based on project scoping and statistics from public involvement activities, the affected residences for either Alternative C or E are all Native American households. Additionally, according to Census statistics, 45% of the households in the project vicinity are low income, compared to 38% for Apache County (low income populations are those populations residing in households whose median household income is at or below the Department of Health and Human Services poverty guidelines).

Alternative A would not directly affect any communities within the study area. There would be no acquisition of R/W and no displacement of residences. Residents would not receive the benefits of a continuation of the frontage road and would have to continue using I-40 or the gravel road to the north of the existing POE.

Both of the build alternatives would result in a negative affect on minority and low-income populations, based on the residential relocations. Alternative C would result in acquisition of six private residences and Alternative E would result in acquisition of four private residences. In
both instances private property owners would be compensated at market value for land that is acquired for the project R/W in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended in 1987; and landowners required to move to a replacement site may be eligible for relocation benefits in accordance with the Uniform Act (which may include a housing supplement, moving costs, reestablishment costs, incidental expenses, and closing costs). ADOT will continue to coordinate any necessary relocations with the Office of Navajo-Hopi Indian Relocation, the Navajo Nation, and the BIA.

Alternative C would require six residential relocations and Alternative E would require four residential relocations. The number of residential relocations is considered small. The impact of the build alternatives would not be disproportionately high after comparing the previously identified project benefits and mitigation to the impacted population.

D. Cultural Resources

Cultural resources generally include archaeological sites, historic properties, and other places where significant historic activities have taken place. These sites are often considered valuable to the human environment and measures must be taken to ensure they are treated appropriately. The entire study area for the Sanders POE project has been surveyed for cultural resources and the build alternatives will impact several sites. Cultural findings and an evaluation of impacts are provided below.

The entire study area has been surveyed for cultural resources. The survey results for the westbound I-40 R/W are reported in *A Cultural Resources Survey for the Proposed Improvements to US 191 in Sanders, Apache County, Arizona* (Brown 2000). The survey results for the portion of the study area 800 feet north of the I-40 R/W are reported in *A Cultural Resources Survey for the Sanders Port of Entry, North of Interstate 40, Between Mileposts 339.50 and 341.82, Sanders, Apache County, Arizona* (ADOT 2004a).

Five archaeological sites were identified within the study area: AZ-P-54-108 [NN], AZ-P-54-200 [NN], AZ-P-54-315 [NN], AZ-P-54-316 [NN], and AZ-P-54-322 [NN]. All five archaeological sites are prehistoric habitations located on the Navajo Nation, and all are recommended as eligible for the National Register of Historic Places (NRHP) under Criterion D for their potential to provide important information on the prehistory of the area.

No historic buildings were identified in the study area; however, one historic building, the Sanders Jail (AZ-P-54-331 [NN]), is within the area of potential effect and is located on the Navajo Nation. Recognized as a place where important events took place in Apache County history, the historic building was recommended as eligible for the NRHP under Criterion A.

American Indian Religious Freedom Act of 1978 (P.L. 95-341) was passed by Congress to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise their traditional religions, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites. Therefore, the law requires that the effects of a federal undertaking on Native American sites or places (prehistoric or historic) having religious, ceremonial, or sacred aspects must be evaluated.
within the context of this law. Nine residential buildings were identified in the study area. The residential buildings are places where religious ceremonies, such as blessings, may have taken place. Therefore these buildings have the potential to merit protection under the AIRFA and the potential to be eligible for inclusion in the NRHP. The residential structures were not recorded in detail during the cultural survey to comply with the Navajo Nation’s policy to respect the privacy and property rights of its people. A Draft Memorandum of Agreement (MOA) has been prepared with FHWA, ADOT, Arizona State Historic Preservation Office (SHPO), Pueblo of Zuni, Hopi Tribe, and Navajo Nation as participating agencies to address the treatment of currently identified cultural resources (Appendix C). The study team is in the process of conducting additional research and ethnographic surveys to determine if structures within the new R/W merit protection under AIRFA. Findings and treatment methods identified from the surveys would be included in the Final MOA.

Additionally ethnographic investigations were conducted as part of the Class III cultural resources survey to gather information about Traditional Cultural Places (TCP) and other cultural resources in the area that may not be detectable through standard survey methods (ADOT 2004). Informal interviews were conducted with local residents, managers and employees of nearby businesses, and representatives of the Office of Navajo-Hopi Indian Relocation, and the Navajo Nation’s Houck and Nahata Dziil chapter houses. More specifically reference to medicinal plant collection was made in a public comment from August 2003 and an ethnographic investigation was conducted to determine whether or not this activity may be considered a TCP. An interview with the commenter on January 12, 2006 concluded that medicinal plant collection is culturally important at the local level, but not specifically associated with the POE project. The medicinal plants are distributed regionally and the commenter acknowledges that the POE project would not preclude the availability of the plants in the area, nor the ability to gather and use them as previously done. Based on the Class III survey, no additional cultural resources or TCPs were identified in the project area.

The Navajo Nation Historic Preservation Department (NNHPD) concurred with the cultural findings through a Cultural Resources Compliance Form dated September 10, 2004 and a concurrence letter from February 2006 (NNHPD concurrence letters enclosed in Appendix C). Coordination with the NNHPD will continue as the project progresses. The Hopi Tribe also concurred and requested continued involvement with the project in a letter dated September 8, 2004 (Hopi response letter enclosed in Appendix C).

Alternative A will have no negative impacts on the National Register-eligible sites or the residential buildings that may merit protection under the AIRFA. Both Alternative C and Alternative E would result in adverse impacts to archaeological sites eligible under the NRHP and residential buildings that may merit protection under AIRFA. Alternative C would directly impact two eligible archaeological sites (AZ P-54-315 [NN] and AZ P-54-316 [NN]) and two standing residential structures that may merit protection under AIRFA. Alternative E would directly impact five archaeological sites eligible under the NRHP (AZ-P-54-108 [NN], AZ-P-54-120 [NN], AZ-P-54-315 [NN], AZ-P-54-316 [NN], and AZ-P-54-332 [NN]) and six standing residential structures that may merit protection under AIRFA.
Additionally, both build alternatives would have an indirect adverse impact on the Sanders Jail (AZ-P54-331 [NN]) because the new frontage road would make the site and its historic building substantially more accessible and, therefore, more susceptible to visitation and indirect adverse impacts through exposure, deterioration, or vandalism. To regulate public access, the contractor would fence the Sanders Jail and install an interpretive plaque/historical marker prior to beginning construction on the frontage road. The Arizona Department of Transportation Environmental Planning Group’s Historic Preservation Team (HPT) in coordination with the NNHPD would determine the specifications and location for the interpretive plaque and barrier (fence) around the Sanders Jail. The NNHPD will be provided an opportunity to review and comment on design plans.

In the event that the project results in direct or indirect impacts to any of the Register-eligible archaeological sites or standing residential structures that merit protection under AIRFA, mitigation through a program of archival research, ethnographic studies, archaeological testing, and/or data recovery excavations would be completed. Cultural resources affected by the project would be treated in accordance with the Final MOA to ensure the project follows the Secretary of Interior’s Standards for the Treatment of Historic Properties (Appendix C).

If previously unidentified cultural resources are encountered during activity related to the construction of the project, the contractor would stop work immediately at that location and would take all reasonable steps to secure the preservation of those resources. The Engineer would contact ADOT HPT at 602.712.7760 immediately and make arrangements for the proper treatment of those resources.

Alternative A would have no effect on cultural resources, while both build alternatives would directly impact several archaeological sites and indirectly impact the Sanders jail. Implementation of the proposed mitigation including development of the MOA between agencies such as FHWA, ADOT and the Navajo Nation and standard ADOT mitigation for cultural resources will reduce the impact of the build alternatives on cultural resources.

E. Section 4(f) of the Transportation Act

Publicly-owned land such as public parks, recreation areas, wildlife areas waterfowl refuges and historic sites are protected under Section 4(f) of the Transportation Act. The Sanders POE build alternatives will impact historic sites that are eligible for the NRHP, which are considered 4(f) properties. The evaluation of project effects on 4(f) properties is provided below.

Section 4(f), of the US Department of Transportation Act of 1966, states that the FHWA “…may approve a transportation program or project…requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if…there is no prudent and feasible alternative to using that land; and…the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.” (49 U.S.C. 303[c])
A ‘use’ of a Section 4(f) resource, as defined in 23 Code of Federal Regulations (CFR) 771.135 (p), occurs: (1) when land is permanently incorporated into a transportation facility, (2) when there is a temporary occupancy of land that is adverse in terms of the statute’s preservationist purpose, or (3) when there is a constructive use of land. A constructive use of a Section 4(f) resource occurs when the transportation project does not incorporate land from the Section 4(f) resource, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For example, a constructive use can occur when:

- The projected increase in noise level attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f);
- The proximity of the proposed project substantially impairs aesthetic features or attributes of a resource protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of such an effect would be locating a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or substantially detracts from the setting of a park or historic site which derives its value in substantial part due to its setting; and/or
- The project results in a restriction on access that substantially diminishes the utility of a significant publicly owned park, recreation area, or historic site.

One historic site immediately adjacent to Alternatives C and E is eligible for protection under Section 4(f). The Sanders Jail, AZ-P-54-331 (NN), is located west of the existing POE, just north of I-40. According to ethnographic information, the jail was built in the 1930s and was in full use through the 1950s. Although the Sanders Jail is no longer in use, it is recommended as eligible for the NRHP under Criterion A as a place where events occurred important in the history of Apache County. The jail remains in relatively good condition.

Currently, access to the Sanders Jail is limited to pedestrian traffic from either the Sanders TI, 500 feet to the west, or from the current POE ½-mile to the east. The jail is not accessible from the north due to steep cliffs.

Alternatives C and E would avoid a direct use of the Sanders Jail; however, construction of the frontage road in Alternatives C and E would make it easier for the public to access the jail. Improved access to the jail can lead to increased visitation and also the potential for indirect adverse impacts through exposure, deterioration, or vandalism. Early discussions at public meetings involved improving the gravel road north of the POE versus extension of the frontage road west to the Sanders TI. The public preferred extension of the frontage road running parallel to the I-40 rather than the improvement of the gravel road because the gravel road was perceived to be an indirect route and would adversely disrupt their neighborhood. As a result, the improvement of the gravel road was not developed as an alternative.

To regulate public access to the jail, ADOT HPT would arrange for a barrier (fence) to be constructed between the Sanders Jail and the frontage road and for an interpretive plaque/historical marker to be developed for the Sanders Jail as public outreach tool. The ADOT
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

HPT in coordination with the NNHPD would determine the specifications and location for the interpretive plaque and barrier (fence). Construction of a fence around the jail and installation of an interpretive plaque would mitigate the indirect impacts and result in a finding of “no adverse effect” (Appendix C).

F. Air Quality Analysis
The existing air quality in the study area complies with all National Ambient Air Quality Standards (NAAQS) (ADOT 2004b). The Sanders POE project is located in an attainment area and will not increase highway capacity. For projects located in an attainment area that will have no increase in highway capacity, a qualitative air quality analysis can be conducted to evaluate project effects on air quality. The following describes results of the qualitative air quality analysis.

The existing POE is outdated and unable to efficiently process existing truck traffic. Currently, the POE has one vehicle inspection lane and limited queuing capacity on the I-40 off-ramps. Alternative A would perpetuate delays along I-40 near the existing Sanders POE. The long idling times of vehicles would increase vehicle emissions in the immediate vicinity of the POE. Increased idling time would impact air quality in the immediate area; however, vehicle emissions disperse within a very short distance (EPA 1992). Therefore, it is unlikely these emissions would affect the isolated homes or schools in the study area.

No change in the capacity of mainline I-40 will result from Alternative C or E. Both build alternatives would add two credential verification lanes, which would increase the capacity and efficiency of the POE. The increased number and width of the verification lanes would increase the operational capacity of the POE during peak usage periods (MVD 2004). Future traffic volume (predicted by extrapolating historical data) along the I-40 mainline, independent of a new POE, is expected to approximately double by the year 2022 (MVD 2004). This extrapolated data indicates that the number of trucks entering the POE would increase; however, due to the modernization and resulting increase in POE efficiency, these trucks would be processed faster, reducing truck idling time and reducing potential impacts to air quality (Jerry Crosley, MVD Northern Regional POE Manager, pers. comm. with HDR, May 6, 2004).

Some deterioration of air quality may be expected due to the operation of construction equipment and the slower traffic speeds associated with a construction zone. The demolition of the existing POE would also temporarily negatively impact air quality; however, this would be a localized condition that would cease when this project is completed.

According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, “Scope of Work Subsection 08, “Prevention of Air and Noise Pollution,” “the contractor would control, reduce, remove or prevent air pollution in all its forms, including air contaminants, in the performance of the contractor’s work.” The contractor would comply with all air pollution ordinances, regulations, orders, etc., during construction. All dust-producing surfaces would be watered or otherwise stabilized to reduce short-term impacts associated with an increase in particulate matter attributable to construction activity.
Each of the alternatives for this project would have little impact on the air quality in the study area. The inefficient POE operations of Alternative A would lead to increased vehicle emissions, but minimal impacts to air quality. The build alternatives would improve the efficiency of POE operations and reduce truck idling times, thereby reducing vehicle emissions and the potential for additional air quality impacts.

Mobile Source Air Toxics

A mobile source of air pollution refers to a source that is capable of moving under its own power or can be moved from place to place. Mobile sources include a variety of vehicles, engines, and equipment that generate air pollution. There are two categories of mobile sources: on-road and off-road.

Mobile source air toxics (MSATs) are compounds emitted from on and off-road sources which are known or suspected to cause cancer or other serious health and environmental effects. Technically, any compound that is in the air and has the potential to produce adverse health effects is an air toxic. MSATs are very difficult to pinpoint and control because they are constantly moving. Because of this movement, which goes across borders and in and out of areas, determining the specific amount of mobile sources in a given area is difficult. These sources, as difficult as they are to track, have historically been the origin of about half of the air pollution in the United States. This pollution affects the air, water, vegetation, and soil.

The purpose of this project is to improve the efficiency and effectiveness of the commercial vehicle regulatory enforcement operations at the Sanders POE and to improve non-commercial vehicle access of the frontage road by constructing a new state-of-the-art facility and extending the frontage road to the Sanders Road TI. This project will not result in any meaningful changes in traffic volumes, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the no-build alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSATs.

Moreover, EPA regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. Even after accounting for a 64 percent increase in VMT, FHWA predicts MSATs will decline in the range of 57 percent to 87 percent, from 2000 to 2020, based on regulations now in effect, even with a projected 64 percent increase in VMT. This will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

G. Noise

This project was evaluated using the “Arizona Department of Transportation’s Noise Abatement Policy,” March 21, 2000. The policy was written to conform to the federal policy and guidelines as stated in “Title 23, Code of Federal Regulations, Part 772.” Noise levels in the study area were evaluated qualitatively because the study area consists of scattered and few noise receivers. The majority of these receivers are isolated residences located on the north side of I-40 west of MP 340.00. Other receivers include a mobile home subdivision, used for teacher housing associated
with the Sanders Unified School District, and the Sanders Elementary and Middle schools, located at the northeast corner of the Sanders TI. Most of the receivers are located several hundred feet from the I-40 R/W.

Under Alternative A, the POE will not be expanded or modernized. Without improvements, the POE will inefficiently regulate existing truck traffic; therefore, any additional traffic would be waved past the POE and noise levels would remain the same.

Under Alternatives C or E the number of truck inspections is expected to increase. The primary source of noise associated with the POE is from the deceleration of trucks as they reduce speed to enter the POE for inspection. With the build alternatives more inspections are anticipated and thus increases in noise levels are anticipated; however, the use of the upstream WIMS and PREPASS electronic pre-screening technologies on I-40 would allow compliant trucks to completely by-pass the POE. Thus, noise levels are expected to increase, but not substantially under Alternatives C and E.

The footprints of Alternative C and Alternative E would require the relocation of six and four receivers, respectively. Construction of the frontage road would bring the road closer to the Sanders schools and to a small number of isolated residences. Under Alternatives C and E the number of local vehicles using the frontage road would increase, resulting in the potential for increased noise levels. However, since the frontage road would be used as an alternate route for local traffic, the overall noise levels in the study area would not increase substantially.

Construction activities, including demolition activities, would temporarily increase noise levels. According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 104, “Scope of Work Subsection 08, “Prevention of Air and Noise Pollution,” ‘[t]he contractor would comply with all local sound control and noise level rules, regulations and ordinances which apply to any work performed pursuant to the contract. Each internal combustion engine used for any purpose on the work or related to the work would be equipped with a muffler of a type recommended by the manufacturer.”

Noise levels would increase if the POE is expanded and modernized due to increased capacity for inspections. Some of this noise would be alleviated by the use of WIMS and PREPASS systems which would allow trucks with compliant credentials and weight to by-pass the POE. The construction of the new segment of frontage road in Alternatives C and E would bring traffic closer to isolated noise receivers north of I-40. Noise levels are expected to remain within noise thresholds outlined within ADOT’s Noise Abatement Policy.

H. Utilities
Several local utilities (e.g., water, sewer, power lines, etc.) are located throughout the study area. Local distribution electric transmission lines are located north and south of I-40. No major large capacity transmission or trunk lines were identified in the study area. Additionally a fiber optic telecommunications cable is planned for installation along the southern edge of I-40 R/W from the east. At MP 341.25, the cable is planned to cross to the northern edge of the I-40 R/W and extending west beyond the study area.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

Alternative A would have no impact on existing or future utilities. The build alternatives may require relocation of a copper telecommunications cable and an overhead telephone cable. These utilities extend the entire length of the study area along the north side of I-40. Additionally, coordination with the cable utilities company will be required to ensure that conflicts with the future fiber optic telecommunications cable are avoided.

The Arizona Department of Transportation Utility and Railroad Engineering Section would investigate utility involvement during the final design phase of the project. Project planning would include careful scheduling and prior notification of adjacent properties that would be affected by temporary service disruptions.

I. Land Resources

Land resources such as topography, soils, geology and agriculture can affect the constructability of a project. These land resources have been evaluated for the Sanders POE project. Details regarding each resource are provided below.

Topography

The topography surrounding the study area consists of flat terraces and low to moderate hills. The Sanders POE is located at the toe of an east-west trending bench composed of gravel and rock outcrops. The Puerco River is located on the south side of the I-40. Several small washes occur within the study area, with a large wash located approximately 600 feet east of the existing Sanders POE. Elevation at the site averages 5,900 feet above mean sea level (AMSL) (Kamilli and Richard 1998).

Alternative A would have no impact on the topography of the study area. Alternatives C and E would require small wash segments to be redirected around or under project facilities and reconnected to existing channels. The extent of channel realignment would have minimal impacts on the overall drainage pattern of the area. Impacts to washes are discussed in the Section 404/401 Clean Water Act Section (Section M). Impacts to topography are largely visual impacts and are discussed in the Visual Resources Section (Section J). The primary topographical impact would result from hillside cutting.

The new POE would be approximately twice as large as the existing facility with larger buildings and more parking. The new POE in Alternative C would expand north, requiring the hill behind the existing POE to be cut back approximately 300 feet and east toward an existing wash. The new frontage road extension running west to the Sanders TI would then be built behind the POE and would either require major cutting into the side of the hill or placement on top of the hill. Additionally, the section of the proposed frontage road between the existing POE and the Sanders TI would require minor excavation into the hillside.

The terrain at Alternative E, including the POE footprint itself and the portion of the frontage road behind the proposed POE, is relatively gradual and undulating with no severe grades or rock outcroppings. No hillside cutting would be required for construction of the POE; however, the section of the proposed frontage road between the existing POE and the Sanders TI would require minor excavation into the hillside.
Soils

The study area is predominantly composed of clay-rich soils from the Chinle Formation and sandy soils from the Bidahochi Formation. The Chinle formation consists of barren hills eroded in soft mudstone and volcanic ash. The base of this formation is marked by a soil unit containing hard quartzite pebbles derived from highlands that existed in central Arizona during the Triassic period (approximately 240 to 205 million years ago). The Chinle Formation contains large amounts of bentonite, a type of clay from volcanic ash (Chronic 1998). Bentonite expands significantly when it is wet and contracts or shrinks when it dries; a feature which discourages plant growth (Chronic 1998). The Chinle Formation also contains mudstone and less abundant lenses of sandstone. It is believed that the Chinle Formation was deposited by a large river system such as the ancestral Colorado River.

The Bidahochi Formation contains tan colored sand and conglomerate, clay, volcanic ash, and some limestone containing soils. The youngest part of this formation, nearest the surface, is almost entirely composed of sandstone (Chronic 1998; Wilson et al. 1960).

Alternative A would have no impact on existing soil formations. With Alternatives C and E, activities associated with construction of a new POE and demolition of the existing POE would result in soil disturbance, and therefore, will impact soils. Some trampling and compaction of soils by construction equipment and workers is expected. Soil compaction would temporarily decrease permeability, alter moisture content, and diminish the water storage capacity of the soils. Soil disturbance in conjunction with some loss of vegetation may increase erosion. However, the potential for increase in erosion is considered minimal and thus impacts to soils are considered negligible.

To reduce the potential for loss of soils through erosion, all disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity.

Geological Setting and Mineral Resources

The study area lies within the Colorado Plateau geological province of northern Arizona (Kamilli and Richard 1998). The Colorado Plateau in this area consists of flat-lying to gently tilted Paleozoic (540 to 240 million years ago) and Mesozoic (240 to 65 million years ago) sedimentary rocks. The predominant geologic features of the area are the Chinle Formation formed in the Triassic period approximately 245 to 208 million years ago and the Bidahochi Formation formed in the Pliocene period about 5 to 1.8 million years ago (Chronic 1998).

Generalized distributions of silica sand and clay exist in the study area. According to Kamilli and Richard (1998), these deposits are considered potential mining districts by the Arizona Geological Society. Currently, no clay or silica sand mines exist in the study area.

Alternative A would have no impacts to the existing geological setting and mineral resources within the study area. Both build alternatives would result in minimal impacts to the existing geological setting and mineral resources within the study area. Impacts to geological setting and mineral resources would occur with the acquisition of 23 acres of R/W to construct Alternative C.
and 33.5 acres to construct Alternative E. These impacts would be unavoidable due to the excavation associated with the construction of a new POE and frontage road. Impacts would be negligible because no existing clay or silica sand mines are present in the study area. Additionally mining would be incompatible with land uses, such as grazing, which are characteristic of the existing transportation corridor.

**Agriculture**

Land used for grazing sheep, cattle, goats, and horses by local residents may be impacted by the proposed Sanders POE. Access to additional grazing areas for herding animals, south of I-40, is available through the drainage culvert just east of the existing POE.

Alternative A will have no impact on existing grazing activities. With the build alternatives, the expansion of the POE would require acquisition of additional R/W, 23 acres for Alternative C and 33.5 acres for Alternative E that could require redistribution of land for grazing activity within the study area. The Navajo Land Department was contacted on several occasions to determine permittees/landowners that would be affected by the build alternatives. Although no response was received to date, coordination efforts with the Navajo Land Department will continue so that potentially affected land owners may be contacted. ADOT would implement a R/W acquisition program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91:646), and the Uniform Relocation Act Amendments of 1987 (Public Law 100-17) to compensate eligible permittees and landowners for their losses.

Additionally, should the project affect agricultural land owners within tribal lands, coordination would be initiated with the BIA, the Navajo Nation’s Nahata Dziil and Houck chapters, and the Office of Navajo-Hopi Indian Relocation in accordance with the US Department of Transportation’s Order 5301.1 – Department of Transportation Programs, Policies, and Procedures Affecting American Indians, Alaska Natives, and Tribes and Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments.

**J. Visual Resources**

The study area is located in the Colorado Plateau province, which consists of flat-lying to gently tilted sedimentary rocks. It is in the geologic unit known as the Chinle Formation, an area of colorful mudstone deposited by a river system that typically erodes into badlands topography. The terrain is rolling with many plateaus and mesas rising in the fore-, mid- and background. The Puerco River, a river that flows intermittently, parallels I-40 and is the lowest elevation in the area. No other water features are visible. Other than a few scattered boulders, no other rock features are present within the study area.

The study area includes scattered residential and commercial development. Buildings are located on the northeast corner of the Sanders TI and on the north side of the Ortega Road TI. Undeveloped land in the area is primarily used for grazing. The vegetation is predominantly natural Great Basin Desert scrub consisting of sagebrush, saltbush, and pinyon-juniper. Non-native vegetation surrounds many of the adjacent homes and businesses.
Man-made elements in the study area include: I-40, with raised interchanges at Sanders and Ortega Roads; the Burlington Northern Santa Fe (BNSF) railroad, which parallels I-40 along its south side; power lines that parallel I-40 on both the north and south sides of the roadway; the eastbound weigh station and its light fixtures located due south across I-40 from the current westbound POE station; and a series of billboards on the south side of I-40 from Sanders to Ortega Road TIs. The current POE station sits at the base of a plateau that curves behind the station on the north. The station faces south and has virtually uninterrupted southern views from east to west. Mid- and background views to the north are interrupted by the plateau.

The elements of line, color, and texture are represented in the study area. The ridgelines of the many plateaus and mesas create an almost even horizontal line on the southern horizon. Most of the colors are fairly muted sage greens and beiges. However, contrast is high between the grey greens of the sage and the dark greens of the pinyon-junipers. Patches of exposed soil and rock provide bright spots of taupe and red in the landscape. The distant plateaus provide a dark blue-purple contrast to the foreground of beige and sage green. Texture is created in the landscape by the sprinkling of pinyon-juniper in the middle ground as it transitions to an almost solid pattern on the tops of the plateaus in the background. No strong form elements occur in the landscape. The following fore-, mid-, and background views are virtually the same from any of the proposed alternatives:

**Foreground**
The foreground view to the north is dominated by the face of a plateau. A few homes are scattered to the north and east of I-40. The weigh station, billboards, and I-40 dominate the foreground views to the south. Foreground views are considered medium quality.

**Mid-ground**
To the south, from east to west, the middle ground view includes the Puerco River and the scattered homes of Sanders on the opposite side of the river. On the closer plateaus, the detail of the dark pinyon-juniper can be discerned. Middle ground views to the south are of good quality. To the north, middle ground views are not visible due to the plateau.

**Background**
The background view to the south, from east to west, is of the many different colored layers of plateaus receding into the distance. The detail of the vegetation blends into dark shades of blue and purple. Background views are of good quality. To the north, background views are not visible due to the plateau.

**POE Views**
Views of the POE facility are predominantly seen by travelers along I-40 and from the homes to the north and east of the station. The current POE building is fairly small and non-descript. Light standards and large overhead signs dominate the viewers’ attention. From Sanders, the small, dark station building blends into the background of the plateau. The tall, vertical light standards and metallic sign support poles stand out against the darker background.
The BIA and FHWA do not have specific methods for developing visual quality objectives (VQOs); therefore, VQOs were eliminated from detailed study.

Temporary impacts to visual resources may include excavation, construction equipment, increased traffic from construction equipment, stockpiles, and demolition of the existing station. After construction is complete, these impacts would cease.

Alternative A may change the existing visual quality over time as the current building continues to deteriorate. Traffic congestion is expected to increase since the current facility is already undersized.

The area of the new facility in both Alternatives C and E would be approximately twice as large as the existing facility with larger buildings and parking areas. Alternative C would require the POE to expand north, requiring hillside cutting, and east toward an existing wash. However, the wash does not have any distinguishing aesthetic qualities, such as rock or dense landscape that would be impacted. The new frontage road could also cause additional scarring to the hillside slope north and west of the existing POE location. Cut slope faces resulting from hillside excavation would be blended with the form, line, color, and texture of the surrounding landscape. Treatment of the cut slopes will be determined later in the design process. Permanent visual impacts should be minimal since the new station replaces an older station in approximately the same location and any hillside scarring should blend into the landscape.

Alternative E would be located about ½-mile east of the existing facility. The station would be situated out in the open, rather than tucked up against the hill, making it more visible. The existing station would be demolished and returned to the previously undisturbed condition. The new location avoids the wash but disrupts four existing homes. The new frontage road may also cause minor additional scarring of the hillside slope west of the existing POE location. Cut slope faces resulting from hillside excavation should blend with the form, line, color, and texture of the surrounding landscape. Treatment of the cut slopes will be determined later in the design process. Permanent visual impacts would be moderate. Constructing the POE ½-mile east of the existing POE would introduce a new, but not an additional structure in the study area.

Alternative A would have no impact on visual resources and thus would have the least impact of all alternatives. Both build alternatives would result in similar impacts to visual resources. Although Alternative C would require substantially more hillside excavation than Alternative E, the cut slopes would be blended into the surrounding landscape. Alternative C would replace the existing POE, which would remain tucked up against the hill. Alternative E would be in the open where no structure previously existed, however the existing POE structure would be demolished and the site would be returned to the previously undisturbed condition. These impacts to visual resources are considered minimal.
K. Drainage and Floodplain Considerations
Constructability of a project relies on accurate drainage and floodplain data. Consideration must be given to existing drainage and floodplain conditions to ensure that the project avoids the potential for flood hazards or significant disturbance to drainage patterns. Evaluation of drainage and floodplain conditions within the Sanders POE study area is provided below.

Surface water in the study area generally flows in a southerly direction along numerous unnamed ephemeral wash channels that drain the upper elevations of small watersheds located on the north side of I-40. Flows are then carried beneath I-40 through culverts to the Puerco River, which drains into the Little Colorado River. The Little Colorado River Plateau basin covers most of northeastern Arizona, where the Little Colorado River serves as the main drainage.

Alternative A would have no impact on drainage conditions. Alternatives C and E would require segments of wash channels to be realigned. Wash channels would be redirected around or under project facilities and reconnect to existing channels. The length of channel realignment would have minimal impacts on the overall drainage pattern of the area and construction would not directly affect the Puerco River. Disturbance to ground surfaces would create the potential for increased sedimentation into the wash channels.

The temporary impact associated with ground disturbance during construction would be mitigated by the adherence to Best Management Practices, adherence to the conditions set forth in the National Pollutant Discharge Elimination System (NPDES) and Arizona Pollutant Discharge Elimination System (AZPDES) permits (Refer to Section M, page 39), and by implementing erosion/sediment controls in accordance with the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, Section 104.09 (2000 Edition), “Prevention of Landscape Defacement; Protection of Streams, Lakes and Reservoirs,” and/or ADOT Contracts and Specifications Section’s stored specifications.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for the study area indicate that the majority of the project is located in an area where the 100-year floodplain has not been delineated. The area from the Sanders TI to the existing POE has been surveyed for flood hazards and is not located within the 100-year floodplain (FEMA 1982).

Impacts on floodplains typically occur when the topography within a floodplain is substantially modified by either placement or removal of materials within the floodplain. Alternative A would result in no floodplain impacts. With Alternatives C and E, project construction would require minimal amounts of fill within existing drainages and would be designed to pass flood events under or around the transportation corridor. Federal and state highway drainage guidelines require that the project be of sound hydrologic design. Therefore, no impacts to floodplains are anticipated.

The Nahata Dziil and Houck Chapters and Office of Navajo-Hopi Indian Relocation and the BIA would be provided the opportunity to review and comment on the design plans.
L. **Groundwater**

Groundwater is water that flows underground, can be collected with wells, tunnels, or drainage galleries, or that flows naturally to the earth's surface by seeps or springs. Groundwater is typically safer and more reliable for use than surface water; however, groundwater is susceptible to contamination like surface water and thus can become non-potable (not drinkable). The following describes the Sanders POE project effects on groundwater within the study area.

Existing POE operations utilize an existing water well between I-40 and the Puerco River for non-potable uses. Another well, also for non-potable uses, is located adjacent to a residence that would be affected by R/W acquisition for the building of Alternative E. The residence where the water well is located would be relocated due to the need for R/W for POE construction (MVD 2004). The residences affected by Alternatives C and E are connected to a local water system and do not use wells for potable water needs. The ADOT Property Management Section, Right of Way Group would arrange for the water well serving the existing POE to be capped and abandoned by an Arizona Department of Water Resources (ADWR) registered contractor. ADOT would notify the ADWR that the well has been capped five working days after the capping.

Under Alternative A, trucks with potential leaks would continue to utilize the existing POE and the potential for groundwater contamination continue. Alternatives C and E would have minimal impact on surface waters including wash channels, resulting in minimal impact to water that seeps down to groundwater aquifers. Additionally, as part of the build alternatives, construction of the hazardous material containment basin would ensure that potential leaks from regulated vehicles are contained. Any potentially harmful substances contained within the basin would be cleaned up and disposed of or treated as appropriate. This would minimize any impacts to groundwater once the facility is in operation.

M. **Section 404/401 of Clean Water Act and Pollutant Discharge Elimination System**

The Sanders POE project must also consider surface waters within the study area and ensure that disturbance to surface waters is addressed appropriately. Section 404/401 of the Clean Water Act (CWA) and the National and State of Arizona Pollutant Discharge Elimination System (NPDES and AZPDES) regulates activities that have the potential to disturb surface waters. Evaluation of project effects on surface waters within the study area is provided below.

Six washes with culvert crossings under I-40 exhibited an ordinary high water mark and were identified in the field as potential waters of the US. The washes varied in width from three to 28 feet, as measured adjacent to the existing frontage road on the north side of I-40; however, they generally measure from four to nine feet wide.

Alternative A would have no additional effect on surface waters within the study area. Alternatives C and E would cause permanent loss of jurisdictional waters due to work in the channels, and therefore would require CWA Section 404 permits from the COE. Alternatives C and E would require filling a total of approximately 0.16 and 0.22 acre of jurisdictional waters, respectively.
If less than 0.50 acres of jurisdictional waters would be permanently impacted at each wash location, a CWA Section 404 Nationwide Permit (NWP) No. 14, *Linear Transportation Facilities*, would authorize the activities, such as culvert extensions, associated with the frontage road. If permanent impacts to jurisdictional waters are less than 0.10 acre for work authorized by NWP No. 14 along the frontage road, notification to the COE for that work would not be required. NWP No. 39, *Residential, Commercial, and Institutional Developments* would authorize the construction activities for the POE facility. Under the terms and conditions for NWP No. 39, each of the build alternatives would likely require notification to the COE due to each alternative causing greater than 0.10 acre loss of waters of the US. The criteria for NWP No. 39, requiring that activities not cause a loss of greater than 300 linear feet of stream bed, does not apply to ephemeral waters. Precise quantification of loss of jurisdictional waters would be determined during the design process. ADOT would be responsible for acquiring the appropriate CWA Section 401 and 404 permits.

Alternative A would result in little ground disturbance for routine maintenance activities. Alternative C and E would result in one or more acres of ground disturbance, potentially causing a temporary increase of suspended particulates and solids in surface water runoff. The effects of sedimentation would be most pronounced during construction and re-vegetation. Potential sources of sediment during the construction of the new POE and frontage road include loose fill adjacent to washes and other drainage features. Disturbance of surface soils due to construction is expected to cause some sediment transport. Erosion associated with the removal of vegetation would be controlled in accordance with ADOT *Standard Specifications*, AZPDES general permit, NPDES general permit and a SWPPP prepared for the project. As the disturbed areas are reseeded and vegetation reestablished, sedimentation would return to natural levels.

Because more than one acre would be disturbed, an AZPDES and NPDES permit are required. The Arizona Department of Transportation District Construction Office and the contractor will submit the Notice of Intent and the Notice of Termination to the Arizona Department of Environmental Quality and the EPA. The Arizona Department of Transportation Roadside Development Section would determine who would prepare the Stormwater Pollution Prevention Plan (SWPPP).

According to the *ADOT Standard Specifications for Road and Bridge Construction*, (2000 Edition), Section 104, “Scope of Work Subsection 09, “Prevention of Landscape Defacement; Protection of Streams, Lakes, and Reservoirs,” the Holbrook District would ensure that “[t]he contractor take sufficient precautions, considering various conditions, to prevent pollution of streams, lakes, and reservoirs with fuels, oils, butumens, calcium chloride, fresh Portland cement, raw sewage, muddy water, chemicals, or other harmful materials. None of these materials would be discharged into any channels leading to such streams, lakes, or reservoirs”

According to the *Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, (2000 Edition), Section 104, “Scope of Work Subsection 09, “Prevention of Landscape Defacement; Protection of Streams, Lakes, and Reservoirs,” “[t]he contractor
would give special attention to the effect of its operations on the landscape and would take special care to maintain natural surroundings are undamaged.”

Any impacts to waters of the US because of Alternatives C or E would be mitigated by the requirements of the CWA Section 404 and Section 401, and the NPDES and AZPDES requirements.

N. Vegetation

Native plants are a valued resource within the state and are often threatened by invasive species. Native plants within the study area have been identified to ensure that the project avoids them to the greatest extent possible. Additionally invasive species have been identified within the study area to ensure that these species can be properly treated and prevented from spreading. The project effects on native plants and invasive species within the study area are described below.

Native Plants

The study area is located within the Colorado Plateau province of northeastern Arizona, occurring at an elevation of approximately 5,900 feet AMSL. Vegetation within the study area is characterized by the Plains and Great Basin Grassland biotic community (Brown 1994). Typical vegetation found within this biotic community includes sagebrush (Artemisia spp.), fourwing saltbush (Atriplex canescens), rabbitbrush (Chrysothamnus spp.), cholla (Cholla spp.), prickly pear (Opuntia spp.), and mesquite (Prosopis spp.). The dominant vegetation within the study area is juniper (Juniperus sp.) and various shrubs and grasses. Density of vegetation within the study area is low to moderate.

Alternative A would have no effect on native plants. Construction of Alternatives C or E would impact native plants within the study area. These plants, however, are not designated as protected native plants. Areas that would be disturbed during construction would be seeded with species native to the project vicinity.

Invasive Species

Based upon “Executive Order 13112” on invasive species, dated February 3, 1999, all projects would, “…subject to the availability of appropriations, and within Administration budgetary limits, use relevant programs and authorities to: i) prevent the introduction of invasive species; ii) detect and respond rapidly to, and control, population of such species in a cost-effective and environmentally sound manner; iii) monitor invasive species population accurately and reliably…[and] iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded…”

The study area was surveyed by a qualified invasive species authority (ADOT Natural Resources Section), and it was determined that the invasive species Scotch thistle (Onopordum acanthium) occurs within the study area. Alternative A involves no ground disturbance that would contribute to the spread the Scotch thistle. However, lack of invasive species treatments would perpetuate the potential spread of invasive species through vehicle travel, wind or other means. Alternatives C and E involve ground disturbing activities that may contribute to the spread of Scotch thistle. Under the build alternatives, this invasive species would be treated according to
an invasive species management plan, and any necessary treatments would continue following completion of construction.

To prevent the introduction of invasive species, all earthmoving and hauling equipment would be washed at the contractor’s storage facility prior to entering the construction site. Also, to prevent invasive species seeds from leaving the site, the contractor would inspect all construction equipment and remove all attached plant/vegetation debris prior to leaving the construction site. Finally, all disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity.

O. Threatened and Endangered Species, Designated Critical Habitat, and Sensitive Species

The US Fish and Wildlife Service list of threatened, endangered, proposed, and candidate species for Apache County was reviewed by a qualified biologist (Fiona Goods on, HDR Engineering, Inc.). Sixteen listed species were identified within the county (Table 2); however, no listed species or suitable habitat will be affected as a result of this project because listed species and their suitable habitat do not occur within the study area.

<table>
<thead>
<tr>
<th>Listed Species</th>
<th>Scientific Name</th>
<th>Status</th>
<th>Exclusion Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache trout</td>
<td>Oncorhynchus apache</td>
<td>Threatened</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>bald eagle</td>
<td>Haliaeetus leucocephalus</td>
<td>Threatened</td>
<td>No foraging or nesting habitat present in the study area.</td>
</tr>
<tr>
<td>black-footed ferret</td>
<td>Mustela nigripes</td>
<td>Endangered</td>
<td>No known prairie dog town habitat present in the study area</td>
</tr>
<tr>
<td>California brown pelican</td>
<td>Pelecanus occidentalis californicus</td>
<td>Endangered</td>
<td>No foraging or nesting habitat present in the study area.</td>
</tr>
<tr>
<td>California condor</td>
<td>Gymnogyps californianus</td>
<td>Endangered</td>
<td>No foraging or nesting habitat present in the study area.</td>
</tr>
<tr>
<td>Chiricahua leopard frog</td>
<td>Rana chiricahuensis</td>
<td>Threatened</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>Little Colorado spinedace</td>
<td>Lepidomeda vittata</td>
<td>Threatened</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>loach minnow</td>
<td>Tiaroga cobitis</td>
<td>Threatened</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>Mexican gray wolf</td>
<td>Canis lupus bailey</td>
<td>Endangered</td>
<td>No chapparal, woodland or forested areas suitable for this species present in the study area</td>
</tr>
<tr>
<td>Mexican spotted owl</td>
<td>Strix occidentalis lucida</td>
<td>Threatened</td>
<td>No foraging or nesting habitat present in the study area.</td>
</tr>
</tbody>
</table>
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

<table>
<thead>
<tr>
<th>Listed Species</th>
<th>Scientific Name</th>
<th>Status</th>
<th>Exclusion Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Navajo sedge</td>
<td>Carex specuicola</td>
<td>Threatened</td>
<td>No seeps or springs present in the study area</td>
</tr>
<tr>
<td>Southwestern willow</td>
<td>Empidonax trailii</td>
<td>Endangered</td>
<td>No suitable riparian habitat is present in the study area</td>
</tr>
<tr>
<td>flycatcher</td>
<td>extimus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three forks springsn</td>
<td>Pyrgulopsis trevialis</td>
<td>Candidate</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>snail</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>yellow-billed cuckoo</td>
<td>Coccyzus americanus</td>
<td>Candidate</td>
<td>No suitable riparian habitat occurs in the study area.</td>
</tr>
<tr>
<td>Zuni bluehead sucker</td>
<td>Catostomus discorbolus</td>
<td>Candidate</td>
<td>No aquatic habitat present in the study area.</td>
</tr>
<tr>
<td>Zuni fleabane</td>
<td>Erigeron rhizomatus</td>
<td>Threatened</td>
<td>No suitable soils present in study area.</td>
</tr>
</tbody>
</table>

Source: USFWS 2005. Listed, protected, and candidate species for Arizona counties

Four species are listed on the Navajo Nation Endangered Species List (NESL). These species are listed in Table 3. One of the four species, the Southwestern willow flycatcher, is also a federally listed species. None of the project alternatives would impact any Navajo Nation listed species or their habitat because no habitat for any species on the NESL occurs in the study area. The Navajo Nation concurred with this finding on March 21, 2005 (Appendix D).

**Table 3: Navajo Nation Listed Endangered Species**

<table>
<thead>
<tr>
<th>Listed Species</th>
<th>Scientific Name</th>
<th>Status</th>
<th>Exclusion Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwestern willow flycatcher</td>
<td>Empidonax trailii extimus</td>
<td>NESL group 2</td>
<td>No suitable riparian habitat present in the study area.</td>
</tr>
<tr>
<td>golden eagle</td>
<td>Aquila chrysaetos</td>
<td>NESL group 3</td>
<td>No nesting habitat present for this species, although the golden eagle may forage occasionally in the study area.</td>
</tr>
<tr>
<td>mountain plover</td>
<td>Charadrius montanus</td>
<td>NESL group 4</td>
<td>No short-grass prairie habitat present in the study area.</td>
</tr>
<tr>
<td>pronghorn</td>
<td>Antilocapra americana</td>
<td>NESL group 3</td>
<td>No breeding habitat present for the pronghorn, although it may forage occasionally in the study area.</td>
</tr>
</tbody>
</table>

None of the alternatives would impact any federally listed species or critical habitat as no federally listed species or critical habitat occurs within the project limits. Therefore, there would be no impact on federally listed species or critical habitat as a result of this project.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

P. Hazardous Materials

A Phase I Environmental Site Assessment (ESA), in conformance with the scope and limitation of the American Society for Testing and Materials Practice E 1527-00, was conducted to investigate potential hazardous materials issues in the study area. In addition, the existing Sanders POE structures were tested for the presence of asbestos and lead-based paint.

The Phase I ESA site visit found no evidence of the use, storage, or disposal of hazardous materials. No unidentified substance containers were observed in the study area and no evidence of surface staining or distressed vegetation was observed in the dry wash. Officials at the Sanders POE reported minor surface spills of diesel fuel on the asphalt paved parking area at the POE. Spills were immediately cleaned up and no evidence of surface staining was noted (Ninyo & Moore 2003).

The environmental database report indicated that no properties having handled hazardous materials or wastes were reported with a 1-mile radius of the study area. Three minor spills were reported, however, these were small in quantity and reported to have been successfully cleaned (Ninyo & Moore 2003).

The Sanders POE is approximately 40 years old; therefore, asbestos and lead-based paint testing were performed. Non-friable asbestos was found in the carpet mastic in the work and telephone room of the POE (SA&B 2003). Lead-based paint was found in one interior item (white wood arch/header in the breakroom) and in six exterior items (silver traffic light post [1], yellow scale paint [1], brown pillar paint [2], yellow concrete pillar [1], and curb paint [1]) (SA&B 2003; and Fiberquant Analytical Services 2004). A septic system and associated leach fields are part of the existing POE.

Alternative A would result in no hazardous materials impacts within the study area. Under Alternatives C and E, a hazardous materials containment basin would be constructed as part of the new POE so that material leaking from a vehicle would be contained until the leak is corrected and the material properly disposed of. This area would also be used for agricultural fumigation of suspect cargo. If a situation arises where a leak is not contained in the basin, the POE staff would utilize their Haztech team, and where appropriate, the Apache County Sheriff’s Office would be notified. The Sheriff’s Office is responsible for notifying Sanders’ schools if an evacuation is necessary. This evacuation procedure is similar to those used for fire (Terry Olaf personal communication to HDR February 14, 2005).

Alternatives C and E would include demolition of the existing POE and, therefore, would require removal of asbestos and lead-based paint. ADOT Property Management Section, Right of Way Group would be responsible for arranging for the removal of asbestos and lead-based paint as well as for all hazardous materials concerns related to the POE’s decommissioning. This would include, but is not limited to, coordination with the appropriate state, and federal agencies.
According to ADOT Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 107, “Legal Relations and Responsibility to Public,” Subsection 07, “Sanitary, Health, and Safety Provisions,” should the contractor encounter potential hazardous or contaminated material, the contractor would immediately stop work and remove workers, barricade the area, provide traffic controls and notify the ADOT Engineer. The ADOT Engineer would arrange proper assessment, treatment, or disposal of those materials. Such locations would be investigated and proper action implemented prior to the continuation of work in that location.

During Phase IV of the final design, the ADOT project manager would contact the ADOT EPG hazardous materials coordinator (602.712.7768) to determine the need for additional site assessment. If suspected hazardous materials are encountered during construction, work would cease at that location and the ADOT Engineer would be contacted to arrange for proper assessment, treatment, or disposal of those materials.

Q. Material Sources and Waste Materials

Material sources are used for the construction of projects and must adhere to environmental laws before their use. For some projects material excavated from a project site may also be used for fill material or other construction needs. The project requirements for material sources and details regarding material disposal are provided below.

Under Alternative A, no ground disturbing activities would take place. With no excavation and construction activities, no material sources would be required and no waste materials would be generated.

Alternative C involves excavation of approximately 300 feet into the hillside north and west of the existing POE. Under this alternative, excavated material will be tested for asbestos and lead-contamination. Only non-asbestos or lead-containing materials would be utilized for the project. Excess materials will be removed from the existing POE and properly disposed.

The terrain at Alternative E is relatively gradual and undulating; therefore, on-site earthen materials are anticipated to be of proper quantities for site preparation. For both build alternatives, an attempt will be made during final design to balance the amount of excavation and fill materials in order to limit the amount of excess soil or borrow material needed.

According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 1001, “Material Sources,” Subsection 2, “General” any material sources required for this project outside of the study area would be examined for environmental effects, by the contractor, prior to use, through a separate environmental analysis.

According to the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, (2000 Edition), Section 107 “Legal Relations and Responsibility to Public,” Subsection 11, “Protection and Restoration of Property and Landscape,” “[m]aterials removed during construction operations such as trees, stumps, building materials, irrigation and drainage structures, broken concrete, and other similar materials would not be dumped on either private or public property unless that contractor has obtained permission from the owner or
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

public agency with jurisdiction over that land. Written permission would not be required, however, when materials are disposed of at an operating, public dumping ground.” The contractor would dispose of excess waste and material and construction debris at a municipal landfill approved under Article 3 of the Arizona Revised Statutes 49-241 (Aquifer Protection Permit) administered by the ADEQ, an inert landfill, or at another approved site.

R. Temporary Construction Impacts

Project construction activities may lead to temporary short-term impacts. The Sanders POE build alternatives will result in temporary short-term impacts on noise, air quality, visual resources, and traffic. A description of these impacts is provided below.

Temporary construction impacts would be avoided with Alternative A. Construction of Alternative C would have the challenge of coordinating ongoing POE operations since Alternative C is in approximately the same location as the existing POE. During the initial phase of construction, extensive coordination to maintain POE operations would be required. Construction of roads at the new credential checkpoint area and for the new on- and off-ramps associated with Alternative C would result in traffic interferences. During the final construction phase, POE operations would have to be relocated off-site and utilize a portable scale and a mobile operations trailer.

Construction of Alternative E will not interfere with operations at the existing POE because existing enforcement activities will be able to continue, in place, during most of the new POE construction period. However, construction of roads at the new credential checkpoint area and for the new on-ramp for Alternative E would result in traffic interferences. During the final construction phase, POE operations would have to be relocated off-site and utilize a portable scale and a mobile operations trailer.

Regardless of which build alternative is chosen, the existing frontage road would remain open throughout construction, either on its current alignment or on a new alignment. All residential relocations would be conducted prior to construction. No detours are anticipated to be needed to accommodate non-construction related traffic. All local and non-local traffic would be able to use I-40 and the section of frontage road between Ortega Road TI and the POE.

Traffic delays on westbound I-40 may result from activities associated with the construction of the proposed project. There would be brief periods of lane restrictions on I-40 due to the construction of the new WIMS in the right lane of westbound I-40. During this construction period, one lane of traffic would remain opened at all times.

Traffic through the area would be maintained during construction in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the US Department of Transportation, FHWA, including any revisions or additions, and/or associated provisions in the project plans, as determined by the ADOT Traffic Design Section during design.

Traffic control would be coordinated with the appropriate local jurisdictions. A traffic management plan would be prepared that would allow continued vehicular circulation.
Coordination with local police and fire departments would be provided during construction to ensure that emergency response services are not interrupted.

The build alternatives would also contribute to negligible construction impacts on noise, air quality, and visual resources. Increased noise levels, construction equipment emissions and construction activities are temporary and short-term.

S. Secondary Impacts
The Council on Environmental Quality’s regulations define secondary impacts as those that are “caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable” (40 CFR § 1508.8). Foreseeable secondary impacts that may occur with Alternative A include lack of hazardous materials detection and potentially increased demand for local emergency services. Secondary impacts that may occur with the build alternatives include beneficial impacts on the detection of hazardous materials and local emergency response.

Under Alternative A, the POE would continue to operate with no major improvements. Without improvements, detection of possible hazardous materials, freight transport violations or defective equipment that could lead to accidents or break-downs would be difficult. Ineffective detection of hazardous materials may lead to increased pollution as well as traffic delays. The limited capacity of the POE to carry out necessary inspections would perpetuate the potential for accidents and break-downs and continue to burden local emergency response systems.

Improving POE operations under Alternative C or E would lead to improved detection of possible hazardous material problems, freight transport violations or defective equipment. More trucks would be inspected and up-to-date equipment would be employed to detect overweight trucks or cargo problems. Improved operations at the POE would also help reduce the burden on local emergency response systems.

Alternative A would result in adverse secondary impacts, whereas Alternatives C and E would result in beneficial impacts within the study area. Improvements to hazardous materials detection and local emergency response systems under both build alternatives would be of the same caliber.

T. Cumulative Impacts
The Council on Environmental Quality’s regulations define cumulative effects as “the effects on the environment that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertake such other actions” (40 CFR § 1508.7). The study area is a previously disturbed area with a heavily traveled interstate and planned future land development. Increased development surrounding the POE would subsequently cause an increase in population, employment, and traffic, which would affect the existing transportation system. Completed, ongoing, and future development, such as the Navajo Nation’s 36,000 square foot New Lands Shopping Center project, may contribute to the cumulative effects on the natural environment, social and economic resources in the surrounding areas. The operational status of the POE would also contribute to cumulative impacts on access, circulation and traffic within the study area, depending on which alternative is selected.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

Presently, land uses within the study area include an operational POE, scattered residential housing and areas of undeveloped natural terrain. The undeveloped areas include desert land and in-use grazing areas. Alternative A would have no impact on existing land uses within the study area. Construction of the POE and extension of the frontage road under both Alternative C and Alternative E would require the relocation of four residences and also impact property owned by the Sanders Unified School District.

Under Alternative A, the POE would continue to operate with no improvements. Access to future land development, such as the Navajo Nation’s proposed 36,000 square foot New Lands Shopping Center, would be limited. Under Alternative A, the current access and circulation issues would require further attention in the future.

Implementing either Alternative C or E would improve the operational characteristics of the POE, the section of I-40 adjacent to the POE and the Sanders TI, which in turn would better accommodate future development such as the Navajo Nation’s proposed 36,000 square foot New Lands Shopping Center just northwest of the Sanders TI. The new and extended frontage road would improve access for existing residents and create more convenient access to future land development.

The project alternatives would have no cumulative impacts on the surrounding landform, drainage, or soils. Under Alternative A, the landform, drainage and soils within the study area will remain the same. Under the build alternatives, the project design will ensure proper treatment of landform, drainage and soils to limit impacts associated with flood hazards, groundwater infiltration and erosion. Additional paved surface areas of future development projects, such as roads, future parking lots, driveways, etc., may cause a decrease in storm water ground infiltration and an increase in water flow across the paved surfaces. Future developments would have to consider these increased surface flows to avoid the potential for flood impacts. No wetlands are in the area that would be impacted by any of these cumulative effects.

Alternative A would have no impact on wildlife and plant species. The build alternatives would minimally impact wildlife and plant species. Additionally, future residential or commercial development within or adjacent to the project limits may impact existing wildlife and plant species. The potential for road kill, human interaction, and feral and domestic dog and cat attacks would increase and negatively impact native animal species. Development typically leads to the introduction of non-native landscaping plants. The native plant species adjacent to the new POE would decrease in both volume and diversity, which could have an impact on endemic animal species, especially songbirds that depend on them for food, shelter and nesting. Non-native trees and shrubs tend to attract non-native bird species which compete with native species for resource; such competition can lead to the depletion of a particular native species.

The impact of a larger POE presents changes in visual character and quality that are considered negligible. Impacts, such as lighting, would not substantially change the visual effects from the existing conditions because lighting at the current POE and vehicle lights and lighting at the adjacent TIs already exists. However, cumulative visual impacts could occur from future development in the area.
IV. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS – CONTINUED

Truck drivers passing through the new POE, people working at the new POE, and people traveling to future commercial development in the area would have a positive impact on the local economy.

Evaluation of Alternative A combined with future land developments within the study area shows that issues such as access, circulation, and traffic would remain. These issues would eventually need to be addressed as growth continues in the study area.

The build alternatives would improve access, circulation and traffic for existing motorists and would better accommodate the growth and increased traffic anticipated for the study area compared to Alternative A. Future developments may contribute to additional impacts on wildlife and plant species, flood hazards, landform, and visual resources. However, these impacts would directly result from the future development projects and would be independent of the POE project.

U. Summary of Impacts
Table 4 summarizes the environmental consequences of each alternative and assigns a relative ranking for each. A rank assignment of high, medium, or low indicates how each alternative ranks relative to the other alternatives in impacting the environment for a particular environment consideration (i.e., land use, air quality, etc.). For instance, a rank of high in the land use category indicates that a particular alternative would result in larger impacts to land use relative to the other alternatives.

Alternative A, while not creating any additional environmental impacts is considered an infeasible alternative due to its inability to meet the operational needs of the POE, and hence, the purpose and need of this project. Alternative A does not provide a reliable route for local traffic. Local traffic would still use truck-heavy I-40. The remaining alternatives meet the purpose and need of the project.

The environmental analysis conducted for this EA indicate there would be negligible impacts to the geological setting, air quality and noise, and no impacts to soils, federally-listed or NESL species or their habitat, protected native vegetation, or prime or unique farmlands. These elements were assigned a rank of low. No hazardous materials issues are associated with construction of a new POE; however, the demolition of the existing POE would require mitigation for asbestos and lead-based paint identified during testing. Alternative A would not require demolition, therefore it is assigned a rank of low, while Alternatives C and E would require demolition and therefore are assigned a rank of medium.

The invasive species, water resources, and historic/cultural resources criteria were ranked equally between Alternatives C and E. These alternatives received a rank of medium because construction of the alternatives would create impacts, but these impacts could be reduced through mitigation. Although historic/cultural resources in Alternatives C and E are ranked equally, a slight variation occurs in the number and spatial extent of archaeological sites affected by these alternatives. These variations are minimal; therefore, the magnitude of the impacts is similar and these alternatives are viewed as equal in selecting a preferred alternative.
Impacts were identified in the following categories: land use and residential relocations, socioeconomics, topography, visual resources, and temporary access. Overall, Alternative A has the fewest immediate environmental impacts. Alternative A does not meet the needs of the study area. Traffic, deterioration of the roadway, and lack of access will continue and eventually need to be addressed.

Environmental justice impacts for Alternatives C and E are ranked as low. The rankings associated with land use, and residential disruptions are related to residential relocations. Alternatives C and E would relocate the residents from six and four homes, respectively. Because the number of residential relocations is considered small, land use impacts resulting from Alternatives C and E were both ranked medium.

The social and economic criterion did not take into account the residential relocations (even though all residents in the study area are Navajo); rather, it focused on the community as a whole. Under both build alternatives, the frontage road extension to the Sanders TI would provide community access for residents and school buses between the Ortega Road and Sanders TIs. Because of the potential for improving community access, social and economic impacts related to Alternatives C and E were ranked low.

Alternative A would have no impacts on topography or visual resources. Alternative C and E are ranked as medium and low, respectively, in the topography and visual resources categories because of the amount of hillside cutting that would be required to construct the alternatives. Alternative C would involve cutting 300 feet into the hill behind the existing POE, whereas Alternative E would involve no hillside cutting behind the existing POE. Both Alternative C and Alternative E would require minor hillside cutting for extension of the frontage road from the existing POE to the Sanders TI.

Alternative A received a rank of low for utilities and CWA issues. Under Alternative A, no utilities would be relocated and surface waters would not be affected. Utilities and CWA received a rank of medium under Alternative C and E. Both build alternatives would require relocation of utilities and CWA Section 404 and 401 permits.

Alternative A would result in high hazardous materials impacts. Under Alternative A, any existing hazardous materials leaks or contaminated soils at the POE would have to be treated and removed accordingly. Alternatives C and E would reduce hazardous materials impacts as a hazardous materials containment basin would be constructed to accommodate future hazardous materials leaks and spills.

Under Alternative A, operations would continue at the existing POE. Alternative C would cause a longer shutdown of the POE than Alternative E, since the new POE would be constructed at essentially the same location as the existing POE. Under Alternative E, operations would continue at the existing POE, while construction of the new POE takes place approximately ½-mile east. Under both build alternatives, construction of new roads and on- and off-ramps would require relocating POE operations off-site through the use of mobile enforcement units.
### Table 4: Summary of Environmental Impacts

<table>
<thead>
<tr>
<th>Environmental Consideration</th>
<th>Alternative A</th>
<th>Alternative C</th>
<th>Alternative E</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use/Residential Relocations</strong></td>
<td>• No Impacts</td>
<td>• Additional R/W requirements impact six residences. Extension of the frontage road would impact property owned by the Sanders Unified School District. 23 acres of new R/W would be required. Extension of frontage road will improve access to local traffic between the Sanders and Ortega Road TIs. <strong>Rank: Medium</strong></td>
<td>• Additional R/W requirements impact four residences. Extension of the frontage road would impact property owned by the Sanders Unified School District. 33.5 acres of new R/W would be required. Extension of frontage road will improve access to local traffic between the Sanders and Ortega Road TIs. <strong>Rank: Medium</strong></td>
</tr>
<tr>
<td><strong>Socioeconomic/Environmental Justice</strong></td>
<td>• Without the POE improvements and extension of the frontage road, limited access would continue. <strong>Rank: Medium</strong></td>
<td>• No negative impacts to the community as a whole outside of potential residential relocations (see Land Use). Positive impact on community by providing local access for residents and school buses between the Ortega Road and Sanders TIs. <strong>Rank: Low</strong></td>
<td>• No negative impacts to the community as a whole outside of potential residential relocations (see Land Use). Positive impact on community by providing local access for residents and school buses between the Ortega Road and Sanders TIs. <strong>Rank: Low</strong></td>
</tr>
<tr>
<td><strong>Cultural Resources</strong></td>
<td>• No Impacts</td>
<td>• Mitigation of two archeological sites and six residential structures that may be protected under AIRFA would result in no adverse impact. Mitigation with fencing and an interpretive plaque would result in no adverse effect to the Sanders Jail. <strong>Rank: Low with mitigation</strong></td>
<td>• Mitigation of five archeological sites and four residential structures that may be protected under AIRFA would result with no adverse impact. Mitigation with fencing and an interpretive plaque would result in no adverse effect to the Sanders Jail. <strong>Rank: Low with mitigation</strong></td>
</tr>
<tr>
<td><strong>Section 4(f)</strong></td>
<td>• No Impacts</td>
<td>• No direct impact to 4(f) resource, however, extension of frontage road will increase public access and the potential for damage to a resource in the APE. Impacts can be minimized with mitigation. <strong>Rank: Low with mitigation</strong></td>
<td>• No direct impact to 4(f) resource, however, extension of frontage road will increase public access and the potential for damage to the resource in the APE. Impacts can be minimized with mitigation. <strong>Rank: Low with mitigation</strong></td>
</tr>
<tr>
<td><strong>Air Quality</strong></td>
<td>• Forecasted increases in truck traffic would increase idling time; however, vehicle emissions would dissipate within a short distance.</td>
<td>• Increased traffic at the POE would be expected due to forecasted traffic volumes; however, modernization would result in increased efficiency, and trucks would process faster, reducing truck idling time and reducing air quality impacts. Vehicle emissions would dissipate within a short distance. <strong>Rank: Low</strong></td>
<td>• Increased traffic at the POE would be expected due to forecasted traffic volumes; however, modernization would result in increased efficiency, and trucks would process faster, reducing truck idling time and reducing air quality impacts. Vehicle emissions would dissipate within a short distance. <strong>Rank: Low</strong></td>
</tr>
</tbody>
</table>
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<th>Alternative E</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noise</strong></td>
<td>Primary source of noise is truck deceleration. The existing POE waives-by a substantial number; this practice would likely continue; therefore, no substantial additional noise.</td>
<td>Primary source of noise is truck deceleration. Noise levels would increase especially for the six receivers in the R/W acquisition area. The receivers would be relocated away from the immediate vicinity of the new POE. Rank: Low with mitigation</td>
<td>Primary source of noise is truck deceleration. Noise levels would increase especially for the four receivers in the R/W acquisition area. The receivers would be relocated away from the immediate vicinity of the new POE. Rank: Low with mitigation.</td>
</tr>
<tr>
<td><strong>Utilities</strong></td>
<td>No impacts</td>
<td>Utility relocations will be required. This will be further investigated during the final design process. Rank: Medium</td>
<td>Utility relocations will be required. This will be further investigated during the final design process. Rank: Medium</td>
</tr>
<tr>
<td><strong>Topography</strong></td>
<td>No Impacts</td>
<td>Hillside cutting required; impacts will be moderate to substantial since the new POE will expand north and cut about 300 feet into the hillside behind the existing POE. Frontage road behind POE will require major hillside excavation. Frontage road from existing POE to Sanders TI will require minor hillside cutting. Rank: Medium (with mitigation)</td>
<td>Requires less ground disturbance than Alternative C because no hillside cutting is required for the POE compound. Frontage road from existing POE to Sanders TI will require minor hillside cutting. Rank: Low</td>
</tr>
<tr>
<td><strong>Geological Setting</strong></td>
<td>No Impacts</td>
<td>Impacts to geological setting and mineral resources associated with construction are minimal. Rank: Low</td>
<td>Impacts to geological setting and mineral resources associated with construction are minimal. Rank: Low</td>
</tr>
<tr>
<td><strong>Soils</strong></td>
<td>No Impacts</td>
<td>Activities associated with construction would result in soil disturbance and minor impacts to soils. Rank: Low</td>
<td>Activities associated with construction would result in soil disturbance and minor impacts to soils. Rank: Low</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
<td>No Impacts</td>
<td>R/W acquisition may result in relocation of permitted grazing. Grazing will continue outside the new R/W and access will be maintained. Rank: Low. Continued coordination with Navajo Nation is required to determine permit details.</td>
<td>R/W acquisition may result in relocation of permitted grazing. Grazing will continue outside the new R/W and access will be maintained. Rank: Low. Continued coordination with Navajo Nation is required to determine permit details.</td>
</tr>
</tbody>
</table>
Table 4: Summary of Environmental Impacts

<table>
<thead>
<tr>
<th>Environmental Consideration</th>
<th>Alternative A</th>
<th>Alternative C</th>
<th>Alternative E</th>
</tr>
</thead>
</table>
| **Visual Resources**                         | • No Impacts  | • Hillside cutting to build the POE and the frontage road behind the POE would cause a moderate to substantial disruption to visual resources. Mitigation would slightly minimize impacts.  
• Extension of the frontage road will result in moderate hillside cutting between the POE and Sanders TI.  
• *Rank: Medium*                                                                 | • Moderate impacts since new, larger area will be disturbed where currently there are four residences and open grazing. Open area results in no hillside cutting for the POE compound itself. Existing POE will be demolished and return to a natural condition.  
• Extension of the frontage road will result in minor hillside cutting between the POE and Sanders TI.  
• *Rank: Low*                                                                 |
| **Drainage and Floodplains**                 | • No Impacts  | • Minimal impacts to overall drainage patterns in the area.  
• No impacts to floodplains.  
• *Rank: Low*                                                                 | • Minimal impacts to overall drainage patterns in the area.  
• No impacts to floodplains.  
• *Rank: Low*                                                                 |
| **Groundwater**                              | • No Impacts  | • Compaction of soils may decrease potential for surface water to filter to the ground. Minimal impact on groundwater.  
• *Rank: Low*                                                                 | • Compaction of soils may decrease potential for surface water to filter to the ground. Minimal impact on groundwater.  
• *Rank: Low*                                                                 |
| **Section 404/401 of CWA and NPDES**         | • No Impacts  | • Loss of approximately 0.16 acres of jurisdictional waters.  
404 NWP No. 14 and NWP No. 39 required.  
• More than one acre of ground disturbance. NPDES & AZPDES permit required.  
• *Rank: Low*                                                                 | • Loss of approximately 0.22 acres of jurisdictional waters.  
404 NWP No. 14 and NWP No. 39 required.  
• More than one acre of ground disturbance. NPDES & AZPDES permit required.  
• *Rank: Medium*                                                                 |
| **Vegetation and Invasive Species**          | • No Impacts  | • No impacts to protected native vegetation.  
• Invasive species present; controlled with mitigation.  
• *Rank: Medium*                                                                 | • No impacts to protected native vegetation.  
• Invasive species present; controlled with mitigation.  
• *Rank: Low*                                                                 |
| **Threatened and Endangered Species**        | • No Impacts  | • No threatened and endangered species, designated critical habitat, or sensitive species occur in the study area.  
• *Rank: Low*                                                                 | • No threatened and endangered species, designated critical habitat, or sensitive species occur in the study area.  
• *Rank: Low*                                                                 |
###Table 4: Summary of Environmental Impacts

<table>
<thead>
<tr>
<th>Environmental Consideration</th>
<th>Alternative A</th>
<th>Alternative C</th>
<th>Alternative E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazardous Materials</td>
<td>• Existing hazardous materials will continue to contaminate the existing POE.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• <em>Rank: High</em></td>
<td>• Construction of hazardous materials containment basin will mitigate future hazmat spills.</td>
<td>• Construction of hazardous materials containment basin will mitigate future hazmat spills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Demolition of the existing POE will require mitigation for lead-based paint and asbestos in the administration building and lead based paint on six exterior items.</td>
<td>• Demolition of the existing POE will require mitigation for lead-based paint and asbestos in the administration building and lead based paint on six exterior items.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• <em>Rank: Low</em></td>
<td>• <em>Rank: Low</em></td>
</tr>
<tr>
<td>Temporary Construction Impacts</td>
<td>• No Impacts</td>
<td>• Substantial interference with ongoing POE operations during the majority of construction. Construction of lanes at the new credential checkpoint area and for the new on- and off-ramps would require shut down of the POE and the use of mobile enforcement units.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• The frontage road would remain open throughout construction, either on its current alignment or on a new alignment. Six residents within the project site would require relocation prior to construction; all other traffic could use I-40.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• No detours are anticipated for project construction.</td>
<td>• Minor interference with ongoing POE operations during the majority of construction.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• <em>Rank: High</em></td>
<td>• Construction of the new on-ramp would require shutdown of the POE and the use of mobile enforcement units.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• The frontage road would remain open throughout construction, either on its current alignment or on a new alignment. Four residents within the project site would require relocation prior to construction; all other traffic could use I-40.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• No detours are anticipated for project construction.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• <em>Rank: Low</em></td>
</tr>
</tbody>
</table>
V. PUBLIC INVOLVEMENT / PROJECT COORDINATION

A. Scoping
Two agency scoping meetings were held concerning the proposed POE project. These meetings were held to determine the scope of issues to be addressed, identify the important issues related to the proposed project, and inform participating parties of project progress. Appendix E contains the list of agencies and individuals notified of agency meetings and the announcements, agendas, and minutes from each meeting.

Agency Scoping Meeting # 1 Summary
The first agency scoping meeting was held September 16, 2003 at the Sanders Unified School District Administration building in Sanders, Arizona. Approximately 17 agency representatives participated. The project team discussed the POE location study and the environmental and design processes. Questions from the agency representatives were addressed. Table 5 provides a summary of the key issues discussed at the meeting:

Table 5: Meeting # 1 Comment Summary

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tribal Land</td>
<td>ADOT needs to follow the Navajo Nation's guidelines for projects occurring on Navajo land. If the existing POE site is used, then ADOT R/W and tribal lands would be used.</td>
<td>Alternative E would primarily use tribal lands. ADOT will coordinate with the Navajo Nation regarding this issue.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Expansion of the existing site is not an alternative because of its physical and technological age. The POE needs to be completely rebuilt.</td>
<td>Both build alternatives would involve demolition of the existing POE structure and reconstruction of the POE.</td>
</tr>
<tr>
<td>Land Use / Relocation</td>
<td>Concern that land appraisals would be fair, and landowners and the Houck Chapter are involved in the relocation process.</td>
<td>Licensed appraisers will be utilized for the appraisal process. ADOT will coordinate with the BIA, the Navajo Nation’s Nahata Dziil and Houck Chapters, and the Office of Navajo-Hopi Indian Relocation.</td>
</tr>
<tr>
<td>Construction</td>
<td>High unemployment in the area and request for the use of a construction company from the Navajo Nation.</td>
<td>ADOT utilizes a formal bid process for construction contracts. This contract will be advertised and a selection will be based on bids received for this project.</td>
</tr>
<tr>
<td>Hazardous Materials</td>
<td>Hazmat retention basin will be located as far away from the school as possible so that in the event of a spill, prevailing winds are unlikely to funnel hazardous materials toward the school.</td>
<td>ADOT will consider the impact of prevailing winds on the spread of hazardous materials in order to determine an appropriate location for the hazardous materials retention basin.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Does the POE need to have x-ray capabilities?</td>
<td>The Department of Homeland Security has not requested the POE have x-ray capabilities at this time.</td>
</tr>
</tbody>
</table>
Agency Scoping Meeting # 2 Summary

The second agency scoping meeting was held April 12, 2004 at the Sanders Unified School District Administration building in Sanders, Arizona. Approximately 20 agency representatives and two members of the community participated. The meeting provided project updates and solicited comments and questions. Residents adjacent to the alternative POE locations were notified about the project through newspaper and radio advertisements, through letters notifying them of public meetings, and through face-to-face visits with Mr. Mellgren, the ADOT project manager and Ms. Hazel James Tohe, the Navajo translator. Table 6 provides a summary of the key issues discussed at the meeting:

Table 6: Meeting # 2 Comment Summary

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternatives</td>
<td>What is the preferred location for the POE?</td>
<td>Alternative E is the preferred alternative. However, ADOT had not determined a preferred location for the POE.</td>
</tr>
<tr>
<td>Traffic</td>
<td>How will the project address traffic?</td>
<td>Truck back-ups on the I-40 off-ramp to the POE will be rectified by lengthening the distance between the I-40 off-ramp area and the area where initial contact with the POE staff occurs. This length will be approximately 3 times the existing distance. Furthermore, the new POE will provide a greater queuing distance than the existing POE.</td>
</tr>
<tr>
<td>Traffic / Accidents</td>
<td>Concern for truck and bus accident due to aggressive truck drivers and slow moving school buses and senior citizens. The POE does not address the safety of merging and weaving onto I-40.</td>
<td>Traffic study indicated that this type of accident is unlikely. One POE alternative includes the addition of an extra lane to the interstate for truck acceleration while the other allows more distance for the trucks to accelerate before they get to the interstate. Both alternatives are viable from a traffic operations and safety standpoint and both alternatives are much safer than existing conditions.</td>
</tr>
<tr>
<td>Construction</td>
<td>Suggest that speed limits be reduced as an added safety measure for traffic moving slower than the trucks.</td>
<td>A Department of Public Safety representative said this was a good idea, however, posted speed limit has little effect on the speed vehicles actually travel.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>The school is hesitant to move the frontage road that runs south of the school’s administrative office.</td>
<td>Participants stated that if the project would take buses off I-40, then the school should do what is best for the community.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Off-ramps on the left of the interstate are not American Association of State Highway and Transportation Officials compliant.</td>
<td>ADOT will verify this claim and address as necessary.</td>
</tr>
<tr>
<td>Water Resources</td>
<td>Water in the Sanders area is contaminated.</td>
<td>ADOT has not yet determined where they will get water for the new POE.</td>
</tr>
</tbody>
</table>
V. PUBLIC INVOLVEMENT / PROJECT COORDINATION – CONTINUED

B. Information Meetings

Three public information meetings were held to provide project updates, discuss issues, and elicit comments. Public meetings were advertised through the ADOT website, (www.adotenvironmental.com), ADOT press releases in the Navajo Times, and on Navajo Nation radio stations KTNN and KWRK. Letters were sent to participating agencies and individuals potentially affected by the proposed project informing them of the project and public meeting. See Appendix E for the letter and a complete list of recipients. Sign-in sheets and comment forms were available at each meeting.

Public Information Meeting #1 Summary

The first public meeting was held August 22, 2003 at the Houck Chapter House in Houck, Arizona. A handout explaining the proposed project location, motor carrier responsibilities at Arizona’s POEs, benefits of a new Sanders POE, the environmental, design, and construction processes, and project milestones were available at the meeting (Appendix E). Poster boards of the POE layout were available for viewing at the meeting. Approximately 47 people attended the public meeting. Table 7 provides a summary of the key issues discussed at the meeting:

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Alternatives</strong></td>
<td>A frontage road is needed for people in the area of the POE from the Ortega Road to the Sanders TI. Concerned about conflicts between slower traffic with speeding truck traffic.</td>
<td>Both Alternative C and E include expansion of the frontage road.</td>
</tr>
<tr>
<td><strong>Hazardous Materials, Access</strong></td>
<td>Emergency evacuation is a concern of the Sanders Unified School District. Concerned that if there were a hazmat spill at the POE, the nearby school would be affected. There needs to be an evacuation procedure in place. Concern that the school bus route may be affected.</td>
<td>The Sanders Unified School District would be responsible for the development of an evacuation procedure. The POE build alternatives would improve access for the study area, including the school district properties.</td>
</tr>
<tr>
<td><strong>Funding</strong></td>
<td>Is the frontage road budgeted into the Sanders POE project budget?</td>
<td>The build alternatives include the cost of expanding the frontage road.</td>
</tr>
<tr>
<td><strong>Water Resources</strong></td>
<td>Is there a well on-site? Will this be part of the land appraisal? Will the land appraisals be fair? Will the landowners and Houck Chapter be involved in the appraisal and relocation process?</td>
<td>ADOT has not determined the source of water for the POE yet. Licensed appraisers will be utilized for the appraisal process. ADOT will coordinate with the BIA, the Navajo Nation’s Nahata Dziil and Houck Chapters, and the Office of Navajo-Hopi Indian Relocation.</td>
</tr>
<tr>
<td><strong>Air Quality</strong></td>
<td>Truck diesel emissions may increase because of all the idling trucks. Will this be addressed in the EA?</td>
<td>The EA had addressed air quality issues and has determined that emissions only affect areas in the immediate vicinity of the source.</td>
</tr>
<tr>
<td><strong>Land Use</strong></td>
<td>Anyone surveying on tribal lands will need a right-of-entry permit from the Navajo Nation.</td>
<td>ADOT will ensure that this permit is obtained prior to survey activities.</td>
</tr>
</tbody>
</table>
Public Information Meeting #2 Summary

The second public meeting was held May 6, 2004 at the Houck Chapter House in Houck, Arizona. A handout explaining the proposed project locations, the scoping process, the final design process, and project milestones were available at the meeting (Appendix E). Poster boards of the two proposed POE layouts were available for viewing at the meeting. Approximately 50 people attended the public meeting. Table 8 provides a summary of the key issues discussed at the meeting:

Table 8: Information Meeting #2 Comment Summary

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternatives</td>
<td>Members of the public believe a frontage road is necessary.</td>
<td>Both Alternative C and E include extension of the frontage road to the Sanders TI.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Sanders School administration indicated that they could approve the relocation of the frontage road in the northeast quadrant of the Sanders interchange about 150’ to north – they don’t want to lose too much land.</td>
<td>ADOT will consider this during the alternative selection and design.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>It is in the best interest of the school to create a frontage road connection to the Sanders TI because I-40 is part of the school bus route.</td>
<td>ADOT will consider this during the alternative selection and design.</td>
</tr>
<tr>
<td>Land Use</td>
<td>A resident opposes development because she uses a significant amount of land to graze her sheep and cattle. She is concerned about the land being taken for development. If there is going to be a frontage road, she does not want it going further north. She wants the frontage road to go parallel to I-40.</td>
<td>Grazing lands required for the build alternatives will be relocated. Grazing will continue to be permitted, just in an adjacent location.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>The POE is not a benefit to the community; it is just something we have to deal with. Frontage road extension to the Sanders TI would make our community safer.</td>
<td>The lack of access for motorists within the study area and limited ability of the POE to regulate truck traffic results in the need for POE improvements and extension of the frontage road.</td>
</tr>
<tr>
<td>Land Use</td>
<td>ADOT asked if the construction of the frontage road was contingent upon acquiring land for the POE.</td>
<td>Participants seemed to agree that it was.</td>
</tr>
<tr>
<td>Traffic</td>
<td>Will this project increase traffic?</td>
<td>The number of trucks going down the freeway is increasing; however, with pre-pass technology; the POE will be able to by-pass [30%] of traffic, meaning fewer trucks entering/Exiting POE.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>There was a suggestion to move the main route into the median.</td>
<td>The trucks couldn’t be put into the median because they need to be in the right-hand lane to enter and exit from the POE.</td>
</tr>
</tbody>
</table>
## V. PUBLIC INVOLVEMENT / PROJECT COORDINATION – CONTINUED

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic</td>
<td>Need to lower speed limits to 55 mph between the Sanders and Ortega Road TIs.</td>
<td>The Department of Public Safety (DPS) has manpower issues; therefore, enforcement is difficult. According to DPS, it is a theoretically sound idea, but with practical limitations.</td>
</tr>
<tr>
<td>Traffic</td>
<td>How the frontage road traffic impacts the interchanges needs to be addressed in your report.</td>
<td>The frontage road would improve access and help alleviate traffic within the study area.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Participant liked Alternative B, but with a frontage road going around the POE and parallel to I-40.</td>
<td>Alternative B has been eliminated from further study. However both build alternatives include extension of the frontage road.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>There are “No Hitchhiking” signs posted on the interstate, but there are pedestrians that walk on and beside them anyway. We should consider their needs.</td>
<td>This project is in response to the motorist access needs of the study area and truck inspections needs of the POE. Regulation of hitchhiking is an issue that DPS would address.</td>
</tr>
<tr>
<td>Visual Resources / Noise</td>
<td>The POE will give off too much noise and too much light</td>
<td>The buildings and parking lot would need to be lit, but the lights would point downward, away from property owners. POE officials believe the noise will not increase, that it will actually be lessened. Inspections will be done in the building. Braking before entering the POE is the loudest activity associated with trucks.</td>
</tr>
<tr>
<td>Noise</td>
<td>Would it be possible to add rubberized asphalt or a noise wall to lessen the noise impacts?</td>
<td>This project does not include the addition of rubberized asphalt or a noise wall. With the project noise levels remain within the noise thresholds established under ADOT guidance.</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Smog and smoke from the interstate and the POE is an issue at Lupton.</td>
<td>The existing air quality within the study area complies with all NAAQS (ADOT 2004b).</td>
</tr>
<tr>
<td>Traffic</td>
<td>I-40 needs a truck route and/or more lanes.</td>
<td>Additional lanes will not be part of this project.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>With the introduction of Intelligent Transportation Systems (ITS), is the size of the new POE (almost triple the existing) necessary?</td>
<td>ITS allows the POE to process the trucks on I-40 and increase the truck bypass of the POE, but it also allows for the detection of more infractions in vehicle weights and sizes. Department of Agriculture quarantines will also increase. Currently, there is no place to isolate trucks that have been seized or those that may be having hazmat issues. It is likely that other agencies, like DPS, Sheriff’s Department, and the Federal Bureau of Investigation (Federal Highway Drug Interdiction Program) will be using the POE in the future. Currently the POE parks 1% of the trucks; they are looking to the future and increasing accordingly.</td>
</tr>
</tbody>
</table>
V. PUBLIC INVOLVEMENT / PROJECT COORDINATION – CONTINUED

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socioeconomics</td>
<td>How will this project affect employment within the study area?</td>
<td>The POE provides $780,000 of employment income to Sanders through its port personnel and Department of Agriculture personnel. It is expected that this will increase by at least one-third to one-half within 10 years.</td>
</tr>
<tr>
<td>Public Involvement</td>
<td>The land just west of existing POE and north of I-40 is New Lands. The alternatives need to be shown to the New Lands Committee and if there are New Lands that are affected, we need to work with Office of Navajo-Hopi Indian Relocation.</td>
<td>ADOT will continue coordination with the New Lands Committee and the Office of Navajo-Hopi Indian Relocation.</td>
</tr>
<tr>
<td>Public Involvement</td>
<td>There is the potential for Houck Chapter to approve Alternative B, but it needs to be presented at special meeting.</td>
<td>ADOT will continue coordination with the Houck Chapter to ensure updated alternatives and project information is distributed.</td>
</tr>
<tr>
<td>Public Involvement</td>
<td>ADOT needs to show where frontage road will be so the Nahata Dziil Chapter can review the plans; they will need to approve this project.</td>
<td>ADOT will continue coordination with the Nahata Dziil Chapter to ensure updated alternatives and project information is distributed.</td>
</tr>
</tbody>
</table>

Public Information Meeting #3 Summary

The third public meeting was held July 26, 2004 at the Nahata Dziil Chapter House in Sanders, Arizona. The Sanders POE meeting was combined with the US 191: Nahata Dziil Road to Sanders TI project. A handout showing the alternatives for both projects was available for participants (Appendix E). Posters of the proposed alternatives were also available for viewing. Approximately 65 people attended the public meeting.

Appendix E contains the meeting minutes and all questions and responses from the meeting. Table 9 provides a summary of the key issues discussed regarding the Sanders POE. US 191 issues will not be summarized here; however, they are addressed in the meeting minutes (Appendix E).
Table 9: Information Meeting #3 Comment Summary

<table>
<thead>
<tr>
<th>Resource</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>There was concern regarding the proximity of the frontage road to the school and the use of roundabouts at the Sanders TI. Specifically, the acreage these features would consume and how the loss of land would fit into the school’s development plans.</td>
<td>ADOT is in close contact with the school and they are attempting to minimize land use.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Many residents said they liked the extension of the frontage road and most residents said they liked the Sanders POE Alternative B the best.</td>
<td>ADOT will consider your comments during alternative selection and design.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Residents presented a petition against improving the gravel road north of the POE.</td>
<td>Currently the build alternatives include extending the frontage road to the Sanders TI.</td>
</tr>
<tr>
<td>Relocations</td>
<td>Residents expressed concern regarding relocations since homesite leases take a long time to acquire.</td>
<td>ADOT will try and minimize relocations and those that are relocated will be compensated.</td>
</tr>
<tr>
<td>Schedule</td>
<td>Concern about coordinating construction of the US 191 and Sanders POE projects.</td>
<td>Construction for both was scheduled for fiscal year 2007. Potentially, both projects could run concurrently, but this is still undetermined.</td>
</tr>
<tr>
<td>Traffic</td>
<td>Member of the public expressed concern about truck drivers ignoring the yield sign just past the existing POE. A stop sign instead of yield sign was suggested.</td>
<td>ADOT responded that the new POE will provide a long acceleration lane which should alleviate the problem.</td>
</tr>
<tr>
<td>Alternatives</td>
<td>Member of the public asked if the existing frontage road (i.e. from Ortega Road to just east of the existing POE) could be widened.</td>
<td>Widening of the frontage road is not in the scope-of-work for this project and the new frontage road will likely match the dimensions of the existing frontage road.</td>
</tr>
</tbody>
</table>

C. Public Hearing

A public hearing will be offered to present the Preferred Alternative for the Sanders POE and a draft of the EA. Public notices and letters will be developed to inform members of the public and interested agencies of the upcoming meeting details. Additionally the Draft EA will be available for public review and comment.
VI. CONCLUSION

Alternative A, retains the existing POE, which is functionally obsolete, too small, and in poor physical condition. This alternative, however, has the least environmental impact. The selection of this alternative will not improve the efficiency and effectiveness of the motor carrier enforcement operations assigned to the Sanders POE. The performance of the existing POE is expected to degrade based on forecasted increases in truck traffic. Therefore, Alternative A will not meet the purpose and need of the project.

Environmental analysis indicates that overall, Alternatives C and E have similar environmental impacts. Alternatives C and E differ primarily in the amount of R/W required. Alternative C would require 23 acres of R/W and relocate six residences. Alternative E would require 33.5 acres of R/W and relocate four residences. Alternative C involves cutting 300 feet into the hill behind the existing POE, thereby impacting topography and visual resources more than Alternative E.

Alternative E is preferred over Alternative C because Alternative E would result in lower impact levels than Alternative C and because it would provide more benefits compared to Alternative C. Alternative E would allow existing POE operations to continue while construction of the new POE takes place. This would result in fewer temporary construction impacts compared to Alternative C. Alternative E would locate the POE midway between the Sanders and Ortega Road TIs, which provides truck traffic the opportunity to accelerate to speeds similar to traffic on I-40 before merging onto the highway. Alternative E was preferred by the public for this same reason.

The majority of the environmental impacts associated with Alternative E can be mitigated. The primary impacts associated with Alternative E include four residential relocations, utility relocations, realignment of small wash segments, and temporary construction impacts.
A. References


____. (No date). *Zoning Ordinance of Apache County Arizona*. Apache County, Planning and Zoning Department: Apache County, Arizona.


Arizona Department of Transportation. 2004a. “A Cultural Resources Survey for the Sanders Port of Entry, North of Interstate 40, form Mileposts 339.5 to 341.5, Sanders, Apache County, AZ. Project Number 040-E-301. HDR Engineering, Inc (Jewel Touchin and Mark Brodbeck); Phoenix, Arizona.


____.. 2000. *Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, Section 104 special provisions, and local rules or ordinances. Arizona Department of Transportation; Phoenix, Arizona.


Arizona Department of Water Resources (No date). *Little Colorado River Multi-Objective Management*. Available online at: [http://www.water.az.gov/watershed/content/map/LitColRivMulObj.htm](http://www.water.az.gov/watershed/content/map/LitColRivMulObj.htm).


VII. BIBLIOGRAPHY – CONTINUED


B. HDR (Personal Communications)


Ollerton, Milton 2003, Director, Planning and Zoning Department, Apache County, personal communication, December 3, 2003.

APPENDIX A
LIST OF PREPARERS
APPENDIX A
LIST OF PREPARERS AND CONTRIBUTORS

Individual preparers and contributors to this environmental assessment are listed as follows.

FEDERAL HIGHWAY ADMINISTRATION

Stephen Thomas  Environmental Program Manager
Tom Deitering  Area Engineer
Aryan Lirange  Area Engineer

ARIZONA DEPARTMENT OF TRANSPORTATION

Darlene Dyer  Environmental & Enhancement Group
Environmental Planner  Environmental Coordinator
Dave Mellgren  Motor Vehicle division, Port of Entry Development
Project Engineer
Serelle Laine  Environmental & Enhancement Group
Historic Preservation Coordinator  Cultural Resources
David Zimmerman  Environmental & Enhancement Group
Historic Preservation Specialist  Cultural Resources
Joe Marin  Right-of-way Section
Right-of-way Project Manager  Right-of-way
David Sikes  Holbrook District Office
District Engineer  Administration
Justin White  Environmental & Enhancement Group
Environmental Planner  Biological Resources
Kee Yazzie  Holbrook District Office
Project Development Specialist  Navajo Translator
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<tr>
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<td>GUTHRIE AND ASSOCIATES</td>
<td>Public Involvement</td>
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APPENDIX B
Title VI/Environmental Justice
Title VI/Environmental Justice

Minority Groups

Minority populations include the following ethnic groups, as defined in the U.S. Census (2000): Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, and Hispanic or Latino. Approximately 69 percent of the population is minority, compared to 82 percent for Apache County. Though the project area has a lower percentage minority population than Apache County as a whole, through outreach efforts (project scoping and public involvement activities) it is known that the affected residences are all Native American households. Table 1 summarizes the minority composition of the study area and Apache County.

Table 1: Minority Populations Summary

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th>White</th>
<th>Hispanic</th>
<th>Black/African American</th>
<th>American Indian or Alaska Native</th>
<th>Asian/Pacific Islander</th>
<th>Other Races</th>
<th>Percent Minority</th>
</tr>
</thead>
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<tr>
<td>Project Vicinity</td>
<td>166</td>
<td>31.3%</td>
<td>7.8%</td>
<td>2.4%</td>
<td>57.8%</td>
<td>0.0%</td>
<td>0.6%</td>
<td>68.7%</td>
</tr>
<tr>
<td>Apache County</td>
<td>69,423</td>
<td>17.7%</td>
<td>17.7%</td>
<td>0.2%</td>
<td>76.4%</td>
<td>0.2%</td>
<td>1.0%</td>
<td>82.3%</td>
</tr>
</tbody>
</table>


Low Income Populations

Low Income Populations are those whose median household income is at or below the Department of Health and Human Services poverty guidelines (U.S. Census 2000). Approximately 45% of the households in the project vicinity are in poverty, compared to 38% for the County. These figures are drawn only from the number of people who reported income information, not the total population.

Age 60 and Older

Within the project vicinity, nine percent of the population is age 60 and older. The population of age 60 and over people in Apache County represents 12 percent of the population.

Female Head of Household

Within the project area, female heads of household with their own children under 18 years of age represent 10 percent of the population of households. The population of female heads of household with their own children under 18 years of age in Apache County represents 12 percent of households.

Disability

Within the project area, people with disabilities represent 42 percent of the population. The population of people with disabilities in Apache County represents 46 percent of the population.
September 8, 2004

Suzanne Krohn, Historic Preservation Specialist
Arizona Department of Transportation
206 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

Re: 1-40; Sanders Port of Entry

Dear Ms. Krohn,

Thank you for your correspondence dated September 1, 2004, in response to our August 16, 2004, letter regarding the Federal Highways Administration (FHWA) and the Arizona Department of Transportation (ADOT) planning the construction of a new port of entry facility along the north side of Interstate 40 between the Sanders and Cedar Point Traffic Interchanges in Sanders, Apache County, Arizona. As you know, the Hopi Cultural Preservation Offices appreciate the FHWA and ADOT’s continuing solicitation of our input and your efforts to address our concerns.

In our August 16th letter, we reviewed A Cultural Resources Survey for the Sanders Port of Entry, North of Interstate 40, Between Mileposts 339.5 and 341.82, Sanders, Apache County, Arizona, by HDR, Inc. We stated that we understood this and two other survey reports identify a total of fourteen prehistoric sites on the Navajo Nation in this project area, including ten habitation sites, two artifact scatters, and two lithic procurement sites. We noted that in the text of the survey report, sites AZ-P-54-336 and 337 (NN), described as sparse lithic scatters, are recommended as ineligible. Thank you for correcting Table 5 in the HDR report and Table 3 in Robert E. Hollis’ correspondence dated August 16, 2004.

If any of the twelve eligible prehistoric sites cannot be avoided by project activities, we look forward to continuing consultation on this proposal. If you have any questions or need additional information, please contact Terry Mongart at the Hopi Cultural Preservation Office. Thank you again for your consideration.

Respectfully,

Leigh T. Kawahwiswina, Director
Hopi Cultural Preservation Office

xc: Arizona State Historic Preservation Office
CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTING: COPIES TO
AZ SHPO
XX REAL PROPERTY MGT/330
XX HDR

NNHPD NO. HPD-04-909
OTHER PROJECT NO.
HDR 04-04

PROJECT TITLE: A Cultural Resources Survey for the Sanders Port of Entry, North of Interstate 40, Between Mileposts 339.50 and 341.82, Sanders, Apache County, Arizona.

LEAD AGENCY: FHWA

SPONSOR: Serelie Laine, Coordinator, Historic Preservation Team, Environmental and Enhancement Group, ADOT, 205 South 17th Ave., Room 213E, Mail Drop 619E, Phoenix, Arizona 85007

PROJECT DESCRIPTION: The proposed undertaking consists of the construction of a new port of entry to replace the existing one in Sanders, Arizona. Improvements will include a new administration building, fully enclosed and covered truck inspection bays, improved vehicle circulation, the use of weigh-in-motion (WIM) and static scales, and implementation of variable sign (VMS) systems along monitoring/camera systems. Ground disturbance with heavy equipment will be extensive and intensive.

LAND STATUS: Tribal Trust and Private Land

CHAPTER: Nahatatadzill

LOCATION: T21N, R29E, Sec 6 and 7; and T21N, R28E, Sec 12, 13, & 14, Sanders Quad, Apache County, Arizona

PROJECT ARCHAEOLOGIST: Jewel Touchin & Mark Brodbeck

NAVAJO ANTIQUITIES PERMIT NO.: B03708
DATE INSPECTED: 11/3 thru 7, and 12/16 & 17/03
DATE OF REPORT: 6/30/04
TOTAL ACREAGE INSPECTED: 172.0 (Tribal Trust Land)

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced _15_m apart.

LIST OF CULTURAL RESOURCES FOUND:
(18) Sites (AZ-P-54-108, 120, 125, 200, 315, 316, 331 thru 344), (80) Isolated occurrences, and (9) In-use sites (1 thru 9)

LIST OF ELIGIBLE PROPERTIES:
(15) Sites (AZ-P-54-108, 120, 125, 315, 316, 200, 331, 332, 333, 335, 339, 340, 341, & 344)

LIST OF NON-ELIGIBLE PROPERTIES:
(3) Sites (AZ-P-54-334, 336, & 337), (80) Isolated occurrences, & (9) IUS 1 thru 9

LIST OF ARCHAEOLOGICAL RESOURCES:
(13) Sites (AZ-P-54-108, 120, 200, 315, 316, 332, 333, 335, 336, 337, 339, 340, & 344)

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties will be adversely affected with the following conditions:
Sites AZ-P-54-108, 120, 125, 315, 316, 200, 331, 332, 333, 335, 338, 339, 340, 341, & 344:
1) Sites will be flagged by a qualified archaeologist prior to any construction activities
2) Sites will be avoided by a minimum of 50 ft. by all construction activities
3) If sites cannot be avoided, then a mitigation plan will be developed for all sites that cannot be avoided

In-use sites 1 thru 9 (residential structures): may or may not have been blessed and may or may not be eligible under AIRFA. All in-use structures will be avoided. If they cannot be avoided, then a mitigation plan will be developed

In the event of a discovery ("discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices), all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (320) 871-7132.

FORM PREPARED BY: Charles Murphy
FINALIZED: August 24, 2004

Sanders Port of Entry Draft Environmental Assessment
Project No. NH-040-E(001)
Notification to Proceed Recommended:

Yes XX  No __
Yes XX  No __

Navajo Region Approval:

Yes  No __

Navajo Nation Historic Preservation Officer

Signature: ____________  Date: 1/10/04

Regional Director

Signature: ____________  Date: 1/10/04
From: Suzanne Krohn [SKrohn@azdot.gov]
Sent: Tuesday, December 07, 2004 8:44 AM
To: Brobeck, Mark
Subject: RE: Sanders POE

Mark
It was actually an email from August 4, 2004. Please see below. Thanks
Suzanne

-----Original Message-----
From: David Jacobs [mailto:djacobs@pr.state.az.us]
Sent: Wednesday, August 04, 2004 4:01 PM
To: skrohn@dct.state.az.us
Subject: Sanders Port of Entry

Suzanne-
The construction of the new port of entry facility along Interstate 40 (I-40) in Sanders appears to involve the jurisdiction of the Navajo Nation (they have a THPO), which includes the community of Sanders. It appears all of the historic properties are on Navajo land. Because the Navajo Nation has their own THPO (as established by guidelines under the National Historic Preservation Act), most of the consultation will be with them. It will be one of those government-to-government interactions. The lack of a SHPO response in April of 2002 is probably related to the presence of the Navajo THPO, such takes the responsibilities of SHPO. Please keep us advised of the THPO responses. ADOT should consult with SHPO under the state act for the ADOT owned land. David

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-----Original Message-----
From: Brobeck, Mark [mailto:Mark.Brobeck@hdrinc.com]
Sent: Monday, December 06, 2004 10:45 PM
To: Suzanne Krohn
Subject: RE: Sanders POE

Thanks Suzanne. Do you have a date for that verbal communication? We need to reference it in the EA.

Mark

From: Suzanne Krohn [mailto:SKrohn@azdot.gov]
Sent: Mon 12/6/2004 10:03 AM
To: Brobeck, Mark
Subject: RE: Sanders POE
Mark
We did consult with SHPO on July 20, 2004.
David Jacobs told me that since the majority was on Navajo (THPO) land, and no sites were on private land, we should just consult with Navajo. If any sites do show up on private land, then we can consult with SHPO. Let me know if you have any other questions.

----Original Message-----
From: Brodbeck, Mark [mailto:Mark.Brodbeck@hdrinc.com]
Sent: Thursday, December 02, 2004 2:29 PM
To: Suzanne Krohn
Subject: Sanders POE

Hi Suzanne,

Did ADOT/FHWA consult with SHPO on this project? I have concurrence letters from Navajo and Hopi and nothing from SHPO.

Part of our survey was on private land so I just wanted to confirm one way or the other.

Mark
Alan Downer, Ph. D.
Tribal Historic Preservation Officer
Navajo Nation
P.O. Box 4950
Window Rock, Arizona 86515

Dear Dr. Downer:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning the construction of a new port-of-entry facility along I-40 in Sanders. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Initial consultation was conducted with the Navajo Nation Historic Preservation Department (NNHPD) on July 26, 2004 (Hollis [FHWA] to Downer [NNHPD]). A notice to proceed from the NNHPD with the following conditions was issued on September 28, 2004:

1) Sites will be flagged by a qualified archaeologist prior to any construction activities;
2) Sites will be avoided by a minimum of 50 feet by all construction activities, and
3) If sites cannot be avoided, then a mitigation plan will be developed for all sites that cannot be avoided.

As of now, there are five reasonable alternatives for the port-of-entry design. Three of the design plans would have no adverse effect to the Sanders Jail (AZ-P54-331NN), while two of the proposed alternatives would have possible indirect adverse impacts to the Sanders Jail (AZ-P54-331 NN). As the new frontage road would be 41 feet from the jail, the historic building may become more accessible to the public.

The Sanders Jail was determined to be eligible for the National Register of Historic Places (NRHP) under criterion A, as a place where events took place important in the history of Apache County. The NNHPD concurred with FHWA’s eligibility recommendations on September 10, 2004 (see attached letter).

On March 4, 2005, and April 27, 2005 Suzanne Krohn of ADOT and Ron Maldanado of NNHPD had informal conversations discussing possible design considerations that would result in providing no adverse effect to the Sanders Jail. A possible design consideration, which
would create a positive effect on the jail, would be to install a fence around the property and place a historical marker next to the property for public outreach. FHWA is formalizing these conversations, and is recommending that design plans include placing a fence around the property and a historical marker, which describes why the jail was important in Apache County's history.

Please review the information provided in this letter. If you agree with FHWA's recommendation, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Suzanne Krohn at 602-712-6371 or e-mail skrohn@email.arizona.edu.

Sincerely yours,

ROBERT E. HOLLIS

Robert E. Hollis
Division Administrator

[Signature]

Date

Enclosures

cc:
S. Thomas
SKrohn (619E)
TDeltring
SDT:cdn
MEMORANDUM OF AGREEMENT

AMONG

FEDERAL HIGHWAY ADMINISTRATION
NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT
ARIZONA STATE HISTORIC PRESERVATION OFFICE
ARIZONA DEPARTMENT OF TRANSPORTATION
THE HOPI TRIBE
THE PUEBLO OF ZUNI

REGARDING DATA RECOVERY AT ARCHAEOLOGICAL SITES FOR THE
SANDEERS PORT-OF-ENTRY UNDERTAKING
INTERSTATE 40; MILEPOSTS 339.50 341.82
PROJECT NO. NH-040-E(001)
TRACS NO. 040 AP 340 H5526 01C
APACHE COUNTY, ARIZONA

WHEREAS, the Federal Highway Administration (FHWA) proposes to construct a new port-of-entry facility along Interstate 40 (I-40) between the Sanders traffic interchange (TI) and the Cedar Point TI, a federally-funded undertaking in Apache County, Arizona (Undertaking); and

WHEREAS, the area of potential effect (APE) for the Undertaking is defined as the existing roadway right-of-way (ROW) on I-40 between mileposts 339.5 and 341.82 as well as new easement on Navajo Nation lands; and

WHEREAS, construction will occur on land owned by the Arizona Department of Transportation (ADOT) and easement across trust land administered by the Navajo Nation; and

WHEREAS, the proposed Undertaking may have an adverse effect upon AZ-P-54-108 (NN), AZ-P-54-120 (NN), AZ-P-54-316 (NN), AZ-P-54-316 (NN), and AZ-P-54-332 (NN) archaeological sites which are eligible for listing on the National Register of Historic Places and may possibly have effects to unidentified subsurface archaeological resources; and

WHEREAS, ADOT, acting as agent for FHWA has participated in consultation and has been invited to be a signatory to this Memorandum of Agreement (Agreement); and

WHEREAS, the FHWA has consulted with the Navajo Nation Historic Preservation Department (NNHPD) and the Advisory Council on Historic Preservation (the Council) in accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR §800.6(b)(2)) to resolve the possible adverse effects of the Undertaking on historic properties; and

WHEREAS, the Indian Tribes that may attach religious or cultural importance to affected properties have been consulted [pursuant to 36 CFR § 800.2 (c)(2)(ii)(A-F)] and the Hopi Tribe, and the Pueblo of Zuni have been invited to be concurring parties in this Agreement; and

DRAFT Memorandum of Agreement
Data Recovery for the Sanders Port-of-Entry Undertaking

Page 1 of 9
WHEREAS, in their role as lead federal agency, FHWA has consulted with the Navajo Nation Tribal Historic Preservation Officer (THPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the NHPA (16 U.S.C. 470f) as revised in 2000; and

WHEREAS, because the affected historic properties are located on Navajo Nation lands, FHWA through consultation with ADOT, NNHPD, the Arizona State Historic Preservation Office (SHPO) have determined that the Navajo Nation THPO will assume SHPO duties for the project pursuant to (Section 101 (d) (2)(D)(iii) of the NHPA; and

WHEREAS, THPO is authorized to enter into this agreement in order to fulfill their roles of advising and assisting Federal agencies in carrying out their Section 106 responsibilities under the following federal statutes: Sections 101, 106, and 110 of the NHPA of 1966, as amended, 16 U.S.C. 470f, and pursuant to 36 CFR Part 800, regulations implementing Section 106, at 800.2 (c)(1)(i) and 800.6(b); and

WHEREAS, by their signature all parties agree that the regulations specified in the ADOT document, “ADOT Standard Specifications for Road and Bridge Construction” (Section 104.12, 2000) will account for the cultural resources in potential material sources used in Undertaking construction; and

WHEREAS The Navajo Nation Policy for the Protection of Jischaa’s Gravesites, Human Remains, and Funerary Items would be implemented for this Undertaking; and

WHEREAS, an agreement regarding the treatment and disposition of Graves and Human Skeletal Material would follow the Archaeological Resources Protection Act of 1979 (ARPA; Section 4.b.3 and 4.c) for federal land; and

WHEREAS, Human Remains, Associated/Unassociated Funerary Objects, Sacred Objects and Objects of Cultural Patrimony recovered will be treated in accordance with the Native American Graves and Protection Repatriation Act (NAGPRA) for federal land; and

WHEREAS, the data recovery necessitated by the Undertaking, located on Navajo Nation land will follow the policies and guidelines for cultural resource management activities on Navajo Nation lands developed under the Navajo Nation Cultural Resources Protection Act (CMY-19-88); and

WHEREAS, the data recovery necessitated by the Undertaking, located on Navajo Nation land must be permitted by the NNHPD; and

WHEREAS, the data recovery necessitated by the Undertaking, located on federal land, must be permitted through an ARPA permit; and

NOW, THEREFORE, all parties agree that upon FHWA’s decision to proceed with the Undertaking, FHWA shall ensure that the following stipulations are implemented in order to take into account the effects of the Undertaking on historic properties, and that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.
Stipulations

FHWA will ensure that the following measures are carried out.

1. Development of a Geotechnical Monitoring Plan

   As geotechnical investigation may adversely impact historic properties within the Undertaking's corridor, FHWA proposes that historic properties would be avoided by geotechnical investigations wherever possible. In the event that historic properties cannot be avoided, FHWA, in consultation with the consulting parties, shall determine appropriate treatment for the historic property. Data recovery at geotechnical investigation locations requires a Work Plan, as described below, be developed. Geotechnical investigations outside the boundaries of historic properties may proceed prior to the completion of any data recovery required at other locations.

2. Development of a Data Recovery Work Plan

   The data recovery plan will be submitted by ADOT on behalf of FHWA, to all parties to this Agreement for 30 calendar days' review. The data recovery plan will be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-371). Unless any signatory or concurring party objects to the data recovery plan within 30 calendar days after receipt of the plan, FHWA shall ensure that it is implemented prior to construction.

3. The Data Recovery Work Plan (the Work Plan) will specify:

   a) The properties or portions of properties where data recovery is to be carried out. Also, it will specify any property or portion of property that would be destroyed or altered without treatment;

   b) The results of previous research relevant to the Undertaking, the research questions to be addressed through data recovery, with an explanation of their relevance and importance;

   c) The field and laboratory analysis methods to be used, with an explanation of their relevance to the research questions;

   d) The methods to be used in analysis, data management, and dissemination of data to the professional community and the public, including a proposed schedule for Undertaking tasks, including a schedule for the submission of draft and final reports to consulting parties;

   e) The proposed disposition and curation of recovered materials and records in accordance with A.R.S. § 41-844 and ARPA (Section 4.b.3 and 4.c);
f) Procedures for monitoring, evaluating and treating discoveries of unexpected or newly identified properties during construction of the Undertaking, including consultation with other parties;

g) A protocol for the treatment of human remains, in the event that such remains are discovered, describing methods and procedures for the recovery, inventory, treatment, and disposition of Human Remains, Associated Funerary Objects, and Objects of Cultural Patrimony.

4. Review and comment on the Data Recovery Work Plan

a) Upon receipt of a draft of the Work Plans, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide comments to ADOT. All comments shall be in writing with copies provided to the other consulting parties. Lack of response within this review period will be taken as concurrence with the plan.

b) If revisions to the Work Plan are made all consulting parties have 20 calendar days from receipt to review the revisions and provide comments to ADOT. Lack of response within this review period will be taken as concurrence with the plan or report.

c) Once the Data Recovery Plan is determined adequate by all parties (with THPO concurrence), FHWA shall issue authorization to proceed with the implementation of the Plan, subject to obtaining all necessary permits.

d) Final drafts of the Data Recovery Plan will be provided to all consulting parties.

5. Review and Comment on Preliminary Report of Findings

a) Upon completion of fieldwork, the institution, firm, or consultant responsible for the work will prepare and submit a brief Preliminary Report of Findings.

b) Upon receipt of a Preliminary Report of Findings, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide comments to ADOT. All comments shall be in writing with copies provided to the other consulting parties. Lack of response within this review period will be taken as concurrence with the report.

c) If revisions to the Preliminary Report of Findings are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.
6. Review and Comment on Draft Data Recovery Report

   a) Within 18 months of completion of data recovery, a Draft Data Recovery Report will be prepared incorporating all appropriate data analyses and interpretations. Upon receipt of the Draft Data Recovery Report, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide comments to ADOT. All comments shall be in writing with copies provided to the other consulting parties. Lack of response within this review period will be taken as concurrence with the report.

   c) If revisions to the Draft Data Recovery Report are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.

   d) Final copies of the Data Recovery Report will be provided to all consulting parties.

7. Standards for Monitoring and Data Recovery

   All historic preservation work carried out pursuant to this Agreement shall be carried out by or under the supervision of a person, or persons, meeting at a minimum the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-44739).

8. Curation

   All materials and records resulting from the data recovery program conducted within the Undertaking area shall be curated in accordance with 36 CFR 79.9 and 79.10.

   a) Archaeological Resources, excavated or removed from state or federal land, will be preserved by a suitable university, museum, or other scientific or educational institution (ARPA, Section 4.b.3). Resources having religious or cultural importance shall be maintained in accordance with the burial agreement until any specified analyses, as determined following the consultation with the appropriate Indian tribes and individuals, are complete and the resources are returned.

   b) All curated materials recovered from Navajo Nation lands will remain the property of the Navajo Nation.

9. Additional Inventory Survey

   ADOT, on behalf of FHWA, in consultation with all parties to this agreement shall ensure that new inventory surveys of additional rights-of-way and temporary construction easements will include determinations of eligibility that are made in accordance with 36 CFR § 800.4 for all historic properties, including any added staging or use areas. Should any party to this Agreement disagree with FHWA regarding eligibility, the THPO shall be consulted and resolution sought within 20 calendar days. If the FHWA and THPO disagree on eligibility, FHWA shall request a formal determination from the Keeper of the National Register.
10. Objection by a Signatory or Concurring Party

Should any signatory or concurring party to this Agreement object within 30 days to any plan or report provided for review or to any aspect of this Undertaking related to historic preservation issues, FHWA shall consult with the objecting party to resolve the objection. If the objection cannot be resolved, FHWA shall request further comments of the Council with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

11. Discoveries

If potential historic or prehistoric archaeological materials or properties or human remains are discovered after construction begins, the person in charge of the construction shall require construction to immediately cease within the area of the discovery, take steps to protect the discovery, and promptly report the discovery to the ADOT Historic Preservation Specialist, representing FHWA and to the NNHPD, Cultural Resources Compliance Section (CRCS).

a) If the discovery is graves or human remains as defined in ARPA Section 3.1, and is located on Tribal land, the NNHPD-CRCS shall be informed. In consultation with NNHPD-CRCS and ADOT, the person in charge of construction shall immediately take steps to secure and maintain preservation of the discovery. The NNHPD-CRCS and ADOT shall ensure that the discovery is treated according to the burial agreement.

b) If remains are not involved, and the discovery is located on state land, ADOT, on behalf of FHWA, shall notify the director (Director) of the Arizona State Museum (ASM) as required under A.R.S. § 41-844. ADOT, on behalf of FHWA in consultation with the Director and THPO, shall determine if the Plan previously approved according to Stipulation 2 is appropriate to the nature of the discovery. If appropriate, the Plan shall be implemented by ADOT, on behalf of FHWA. If the Plan is not appropriate to the discovery, FHWA shall ensure that an alternate plan for the resolution of adverse effect is developed and circulated to the consulting parties, who will have 48 hours to review and comment upon the alternate plan. FHWA shall consider the resulting comments, and shall implement the alternate plan once an Undertaking specific permit has been issued.

c) If the discovery is located on Navajo Nation lands, ADOT, on behalf of FHWA, shall consult with THPO to determine if the discovery classifies as an "archaeological resource" as defined in Section 3.1 of ARPA. FHWA in consultation with THPO shall determine if the Plan previously approved according to Stipulation 2 is appropriate to the nature of the discovery. If appropriate, the Plan shall be implemented by ADOT, on behalf of FHWA. If the Plan is not appropriate to the discovery, FHWA, in consultation with THPO, shall ensure that an alternate plan for the resolution of adverse effect is developed and circulated to the consulting parties, who will have 48 hours to review and comment upon the alternate plan. FHWA shall
consider the resulting comments, and shall implement the alternate plan once an
Undertaking specific permit has been issued.

12. Amendments

This Agreement may be amended by the signatories pursuant to 36 CFR § 800.6 (c) (7).
FHWA shall file any amendments with the Council and provide notice to the concurring
parties.

13. Termination

Any signatory may terminate the Agreement by providing 30 day written notification to
the other signatories. During this 30 day period, the signatories may consult to seek
agreement on amendments or other actions that would avoid termination pursuant to 36
CFR § 800.6 (b). If the parties cannot agree on actions to resolve disagreements, FHWA
will comply with 36 CFR § 800.7(a).

14. In the event the FHWA or ADOT cannot carry out the terms of this agreement, the FHWA
will comply with 36 CFR § 800.3 through 800.6.

15. There shall be an annual meeting among FHWA, NHPD, SHPO, and ADOT to review the
effectiveness and application of this agreement, to be held on or near the anniversary date of
the execution of this agreement.

This agreement shall be null and void if its terms are not carried out within ten (10) years from
the date of its execution, unless the signatories agree in writing to an extension for carrying out
its terms.
Execution of this Agreement by the signatories and its subsequent filing with the Council is evidence that the FHWA as afforded the Council an opportunity to comment on the Sanders Port-of-Entry Undertaking and its effects on historic properties, and that the FHWA has taken into account the effects of the Undertaking on historic properties.

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By ________________________________ Date____________________

Title ______________________________

NAVAJO NATION TRIBAL HISTORIC PRESERVATION OFFICER

By ________________________________ Date____________________

Title ______________________________

ARIZONA STATE HISTORIC PRESERVATION OFFICER

By ________________________________ Date____________________

Title ______________________________

INVITED SIGNATORIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By ________________________________ Date____________________

Title Environmental Planning Group Manager

CONCURRING PARTIES

HOPI TRIBE

By ________________________________ Date____________________

Title ______________________________

DRAFT Memorandum of Agreement
Data Recovery for the Sanders Port-of-Entry Undertaking
APPENDIX D
BIOLOGICAL CONCURRENCE
March 18, 2005

Justin White, Environmental Planner/Wildlife Biologist
Arizona Department of Transportation
1801 S Milton Rd
Flagstaff AZ 86001

Dear Mr. White:

Thank you for submitting the biological survey report for the Sanders Port of Entry to our office for review. The Arizona Department of Transportation (ADOT) is planning conduct a new Port of Entry (POE) on westbound Interstate 40 (I-40) immediately east of Sanders, Apache County, Arizona. The project falls within the jurisdiction of the Navajo Nation. ADOT has an existing roadway easement through Navajo Nation lands. The POE is unable to properly enforce commercial motor carrier and agricultural laws and regulations to protect the motoring public and to fully collect operating/permit fees required by law.

We reviewed the biological survey report and we concur with the determination of the project will not effect any federally listed or impact any Navajo Nation listed species. This concurrence applies only to the subject project.

If you have any questions call me at (928) 871-7060.

Rita Whitehorse-Larsen, Wildlife Biologist

3/18/05

CONCURRENCE

Gloria M. Tom, Director
Navajo Nation
Department of Fish and Wildlife

3/24/05

Cc: HDR, Inc.
Navajo Nation Department of Fish & Wildlife main office Chrono

Enc: Biological Compliance Form No. 005-117

Navajo Nation • Division of Natural Resources • Fish and Wildlife Department
PO BOX 1480 • Window Rock • Arizona • 86515
Office: 928/871-6450/6451 Fax: 928/871-7069 Website: navajofishandwildlife.org

Sanders Port of Entry Draft Environmental Assessment
Project No. NH-040-E(001)

January 2007

TRACS No. 040 AP 340 H5526 01C
<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Approval</td>
<td>Gloria M. Tom</td>
<td>3/21/05</td>
</tr>
</tbody>
</table>

*Signature of Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife.*

*If I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.*

<table>
<thead>
<tr>
<th>Representative’s signature</th>
<th>Date</th>
</tr>
</thead>
</table>

*Signature of Representative.*

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Sanders Port of Entry Draft Environmental Assessment
Project No. NH-040-E(001)

January 2007

TRACS No. 040 AP 340 H5526 01C
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Arizona Department of Transportation

I-40 Westbound Sanders Port of Entry
Design Concept & Environmental Study
TRACS 40 AP 340 H5526 03D
Agency Scoping Meeting
September 16, 2003

Agenda

Introductions
Study Area for New Port of Entry
Benefits of New Port of Entry
Overview of Environmental Process
Overview of Design Process
New Sanders Port of Entry Conceptual Layout
Project Milestones
Comments from the August 22nd Public Meeting
Questions and Answers
ARIZONA DEPARTMENT OF TRANSPORTATION INVITES YOU TO THE SECOND AGENCY INFORMATIONAL MEETING FOR THE WESTBOUND INTERSTATE 40 SANDERS PORT OF ENTRY PROJECT

April 12, 2004

The Arizona Department of Transportation (ADOT) is planning to construct a new Port of Entry on westbound Interstate 40 immediately east of Sanders, Arizona in Apache County. This new Port of Entry is proposed to be located on the north side of I-40 between the Sanders and Ortega Road traffic interchanges. A second meeting to provide information about this new Port of Entry project to potentially affected agencies is scheduled for Monday, April 12, 2004 at the Sanders School District Administration Offices from 1:00 p.m. to 3:00 p.m. MDT. The administration offices are located in Sanders immediately north of the I-40 traffic interchange at Exit 339. ADOT staff will provide information and answer questions about the project during the meeting. Agency participation is an important part of the design process and all potentially affected agencies are encouraged to attend this meeting.

A new westbound Port of Entry needs to be constructed to increase the truck handling and law enforcement capabilities at the Port for both current and future westbound truck traffic on I-40.

The project design is being conducted in two phases. The first phase is anticipated to be completed by January 2005 and consists of design concept and environmental studies. Two alternative locations for the new Port as well as roadway and initial right-of-way needs have been identified by the concept study. Biological and cultural surveys, an environmental site assessment and delineation of the jurisdictional waters of the U.S. Army Corps of Engineers have been completed for the environmental study.

The second phase will consist of final design activities and the completion of construction documents for roadway improvements, buildings and facilities associated with the new Port of Entry. Construction of the new Sanders Port of Entry is proposed to begin in early 2007.

For more information on the new Sanders Port of Entry project (040 AP 340 H5526 03D), please contact Dave Mellgren, ADOT Project Manager by telephone at (602) 712-8629 or by email: d mellgren@dot.state.az.us or Denis Howe, Project Manager for Huitt-Zollars, Inc. by, telephone (602) 952-9123 ext 112, email: dhowe@huitt-zollars.com.
Arizona Department of Transportation

I-40 Westbound Sanders Port of Entry
Design Concept & Environmental Study
TRACS 40 AP 340 H5526 03D
Agency Information Meeting
April 12, 2004

Agenda

Introductions

Review of Study Area for New Port of Entry

Features of New Port of Entry

Status of Environmental Activities

Status of Design Activities and Port of Entry Alternative Layouts

Design and Construction Schedule

Questions and Answers
Arizona Department of Transportation
Westbound I-40
Sanders Port of Entry Project

Public Meeting
Location: Houck Chapter House
Friday, August 22, 2003 10:00 a.m. to 2:00 p.m. M.D.T.
Presentations at 10:30 a.m. & 1:00 p.m. M.D.T.

The Arizona Department of Transportation (ADOT) is holding a public informational meeting to initiate the public scoping process for a new westbound I-40 Sanders Port of Entry (POE) on Friday, August 22, 2003 from 10:00 a.m. to 2:00 p.m. M.D.T. at the Houck Chapter House, which is located just north of I-40 at Exit 348. There will be formal presentations by ADOT staff at 10:30 a.m. and 1:00 p.m. M.D.T.

A new westbound I-40 Sanders POE needs to be constructed to increase the truck handling and law enforcement capabilities at the POE for both current and future truck traffic on westbound I-40. The new POE is proposed to be located along the north side of I-40 between mileposts 339.5 and 341.5.

The public meeting will include information about the proposed new POE and offer opportunities for individuals to make comments and submit ideas about this project. The design of the new POE will be conducted in two phases. The first phase is anticipated to take approximately 18 months and consists of a design concept study and an environmental assessment. The study will identify a new location and determine the operational and roadway needs and right of way requirements for the POE as well as develop schematic designs for a new administration and truck inspection building. The environmental assessment will include cultural and biological surveys and propose mitigation for any identified environmental impacts. The second phase will consist of final design activities and the completion of construction documents for new roadway improvements, buildings and facilities associated with the new POE. The construction of the new westbound I-40 Sanders Port of Entry is proposed to begin in early 2007.

Persons with a disability may request reasonable accommodations, such as a sign language interpreter, by contacting Leslie Dornfeld, HDR Engineering, 2141 East Highland Avenue, Phoenix, Arizona 85016, telephone: (602) 501-6691; email: ldornfeld@hdrinc.com. Requests should be made as early as possible to allow time to arrange accommodations. This notice is available in alternative formats by contacting Leslie Dornfeld at the telephone number or email referenced above.

For more information on this project, or to submit comments in writing, please contact Denis Howe, Project Manager, Huntzollars, 4742 N. 24th Street, Suite 100, Phoenix, AZ 85016-4959; Telephone (602) 952-9123 or email: dhowe@huntzollars.com. Written comments should be submitted by September 22, 2003.

Jeff Swan  Dave Molligren  Bill Higgins
District Engineer  Project Manager  Acting State Engineer

This advertisement is also available at www.adotenvironmental.com.
YOU ARE INVITED TO A PUBLIC MEETING FOR THE

SANDERS PORT OF ENTRY PROJECT

SPONSORED BY THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT)

LOCATION: HOUCK CHAPTER HOUSE
(North of I-40 at Exit 348)

DATE: Friday, August 22, 2003
TIME: 10:00 A.M. to 2:00 P.M. M.D.T.

Presentations at:
10:30 a.m.
and
1:00 p.m. M.D.T.

Where is the Sanders Port of Entry Project?
The Sanders Port of Entry Project is located just east of Sanders, AZ on the north side of Interstate 40 between the Sanders and Ortega Road Traffic Interchanges.

What is the Sanders Port of Entry Project?
The Project consists of a design concept study, an environmental assessment and construction documents for a new, westbound I-40 Sanders Port of Entry.

Why is the Project Important?
Constructing a new Port of Entry will increase the truck handling and law enforcement capabilities at the Port for both current and future truck traffic on westbound I-40.

Who to Contact for More Information:
Arizona Department of Transportation
Dave Mellgren, Project Manager.
Phone 602-712-8629
Email: dmellgren@dot.state.az.us

HDR
Leslie Dornfeld, Public Involvement Representative
602-508-6691
Email: ldornfel@hdrinc.com

You are encouraged to attend this meeting.
Your ideas and opinions are important to ADOT!

Reasonable accommodations may be made for persons with disabilities with a minimum of 72 hours notice. Please contact Leslie Dornfeld at HDR at the above telephone or email.
August 5, 2003

Andrea Love  
Environmental Planner  
HDR  
2141 E. Highland Ave., Ste. 250  
Phoenix, AZ 85016-4736  

Re: Public Informational Meeting  
Sanders Port of Entry Project  
TRACS 040 AP 340 H5526 03D

Dear Ms. Love:

The Arizona Department of Transportation (ADOT) is holding a public informational meeting to initiate the project design for a new westbound I-40 Sanders Port of Entry. The public meeting will be held on Friday, August 22, 2003 from 10:00 a.m. until 2:00 p.m. M.D.T. at the Houck Chapter House. The Chapter House is located in Houck, Arizona immediately north of I-40 at Exit 348. Formal presentations will be made by ADOT staff at 10:30 a.m. and 1:00 p.m. M.D.T. Information will be provided during the meeting and there will be ample time to answer questions about the project. You are encouraged to attend this meeting.

The project design will be conducted in two phases. The first phase is anticipated to take approximately 18 months and consists of a design concept study and an environmental assessment that will identify a location for a new westbound I-40 Sanders Port of Entry on the north side of I-40 between the Sanders and Ortega Road traffic interchanges. The design concept study will determine the operational and roadway needs and the right-of-way requirements for this new Port of Entry. The environmental assessment will include cultural and biological surveys and propose mitigation for any identified environmental impacts as a result of the proposed project.

The second phase will consist of final design activities and the completion of construction documents for roadway improvements, buildings and facilities associated with the new Port of Entry. Construction of the new westbound I-40 Sanders Port of Entry is proposed to begin in early 2007.

The Arizona Department of Transportation thanks you in advance for your participation in this project. If you are unable to attend this public meeting, you can contact Dave Meilgren, the ADOT Project Manager at the address below, by telephone at (602) 712-8629 or by email: dmeilgren@dot.state.az.us or you can contact Leslie Dornfeld, the public involvement representative (telephone: 602-508-6691 or email: ldornfel@hdrinc.com).

Sincerely,

Don Shanfelt, Environmental Planner  
205 South 17th Avenue, MD 619E  
Phoenix, AZ 85007
ADOT Motor Vehicle Division

Motor Carrier Responsibilities at Arizona's Port of Entries

- Promote public safety and protection through regulation and the administration of transportation laws.
- Conduct safety inspections on commercial vehicles that could pose safety and environmental risks.
- Ensure compliance with Federal and State motor carrier safety requirements to minimize damage to highways.

Benefits of a New Westbound I-40 Sanders Port of Entry

- Increased vehicle safety inspection capabilities.
- Increased vehicle weight measurement capabilities.
- Enhanced public safety through the increase of on-site commercial vehicle queuing capacity and the improvement of I-40 off-ramp and on-ramp geometrics and roadway lighting.
- Increased storage capacity for out-of-service commercial vehicles.
- A new modern administration and truck inspection building for use by the ADOT Motor Vehicle Division, Arizona Department of Public Safety and Arizona Department of Agriculture.
- Provision of an on-site basin to contain hazardous materials leaking from trucks.
- Use of the latest state of the art electronic technology to increase the efficiency of inspection operations and fee collections in order to expedite delivery of goods and products and promote overall vehicle safety by reducing lines of waiting commercial vehicles.

Environmental

As this project will use federal funds for construction, the federal government requires that an environmental document be prepared for this project. ADOT envisions that an environmental assessment (EA) will be required. The purpose of the EA is to determine if the proposed project will create any significant impacts to the natural or cultural environment. The EA will include cultural and biological surveys within the project area and will propose mitigation for any identified environmental impacts as a result of the project.

The project area is located on the north side of I-40 between mileposts 339.5 and 341.5.

The upgraded Port of Entry will utilize state of the art electronic technology to increase the efficiency of inspection operations and help to reduce the lines of waiting commercial vehicles.

Design and Construction

The design of the new westbound I-40 Sanders Port of Entry will be conducted in two phases. The first phase consists of a design concept study that will identify a location for a new Port, will determine the operational and roadway needs and the right of way requirements for the Port and will develop schematic designs for a new administration and truck inspection building. The second phase will include final design activities and the completion of construction documents for new roadway improvements, buildings and facilities associated with the Port. Construction of the new Port of Entry is proposed to begin in the Spring 2007.
PROJECT MILESTONES

June 2003 - Late 2004: Design Concept Study and Environmental Assessment (EA)
Scoping Meetings
Develop Alternative Locations for New Port of Entry
Team, Agency and Public Information Meetings to Present Alternatives and Receive Comments
Prepare Initial Design Concept Report and Draft EA
Team & Agency Meetings to Present Initial Design Concept Report and Receive Comments
Issue Draft EA for Public Review and Comment
Public Hearing to Present Initial Design Concept Report and Receive Comments
Prepare Final EA and Final Design Concept Report
Late 2004 - Early 2005: Preparation of Consultant Contract for final design
Early 2005 - Late 2006: Final Design and Preparation of Construction Documents
Late 2006 - Spring 2007: Advertisement, Bid Opening & Award of Construction Contract
Spring 2007 - Late 2008: Construction of New Port of Entry

WESTBOUND I-40 SANDERS PORT OF ENTRY PROJECT
DESIGN CONCEPT AND ENVIRONMENTAL STUDY

PUBLIC INFORMATION MEETING
Friday, August 22, 2003

STUDY AREA DRAWING

A new westbound I-40 Sanders Port of Entry needs to be constructed to increase the truck handling and law enforcement capabilities at the Port for both current and future truck traffic on westbound I-40. The new Port is proposed to be located along the north side of I-40, in an area to be determined, between mileposts 339.5 and 341.5.

FOR MORE INFORMATION CONTACT:
Arizona Department of Transportation
Dave Meltzer, Project Manager
Phone 602-712-8626
Email: dmeltzer@dot.state.az.us

HOR
Leslie Donofrio, Public Involvement Representative
602-938-6691 Email: ldonofrio@horinc.com

TRACS # slkJk5j
AGENDA

I-40 Westbound Sanders Port of Entry
TRACS 40 AP 340 H5526 03D
Design Concept & Environmental Study
Public Information Meeting
August 22, 2003

Welcome by Chapter Presidents

Introduction of Team

Sanders Port of Entry - Current Operations and Benefits of New Port

New Sanders Port of Entry Conceptual Layout

Design Process

Design and Construction Schedule

Questions and Answers
ARIZONA DEPARTMENT OF TRANSPORTATION

PUBLIC INFORMATION MEETING
Westbound I-40
Sanders Port of Entry Project

Location: Houck Chapter House, Houck Arizona
(North of I-40 at Exit 348)

Date: Thursday, May 9, 2008
10:00 am to 2:00 pm M.D.T.

Presentation: 10:30 am, M.D.T.

The Arizona Department of Transportation (ADOT) is holding the second in a series of three public meetings to continue the public scoping process for a new westbound I-40 Sanders Port of Entry (POE). At this meeting, the project team will present information on the proposed conceptual layouts and roadway and initial right-of-way needs for each of two alternative POE locations and ask for your comments. The two alternative POE locations are located along the north side of I-40 between the Sanders and Ortoga Road traffic interchanges.

The scoping process, which is anticipated to be completed by January 2005, includes the preparation of a design concept report and an environmental document. Upon completion of the scoping process, final design documents necessary to construct the roadway improvements, buildings and facilities associated with this new POE will be prepared. Construction of the new Sanders Port of Entry is proposed to begin in early 2007.

Pursuant to Title II of the Americans with Disabilities Act, ADOT does not discriminate on the basis of disability in admission to or participation in its public meetings. Persons with a disability may request accommodation, such as a sign language interpreter or translator, by contacting Leslie Dornfeld, HDR Engineering, 3200 East Camelback Road, Suite 350, Phoenix, Arizona, 85018; Phone: 602-522-7788; Fax: 602-522-7707 or email leslie.dornfeld@hdrinc.com. Requests should be made as early as possible to allow time to arrange the accommodations. This notice can be made available in alternative formats by contacting Ms. Dornfeld.

It is not necessary to attend the meeting to submit your comments on the project. To submit written comments, or to request additional information, please contact Audrey Unger, HDR Engineering, 3200 East Camelback Road, Suite 350, Phoenix, Arizona, 85018; Phone: 602-522-4323; Fax: 602-522-7707 or email audrey.unger@hdrinc.com. Comments should be received by June 6, 2004.

David Siko
Hodbrook District Engineer

Dave Millikan
Project Manager

This advertisement is also available at www.adotenvironmental.com.

Trac No. 340 AP 340 HS526 03D

Sanders Port of Entry Draft Environmental Assessment
Project No. NH-040-E(001)

January 2007

TRACS No. 040 AP 340 H5526 01C

E-12
YOU ARE INVITED TO THE 2ND PUBLIC MEETING FOR THE

SANDERS PORT OF ENTRY PROJECT

SPONSORED BY THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT)

LOCATION: HOUCK CHAPTER HOUSE
(North of I-40 at Exit 348)

DATE: Thursday, May 6, 2004
TIME: 10:00 A.M. to 2:00 P.M.

Presentation by Team members at:
10:30 a.m., M.D.T.

What will be discussed at this meeting?
At this meeting, ADOT will present two alternative locations for the Port of Entry (POE) for your review and comment and provide an update on the environmental studies.

Where is the Sanders Port of Entry Project?
The Sanders Port of Entry Project is located just east of Sanders, AZ on the north side of Interstate 40 between the Sanders and Ortega Road Traffic Interchanges.

What is the Sanders Port of Entry Project?
The Project consists of a design concept study, an environmental study and construction for a new, westbound I-40 Sanders Port of Entry.

Why is the Project Important?
Constructing a new Port of Entry will increase the truck handling and law enforcement capabilities at the Port for both current and future truck traffic on westbound I-40.

Who to Contact for More Information:
Arizona Department of Transportation
Tom Molt, Environmental Planner
Phone 602-712-6161
Email: tmolt@dot.state.az.us

HDR
Leslie Dornfeld, Public Involvement Representative
602-522-7788
Email: leslie.dornfeld@hdrinc.com

You are encouraged to attend this meeting.
Your ideas and opinions are important to ADOT!
Reasonable accommodations may be made for persons with disabilities with a minimum of 72 hours notice. Please contact Leslie Dornfeld at HDR at the above telephone or email.
ARIZONA DEPARTMENT OF TRANSPORTATION
INVITES YOU TO THE SECOND IN A SERIES OF PUBLIC
INFORMATIONAL MEETINGS FOR THE NEW WESTBOUND
INTERSTATE 40 SANDERS PORT OF ENTRY PROJECT

Tuesday, April 13, 2004

The Arizona Department of Transportation (ADOT) is planning to construct a new Port of Entry on westbound Interstate 40 (I-40) immediately east of Sanders, AZ in Apache County. This new Port of Entry is proposed to be located on the north side of I-40 between the Sanders and Ortega Road traffic interchanges. A second public meeting to provide information about this new Port of Entry project is scheduled for Thursday May 6, 2004 at the Houck Chapter House from 10:00 a.m. to 2:00 p.m. M.D.T. The Chapter House is located in Houck, Arizona immediately north of I-40 at Exit 348. Project team members will provide information and answer questions about the project during the meeting. A formal presentation will be made at 10:30 a.m. Public participation is an important part of the environmental and design processes and all interested parties are encouraged to attend this meeting.

The project design is being conducted in two phases. The first phase is anticipated to be completed by January 2005 and consists of design concept and environmental studies. Two alternative locations for the new Port as well as roadway and initial right-of-way needs have been identified by the concept study. Biological and cultural surveys, a Phase I environmental site assessment and preliminary delineation of jurisdictional waters of the U.S. have been completed for the environmental study.

The second phase will consist of final design activities and the completion of construction documents for new roadway improvements, buildings and facilities associated with the new Port of Entry. Construction of the new westbound Sanders Port of Entry is proposed to begin in early 2007.

For more information about the new Sanders Port of Entry project (040 AP 340 H5526 01C), please contact Tom Molt, ADOT Environmental Planner by telephone at 602-712-6161 or by email at tmolt@dot.state.az.us or Leslie Dornfeld, HDR Public Involvement Representative, telephone 602- 522-7788, email leslie.dornfeld@hdrinc.com.

-END-
Re: Public Information Meeting
Sanders Port of Entry Project
TRACS 040 AP 340 H5525 01C
Project No. NH-040-E(001)

Dear Name>>>

The Arizona Department of Transportation (ADOT) is holding the second in a series of public information meetings for the design of a new westbound Sanders Port of Entry that is to be located on the north side of I-40 between the Sanders and Ortega Road traffic interchanges. This public meeting will be held on Thursday, May 6, 2004 from 10:00 a.m. until 2:00 p.m. M.D.T. at the Houck Chapter House which is located immediately north of I-40 at Exit 348. A formal presentation will be made by project team members at 10:30 a.m. M.D.T. Information will be provided during the meeting and there will be ample time to answer questions about the project. You are encouraged to attend this meeting.

The project design is being conducted in two phases. The first phase is anticipated to be completed by January 2005 and consists of design concept and environmental studies. Two alternative locations for the new Port as well as roadway and initial right-of-way needs have been identified by the concept study. Biological and cultural surveys, a Phase I environmental site assessment and preliminary jurisdictional delineation of waters of the U.S. have been completed for the environmental study.

The second phase will consist of final design activities and the completion of construction documents for roadway improvements, buildings and facilities associated with the new Port of Entry. Construction of the new Sanders Port of Entry is proposed to begin in early 2007.

The Arizona Department of Transportation thanks you in advance for your participation in this project. If you are unable to attend this public meeting, you can submit comments to Tom Molt, the ADDT Environmental Planner at the address below, by telephone at 602-712-6161 or by email at tmolt@dot.state.Arizona.us or you can contact Leslie Dornfeld, the HDR Public Involvement Representative, telephone: 602-522-7788 or email: leslie.dornfeld@hdrinc.com. Comments should be received by June 6, 2004.

Sincerely,

---

Tom Molt, Environmental Planner
205 South 17th Avenue, MD 619E
Phoenix, Arizona 85007
PROJECT MILESTONES

June 2003 - January 2005: Design Concept and Environmental Study.
- Team, Agency and Public Meetings. (Completed)
- Develop Alternative Locations for New Port of Entry. (Completed)
- Present Alternatives at Team and Agency Meetings and Receive Comments. (Completed)
- Present Alternatives at Public Information Meeting and Receive Comments. (Underway)
- Prepare Initial Design Concept Report and Draft Environmental Assessment (EA). (Pending)
- Present Initial Design Concept Report to Team & Agency Members & Receive Comments.
- Issue Draft EA for Public Review and Comment.
- Present Initial Design Concept Report at Public Hearing and Receive Comments.
- Prepare and Distribute Final EA and Final Design Concept Report.
Early 2007 - Advertise Project, Open Bids and Award Construction Contract.

NOTES

WESTBOUND I-40 SANDERS PORT OF ENTRY PROJECT

SCOPING PHASE:
DESIGN CONCEPT AND ENVIRONMENTAL STUDY

PUBLIC INFORMATION MEETING No. 2
Thursday, May 6, 2004

A new westbound I-40 Sanders Port of Entry (POE) needs to be constructed to increase the truck handling and law enforcement capabilities at the POE for both current and future truck traffic on westbound I-40. The new POE is proposed to be located along the north side of I-40, in an area to be determined, between mileposts 339.5 and 341.5.

This is the second of three public meetings that are being held as part of this project. At this meeting, two alternative locations for the POE will be presented for review and comment.

In August of 2003, the first public meeting was held to describe the project and to identify opportunities and concerns associated with the construction of a new POE.
SANDERS PORT OF ENTRY
SCOPING AND DESIGN PROCESS

The new Port of Entry (POE) project consists of a scoping process, final design process and construction. The scoping process includes the preparation of design concept and environmental studies and is anticipated to be completed by January 2005. The final design process includes the development of construction drawings and is anticipated to be completed by early 2007.

SCOPING PROCESS
Design Concept Study

The design concept study defines project features, documents the criteria necessary to design the POE, analyzes the locations of possible alternatives and recommends a solution consistent with the objective of maximizing safety, service and cost efficiencies while minimizing impact to natural resources, environmental values, public services, aesthetic values and community goals and objectives.

Currently, the design concept study for this project has identified two alternative locations for the new POE as well as roadway and initial right of way needs.

Environmental Studies

The environmental studies will determine if the proposed project creates any impacts to the natural or cultural environments, or socioeconomics. An environmental document will be prepared summarizing these findings.

To date, biological and cultural surveys, a Phase I environmental site assessment and preliminary delineation of the jurisdictional waters of the U.S. have been completed for the environmental work on this project.

FINAL DESIGN PROCESS
Construction Drawings

The final design process consists of all design activities necessary to complete the construction plans, specifications and cost estimates for the roadway improvements, buildings and facilities associated with this new POE.

CONSTRUCTION

Construction of the new Sanders POE is proposed to begin in the Spring of 2007 and be completed in early 2009.

PORT OF ENTRY DESIGN CONCEPT ALTERNATIVES

PORT OF ENTRY ALTERNATIVE 1
SAME LOCATION AS CURRENT PORT OF ENTRY

PORT OF ENTRY ALTERNATIVE 2
NEW LOCATION EAST OF EXISTING PORT
ADOT Motor Vehicle Division

MVD Responsibilities for Motor Carriers at Arizona’s Port of Entries

- Promote public safety through administration of transportation laws.
- Conduct safety inspections on commercial vehicles.
- Ensure compliance with motor carrier safety laws to minimize highway damage.

Features of New Westbound I-40 Sanders Port of Entry

- Increased vehicle safety inspection capabilities.
- Increased vehicle weight measurement capabilities.
- Increased on-site commercial vehicle queuing capacity.
- Improvement of I-40 off-ramp and on-ramp geometrics and roadway lighting.
- Increased storage capacity for out-of-service commercial vehicles.
- A new administration and truck inspection building.
- An on-site basin to contain hazardous materials leaking from trucks.
- Use of the latest state of the art technology for truck inspections and operations.

Environmental

ADOT is in the process of preparing an environmental assessment (EA) for this project. The purpose of the EA is to determine if the proposed project will create any significant impacts to the natural or cultural environment. To date, work on the EA has included biological and cultural surveys, a Phase I environmental site assessment and a preliminary delineation of jurisdictional waters of the U.S.

Design and Construction

The project design is being conducted in two phases. The first phase is anticipated to be completed by January 2005 and consists of a design concept study. This study has identified two alternative locations for the new Port of Entry as well as roadway and initial right-of-way needs (see drawings below). The second phase will consist of final design activities and the completion of construction documents for roadway improvements and associated buildings and facilities. Construction of the new Port is proposed to begin in early 2007.

- Hold Team, Agency and Public Scoping Meetings. (Completed)
- Develop Alternative Locations for New Port of Entry. (Completed)
- Present Alternatives at Team and Agency Meetings and Receive Comments. (Completed)
- Present Alternatives at Public Information Meeting and Receive Comments. (Underway)
- Prepare Initial Design Concept Report and Draft Environmental Assessment (EA). (Pending)
- Present Initial Design Concept Report to Team & Agency Members & Receive Comments.
- Issue Draft EA for Public Review and Comment.
- Present Initial Design Concept Report at Public Hearing and Receive Comments.
- Prepare and Distribute Final EA and Final Design Concept Report.

**Early 2005:** Prepare Consultant Contract for Final Design.

**Spring 2005 – Late 2006:** Final Design - Prepare Construction Documents.

**Early 2007:** Advertise Project, Open Bids and Award Construction Contract.

**Spring 2007 – Early 2009:** Construct New Port of Entry.
Arizona Department of Transportation

Public Information Meeting
Proposed New I-40 Westbound Sanders Port of Entry
Design Concept and Environmental Study
TRACS 040 AP 340 H5526 03D

May 6, 2004

Agenda

Welcome by Chapter President
Introductions
Study Area for New Port of Entry
Features of New Port of Entry
Status of Environmental Activities
Status of Design Activities
New Port of Entry Alternative Layouts
Design and Construction Schedule
Your Comments and Questions
ARIZONA DEPARTMENT OF TRANSPORTATION

PUBLIC INFORMATION MEETING
WESTBOUND INTERSTATE 40 SANDERS PORT OF ENTRY

and

US 191: NAHATA DZIIIL ROAD to SANDERS TRAFFIC INTERCHANGE

Location: Nahata Dziiil Chapter House, Sanders Arizona
Date: Monday, July 26, 2004
Time: 9:00 a.m. to 12:00 p.m. M.D.T.

The Arizona Department of Transportation (ADOT) is holding a public meeting to continue the public scoping process for a new westbound I-40 Sanders Port of Entry (POE) that is to be located between the Sanders and Ortega Road Traffic Interchanges and to provide information on proposed design changes for road improvements on US 191 from Nahata Dziiil Road to just north of the I-40 Sanders Traffic Interchange (TI).

At the last public meeting for the Sanders POE project, the Houck Chapter requested that the frontage road on the north side of I-40 that ends at the POE be extended west to connect to US 191 at the Sanders TI. At this meeting, ADOT will present proposed conceptual layouts to connect this frontage road to US 191.

As a result of the proposed frontage road extension, ADOT will present proposed changes to the design of the on ramp and off ramp intersections and the frontage road intersections with US 191 at the Sanders TI and an overview of the planned road improvements on US 191 through Sanders.

Pursuant to Title II of the Americans with Disabilities Act, ADOT does not discriminate on the basis of disability in admission to or participation in its public meetings. Persons with a disability may request accommodation, such as a sign language interpreter, by contacting Leslie Dornfeld, HDR Engineering, 3200 East Camelback Road, Suite 350, Phoenix, Arizona, 85018-2311; Phone 602-622-7798; Fax 602-622-7707; or email: leslie.dornfeld@hdrinc.com. Requests should be made as early as possible to allow time to arrange the accommodations. This notice can be made available in alternative formats by contacting Ms. Dornfeld.

It is not necessary to attend this meeting to submit your comments on these two projects. To submit written comments, or to request additional information, please contact Audrey Unger, HDR Engineering, 3200 East Camelback Rd. Suite 350, Phoenix, Arizona, 85018; Phone 602-622-4323; Fax 602-622-7707; email: audrey.unger@hdrinc.com. Comments should be received by August 26, 2004.

Doug Fontle
Deputy State Engineer

David Sikes
Holbrook District Engineer

Dave Mellgren
Project Manager

This advertisement is also available at www.adoenvironmental.com.

Sanders POE Project: TRAC No. 040 AP 340 H5526 01C
Sander Port of Entry Draft Environmental Assessment  January 2007
Project No. NH-040-E(001)  TRACs No. 040 AP 340 H5526 01C

E-21
The Arizona Department of Transportation is holding a public meeting to continue the public scoping process for a new westbound I-40 Sanders Port of Entry (POE) that is to be located between the Sanders and Ortega Road Traffic Interchanges and to provide information on proposed design changes for road improvements on US 191 from Nahata Dzil Road to just north of the I-40 Sanders Traffic Interchange (TI). This public meeting will be held on Monday, July 26, 2004 from 9:00 a.m. until 12:00 p.m. M.D.T. at the Nahata Dzil Chapter House, which is located in Sanders, AZ, east of US 191 on Nahata Dzil Road.

At the last public meeting for the Sanders POE project, representatives from the Houck Chapter requested that the frontage road on the north side of I-40 that ends at the POE be extended west to connect to US 191 at the Sanders TI. At this public meeting, ADOT will present proposed conceptual layouts to connect this frontage road to US 191.

As a result of the proposed frontage road extension, ADOT will present proposed changes to the design of the on-ramp and off-ramp intersections and the frontage road intersections with US 191 at the Sanders TI and an overview of the planned road improvements on US 191 through Sanders.

I thank you in advance for your participation in this project. If you are unable to attend this public meeting, you can submit your comments to Tom Molt, ADOT Environmental Planner at the address above, by telephone at 602-712-6161 or by email at tmolt@adot.state.az.us or you can contact Leslie Dornfield, the HDR Public Involvement Representative (telephone: 602-522-7788 or email: leslie.dornfield@hdrinc.com).
July 13, 2004

Dear Mr. Nelson:

The Arizona Department of Transportation is holding a public meeting to continue the public scoping process for a new westbound I-40 Sanders Port of Entry (POE) that is to be located between the Sanders and Ortega Road Traffic Interchanges and to provide information on proposed design changes for road improvements on US 191 from Nahata Dziiil Road to just north of the I-40 Sanders Traffic Interchange (TI). This public meeting will be held on Monday, July 26, 2004 from 9:00 a.m. until 12:00 p.m. M.D.T. at the Nahata Dziiil Chapter House, which is located in Sanders, AZ, east of US 191 on Nahata Dziiil Road.

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As a result of the proposed frontage road extension, ADOT will present proposed changes to the design of the on-ramp and off-ramp intersections and the frontage road intersections with US 191 at the Sanders TI and an overview of the planned road improvements on US 191 through Sanders.

I thank you in advance for your participation in this project. If you are unable to attend this public meeting, you can submit your comments to Tom Molt, ADOT Environmental Planner at the address below, by telephone at 602-712-3161 or by email at tmolt@dot.state.az.us or you can contact Leslie Dornfeld, the HDR Public Involvement Representative (telephone: 602-522-7788 or email: leslie.dornfeld@hdrinc.com).

Sincerely,

Tom Molt, Environmental Planner
205 South 17th Avenue, MD 619E
Phoenix, AZ 85007
1. Project Scope and Background:

a. Sanders Port of Entry – A previous location study for the Sanders Port of Entry analyzed seven sites for a new westbound Port of Entry between Holbrook and the New Mexico State Line. The conclusion of that Study was that a new Port should be constructed on the north side of I-40 between the Sanders and Ortega Road Traffic Interchanges.

So with that directive, ADOT started work in June 2003 on a design concept and environmental study to locate the site for the new Port of Entry. To date, we have held two public meetings at the Houck Chapter House, one on August 22, 2003 and the second on May 6, 2004 to discuss this new Port of Entry project.

At these two public meetings, the team presented two alternative locations for this new Port. One alternative would use the existing Port of Entry site and about 700 ft. of adjacent tribal land to the east. The other alternative would be located about ½ mile east of the current Port and be located entirely on Tribal land.

At the first public meeting, representatives of the Houck Chapter requested that the frontage road on the north side of I-40 that currently ends at the Port, be extended westerly to the Sanders Traffic Interchange. At the second public meeting, the design team suggested that the gravel road that goes north from the Port and then west across the hill tops to County 7080 be improved and used instead of a new frontage road extension to the Sanders Interchange. Local residents along this gravel road objected to that proposal and once again the Houck Chapter representatives requested that the frontage road be extended westerly to the Sanders Interchange.

b. US 191 from Nahata Dziil Road to Sanders Traffic Interchange - This project starts at the Nahata Dziil Road and runs north through the community of Sanders to County Road 7160, which is the access road to the Middle School. The project consists of reconstructing the existing road to provide 2-12 ft. lanes with 8 ft. shoulders on both sides of the road and a continuous two-way left turn lane in the middle of the road. The project will construct new bridges over the Puerco River, the BNSF Railroad and I-40. All of the I-40 on and off ramps and frontage roads at the Sanders Interchange will also be reconstructed as part of this project. Sidewalks and roadway lighting along both sides of the new road are proposed from Nahata Dziil Road to about 500 ft. south of County 7160.
2. Project Issues on the North Side of the Sanders Traffic Interchange:
   a. New Frontage Road A Realignment and the Newlands Shopping Center

Figure 1
2. Project Issues on the North Side of the Sanders Traffic Interchange: (Continued)
   a. New Frontage Road A Realignment and the Newlands Shopping Center

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Figure 2

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Figure 3
2. Project Issues on the North Side of the Sanders Traffic Interchange: (Continued)
   b. Extension of the North-Side Frontage Road from the Sanders Port of Entry to the Sanders Traffic Interchange

   Figure 4

   c. Proximity of the I-40 Westbound Off and On Ramps to the Frontage Roads

   Figure 5
3. Proposed Solutions:
   a. Alternative A

![Figure 6]

b. Alternative B

![Figure 7]
3. Proposed Solutions: (Continued)
   c. Alternative C

4. Design and Construction Schedule:

Sanders Port of Entry – Our plans is to complete the design conceptual and environmental study by early next year and then start the final design stage. The construction documents for the new road and building improvements would be completed by late 2006. The new Port of Entry would be constructed from the Spring of 2007 to Early 2009.

US 191 from Nahata Dzil Road to Sanders Traffic Interchange - The project design is now 95% complete. The project is currently scheduled for construction in ADOT’s fiscal year 2007, which runs from July 1, 2006 to June 30, 2007. No bid advertisement date has yet been set.
Arizona Department of Transportation
Public Information Meeting

I-40 Westbound Sanders Port of Entry
TRACS 040 AP 340 H5526 03D

US 191: Nahata Dziil Road to Sanders Traffic Interchange
TRACS 191 AP 367 H4380 01D

Monday, July 26, 2004
Nahata Dziil Chapter House 9:00 a.m. – 12 p.m. M.D.T.

AGENDA

1. Welcome by Chapter Presidents
2. Introductions
3. Project Scope and Background
   a. Sanders Port of Entry
   b. US 191 from Nahata Dziil Road to Sanders Traffic Interchange
4. Project Issues on the North Side of the Sanders Traffic Interchange
   a. New Frontage Road A Realignment and the Newlands Shopping Center
   b. Extension of the North-Side Frontage Road from the Sanders Port of Entry to the Sanders Traffic Interchange
   c. Proximity of the I-40 Westbound Off and On Ramps to the Frontage Roads
5. Proposed Solutions
6. Design and Construction Schedule
7. Your Comments and Questions
Agencies and Individuals Notified for Public Meetings

Agencies

- Arizona Department of Agriculture
  - Keith Miller
  - Sanders Field Operations

- Arizona Department of Agriculture
  - Verna Tabaha
  - Sanders Field Operations

- ADOT Environmental & Enhancement Group
  - Don Shanfelt /Tom Molt/
  - Ralph Ellis/Justin White
  - Planner

- ADOT Roadway Support
  - Dan MacDonald

- ADOT Traffic Design
  - Richard Moeur
  - Manager Team 4

- ADOT Faciltities Maintenance
  - Frank Young
  - Northern Regional Manager

- ADOT Maintenance Operations
  - Steve Surface

- ADOT Agriculture Plant Services
  - Jerry Cranford
  - Field Operations

- ADOT Commercial Vehicle Enforcement
  - Bernie Gazdik

- ADOT Facilities Management
  - Tom Heideman
  - Architect

- ADOT Holbrook District
  - Jeff Swan
  - District Engineer

- ADOT Holbrook District
  - Dave Sikes
  - Maintenance Engineer

- ADOT Holbrook District
  - Randy Routhier
  - Senior Resident Engineer

- ADOT Holbrook District
  - Kee Yazzie
  - Development Specialist

- ADOT Holbrook District
  - Lyndon McAdams
- ADOT Holbrook District  	Gilbert Nastacio  
	Chambers Maintenance Supervisor
- ADOT ITG Data Communications  	Manny Ceylaya
- ADOT ITG Project Management  
	Jack Petersen  
	ITG Project Manager
- ADOT Materials Geotech Design  
	Brent Conner
- ADOT Materials Pavement Design  
	Dan Harnanan
- ADOT MVD Enforcement  
	Paul Felice  
	Northern Zone Supervisor
- ADOT MVD Enforcement  
	Steve Abney  
	Southern Zone Supervisor
- ADOT MVD Sanders Point of Entry  
	Jerry Crosley  
	Acting North Region Manager
- ADOT MVD Contract and Facilities Admin.  
	Larry Parkes
- ADOT R/W Project Management  
	Joe Marin  
	R/W Project Manager
- ADOT Statewide Project Management  
	Dave Mellgren  
	Project Manager
- ADOT TPD Priority Programming  
	Debbie Mayfield
- ADOT Traffic Operations Center  
	Marian Thompson  
	ITS Project Manager
- ADOT Traffic Operations Center  
	Tim Wolfe
- ADOT General Operations  
	Roger Gorres  
	Physical Plant Manager
- ADOT Equipment Services  
	Devin Darlek  
	Environmental Fuel Tank Mgmt.
- ADOT Utilities and Railroad  
	Wayne Smith  
	Utility Coordinator
• Apache County
  Ferrin Crosby
  County Engineer

• Environmental Protection Agency
  Region 9
  Connell Dunning

• FHWA
  Steve Thomas
  Environmental Specialist

• FHWA
  Joe Jurasic
  Area Engineer

• FHWA
  Aryan Lirange
  Area Engineer

• Gabor Lorant
  T.J. Schmidt

• Gabor Lorant
  Denis Schmudde

• Primatech
  George Lopez-Cepero

• HDR
  Andrea Love
  Environmental Planner

• HDR
  Audrey Unger
  Environmental Planner

• HDR
  Leslie Dornfeld
  Public Involvement Representative

• Huitt-Zollars, Inc.
  Denis Howe
  Project Manager

• Ninyo & Moore
  Bruce Hay

• Bolduc Smiley
  Terry Smiley

• Bureau of Indian Affairs
  Harold Riley
  Assistant Road Engineer

• Bureau of Indian Affairs
  Natural Resources, Fort Defiance Agency
  Nelson Roanhorse
  Manager

• Bureau of Indian Affairs
  Real Estate Services, Fort Defiance Agency
  Oma Wauneka
- Bureau of Indian Affairs-BOR  
  Robin Greiser
- BIA-Bureau of Roads: Fort Defiance Agency  
  Calvin Castillo
- Bureau of Indian Affairs  
  Elouise Chicharello  
  Area Director
- BIA-Navajo Area  
  Wilford Frazier
- BIA-Navajo Area Office  
  Irvin Bekins
- Houck Chapter  
  Dorothy Francisco  
  Community Services Coordinator
- Houck Chapter  
  Jack Silversmith  
  President
- Naha’Ta’Dziil Chapter  
  Cecilia Largo  
  Manager
- Naha’Ta’Dziil Chapter  
  Cecilia Nez  
  Chapter Manager
- Navajo / FT Defiance Agent  
  Luke Deswood
- Navajo Department of Transportation (NDOT)  
  Lee Bigwater  
  Director NDOT
- Navajo Department of Transportation (NDOT)  
  Tom Platero  
  Acting Director NDOT
- Navajo Nation  
  Howard Draper  
  Community Development
- Navajo Nation  
  Albert Lee  
  Economic Development
- Fish and Wildlife Department  
  Navajo Nation  
  John Nystedt
- Fish and Wildlife Department  
  Navajo Nation  
  Brent Nelson
- Fish and Wildlife Department  
  Navajo Nation  
  Rita Whitehorse-Larson
- Navajo Nation Department of Historic Preservation  Ron Maldonado
- Land Department  Alfred Dehiya
  Navajo Nation  Director
- Puerco Valley Fire Department  Ed Dick
  Fire Chief
- Sanders Port of Entry  Charles Sargent
  Acting Manager
- Sanders Unified School District  James Lescher
  Superintendent
- Sanders Unified School District  Daniel Murphy
- Sanders Unified School District  Samuel T. Lashie
  Transportation Supervisor
- Sanders Unified School District  Joe Jones
  Maintenance Supervisor
- Sanders Unified School District  Jackie Yazzie
  School Board Member
- US Fish and Wildlife Service  Steve Spangle
  Field Supervisor
- Startangle, LLC  Hazel James-Tohe
  Navajo Liasion
- Burlington Northern Santa Fe Railway  Larry Delaney
- Continental Divide Electric COOP  John Baumgarder
- Qwest  Carol Wilson
- Table Top Telephone Corp., Inc.  Linda Feidt
- Table Top Telephone Corp., Inc.  Gary Hubbard
- Table Top Telephone Corp., Inc.  Richard Moore
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<th>Organization/Individual</th>
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<tbody>
<tr>
<td>Table Top Telephone Corp., Inc</td>
<td>Eddie Smith Engineer</td>
</tr>
<tr>
<td>Cecil Hubbell</td>
<td>Property Tenant</td>
</tr>
<tr>
<td>Lamardo Aseret</td>
<td>Property Tenant</td>
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<td>Cecil Earnest</td>
<td>Property Tenant</td>
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<tr>
<td>Ramona Hubbell</td>
<td>Property Tenant</td>
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<tr>
<td>Ernest Hubbell</td>
<td>Property Tenant</td>
</tr>
<tr>
<td>Agnes Russell</td>
<td>Property Owner (Yazzie Home)</td>
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<tr>
<td>Agnes Yazzie</td>
<td>Property Owner</td>
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<tr>
<td>Armand Ortega</td>
<td>Property Owner</td>
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<td>James Barber</td>
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<tr>
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<td>Property Owner</td>
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