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Alaska Native Tribal Health Consortium
Division of Environmental Health and Engineering
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Document Distribution

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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 Shishmaref, Alaska
Project No. AN 08-GL2
January 2009

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
SHISHMAREF, ALASKA**

PROJECT NO. AN 08-GL2

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

PREPARED BY:

2-2-09

Date

Curtis Boudreau

Curtis Boudreau,
Project Manager
DEHE, ANTHC

RECOMMENDED BY:

2/17/09

Date

Paul C. Morrison

Paul C. Morrison, P.E.
Health Facilities Manager
DEHE, ANTHC

APPROVED BY:

3/3/09

Date

Don Kasheveroff

Don Kasheveroff
Chief Executive Officer
ANTHC

APPROVED BY:

3/23/09

Date

Karla Nayokpuk

Karla Nayokpuk
Mayor
Shishmaref, Alaska

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
SHISHMAREF, ALASKA**

PROJECT NO. AN 08-GL2

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**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
SHISHMAREF, ALASKA**

PROJECT NO. AN 08-GL2

DATE OF AGREEMENT:
January 2009

A. INTRODUCTION

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

City of Shishmaref	=	City
Alaska Native Tribal Health Consortium	=	ANTHC
Division of Environmental Health and Engineering	=	DEHE
Denali Commission	=	Commission

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 agreements:

- Memorandum of Understanding Between the Denali Commission and the Alaska Native Tribal Health Consortium for Alaska Health, Sanitation, and Other Related Infrastructure, dated April 2008. This MOU defines the roles and responsibilities of each party.
- Denali Commission Financial Assistance Award 0397-08, Project Authorization No. 00397-G, dated October 2008.

B. SCOPE OF PROJECT

This project will provide for the repair and replacement of components of the sewage disposal system for the existing Shishmaref Health Clinic. The work includes replacement of the lift station and weatherproof enclosure if weather permits, otherwise repair of the existing lift station; modification to the force main to improve serviceability; and replacement of the gravity line to the lift station with arctic pipe.

C. PROJECT COST

C 1. Cost Estimate Table

Job Type	Scope of Work	Qty	Units	Unit Cost	Total Cost	Funding Sources	
						Denali FY08	City
M-CL	Repair clinic sewage disposal system	1	LS	\$ 49,906	\$ 49,906	\$ 39,906	\$ 10,000
M-CB	ANTHC Project Management Fee				\$ 7,794	\$ 7,794	
Total Award					\$ 57,700	\$ 47,700	\$ 10,000

C 2. Project Funding

Contributor	Fiscal Year	Description	Amount
<u>Denali Commission</u>	<u>Federal 2008</u>	<u>N/A</u>	<u>\$ 47,700</u>
<u>City</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ 10,000</u>
TOTAL PROJECT FUNDING			<u>\$ 57,700</u>

Denali Commission funding for this health facility improvement project has been made available to the ANTHC through a separate Financial Assistance Award (FAA), or amendment or addendum to an FAA, between the Denali Commission and the ANTHC. The Denali Commission issued a Project Authorization to begin this work.

It is understood that funding transfers will be made to the ANTHC incrementally. Project activities should not proceed until funding for each increment of work is available to the ANTHC. By signing this Agreement, the City is assuring that its funding and if applicable, funding from other contributing agencies, 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 Commission's Financial Assistance Award 0397-08, Project Authorization No. 00397-G, dated October 2008, the following Project Management Methodology option has been selected by the City:

The repairs shall be accomplished by ANTHC or its Contractor. ANTHC shall take responsibility for all project oversight, technical assistance, and management of the repair process.

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 FAA, or subsequent Amendment(s) or Addendum(s).

E. SUSTAINED OPERATIONS CONSIDERATIONS

The City 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 the 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), ANTHC will ensure that the Native Village of Shishmaref 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 Native Village of Shishmaref 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 Native Village of Shishmaref.
- 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 Native Village of Shishmaref assumes full responsibility for any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the Native Village of Shishmaref 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 Native Village of Shishmaref 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 Native Village of Shishmaref 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 Director 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 SCF.

- 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)
- 15 CFR, Part 14, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Nonprofit, and Commercial Organizations
<www.access.gpo.gov/nara/cfr/waisidx_99/15cfr14_99.html>
(applies to non-profits)
- OMB Circular A-122, Cost Principles for Nonprofit Organizations
<www.whitehouse.gov/OMB/circulars/a122/a122.html> (applies to non-profits)

APPENDIX

Final Environmental Review Memorandum
Environmental Review and Documentation

Project Activity Maps

Denali Commission Environmental Review Concurrence

Denali Commission Financial Assistance Award
Denali Commission Project Authorization



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

MEMORANDUM

DATE: December 17, 2008

FROM: Riki Lebman, Environmental Coordinator Supervisor RL

SUBJECT: Clinic Sewage System Replacement – Shishmaref, Alaska
NEPA Environmental Review – Project No. AN 08-GL2

TO: Denali Commission for NEPA Finding

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 (ESA), and the Clean Water Act and various other state and federal approvals. The Alaska Native Tribal Health Consortium (ANTHC) has considered all potential environmental concerns (specific and cumulative effects) associated with the project in consultation with applicable federal, state, and local authorities. An Environmental Review has been completed with respect to the proposed replacement of the septic system at the health clinic in Shishmaref, 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. This environmental review finds that no further environmental investigation is needed. All actions involving construction have been reviewed and no extraordinary or exceptional circumstances were found to exist. It is therefore recommended that the Denali Commission approve a determination of eligibility for categorical exclusion from the requirement to conduct further environmental evaluation for this project. 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."

BACKGROUND

Shishmaref is located on Sarichef Island, in the Chukchi Sea, just north of Bering Strait. Shishmaref is five miles from the mainland, 126 miles north of Nome and 100 miles southwest of Kotzebue. The village is surrounded by the 2.6 million-acre Bering Land Bridge National Reserve. It is part of the Beringian National Heritage Park, endorsed by Presidents Bush and Gorbachev in 1990. It lies at approximately 66.256670 North Latitude and -166.071940 West Longitude. (Sec. 23, T010N, R035W, Kateel River Meridian.)

The original Eskimo name for the island is "Kigiktaq." In 1816, Lt. Otto Von Kotzebue named the inlet "Shishmarev," after a member of his crew. Excavations at "Keekiktuk" by archaeologists around 1821 provided evidence of Eskimo habitation from several centuries ago.

Water is derived from a surface source, is treated and stored in a new tank. Shishmaref is undergoing major improvements, with the construction of a flush/haul system and household plumbing. 19 HUD homes have been completed, and 71 homes remain to be served. The new system provides water delivery, but the unserved homes continue to haul water. Honeybuckets and the new flush tanks are hauled by the City. The school, clinic, Friendship Center, City Hall and fire hall are connected to a sewage lagoon. A new landfill is planned for the City; an access road is under construction.

ENVIRONMENTAL RESOURCES OF IMPORTANCE

The village of Shishmaref is not mapped by FEMA (Federal Emergency Management Agency). The clinic site may be in an area subject to flooding as determined by Flood Hazard Data prepared by the US Army Corps of Engineers. Using IHS Class Action Review Process, a determination was reached that the proposed action would have no effect on floodplain values and would not place persons or property at risk, and has no contrary comments from the tribe. The class review satisfies the compliance requirements of Executive Order 11988, but compliance with other applicable Federal, state or local code or regulation pertaining to floodplains may be necessary.

SCOPE OF REVIEW

This project involves replacement of the existing sewage system for the City of Shishmaref Medical Clinic located near Clinic Road. Soil from sewage overflow will be removed and a hole 15- inches deep by 22-sq. ft will be dug for a new septic tank. Additionally a 5-ft by 4-ft storage shed will be placed 5-ft from the existing clinic and the above ground force main and gravity line will be re-insulated with arctic pipe. See attached maps.

PROPOSED MITIGATION MEASURES

Given the environmental review performed by the ANTHC the following must be completed prior to ground disturbing activities:

- Receive concurrence from the USFWS
- Receive concurrence from the SHPO or in-house IHS determination

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.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Native Village of Shishmaref	Reservation:
Project, Program, Grant Description & Location:	The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.

Considerations	Basis for Determination (Documentation)
1. Will the proposed action result in a known violation or continuance of a violation of applicable (Federal, Tribal, State or local) laws or requirements for protection of environment or public health and safety?	No. Reviewer's Experience - The construction of this proposed project will be in compliance with all applicable laws and requirements and will have the appropriate regulatory approvals.
2. Will the proposed action result in a conflict with existing or proposed federal, Tribal, state, and local land use plans?	No. Printed Materials -- The project site is not zoned. The Village Traditional Council has identified this project as an essential community facility.
3. Is there a controversy with respect to environmental effects of the proposed action based on reasonable and substantial issues?	No. Printed Materials—The CPA for this project, which is signed, afforded the Village the opportunity to address controversies with respect to environmental effects of the construction of the proposed project.
4. Is the proposed action significantly greater in scope than normal for the area or does it have significant unusual characteristics?	No. Reviewer's Experience -- The construction of the proposed project is typical in scope in comparison with other ANTHC sanitation improvement projects in rural Alaska and has no unusual, significant characteristics.
5. Does the proposed action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No. Reviewer's Experience -- The construction of the proposed project is not anticipated to result in any cumulative impacts that will result in degradation of environmental concerns as outlined in NEPA.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

<p>Tribe: Native Village of Shishmaref</p>	<p>Reservation: The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.</p>
<p>Project, Program, Grant Description & Location:</p>	<p>The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.</p>
<p>6. Does the proposed action have significant adverse direct or indirect effects on park land, other public lands, or areas of recognized scenic or recreational value?</p>	<p>No. Printed Materials – Areas of recognized scenic or recreational value Alaska Wildlife Refuges, U.S. Fish and Wildlife Service 2003 National Wildlife Refuge http://alaska.fws.gov/nwr/map.htm, USDOJ NPS http://www.nps.gov/state/ak/ Alaska Department of Natural Resource Division of Parks and Outdoor Recreation, Individual State Parks http://www.dnr.state.ak.us/parks/units/index.htm / US Forest Service http://www.fs.fed.us/maps/forest-maps.shtml Accessed: January 19, 2009 Although the community of Shishmaref lies in the vicinity of the Bering Land Bridge Preserve, managed by National Park Service, this project will occur within the established community boundaries and work is not anticipated to result in adverse affects of the noted preserve.</p>
<p>7. Does the proposed action include construction of a new municipal solid waste landfill at a new solid waste disposal site?</p>	<p>No. Printed Materials – This project does not address the need for constructing a new municipal solid waste landfill.</p>
<p>8. Will the proposed action create a need for additional capacity at solid waste disposal facilities?</p>	<p>No. Printed Materials – The proposed project will not generate solid waste nor create a need for greater capacity in the existing landfill.</p>
<p>9. Does the proposed action include construction of a new wastewater treatment facility that will discharge treated sewage effluent to the waters of the U.S.</p>	<p>No. Printed Materials – The project will replace an existing wastewater system for a clinic. This system does not discharge treated sewage effluent into waters of the U.S.</p>
<p>10. Will the proposed action create a need for additional capacity at wastewater treatment facilities?</p>	<p>No. Printed Materials – The construction of the proposed project will not affect the capacity of the community's wastewater treatment facilities.</p>
<p>11. Will the proposed action create a need for additional capacity in the drinking water supply?</p>	<p>No. Printed Materials – The construction of the proposed project will not create a need for additional drinking water supply.</p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Native Village of Shishmaref	Reservation:
Project, Program, Grant Description & Location:	The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.

12. Are there other considerations about the proposed action that could adversely affect the environment and/or public health and safety?	No. Printed Materials – The construction of the proposed project is not anticipated to adversely affect the environment and/or public health and safety. No toxic materials will be utilized.
13. Will the proposed action create a need for additional capacity in health care facilities and for health care services?	No. Review's Experience – The construction of the proposed project is not anticipated to create a need for additional capacity in health care facilities or for health care.
14. Will the proposed action create a need for additional energy supply or generation?	No. Printed Materials – The construction of the proposed project will not create a need for additional energy supply or generation as adequate capacity exists for this project.
15. Will the proposed action create a need for additional capacity in educational facilities?	No. Printed Materials – The construction of the proposed project will not affect any need for additional capacity in educational facilities because the same population will be served as previously.
16. Will the proposed action create a need for additional capacity in transportation systems?	No. Printed Materials – The construction of the proposed project will serve the same population in a community lacking a connected intrastate transportation system.
17. Historic Preservation: a. Does the proposed action involve the purchase, construction, alteration, renovation, or lease of a building or portion of a building that is more than 50 years old?	No. Printed Materials – All work will occur in previously disturbed ground or in an area of low potential, therefore this project has no potential to affect historic properties on or eligible for the National Register of Historic Places. The State Historic Preservation Officer will be provided with a timely opportunity to review these findings for concurrence.
b. Will the proposed action adversely affect properties listed, or eligible for listing, on the National Register of Historic Places?	No. Printed Materials – No historic properties eligible or on the National Register of Historic Places will be adversely impacted by the construction of the proposed project. The State Historic Preservation Officer will be provided with a timely opportunity to review these findings for concurrence.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Native Village of Shishmaref	Reservation:
Project, Program, Grant Description & Location:	The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.

18. Endangered Species Act: Is the proposed action likely to adversely affect a plant or animal species listed on the Federal or applicable state list of endangered or threatened species or a specific critical habitat of an endangered or threatened species?	No. Printed Materials (http://alaska.fws.gov/fisheries/endangered/listing.htm , http://www.adfg.state.ak.us/cfm?adfg=endangered.list) – Alaska Region Endangered Species Listing. Proposed Candidate and Delisted Species in Alaska, April 2007 and Programmatic Agreement (PA) signed January 28, 2008. Accessed: January 19, 2009 Shishmaref is in the vicinity of critical habitat for Steller and spectacled eider species, which are endangered and/or threatened, all construction will take place within established community boundaries and therefore work is not anticipated to adversely affect the noted threatened or endangered species. The USFWS will be provided with a timely opportunity to review these findings for concurrence.
19. Will the proposed action require major sedimentation and erosion control measures?	No. Printed Materials - This project will not require major sedimentation and erosion control measures.
20. Will the proposed action violate a storm water permit or a wastewater discharge permit either for construction or on-going operations?	No. Printed Materials – An NPDES permit is not required.
21. Safe Drinking Water Act: Will the proposed action impact an EPA designated sole source aquifer?	No. Website on file (http://www.epa.gov/safewater/dwinfo/ak.htm). Accessed: January 19, 2009 - Currently there are no designated sole source aquifers in Alaska.
22. Wetlands and Water Resources (lakes, rivers, ponds, streams, etc.): Will the proposed action violate a Section 404 (Clean Water Act) permit for actions in a wetland and/or Section 10 (Rivers and Harbors Act) permit for actions in a stream or river?	No. Printed Materials (http://www.poa.usace.army.mil/reg/NeedPermit.htm ; http://wetlandsfws.er.usgs.gov/wfnds/launch.html) - Accessed: January 19, 2009. A COE wetlands jurisdictional determination has been submitted. A U.S. Army Corps of Engineers (COE) fill permit will be obtained and construction will be in conformance with any requisite COE permit, if needed. A U.S. Army Corps of Engineers permit is not required for this project.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe:	Native Village of Shishmaref
	Reservation:
Project, Program, Grant Description & Location:	The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.

<p>23. Floodplains:</p> <p>a. Is the proposed action located in either a 100-year or, for critical actions, a 500-year floodplain? (If Flood Insurance Rate Maps do not exist for the project site, a floodplain survey or consultation may be required. Also may need to consider if the facility will require flood insurance).</p>	<p>No. Printed Materials – http://msc.fema.gov/webapp/wcs/stores/servlet/CategoryDisplay?storeId=10001&catalogId=10001&langId=-1&categoryId=12001&parent_category_rr=12001&type=1&stateId=&countyId=&communityId=&stateName=&countyName=&communityName=&dfirm_kit_id=&dfirmCatId=null&isCountySelected=0&isCommSelected=0&userType=G&urlUserType=G&sfc=0&cat_state=13008;http://www.poa.usace.army.mil/en/cw/fld_haz/communities.htm .</p> <p>Accessed: January 19, 2009. The community of Noorvik, Alaska is not in a floodplain. (Federal Emergency Management Agency [FEMA]. 2007. Flood. Flood Maps. Map Center and USACE Alaskan Communities Flood Hazard Data.</p> <p>The village of Shishmaref is not mapped by FEMA (Federal Emergency Management Agency). Using IHS Class Action Review Process, a determination that the sewage replacement is necessary for the operation and maintenances of waste disposal of the clinic which may be located in the floodplain. The class review satisfies the compliance requirements of Executive Order 11988, but compliance with other applicable Federal, state or local code or regulation pertaining to floodplains may be necessary.</p>
<p>b. Will the proposed action adversely impact flood flows in a floodplain or support development in a floodplain?</p>	<p>No. Printed Materials – The project is designed to drain in areas that will not adversely impact flood flows or support floodplain development.</p>
<p>24. Existing site: Would the proposed action involve the purchase, construction or lease of new facilities (including portable facilities and trailers), substantially increase the capacity of an existing health care facility?</p>	<p>No. Printed Materials – This project will not expand the capacity of the health care facility.</p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe:	Native Village of Shishmaref
	Reservation:
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<p>25. New site: Does the proposed action involve purchase, construction, or lease of new facilities (including portable facilities and trailers) where such action is for buildings equal to or more than 12,000 square feet (1080 square meters) of useable space when more than 5 acres (2 hectares) of surface land area are involved at a new site?</p>	<p>No. Printed Materials – A facility 12,000 square feet or larger will not be purchased, constructed, or leased under this project.</p>
<p>26. New site: Does the proposed action involve purchase, construction, or lease of health care facilities (other than buildings) for projects equal to or more than 5 acres (2 hectares) of surface land area at a new site?</p>	<p>No. Printed Materials – This project does not involved 5 acres of surface land.</p>
<p>27. Does the proposed action involve the sale or transfer of real property, on which any hazardous substance was stored for one year or more, known to have been released, or disposed of? (Provide relevant documentation for any hazardous substance releases. See 40 CFR 373.2(b), 302.4, and 261.30 for reportable quantities.)</p>	<p>No. Printed Materials – (http://dec.alaska.gov/spar/csp/search/default.asp); (http://www.epa.gov/superfund/index.htm) Alaska Department of Environmental Conservation and EPA Superfund websites, Accessed: January 19, 2009. No contaminated sites were identified in the web database. If hazardous waste/or petroleum products or their derivatives are uncovered through the course of construction, the Project Engineer will contact the Alaska Department of Environmental Conservation and follow their recommendations to ensure full legal compliance.</p>
<p>28. Does the proposed action involve the sale or transfer of real property, on which underground or above ground storage tanks are located?</p>	<p>No. Printed Materials – The proposed action does not involve the transfer of real property.</p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Project, Program, Grant Description & Location: The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.	

<p>29. Will the proposed action violate Tribal, local, state, or federal law on the use and storage of hazardous substances or the transportation, storage, and disposal of hazardous wastes or medical wastes? (Activities that may generate reportable quantities include air conditioning repair and service, pesticide application, motor pools, automobile repair, welding, landscaping, agricultural activities, print shops, hospitals, clinics, & medical centers. Repair, renovation, or demolition activities can generate waste that has asbestos-containing materials, asbestos, lead-based paint, PCBs, CFCs, etc.)</p>	<p>No. Printed Materials – The proposed project does not violate local, state, or federal law on the use and storage of hazardous substances or transportation, storage and disposal of hazardous wastes or medical wastes.</p>
<p>30. Will the proposed action adversely affect community air pollution for a long period of time?</p>	<p>No. Printed Materials – 18AAC50, Air Quality Control, Alaska Department of Environmental Conservation, December 30, 2007. This project will not result in a violation of the conformity rule per the State of Alaska Implementation Plan. This project is not located in an area subject to the conformity rule per the State of Alaska Implementation Plan.</p>
<p>31. If the proposed action is implemented, will it have a disproportionately high and adverse human health or environmental impact on the Tribe, low-income populations, or minority populations?</p>	<p>No. Reviewer's Experience - This project will benefit the health and environment for the tribe and the community as a whole.</p>
<p>32. Will the proposed action adversely affect community noise levels?</p>	<p>No. Printed Material – This project will not affect community noise levels because no blasting will occur and heavy equipment use will be limited to the daytime (10 hour).</p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

<p>Tribe: Native Village of Shishmaref</p>	<p>Reservation:</p>	<p></p>
<p>Project, Program, Grant Description & Location:</p>	<p>The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.</p>	<p></p>
<p>33. Wilderness Act: Will the proposed action adversely impact a Wilderness Area?</p>	<p>No. Website (http://nationalatlas.gov/natlas/Natlasstart.asp) Accessed: January 19, 2009 – Although the community of Shishmaref lies within the Bering National Wilderness, legislation recognizes the community lying within the boundary as compatible with the Federal designation. The proposed project will occur within the established community boundaries and therefore work is not anticipated to adversely affect the noted National Wilderness Area.</p>	<p></p>
<p>34. Farmland Protection Policy Act: Will the proposed action convert significant agricultural lands to non-agricultural uses and exceed 160-point score on the farmland impact rating?</p>	<p>No. Website (http://www.ak.nrcs.usda.gov/technical/soils/soilslocal.html) Accessed: January 19, 2009 - There are no Prime or Unique farmlands in the State of Alaska. Further, there are no Farmlands of Statewide Importance</p>	<p></p>
<p>35. Coastal Zone Management Act: Will the proposed action directly affect a Coastal Zone in a manner inconsistent with the State Coastal Zone Management Plan?</p>	<p>No. Printed Materials (www.alaskacoast.state.ak.us) Accessed: January 19, 2009 – Alaska Coastal Zone and Coastal District boundaries, National Oceanic and Atmospheric Administration, 2005. The community of Shishmaref, Alaska is located within the Bering Straits CRSA. The activity for this project falls under a General Consistency Determination (GCD) of COE APP93-1.</p>	<p></p>
<p>36. Wild and Scenic Rivers Act: Will the proposed action affect a wild, scenic, or recreational river area or create conditions inconsistent with the character of the river? (A consideration for activities that are in or near any wild and scenic waterway including construction of stream/river crossings, intake structures, outfalls, etc.)</p>	<p>No. Printed Materials (www.rivers.gov) Accessed: January 19, 2009 - National Wild and Scenic Rivers (Alaska) List. This project is not a water resource project that will impact a wild, scenic, or recreational river, hence will not create conditions that are inconsistent with the character of the river.</p>	<p></p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Native Village of Shishmaref	Reservation:
Project, Program, Grant Description & Location: The review covers the replacement of the health clinic's septic system in Shishmaref, Alaska.	

Based on the available record, the IHS has made the following determination on the proposed activity/action/undertaking. The record was examined to identify potential extraordinary or exceptional circumstances which would require further environmental review.

I certify that to the best of my knowledge and ability the information presented above is true and correct. The record was examined to identify potential extraordinary or exceptional circumstances which would require further environmental review.




ANTHC Project Engineer ANTHC Environmental Coordinator

2-2-09 3-25-09

Date Date







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

January 16, 2009

Paul Morrison
Health Facilities Manager
Alaska Native Tribal Health Consortium
1901 Bragaw Street
Anchorage, Alaska 99508

Re: Environmental Determination

Dear Mr. Morrison:

This letter is written by the Denali Commission (Commission) to indicate to the Alaska Native Tribal Health Consortium (ANTHC) that the course of action outlined in the environmental review (attached) is appropriate for the following project:

Clinic Sewage System Replacement, Shishmaref Project No. AN-08-GL2

Please contact Ms. Nancy Merriman of my staff, nmerriman@denali.gov or at 271-1779 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Merriman".

Digitally signed by Nancy
Merriman
Date: 2009.01.16 10:22:38 -09'00'

for

Tessa L.D. Rinner, MPA
Director of Programs

cc: Riki Lebman ANTHC

File: Chronological
397-08/Correspondence



Financial Assistance Award

DENALI COMMISSION
 510 L Street, Suite 410
 Anchorage, Alaska 99501
 (907) 271-1414 (phone)
 (907) 271-1415 (fax)
 www.denali.gov

Award Number 397-08

Award Title Health Facilities Planning, Design and Construction

Performance Period June 1, 2008 – June 30, 2011

Recipient Organization & Address

Alaska Native Tribal Health Consortium
 1901 South Bragaw Street, Suite 200
 Anchorage, Alaska 99508
 Phone: (907) 729-3601
 Fax: (907) 729-4090

Recipient DUNS # 07-137-5658 **TIN #** 92-0162721

Authority
 112 Stat 1854

CFDA Number
 90.100

Denali Commission Finance Officer Certification

JFD

Cost Share Distribution Table

Accounting Code	Denali Commission	Other Contributors	Total
FY08 HRSA	\$10,000,000		\$10,000,000
		\$0	\$0
Total	\$10,000,000	\$0	\$10,000,000

This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.

- Special Award Conditions and Attachments – FY08 Memorandum of Understanding (MOU)
- Line Item Budget
- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
<http://www.whitehouse.gov/omb/circulars/a133/a133.html>

Administrative Requirements (check one)

- OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments
<http://www.whitehouse.gov/omb/circulars/a102/a102.html>
- 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110)
http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html

Cost Principles (check one)

- OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments
www.whitehouse.gov/omb/circulars/a087/a087-all.html
- OMB Circular A-122, Cost Principles for Nonprofit Organizations
www.whitehouse.gov/omb/circulars/a122/a122.html
- OMB Circular A-21, Cost Principles for Educational Institutions
<http://www.whitehouse.gov/omb/circulars/a021/a021.html>
- 48 CFR 31.2, Contracts with Commercial Organizations

Signature of Authorized Official - Denali Commission

George J. Canelos

Typed Name and Title

George J. Canelos, Federal Co-Chair

Date

5/13/08

***Award Conditions to the Financial Assistance Award
Between the Denali Commission and Alaska Native Tribal Health Consortium
(ANTHC)
For Health Facilities Planning, Design and Construction
Award No. 397-08
May 2008***

1. Scope of Work

The Denali Commission (Commission) is providing a total of \$10,000,000 to the Alaska Native Tribal Health (ANTHC) for health facility planning, design and construction. Commission funds and match funds will be managed by ANTHC. Projects are not authorized to proceed until the Project Authorization is approved by the Commission.

All Commission funding is intended for use for the scope of work identified in the Award document only. Any balance of funds remaining after the full scope of work has been completed will be returned to the Denali Commission.

2. Milestones

The following milestones are identified as the major steps to be completed as part of the project. "Planned" dates for the first milestone are included here. As part of each progress report, recipients shall update the progress toward meeting these milestones (see section 7, Reporting).

Milestones will be added through the project authorization process.

3. Award Performance Period

The Award performance period is June 1, 2008 through June 30, 2011. This is the period during which Award recipients can incur obligations or costs against this Award.

4. Direct and Indirect Costs

The cost principles of OMB A-122 are applicable to this Award. Indirect costs are allowable under this award per 2008 Memorandum of Understanding (MOU) between the Denali Commission and ANTHC. Please refer to the cost principles regulations for specific details on other allowable charges under this Award.

5. Budget and Program Revisions

The Administrative Circular, 2 CFR Part 215, applies to this Award. Please refer to the Administrative Circular for specific details on revisions to this Award. The Administrative Circular requires that ANTHC will inform the Commission in writing (e-mail, letter, or report) at the earliest possible date of any unanticipated project cost overrun, project schedule delays, or changes in the project scope or changed site conditions.

6. *Payments*

Payments under this Award will be made by electronic transfer in response to a "Request for Advance or Reimbursement", Standard Form 270 (SF-270) submitted by the ANTHC. Requests for reimbursements may be made as needed or at the end of each quarter but should be submitted no later than 30 days after the federal quarter. The SF-270 must be submitted to the Denali Commission via fax, e-mail (finance@denali.gov) or mail in order for payment to be processed. The form is available on the OMB website: http://www.whitehouse.gov/OMB/grants/grants_forms.html. Payments shall be made in accordance with 2 CFR Part 215. Please contact the Denali Commission's Finance Specialist at (907) 271-1414 for further information about submitting this form. **No interest will be accrued on these funds.**

7. *Reporting*

Two forms of project reporting are required under this Award, listed below. ANTHC shall submit reports using the Denali Commission's on-line Project Database System, available at www.denali.gov. If there are technical limitations which may prevent the recipient from meeting this requirement, please contact the Program Manager listed in this agreement.

- a. **Progress Reports** shall be submitted on a quarterly basis. The first reporting period is June 1, 2008 to June 30, 2008 and quarterly thereafter. Reports are due within 30 days of the end of the reporting period. Progress reports shall include the following:
 - i. Total project funding, including both Denali Commission funding and other project funding sources.
 - ii. The total project expenditures for the project as of the end of the reporting period, including both Denali Commission and Other funding sources.
 - iii. Updated schedule and milestone information as identified in the Scope of Work
 - iv. Narrative summary of the project status and accomplishments to date, and address the following questions: is the project on schedule, is the project on budget, and what actions are planned to address any project problems.
 - v. **Construction Projects** Photographic documentation of project progress shall be provided with the progress reports for active construction projects. The photo documentation shall include a minimum of three, dated photos per reporting period such that a complete record of the construction is maintained over time, from "before," showing the situation before the start of construction, to "during" showing work proceeding on the project, and "after" to show the finished project. Photos shall be provided in a digital format as part of the on-line report. A short description of the activity and names of those in the photos shall also be provided.
 - vi. **Non-Construction Projects** For minor repair and renovation projects or other non-construction projects, pictures should be provided of before and after, or

photos that are representative of the funded activity, to the extent possible. Photos shall be provided in a digital format as part of the on-line report. A short description of the activity and names of those in the photos shall also be provided.

- b. Requirements for the design and construction projects on this award have been documented through the approval of a business plan and supporting documentation on file at the Denali Commission. This is considered the Commission's document of record for the approved scope of work for the project as well as the intended utilization of the facility.

Each project's performance shall be monitored and measured on a quarterly basis using the documentation of record (business plan) as a reference point, making updates as necessary. The following items shall be monitored and reported in the narrative of the quarterly report:

1. Projected energy costs or any changes to original operations plan,
2. Status of supporting infrastructure in coordination with construction project,
3. Status of proposed staffing training, recruitment and retention strategy,
4. Adherence to local and regional plans for improving health care, and
5. Other issues as identified by the program manager.

An independent technical assistance advisor shall be assigned to each project to assist in monitoring and reporting the information on a quarterly basis. The ANTHC is responsible for reporting all information to the Commission on behalf of sub-recipients. The Commission may wish to request additional information as it deems necessary.

- c. **Federal Single Audits** shall be submitted annually, when required. In accordance with OMB Circular A-133, which requires [subpart 200] "Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of this part [subpart 205]. The determination of when an award is expended should be based on when the activity related to the award occurs."

Recipients shall also submit single audits to the Federal Clearinghouse as designated by OMB. Information can be found on the following web-site:
<http://harvester.census.gov/sac/>

8. Project/Award Close-Out

The project close-out report shall be completed within 90 days of the end of the Award performance period or within 90 days of the completion of the project, whichever is earlier. Recipients must also draw down any remaining funds for expenditures incurred under this award during this 90-day period.

The project close-out report shall be submitted on-line through the Denali Commission's on-line Project Database System, available at www.denali.gov. The project close out will require the recipient to submit the following information:

- a. Final data for each item listed in paragraph 7(a) and (b) "Progress Reports".
- b. Final project expenditures itemized by the following categories: planning & design; materials & equipment; freight; labor; project administration/overhead and other expenses.
- c. Acknowledgement of support: For all construction projects, the Award recipient shall display a sign that acknowledges the Government's support for the project(s) developed under this Award. The Commission will provide an appropriate sign. The Award recipient must request an indoor and/or an outdoor sign from the Commission office. Pickup or delivery of the sign can be arranged at that time.
- d. Acknowledgement of support: For all non-construction projects, the Award recipient shall include an acknowledgement of the Government's support for the project(s) developed under this Award. The format for acknowledgement of the Government's support for non-construction awards will vary with each award and must be agreed upon between the Award recipient and the Denali Commission Project Manager. Costs associated with this requirement shall be paid out of the project funding received by the Award recipient from the Denali Commission.

9. Public Policy Laws and Assurances

Award Recipients are required to comply with the public policy laws and assurances on Standard Forms SF 424b (non-construction projects) and/or SF 424d (construction projects). This form must also be signed by a certifying official of the organization. Some of the laws are highlighted below for your reference.

To the maximum extent practicable, considering applicable laws, Funding Recipients shall accomplish the project contemplated by the Award using local Alaska firms and labor.

No portion of this award may be used for lobbying or propaganda purposes as prohibited by 18 U.S.C. Section 1913 or Section 607(a) of Public Law 96-74.

Project level environmental reviews in accordance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) are required for each project undertaken with Denali Commission funds.

10. Non-Compliance with Award Conditions

Recipients not in compliance with the terms and conditions of this Financial Assistance Award will be notified by the Denali Commission. The Denali Commission will work with the recipient to identify the steps necessary to bring them back into compliance, and

will establish an appropriate time frame for the corrections to be made. If the corrections have not been made by the deadline, the Denali Commission reserves the right to either suspend or unilaterally terminate the Financial Assistance Award for non-performance.

11. Program Manager, Financial Manager & Other Contact Information

Denali Commission	Alaska Native Tribal Health Consortium
Denali Daniels Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-1189 Fax: 907-271-1415 E-mail: ddaniels@denali.gov	Paul Morrison Project Manager 1901 Bragaw, Suite 200 Anchorage, AK 99508 Phone: 907-729-3520 Fax: 907-729-4809 Email: pmorriso@anthc.org
Betty Sorensen Grants Administrator 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3415 Fax: 907-271-1415 E-mail: bsorensen@denali.gov	Diane Chris Financial Contact 1901 Bragaw, Suite 200 Anchorage, AK 99508 Phone: 907-729-3580 Fax: 907-729-4809 Email: diane.chris@anthc.org

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

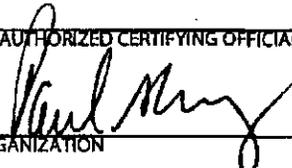
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.
SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. 551501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §51271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §5469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Chief Executive Officer (CEO)
APPLICANT ORGANIZATION Alaska Native Tribal Health Consortium		DATE SUBMITTED 05/07/2008
Award 397-08		

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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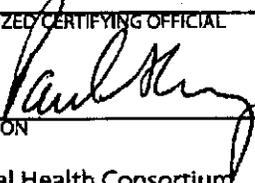
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §52131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chief Executive Officer (CEO)
APPLICANT ORGANIZATION Alaska Native Tribal Health Consortium Award 397-08	DATE SUBMITTED 05/07/2008