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Alaska Native Tribal Health Consortium
Division of Environmental Health and Engineering
1901 Bragaw Street, Suite 200
Anchorage, Alaska 99508-3440

Document Distribution

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Environmental Health Director, TCC
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Dave Scherer, DEHE, Anchorage
Jan Nofsinger, DEHE, Anchorage
Carolyn Hickey, DEHE, Anchorage
Lola Ferguson, DEHE, Anchorage
Heather Dongoski, DEHE, Anchorage

cc: Program Services, DEHE, Anchorage

For additional information, please contact:

Pamela O'Brien
1-800-560-8637, extension 3798

LR: 09/19/07



Division of Environmental Health and Engineering

Cooperative Project Agreement

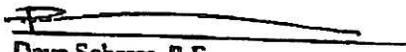
CPA

A Health Facility Improvement Project Between:
The Alaska Native Tribal Health Consortium and
The City of Kaltag, Alaska
Project No. AN 10-GM2
May 2011

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
CITY OF KALTAG, ALASKA**

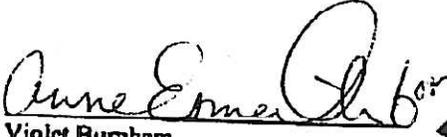
PROJECT NO. AN 10-GM2

To complete this project, the ANTHC and the City of Kaltag mutually agree to the terms and conditions contained in this Agreement.

PREPARED BY: 5/25/11 
Date Dave Scherer, P.E.
Project Manager
DEHE, ANTHC

RECOMMENDED BY: 23 May 11 
Date Daniel H. Williams, P.E.
Senior Health Facilities Program
Manager
DEHE, ANTHC

APPROVED BY: 6/9/11 
Date Don Kashevaroff
Chief Executive Officer
ANTHC

APPROVED BY: 6/29/11  
Date Violet Burnham
Mayor
City of Kaltag, Alaska

APPROVED BY: 6-24-11  
Date Jerry Alvo
President
Tanana Chiefs Conference

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
CITY OF KALTAG, ALASKA**

PROJECT NO. AN 10-GM2

DATE OF AGREEMENT:
April 2011

A. INTRODUCTION

Throughout this Cooperative Project Agreement (CPA) the following entities are referred to as follows:

Village of Kaltag	=	Tribe
City of Kaltag	=	City
Alaska Native Tribal Health Consortium	=	ANTHC
Division of Environmental Health and Engineering	=	DEHE
Denali Commission	=	Commission
Indian Health Service	=	IHS
Tanana Chiefs Conference	=	TCC

The ANTHC, DEHE role is to provide lasting solutions to promote healthy communities.

This CPA contains information about the project scope of work, funding, costs, and administration, and is being performed under the provisions of the following agreement:

- Memorandum of Understanding Between the Denali Commission and the Alaska Native Tribal Health Consortium for Alaska Health, Sanitation, and Other Related Infrastructure, dated August 18, 2010. This MOU defines the roles and responsibilities of each party.

B. SCOPE OF PROJECT7

This project will construct a new health clinic in the City of Kaltag, Alaska. The scope of this project includes design and planning, professional cost estimation, site preparation, materials and equipment, construction, and labor.

By signing this Agreement, TCC agrees that its matching contribution and IHS Tribal Equipment funds shall be transferred to ANTHC and used for the project. If these matching funds are not made available, project activities will be curtailed.

C. PROJECT COST

C 1. Cost Estimate Table

Job Type	Scope of Work	Qty	Units	Unit Cost	Extended Cost	Funding Sources				
						IHS	AMHTA	TCC	DHSS	Rasmuson
M-CL	Clinic	1	LS	\$2,290,132	\$2,290,132	\$307,084	\$25,000	\$50,942	\$1,807,106	\$100,000
M-CM	Construction management	1	LS	\$91,600	\$91,600				\$91,600	
M-CB	Support svcs direct charges	1	LS	\$101,336	\$101,336				\$101,336	
Total					\$2,483,068	\$307,084	\$25,000	\$50,942	\$2,000,042	\$100,000

“Support services direct charges” includes project-related expenses e.g. salaries and travel.

C 2. Project Funding

Contributor	Fiscal Year	Description	Amount
<u>DHSS</u>	<u>Federal 2010</u>	<u>65C-11-269</u>	<u>\$2,000,042</u>
<u>IHS</u>	<u>Federal 2010</u>	<u>Tribal Equip Funds</u>	<u>\$ 307,084</u>
<u>AMHTA</u>	<u>Federal 2009</u>	<u>01328</u>	<u>\$ 25,000</u>
<u>TCC</u>	<u>Federal 2010</u>	<u>Contribution</u>	<u>\$ 50,942</u>
<u>Rasmuson</u>	<u>State 2010</u>	<u>3504</u>	<u>\$ 100,000</u>
TOTAL PROJECT FUNDING			<u>\$2,483,068</u>

The Commission stipulates that each project include a matching contribution. For this project, the Commission's award to DHSS, which has been subawarded to ANTHC through a Grant Agreement between DHSS and ANTHC, constitutes approximately 80% of the funding and the matching contributions constitute approximately of 20% of the funding. Therefore, this CPA identifies matching funds from the IHS, AMHTA, TCC, and Rasmuson in the combined amount of \$483,026. This funding will be added to the DHSS project cost amount of \$2,000,042, bringing the total project cost amount to \$2,483,068.

It is understood that funding transfers will be made to ANTHC incrementally. Project activities should not proceed until funding for each increment of work is available to ANTHC. By signing this Agreement, the City of Kaltag is ensuring that funding from other contributing agencies, if applicable, shall be made available to the project. If in-kind or other funding sources are unavailable, project activities may be curtailed.

D. PROJECT ADMINISTRATION

In conformance with the DHSS Grant Agreement #65C-11-269, the following project management methodology option has been selected by the City of Kaltag:

The Construction Management shall be accomplished by ANTHC or its Contractor. ANTHC shall take responsibility for all project oversight, technical assistance, and management of the construction process. Project Construction shall be through the ANTHC force account construction method.

This Agreement shall take effect upon signature by all parties and remain in effect until the expiration of the "Performance Period" specified within the Commission's Financial Assistance Award or subsequent Project Authorizations.

E. SUSTAINED OPERATIONS CONSIDERATIONS

The City of Kaltag will assume ownership and responsibility for all operation and maintenance of facilities constructed under this project.

F. NATIONAL HISTORIC PRESERVATION ACT REQUIREMENTS

The National Historic Preservation Act (NHPA) provides for cultural resources identification and protection through avoidance or mitigation to avoid unnecessary disturbance of reported or known human burials. The NHPA also requires Tribes to be consulting parties if archeological discoveries are made during construction.

The Native American Graves Protection and Repatriation Act (NAGPRA) contains stipulations regarding the appropriate treatment and disposition of human burials, funerary, and associated items discovered on Federal lands or Indian Allotments. NAGPRA recognizes the inherent rights and claims of the Native people but often is inapplicable to ANTHC projects. For this reason, as a policy ANTHC recognizes the inherent rights and claims of the tribal entity when human remains and associated items are uncovered through construction projects.

Therefore, if construction for this project results in the discovery of ancient cultural items (i.e., human burials, associated items, and/or archaeological artifacts) the ANTHC will ensure that the Village of Kaltag will be a consulting party. In addition, the following responsibilities are assumed by the project participant in order to comply with the NHPA, NAGPRA, and ANTHC policy recognizing inherent rights and claims:

- Identifying any known or reported archaeological site, artifact, or ancient human remains to avoid unnecessary damage to sensitive resources.
- Delaying construction in the vicinity of a discovery until procedures in conformance with 36 CFR 800 are complete.
- Determining appropriate mitigation measures and performing all mitigation in conformance with 36 CFR 800.
- Ensuring an archaeologist, retained or employed by any party to facilitate construction operations, will view and document any and all cultural items discovered during excavation if an adverse effect determination has been made.
- Ensuring that if removal of ancient human remains is necessary, the archaeologist will remove the entire body and that unless the Village of Kaltag requests further study of the remains, tests upon or photographs of any ancient human remains will not occur unless specific, separate Agreements have been made with the Village of Kaltag.
- Contacting the Village Public Safety Officer if a modern human burial is discovered to determine if a criminal act can be identified. If the burial is from an archaeological context, the burial will be treated as archaeological remains and need not be treated as a scene of crime.
- Acknowledging that the Village of Kaltag assumes full responsibility for any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the Village of Kaltag reserves the inherent right to determine the appropriate disposition of any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the inherent claims or rights of the Village of Kaltag are not diminished by the fact that the land is under ownership by another party.

- Ensuring that if a discovery is made on Federal lands, Indian Allotment lands, or lands not yet conveyed to the Village or Regional Corporation, parties to facility construction operations shall comply with the NAGPRA if appropriate.
- Acknowledging that all other inherent rights and claims regarding any and all cultural items discovered on any lands other than private lands during excavation for or in support of facility construction not expressly covered in these responsibilities are reserved to the Village of Kaltag alone.

G. AUTHORITY FOR APPROVAL

Upon signing this document, the ANTHC Chief Executive Officer delegates authority to sign all subsequent agreements related to this project to the Vice President of Operations, DEHE.

H. PROVISIONS FOR PROJECT COMPLETION

The following sections from the ANTHC, DEHE, Cooperative Project Agreement Provisions Manual for Health Facilities Projects (Orange Book), dated June 2003, are incorporated into this Agreement by reference. For the purposes of this Agreement, all references to "Local Participant" shall mean the City of Kaltag.

- Section 1, "Provisions for All Cooperative Project Agreements"
- Section 2, "Provisions for ANTHC Management of Local Force Account Labor"
- Section 5, "Insurance and Indemnification Provisions for Force Account Labor Projects Managed by the ANTHC or the Local Participant"
- Section 6, "Assurances for All Construction Programs" (Standard Form 424D)

The following federal provisions apply to this project:

- 15 CFR 24, Uniform Admin Requirements for Grants/Cooperative Agreements to State and Local Governments
<www.access.gpo.gov/nara/cfr/waisidx_99/15cfr24_99.html>
(applies to local or tribal government)
- OMB Circular A-87, Cost Principles for State and Local Governments and Indian Tribal Governments <www.whitehouse.gov/OMB/circulars/a087/a087-all.html>
(applies to local or tribal government)
- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations <www.whitehouse.gov/OMB/circulars/a133/a133.html>
(applies to all Agreements)

APPENDIX

Environmental Review Memorandum
Environmental Review and Documentation

Maps

Project Activity Map



ALASKA NATIVE TRIBAL HEALTH CONSORTIUM
Division of Environmental Health & Engineering
1901 Bragaw Street, Suite 200
Anchorage, Alaska 99508

MEMORANDUM

DATE: March 14, 2011

FROM: ANTHC Environmental Staff

SUBJECT: ^{LLP} Health Clinic – Kaltag, Alaska
NEPA Environmental Review – CPA Project No. AN 10-GM2

TO: IHS NEPA DETERMINATION

Federal funding for this project requires an environmental review in accordance with the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), the Endangered Species Act, the Clean Water Act, and other state and federal approvals. The Alaska Native Tribal Health Consortium (ANTHC) has considered all potential environmental concerns associated with the project. An Environmental Review has been conducted with respect to the proposed construction of a health clinic in Kaltag, Alaska.

FINDINGS

The ANTHC uses the Indian Health Service (IHS) environmental review procedures for conducting environmental analyses of all health and sanitation facilities projects, as outlined in the *Environmental Review Manual*, issued in January 2007. Current IHS policy (Federal Register, Vol. 58, No. 3, January 6, 1993, pp. 569-572) allows for categorical exclusion of health and sanitation facility projects that do not have a significant impact on the environment, as determined by the attached “Environmental Review and Documentation.”

This environmental review finds that no additional environmental investigation is needed. Actions involving construction have been reviewed and no extraordinary or exceptional circumstances were found to exist. It is therefore recommended that the lead federal agency approve a determination of eligibility for categorical exclusion from the requirement to conduct further environmental evaluation for this project.

BACKGROUND

Kaltag is located on the west bank of the Yukon River, 75 miles west of Galena and 335 miles west of Fairbanks. It is situated on a 35-foot bluff at the base of the Nulato Hills, west of the Innoko National Wildlife Refuge. It lies at approximately 64.327220 North Latitude and -158.721940 West Longitude. (Sec. 29, T013S, R001E, Kateel River Meridian.) Kaltag is located in the Nulato Recording District. The area encompasses 23.3 sq. miles of land and 4.1 sq. miles of water. The area experiences a cold, continental climate with extreme temperature differences. The average daily high temperature during July is in the low 70s °F; the average daily low temperature during January ranges from 10 to below 0 °F. Sustained temperatures of -40 °F are common during winter. Extreme temperatures have been measured from -55 to 90 °F. Annual precipitation is 16 inches, with 74 inches of snowfall annually. The river is ice-free from mid-May through mid-October. (Alaska Division of Community and Regional Affairs, 2011)

Kaltag is located in Koyukon Athabaskan territory and was used as a cemetery for surrounding villages. It was located on an old portage trail that led east through the mountains to Unalakleet. The Athabascans had spring, summer, fall, and winter camps and moved as the wild game migrated. There were 12 summer fish camps located on the Yukon River between the Koyukuk River and the Nowitna River. The village was named by Russians for the Yukons called Kaltaga. A smallpox epidemic, the first of several major epidemics, struck the Koyukon in 1839. A military telegraph line was constructed along the north side of the Yukon around 1867. Missionary activity was intense along the Yukon, and a Roman Catholic mission and school opened upriver in Nulato in 1887. The number of steamboats on the Yukon, which supplied gold prospectors, peaked in 1900 with 46 in operation. During 1900, food shortages and a measles epidemic struck down one-third of the Native population. Kaltag was established shortly thereafter, when survivors from three nearby seasonal villages moved to the area to regroup. A post office opened in 1903 but closed in 1904. Gold seekers left the mid-Yukon after 1906, but other mining activity, such as the Galena lead mines, began operating in 1919. As a downriver village on a major transportation route, Kaltag witnessed rapid economic change. The post office reopened in 1909 and operated until 1920. Kaltag's first school opened in 1925. The post office reopened again in 1933. The old cemetery, which was located on Front Street, caved into the river around 1937. A watering point, airport, and clinic were constructed during the 1960s. The city government was incorporated in 1969. Kaltag's residents are Koyukon Athabascans. The Stick Dance Festival draws visitors from many neighboring villages. This one-week festival of potlatches is sponsored by relatives of the recently deceased, in appreciation of those who helped during their time of mourning. Subsistence is an important part of the local economy. Salmon, whitefish, moose, bear, waterfowl, and berries are harvested. Most cash jobs are with the tribe, school, local government, BLM firefighting, commercial fishing, or fish processing. In 2009, nine residents held commercial fishing permits.

(Alaska Division of Community and Regional Affairs, 2011)

Piped water and sewer has existed since 1982 in Kaltag. A circulating water and gravity sewage system is used. Water is derived from a well and is treated. The majority of households are fully plumbed. A washeteria is also available. (Alaska Division of Community and Regional Affairs, 2011)

SCOPE OF REVIEW

This project consists of the construction and project management of a new Health Clinic located in Kaltag, Alaska. The scope of this project includes design and planning, professional cost estimation, site preparation, materials and equipment, construction, and labor.

CONDITIONAL APPROVAL/STIPULATIONS

Given the environmental review performed by the ANTHC, the following conditional approvals are required for this project:

- Conduct a Section 106 Consultation and receive SHPO concurrence prior to construction activities. (#17)
- Submit a CPQ to ADNR and receive a Consistency Determination. (#35)
- Obtain a wetlands determination from USACE. (#22)

SUMMARY

ANTHC has completed the environmental review for this project. ANTHC will revisit this environmental review to determine if potential environmental concerns have been addressed if the project scope changes.



Denali Commission
510 L Street, Suite 410
Anchorage, AK 99501

907.271.1414 *tel*
907.271.1415 *fax*
888.480.4321 *toll free*
www.denali.gov

July 8, 2011

Environmental Staff
Division of Environmental Health & Engineering
Alaska Native Tribal Health Consortium
1901 Bragaw Street, Suite 200
Anchorage AK 99508

RE: Health Clinic Construction – Kaltag, Alaska
NEPA Environmental Review – Project AN 10-GM2

Dear Environmental Staff:

This letter is written by the Denali Commission (Commission) to indicate to the Alaska Native Tribal Health Consortium (ANTHC) that the Commission concurs with the recommendation of ANTHC regarding the environmental review of the proposed construction of a new primary health care clinic in the community of Kaltag, Alaska (Project AN10-GM2). The Commission assents that this project requires no additional environmental review work at this juncture.

The Commission is in receipt of the ANTHC Environmental Review Memorandum for the aforementioned community project and has included the document in the community's project record. The Commission recognizes that three conditions must be met on this project prior to the onset of construction activities:

- Conduct a Section 106 Consultation and receive State Historic Preservation Office (SHPO) concurrence prior to construction activities.
- Submit a CPQ to ADNR and receive a Consistency Determination.
- Obtain a wetlands determination from USACE.

Please contact Ms. Nancy Merriman of my staff at nmerriman@denali.gov or at 271-1779 if you have any questions regarding this determination.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Neimeyer".

Joel Neimeyer
Federal Co-Chair

File Chronological
Kaltag Project File – AN 10-GM2