

## Arizona's On-line Environmental Review Tool

Search ID: 20110825015937

Project Name: Marist College

Date: 8/25/2011 1:00:40 PM

**Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference.** If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

### Arizona's On-line Environmental Review Tool:

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: <http://arizonaes.fws.gov/>.

Phoenix Main Office  
2321 W. Royal Palm Road, Suite 103  
Phoenix, AZ 85021  
Phone 602-242-0210  
Fax 602-242-2513

Tucson Sub-Office  
201 North Bonita, Suite 141  
Tucson, AZ 85745  
Phone 520-670-6144  
Fax 520-670-6154

Flagstaff Sub-Office  
323 N. Leroux Street, Suite 101  
Flagstaff, AZ 86001  
Phone 928-226-0614  
Fax 928-226-1099

### Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

### **Arizona Game and Fish Department Mission**

***To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and***

*management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.*

## **Project Category: Development Within Municipalities (Urban Growth), Public & Community Facilities (school, library, church) and associated infrastructure, Maintenance/expansion/rehabilitation of existing facilities**

### **Project Type Recommendations:**

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered; coordination with State Historic Preservation Office may be required <http://azstateparks.com/SHPO/index.html>

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants,

animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants <http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control: <http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information [http://www.azgfd.gov/h\\_f/hunting\\_rules.shtml](http://www.azgfd.gov/h_f/hunting_rules.shtml).

Follow manufacturer's recommended application guidelines for all chemical treatments. The U.S. Fish and Wildlife Service, Region 2, Environmental Contaminants Program has a reference document that serves as their regional pesticide recommendations for protecting wildlife and fisheries resources, titled "Recommended Protection Measures for Pesticide Applications in Region 2 of the USFWS." The Department recommends direct or indirect impacts to sensitive species and their forage base from the application of chemical pesticides or herbicides be considered carefully.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

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Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefuna (snakes, lizards, tortoise) from entering ditches.

**Project Location and/or Species recommendations:**

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:

Ecological Services Office  
US Fish and Wildlife Service  
2321 W. Royal Palm Rd.  
Phoenix, AZ 85021-4951  
Phone: 602-242-0210  
Fax: 602-242-2513

Heritage Data Management System records indicate that one or more native plants listed on the Arizona Native Plant Law and Antiquities Act have been documented within the vicinity of your project area (refer to page 1 of the receipt). Please contact:

Arizona Department of Agriculture  
1688 W Adams  
Phoenix, AZ 85007  
Phone: 602-542-4373

Heritage Data Management System records indicate that western burrowing owls have been documented within the vicinity of your project area (refer to the species list on page 1 of the receipt). Please review the relocation procedures recommended for burrowing owls found on the Environmental Review Home Page:  
[http://mirror-pole.com/burr\\_owl/bur\\_owl1.htm](http://mirror-pole.com/burr_owl/bur_owl1.htm).

**Recommendations Disclaimer:**

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map).**
7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

**Project Evaluation Program, Habitat Branch  
Arizona Game and Fish Department  
5000 West Carefree Highway  
Phoenix, Arizona 85086-5000  
Phone Number: (623) 236-7600  
Fax Number: (623) 236-7366**

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### Terms of Use

By using this site, you acknowledge that you have read and understand the terms of use. Department staff may revise these terms periodically. If you continue to use our website after we post changes to these terms, it will mean that you accept such changes. If at any time you do not wish to accept the Terms, you may choose not to use the website.

1. This Environmental Review and project planning website was developed and intended for the purpose of screening projects for potential impacts on resources of special concern. By indicating your agreement to the terms of use for this website, you warrant that you will not use this website for any other purpose.
2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act .
3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.
5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

### Security:

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using this system expressly consents to such monitoring and is advised that

if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Proposed Date of Implementation: \_\_\_\_\_

Please provide point of contact information regarding this

Arizona's On-line Environmental Review Tool

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Date: 8/25/2011 1:00:40 PM

Environmental Review.

*Application or organization responsible for project implementation*

Phone: \_\_\_\_\_

Agency/organization: \_\_\_\_\_

E-mail: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

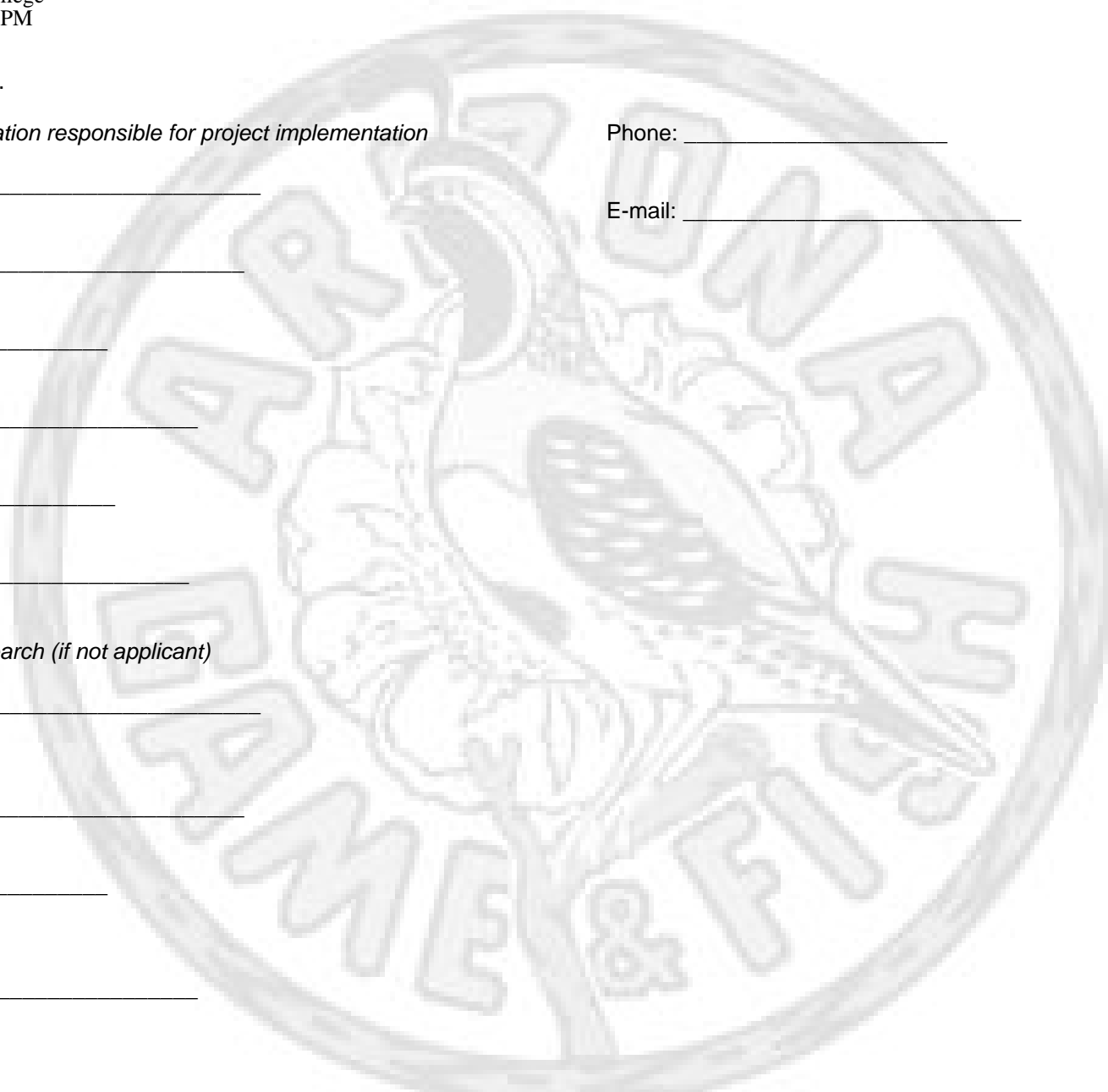
*Person Conducting Search (if not applicant)*

Agency/organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_



## Shoemaker, Heather P.

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**From:** trackingupdates@fedex.com  
**Sent:** Tuesday, August 30, 2011 9:56 AM  
**To:** Shoemaker, Heather P.  
**Subject:** FedEx Shipment 797457714008 Delivered

---

This tracking update has been requested by:

Company Name: Terracon  
Name: Tucson Office  
E-mail: [jkgarmon@terracon.com](mailto:jkgarmon@terracon.com)

---

Our records indicate that the following shipment has been delivered:

Reference: 63117042  
Ship (P/U) date: Aug 26, 2011  
Delivery date: Aug 30, 2011 9:53 AM  
Sign for by: M.MORENO  
Delivery location: PHOENIX, AZ  
Delivered to: Receptionist/Front Desk  
Service type: FedEx 2Day  
Packaging type: FedEx Envelope  
Number of pieces: 1  
Weight: 0.50 lb.  
Special handling/Services: Deliver Weekday  
Tracking number: [797457714008](https://www.fedex.com/track/797457714008)

Shipper Information	Recipient Information
Tucson Office	Project Consultation
Terracon	Arizona Department of Agriculture
355 S Euclid Ave	1688 W ADAMS ST
Ste 107	PHOENIX
Tucson	AZ
AZ	US
US	85007
85719	

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THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

5000 W. CAREFREE HIGHWAY  
PHOENIX, AZ 85086-5000  
(602) 942-3000 • WWW.AZGFD.GOV

**GOVERNOR**  
JANICE K. BREWER  
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ROBERT E. MANSELL, WINSLOW  
**DIRECTOR**  
LARRY D. VOYLES  
**DEPUTY DIRECTORS**  
GARY R. HOVATTER  
BOB BROSCHEID



September 6, 2011

Heather P. Shoemaker  
Terracon Consultants, Inc.  
355 S. Euclid, Suite 107  
Tucson, AZ 85719

Re: Proposed Rehabilitation of the Marist College  
64 West Ochoa Street  
Tucson, Arizona 85701

Dear Ms. Shoemaker:

The Arizona Game and Fish Department (Department) has received and reviewed your letter of August 26, 2011 regarding the above referenced project. We have verified and validated the search you conducted (receipt 20110825015937) using the Department's On-line Environmental Review Tool. The search indicated the presence of 2 candidate species (yellow-billed cuckoo and Sonoran desert tortoise) within 2 miles of your project site as well as one species of special concern to the Department (western burrowing owl). The Department requests you insure that your client's work crews are familiar with and practice our guidelines for dealing with owls ([http://www.azgfd.gov/pdfs/w\\_c/owl/BurrowingOwlClearanceProtocol.pdf](http://www.azgfd.gov/pdfs/w_c/owl/BurrowingOwlClearanceProtocol.pdf)) and tortoises encountered during development projects <http://www.azgfd.gov/hgis/pdfs/Tortoisehandlingguidelines.pdf>. Due to the urban setting of the project and the previously disturbed nature of the landscape, the Department has no further comments at this time.

In your letter you stated that if you had not heard from the Department within 30 days you "will assume that the United States Fish and Wildlife has no concerns with this site". Please be advised that the Department does not have the authority to make determinations for the USFWS regarding impacts to Listed or Candidate Species for the USFWS. If you want such a determination you need to contact the USFWS directly.

If you have questions or concerns regarding this letter, please feel free to call me at 623 236-7513.

Sincerely,

Daniel E. Nelson

Project Evaluation Specialist

CC: John Windes, AGFD; Debra Bills, USFWS

M11-09023717

## Shoemaker, Heather P.

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**From:** TrackingUpdates@fedex.com  
**Sent:** Tuesday, August 30, 2011 9:49 AM  
**To:** Shoemaker, Heather P.  
**Subject:** FedEx Shipment 795127018397 Delivered

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This tracking update has been requested by:

Company Name: Terracon  
Name: Tucson Office  
E-mail: [jkgarmon@terracon.com](mailto:jkgarmon@terracon.com)

---

Our records indicate that the following shipment has been delivered:

Reference: 63117042  
Ship (P/U) date: Aug 26, 2011  
Delivery date: Aug 30, 2011 9:47 AM  
Sign for by: J.KEY  
Delivery location: PHOENIX, AZ  
Delivered to: Receptionist/Front Desk  
Service type: FedEx 2Day  
Packaging type: FedEx Envelope  
Number of pieces: 1  
Weight: 0.50 lb.  
Special handling/Services: Deliver Weekday  
Tracking number: [795127018397](https://www.fedex.com/track/795127018397)

Shipper Information	Recipient Information
Tucson Office	Steven Spangle
Terracon	US Fish & Wildlife Service
355 S Euclid Ave	2321 W ROYAL PALM RD STE 103
Ste 107	AZ ECOLOGICAL SERVICES FIELD OFFICE
Tucson	PHOENIX
AZ	AZ
US	US
85719	85021

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## Shoemaker, Heather P.

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**From:** TrackingUpdates@fedex.com  
**Sent:** Tuesday, August 30, 2011 9:03 AM  
**To:** Shoemaker, Heather P.  
**Subject:** FedEx Shipment 795127071137 Delivered

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This tracking update has been requested by:

Company Name: Terracon  
Name: Tucson Office  
E-mail: [jkgarmon@terracon.com](mailto:jkgarmon@terracon.com)

---

Our records indicate that the following shipment has been delivered:

Reference: 63117042  
Ship (P/U) date: Aug 26, 2011  
Delivery date: Aug 30, 2011 8:59 AM  
Sign for by: K.CLARK  
Delivery location: SAN FRANCISCO, CA  
Delivered to: Mailroom  
Service type: FedEx 2Day  
Packaging type: FedEx Envelope  
Number of pieces: 1  
Weight: 0.50 lb.  
Special handling/Services: Deliver Weekday  
Tracking number: [795127071137](https://www.fedex.com/track/795127071137)

Shipper Information	Recipient Information
Tucson Office	Environmental Review Record Process
Terracon	US Environmental Protection Agency
355 S Euclid Ave	75 HAWTHORNE ST # ST-2
Ste 107	CMD-2
Tucson	SAN FRANCISCO
AZ	CA
US	US
85719	94105

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# APPENDIX H

[HUD](#) > [Program Offices](#) > [Fair Housing](#) > [Fair Housing Laws and Presidential Executive Orders](#) > [Executive Order](#)

# Executive Order 12898

FEDERAL REGISTER

VOL. 59, No. 32

Presidential Documents

PRESIDENT OF THE UNITED STATES

## **Executive Order 12898 of February 11, 1994**

Title 3-

The President

### **Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations**

59 FR 7629

DATE: Wednesday, February 16, 1994

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1-1. Implementation.

#### *1-101. Agency Responsibilities.*

To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

#### *1-102. Creation of an Interagency Working Group on Environmental Justice.*

- a) Within 3 months of the date of this order, the Administrator of the Environmental Protection Agency (Administrator) or the Administrator's designee shall convene an interagency Federal Working Group on Environmental Justice (Working Group). The Working Group shall comprise the heads of the following executive agencies and offices, or their designees: (a) Department of Defense; (b) Department of Health and Human Services; (c)

Department of Housing and Urban Development; (d) Department of Labor; (e) Department of Agriculture; (f) Department of Transportation; (g) Department of Justice; (h) Department of the Interior; (i) Department of Commerce; (j) Department of Energy; (k) Environmental Protection Agency; (l) Office of Management and Budget; (m) Office of Science and Technology Policy; (n) Office of the Deputy Assistant to the President for Environmental Policy; (o) Office of the Assistant to the President for Domestic Policy; (p) National Economic Council; (q) Council of Economic Advisers; and (r) such other Government officials as the President may designate. The Working Group shall report to the President through the Deputy Assistant to the President for Environmental Policy and the Assistant to the President for Domestic Policy.

(b) The Working Group shall:

1. provide guidance to Federal agencies on criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;
2. coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency as it develops an environmental justice strategy as required by section 1-103 of this order, in order to ensure that the administration, interpretation and enforcement of programs, activities and policies are undertaken in a consistent manner;
3. assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other agencies conducting research or other activities in accordance with section 3-3 of this order;
4. assist in coordinating data collection, required by this order; 59 FR 7630
5. examine existing data and studies on environmental justice;
6. hold public meetings as required in section 5-502(d) of this order; and
7. develop interagency model projects on environmental justice that evidence cooperation among Federal agencies.

*1-103. Development of Agency Strategies.*

(a) Except as provided in section 6-605 of this order, each Federal agency shall develop an agency-wide environmental justice strategy, as set forth in subsections (b)-(e) of this section that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The environmental justice strategy shall list programs, policies, planning and public participation processes, enforcement, and/or rulemakings related to human health or the environment that should be revised to, at a minimum:

- (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations;

(2) ensure greater public participation;

(3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and

(4) identify differential patterns of consumption of natural resources among minority populations and low-income populations. In addition, the environmental justice strategy shall include, where appropriate, a timetable for undertaking identified revisions and consideration of economic and social implications of the revisions.

(b) Within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its environmental justice strategy, and shall inform the Working Group of the process.

(c) Within 6 months of the date of this order, each Federal agency shall provide the Working Group with an outline of its proposed environmental justice strategy.

(d) Within 10 months of the date of this order, each Federal agency shall provide the Working Group with its proposed environmental justice strategy.

(e) Within 12 months of the date of this order, each Federal agency shall finalize its environmental justice strategy and provide a copy and written description of its strategy to the Working Group. During the 12 month period from the date of this order, each Federal agency, as part of its environmental justice strategy, shall identify several specific projects that can be promptly undertaken to address particular concerns identified during the development of the proposed environmental justice strategy, and a schedule for implementing those projects.

(f) Within 24 months of the date of this order, each Federal agency shall report to the Working Group on its progress in implementing its agency-wide environmental justice strategy.

(g) Federal agencies shall provide additional periodic reports to the Working Group as requested by the Working Group.

#### *1-104. Reports to the President.*

Within 14 months of the date of this order, the Working Group shall submit to the President, through the Office of the Deputy Assistant to the President for Environmental Policy and the Office of the Assistant to the President for Domestic Policy, a report that describes the implementation of this order, and includes the final environmental justice strategies described in section 1-103(e) of this order.

#### Sec. 2-2. Federal Agency Responsibilities for Federal Programs.

Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin. 59 FR 7631

Sec. 3-3. Research, Data Collection, and Analysis.

*3-301. Human Health and Environmental Research and Analysis.*

(a) Environmental human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.

(b) Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.

(c) Federal agencies shall provide minority populations and low-income populations the opportunity to comment on the development and design of research strategies undertaken pursuant to this order.

*3-302. Human Health and Environmental Data Collection and Analysis.*

To the extent permitted by existing law, including the Privacy Act, as amended (5 U.S.C. section 552a):

(a) each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income. To the extent practical and appropriate, Federal agencies shall use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(b) In connection with the development and implementation of agency strategies in section 1-103 of this order, each Federal agency, whenever practicable and appropriate, shall collect, maintain and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding facilities or sites expected to have a substantial environmental, human health, or economic effect on the surrounding populations, when such facilities or sites become the subject of a substantial Federal environmental administrative or judicial action. Such information shall be made available to the public, unless prohibited by law; and

(c) Each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding Federal facilities that are:

1.
  - 1) subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11001-11050 as mandated in Executive Order No. 12856; and
  - 2) expected to have a substantial environmental, human health, or economic effect on surrounding populations. Such information shall be made available to the public, unless prohibited by law.

(d) In carrying out the responsibilities in this section, each Federal agency, whenever practicable and appropriate, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and tribal governments.

#### **Sec. 4-4. Subsistence Consumption of Fish and Wildlife.**

##### *4-401. Consumption Patterns.*

In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns. 59 FR7632

##### *4-402. Guidance.*

Federal agencies, whenever practicable and appropriate, shall work in a coordinated manner to publish guidance reflecting the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife. Agencies shall consider such guidance in developing their policies and rules.

#### **Sec. 5-5. Public Participation and Access to Information.**

(a) The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Working Group.

b) Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations.

(c) Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public.

(d) The Working Group shall hold public meetings, as appropriate, for the purpose of fact-finding, receiving public comments, and conducting inquiries concerning environmental justice. The Working Group shall prepare for public review a summary of the comments and recommendations discussed at the public meetings.

#### **Sec. 6-6. General Provisions.**

##### *6-601. Responsibility for Agency Implementation.*

The head of each Federal agency shall be responsible for ensuring compliance with this order. Each Federal agency shall conduct internal reviews and take such other steps as may be necessary to monitor compliance with this order.



*6-602. Executive Order No. 12250.*

This Executive order is intended to supplement but not supersede Executive Order No. 12250, which requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving Federal financial assistance.

Nothing herein shall limit the effect or mandate of Executive Order No. 12250.

*6-603. Executive Order No. 12875.*

This Executive order is not intended to limit the effect or mandate of Executive Order No. 12875.

*6-604. Scope.*

For purposes of this order, Federal agency means any agency on the Working Group, and such other agencies as may be designated by the President, that conducts any Federal program or activity that substantially affects human health or the environment. Independent agencies are requested to comply with the provisions of this order.

*6-605. Petitions for Exemptions.*

The head of a Federal agency may petition the President for an exemption from the requirements of this order on the grounds that all or some of the petitioning agency's programs or activities should not be subject to the requirements of this order.

*6-606. Native American Programs.*

Each Federal agency responsibility set forth under this order shall apply equally to Native American programs. In addition, the Department of the Interior, in coordination with the Working Group, and, after consultation with tribal leaders, shall coordinate steps to be taken pursuant to this order that address Federally-recognized Indian Tribes.

*6-607. Costs.*

Unless otherwise provided by law, Federal agencies shall assume the financial costs of complying with this order.

*6-608. General.*

Federal agencies shall implement this order consistent with, and to the extent permitted by, existing law.

*6-609. Judicial Review.*

This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural, [\*7633] enforceable at law or equity by a party against the United States, its agencies, its officers, or any person. This order shall not be construed to create any right to judicial review involving the compliance or noncompliance of the United States, its agencies, its officers, or any other person with this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,

February 11, 1994.

# APPENDIX I



## Designated Wild & Scenic Rivers

Arizona

Rivers that pass through several states may have segments in each state designated. For example, the Klamath River has designations in California and Oregon. Many rivers also have numerous tributaries designated (e.g., Washington's Skagit River). Multiple listings of some rivers indicate more than one segment of the river is designated (e.g., the Missouri River in Nebraska).

### Alabama

- [Black Warrior River \(Sipsey Fork\)](#)

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### Alaska

- [Alagnak River](#) — [National Park Service Site](#)
- [Alatna River](#)
- [Andreafsky River](#)
- [Aniakchak River](#)
- [Beaver Creek](#) — [Bureau of Land Management Site](#)
- [Birch Creek](#) — [Bureau of Land Management Site](#)
- [Charley River](#) — [National Park Service Site](#)
- [Chilikadrotna River](#)
- [Delta River](#) — [Bureau of Land Management Site](#)
- [Fortymile River](#) — [Bureau of Land Management Site](#)
- [Gulkana River](#) — [Bureau of Land Management Site](#)
- [Ivishak River](#)
- [John River](#)
- [Kobuk River](#)
- [Koyukuk River \(North Fork\)](#)
- [Mulchatna River](#)
- [Noatak River](#)
- [Nowitna River](#)
- [Salmon River](#)
- [Selawik River](#)
- [Sheenjek River](#)
- [Tinayguk River](#)
- [Tlikakila River](#)
- [Unalakleet River](#) — [Bureau of Land Management Site](#)
- [Wind River](#)

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### Arizona

- [Fossil Creek](#)
- [Verde River](#) — [U.S. Forest Service Site](#)

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### Arkansas

- [Big Piney Creek](#)
- [Buffalo River](#)
- [Cossatot River](#)
- [Hurricane Creek](#)
- [Little Missouri River](#)



# APPENDIX J



Pima Association of Governments

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#### Program Links

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- [Watershed Planning](#)
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- [EPAC and other committee meeting info](#)
- [Southern Arizona Buffelgrass Coordination Center](#)
- [Community Environmental Calendar](#)

## Air Quality Overview

Motor vehicle travel, industrial activities, land development patterns and meteorological conditions affect air quality in the Tucson region. With the region's population over 1 million, maintaining healthy air, understanding primary causes of air pollution and initiating steps to curb pollution has become more important.

Currently, the Tucson region meets federal air quality standards. However, three pollutants of continuing concern are carbon monoxide, ozone and particulate matter.

National regulatory standards established by the U.S. Environmental Protection Agency to comply with the federal Clean Air Act help maintain healthy air conditions in the United States. The National Ambient Air Quality Standards, or NAAQS, regulate six common air pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, sulfur dioxide, and particulate matter.

The Clean Air Act also addresses the need to maintain clean air in protected natural areas such as wilderness areas, national parks and forests surrounding Tucson. Failure to meet these requirements can result in economic sanctions and/or civil lawsuits.

### Air Quality Report



- [Air Quality Report 2007 \(1,749KB PDF\)](#)

#### Quick Links

- [Regional Greenhouse Gas Inventories](#)
- [Live Breathe Clean Air](#)
- [Air Quality Forum](#)

#### Air Pollutants

- [Carbon Monoxide](#)
- [Ozone](#)
- [Particulate Matter](#)
- [Greenhouse Gases](#)
- [Glossary of Terms](#)

#### Air Quality Tools

- [Air Quality Interactive Map](#)
- [12 Steps to Cleaner Air \(39KB PDF\)](#)