

Appendix B. Distribution List, Newspaper Notice, and Comment Letters Received on Draft EA



## **DISTRIBUTION LIST, HUACHUCA CITY WATER SYSTEM IMPROVEMENTS EA**

### **State of Arizona Agencies**

Arizona Dept. of Transportation  
206 S. 17th Avenue, Mail Drop 101A Room 135  
Phoenix, Arizona 85007

Ms. Linda Taunt, Manager – Water Quality Section  
Arizona Department of Environmental Quality  
1110 West Washington Street  
Phoenix, AZ 85001

(602) 771-4665

James Garrison, Arizona State Historic Preservation Officer  
Arizona State Parks Dept.  
1300 W. Washington Street  
Phoenix, Arizona 85007

(602) 542-4009

### **Cochise County Agencies**

James E. Vlahovich, Director  
Cochise County Planning Department  
1450 Melody Lane, Bldg. E  
Bisbee, AZ 85603

(520) 432-9240  
fax (520) 432-9278

Allon Owens, PE, Director  
Cochise County Highway and Floodplain Dept.  
1450 Melody Lane  
Bisbee, AZ 85603

(520) 432-9300

### **U.S. Federal Agencies**

U.S. Fish & Wildlife Service  
ARIZONA ECOLOGICAL SERVICES FIELD OFFICE  
2321 WEST ROYAL PALM ROAD, SUITE 103  
PHOENIX, ARIZONA 85021-4915

Telephone: 602 242-0210  
FAX: 602 242-2513

FEMA, Region IX  
1111 Broadway, Suite 1200  
Oakland, CA 94607

(510) 627-7100

USACE, Los Angeles District  
915 Wilshire Blvd. Suite 980  
Los Angeles, CA 90017

213-452-3425

USDA Rural Development  
Bob Jones, Rural Development Manager  
658 North Bisbee Avenue  
Willcox, AZ 85643

Phone: (520) 384-3529 (Extension 4)  
Fax: (520) 384-2735

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AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA )
COUNTY OF COCHISE )
PUBLIC NOTICE

KIMBERLY L. HICKS

Handwritten signature of Kimberly L. Hicks

being first

duly sworn, deposes and says: That (he) (she) is the Agent to the Publisher of the SIERRA VISTA HERALD and the BISBEE DAILY REVIEW newspapers printed and published six days a week in the County of Cochise, State of Arizona, and of general circulation in the cities of Sierra Vista and Bisbee, County of Cochise, State of Arizona and elsewhere, and thereto attached

DRAFT ENVIRONMENTAL ASSESSMENT (EA) TOWN OF HUACHUCA CITY WATER SYSTEM IMPROVEMENTS

was printed and published correctly in the regular and entire issue of said SIERRA VISTA HERALD and BISBEE DAILY REVIEW for 1 issues, that the first was made on the 1st day of JULY 20 04 and the last publication thereof was made on the 1st day of JULY 20 04 that said publication

was made on each of the following dates, to wit:

07/01/04

Request of

Sierra Vista Herald Bisbee Daily Review

By

Handwritten signature

Subscribed sworn to before me this

1st day of JULY

20 04



Notary Public in and for the County of Cochise, State of Arizona

My Commission Expires:

Handwritten date: 5/21/08

DRAFT ENVIRONMENTAL ASSESSMENT (EA) TOWN OF HUACHUCA CITY WATER SYSTEM IMPROVEMENTS

An Environmental Assessment has been prepared for the subject project in accordance with National Environmental Quality Act requirements, as directed and reviewed by representatives of the Border Environmental Cooperation Commission (BECC/COCEF) and the U.S. Environmental Protection Agency (EPA). Copies of the EA document are available for review at the Town of Huachuca City offices, 500 North Gonzales Boulevard, Huachuca City, Arizona, 85818. We request that you provide any comments that you wish to make on this proposed project in writing to the Town by July 19, 2004.

The Proposed Action, would allow Huachuca City to rehabilitate and replace its potable water distribution lines consistent with the recommendations presented in the Feasibility Analysis Report, Huachuca City, Arizona Water Distribution System Improvements (Nolle Associates, 2004). A new eight-inch water line would be installed on the west side of the Highway 90, adjacent to the existing smaller lines. The proposed system improvements include:

- \* A new eight-inch diameter pipeline west of Highway 90 connected to the 12-inch line east of the highway by two eight-inch crossings under the highway.
\* Connection of dead ends on Pershing Street and on an alley off Clark Street to create a stronger looped system in the Upper Zone.
\* Connection of dead ends on Mountain View Avenue and adjacent alley to create a stronger looped system in the Middle Zone.
\* Replacement of two leaking 4,800-gallon hydropneumatic tanks at Skyline and Howard Wells.
\* Addition of two pressure zone control valves at the Cochise well and the storage tank.
\* Addition of controls, monitoring and reporting devices to the control network at the booster station and well sites.
\* Replacement of existing discharge piping at the well sites.

The new water lines would be installed in trenches three to four feet deep, and located within alley, street or highway right-of-way. The only exception would be the connection between Highway 90 and Howard Street, just south of Howard Well. That connection would be placed in

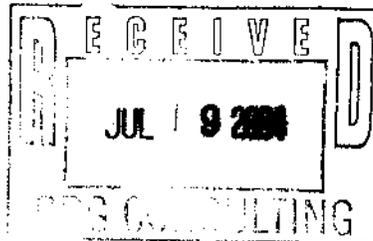
a proposed new easement adjacent to the property line of an existing church. Approximately 200 to 300 feet of water line would be installed per day. Trenches would be backfilled or covered with metal plates to allow access by adjacent residences and businesses during construction. A permit would be obtained from ADOT for crossing Highway 90. One equipment staging/material laydown area, approximately 100 feet by 100 feet would be required. The staging/material laydown area would be located on any available existing vacant lot in town containing no native habitat. No significant environmental impacts associated with the proposed project were identified under the topics of climate, visibility, odor, geology, water quantity, groundwater quality, biological habitats, native wildlife, threatened and endangered species, wetlands, historic resources, archaeological resources, land use, induced growth, energy use, solid waste, public health, environmental justice, cumulative impacts, or transboundary effects. Potentially significant impacts were identified regarding air quality (dust), erosion/sedimentation of soils, water quality, land use access, hazardous materials, construction noise, and traffic safety. However, all of these potential impacts would be reduced to less than significant through use of standard mitigation measures, including regular watering of the construction area to suppress dust; use of water quality Best Management Practices (BMPs) to minimize potential erosion, sedimentation and water quality impacts; the use of trench plating and flagmen to maintain access to adjacent properties; preparation of a traffic safety plan for the project; restriction of construction activities to daylight hours; and implementation of standard approved procedures to avoid hazardous materials that might be encountered in trenching, and how to handle them if such materials are encountered. If you have any questions about this project, contact Billy McLain, Town of Huachuca City Public Works Director, at (520) 458-1954. Questions about the environmental analysis or document should be directed to Ralph Kingery, BRG Consulting, Inc., Project Manager, at (819) 298-7127, or by email at mlch@brinc.net. PUBLISH: July 1, 2004

Telephone: (520) 432-9300  
Fax: (520) 432-9337  
Toll Free: 1-800-752-3745

# COCHISE COUNTY

## HIGHWAY AND FLOODPLAIN DEPARTMENT

1415 W. MELODY LANE, BISBEE, AZ 85603



July 15, 2004

BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101-2030

Attn: Mr. Ralph Kingery

Dear Mr. Kingery,

This letter is to follow up with your request for comments on the Draft Environmental Assessment for the proposed Town of Huachuca City Water Distribution System Improvements, June 2004.

The Cochise County Highway and Floodplain Department does not have any comments on this proposal. However, any construction conducted within a County right-of-way or floodplain, requires an appropriate permit obtained from this department. Copies of those applications are included for you use.

Should there be further questions, please contract us at 520-432-9300.

Sincerely,

Shon Brady  
Hydrologist

enclosures



**MAIL APPLICATION TO:**

COCHISE COUNTY FLOOD CONTROL DISTRICT  
1415 WEST MELODY LANE, BUILDING "B"  
BISBEE, ARIZONA 85603

**FLOODPLAIN USE PERMIT APPLICATION: NON-RESIDENTIAL**

THE UNDERSIGNED HERewith APPLICATION FOR A PERMIT TO ENTER UPON A PORTION OF THE 100-YEAR FLOODPLAIN WITHIN COCHISE COUNTY, ARIZONA ON PROPERTY DESCRIBED IN THIS APPLICATION. FOR AND IN CONSIDERATION OF THE GRANTING OF A PERMIT FOR THE PURPOSE SET FORTH HEREIN THE APPLICANT HEREBY AGREES TO COMPLY WITH ALL CONDITIONS AND RESTRICTIONS AS STATED IN COCHISE COUNTY FLOODPLAIN MANAGEMENT REGULATIONS DATED JULY 30, 1984, REVISED REGULATIONS MAY 28, 1987 AS AMENDED, ALSO, ANY AND SPECIAL CONDITIONS AND/OR RESTRICTIONS THAT THE COCHISE COUNTY FLOODPLAIN BOARD MAY REQUIRE.

NAME OF APPLICANT: \_\_\_\_\_

MAILING ADDRESS OF APPLICANT: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

NAME OF COMPANY: \_\_\_\_\_

PROPERTY OWNER & ADDRESS: \_\_\_\_\_

ADDRESS OR LOCATION OF PROJECT: \_\_\_\_\_

CONTRACTOR'S NAME AND ADDRESS (IF APPLICABLE): \_\_\_\_\_

PHONE: \_\_\_\_\_ LICENSE NO.: \_\_\_\_\_

ASSESSOR'S TAX PARCEL NO.: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 SECTION: \_\_\_\_\_ TOWNSHIP: \_\_\_\_\_ RANGE: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_

PROPOSED USE (TYPE OF CONSTRUCTION): \_\_\_\_\_

COMMERCIAL: \_\_\_\_\_ UTILITY: \_\_\_\_\_ SAND & GRAVEL OPERATION: \_\_\_\_\_

OTHER (PLEASE LIST): \_\_\_\_\_

WHAT TYPE OF OTHER CONSTRUCTION ACTIVITIES ARE INVOLVED? \_\_\_\_\_

FLOODPLAIN USE PERMIT APPLICATION: NON-RESIDENTIAL  
PAGE 2

A. PLEASE ANSWER THE FOLLOWING QUESTIONS: YES OR NO.

1. WILL THE PROPERTY BE FENCED? \_\_\_\_\_
2. WILL THE EXCAVATION OF SAND, GRAVEL, OR OTHER MATERIALS TAKE PLACE ON THE PROPERTY? \_\_\_\_\_ IF YES, LIST QUANTITIES OF EACH MATERIAL FOR PROJECTED YEAR: \_\_\_\_\_
3. WILL FILL OR THE STORAGE OF FILL TAKE PLACE ON THE PROPERTY? \_\_\_\_\_

B. TO WHAT EXTENT WILL WATERCOURSE BE ALTERED OR RELOCATED AS A RESULT OF THE USE YOU PROPOSE? \_\_\_\_\_

C. A LAYOUT PLAN DETAILING THE PROPOSED USE MUST BE ATTACHED. THE PLAN SHOULD SHOW DIMENSIONS AND ORIENTATION (N-S-E-W) OF THE PROJECT, LOCATIONS OF PROPOSED AND EXISTING STRUCTURES AND METER BOXES (WITH DIMENSIONS TO LOT LINES) AND NAMES OF ADJACENT STREETS.

D. HAS THE U.S. ARMY CORPS OF ENGINEERS BEEN CONTACTED FOR A "SECTION 404-CLEAN WATER ACT" PERMIT? \_\_\_\_\_

E. LIST ANY ADDITIONAL INFORMATION THAT MAY BE USEFUL IN REVIEWING THIS APPLICATION. \_\_\_\_\_

\* WHEN THIS APPLICATION IS RECEIVED BY FLOOD CONTROL DISTRICT STAFF, ENGINEERING REQUIREMENTS WILL BE DETERMINED. THESE REQUIREMENTS WILL APPEAR ON THE FLOODPLAIN USE PERMIT AND MUST BE CERTIFIED AFTER CONSTRUCTION BY A PROFESSIONAL ENGINEER.

**MAKE CHECK OR MONEY ORDER PAYABLE TO "COCHISE COUNTY TREASURER".**

PROJECT COSTS ARE AS FOLLOWS (APPLICANT SHALL FURNISH ESTIMATE COSTS ON USE PERMIT APPLICATION; COUNTY WILL REVIEW COSTS AND APPROVE OR ESTABLISH OTHER ESTIMATE, WHICH SHALL BE USED FOR PERMIT FEE DETERMINATION:

- |                              |   |          |
|------------------------------|---|----------|
| A) COST OF \$250,000 OR LESS | - | \$150.00 |
| B) COST OVER \$250,000       | - | \$250.00 |

THIS APPLICATION HAS BEEN DULY SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNATURE OF REPRESENTATIVE: \_\_\_\_\_

TITLE OF REPRESENTATIVE: \_\_\_\_\_

**R  
O  
W**

**COCHISE COUNTY HIGHWAY & FLOODPLAIN DEPARTMENT**  
 1415 MELODY LANE, BLDG. B, BISBEE, AZ 85603-3090  
 Phone: (520) 432-9300



**Permit Application  
 For Construction in County Right-of-Way**

CONSTRUCTION ADDRESS		SECTION	TWP	RGE
SUBDIVISION NAME		PERMITTEE JOB NUMBER	FRANCHISE <input type="checkbox"/> YES <input type="checkbox"/> NO	
DESCRIPTION AND PURPOSE OF CONSTRUCTION				

AGENT (IF APPLICABLE)	PHONE NO.	OWNED BY (PERMITTEE)	PHONE NO.
ADDRESS	PHONE NO.	ADDRESS	PHONE NO.
CITY / STATE	ZIP	CITY / STATE	ZIP

**INSTRUCTIONS** – This application form shall be accompanied by a drawing, map, or similar exhibit to clearly show the location, type, scope and method of proposed installation or work. Applicant must be either the owner or the agent of the owner, however, if the work is not to become the property of Cochise County, the owner shall sign the application form to indicate that he agrees to the conditions of the permit. Please be sure to read and understand all of the attached **General Conditions** pertaining to this application.

I herewith make application for a permit to enter upon and use the above-described right-of-way. I agree to the conditions set forth on the second page of this application and understand that the work must be done in conformity with the regulations of the County of Cochise and the State of Arizona.

SIGNATURE OF APPLICANT x \_\_\_\_\_ Date \_\_\_\_\_

PERMITTEE is responsible to call Cochise County Inspection Division at least 48 hours prior to starting work.

**FOR OFFICE USE ONLY**

Permit No.:		DATE ISSUED:	DATE OF EXPIRATION:	
PERMIT FEES				
QUANTITY	UNIT	ITEM	UNIT COST	AMOUNT
<b>TOTAL FEE</b>				

PERMIT FEES (Not Refundable)	BOND RETURNED	CHECK No.	DATE ISSUED	BY	<input type="checkbox"/> CASH BOND <input type="checkbox"/> BLANKET <input type="checkbox"/> OTHER	AMOUNT
<input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Account		NAME & ADDRESS OF INSURANCE COMPANY		NAME & ADDRESS OF DEPOSITOR OR BONDING AGENCY		
Supervisor Dist.:	Road No.:	TYPE: A B C R		Major <input type="checkbox"/>	Minor <input type="checkbox"/>	

Map No.: \_\_\_\_\_

*Permit Valid When Signed*

Approved by County Engineer or Designee	Date:
By: _____	/

**GENERAL CONDITIONS**

1. Except as specified below, no person, association, corporation, or other entity shall be eligible to obtain a permit under this Ordinance unless each applicant also has a valid franchise authorizing from a franchise to act as its agent in connection with the permitted work, or other legal right to use the public right-of-way. Any permit applied for by an agent, including contractors and subcontractors, shall be issued in the name of the entity and will be held responsible for compliance with the terms and conditions of this Ordinance and the permit so issued. For purposes of this Ordinance, such responsible entity shall be designated as the applicant. This requirement shall not prevent a property owner, owning land adjacent to a public right-of-way from obtaining an appropriate permit for construction of a driveway, culvert or other improvement related to access to such property.
2. The applicant assumes the responsibility for all liability for any injury or damage to any person or property, or to the road and right-of-way itself, caused by or arising out of the work performed pursuant to the Permit. The applicant shall indemnify, defend and hold harmless Cochise County, its officers, departments, employees and agents from and against any and all suits, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature, including all costs of legal defense, arising out of the exercise of the permit which are attributed to any act or omission of applicant, its agents, employees, or anyone acting under its direction, control or on its behalf.
3. All work shall be at no cost of expense to the County and shall be done at such time to inconvenience the public for the shortest possible time as directed by the County Engineer. Emergency work shall not continue beyond 24 hours during the normal workweek or the next full work day following a weekend or holiday without written application for a permit being submitted.
4. If the work performed under the Permit or in an emergency fails to pass final inspection, the applicant shall remove or replace such work within such time as specified by written notice from the County Engineer.
5. When the proposed work is completed the Permittee shall repair the roadbed and replace the surfacing material thereon and will leave the said road in as good a condition as it is now, so far as road is affected by the permittee. Temporary pavement replacement shall be placed during the same shift in which the backfill to be covered is completed. A competent, qualified contractor shall complete permanent pavement repairs within fifteen (15) days.
6. The applicant shall provide, install and maintain traffic control devices as prescribed by the Traffic Control Manual for Highway Construction and Maintenance, Arizona Department of Transportation, and shall take such other measures of precaution as applicable, with a Traffic Control Plan for approval.
7. The applicant shall be responsible for verifying the location of all underground utilities in accordance with the Blue Stake laws prior to the commencement of any excavation and shall protect said utilities from damage.
8. All work shall be accomplished in accordance with applicable requirements of the County Articles for Issuance of Permits.
9. If at any time the right-of-way or any portion thereof occupied and used by the applicant is needed or required by the County, the applicant, at no cost or expense to the County, shall remove, relocate, or abandon in place all property belonging to the applicant.
10. Applicants, excluding only those for Type "B" permits, adjacent property owners intending to construct improvements for access only, and political subdivisions, shall be required to submit a certificate of insurance.

**INSPECTOR'S REMARKS / SPECIAL CONDITIONS**

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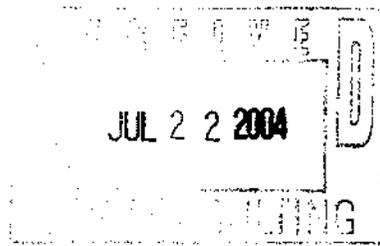
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**FEMA**

July 16, 2004

Mr. Ralph Kingery  
Project Manager  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101-2030

Re: Draft EA Water System Improvements Project  
The Town of Huachuca and Cochise County

Dear Mr. Kingery:

This letter serves to respond to your recent request for Agency input with respect to the referenced Draft Environmental Assessment prepared for the Water System Improvements Project, planned for development within The Town of Huachuca and Cochise County, AZ.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the referenced communities and any other jurisdictions impacted by the project site. The Town of Huachuca and Cochise County are participants in the National Flood Insurance Program (NFIP), and keep Flood Insurance Rate Maps (FIRMs) on file and available for review within their respective Town Administration and Engineering Departments. Any development within these jurisdictions must comply with the requirements of each of their flood prevention ordinances, which regulate development within any high-risk Special Flood Hazard Areas (SFHA) and meets the minimum Federal requirements established in Volume 44, Code of Federal Regulations (44CFR). The NFIP floodplain management building requirements are described in Sections 59 through 65 of the Code.

Selected NFIP definitions and floodplain management building requirements are summarized as follows:

- The term **development** means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.
- If the area of development is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- If implementation of the proposed project would result in a rise of the BFE, the requirements for revising the FIRM must be implemented (44CFR § 65.12). These regulations may include obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of any development that will cause any rise within a floodway or that will alter or relocate a watercourse.
- Until a regulatory floodway is designated for the SFHA zones pertaining to this project site location, the Communities shall assure that no new development (including fill) shall be permitted within the SFHA unless it is demonstrated that the cumulated effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the (100-year) base flood more than one-foot at any point within the communities.
- Upon completion of any development that results in physical changes that increase or decrease the BFE or otherwise changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate technical, hydrologic and hydraulic data to FEMA for a flood map revision as soon as practicable, but not later than six months after such data becomes available, in accordance with CFR44, § 65.3. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at: [http://www.fema.gov/mit/tsd/dl\\_mt-2.htm](http://www.fema.gov/mit/tsd/dl_mt-2.htm).
- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor of a residential building is at or above the BFE in accordance with the effective Flood Insurance Rate Map.
- Public Utilities: Proposed new development in a flood-prone area shall be reviewed to assure that: all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and-
- Sanitary sewage systems: The Communities (The Town of Huachuca and Cochise County) shall require within flood-prone areas: new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and; onsite waste disposal systems to be located to avoid impairment to them, or contamination from them during flooding.
- Altering a watercourse: The NFIP-participating communities (The Town of Huachuca and Cochise County) shall notify, in riverine situations, adjacent communities and the Arizona State Coordinating Officer prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the FEMA Administrator; and,
- Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

The full text of Volume 44, Code of Federal Regulations (44CFR) may be found on the Internet at:  
<http://www.fema.gov/nfip/laws1.shtm>

**Please Note:**

Many communities participating in the NFIP have adopted building requirements and regulations that are more restrictive or comprehensive than the minimum federal criteria set forth in CFR No.44 for purposes of floodplain management and regulation of development in the floodplain. You can contact the City of Huachuca Floodplain Administrator at (520) 456-1354 and the Cochise County Floodplain Administrator at (520) 824-3472 for further information on local permitting requirements.

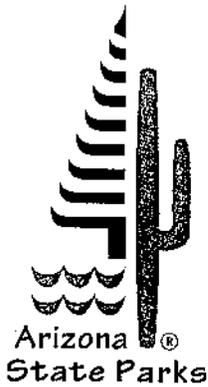
If you have any questions, or if you need further assistance, you may contact me by telephone at: (510) 627-7036, or by email at: [clare.polansky@dhs.gov](mailto:clare.polansky@dhs.gov).

Sincerely,



Clare C. Polansky  
Natural Hazards Program Specialist  
Environmental Review Coordinator  
Mitigation Division, Region IX  
(510) 627-7036

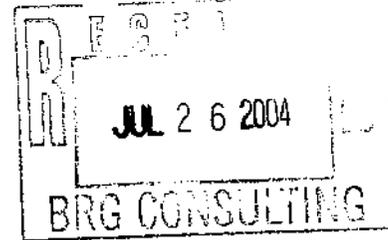
Cc: Brian Cosson, State NFIP Coordinator, Arizona



In reply, please refer to:  
SHPO-2004-1123 (20395)  
general comments

July 19, 2004

Ralph Kingery, Project Manager  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, California 92101



RE: Proposed Town of Huachuca City Water Distribution System Improvements,  
Cochise County, Arizona

Dear Mr. Kingery:

**Janet Napolitano**  
Governor

**State Parks**  
Board Members

**Chair**  
**John U. Hays**  
Yarnell

**Elizabeth Stewart**  
Tempe

**William C. Porter**  
Kingman

**William Cordasco**  
Flagstaff

**Gabriel Beechum**  
Florence

**Janice Chilton**  
Payson

**Mark Winkelman**  
State Land  
Commissioner

**Kenneth E. Travous**  
Executive Director

**Arizona State Parks**  
1300 W. Washington  
Phoenix, AZ 85007

Tel & TTY: 602.542.4174  
www.azstateparks.com

800.285.3703 from  
(520 & 928) area codes

General Fax:  
602.542.4180

Director's Office Fax:  
602.542.4188

Thank you for initiating consultation with this office regarding the above-mentioned federal undertaking that entails construction of underground water pipes and/or modifying existing pipes. Your firm is working on behalf of the U.S. Border Environmental Cooperation Commission and the U.S. Environmental Protection Agency. I received the documents on June 21, 2004 and offer the following comments pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 C.F.R. 800.

This National Environmental Policy Act (NEPA) submittal does not constitute consultation under Section 106 of the National Historic Preservation Act. The provisions at 36 C.F.R. 800 must be followed in order for this office to accept NEPA documents as Section 106 compliance consultation.

In addition, some identification efforts, such as consultation with consulting parties like Indian tribes, are underway as mentioned in the document. Please complete your identification efforts.

We look forward to receiving a summary of the efforts made to identify historic properties, justification for the level of identification effort, and the results for review and comment. We appreciate your agency's cooperation with this office in considering the impacts of federal undertakings on important cultural resources situated in Arizona pursuant to the National Historic Preservation Act. If there are any questions, please contact me at (602) 542-7137 or via [mbilsbarrow@pr.state.az.us](mailto:mbilsbarrow@pr.state.az.us).

Sincerely,

Matthew H. Bilsbarrow, RPA  
Planner/ Archaeologist  
Arizona State Historic Preservation Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

DEC - 2 2004

November 29, 2004

Ralph Kingery  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101

Re: Huachuca City Water Distribution Project Environmental Assessment

Dear Mr. Kingery,

I had a chance to review the new draft of the EA and will pass my comments, if any, on to Temis Alvarez. But I did want to point out that it was the AZ SHPO that requested the Class III Cultural Resources Survey; the Hopi just recommended one (see attached letter). I also received an email from Peter Steere of the Tohono O'odham Nation requesting a copy of the survey, if it had been done. I will send copies of the survey to both tribes.

Also, I consulted with five Tribes: the Hopi, Tohono O'odham, Pascua Yaqui, Gila River and AK-chin. I did not consult with the Yavapai Apache.

Call me if you need anything else for the final draft, (415) 972-3408.

Thanks,

A handwritten signature in cursive script, appearing to read "Tom Konner".

Tom Konner  
Environmental Engineer  
WTR-4

Encl.

# THE HOPI TRIBE



**Wayne Taylor, Jr.**  
CHAIRMAN

**Caleb Johnson**  
VICE-CHAIRMAN

July 9, 2004

Thomas Konner, Environmental Engineer, Water Division (WTR-4)  
United States Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105-3901

Dear Mr. Konner,

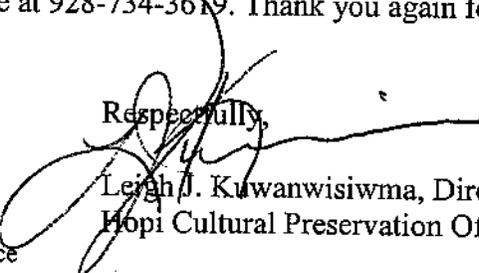
Thank you for your correspondence dated July 2, 2004, regarding Huachuca City water system improvements. As you know from our previous letters, the Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Arizona, and therefore we appreciate your continuing solicitation our input and your efforts to address our concerns.

As you also know, the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties. We understand that no previously recorded archaeological have been identified within 50 feet of the project area of potential effect, and we are not aware of any Hopi Traditional Cultural Properties in this project area.

However, as a federally assisted undertaking, we recommend a Class III cultural resources survey of the area of potential effect. If the State Historic Preservation Office requests a Class III survey for this proposal, please provide us with a copy of the survey report for review and comment.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619. Thank you again for consulting with the Hopi Tribe.

Respectfully,

  
Leigh J. Kuwanwisiwma, Director  
Hopi Cultural Preservation Office

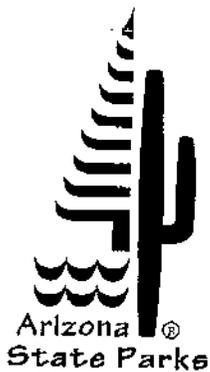
xc: Arizona State Historic Preservation Office  
Peter Steere, Tohono O'odham Nation

P . O . BOX 123

KYKOTSMOVI, AZ.

86039

(928) 734-3000



**"Managing and conserving natural, cultural, and recreational resources"**

In reply, please refer to:  
SHPO-2004-1123 (22365)  
National Historic Preservation Act  
no historic properties affected

January 18, 2005

Tom Konner, Environmental Engineer  
U.S. Environmental Protection Agency, Region IX, Water Division (WTR-4)  
75 Hawthorne Street  
San Francisco, California 94105

RE: Proposed Town of Huachuca City Water Distribution System Improvements, Cochise County, Arizona

Dear Mr. Konner:

Thank you for continuing to consult with this office regarding the above-mentioned federal undertaking that entails construction of underground water pipes and/or modifying existing pipes. Historian Bill Collins and I reviewed the documentation submitted and offer the following comments pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 C.F.R. 800.

After repeated phone calls/email to the archaeological consultant during the past four weeks, we finally received a complete survey report after 4 pm on January 14, 2005. We expect reports sent to us by agency officials to be complete at the time of submission.

According to the cultural resources survey report, one historic period structure—State Route 90—is present within the undertaking's area of potential effect. We agree that this segment of State Route 90 (AZ EE:7:176 ASM) does not contribute to the structure's Register eligibility status.

Based on the above, we concur with your agency's finding of no historic properties affected for this undertaking. Should unanticipated effects or previously unidentified historic properties be discovered during undertaking-related activities the Agency official shall make reasonable efforts to avoid, minimize or mitigate any adverse effects and follow the procedures outlined at 36 C.F.R. 800.13 covering post-review discoveries. Please notify this office promptly of any such discoveries. In cases involving archaeological resources, we recommend that they be avoided by and protected from ground-disturbing activities until inspected by an archaeologist. If a discovery involves human remains or funerary objects and occurs on state, city, or private land, procedures implementing state law (A.R.S. § 41-844 or 865) must be followed.

We appreciate your agency's cooperation with this office in considering the impacts of federal undertakings on important cultural resources situated in Arizona pursuant to the National Historic Preservation Act. I can be reached at (602) 542-7137 for any questions.

Sincerely,

Matthew H. Bilsbarrow, RPA  
Planner/ Archaeologist  
Arizona State Historic Preservation Office

cc. Bill Collins, SHPO  
Ralph Kingery, BRG Consulting; 304 Ivy St; San Diego, CA 92101

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Arizona State Parks  
1300 W. Washington  
Phoenix, AZ 85007

tel & TTY: 602.542.4174  
www.azstateparks.com

800.295.3703 from  
(520 & 928) area codes

General Fax:  
602.542.4180

Director's Office Fax:  
602.542.4188