

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACT

RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
ACCEPTING THE CONVEYANCE OF FEDERALLY OWNED BUILDINGS AND/OR
IMPROVEMENTS AT THE OLD THOREAU BOARDING SCHOOL FACILITIES IN
THOREAU, NEW MEXICO

BE IT ENACTED:

Section One. Authority

- A. The Naabik'íyáti' Committee of the Navajo Nation Council reviews proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- B. The Navajo Nation Council is the Navajo Nation's governing body. *Id.* at § 102(A).
- C. The Bureau of Indian Affairs' (BIA) Regional Facility Management is responsible "for initiating notification to Tribe, **obtaining a Tribal resolution** and commencing demolition/donation action with the regional property management." BUREAU OF INDIAN AFFAIRS DEMOLITION AND SPACE REDUCTION POLICIES AND PROCEDURES, Sect. 1.5(A)(1).

Section Two. Findings

- A. "The Secretary of the Interior at the request of any Indian tribe, band, or group is authorized to convey to such Indian tribe, band, or group, by such means as he may deem appropriate, title to any federally owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements, or facilities) that are situated on lands of such tribe, band, or group or on lands reserved for the administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Any tribe, band, or group to which property is conveyed pursuant to this section may dispose of such property whenever its governing body determines that the property is no longer needed for its use." 25 U.S.C. § 443a.

- B. On June 12, 2015, the Navajo Regional Director, Sharon Pinto, sent a letter to the Navajo Nation President Russell Begaye, stating that the BIA intends to transfer excess real property located at the old Thoreau Boarding School facilities in Thoreau, New Mexico to the Navajo Nation. Letter from Sharon Pinto to Russell Begaye (June 12, 2015). EXHIBIT A.

- C. The excess BIA owned buildings and structures included in the transfer are:
 - 1. N34R1700903, School Elementary-Boarding
 - 2. N34R1700903, Storage/Pump House
 - 3. N34R1700925, Pump House
 - 4. N34R1700926, Fence

- D. The land, 0.09 acre, more or less, which the old Thoreau Boarding School facilities are situated, remained in Tribal Trust status throughout the period the school existed. The 0.09 acre of land was certified as environmentally clean and remains in Tribal Trust status, Director Pinto stated no further Bureau land relinquishment action is necessary. *Id.*

- E. The Navajo Land Department conducted an Inspection Report and concurred with the BIA, the tract "appears environmentally clean." Navajo Land Department Inspection Report, Thoreau Boarding School Facilities (Feb. 11, 2016). EXHIBIT B.

Section Three. Accepting the BIA Conveyance

The Navajo Nation accepts the conveyance of the excess BIA owned buildings and structure listed in paragraph C above.

Section Four. Requesting BIA commence donation action with the regional property management

The Navajo Nation requests the regional property management commence with the donation action. Bureau of Indian Affairs Demolition and Space Reduction Policies and Procedures, Sect. 1.5(A)(1).

Section Five. Navajo Nation President's Authorization

The Navajo Nation authorizes the Navajo Nation President, or his designee, to execute and effectuate the intent of this resolution.

Section Six. Effective Date

The provisions of this Act shall become effective in accordance with 2 N.N.C. § 221(C).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 12 in favor and 0 opposed, this 27th day of May 2016.



LoRenzo Bates, Speaker
Navajo Nation Council

6-3-16

Date

Motion: Honorable Nathaniel Brown
Second: Honorable Lee Jack, Sr.

NAVAJO NATION

RCS# 480

5/27/2016

Special Session

07:55:26 PM

Amd# to Amd#

Legislation No. 0149-16

PASSED

MOT Brown

Accepting the Conveyance of

SEC Jack

Federally Owned Building and/or
Improvements at the Old Thoreau

Yea : 12

Nay : 0

Not Voting : 11

Yea : 12

Begay, K
BeGaye, N
Bennett

Brown
Chee
Crotty

Filfred
Hale
Jack

Smith
Witherspoon
Yazzie

Nay : 0

Not Voting : 11

Bates
Begay, NM
Damon

Daniels
Perry
Pete

Phelps
Shepherd
Slim

Tso
Tsosie



United States Department of the Interior

Bureau of Indian Affairs

Navajo Region

P. O. Box 1060

Gallup, New Mexico 87305

IN REPLY REFER TO
Branch of Property
M/C: N106

JUN 12 2015

Honorable Russell Begay

President, The Navajo Nation

Attention: Chapter President, Thoreau

Dear Honorable Begay:

This letter serves as official notification to the Navajo Nation (Nation) that it remains the intent of the Bureau of Indian Affairs to transfer to the Nation title to excess real property located at the old Thoreau Boarding School facilities in Thoreau, New Mexico, under the authority contained in 25 U.S.C. 443a. The excess Bureau-owned buildings and structure (fencing) are listed as follows:

- N34R1700901, School Elementary-Boarding
- N34R1700903, Storage/Pump House
- N34R1700925, Pump House
- N34R1700926, Fence

Enclosed for the Nation's review are copies of the real property floor plans, building construction data, school land area plat, and Environmental Assessment and Remediation documents.

Also provided herein, is a summary of the environmental actions and studies completed for the old Thoreau Boarding School facilities disposal/transfer actions:

1. The Bureau of Indian Affairs, Navajo Region, conducted two (2) American Standard Testing Material (ASTM) studies; ASTM E 1527-11 Phase I Environmental Site Assessment Process, and ASTM E 1903-13 Phase II Environmental Site Assessment Process.

The Phase I ASTM E1527-11 evaluated the site for any potential listing on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), to identify any National Priorities List (NPL) or Superfund sites. The Phase I did not find any sites on the Old Thoreau School property.

The Phase II ASTM E 1903-13 was conducted to evaluate a range of potential contaminants within the scope of CERCLA. The BIA uses the suggested outline potential hazards and provides guidance for collection of samples. The BIA samples for the normal hazardous building materials of PCBs, mercury switches/thermostats, mercury Vapor light bulbs, asbestos, and lead based paint in soil and on buildings. The ASTM was used to design the abatement actions prior to scheduling any demolition.

The Phase III is the BIA remediation/demolition action. The BIA abated all hazardous building materials found in the Phase II study in the Historic and non-Historic Buildings. The BIA then demolished all non-historic structures with the exception of Building 925.

Building 925 is the well house which supplied water to the school and is one of the usable buildings requested for transfer by the Navajo Nation. The well was left intact, but the pump was removed when the school closed in the 1990s.

Building 901, School Elementary-Boarding, and building 903, Storage/Pump House, were determined by the Navajo Nation Historic Preservation Department to be eligible for the National Register of Historic Places. Any modifications or renovations planned for these two buildings must be approved by the Navajo Nation Historic Preservation Department.

2. The Bureau of Indian Affairs, Navajo Region, abated all Transite® (asbestos cement) waterline piping and then removed all surface and subsurface utilities; water lines, sewer lines, underground electrical drops, steam lines, and lead containing building materials such as windows, doors, and the water tower.

An electric distribution line, owned by Continental Divide Electric Cooperative, Inc., which formerly serviced the school, was not removed to allow electric power service for future development by the Navajo Nation and Chapter.

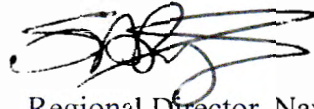
3. As a result of the abatement and demolition actions, all building materials were disposed at permitted landfills. There are no remaining hazards on the campus. The lands are environmentally clean. Additionally, the perimeter fence was not disposed of and remains in place.

For your final information, the land, 0.09 acre, more or less, upon which the old Thoreau Boarding Schools facilities were situated, remain in Tribal Trust status throughout the period the School existed. Therefore, now that the property, 0.09 acre, of land were certified as environmental clean and remain in Tribal Trust status, no further Bureau land relinquishment action is necessary.

Please provide this office written notification of transfer acceptance by July 3, 2015. Thereafter, this office will process the necessary legal instrument to convey title to the real property to the Nation.

If you have any questions regarding this matter, please contact Fern Becenti, Regional Supply Management Officer, at (505) 863-8223.

Sincerely,

A handwritten signature in black ink, appearing to be 'F. Becenti', with a stylized flourish extending to the right.

Regional Director, Navajo

Enclosures

ENVIRONMENTAL ASSESSMENT

THOREAU/ DLO'AY'AZHI COMMUNITY SCHOOL DEMOLITION/TRANSFER

July 2010



Prepared For:

**Navajo Regional Office
Bureau of Indian Affairs
Gallup, NM**

Prepared By:

**Enchantment Environmental Services
Los Lunas, NM
&
Advanced Environmental Services
Belen, NM**

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Introduction

This document analyzes the effects of a proposed federal agency action on the human environment, as required by the National Environmental Policy Act (NEPA). The agency, the Bureau of Indian Affairs (BIA), is a bureau of the Department of Interior (DOI). Authorities and guidance for BIA NEPA actions are provided in DOI Manual 516, Chapter 10 (516 DM 10) and the BIA revised NEPA handbook (59 IAM 3, revised 2003). The proposed action and several alternative actions are analyzed to determine compliance with the following federal regulations:

- National Historic Preservation Act
- Endangered Species Act
- Clean Water Act
- Safe Drinking Water Act
- Clean Air Act
- Fish and Wildlife Coordination Act
- Comprehensive Environmental Response, Compensation and Liability Act
- Resource Conservation and Recovery Act
- Federal Insecticide, Fungicide and Rodenticide Act
- Toxic Substances Control Act
- Asbestos Hazard Emergency Response Act
- E.O. 13101 Greening the Government
- E.O. 13007 Sacred Sites
- Indian Gaming Regulatory Act (§ 20)

1.0 Purpose of and Need for Action

The Bureau of Indian Affairs (BIA) has a goal of reducing the number of unused or unsuitable Indian School buildings in its inventory. The purpose of reducing school building inventory is to conserve budget funds presently used for security and maintenance of the unused facilities so that they can be used for management of occupied schools and to build new, replacement schools. Unused or unsuitable schools which remain in BIA inventory drain badly needed funds from other, higher priority uses. The BIA, like other federal agencies, has a goal of conserving resources and re-using or recycling materials where possible (E.O. 13101).

Under the Indian Self Determination and Education Act (Public Law 93-638), BIA may transfer ownership and operation of lands and facilities to Indian Tribes. The purpose of this project is to reduce BIA unused building inventory and to transfer ownership of trust resources to the tribe. The BIA proposes to reduce unused school building inventory by demolition and/or transfer to the Navajo Nation of the unused Thoreau/Dlo'ay' Azhi School buildings and land.

1.1 Proposed Action

The Thoreau/Dlo'ay' Azhi Community School (Thoreau Boarding School) has served tribal students, largely Navajo Nation, in the area of Thoreau, New Mexico since 1935, when some of the first school buildings were built on the site. In 2002-2003 several new replacement schools were constructed in nearby communities, replacing the function of the older school at Thoreau. The old school buildings were closed and "mothballed" to preserve fixtures and building integrity. The old school is immediately adjacent to an elementary school and a private Catholic school, St. Bonaventure Indian School, and could serve as an attractive nuisance to students who may want to play in or otherwise access the old school buildings. The old Thoreau School shows considerable evidence of vandalism and un-authorized access and likely poses a danger to the surrounding community as an inadvertent shelter for illegal activities (see **Appendix A Photographs**).

The BIA proposes to demolish or remediate unsafe buildings and transfer the Thoreau/Dlo'ay' Azhi Community School buildings and site to the Navajo Nation. The approximately seven acre school site including buildings and utilities would be transferred to the Tribe. BIA may transfer buildings and certain lands to tribes under the Indian Self Determination and Education Act (Public Law 93-638).

1.2 Project Location

The Thoreau School is located in Township 14 North, Range 13 West, Section 33 (NM prime meridian), McKinley County, New Mexico (**Figure 1**). The elevation is about 7100 ft. The school is in the center of the small town of Thoreau, NM. The Thoreau Community School is composed of 22 buildings (**Figure 2**). The school site is located on approximately seven (7) acres of land. The school is administered by the Bureau of Indian Affairs. The school is located on trust lands of the Navajo Nation.

1.3 Project Description

The buildings listed in **Table 1** and all associated equipment, furnishings and utilities would be transferred to the Navajo Nation. BIA would relinquish the trust ownership of the school site, approximately seven acres, transferring it to the Navajo Nation. Buildings that are too damaged or vandalized to restore to function will be demolished; these are noted in Table I. Building interiors are described in the Phase I Environmental Site assessment prepared for this project (AES 2010).

Many of the buildings may contain hazardous building materials, including asbestos, lead-based paint, and PCBs (AES 2010). Prior to transfer, buildings with hazardous building components would be remediated: certified contractors would remove and properly dispose of hazardous building materials. Potentially hazardous building materials would be properly disposed of in landfill certified for receiving such material. The transport and disposal of the materials would be documented as required by law. After remediation, the buildings would be inspected for hazardous material remnants, and certified as completely remediated.

Remediation prevents hazardous materials that may be contained in building components from being released to the air, water or soil where they may affect human health.

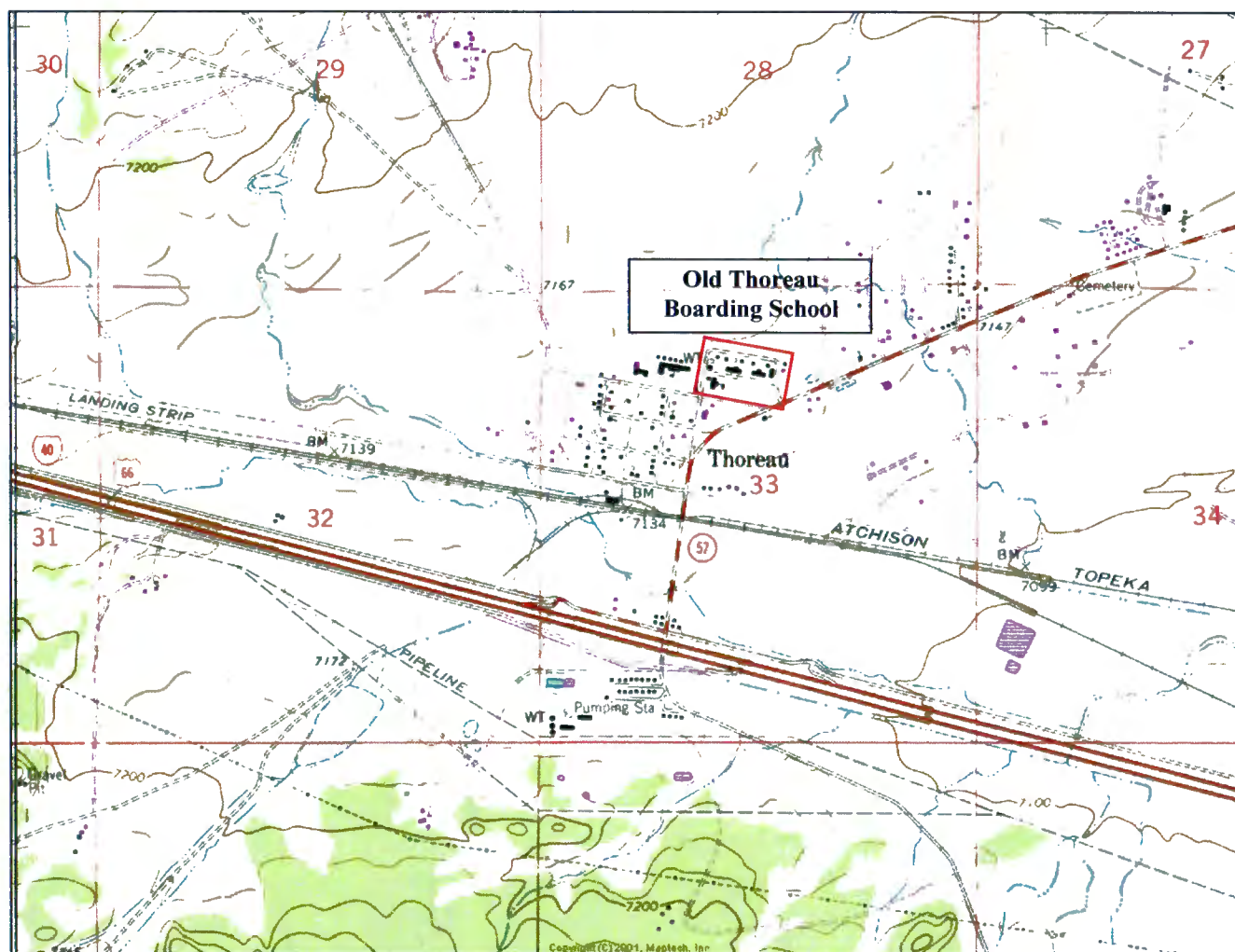


Figure 1. Old Thoreau Boarding School (red box) in Thoreau, NM. The town is located on a major transportation corridor, including Interstate Highway 40 (I-40), the Atchison Topeka and Santa Fe Railroad, and several pipelines and electric transmission lines. State Route 57 links the town with Crownpoint and other parts of the Navajo Nation to the north.



Figure 2. Thoreau Boarding School Aerial 10/6/1997, USGS, scale ca. 1" = 300 ft. A few larger building numbers are shown, see **Figure 3**.

To the extent practicable, non-contaminated building materials, such as stone block, wiring, equipment, etc. would be salvaged and recycled by donation to the Navajo Nation. Salvaged materials would be stockpiled on-site in designated areas. Relatively valuable salvaged materials (e.g. fixtures, copper tubing and wire, electric devices, etc.) will be stored in locked containers or a designated building. Debris will be stockpiled on-site in designated areas pending pick-up for disposal. Construction debris will be hauled to an approved landfill for receiving such waste material.

Remediation and demolition will require trucks and heavy equipment at the site. Equipment may include: back hoes, front-end loaders, dump trucks, refuse containers, bobcat loaders, and support equipment. To control dust, water will be sprayed periodically on construction areas and roads.

The entire site will be closed during the demolition phase, and the existing surrounding fence repaired to prevent unauthorized entry. Construction vehicles will be limited to low speeds while on campus, to control dust and for safety. Appropriate storm-water pollution prevention measures will be taken. Water trucks will periodically water all gravel and dirt surface roads used by construction equipment to control fugitive dust. Contractor trash will be properly disposed of in trash containers to prevent flies and rodents.

Once all building debris and salvaged materials have been removed from the site and properly disposed or recycled, demolition areas will be graded to smooth contours to fill any holes or irregularities. Utilities, if any, abandoned in place will be buried below grade. All disconnected utilities will be capped at their origin.

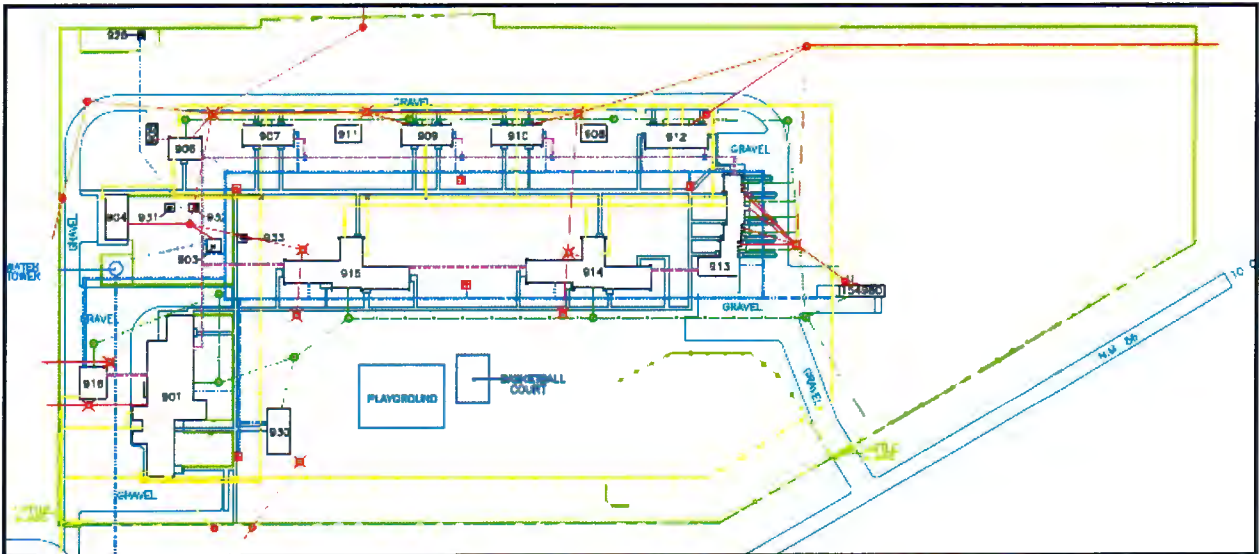


Figure 3. Old Thoreau Boarding School Site Plan. Colored lines are utilities: red lines are overhead electric power lines, green lines are septic sewer lines, water lines are dark blue. Light blue outlines vehicle paths, primarily gravel or dirt tracks. Gas pipelines are yellow.

Table 1. Thoreau/ Dlo'ay'Azhi Community School Structure List. Remediation indicates that there are potentially hazardous environmental conditions observed in the buildings which will require trained and certified workers and proper disposal of materials.

Building No.	Use	Year Built	Disposition
901	Boarding School	1935	Fire damaged. Remediation and demolition
903	Office	1935	Transfer
904	School	1952	Remediation, transfer
905	Detached Garage	1952	Burned, demolish
906	Single Family Quarters	1952	Remediation, Transfer
907	Apartment	1952	Remediation, Transfer
908	Detached Garage	1952	Remediation, transfer or demolish
909	Day School	1952	Remediation, Transfer
910	Apartment	1952	Remediation, Transfer
911	Detached Garage	1952	Remediation, transfer or demolish
912	Office	1952	Remediation, Transfer
913	Apartment	1952	Remediation, Transfer
914	Dormitory	1952	Remediation, Transfer
915	Dormitory	1952	Fire Damage: demolish
916	Utility Plant	1952	Remediation, Transfer
917	Single Family Quarters	1958	Remediation, Transfer
918	Single Family Quarters	1958	Remediation, Transfer
925	Pump House	1969	Remediation, Transfer
931	Storage	1999	Transfer
932	Storage	1999	Transfer
933	Storage	1999	Transfer
154980	Mobile Home	1981	Transfer

2.0 Alternatives Considered and Rejected

Alternatives to the action considered here include the “no-action alternative” whereby the unused Old Thoreau Boarding School buildings are maintained on the BIA inventory and funds are expended in managing the surplus property. This alternative does not meet the purpose and need. A similar alternative, BIA repairs and refurbishes the aging school, also does not meet the purpose and need.

Another alternative considered is demolishing the buildings and disposing of building materials in a land fill, the “demolition-only alternative.” This alternative meets the primary purpose and need, but not the secondary: It does not conserve resources by recycling and re-using building materials, nor would this alternative benefit the Navajo Nation.

3.0 Affected Environment

3.1 Land Resources

3.1.1 Topography

The town of Thoreau and the old Thoreau Boarding School site, is located in a broad valley formed by Mitchell Draw. The valley is relatively flat and drains to the east. The project area is located at an elevation of approximately 7100 ft. above sea level. The terrain is gently sloping west to east. The picturesque Zuni Mountains lie to the south and a few miles to the north are the striking red sandstone cliffs of the Red Mesa member of the Entrada Sandstone Formation (http://en.wikipedia.org/wiki/Entrada_Sandstone#Works_cited).

3.1.2 Soils

Soils at the Thoreau School are classified as Zia sandy loam, 1 to 5 percent slopes by the Soil Conservation Service (NRCS). This soil type is derived from Eolean (windblown) and fan and stream alluvium of sandstone parent material and is found on stream valley floors. Typical native vegetation occurring on this soil type includes: alkali sacaton, western wheatgrass, galleta, Indian ricegrass, blue grama, bottlebrush squirreltail, broom snakeweed, fourwing saltbush, threeawn, winterfat, mat muhly, and spike muhly. These soils are fine sand, somewhat alkaline, excessively drained and of low flood hazard, with low shrink-swell potential (NRCS).

3.1.3 Geologic Setting and Mineral Resources

The geology of the project site is dominated by the Zuni Mountain Uplift of the southern San Juan Basin. Sedimentary rock of sandstone and siltstone dominates the local geology. Thin beds of limestone and shale may be found in the area (http://geoinfo.nmt.edu/tour/state/bluewater_lake/home.html).

Known mineral resources are few, but now of increasing interest. There is some decorative flagstone quarrying in the local area. Some limestone outcrops are mined for concrete manufacture. Uranium mining has historically occurred in the region, but no currently active mines are located nearby. The nearest decommissioned uranium mill site, Ambrosia Lake, is about twenty miles east of the project area (<http://www.wise-uranium.org/udusanm.html>).

3.1.4 Paleontological Resources

There are isolated Cretaceous and Jurassic formations in the vicinity, some of which may have fossil remains from the period. However, larger deposits are known in the region and the immediate project vicinity is not considered a valuable resource for fossils.

3.2 Water Resources

3.2.1 Surface Water

The only surface water in the project area is found in ephemeral washes that run only in response to precipitation events, primarily during the monsoon season. Washes in the project vicinity drain from north-northeast to Mitchell Draw (**Figure 1**). There is no permanent surface water in the project area. The nearest permanent surface water is found at Blue Water Lake State Park, an impoundment about 15 miles south of the project location. The project is in the Rio San Jose drainage, which drains to the east-southeast toward Grants, NM. Ephemeral washes drain to Mitchell Draw, which is a broad swale where water pools prior to percolating and evaporating.

3.2.2 Groundwater

Groundwater resources in the project vicinity include several water-bearing geologic formations, primarily the San Andreas/Glorieta Formation, Lower Chinle and Sonsela Sandstone (Smith 1954). Many local residents obtain their domestic water from wells into these formations. Groundwater resources are well characterized due to a National Priorities List site (Superfund) east of the school site; the abandoned Prewitt Refinery (USEPA 2000; <http://theenergylibrary.com/node/11390>; and <http://www.epa.gov/region6/6sf/pdf/files/0600877.pdf>). The Prewitt Refinery site is located about 8 miles east of the project site, 1/2 mile west of the Prewitt Post Office, McKinley County, New Mexico. The site consists of two separate parcels, one consisting of 68.2 acres and the other consisting of 6.8 acres. The refinery was in operation between 1938 and 1957. In July 1957, the refinery was shut down and the refinery and accompanying structures were subsequently dismantled.

3.2.2.1 Groundwater Contamination

In 1981 the New Mexico Environment Department detected hydrocarbon contamination in water samples from a domestic well near the former Prewitt Refinery site, located about eight miles east of Thoreau. There followed extensive testing of the site and groundwater which discovered extensive contamination of the refinery site and groundwater by a host of refinery generated products and wastes. In 1990 the refinery site was placed on the National Priorities List (NPL) also known as Superfund. Cleanup and remediation of extensive groundwater contamination by hydrocarbons and associated wastes has been ongoing since 1995 (USEPA 2010). Groundwater contamination appears to be local and has not reached the Thoreau area water.

The Transwestern Pipeline Compressor station at Thoreau has been cited for groundwater pollution from oil waste pits (NM Oil Conservation Division 2008). The site was cleaned up under superfund and is no longer an active enforcement site (NM Environment Department 2009).

Thoreau WSD reports levels of radium (isotopes 226 and 228) in the Thoreau water supply that are of concern (Thoreau WSD, 2007).

3.3 Air Quality

McKinley County is in attainment for all priority air pollutants. Non-attainment areas (<http://www.epa.gov/oaqps001/greenbk/mapnpoll.html>) are designated by the state and EPA where measurable levels of priority air pollutants exceed the National Ambient Air Quality Standards. McKinley county air quality is good, generally visibility is good, except when there are strong winds and blowing dust. Transient conditions generally do not affect the standards as they are based on a time-weighted average.

3.4 Living Resources

3.4.1 Wildlife

Few native wildlife species would be expected on the campus itself located in the center of a small town, with constant presence and activity of humans and the relative lack of suitable habitat and vegetation. Schools actively control some wildlife, including rodents and predators to reduce disease vectors.

Terrestrial wildlife in the project vicinity is typical of pinion-juniper woodlands and grasslands. Wildlife typical of the area was characterized in an EIS for the nearby Escalante Generating Station about six miles east of Thoreau (Burns & McDonald 1979). Generally, rodents and their predators (reptile, avian and mammalian) are abundant and diverse. Reptiles are common, including a number of species of lizards and snakes. Amphibians are not often observed, but toads, especially, can be found in ponds, stock impoundments and pools during the rainy season. Birds are abundant and relatively diverse. For a more complete listing of vertebrate animals likely to be found in the project vicinity, see Lightfoot (1997) and Burns & McDonald (1979).

Aquatic animals are not found on or near the project site, due to the lack of any surface water. During the monsoon season toads, especially tadpoles, may be found in temporary pools near the school.

Endangered or threatened species of animal (Navajo Nation) are extremely unlikely to be found on or near the project site; a town long occupied by people and the lack of any suitable habitat, prey species or shelter. There are no specialized habitats or habitat features nearby that may support endangered species. A biological evaluation for the nearby Escalante Generating Station found no federally listed endangered species present in the area (Burns & McDonald 1979). The Navajo Regional Office of BIA prepared a biological evaluation for the project, and submitted it to the Navajo Nation Fish and Wildlife Department for review. The evaluation and NNFWD reply is found in **Appendix B**.

3.4.2. Vegetation

Native vegetation is relatively reduced on the project site, due to constant vehicle and pedestrian traffic, soil compaction, previous clearing and landscape maintenance. Native vegetation in the vicinity includes Pinion-Juniper woodland and grasslands. Woodlands are

dominated by one-seed juniper (*Juniperus monosperma*) and Pinon (*Pinus edulis*) which form open woodlands with grassy and sub-shrub understory. Grasslands in the area are dominated by blue-grama, ring-muhly, snake-weed (*Gutierrezia* sp.) and alkali sacaton. A more complete description of common and dominant plant species typical of the area can be found in Burns & McDonald (1979).

There are no riparian or aquatic (wetland) plants at the project site, or in the project vicinity due to the absence of surface waters.

It is unlikely that any threatened or endangered plant species are found at the project site, due to the lack of suitable specialized habitats or substrates. Listed plants in this region tend to be found on specialized or limited substrates with unique chemical makeup or on rocky or clay outcrops of particular formations, none of which are found in the project area.

Agriculture in the project vicinity is limited to livestock grazing. The absence of irrigation limits the ability to plant crops. There are no prime or unique soil types in the project vicinity.

3.5. Cultural Resources

The school site may be considered of historic significance as an example of architecture from a significant period of U.S. and tribal history. The school is an example of the educational setting--boarding schools-- imposed on Navajo tribal children by the U.S. government from the early 20th century. Some of the buildings to be demolished are over 50 years of age (**Table I**) and may be considered eligible for the National Register of Historic Places, maintained by the National Park Service.

Photograph 1.
Building No. 901
built in 1935. Stone masonry with protruding vigas and flat roof is typical of older buildings on the campus.



The project vicinity has been continuously occupied by humans from 10,000 B.C. to the present (Dept. of the Army, 1991). Archaeological resources are common in the project vicinity, ranging from scatters of pottery shards to entire structures or habitations. The sites represent many of the cultures who used the area, including the Anazasi (1000-1150 A.D.), Navajo (1500 A.D. to present), Spanish and other European settlers (1540 A.D. to present). A few miles from the project site are some well known Chacoan (Anazasi) outliers, including Casamero Ruins (BLM) and un-named ruins on the Escalante Powerplant site. See Burns

and McDonald (1979) for local archaeological summaries. See also http://semken.asu.edu/pubs/heckert03_brsprg.pdf for a short summary of significant historic periods in the area.

3.5.1 Socioeconomic Conditions

McKinley County, NM is predominantly rural in character. The largest town in the county is Gallup, the county seat. Grants, in Cibola County, is another large town located about 30 miles east of Thoreau. The 2000 census, the most recent available, lists the county population at about 75,000 persons. The county ethnic makeup reflects the predominance of the Navajo and Zuni Nations, with 76.4 percent of the residents American Indian. Another 12.4 percent are Latino or Hispanic. Thoreau is a census designated place in the US Census, with a population of 1863 persons (2000 census).

Economically, the county is relatively poor with median family income of about \$26,800 annually in 1999, compared with \$39,425 median family income for NM. Approximately 32 percent of McKinley County families had income below the federal poverty level in 1999, compared with 14.5 percent for NM overall. Unemployment in McKinley County was 9.2 percent in 1999, compared with 4.4 percent for NM overall.

About 56 percent of McKinley County workers are employed by private businesses, about 37 percent are employed by government, including schools. This compares with NM worker classes statewide at 68.5% and 22.7%, respectively.

3.5.2 Lifestyle and Cultural Values

Lifestyles in the project vicinity are predominately rural. Cultural values would vary among the local population. Navajo residents retain tribal cultural values, with likely minor influences from the other dominant cultures in the area.

3.5.3 Community Infrastructure

Public services in the rural area surrounding the school are few. There is electric service provided by a rural electric coop utility, Continental Divide Electric Coop, Inc. (<http://www.cdec.coop/About/Service-Area.cfm>).

The town of Thoreau operates a drinking water utility, Thoreau Water and Sanitation District (WSD), supplied by local water wells. The school's drinking water supply is a domestic well, located on-site. There is a pump house with water treatment (e.g. chlorination) and an elevated storage tank. A natural gas utility serves the project site.

The school disposes effluent to a local sewage treatment facility. The sewage utility is operated by the Thoreau WSD. Fuel for heating is provided by natural gas, propane or liquefied petroleum gas tanks.

3.6 Resource Use Patterns

There is limited hunting and fishing in the immediate project vicinity. The nearby Cibola National Forest provides some hunting opportunity. The Zuni and Navajo Nations provide hunting permits for tribal lands. Fishing can be found at Bluewater Lake State Park. Gathering of native plants for medicinal and ceremonial purposes is likely, but the extent unknown. Pinon nut harvesting in good years is a popular activity in wooded areas.

There is no timber harvesting in the immediate vicinity. Timber is harvested on occasion in the nearby National Forest, and there may be local firewood and fence post harvesting. The forest provides some firewood harvesting. Agriculture in the area is limited to livestock grazing, primarily cattle and sheep.

Mining has occurred in the project vicinity, especially uranium mining, as discussed in the project setting. There are several old uranium processing facilities in the area. Limestone mining for concrete production is found on nearby limestone formations, especially in the vicinity of Thoreau.

Recreational opportunities are limited by land ownership patterns. Dispersed recreation is limited to public lands in the area, which include BLM and National Forest; recreation in the area includes tourism, rock collecting, hunting and fishing.

Transportation in the project vicinity includes Interstate Highway 40, a major east-west highway. The Atchison, Topeka and Santa Fe Railroad (ATSF-RR) parallels I-40, providing rail transportation. There are several local railroad spur lines from the ATSF railroad, supplying coal shipments to nearby powerplants. Other RR spurs served uranium processors. Local minor paved highways and routes include NM 57, a route to locations north of Thoreau. Many of the road transportation routes in the area are gravel or dirt surfaced roads.

There are no land-use plans in the project vicinity.

3.7 Other Values

There are no designated Wilderness Areas, or Wilderness Study Areas in the project vicinity. There are no designated wild or scenic rivers in the project area. There is little noise and light due to the rural nature of the project area. The project vicinity has high scenic values, largely due to the local geology. Public health and safety locally has been impacted by the previously mentioned superfund site, the abandoned refinery, which contaminated soil and groundwater. With the clean-up, this is gradually improving. The school campus is safe due to access controls, health may be improved by demolition of the old buildings, which may contain contaminants in building materials.

4.0 Environmental Consequences

Direct and indirect environmental consequences of the proposed action include construction (e.g. demolition) impacts, material disposal and recycling effects, and the subsequent land-

use in the project area. Cumulative impacts include the impacts of this project when considered in combination with all other actual and potential impacts of other projects in the vicinity.

4.1 Land Resources

4.1.1 Topography

The proposed project will not directly or indirectly affect local topography, as the only grading to occur would be leveling of the site after building removal. Landfills used in the disposal of construction debris will be local permitted landfills whose impacts have been analyzed and addressed during the landfill permitting process. The no-action alternative may affect topography in the region, as raw materials (e.g. limestone) are mined to supply building materials locally, destroying rock outcrops.

4.1.2 Soils

The proposed project will not directly or indirectly impact soils locally, except for the negligible benefit of recycling materials and avoiding impacts to soils in raw material extraction. Locally, soils will be unaffected by the project. The no-action alternative will impact soils in other areas when mining for raw materials alters soils at the mining location.

4.1.3 Geologic Setting and Mineral Resources

The proposed project will not alter the local geologic setting. Recycling building materials (e.g. stone, concrete, and metals) will reduce local reliance on new raw materials mined locally. There would be minor beneficial impacts to recycling building materials. Using recycled concrete instead of new-mined aggregate can save 20-30 percent of the cost of pavement raw materials (<http://www.pavement.com/Downloads/TS/EB043P/TS043.1P.pdf>). The no-action alternative would have local impacts on mineral resources, as limestone and stone are mined to provide new building materials for the local market. The demolition-only alternative would increase the rate of filling of scarce local landfills, at the expense of new landfill area that would be needed in the future.

4.1.4 Paleontological Resources

The proposed project would have no impact on local paleontological resources, as no new mining or soil disturbance would occur. Debris disposal in existing landfills will also not affect undisturbed areas. The no-action alternative may contribute to impacts on paleontological resources as new raw materials are mined, instead of recycling existing materials.

4.2 Water Resources

4.2.1 Surface Water

The proposed project will have no effect on surface water, as no surface water is found in the vicinity. The no-action alternative is likely to also have no effect on surface waters, as they are scarce in the region.

4.2.2 Groundwater

Groundwater from local wells will be used to provide dust control at the project site during construction, however this use will be relatively small and temporary. Overall, the proposed project will have minor beneficial impacts on groundwater as the area of impermeable surfaces (e.g. buildings) at the project site are reduced, contributing to increased percolation to ground water. Removing and properly disposal of hazardous building materials from the project site reduces the potential for these materials to contaminate groundwater locally. The no-action alternative may increase impacts to groundwater resources locally in the form of groundwater needed to process raw materials into new building products (e.g. concrete, cinder block), rather than recycling existing materials.

4.3 Air Quality

The proposed project will have local and temporary impacts on air quality during construction, in the form of fugitive dust generated by increased vehicle traffic. However these effects will be mitigated by dust control measures. There will be minor increases in vehicle emissions due to construction traffic. Neither construction generated dust nor vehicle emissions are likely to affect the attainment status of the area, due to the small scale and temporal nature of the project.

After occupation of the site by Navajo Nation, there may be local increase in vehicle traffic as workers commute to the site. This would have minor effects on local air quality in the form of vehicle emissions and dust. However, this increase would be minor--likely unmeasurable-- and have no effect on the attainment status of the area. The no-action alternative would decrease air quality locally, in the form of fugitive dust and increased vehicle exhaust from mining and transport of new raw materials (e.g. limestone, aggregate, stone) to be used in manufacture of new building materials which would otherwise be provided by recycling.

4.4 Living Resources

4.4.1 Wildlife

The proposed action would have no impact to local wildlife in that the area is presently in the center of a small town, with little habitat for native animals. The proposed action will not change current conditions regarding wildlife in the area. No endangered or threatened species listed by the U.S. Fish and Wildlife Service, or the Navajo Nation, would be affected

by the proposed alternative, as none are present in the project site or at established landfills. The Navajo Department of Fish and Game (NDFG) determined that the project would not be likely to affect federally listed species or impact tribally listed species or species of concern (NDFG letter dated June 30, 2010, Appendix B).

The no-action alternative would have larger impacts on wildlife, as mining for raw materials would occur at habitat expense. Compared with the no-action, the demolition-only alternative would have fewer wildlife impacts, but would still increase overall habitat destruction for landfill space and raw-material mining. The no-action and demolition-only alternative may affect endangered species in the form of eventual expansion of local mining and landfill into essential habitats, necessary because materials are not recycled or reused.

4.4.2. Vegetation

The proposed action would have no impact to local vegetation, for the same reason explained in section 4.4.1. Reseeding disturbed area to native vegetation at the completion of the project would reduce dust emissions and slow stormwater runoff.

No endangered or threatened species of plants would be affected by the proposed alternative, as none are present in the project site or at established landfills. The no-action alternative would have larger impacts on vegetation, as mining for raw materials would occur at habitat expense. Compared with the no-action, the demolition-only alternative would have fewer vegetation impacts, but would still increase overall habitat destruction for landfill space and raw-material mining. The no-action and demolition-only alternative may affect endangered plant species in the form of eventual expansion of local mining and landfill into essential habitats, necessary because materials are not recycled or reused. Several of the Navajo Nation endangered plants, known from the project vicinity, are found on, or near, limestone outcrops threatened by mining.

4.5. Cultural Resources

4.5.1 Historic Buildings

The proposed project may impact cultural resources-- in that buildings that may be eligible for listing as historic sites would be destroyed or modified. Demolition of register-eligible historic buildings would not take place until necessary agreements with the Navajo Historic Preservation Department (NHPD) are executed. If the NHPD determined that the buildings are register-eligible in the Section 106 (NHPA) process, there would need to be a memorandum of agreement (MOA) with the NHPD regarding the disposition of the eligible buildings. One possibility in concluding the Section 106 process is the documentation of the eligible buildings per the Secretary of Interior's guidance on Historic American Building Survey/Historic American Engineering Record (HABS/HAER) [<http://www.nps.gov/history/hdp/standards/index.htm>] prior to their demolition.

Under the provisions of Sections 106 and 110b of the amended National Historic Preservation Act of 1966, federal agencies must produce documentation to Heritage Documentation Programs standards for buildings that are listed, or are eligible for listing, in the National Register of Historic Places, to mitigate the adverse effects of federal actions such as demolition or substantial alteration. The proposed alternative, or any of the other alternatives, would not be initiated until Section 106 compliance is completed. All alternatives would likely require HABS/HAER documentation to record the eligible buildings. The results of Section 106 compliance, including the eligibility determination by the NHPD, are included in Appendix C.

4.5.2 Socioeconomic Conditions

The proposed alternative, transfer of the site and buildings after remediation to the Navajo Nation, would likely have a beneficial effect on local socioeconomic conditions in the form of jobs for local residents as laborers during construction and as workers for whatever facility the Navajo Nation decides to operate at the location. Once occupied and staffed, the facility would contribute income to the local economy in the form of wages, worker spending and the multiplier effect as new income is circulated in the local economy. As stated in **3.5.1**, the local economy is relatively poor and the direct and indirect benefits of the proposed project would be expected to improve the local economic conditions.

Recycled material stockpiling and handling will likely require more laborers than the demolish-only alternative, because more hand labor would be involved. Because most new building materials are manufactured outside of the local area, the slight offset in production due to recycling would not affect the local economy. The no-action alternative would not alter the local socioeconomic conditions, negatively or positively. None of the alternatives will alter the long-term demographic or ethnic make-up of the area. The project will not cause new workers or industry to move to the area, and will not support a long-term workforce due to its temporary nature.

4.5.3 Lifestyle and Cultural Values

The proposed project, and the alternatives, will not affect the local lifestyles or cultural values. Workers for the project will likely be drawn from the local population, and no immigration or movement of workers to the area would be expected due to the short-term nature of the project. Once occupied by Navajo Nation, workers are likely to be drawn from the local population, reflecting the current ethnic and social makeup. The local lifestyle will remain predominately rural, and cultural values will be unaffected.

4.5.4 Community Infrastructure

Neither the proposed alternative nor any of the other alternatives will affect the local community infrastructure. During construction, there may be minor increases in vehicle traffic as workers travel to the site and debris or materials are hauled away, but this will be temporary and minor. Some slight increase in vehicle traffic and utility connections for

workers may be expected once the Navajo Nation occupies the location. The existing infrastructure is adequate to handle that slight increase.

4.6 Resource Use Patterns

The proposed project may have minor and temporary impacts on resource use, as recycled materials may reduce the demand for new construction materials. Limestone mining for concrete manufacture may be slightly reduced. However, these effects are likely to be minor and immeasurable. None of the alternatives will alter patterns of recreational or agricultural uses in the area, due to the small scale and temporal nature of the action.

4.7 Other Values

None of the alternatives will alter other values in the area; there are no wilderness areas or wild and scenic rivers in the area. During construction there may be minor increases in noise and traffic due to construction vehicles, but this effect will be minor and short-lived. Because building materials with potentially hazardous materials will be properly abated and disposed in an approved landfill prior to the demolition, there will be no threats to public health and safety.

Removing opportunities for concealment of illegal and destructive behavior (e.g. drug use, alcohol use, vandalism, etc.) at the project site will greatly benefit the local community in



terms of health and welfare. The threat posed by the site's many hiding places to local elementary school children will be eliminated.

Photograph 2. Shelters for gang activity and other undesirable behavior would be removed by the proposed project. Here is the vandalized interior of one of the garages at the site.

4.8 Cumulative Impacts

The proposed project will have no significant cumulative impacts when considered with other potential and planned projects in the area. The limited scale and duration of the project would add little to the cumulative impact of other projects in the area. None of the proposed alternatives would have significant cumulative impacts.

5.0 Mitigation Measures

5.1 Construction Mitigation Measures

Hazardous materials and potentially hazardous building materials will be remediated by a certified contractor prior to the dismantling of the buildings. Remediated materials will be transported to an approved landfill and records of the transport and disposal (e.g. manifest) maintained by BIA. Dust control during construction will include wetting of work area and access roads with water to control fugitive dust. A separate construction access route will be established to ensure separation of the project site from the normal school activities. The access route and construction area will be fenced to prevent children from entering.

5.2 Post-construction Mitigation Measures.

The graded area of the construction site will be reseeded with a quick growing plant cover (e.g. oats or similar annual grass). A native seed mix will be distributed on the site to restore some vegetative cover that will control dust. The site will be periodically watered to control dust and stimulate seed germination, depending on the time of year and available natural precipitation.

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(<http://www.epa.gov/region6/6sf/pdf/files/0600877.pdf>)

7.0 Consultation and Coordination

Persons contacted for this report:

Rose Duwyenie, Navajo Regional Office, BIA, Gallup, NM.
Barbara Hanson, Facilities Manager, OFMC, Navajo Regional Office, BIA.
Karl Chiwiwi, Special Projects Office, OFMC, BIA, Albuquerque, NM.

Agencies Consulted:

Navajo Historic Preservation Office
Navajo Fish and Wildlife Department

8.0 List of Preparers

Rex Wahl, EES Project Manager

Mr. Wahl has a B.S. and M.S. degrees in Biology from New Mexico State University. He has 30 years of professional experience in the American Southwest. An endangered species expert, Mr. Wahl has also completed many wetland delineations and Section 404 Clean Water Act permits, primarily in Arizona. He has authored many EAs and portions of EISs, has supervised teams writing EAs, and has been NEPA coordinator for an area office of a federal agency in DOI.

Jeff Fitt, AES Project Manager

Mr. Fitt has been involved in all facets of the environmental industry for the past 25 years. He has a B.S. degree in Chemical Engineering with extensive experience in management of hazardous waste site projects including Superfund investigations; remediation of petroleum hydrocarbon contaminated soil; on-site project engineer and supervisor of underground storage tank removal projects. He has been responsible for the management and performance of environmental consulting activities to include environmental site assessments, pollution prevention plans, and storm water pollution prevention plans. He also has extensive experience in the packaging, transportation and disposal of clandestine methamphetamine drug labs chemicals, and lab packing of laboratory chemicals.

APPENDIX A

Site Photographs



Photograph 2. Building no. 901, trees are Chinese elm.



Photograph 3. Building 901 showing stone masonry and vigas.



Photograph 4. Building no. 916 Utility Plant. Vandals have removed electrical components and left graffiti throughout the school.



Photograph 5. Building no. 907 duplex housing, similar to building nos. 909 and 910.



Photograph 6. Building no. 915, extensive graffiti and vandalism.



Photograph 7. Buildings no. 909 and 910, duplex apartments.



Photograph 8. Building no. 914 with vandalized exterior and interior. Several buildings on the campus have been broken into.

Photograph 9. Building no. 914 basement door forced open. A water pump and plumbing is in the basement.





Photograph 9. Building no. 912 Resource Room.



Photograph 10. Building no. 913, garage bays.



Photograph 11. Building no. 154980, a mobile home.



Photograph 12. Building no. 925, a water treatment building. The fence gate was damaged and open.



Photograph 13. Building no. 904, appears to be vocational education building.



Photograph 14. Building no. 903 an office, built in 1935.

APPENDIX B

Navajo Department of Fish and Wildlife Correspondence



THE
NAVAJO
NATION

Dept of Fish & Wildlife • P.O. Box 1480 • Window Rock, AZ 86515 • (928) 871-6451 • Fax (928) 871-7069

30 June 2010

File#IOBIAA07

Roselia Duwyenie, Acting Regional Env. Scientist
U.S. Dept. Of the Interior
Bureau of Indian Affairs
P.O. Box 1060
Gallup, NM 87305

SUBJECT: WINGATE ELEMENTARY SCHOOL, WINGATE, NM
BACA COMMUNITY SCHOOL, BACA, NM
THOREAU COMMUNITY SCHOOL, THOREAU, NM

Ms. Duwyenie:

The following information on species of concern¹ is provided in response to your proposed request concerning the subject project, which consists of the following: Old Wingate Elementary School, Wingate, McKinley County, NM; Baca Community School, Baca, McKinley County, NM; Old Thoreau Boarding School, Thoreau, McKinley County, NM.

FORT WINGATE, NM 7.5-MINUTE QUADRANGLE

Project Location: Old Fort Wingate Elem. School

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

PREWITT, NM 7.5-MINUTE QUADRANGLE

Project Location: Baca/Dlo'ay'Ahi Comm. School

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

THOREAU, NM 7.5-MINUTE QUADRANGLE

Project Location: Old Thoreau Boarding School

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

¹"Species of concern" include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (NESL), federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate or NESL group 4 status; please be aware of these species during surveys and inform the NFWF of observations. Documentation that these species are more numerous or widespread than currently known, and addressing these species in project planning and management is important for conservation and may contribute to ensuring they will not be uplisted in the future. Species without ESA or NESL legal protection (e.g., NESL group 4 species) are only included in responses on a regular basis and may not be included in this response. Please refer to the NESL for a list of group 4 species; contact me if you need a copy.


Potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the 'Corps of Engineers Wetlands Delineation Manual' (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the NFWD's Natural Heritage Program (NHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NHP). The NHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation.

This response is based on information in the Navajo Natural Heritage Program database; knowledge of staff biologists about the project area; the scope of the project; the USGS topographic map of the project area; and information you provided. Because the NFWD's information is continually updated, any given information response is only wholly appropriate for its respective request.

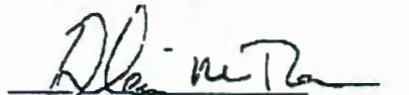
For a list of sensitive species on the Navajo Nation in addition to the species listed on the Navajo Endangered Species List (NESL) please refer to our website at www.nndfw.org.

An invoice for this information is attached.

If you have any questions I may be reached at (928) 871-6472.


Sonja Dersbi, Wildlife Tech.
Natural Heritage Program
Department of Fish and Wildlife

CONCURRENCE


Gloria M. Tom, Director
Department of Fish & Wildlife
Division of Natural Resources

xc: file/chrono



**REPORT OF PHASE I ENVIRONMENTAL
SITE ASSESSMENT**

FOR:

**United States Department of the Interior
Bureau of Indian Affairs
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87301**

FOR PROPERTY IDENTIFIED AS:

**The Old Thoreau Boarding School
1 Mile North of Exit 53 off of I-40
Thoreau, New Mexico 87323**

BIA P.O. # SNM000090196

November 2010



2318 Roldan Drive · Belen, New Mexico 87002
(505) 861-1700 · Fax (505) 864-1710
24 hr. Emergency #: (505) 861-1700 ext. 7
e-mail: jfitt@acsnm.com

November 10, 2010

Ms. Rose Duwyenie
Contracting Officer's Representative (COR)
United States Department of the Interior
Bureau of Indian Affairs
Navajo Regional Office
P.O. Box 1060
Albuquerque, New Mexico 87301

Re: Phase I Environmental Site Assessment

Dear Ms. Duwyenie:

Advanced Environmental Solutions, Inc. (AES) is pleased to provide the Bureau of Indian Affairs, Navajo Regional Office, with four Final copies, of the Phase I Environmental Site Assessment (ESA), and four Final copies of the NEPA EA. The ESA and the EA were conducted for a property described as the the Old Thoreau Boarding School, located 1 mile north of Exit 53 off of I-40, in Thoreau, New Mexico.

AES performed the EA and the ESA pursuant to Purchase Order No. SNM000090196, and authorized by Notice to Proceed dated December 10, 2009.

This report concludes AES's services on this project. If you have any questions, or if we may be of further assistance, please contact us at (505) 861-1700.

Sincerely,

Jeff D. Fitt
Environmental Services Manager

REPORT OF PHASE I ENVIRONMENTAL SITE ASSESSMENT

**The Old Thoreau Boarding School
1 Mile North of Exit 53 off of I-40
Thoreau, New Mexico 87323**

1.0 EXECUTIVE SUMMARY

Introduction

This Phase 1 Environmental Site Assessment (ESA) has been prepared for Ms. Rose Duwyenie of the Bureau of Indian Affairs, Navajo Regional Office, upon receiving the signed Notice To Proceed dated December 10, 2009. This investigation and report format follows the guidelines of the American Society of Testing and Materials (ASTM) Publication E-1527-05. This report presents the results of our Phase One Environmental Site Assessment performed on the subject property known as the Old Thoreau Boarding School, located 1 mile north of Exit 53, in Thoreau, New Mexico.

Site Description

The subject property; the Old Thoreau Boarding School, is located in Thoreau, New Mexico, 0.1 miles to the north of Highway 371, 0.65 miles to the north of Interstate 40, and approximately 30 miles to the east of Gallup, New Mexico.

The subject site is approximately 6.98 acres in size and contains 17 structures ranging in size from 90-11,856 square feet. The structures consist of six residential dwellings, two dormitories, three detached garages, a well house, Utility Plant, two buildings classified as school/other, a trailer house, and a small office.

The legal description is a tract of land in the north half of Section 33 in Township 14 North, Range 13 West, of the New Mexico Principal Meridian, McKinley County, Thoreau, New Mexico, as listed in Book 8 D.R., Page 237 of the records in the office of the County Clerk of McKinley County, New Mexico.

Thoreau, New Mexico resides in the northwestern portion of the Bluewater underground water basin in the south-central portion of McKinley County at an elevation of 7,158 feet above mean sea level. The soils on the property consist of Zia sandy loam with slopes of 1-5%. The property is surrounded by mostly commercial and some residential properties in all directions.

The current owner of the property is the Department of the Interior, Bureau of Indian Affairs, Navajo Region, P.O. Box 1060, 301 West Hill Street, Gallup, New Mexico.

Records Review

The purpose of a records review is to obtain and review records that will help identify recognized environmental conditions in connection with the subject property. These government and private

agencies are contacted based on their involvement with the property in question. Agencies may not be accessed based on the operations, or lack thereof, conducted on the subject site.

- Our records review did not discover any current investigation of the subject site under any programs conducted by a federal, state or local environmental agency.

Site Investigation

A site investigation focuses on obtaining information indicating the likelihood of identifying physical recognized environmental conditions in connection with the property and assessing the subject property in relation to surrounding land uses and natural surface features. It includes a physical inspection of the real property and any on-site facilities. On Tuesday, April 6 and Thursday, April 8, 2010, AES personnel, Jeff Fitt; the Investigator performed the visual site inspection of the subject property (See section 6.0).

- The investigator did not find evidence of any historic or current significant misuse of hazardous or regulated substances on the subject property.
- The investigator did not identify or find significant evidence of surface water or area aquifer contamination in conjunction with the subject property.
- The investigator identified no suspect odors on the subject property.
- The investigator did not observe any significant pools or sumps of liquids likely to be hazardous substances or petroleum products, to the extent visually and/or physically observed on the subject property at the time of the site visit or from interviews or records review.
- The investigator did not observe any areas of stressed vegetation, stained soil, empty containers, pits, ponds, or lagoons, to the extent visually and/or physically observed on the subject property at the time of the site visit.
- The investigator did not observe any aboveground storage tanks, vent pipes, fill pipes, or access ways indicating underground storage tanks, to the extent visually and/or physically observed on the subject property at the time of the site visit.
- The investigator did observe the following Recognized Environmental Conditions at the site as summarized in the table below.

Building No.	Building Name	Recognized Environmental Condition (REC)
901	Boarding School, Other	<ul style="list-style-type: none"> • Severe fire damage throughout • Florescent light fixtures throughout -possible PCB ballasts • Plaster walls & ceilings throughout-possible ACM • Cove base molding in offices and most of the classrooms-ACM in mastic • Roofing materials and roof penetrations-possible ACM
903	Office	<ul style="list-style-type: none"> • Possible above ground tank supports
904	School, other	<ul style="list-style-type: none"> • cover base molding throughout-possible ACM
907	Apartment Quarters	<ul style="list-style-type: none"> • Plaster walls & ceilings-possible ACM
909	School, other	<ul style="list-style-type: none"> • Plaster walls & ceilings-possible ACM
910	Apartment Quarters	<ul style="list-style-type: none"> • plaster walls & ceilings throughout-possible ACM • cove base molding throughout-possible ACM in mastic
912	Office	<ul style="list-style-type: none"> • South Apartment-cove base molding-possible ACM • Fluorescent fixtures-possible PCB ballasts-
913	Apartment Quarters	<ul style="list-style-type: none"> • Plaster walls & ceilings throughout-possible ACM • 2nd, 4th, and 5th apartments from north- cove base molding-possible ACM in mastic
	School Dormitory	<ul style="list-style-type: none"> • Cove base molding throughout-possible ACM in mastic • Plaster walls & ceilings throughout-possible ACM • Tape bed mud joints in sheetrock-possible ACM
915	School Dormitory	<ul style="list-style-type: none"> • Severe fire damage

Building No.	Building Name	Recognized Environmental Condition (REC)
		<ul style="list-style-type: none"> • Cove base molding throughout-possible ACM in mastic • Plaster walls & ceilings throughout-possible ACM • Tape bed mud joints in sheetrock-possible ACM
916	Utility Plant	<ul style="list-style-type: none"> • Possible ACM on boilers and overhead piping
925	Pump House	<ul style="list-style-type: none"> • 55 gallon drum of Liquichlor (contains sodium hypochlorite)

Conclusions

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 of property identified as the Old Thoreau Boarding School, located 1 Mile North of Exit 53, in Thoreau, New Mexico. Any exceptions to, or deletions from this practice, are described in the "Exceptions To, And Deletions From, ASTM Practice E-1527-05" section of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property, except for those mentioned in Section 8.0 Findings.

AES recommends that the ACM be properly characterized and abated prior to remodeling or demolition activities that might disturb the material. There may be fluorescent light fixtures with ballasts that contain PCBs, and there are three poles on the north side of the site along the east/west dirt road that may have PCB containing transformers. A 55 gallon drum of Liquichlor exists in the well house on the northwest portion of the property.

**REPORT OF PHASE I ENVIRONMENTAL
SITE ASSESSMENT
Of
The Old Thoreau Boarding School
1 Mile North of Exit 53 off of I-40
Thoreau, New Mexico 87323**

November 10, 2010

PREPARED FOR:

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- APPENDIX B: -Site Plan
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2.0 INTRODUCTION

2.1 Purpose

Advanced Environmental Solutions, Inc. was retained by the Bureau of Indian Affairs, Navajo Regional Office, to conduct a Phase I Environmental Site Assessment (ESA) of the Old Thoreau Boarding School, located 1 mile north of Exit 53 off of I-40, in Thoreau, New Mexico. This Phase I ESA of the subject property was performed by Advanced Environmental Solutions in accordance with the American Society for Testing Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM E 1527-05). The purpose of this ESA is to identify, to the extent feasible, Recognized Environmental Conditions (REC) in respect to the subject property.

In accordance with the referenced ASTM Standard, this assessment is limited to information, which can be obtained through appropriate inquiry into reasonably ascertainable standard records of environmental, historical and physical settings, interviews, and site reconnaissance. By definition, no invasive investigative techniques are used nor are any samples collected.

The task items below define the minimum level of effort required to identify and document actual and potential liabilities on the property and to identify the need for further investigative work.

The location of the subject property is shown relative to the surrounding physical features in Figure 1.

2.2 Detailed Scope of Services

- Conduct a visual reconnaissance of the subject property and adjacent accessible areas to evaluate obvious potential sources of contamination.
- Review geologic, hydrogeologic and topographic information to determine the general physical setting of the subject property.
- Interview persons familiar with past and present uses of the subject property.
- Review available historical aerial photographs to evaluate past development on and adjacent to the subject property that may indicate practices associated with the potential generation, storage, leakage, or disposal of hazardous substances.
- Review available building plans and tax assessors building cards for references to the presence of USTs, sumps, oil/water separators, septic tanks and septic drainfields on the property.
- Contact NMED (New Mexico Environment Department) regarding UST Facilities List, UST Active Facilities List, Leaking Underground Storage Tank List, Aboveground Storage Tank List, and the State Landfill and/or Solid Waste Disposal Sites List.
- Review the U.S. EPA (Environmental Protection Agency) CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) list, CERCLIS/NFRP Lists, CORRACTS (Corrective Action) Reports, RCRA Non Corrective Action TSD Lists, (Resource Conservation and Recovery Act) hazardous waste generator list, NPL (National Priorities/Superfund) list, and the ERNS/NRC (Emergency Response Notification System/National Response Center) Database, for indications of potential contamination or remedial actions at the subject property,

- adjacent properties, and properties within one-half (½) mile to one (1) mile.
- Provide a written opinion regarding the potential environmental liabilities associated with the subject property based on results of our study.

2.3 Significant Assumptions

To perform an ESA, Advanced Environmental Solutions (AES) must rely on:

1. Sources of actual knowledge.
2. Thorough and appropriate inquiry.
3. Reviewing reasonably ascertainable documents and records.
4. Conducting a visual, auditory, and olfactory on-site investigation.

In conducting this ESA, AES has relied on the truthfulness of its inquiry sources and the validity of reviewed records. If obvious indications or AES actual knowledge contradicted the reported/reviewed information sources, it has been so stated in the applicable sections of this report.

2.4 Limitations and Exceptions

Services performed by Advanced Environmental Solutions, Inc. were conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the same profession currently practicing in the same locality under similar conditions. It is important to recognize that even the most comprehensive scope of services may fail to detect recognized environmental conditions on a particular site. Therefore, Advanced Environmental Solutions, Inc. cannot act as insurers and cannot "certify" that a site is free of environmental liabilities. No expressed or implied representation or warranty is included or intended in our reports, except that our services were performed, within the limits prescribed by our client, with the customary thoroughness and competence of our profession.

Opinions and recommendations presented herein apply to the existing and reasonably foreseeable site conditions at the time of our assessment. They cannot necessarily apply to site changes of which this office is unaware and has not had the opportunity to evaluate. Changes in the conditions of this property may occur with time due to natural processes or the works of man on the subject site or adjacent properties. Changes in applicable standards may also occur as a result of legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or in part, by changes beyond our control.

The following items are outside the scope of Advanced Environmental's Phase I ESA: radon gas or ionizing radiation; formal wetlands determination or delineation; asbestos containing materials testing or inspection; and lead in paint and drinking water. It is conceivable that not all hazardous or toxic materials will be identified by the inspection process due to: inaccessibility of materials (buried, encapsulated, or enclosed), complexity of building structures, finish work, or other factors.

2.5 Special Terms and Conditions

There are no special terms or conditions associated with the scope of services for this environmental assessment.

2.6 User Reliance

This Phase I Environmental Site Assessment (ESA) was prepared in accordance with the ASTM Standard of Practice E 1527-05 for the sole use of the Bureau of Indian Affairs, Navajo Regional Office, P.O. Box 1060, Gallup, New Mexico, and may not be relied upon by any other party. This ESA was performed for the Old Thoreau Boarding School, located 1 mile north of Exit 53 off of I-40, in Thoreau, New Mexico. The scope of services performed in this Phase I ESA may not be appropriate to satisfy the needs of other users, and the use or re-use of this document or the findings, opinions or conclusions is at the risk of said other users. The information in this report is true and accurate to the best knowledge of the environmental professional preparing this report, and this information may be relied upon by the Bureau of Indian Affairs, Navajo Regional Office.

3.0 SITE DESCRIPTION

3.1 Location & Legal Description

The subject property; the Old Thoreau Boarding School, is located in Thoreau, New Mexico, 0.1 miles to the north of Highway 371, 0.65 miles to the north of Interstate 40, and approximately 30 miles to the east of Gallup, New Mexico.

The legal description is a tract of land in the north half of Section 33 in Township 14 North, Range 13 West, of the New Mexico Principal Meridian, McKinley County, Thoreau, New Mexico, as listed in Book 8 D.R., Page 237 of the records in the office of the County Clerk of McKinley County, New Mexico.

3.2 Site and Vicinity General Characteristics

The land within the general vicinity of the subject property is a combination of commercial and residential properties. The topography within a half-mile ($\frac{1}{2}$) radius of the subject property ranges from 7,121 feet to 7,160 feet, and the elevation at the subject property is 7,158 feet. The property is relatively flat from front to back.

3.3 Current Use of the *Property*

The subject property and the 17 buildings on the property have not been utilized since 2002.

3.4 Descriptions of Structures, Roads, and Other Improvements on the Site

The subject site is approximately 6.98 acres in size and contains 17 structures ranging in size from 90-11,856 square feet. The structures consist of six residential dwellings, two dormitories, three detached garages, a well house, Utility Plant, two buildings classified as school/other, a trailer house, and a small office. The structures are constructed of block, sandstone block, or cinderblock, with flat or pitched roofs. The pitched roofs are covered with roll-type asphalt roofing material (please see Section 6.3 for a detailed description of the buildings). The property is surrounded by a six foot chain link fence with three strand barbed wire. A double entry gate is situated on the southeast end of the site by Highway 371 (across from the Family Dollar Store), and another double entry gate is situated near the intersection of Lenore Avenue and 4th Avenue. A gravel road extends to the north from both

gates on the east and west sides of the property and runs east/west along the length of the northern property boundary to the north of the living quarters. Concrete sidewalks extend east/west the length of the property in the area of the buildings; one to the south of the living quarters, and the other to the south of the dormitories. A playground area, and basketball court on a concrete pad exists on the southeast portion of the property, and the eastern most portion of the property is undeveloped with the exception of a trailer house (building N154980). Domestic water, hot water, and steam lines originate from Building #916; the Utility Plant, and are routed to all of the on-site buildings. A water well is housed in Building 925 on the northwest portion of the site, and is drilled to a depth of 1,201 feet. Sanitary sewer lines are routed to all of the on-site buildings as well, and exits to the southeast under Highway 371.

Water was provided by an on-site water well; #16K-334, sewer was provided by the City of Thoreau, natural gas by PNM/New Mexico Gas Company, and electricity by Continental Divide of Grants, New Mexico.

3.5 Current Uses of the Adjoining Properties

Situated adjacent to the subject property to the west is McKinley County Thoreau Elementary School, farther west were some apartments (no name), and to the west of Los Arboles Road were residential trailer homes. Situated to the south of the property was St. Bonaventure School, farther south was St. Bonaventure Mission Church, and Gary Hagele Pre-School/St. Bonaventure School, and to the southwest across Lenore Avenue were residential dwellings. To the southeast across Highway 371 were a Family Dollar Store and a Talk of the Town Car Wash. Situated to the northwest of the site were vacant undeveloped property, and a park with paths. To the north was a Church of Jesus Christ of Latter Day Saints, to the northeast was Western New Mexico Medical Group, and across East Navarre Blvd. was the Thoreau Post Office. Situated to the east of the subject property was a residential trailer home at the intersection of Highway 371 and East Navarre Road.

4.0 USER PROVIDED INFORMATION

The purpose of this section is to summarize tasks performed in conjunction with the site reconnaissance by or on behalf of the Bureau of Indian Affairs (the User) that will help identify the possibility of recognized environmental conditions in connection with the property. A User Questionnaire was presented to Mr. Calvin Quimayousie with the BIA Division of Property Management, and Mr. Wilbert Dempsey; with BIA Facility Management in Crownpoint, New Mexico, on the morning of June 4, 2010. Mr. Quimayousie and Mr. Dempsey are considered the Key Site Managers for the property. The preparer of this ESA went over the six questions on the questionnaire in person with Mr. Quimayousie and Mr. Dempsey, and recorded their responses in their presence. Their responses are presented below under Sections 4.2, 4.3, 4.4, and 4.5.

4.1 Title Records

The site's current user supplied this Phase I ESA with no information regarding the site's title records; this is not viewed a limitation to this Phase I ESA.

4.2 Environmental Liens or Activity and Use Limitations (AULs)

The user provided verbally and in person to the preparer of this ESA report the following responses to Question Number 1 & 2 of the User Questionnaire:

- (1.) **Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).** Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law? *Answer: No.*
- (2.) **Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).** Are you aware of any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law.? *Answer: No.*

4.3 Specialized Knowledge

The User provided the following response to Question Numbers 3 and 6 of the User Questionnaire:

- (3.) **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).** As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property, so that you would have specialized knowledge of the chemicals and processes used by this type of business. *Answer: Yes.*
- (6.) **The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).** As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? *Answer: No.*

4.4 Commonly Known or Reasonably Ascertainable Information

The User provided the following responses to Question Number 5 of the User Questionnaire.

- (5.) **Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).** Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user,

(a.) Do you know the past uses of the property?

Answer: Yes. The property has always been utilized for school purposes.

(b.) Do you know of specific chemicals that are currently present, or were once present on the property?

Answer: Yes. Asbestos containing materials are present in the soils beneath all of the buildings. There is no inventory for PCB ballasts at the school.

(c.) Do you know of spills or other chemical releases that have taken place at the property?

Answer: No.

(d.) Do you know of environmental cleanups that have taken place at the property?

Answer: No.

4.5 Valuation Reduction for Environmental Issues

The User provided the following response to Questions Number 4 of the User Questionnaire.

(4.) Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29). Does the purchase price being paid for this property reasonably reflect the fair market value of the property?

Answer: This section is not applicable for purposes of this report.

If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is know or believed to be present at the property?

Answer: This section is not applicable for purposes of this report.

4.6 Owner, Property Manager, and Occupant Information

The current owner of the property is the Department of the Interior, Bureau of Indian Affairs, Navajo Region, P.O. Box 1060, 301 West Hill Street, Gallup, New Mexico.

4.7 Reason for Performing *Phase I*

This Phase I Environmental Site Assessment is being performed to determine if there are any Recognized Environmental Conditions affecting the property in order to satisfy the requirements of the Landowner Liability Protections (innocent landowner defense, contiguous property owner liability protection, and bona fide prospective purchaser liability protection) provided by CERCLA's AAI Rule (40 CFR Part 312), and to help understand potential environmental conditions that could materially impact the intended operations on the property.

4.8 Other

The User of this report was unaware of any other obvious indicators that point to the presence or likely presence of contamination at the property.

5.0 RECORDS REVIEW

5.1 Standard Environmental Record Sources

We reviewed regulatory records for the subject property and vicinity. The following NMED lists were researched: UST Facilities List, UST Active Facilities List, Past and Current UST Leak Sites List, the Aboveground Storage Tank List, and the State Landfills and/or Solid Waste Facilities List. In addition, the following EPA Lists were researched: CERCLIS List, RCRA Notifiers List, NPL/Superfund List, ERNS/NRC Database and the CORRACTS Database.

NEW MEXICO ENVIRONMENT DEPARTMENT LISTS (NMED):

UST Facilities list dated November 25, 2008. This list includes all facilities that have ever had tanks installed. They may or may not be in use. They may have been removed or closed in place. The list does not indicate registered UST on the subject property, or on adjoining properties.

UST Active Facilities List dated November 17, 2009. This list includes all facilities with tanks registered with the UST Bureau for the current fiscal year. The list does not indicate USTs on the subject property, or on adjoining properties.

Leaking Underground Storage Tank List (LUST) updated October 8, 2009. This list identifies sites where releases of petroleum hydrocarbons have been confirmed in the past or present. The list does not indicate LUST's on the subject property, but does list one property within one-half (½) mile of the subject property.

Site Name	Site ID	Address	Distance/Direction
Thriftway #257	2740	Highway 371, Thoreau, NM	W ¼ -½ (0.32 mi.)

Aboveground Storage Tank List dated November 25, 2008. This list includes all facilities with aboveground storage tanks registered with the UST bureau for the current fiscal year. The list does not indicate any AST's on the subject property or adjoining properties.

The State and tribal landfill and/or solid waste disposal site lists dated August 31, 2009 was reviewed, and there are no sites listed for the subject property, and one site is listed within one-half (½) mile of the subject property as listed:

Site Name	Address	Distance/Direction
Elkins Ranch/Thoreau Regional		SSW ¼ -½ (0.297 mi.)

The data came from the New Mexico Environmental Department's Solid Waste Facilities List.

ENVIRONMENTAL PROTECTION AGENCY LISTS (EPA):

Federal CERCLIS List dated January 14, 2010. The CERCLIS lists sites which come to the EPA's attention that may have a potential for releasing hazardous substances into the environment. Listing of a site on the CERCLIS list does not necessarily mean it is contaminated and the absence of a site on the inventory does not necessarily mean it is contaminant free. There were no sites listed within one-half (½) mile of the subject property.

CERCLIS-NFRAP: No Further Remedial Action Planned (Source: EPA) dated January 14, 2010. As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. EPA has removed approximately 25,000 NFRAP sites to lift the unintended barriers to the redevelopment of these properties and has archived them as historical records so EPA does not needlessly repeat the investigations in the future. This policy change is part of the EPA's Brownfield's Redevelopment Program to help cities, states, private investors and affected citizens to promote economic redevelopment of unproductive urban sites. There are no sites listed for the subject property or adjoining properties.

CERCLIS- State and Tribal Equivalent List dated January 14, 2010: This list includes cleanup sites that fall under the state's Water Quality Control Commission. The search distance is ½ mile. There are not sites listed for the subject property or properties within ½ mile.

Corrective Action Report dated January 30, 2010 (Source: EPA) CORRACTS identifies hazardous waste handlers with Resource Conservation and Recovery Act (RCRA) corrective action activity. This report shows which nationally defined corrective action core events have occurred for every handler that has had corrective action activity. There are no sites listed within one (1) mile of the subject property that is potentially subject to Corrective Action as follows:

RCRA Non-Corrective Action TSD Facilities dated January 30, 2010. There are no facilities within one-half (1/2) mile of the subject property.

RCRA Generators List dated January 30, 2010. The RCRA Generators List identifies facilities that are classified by EPA as generators, handlers, or transporters of hazardous wastes. A facility appearing on this list does not imply that a release or spill of hazardous waste has occurred at the facility. The search area is for the subject site and adjoining properties. The subject property is not listed, and one site is listed as an adjoining property as follows: (See Figure 4).

Site Name	Address	Generator Status	EPA ID #	Dist/Dir
BIA Dlo'ay'Azhi School ENA	1 mile N of Exit 53 off of I-40 Thoreau, NM	CESQG	NNR000000638	Subject Site
Burlington Northern & Santa Fe	West Thoreau, Thoreau, NM	Not in a Universe	NM0000992255	W 0 -¼ (0.1 mi)

Federal NPL/Superfund List dated January 14, 2010. Sites which appear on this list have been investigated, and EPA has determined the site may represent a long-term threat to public health or the environment. No sites were listed within one (1) mile of the subject property.

The Emergency Response Notification System (ERNS) is a listing compiled by the U.S. EPA of reported releases to the air, soil and/or water of hazardous and/or unidentified substances. The National Response Center (NRC) serves as the sole national point of contact for reporting all oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories. The subject site is not listed on the ERNS system.

Facility Registry System (FRS) – The subject site does appear on the FRS as follows:

Facility Name	Address	City Name, State, Zip Code
BIA Dlo'ay' Azhi School ENA NN	1 mile north of Exit 53	Thoreau, NM 87323

5.2 Additional Environmental Record Sources

Tax Assessor Building Cards

The building records for the subject property were obtained from the Branch of Property Management in Gallup, New Mexico. The data includes an "Asset Valuation Documentation Form", in some cases a "Real Property Evaluation Data" form, and dated photographs. The table below summarizes the supplied information and is included in Appendix B.

Bldg. No.	Description	Sq. Footage	Dimensions	Construction	Status
901	Elementary School	11,856	34'x132' Wing: 24'x92' 16'6"x24' 25'x58'	<ul style="list-style-type: none"> • Exterior Wall-stone-native sandstone • Interior Wall-Plaster on stone/frame w/celotex • Floor-oak • Ceiling-construction showing • Roof-composition built-up 	On Site
903	Storage	285	16'x20'	<ul style="list-style-type: none"> • Exterior Wall-Stone-native sandstone • Interior Wall- stone • Floor-concrete • Ceiling-concrete • Roof-concrete w/composition built-up 	On Site
904	Facility Mgmt. Shop	1,944	59'x29'4"	<ul style="list-style-type: none"> • Exterior Wall-concrete block • Interior Wall-concrete block • Floor-concrete • Ceiling-exposed • Roof-built-up 	On Site
905	Quarters Garage	330	25'4"x13'	<ul style="list-style-type: none"> • Exterior Wall-concrete blocks • Interior Wall-none • Floor-concrete 	On site

Bldg. No.	Description	Sq. Footage	Dimensions	Construction	Status
				<ul style="list-style-type: none"> • Ceiling-exposed • Roof-built-up 	
906	Quarters	1,250	39'8"x28'4"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, keen cement • Floor-wood & linoleum • Ceiling-plaster • Roof-built-up 	On site
907	Apartment	2,073	63'8"x27'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, keen cement • Floor-wood & linoleum • Ceiling-plaster • Roof-built-up 	On Site
908	Quarters Garage	820	31'4"x22'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete block • Interior Wall-none • Floor-concrete • Ceiling-exposed • Roof-built-up 	On Site
909	Classroom	2,073	63'8"x27'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, keen cement • Floor-wood & linoleum • Ceiling-plaster • Roof-built-up 	On site
910	Apartment	2,073	63'8"x27'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, keen cement • Floor-wood & linoleum • Ceiling-plaster • Roof-built-up 	On site
911	Quarters Garage	820	31'4"x22'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete block • Interior Wall-none • Floor-concrete • Ceiling-exposed • Roof-built-up 	On site
912	Library	2,742	78'8"x31'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, keen cement • Floor-wood & linoleum • Ceiling-plaster • Roof-built-up 	On site
913	Apartment	4,974	103'4"x24'8"	<ul style="list-style-type: none"> • Exterior Wall-concrete blk., asbestos shingles • Interior Wall-concrete blk., frame, 	On site

Bldg. No.	Description	Sq. Footage	Dimensions	Construction	Status
				plaster • Floor-wood, concrete, linoleum • Ceiling-plaster and exposed • Roof-built-up	
914	Dormitory	5,671	27'6"x155' Wings: 31'11"x29'9", 38'8"x5', 9x9'3", 10'4"x9'3"	• Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, concrete blk., keen cement • Floor-concrete, tile, wood, linoleum • Ceiling-plaster and exposes • Roof-built-up	On site
915	Dormitory	5,671	27'6"x155' Wings: 31'11"x29'9", 38'8"x5', 9x9'3", 10'4"x9'3"	• Exterior Wall-concrete blk., asbestos shingles • Interior Wall-plaster, concrete blk., keen cement • Floor-concrete, tile, wood, linoleum • Ceiling-plaster and exposes • Roof-built-up	On site
916	Utility Plant Bldg.	1,334	N/A	N/A	On site
925	Pump House	90	9'3"x9'4"	• Exterior Wall-cinder block • Interior Wall-cinder block • Floor-concrete • Ceiling-plywood • Roof-frame/gravel and tar	On site
154980	Trailer House	847	N/A	N/A	On site

5.3 Physical Setting and Historical Use Sources

Regional Geology

The Zuni Mountains represent a northwest-southeast trending domal uplift forming the central southern margin of the San Juan Basin, a physiographic division of the Colorado Plateau. Rock that are exposed in the Thoreau quadrangle are correlated with formations which are defined either farther north and west on the Colorado Plateau or considerably south and east of the area on the edges of the Permian Basin of New Mexico and West Texas. The Yeso formation of Permian age; the oldest unit exposed in the quadrangle, in overlain by the Permian Glorieta and San Andres formation. These beds are unconformable overlain by strata assigned to the Triassic Chinle formation which in turn underlies a series of sandstone and siltstones variously correlated with the Glen Canyon group, the San Rafael group, and the Morrison formation of Jurassic age. The marine upper Cretaceous beds of the Dakota and Mancos formations truncate the underlying beds and form the upper part of the geologic column. Two small patches of basalt are presumed to be of Tertiary or Quaternary age.

Beds in the Thoreau quadrangle dip from 3-5 degrees northward or northeastward under the

younger rocks of the central part of the San Juan Basin. The gentle homoclinal dip is interrupted by several persistent fault zones of small throw. Structures within the quadrangle appear to be closely related to and controlled by the uplift of the Precambrian core of the Zuni Mountains south of the quadrangle.

Site Geology

Information regarding elevation and topographical features was obtained from the U.S. Geological Survey, Thoreau, New Mexico (See Figure 2). The subject property is at an approximate elevation of 7,158 feet above mean sea level, and at a GPS position of Latitude (N35° 24' 20.21"), Longitude (W108° 13' 16.42). The legal description is a tract of land in the north half of Section 33 in Township 14 North, Range 13 West, of the New Mexico Principal Meridian, McKinley County, Thoreau, New Mexico, as listed in Book 8 D.R., Page 237 of the records in the office of the County Clerk of McKinley County, New Mexico.

According to the U.S. Department of Agriculture publication, "Soil Survey of McKinley County Area, New Mexico, McKinley County and Parts of Cibola and San Juan Counties", the soil on the subject property consists of Zia sandy loam (352), with slopes of 1 to 5 percent (See Figure 3a, 3b, & 3c).

Zia soils are found on stream terraces on valley floors and alluvial fans on valley sides. The parent material consists of Eolian material and fan and stream alluvium derived from sandstone. Zia soils are somewhat excessively drained, permeability is moderately rapid; about 2.00 in/hr, available water capacity is moderate; about 7.1 inches, there is no flooding hazard, and the runoff class is very low. The depth to restrictive features is greater than 60 inches. Native vegetation consists of blue grama, western wheatgrass, Indian Ricegrass, fourwing saltbrush, sand dropseed, needleandthread, spike dropseed, winterfat, galleta, ring muhly, rabbitbrush, sand sagebrush, and spineless horsebrush.

A typical profile from 0-3 inches is sandy loam, 3-31 inches is sandy loam, and 31-65 inches is fine sandy loam.

Regional Hydrogeology

Thoreau, New Mexico resides in the northwestern portion of the Bluewater underground water basin in the south-central portion of McKinley County. The basin is approximately 46 miles long north-south, and 45 miles long at its widest point east-west.

Several units of the different formations are potential ground-water producers in the area. The lower sandstone and conglomerate beds of the Abo formation underlie all of the quadrangle at depths ranging from about 600 feet along the southern margin to several thousand feet at the northern edge of the Thoreau quadrangle. Locally the middle sandstone member of the San Andres formation and the Dakota sandstone may be good aquifers. A few shallow wells have been sunk in the alluvium of some of the larger stream valleys, but the capacity is largely dependent upon annual precipitation and the thickness of the alluvium.

The outcrop of the Yeso formation is limited in recharge and is correspondingly small. Much of the formation is fine-grained sandstone or siltstone, contains some gypsum, and lacks adequate permeability to serve as a good aquifer. However, in the upper part of the formation sandstone beds similar to the overlying Glorieta sandstone are much coarser-

grained and more permeable. Water of variable quality should be available from these units at depths ranging from 200-300 feet in the southern part of the quadrangle and at depths ranging from 1,000-1,500 feet in the valley north of Interstate 40.

Glorieta Sandstone: Recharge to the Glorieta sandstone is extensive in the southwest corner of the Thoreau quadrangle and farther south. However, the extensive exposures are mostly in the top of the sandstone where permeability is low because of abundant calcareous cement. The lower part of the sandstone is much more permeable, since the contact between the Yeso formation and the Glorieta formation are somewhat arbitrarily located; the zone of good water accumulation probably crosses the formational boundary in many places. Drilling depths are from a few feet in the southern part of the quadrangle to more than 1,000 feet in the valley north of the Interstate 40. A well completed in 1952 in Thoreau yielded an artesian flow of 6 gallons per minute of good quality water from depths of 1,081-1,250 feet.

Source: Bulletin 31, Geology of the Thoreau Quadrangle, McKinley and Valencia Counties, New Mexico by Clay T. Smith 1954

Water Well Logs

There is one water well on the subject property. Well information was provided by the BIA Facilities Management for Well Number 16K-334 as follows:

Well Name	Completion Date	Well Elevation	Total Depth	Static Water Level	Nominal Yield
16K-334	10/03/1962	7,120 ft.	1,201 ft.	31.0 ft.	75.0 gal.

Please see Appendix C for copies of the well logs.

Deed Information/Property Profile

A Warranty Deed for the subject property was obtained from Ms. Fern Becenti; Realty Specialist, Branch of Property Management, Bureau of Indian Affairs, Navajo Region, in Gallup, New Mexico. The Warranty Deed was dated November 14, 1950, and stated that Homer C. Jones, a single person of Thoreau, McKinley County, New Mexico for consideration paid, grants to the United States of America, in Trust for the Navajo Tribe of Indians, the following described real estate in McKinley County, New Mexico:

A tract of land in the north half of Section 33 in Township 14 North, Range 13 West, of the New Mexico Principal Meridian, Mckinley County, New Mexico which is described as follows:

Beginning at the North West corner of that certain tract of land conveyed by J.F. Branson and Ava Branson, his wife, to the United States of America, in trust for the Navajo Tribe of Indians, by that certain Warranty Deed dated September 29, 1934 and recorded in Book 8 D.R. Page 237 of the records in the office of McKinley County, New Mexico, and run:

Please see Appendix C for copies of deed information.

Sanborn Fire Insurance Maps

Historical fire insurance maps from the Sanborn Map Company were mapped from 1867 to 1970. Sanborn maps were not available for the area of the subject property.

Historical Phone Directories

Historical phone directories published by R. L. Polk & Co. Publishers, and Hudspeth Directory Co. Publishers were not available for the subject site.

Aerial Photographs

Historical aerial photographs were reviewed for 1935, 1958, 1973, 1981, 1997, 2005 and 2009.

In the 1935 aerial photograph, the subject buildings are not present on the subject property. Several small structures are present to the south and southwest of the subject site.

In the 1958 aerial photograph, the buildings are now present on the subject property, and what appears to be wastewater pond is present on the eastern portion of the property. Several large structures are present on the adjacent property to the west. There does not appear to be any significant changes in the surrounding properties.

In the 1973 aerial photograph, the wastewater pond on the eastern portion of the property appears to be gone. There are numerous small buildings present on the adjacent property to the west; ten small structures to the north of the long building and 4-6 small structures near the western property boundary of the subject property. There are also 4 structures or large tanks present near the northwest corner of the adjacent property to the west. A large building is now present on the adjacent property to the south across 4th Avenue, and residential development on the block bounded by 4th Avenue and Lenore Avenue.

The 1981 aerial photograph is very poor quality, but there does not appear to be any significant changes in the subject property or adjacent properties.

In the 1997 aerial photograph, a small structure is present near the southwest corner of the subject property to the east of the larger building; Building 930. Two large structures are present on the northern portion of the adjacent property to the west, and there has been continued development to the adjacent property to the south. A large structure is also present on the adjacent property to the north: The Church of Latter Day Saints and the Post Office are present to the north of E. Navarre Blvd.

In the 2005 aerial photograph, there does not appear to be any significant changes in the subject property. A large structure is present to the northeast of the subject property near E. Navarre Blvd; Western New Mexico Medical Group. There does not appear to be any other significant changes.

In the 2009 aerial photograph, there does not appear to be any significant changes in the subject property, or surrounding properties.

Please see Appendix A for the 1935, 1958, 1973, 1981, 1997, 2005 and 2009 aerial photographs.

5.4 Historical Use Information on the *Property*

Review of the 1935 historical aerial photograph does not indicate the presence of structures on the subject property. The 1958 aerial photograph indicates the presence of most of the present day buildings, and what appears to be a waste water treatment pond on the eastern portion of the property. In the 1973 photo the wastewater pond is no longer present.

5.5 Historical Use Information on Adjoining Properties

Review of the 1935 aerial photograph does not indicate the presence of structures on any of the adjacent properties at this time. The 1958 aerial photograph indicates the presence of the Thoreau Elementary School to the west of the subject property, and another structure to the south across Highway 371. The 1973 aerial photo indicates the continued development of the elementary school to the west, the St. Bonaventure School or church is present to the south of the western portion of the property, and residential development is present to the southwest of the property. The 1997 aerial photograph indicates continued growth in the St. Bonaventure School to the south of the western portion of the property, and two large structures have been added to the northern portion of the Thoreau Elementary School property to the west. The church to the north of the property is present, as well as the Thoreau Post Office to the northeast across East Navarre Boulevard.

5.5.1 Data Gaps

There were no Data Gaps of significant impact associated with the completion of this project.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

A site reconnaissance was conducted of the Old Thoreau Boarding School buildings; 17 building on 6.98 acres, and any other facilities, to identify any visual indications of past or present activities which could pose a risk of contamination. The site reconnaissance was performed by Jeff Fitt; the Investigator, on Tuesday, April 6 and Thursday, April 8, 2010, and included an in-depth tour of the on-site conditions and surrounding property. Photographs of some features discussed in this section are provided in Appendix A

The 17 buildings and approximately 7 acres were visually inspected by walking the sites open areas, around the buildings perimeter, and throughout the interior of the buildings. The only limiting conditions regarding the inspection of the buildings was that the interior of most of the quarters garages were not viewed, access could not be obtained.

6.2 General Site Setting

The subject property; the Old Thoreau Boarding School, is located to the north of Interstate 40 approximately 0.66 miles, 0.1 miles to the north of Highway 371, to the northeast of Lenore Avenue, and 0.1 miles to the south of East Navarre Road in Thoreau, New Mexico.

The site is located within the northwest portion of the Bluewater underground water basin at an elevation of 7,158 feet above mean sea level. The soils on the subject property are Zia sandy loam, with 1-5% slopes. Mostly commercial and some residential properties are situated on all sides of the subject property, and Interstate 40 borders the property to the south. This Phase I ESA's inspection of topographic contours in the area of the subject site did not indicate any ponds or large depressions in the site's vicinity.

6.3 Exterior and Interior Observations

Building #901 Boarding School, Other/Cafeteria and Classrooms - this building is constructed of sandstone block, and is an 11,856 square foot irregular shaped structure with a flat roof that was built in 1935. The building is situated in the southwest portion of the school campus. There are two cinderblock structures that were later additions to the southwest portion of the building that house freezers in the northern structure, and a storage room in the southern structure. Entrances into the building are through a single entry metal door on the southwest side between the cinderblock additions, there is one on the southwest and southeast corners, there are two single entry metal doors on the east central portion of the building (the main entrance) and two single entry metal doors on the northeast and northwest corners of the building. A concrete sidewalk extends the length of the building on the east side, and sidewalks extend to the entry doors on the southeast, south central and northeast portions of the building.

Entry into the building was through the single entry metal door on the west side between the cinderblock structures. This door leads into a hallway that provides entry to the freezers and the storage room (cinderblock structures). Continuing through another door leads into the kitchen. The kitchen was badly damaged from fire. The flooring consisted of 6" ceramic tiles, the ceiling and the walls were plaster. Situated on the north wall of the kitchen are a small walk-in freezer and a storage room. Most of the kitchen equipment and exhaust hoods are present. To the south of the kitchen area is the dining hall which had sheet vinyl for flooring, the ceilings were wooden beams with tongue and groove boards, the walls were plaster, and the lighting was fluorescent. To the south of the dining hall is an office that had carpeted floors, the ceilings were wooden beams with tongue and groove boards, the walls were plaster, and the lighting was fluorescent. A door in the northeast portion of the kitchen led into a long carpeted hallway extending to the north end of the building. In the hallway were bathrooms, offices, classrooms, and a stairwell that leads to the basement. The two offices and a small storage room on the southeast side of the hallway had carpeted floors with cove base molding around the perimeter of the room, the walls were plaster, the ceilings consisted of wooden beams with tongue and groove boards, the flooring in the storage room was 12" vinyl tiles, and the areas were lighted with fluorescent fixtures. The east most office had a fireplace in the corner of the room. The bathrooms had 12" vinyl floor tiles, and fluorescent fixtures. All of the classrooms including the Library at the north end of the hall, had carpeted floors with cove base molding around the perimeter of the rooms, plaster walls, the ceilings were wooden beams with tongue and groove boards, the lighting was fluorescent, and radiant heaters ran the length of the rooms underneath the windows. The basement

consisted of concrete floors, block walls, and concrete ceilings. Most of the visible piping runs in the basement were not insulated.

The building was generally in poor condition with severe fire damage in the kitchen and hallway leading to the classrooms.

Building #916 Utility Plant – this building is a 1,386 square foot rectangular shaped block building, with a pitched roof covered with roll-type asphalt roofing material, that was built in 1952. The building is located in the southwest portion of the school compound to the west of Building 901. Entry into the building is through a single entry metal door on the south side, and double entry metal doors on the east side of the building. Concrete driveway type pads are situated on the southeast and northwest corners of the building.

The interior of the building had concrete floors; the ceilings consisted of two steel support beams that ran the length of the building, and wooden rafters with tongue and groove boards. There were two boilers in the area, and a small storage area in the southeast corner with wooden framing and sheetrock walls and ceilings. Some of the overhead piping was insulated and may potentially contain asbestos. A steam tunnel originates from the northwest corner of the building, but the piping was not visible. The piping does contain asbestos according to Mr. Wilbert Dempsey.

Building #903 Office – this building is a 285 square foot rectangular shaped sandstone block building with a flat roof that was built in 1935. A single entry door is located on the west end of the building. A concrete slab is situated in front of the door on the west end, and steps with metal hand rails extend up to the building from the west. A raised "T" shaped concrete structure exists on the north side of the building that appears to have been used for an above ground tank or it may be the remainder of a small building foundation.

The interior of the building consisted of concrete floors, sandstone block walls and concrete ceilings with fluorescent fixtures. The interior was littered with papers and trash. The structural condition of the building was good.

Building #915 School Dormitory – this building is a 5,671 square foot block building with a tar and gravel pitched roof that was built in 1952. Entry into the building is through single entry metal doors located on the north end, the east and west ends, the southwest end, and a double entry metal door on the south central portion of the building. Concrete sidewalks extend the length of the building on the north and south sides with concrete sidewalks extending up the building's entrances. The exterior surfaces of the building have been defaced by graffiti.

The building was entered on the north side which goes into an apartment. The kitchen flooring consisted of 12" vinyl tiles, and the walls and ceiling were plaster. The living room was carpeted with cove base molding around the perimeter, and the walls and ceiling were plaster. The bathroom and one of the bedrooms were badly damaged by fire and smoke. The bedrooms were carpeted with cove base molding around the perimeter, and the walls and ceiling were plaster. Lighting throughout the apartment was incandescent.

Situated to the south of the apartment was the living room for the dormitory. The floors in the living room were carpeted with cove base molding around the perimeter, the walls were

plaster, and the ceilings were wooden beams with tongue and groove boards. The area was lighted with fluorescent fixtures, and radiant heaters were located under the windows. Situated to the east and west of the dormitory living room are a linen storage room, a bathroom, and a small hallway leading to the sleeping quarters where there is a laundry room and a utility room. The storage room flooring was 12" vinyl tiles, and the ceiling was wooden beams with tongue and groove boards. The bathroom had ceramic tile flooring, the walls and ceiling were plaster, and the lighting was incandescent. The flooring in the small hallway, utility closet, and laundry room was 12" vinyl tiles with brown cove base molding. The sleeping quarters had carpeted floors, exposed wooden ceiling joists with tongue and groove boards, and a combination of plaster and block walls.

Building #914 School Dormitory - this building is a 5,671 square foot block building with a tar and gravel pitched roof that was built in 1952. Entry into the building is through single entry metal doors located on the north end, the west end, the southwest side, and a double entry metal door on the south central portion of the building. Concrete sidewalks extend the length of the building on the north and south sides with concrete sidewalks extending up the building's entrances. A basement is located on the northeast corner of the building. The basement has concrete floors, cinderblock walls, and plaster ceilings with incandescent lighting. The piping in the basement was not insulated. The exterior surfaces of the building have been defaced by graffiti.

The interior of the building was identical to Dormitory #915; however, there was no fire damage.

Building #912 Office/Apartments - this building is a 2,742 square foot rectangular shaped block building with a stucco exterior, and a pitched roof that is covered with roll type asphalt roofing material. The building was built in 1952, and is located in the northeast portion of the school compound. There are two separate apartments in the building, one on the east and west ends. Entry doors to east apartment are on the north and east ends, and the west apartments doors are on the north and west ends. Concrete sidewalks lead from the graveled road to the north of the apartments up to the entrances. A concrete sidewalk to the south of the building extends from the east side of the school compound to the west side.

The east end apartment has a kitchen, living room, three bedrooms, and a bathroom. The walls and ceilings throughout the apartment are plaster, the kitchen, front bedroom, and bathroom have 12" vinyl floor tiles, and the other two bedrooms have carpet with 12" vinyl tiles underneath. There is a hot water heater in a closet in the hallway, and the lighting is incandescent. Radiant heaters provide heat in the apartment.

The west end apartment has carpeted floor in the living room, kitchen, and all of the bedrooms, and the bathroom flooring is 12" vinyl tiles. There is brown cove base molding throughout the apartment. The walls and ceilings are plaster, the lighting was fluorescent, and the heating is wall mounted radiant heaters.

Building #913 Quarters Apartment - this building is a 4,974 square foot irregular shaped block building with a stucco exterior, and a pitched roof that is covered with roll-type asphalt roofing material. The building was built in 1952 and is located on the east end of the school compound. The building consists of five apartments on the north end, and five garages on the south end. A hot water heater is situated in an exterior closet on the east side of each

apartment. A concrete sidewalk runs the length of the building on the west side, and concrete pads exist in front of the garage doors on the south side. The building has rain gutters on the west and east sides.

The north most apartment has a small kitchen, a living room/bedroom, a bathroom, and a closet. The flooring was 12" vinyl tiles throughout with the exception of the bathroom which was vinyl sheeting, the north and south walls were block, the remaining walls and ceilings were plaster and lathe. Entry doors were located on the north and east side, the lighting was incandescent, and radiant heat was provided by wall mounted units. Windows in the apartment were metal double pane.

The remaining four apartments are identical to the north most apartment, except the second, fourth, and fifth apartments have brown cove base molding around the perimeter of the rooms, and the bathrooms have 12" vinyl tiles rather than the vinyl sheeting. Each of the four remaining apartments has a wooden entry doors on the east and west sides.

The interior of one of the garages on the south end was viewed. The floors were concrete, the dividing walls between the garages were plywood panels, and the ceiling was exposed wooden joist. There were several washers and dryers and other miscellaneous items being stored. The other garages could not be entered.

Building #N154980 Mobile Home Quarters - this building is an 847 square foot mobile home that was built in 1981. The building has two entrances; one on the north and south sides that have a wooden stairs to access the elevated doorways. A large concrete pad is situated on the northwest side of the building, and a small concrete pad exists at the base of the wooden stairs on the south side. The exterior of the building consists of metal siding and the bottom of the trailer is sealed with corrugated metal.

The interior of the trailer consists of a kitchen, two bedrooms; one at each end, a bathroom, and a hallway. The flooring in the kitchen, living room and bathroom was 12" vinyl tiles, the walls throughout the trailer were wood paneling, with the exception of some wallpaper in the kitchen, and the ceilings were drywall panels. The bedrooms in the east and west end and the hallway were carpeted. A central heating unit was situated in a closet in the hallway.

Building #911 Detached Quarters Garage (this building was labeled #908 on the site drawing) - this building is an 820 square foot rectangular shaped block building with a pitched roof that is covered with roll-type asphalt roofing material. The building was built in 1952 and is located on the northeast portion of the school compound. There are three garages in this building, and concrete pads extend in front of the doors on the north side. Rain gutters exist on the north side.

The interior of the middle garage was viewed. The floors were concrete, the south wall is block, the two side walls between the adjacent garages are plywood panels, and the ceiling is exposed wood joists with 1x boards butted together. The garage was empty except for a mattress. The other two garages could not be viewed.

Building #910 Quarters Apartment - this building is a 2,073 square foot rectangular shaped block building with a stucco exterior, and a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952 and is located in the north central portion of

the school compound along the northern gravel road. Entry doors for the east and west side apartments are located on the north and south sides of the building. Concrete sidewalks extend from the north side entrances toward the gravel road, and from the south side entrances to a sidewalk that extends the length of the compound from the east to the west. The building has rain gutter on the north and south sides.

The interior of the east side apartment consists of a kitchen and utility closet, a living room, two bedrooms, and a bathroom. The flooring in the apartment consists of 12" vinyl tiles and brown cove base molding, and the walls and ceilings are plaster and lathe. There is utility closet in the kitchen with a hot water heater, and the lighting is incandescent. Radiant heating units are in each of the rooms, and the windows in the apartment are metal double pane.

The interior of the west side apartment is identical with the exception of the cove base molding.

Building #909 Quarters Apartment - this building is a 2,073 square foot rectangular shaped block building with a stucco exterior, and a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952 and is located in the north central portion of the school compound along the northern gravel road. Entry doors for the east and west side apartments are located on the north and south sides of the building. Concrete sidewalks extend from the north side entrances toward the gravel road, and from the south side entrances to a sidewalk that extends the length of the compound from east to west. The building has rain gutter on the north and south sides.

The interior of the east side apartment consists of a kitchen and utility closet, a living room, two bedrooms, and a bathroom. The flooring in the apartment is carpeted throughout with 12" vinyl tiles underneath, the bathroom flooring is 12" vinyl tiles, and the walls and ceilings are plaster and lathe. There is utility closet in the kitchen with hot water heater hookups, and the lighting is fluorescent. Radiant heating units are in each of the rooms, and the windows in the apartment are metal double pane.

The interior of the west side apartment is the same as the east side except the flooring consists of 12" vinyl tiles in all of the rooms. The north bedroom is carpeted with 12" vinyl tiles underneath. The lighting is incandescent.

Building #908 Detached Quarters Garage (this garage was labeled #911 on the site drawing) - this building is an 820 square foot rectangular shaped block building with a pitched roof that is covered with roll-type asphalt roofing material. The building was built in 1952 and is located on the northwest portion of the school compound. There are three garages in this building, and concrete pads extend in front of the doors on the north side. Rain gutters exist on the north side.

The interior of the garages was not viewed; they could not be entered. The interior is the same as Building #911. The floors are concrete, the south wall is block, the two side walls between the adjacent garages are plywood panels, and the ceiling is exposed wood joists with 1x boards butted together.

Building #907 Quarters Apartment – this building is a 2,073 square foot rectangular shaped block building with a stucco exterior, and a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952 and is located in the northwest portion of the school compound. Entry doors for the east and west side apartments are located on the north and south sides of the building. Concrete sidewalks extend from the north side entrances toward the gravel road, and from the south side entrances to a sidewalk that extends the length of the compound from the east to the west. Concrete pads for parking of vehicles are situated on the northeast and northwest corners of the building. The building has rain gutters on the north and south sides.

The interior of the east side apartment consists of a kitchen and utility closet, a living room, two bedrooms, and a bathroom. The flooring in the apartment is 12" vinyl tiles, and the walls and ceilings are plaster and lathe. There is utility closet in the kitchen with hot water heater, and the lighting is incandescent. Radiant heating units are in each of the rooms, and the windows in the apartment are metal double pane.

The interior of the west side apartment is the same as the east side except there is a piece of blue carpet in the living room.

Building #906 Single-Family Quarters – this building is a 1,250 square foot rectangular shaped block building with a stucco exterior, and a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952, and is situated on the northwest portion of the school compound. Entry doors are located on the south and west sides of the apartment. A concrete sidewalk extends south from the south entry door to a sidewalk that extends the length of the compound from the east to the west. A concrete driveway and detached garage (Building #905) is situated on the northwest corner of the building, and rain gutters are installed on the north and south sides of the building.

The interior of the apartment consists of kitchen and utility room, living room, two bedrooms, and a bathroom. The flooring in the apartment is 12" vinyl tile throughout except for the living room which is carpeted. The walls and ceilings are plaster and lathe throughout except for the wood paneling in the living room. There is fluorescent lighting in the kitchen, and the remainder of the lighting in the apartment is incandescent. The windows in the apartment are metal double pane.

Building #905 Detached Quarters Garage – this is a 330 square foot rectangular shaped block building with a stucco exterior, and a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952, and is situated on the northwest portion of the school compound. Rain gutters are installed on the east side of the building only, and a concrete driveway extends to the north in front of the roll up door. The interior of this building could not be viewed.

Building #925 Pump House – this building is a 90 square foot, square shaped, cinderblock structure with a flat roof that was built in 1969. There is a single entry metal door on the south side of the building, and a small window on the north side. The interior floors are concrete, the walls are cinderblock, and there is a single fluorescent light fixture. There is a 55 gallon poly drum of 10% Liquichlor which is corrosive and contains sodium hypochlorite inside the building against the north wall; presumably used for chlorination of supplied water.

Building #904 School, Other – this building is a 1,731 square foot rectangular shaped block structure with a pitched roof covered with roll-type asphalt roofing material. The building was built in 1952, and is located in the west central portion of the school compound. There are two single entry metal doors on the west side of the building, and one on the southeast corner. An eight foot concrete sidewalk extends the length of the building on the west side, a five foot concrete sidewalk on the south side, and the north side of the building abuts the sidewalk that runs the length of the compound from west to east. The water tower is situated adjacent to the building on the south side.

The interior of the building consists of a large carpeted room with cove base molding around the perimeter, two restrooms located in the southwest corner of the building, and an office in the north portion of the building (the office could not be accessed; keys were not available). The south, east, and west interior walls of the large room were block, and the north wall was cinderblock. The ceiling was acoustic tiles with recessed fluorescent lights, and radiant heaters extended the length of the large room underneath the glass block windows on the east wall. The flooring in the bathrooms was 12" vinyl tiles, the walls and ceilings were painted textured sheetrock, and the lighting was fluorescent.

NOTE: The following buildings were on the list to survey, but were not present on site.

Building #917 Quarters, Single-Family
Building #918 Quarters, Single-Family
Building #931 Storage, Non-Heated
Building #932 Storage, Non-Heated
Building #933 Storage, Non-Heated

Please see Appendix B for a copy of the Structure Summary by Structure Form.

7.0 INTERVIEWS

7.1 Interview with Owner

The current owner of the property is the U.S. Department of the Interior, Bureau of Indian Affairs, P.O. Box 1060, 301 Hill Street, in Gallup, New Mexico. As discussed in Section 4.0 of this report, the Key Site Managers and owner's representatives are Mr. Calvin Quimayousie and Mr. Wilbert Dempsey. Mr. Quimayousie and Mr. Dempsey's responses to questions asked of them on Friday, June 4, 2010 are presented in Section 4.0 of this report.

Mr. Quimayousie and Mr. Dempsey were also interviewed on June 4, 2010 regarding the subject property. They stated that there was never much in the way of chemicals at the school. They did say that there are steam tunnels that lead from the utility plant to all of the on-site structures, and that the piping is insulated with asbestos containing material. They also stated that there was asbestos containing material in the soils beneath all of the structures on the site. When asked about the concrete supports on the north side of Building 903 that appeared to be for an above ground tank of some kind, they stated that they did not know what they were for.

7.1.1 Interview with Past Owner

Past owners of the property were not interviewed in conjunction with this Phase I ESA. The subject property has been owned by the U.S Department of the Interior, Bureau of Indian Affairs since November 14, 1950.

7.2 Interview with Site Manager

Refer to Section 7.1 above. Mr. Quimayousie and Mr. Dempsey of the Bureau of Indian Affairs are the authorized Site Managers for the property for the purposes of this project.

7.3 Interviews with Occupants

This section is not applicable to this report. There are no occupants on the property, and it has been vacant and not utilized since 2002.

7.4 Interviews with Local Government Officials

The New Mexico Environment Department Petroleum Storage Tank Bureau was contacted regarding underground storage tanks (USTs) at the site. They did not have any records of USTs at the subject site.

The Department of the Interior, Bureau of Indian Affairs, Navajo Region, Branch of Property Management was contacted regarding Building Records, and water well logs for the subject property.

The Department of the Interior, Bureau of Indian Affairs, Navajo Region, Branch of Facilities Management was contacted regarding the subject property.

7.5 Interviews with Others

Mr. Bruce Pritchard with Continental Divide Electric in Grants, New Mexico was interviewed regarding the pole transformers on the site. Mr. Pritchard said that they would have to send a truck to the site to get the serial numbers off of the transformers, and then they would be able to obtain the analytical data for each transformer. The information was not available as of the date of this draft report, but will be included with the Final Report.

8.0 FINDINGS

This Phase I ESA presents the following findings regarding the subject property:

- There is no evidence of any historic or current significant misuse of hazardous or regulated substances on the subject property.
- The investigators identified no suspect odors on the subject property.
- The investigator did not observe any significant pools or sumps of liquids likely to be hazardous substances or petroleum products, to the extent visually and/or physically observed on the subject property at the time of the site visit or from interviews or records review.
- The investigator did not observe any areas of stressed vegetation, stained soil, empty containers, pits, ponds, or lagoons, to the extent visually and/or physically observed on the subject property at the time of the site visit.
- The investigator did not observe any aboveground storage tanks, vent pipes, fill pipes, or access ways indicating underground storage tanks, to the extent visually and/or physically observed on the subject property at the time of the site visit.
- The investigator did observe the following Recognized Environmental Conditions at the site as summarized in the table below.

Building No.	Building Name	Recognized Environmental Condition (REC)
901	Boarding School, Other	<ul style="list-style-type: none"> • Severe fire damage throughout • Florescent light fixtures throughout -possible PCB ballasts • Plaster walls & ceilings throughout-possible ACM • Cove base molding in offices and most of the classrooms-ACM in mastic • Roofing materials and roof penetrations-possible ACM
	Office	<ul style="list-style-type: none"> • Possible above ground tank supports
904	School, other	<ul style="list-style-type: none"> • cover base molding throughout-possible ACM
907	Apartment Quarters	<ul style="list-style-type: none"> • Plaster walls & ceilings-possible ACM
909	School, other	<ul style="list-style-type: none"> • Plaster walls & ceilings-possible ACM
910	Apartment Quarters	<ul style="list-style-type: none"> • plaster walls & ceilings throughout-possible ACM • cove base molding throughout-possible ACM in mastic
912	Office	<ul style="list-style-type: none"> • South Apartment-cove base molding-possible ACM • Fluorescent fixtures-possible PCB ballasts-
913	Apartment Quarters	<ul style="list-style-type: none"> • Plaster walls & ceilings throughout-possible ACM • 2nd, 4th, and 5th apartments from north- cove base molding-possible ACM in mastic
914	School Dormitory	<ul style="list-style-type: none"> • Cove base molding throughout-possible ACM in mastic • Plaster walls & ceilings throughout-possible ACM • Tape bed mud joints in sheetrock-possible ACM
915	School Dormitory	<ul style="list-style-type: none"> • Severe fire damage • Cove base molding throughout-possible ACM in mastic • Plaster walls & ceilings throughout-possible ACM • Tape bed mud joints in sheetrock-possible ACM
916	Utility Plant	<ul style="list-style-type: none"> • Possible ACM on boilers and overhead piping
925	Pump House	<ul style="list-style-type: none"> • 55 gallon drum of Liquichlor (contains sodium hypochlorite)
Pole Transformers	Dirt road north of apartments	<ul style="list-style-type: none"> • Pole transformers on three poles on the north side of the site along the road.

9.0 OPINION

The findings section of this Phase I Site Assessment determined that there were no Recognized Environmental Conditions associated with the subject property except the following:

The presence of suspect asbestos containing materials (ACM), a 55 gallon drum of Liquichlor in the Pump House, and possible PCB containing light ballasts as stated in Section 8, "Findings". Based on our observations and research, we conclude that there is a low risk of subsurface soil and groundwater contamination beneath the subject property resulting from on-site sources. We also conclude that there is a low risk for subsurface soil and groundwater contamination beneath the subject property resulting from releases from off-site sources.

10.0 CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 of property identified as the Old Thoreau Boarding School, located 1 Mile North of Exit 53, in Thoreau, New Mexico. Any exceptions to, or deletions from this practice, are described in the "Exceptions To, And Deletions From, ASTM Practice E-1527-05" section of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property, except for those mentioned in Section 8.0 Findings.

AES recommends that the ACM be properly characterized and abated prior to remodeling or demolition activities that might disturb the material. There may be fluorescent light fixtures with ballasts that contain PCBs, and there are three poles on the north side of the site along the east/west dirt road that may have PCB containing transformers. A 55 gallon drum of Liquichlor exists in the well house on the northwest portion of the property.

11.0 DEVIATIONS

This report was prepared in general accordance with the ASTM E 1527-05 Standards. There are no deviations from the Standard.

12.0 ADDITIONAL SERVICES

There were no additional services included as part of this ESA

13.0 ENVIRONMENTAL PROFESSIONALS STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312. 10 of 40 CFR 312 and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

14.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

This report has been prepared for the benefit of the Bureau of Indian Affairs, Navajo Regional Office, P.O. Box 1060, Gallup, New Mexico. The professional opinions and conclusions presented in this Phase I Environmental Site Assessment are based on a visual reconnaissance of the site, interviews with persons knowledgeable of the site, a search of environmental and historical databases and records in accordance with ASTM Standard of Practice E1527-05, an understanding of the concerns and intent of the user of this report, and experience in the environmental field. The only guarantee concerning this report is that the work and judgment given herein meet the standards of the profession at this time.

Respectfully submitted,

Reviewed by,

Jeff D. Fitt
Environmental Services Manager

Robert Chavez
President

APPENDIX A

-Site Photographs

-Aerial Photographs

APPENDIX B

- Site Plan
- Structure Summary by Structure Form
- Building Records

APPENDIX C

- Deed Information
- Water Well Logs

APPENDIX D

-Supporting Documentation for Section 5 “Records Review”

- **EDR Radius Map Report with GeoCheck**



Tiis Yá Tóh, Inc.

Environmental Support Services



For

DOI, BIA Navajo 00009
301 West Hill Rm. 346
Gallup, NM 87301

Submitted August 7, 2014

PHASE II ENVIRONMENTAL SITE ASSESSMENT



Old Thoreau Boarding School
Section 33, Township 14 N, Range 13 W, N.M.P.M.
Thoreau, McKinley County, New Mexico

Prepared for:
United States Department of the Interior
Bureau of Indian Affairs
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87301

Prepared by: Tiis Yá Tóh, Inc.
LaPlata, New Mexico 87418

August 7, 2014
PO Num. A14PX01030

Tiis Yá Tóh, Inc.



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APPENDIX 1 VICINITY MAP

APPENDIX 2 SITE PLAN

APPENDIX 3 PHOTO LOG

APPENDIX 4 LABORATORY ANALYTICAL REPORTS

ATTACHMENT 1: Lead Based Paint Investigation (Acme Environmental, Inc.)

ATTACHMENT 2: Liquichlor MSDS sheet

ATTACHMENT 3: Utility Line Map

ATTACHMENT 4: Water/Steam Line Map

TABLE 1: Chemical Findings

TABLE 2: Asbestos Quantities and Costs for Removal/Disposal

1.0 INTRODUCTION

Tiis Yá Tóh, Inc. (TYT) has been retained by the United States Department of the Interior, Bureau of Indian Affairs (BIA), Navajo Regional Office to perform a Phase II Environmental Site Assessment (ESA) for the site referred to as Old BIA Thoreau Boarding School. A Phase I ESA report was prepared for the subject property in November 2010.

The subject property is located north of Interstate 40, and approximately 0.1 mile north of NM Highway 371 in Thoreau, McKinley County, New Mexico. The legal description is within Section 33, Township 14 N, Range 13 W, N.M.P.M (see Appendix 1, Vicinity Map). The property is approximately seven acres, and contains 18 structures, including classroom and administrative buildings, residential dwellings and garages, dormitories, utility and pump house buildings, and a water tower (see Appendix 2, Site Plan). Several of these structures have severe fire damage and will be completely demolished.

1.1 Purpose

This report has been prepared by TYT to document and summarize results of the Phase II Environmental Site Assessment (ESA) activities that occurred on June 30, July 1 and July 2, 2014, at the Old Thoreau Boarding School in Thoreau, New Mexico.

The purpose of the Phase II ESA is to further investigate Recognized Environmental Conditions (RECs) identified in a Phase I ESA report prepared by Advanced Environmental Solutions, Inc. in November, 2010. The goals of the investigation were to confirm the presence of asbestos containing material (ACM) and lead based paint (LBP) suspected in multiple buildings and to determine applicable abatement and disposal methods, and to determine the disposal method for the contents of 55-gallon drums located in Building 925.

1.2 Scope of Work

The scope of work for this Phase II ESA consists of collection of over 200 potential ACM samples, two chemical analyses of suspected sodium hypochlorite, and on-site analysis of suspected lead-based paint (LBP) materials.

1.3 Limitations and Exceptions of Assessment

No conclusions can be made regarding the absence or presence of contamination in areas not investigated as part of this Phase II ESA. As consulting engineers and scientists, TYT cannot offer a guarantee or warranty regarding the absence of contamination in areas not investigated. TYT can only provide an opinion based on the information obtained for the areas studied and sampled. The level of confidence in the recommendations included herein depends on the scope of work agreed to by the User for the investigation.

2.0 PHASE II ACTIVITIES

Ms. Lavina Lamone of TYT, conducted the following activities on June 30, July 1 and July 2, 2014:

1. Collection of 207 bulk samples of suspected asbestos containing material (ACM).
2. Analyzing 225 suspected lead based paint samples using a handheld X-Ray Fluorescent (XRF) Analyzer; sampling was conducted by ACME Environmental Inc.
3. Two samples were collected from 2 55-gallon drums located in Building 925 to confirm or deny the chemical contained in the drums. These samples were analyzed for volatile organic compounds by EPA Method 8260.

Laboratory analytical results are summarized in Appendix 3, and sample locations are indicated on the Site Plan in Appendix 2.

3.0 FIELD OBSERVATIONS

During the investigation, TYT made the following observations:

- Many of the buildings were constructed at the same time and are of identical layout and building materials.
- According to interviews conducted while on-site, the facility was occupied until approximately 2008.
- According to interviews conducted while on-site, and visually confirmed by TYT, some light fixtures have been upgraded in different rooms or areas of the buildings. There are incandescent lights in Building 901 and 2 in Building 915, wire insulation and lights bulbs were sampled. Lab results attached.
- Building 901 also has 8 foot florescent light tubes in the class rooms, dining room and halls. Due to the significant fire damage in the building; which melted most of the light fixtures, TYT was not able to determine if the light ballasts were up to grade.
- TYT observed 10 tubes of mercury in the temperature switches on the boilers located in building 916. (Photos are attached). TYT estimated 10 grams of mercury for each vial. Estimated 100 grams of mercury in building 916. TYT also observed mercury switches in several buildings, which was confirmed by a second walk through of the buildings. Please see attached documentation for more information.
- Please see attached list for all chemicals observed in buildings 901 and 916
- Thoreau BIA School has a main electrical power line running from east to west on the north end of the property. TYT also observed 3 utility poles on the property. (Photos attached)

4.0 FINDINGS AND RESULTS

Laboratory reports are included in Appendix 3. The Lead-Based Paint Investigation report prepared by Acme Environmental, Inc. is included as Attachment 2 to this report. Descriptions of each building, including total square feet, room and former use descriptions and construction materials, are described in Section 6.3 of the Phase I ESA.

Asbestos

Asbestos bulk sampling was performed in substantial compliance with the established 40 CFR 763 sampling protocol and requirements set forth in the United States Department of Labor Occupational Safety and Health Administration (OSHA) 29 CFR 1926.1101. Ms. Lavina Lamone (USEPA AHERA-accredited Asbestos Inspector) conducted the survey.

Samples collected as suspect ACM, based on visual inspection, were analyzed for asbestos by EMLab P&K, in Phoenix, Arizona using USEPA Method 600, polarized light microscopy (PLM). Ms. Lamone collected a total of 204 bulk samples in 16 of the facility's structures.

Please refer to Table 2 (attached) for the total square feet of Asbestos Containing Building Material (ACBM)

SUMMARY OF BUILDING MATERIAL SAMPLING RESULTS

Building 901: Sampled 7/2/2014: **Building 901** is a multi-room school building with a library, four classrooms, three offices, four restroom a kitchen, a dining room, a walk-in freezer, a storage room and a basement structure where asbestos material have already been located and identified. The building is a sandstone exterior structure; original part of interior is a stucco material. The building has significant fire damage.

Twenty eight bulk samples for suspected ACM were collected throughout the entire structure. Seven samples were identified as being positive for greater than 1% ACM. Nine samples were also identified as containing less than 1% ACM.

- #176-Library-black floor tile & black mastic. (7% Chrysotile & <1% Chrysotile)
- #177-Black mastic on replacement floor tiles. (<1% Chrysotile)
- #178-Black floor tile. (4% Chrysotile)
- #182-North RR black mastic on floor tiles. (10% Chrysotile)
- #185-Rm A-Stucco-South wall by window. (<1% Chrysotile)
- #187-Rm. 107-light gray window glazing. (<1% Chrysotile)
- #188-Stucco-hall north end. (<1% Chrysotile)
- #189-Stucco-hall by rm. 107. (<1% Chrysotile)

- #190-Stucco-Hall by south end restroom. (<1% Chrysotile)
- #191-Window glaze-Rm D. (<1% Chrysotile)
- #195-Rm. E-black mastic and white floor tiles. (5% & 2% Chrysotile)
- #197-South restroom-black floor tiles. (4% Chrysotile)
- #198-South entrance restroom-black mastic. (4% Chrysotile)
- #200-Rm. F-black mastic and gray floor tiles. (both 2% Chrysotile)
- #201-Stucco, off white-dining room south wall. (<1% Chrysotile)

Building 903: Sampled 7/02/2014: **Building 903** is a sandstone exterior/interior structure with cement floor and ceiling. Appears to have been a water pump/utility building.

Seven bulk samples for suspected ACM were collected throughout the building. One sample was identified as being positive for greater than 1% ACM.

- #133-Roof-SE corner, black mastic. (10% Chrysotile)

Building 906: Sampled 7/1/2014: **Building 906** is a single-family residential building. Stucco exterior/interior structure, crawl space with air-cell pipe insulation. Entire building has homogenous white floor tiles. Per maintenance personal, all buildings were constructed within the same time frame and the same building material.

Seventeen bulk samples for suspected ACM were collected throughout the entire structure. Eight samples were identified as being positive for greater than 1% ACM.

- #149-Kitchen-black mastic on floor tiles. (2% Chrysotile)
- #150-Hall-black mastic on floor tiles. (2% Chrysotile)
- #151-Living rm.-brown backing & black mastic. (<1% & 2% Chrysotile)
- #152- Bedroom #1-black mastic on floor tiles. (2% Chrysotile)
- #153-Restroom-black mastic on floor tiles. (2% Chrysotile)
- #162-Crawl space-pipe insulation, North end. (80% Chrysotile)
- #163- Crawl space-pipe insulation, South end. (80% Chrysotile)
- #165- Black roofing felt. (45% Chrysotile)

Building 907: is a multi-family duplex apartment style building. Building has a crawlspace with air-cell piping insulation. Entire floor has homogenous floor tiles with black roofing felt as a liner. The exterior is stucco. The interior walls have stucco over drywall. Both closest by main entry have 9"x9" floor tiles.

Structure was **not sampled**. Maintenance personal confirmed homogenous building material in 907 as in buildings 906, 909 and 910 which were sampled. As in the rest of these buildings, TYT assumes both layers of floor tiles along with

black felt paper, (45% Chrysotile) and all of the plaster on the dry wall is asbestos containing. Black mastic on the roof and on the edges of all the penetrations are assumed asbestos containing.

Building 909: Sampled 7/01/2014: **Building 909** Twenty-two bulk samples for suspected ACM were collected throughout the entire structure. Twelve samples were identified as being positive for greater than 1% ACM.

- #96-Kitchen-black mastic on floor tiles. (7% Chrysotile)
- #97-Living rm.-black mastic on floor tiles. (7% Chrysotile)
- #99-Hall-black mastic on floor tiles. (5% Chrysotile)
- #100-Restroom-black mastic on floor tiles. (5% Chrysotile)
- #108-Crawl space, east end-gray insulation on water pipes. (65% Chrysotile)
- #109-Crawl space, southwest end-water pipe insulation. (65% Chrysotile)
- #110-Apt B-living rm. black mastic on floor tiles. (7% Chrysotile)
- #111- Apt B-Kitchen- Black mastic on floor tiles. (7% Chrysotile)
- #112- Apt B-Bedroom #2-black mastic on floor tiles. (7% Chrysotile)
- #113-Apt B-Hall-black mastic on floor tiles. (7% Chrysotile)
- #114-Apt B-restroom-black mastic on floor tiles. (7% Chrysotile)
- #115-Apt B-closet by door front entrance-beige floor tile and black mastic (3 & 7% Chrysotile)

Building 910: Sampled 6/30/2014: **Building 910** is a multi-family duplex apartment style building. Building has a crawlspace with air-cell piping insulation. Entire floor has homogenous floor tiles with black roofing felt as a liner. The exterior is stucco. The interior walls have stucco over drywall. Both closets by main entry have 9"x9" floor tiles.

Sixteen bulk samples for suspected ACM were collected throughout the entire structure. Six samples were identified as being positive for greater than 1% ACM. Two samples were also identified as containing <1% ACM.

- #68-Living rm.-black mastic on floor tiles. (<1% Chrysotile)
- #69-Kitchen-black mastic on floor tiles. (<1% Chrysotile)
- #70-Bathroom-black mastic of floor tiles. (2% Chrysotile)
- #71-Bedroom #1-black mastic on floor tiles. (3% Chrysotile)
- #80-Crawlspace-white insulation, mud joint. (5% Chrysotile & 5% Amosite)
- #81-Crawlspace-west end insulation (5% Chrysotile & Amosite)
- #82-Crawlspace #2 water pipe insulation. (50% Chrysotile)
- #83-Crawlspace-west end pipe wrap. (50% Chrysotile)

Building 912: Sampled 6/30/2014: **Building 912** was a multi-family apartment style building. Entire building has been burnt to the ground. A 75'x35' foundation with co-mingled burnt building material.

Thirteen bulk samples for suspected ACM were collected throughout the entire structure. No asbestos fibers were found to be present in the structure itself; however, a 4" water line located in the SW corner of the foundation was identified as being positive for greater than 1% ACM.

- #20-Gray water pipe. (7% Chrysotile; 5% Crocidolite)

Building 913: Sampled 6/30/2014: **Building 913** is a five-unit apartment building, with a five bay garage attachment. Building has a crawlspace with air-cell pipe insulation. Entire exterior wall is stucco. All five apartments have homogenous floor tiles, and building material.

Thirty-eight bulk samples for suspected ACM were collected throughout the entire structure. Eleven samples were identified as being positive for greater than 1% ACM.

- #22-Black mastic for floor tiles, living room. (5% Chrysotile)
- #23-Black mastic for floor tiles in kitchen. (5% Chrysotile)
- #24-Black mastic for floor tiles in bathroom. (5% Chrysotile)
- #34-White pipe insulation in crawlspace. (2% Amosite, <1% Chrysotile)
- #35 Gray/White pipe insulation in crawlspace. (2% Chrysotile)
- #36-Light gray pipe insulation in crawlspace. (80% Chrysotile)
- #37-black mastic in Apt. C living room floor. (2% Chrysotile)
- #38-Black mastic in Apt. C kitchen. (2% Chrysotile)
- #46-Garage roofing mastic. (5% Chrysotile)
- #47-Garage roof flashing mastic. (5% Chrysotile)
- #59-Apt. C Black mastic on floor tiles in bathroom. (3% Chrysotile)

Building 914: Sampled 7/1/2014: **Building 914** is a school dormitory building. Entire structure is burnt. The crawlspace has co-mingled debris. Building has same structure as Building 915. Pieces of Transite® (cement wall board) have been observed scattered throughout the debris.

Eleven bulk samples for suspected ACM were collected throughout the entire structure. Two samples were identified as being positive for greater than 1% ACM.

- #86-Transite®-south side. (8% Chrysotile)
- #91-Transite®-north side wall. (8% Chrysotile)

Building 915, Sampled 7/2/2014: **Building 915** is a school dormitory building with a single family apartment. West wing dorm area and East wing have the homogenous floor tile. Both restrooms have ceramic tile floor. Activity room and the apartment area is burnt, entire roof caved in. Exterior has 3 feet of Transite® siding and cement bricks.

Ten bulk samples for suspected ACM were collected throughout the entire structure. Three samples were identified as being positive for greater than 1% ACM.

- #168-West wing dorm-off white floor tiles and black mastic. (2 & 7% Chrysotile)
- #171-West wing exterior-gray Transite® siding. (10% Chrysotile)
- #173-East wing exterior-gray Transite® siding. (10% Chrysotile)

Building 916, Sampled 7/1/2014: **Building 916** is a slab on grade structure with cement exterior/interior walls. Floor and ceiling are also cement. The building has 3 boilers; one boiler is located 8.5 feet below grade.

Eleven bulk samples for suspected ACM were collected throughout the entire structure. One sample was identified as containing less than 1% ACM.

- #134-Southwest window-off-white glaze. (<1% Chrysotile)

Building 925: Sampled 7/1/2014: **Building 925** is a water pump hut.

Four bulk samples for suspected ACM were collected from the structure. Two samples were identified as being positive for greater than 1%

- #123-Black roofing mastic. (15% Chrysotile)
- #124-Roofing-black felt. (40% Chrysotile)

Building 154980: Sampled 6/30/2014: **Building 154980** is a single wide, single family trailer.

Eight bulk samples for suspected ACM were collected throughout the building. Two samples were identified as being positive for greater than 1% ACM.

- TRL#7-Tan sheet flooring (linoleum) in bathroom. (15% Chrysotile)
- TRL#8-Tan Sheet flooring (linoleum) in bathroom. (15% Chrysotile)

The following buildings were sampled for suspected ACM, with no positive results:

- Building 903 (7 samples collected)
- Building 905 (7 samples collected)
- Building 908 (2 samples collected)

- Building 911 (6 samples collected)

Lead-Based Paint

See the attached report (Attachment 1: *Lead Based Paint Investigation*) for details of sampling locations, approximated square footage of affected areas, and hazardous waste analyses.

The Environmental Protection Agency considers a reading of 1.0 mg/cm² or more, as analyzed by the XRF, to be positive for lead-based paint (LBP).

SUMMARY OF XRF SAMPLING RESULTS

Building 901

Eighteen samples for suspected LBP were collected throughout the entire structure. Thirteen samples were identified as being positive for LBP in the following areas:

- Interior Painted Walls
- Interior Painted Doors Components
- Interior Painted Window Components
- Interior Painted Ceilings
- Interior Painted Vigas and Wood Columns
- Interior Painted Wood Cabinets and Trim
- Exterior Painted Window Components

Building 903:

Five samples for suspected LBP were collected from the structure. Two samples were identified as being positive for LBP in the following areas:

- Exterior Painted Window Components

Building 905:

Six samples for suspected LBP were collected from the structure. One sample was identified as being positive for LBP in the following areas:

- Exterior Painted Fascia and Trim Components

Building 906:

Twenty-one samples for suspected LBP were collected from the structure. Two samples were identified as being positive for LBP in the following areas:

- Exterior Painted Fascia and Trim Components

- Exterior Painted Door Components

Building 907:

Sixteen samples for suspected LBP were collected throughout the entire structure. Eight samples were identified as being positive for LBP in the following areas:

- Select Interior Painted Walls
- Exterior Painted Door Components
- Exterior Painted Fascia and Trim Components

Building 908:

Three samples for suspected LBP were collected from the exterior of the structure. One sample was identified as being positive for LBP in the following areas:

- Exterior Painted Fascia and Trim Components

Building 909:

Fifteen samples for suspected LBP were collected throughout the entire structure. Three samples were identified as being positive for LBP in the following areas:

- Select Interior Painted Walls
- Exterior Painted Door Components
- Exterior Painted Fascia and Trim Components

Building 910:

Nine samples for suspected LBP were collected throughout the entire structure. Two samples were identified as being positive for LBP in the following areas:

- Exterior Painted Door Components
- Exterior Painted Fascia and Trim Components

Building 911:

Three samples for suspected LBP were collected from the exterior of the structure. One sample was identified as being positive for LBP in the following areas:

- Exterior Painted Fascia and Trim Components

Building 913:

Eighty-two samples for suspected LBP were collected throughout the entire structure. Ten samples were identified as being positive for LBP in the following areas:

- Exterior Painted Door Components
- Exterior Painted Fascia and Trim Components

Building 915:

Fifteen samples for suspected LBP were collected throughout the entire structure. Ten samples were identified as being positive for LBP in the following areas:

- Interior Painted Walls
- Interior Painted Doors Components
- Interior Painted Window Components
- Interior Painted Ceilings
- Exterior Painted Fascia and Trim Components
- Exterior Painted Window Components

BIA Thoreau Water Tower:

Four samples for suspected LBP were collected from the structure. Two samples were identified as being positive for LBP in the following areas:

- Painted Structural Steel

The following buildings were sampled for suspected LBP, with no positive results:

- Building 904 (7 samples collected)
- Building 912 (2 samples collected)
- Building 914 (7 samples collected)
- Building 916 (7 samples collected)
- Building 925 (5 samples collected)

Building 154980 was not sampled due to no suspected LBP materials.

Sodium Hypochlorite

Two samples were collected from two drums located in Building 925, labeled "Liquichlor", which is sodium hypochlorite, or bleach. The samples were analyzed for Volatile Organics (EPA Method 8260). Both samples contained

chlorinated compounds (chloroform, bromodichloromethane and dibromochloromethane) associated with hypochlorite.

These lab analyses, along with the Material Safety Data Sheet (MSDS) for Liquichlor obtained by TYT (Attachment 2), may be used for disposal of the drum contents. However, TYT recommends submitting a hazardous waste profile to a permitted hazardous waste disposal facility. Additional analyses may be required (i.e. TCLP, or ignitability/corrosivity/reactivity/toxicity characteristics) prior to disposal.

Steam and or Water line

Tiis Yá Tóh, Inc. (TYT) understands that a semi-buried pipe exists in front of Buildings #906, 907, 908, 909, 910, 911 and 912, and is suspected to be a steam pipe originating from the boilers in Building #916. TYT has also observed three fire hydrants on the property. TYT has prepared a site map indicating the assumed location of the pipe, fire hydrants and sewer lids along with several photos of the pipe (see attached).

The "steam pipe" was mentioned as potentially containing asbestos containing material in the Phase I ESA report prepared by Advanced Environmental Solutions, Inc. in November, 2010, but was not listed as a Recognized Environmental Condition (REC). TYT did collect one sample during our Phase II activities on June 30, July 1 and July 2, 2014.

TYT cannot make any assumptions about this pipe, or its accurate structure and can only state that it is exposed in several areas, as depicted in the attached photographs. Further investigation and sampling for ACM would require some excavation of the buried portions of the pipe.

5.0 CONCLUSIONS AND RECOMMENDATIONS

These Phase II ESA activities were performed to confirm or deny the presence of the ACM, LBP and sodium hypochlorite suspected on the subject property after a Phase I ESA report in 2010.

This Phase II ESA was conducted in accordance with the guidance contained in the *ASTM E1903-97 (Reapproved 2002) Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process*. The work was also performed in accordance with the approved proposal dated May 21, 2014, submitted to BIA.

Results

The laboratory analysis methods and analysis information is included in a copy of laboratory results, which are enclosed in Appendix 4.

Building materials containing over 1% asbestos are identified as asbestos containing materials (ACM). An ACM may become a regulated ACM (RACM) if it is already friable or if it becomes friable during the process of demolition or will be subjected to sanding, grinding, cutting or abrading.

Prior to demolition or renovation of any building containing RACM, the National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Navajo Nation Environmental Protection Agency (NNEPA) Air Quality Bureau require ten (10) working days written notification prior to all building demolition pursuant to 40 CFR 161.145.b. The NNEPA Air Quality Bureau will require notification even if no asbestos is present. The Solid Waste Bureau identifies RACM as special waste that can be accepted at landfills permitted to accept regulated asbestos waste.

Limitations

An attempt was made to survey all suspect asbestos-containing building materials observed; however, other suspect materials may still exist in areas not readily accessible or identifiable. The environmental services described in this report were conducted in general accordance with current regulatory guidelines and the standard-of-care exercised by environmental consultants performing similar work for this type of project. Variations in site conditions may exist and conditions not observed or described in this report may be encountered during subsequent activities. It should be understood that changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which TYT and the BIA has no control.

Further assessment of potential adverse environmental impacts may be accomplished by a more comprehensive assessment. The samples collected and used for laboratory analysis, and the observations made are believed to be representative of the area(s) evaluated.

This report is intended exclusively for use by the client BIA. Any use or reuse of the findings, conclusions, and/or recommendations of this report by parties other than the client is undertaken at said parties' sole risk.

Conclusion

Asbestos fibers have been identified in the majority of structures investigated at the Thoreau BIA School. It is recommended that the asbestos be removed from the buildings under negative pressure by licensed and/or certified asbestos abatement workers or an asbestos management program be activated for the campus structures which are to remain in place.

If you require additional information for this proposed project, please do not hesitate to call me at 505-793-4994 or email lavina.lamone@tiisyatoh.com

According to the report prepared by Acme Environmental, Inc., materials from Buildings 901, 905, 907, 908, 910, 913 and 915 have been initially determined as hazardous waste. Generally, lead painted debris (waste) must be segregated for disposal. However, lead painted debris derived from residential property can be considered exempt from RCRA waste disposal requirements.

6.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

I am personally familiar with the information contained within this report and the attached documents.

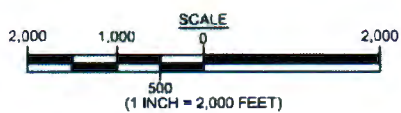
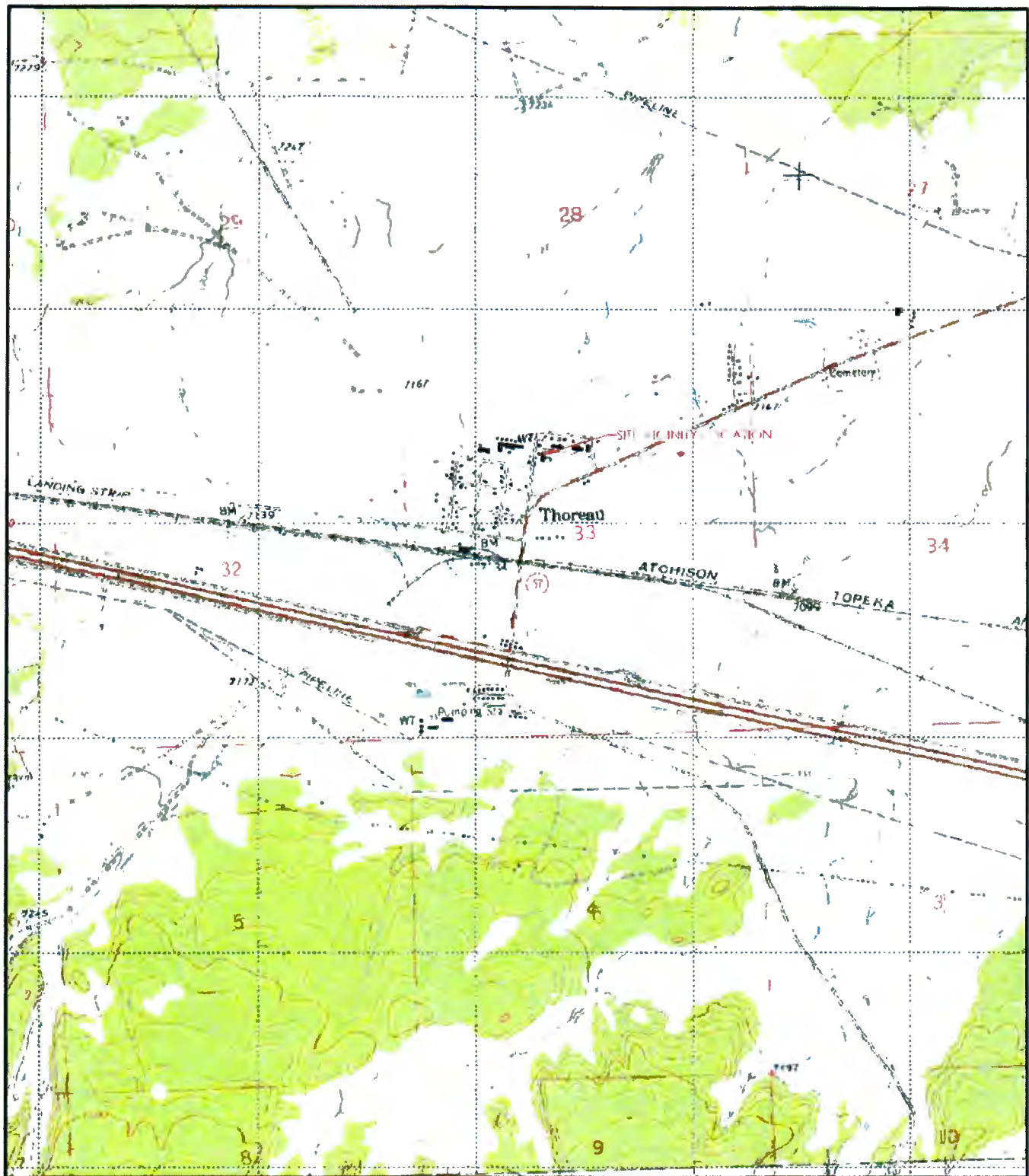
Reviewed by:

Prepared by:



Lavina Lamone
Principal Scientist

Shawna Chubbuck
Project Scientist



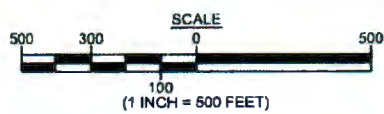
**TOPOGRAPHIC SITE
LOCATION MAP**
THOREAU

Tiis Yá Tóh, Inc.
Environmental Support Services





AERIAL SOURCE: © 2014 GOOGLE EARTH PRO, AERIAL DATE JANUARY 5, 2014.



AERIAL SITE LOCATION
THOREAU

Tłs Yá Tóh, Inc.
Environmental Support Services

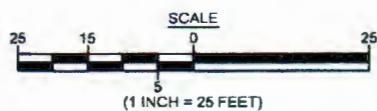
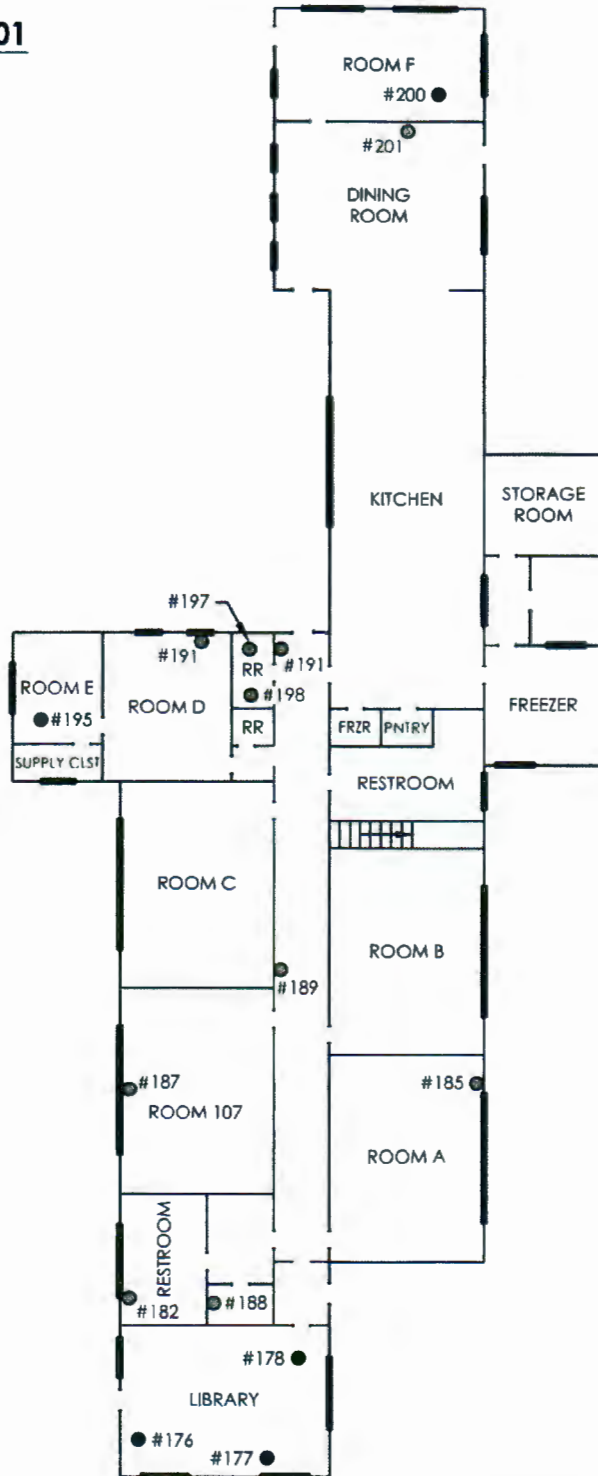


APPENDIX 3
PHOTO LOG

BUILDING 901

LEGEND

● Abestos Sample Locations



**POSITIVE ASBESTOS
SAMPLE LOCATIONS**

THOREAU

Tiis Yá Tóh, Inc.
Environmental Support Services



Old Thoreau BIA Boarding School
Building #901 Positive ACM Photos
7/22/2014



Building 901



Library floor tile, black mastic is 4% Chrysotile.



North restroom floor tiles. 10% Chrysotile



Hall stucco walls.



Classroom stucco walls.



Windows with gray window glaze.

Old Thoreau BIA Boarding School
Building #901 Positive ACM Photos
7/22/2014



Homogenous stucco on walls.



Dining room stucco walls.



Restroom by kitchen.



Fire damage to hall and North end of building.



Window glaze.



South end hall wall.

Old Thoreau BIA Boarding School
Building #901 Positive ACM Photos
7/22/2014



North end hall.



Basement: Asbestos Danger signage.



Restroom by Room D.



Fire damage to South end hall stucco wall.



South restroom wall and floor tiles.



Room E wall and floor tile under carpet.



Lavina LaMone
President/Sr. Environmental Technician
Tiis Ya Toh, Inc.
P.O. Box 360
La Plata, NM 87418

Re: Universal Waste Disposal
Thoreau, New Mexico

Greetings Ms. LaMone,

On August 4, 2014, Mr. Peter Fling of Envision Environmental Solutions, LLC performed a walk-through of the twelve fire damaged and otherwise abandoned buildings, located on Sunrise Drive and Lenore Avenue in Thoreau, New Mexico to determine locations and quantities of Universal Waste materials that will require removal prior to demolition of the structures. Following is a summary of the findings.

Fluorescent Tubes and Compact Fluorescent Light Bulbs

Most of the residential structures located on the site were lighted with typical residential fixtures and incandescent bulbs. The library building is equipped with 4' and 8' fluorescent fixtures, with the tubes intact. I estimate there is approximately 400 tubes remaining in the library structure and up to 100 tubes in the remaining structures. The remaining fluorescent tubes and any compact fluorescent bulbs should be removed prior to demolition and shipped as Universal Waste as required by 40 CFR 273. Any fluorescent tubes that may have been in the fire damaged and burned structures are no longer retrievable.

PCB Containing Light Ballasts

As stated, the library building is equipped with 4' and 8' fluorescent tubes. This type of system relies on "ballasts" to energize the lamps. During the site visit, several different types of ballasts were encountered. Ballasts manufactured before 1979 may contain a small amount of Polychlorinated Biphenyls (PCB). Ballasts manufactured after 1979 are marked "No PCB". Several examples of both types were noted. The remaining fluorescent light ballasts should be removed prior to demolition and shipped as Universal Waste as required by 40 CFR 273. Any ballasts that may have been in the fire damaged and burned structures are no longer retrievable.

Mercury containing thermostats and switches

Mercury containing thermostats and switches were noted in several of the structures. Any Mercury containing switches or thermostats that may have been in the fire damaged and burned structures are no longer retrievable.

Regards,

Peter A Fling

Pete Fling
Envision Environmental Solutions, LLC
www.envenvsol.com
pafling@gmail.com
505-227-1837



**Inspection Report
Thoreau Boarding School Facilities
Thoreau, New Mexico**

The undersigned hereby certify that a personal on-site physical inspection and assessment was completed on the Thoreau Boarding School Facilities, which is presently being offered for transfer to the Navajo Nation by the United States Department of the Interior Bureau of Indian Affairs (BIA), Navajo Region. The on-site physical inspection and assessment of this property was completed with some questionable issues and concerns on the existing School Elementary-Boarding (Stone Building) located on the tract of land.

The actual site inspection and assessment of the property was completed with different Navajo Nation department representatives to identify its' physical characteristics and features of the property for any substantial improvements. During the site inspection, there were numerous discrepancies that were found and are questionable because of the present condition of the fire damage stone building. The undersigned is not specifically trained to determine hazardous materials or environmental hazards and is not qualified to detect such substances.


The discrepancies identified in the stone building are as follows: The subject stone building had a severe fire damage within the interior walls that might have exposed harmful health effect from possible asbestos, lead-based paint exposure and presently has a severe indoor air quality problems. The logs in the ceiling has major fire burns in some areas and that some of these logs are decaying from the recent fire damage which is considered as a safety hazards and most of the electrical wiring have been pulled throughout the building not to mention damages to the light fixtures, breaker boxes and the electrical switch control panel. There is an exterior wall settlement issues which has cause the window frames/sills to shelf and also there are loose floor tiles throughout the building.

Based upon the site inspection and assessment of the stone building the Nation would incur additional cost to renovate the structure back to occupancy standards not to mention the cost to dispose damage building materials if any hazards contaminates are found within the building structures to abate and remove the materials to a designated hazardous disposal site. The actual Phase I and Phase Environmental Site Assessments Process were done prior to the fire damage to the stone building.

The tract of land appears environmentally clean with a chain-link perimeter fencing that remained in place during the disposal/transfer process and the undersigned is fully knowledgeable of the boundary and corners of the property that consist of ____ acres, more or less.

I certify that, to the best of my knowledge and belief that I have no present or prospective interest in the Thoreau Boarding School Facilities that the subject of this report, and no personal interest with respect to the parties involved with the transfer of the trust property.

Dated this 11th day of February, 2016.


Raymond Pine, Appraiser
Navajo Land Department
Division of Natural Resources



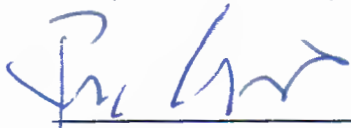
The Navajo Nation

Russell Begaye
Jonathan Nez

President
Vice President

M-E-M-O-R-A-N-D-U-M

TO: Raymond Pine, Appraiser I
Navajo Nation Land Department, Title Section

FROM: 
Richard H. Bates, Sr. Safety Technician
Safety and Loss Control Program
Insurance Services Department

DATE: September 4, 2015

Subject: Thoreau Boarding School Facility Inspection

On August 28, 2015, I conducted an inspection at the Thoreau BIA Boarding Facility School. Mr. Raymond Pine, and others from different NN department's accompanied us during our inspection and pointed out several discrepancies. The initial inspection conducted began from the exterior structure of the Building and systematically move into the interior of the facility. Here is a list of discrepancies:

EXTERIOR

- * The Structure of the Stone building has a lifetime of over 40 yrs...to be inspected by a structural engineer and determine the life of the building. Since it's a historic building.
- * Constructed with logs throughout the ceilings and to the outside of the building's its support the ceiling and roof, after further review of the inspection...it has major fire burns, and rotten in certain areas.
- * The exterior of the walls has cracking and settlement issues at the base of the building. Mortar grout coming off, concrete decaying.
- * Windows and frames around the windows sills throughout the building are beyond repairs, and needs to be replaced.
- * The FLAT ROOF needs to be inspected...to determine the damages from the water and fire.
- * All ELECTRICAL wiring has been pulled. Which will cost to be preplaced. Major cost, also will need a Licensed Electrician, or an Electrical Engineer to come in a do an assessment on all ELECTRIAL wiring throughout the building.

INTERIOR

- * HOUSEKEEPING: Walls plaster coming loose, grout and drywalls, Loose power cords, low hanging light fixtures, switches, outlets, breaker boxes, exposed conduits, exposed circuit boxes, black smoke damage, mold, Trash
- * FIRE SAFETY: spilled chemicals, carpet adhesive, floor tiles adhesive melted electrical wirings, Fire Extinguishers, and trash.
- * HAZCM: lead paint, floor adhesive, melted electrical wiring. And smoke.
- * MOLD smell throughout the interior of the building, an AIR quality Testing sample needs to be conducted.
- * THE sub floor BASEMENT Has a 6 foot drop and need to be inspected...throughout the building, a major issue.
- * The basement of the building need to be checked, signs of asbestos around the heating ducts.
- * PPE (Personal Protective Equipment): Eye, Hand and Face Protection shall be worn at all times, due to the mold smell.

PLUMBING, ELCTIRCAL, HVAC and HEATING.

- * Will need to be inspected by a Certified Licensed technician.

Upon the conclusion of this inspection and determined the building is deficient in several aspects of safety. These elements are critical in the safety and continued health of our employees. Many of these deficiencies are be able to be corrected and some areas it may not be. With little or no effort we should be able to bring the building back in-compliance with the building codes.

RECOMMENDATIONS

The Navajo Nation Safety and Loss Control recommend the following be addressed in two fashions. The first being the immediate goals and the second being the long-term goals.

IMMEDIATE GOALS:

- * The Building needs to be re-assessed by a Certified Abatement company and a Structural Engineer

LONGTERM GOALS:

- * Save the building. If possible.

CONCLUSION

Upon completion of the inspections, the Safety and Loss Control Program feels that these are the recommendations that would provide a general safe working environment, if you should have any further question please feel free to contact me at 928-871-6360.

Attachments "Photos"
CC: William Lynch, PSI-SLCP
D. Dedman, Sr. Claims Analyst- Risk Management Program

Safety and Loss Control Program
ASSIGNMENT FORM

ASSIGNED TO: Richard Bates

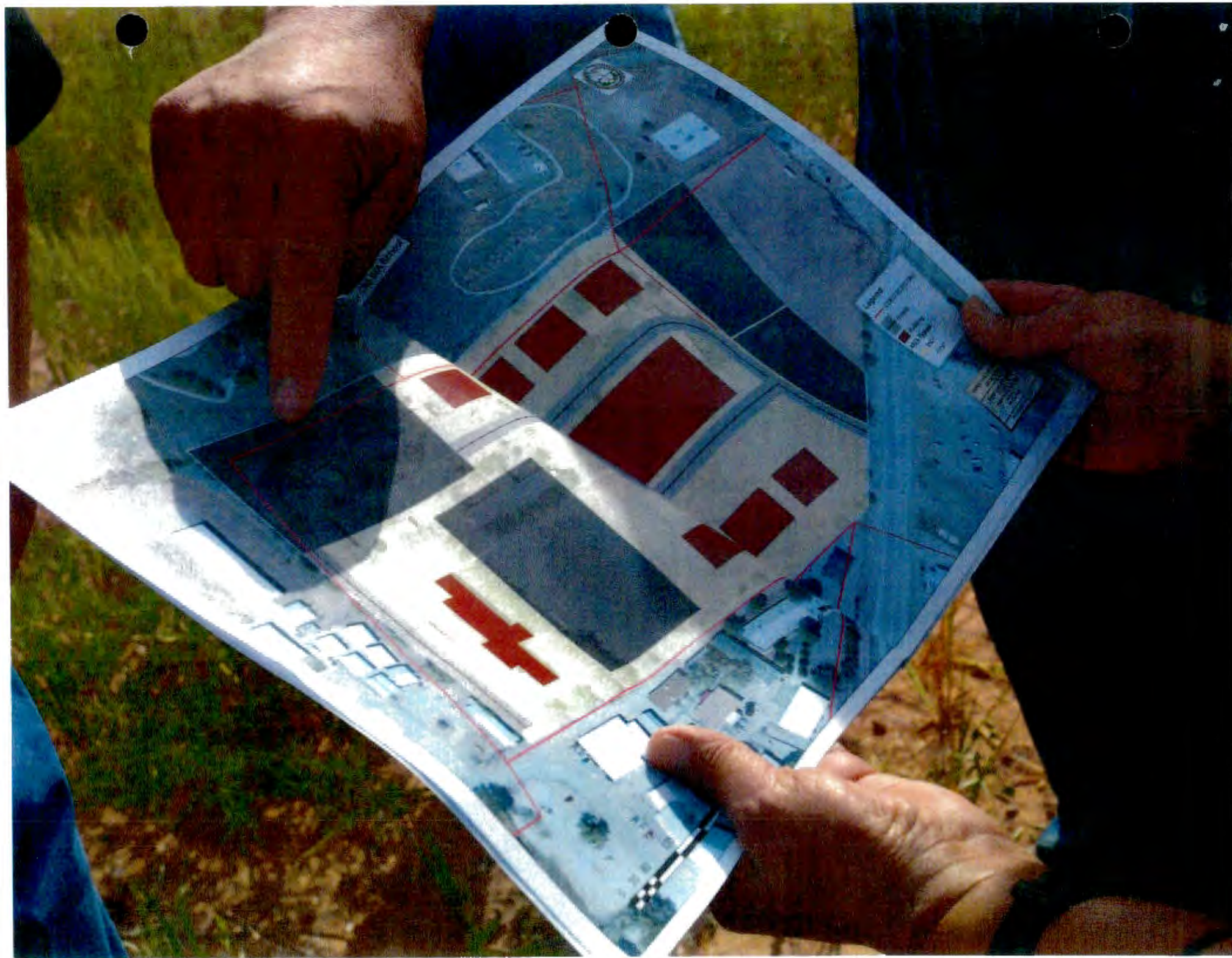
DATE: 8/04/2015

DOCUMENT ASSIGNED: Assessment of the Old

- Thoreau Boarding School facilities.
- BOLA says there are 1) Environmental site assessment, abatement & studies
- Timeline date August 24-27, 2015
- Notify Raymond Pine at NLD-Title Section
FOLLOW-UP: 928-871-7840 asap.

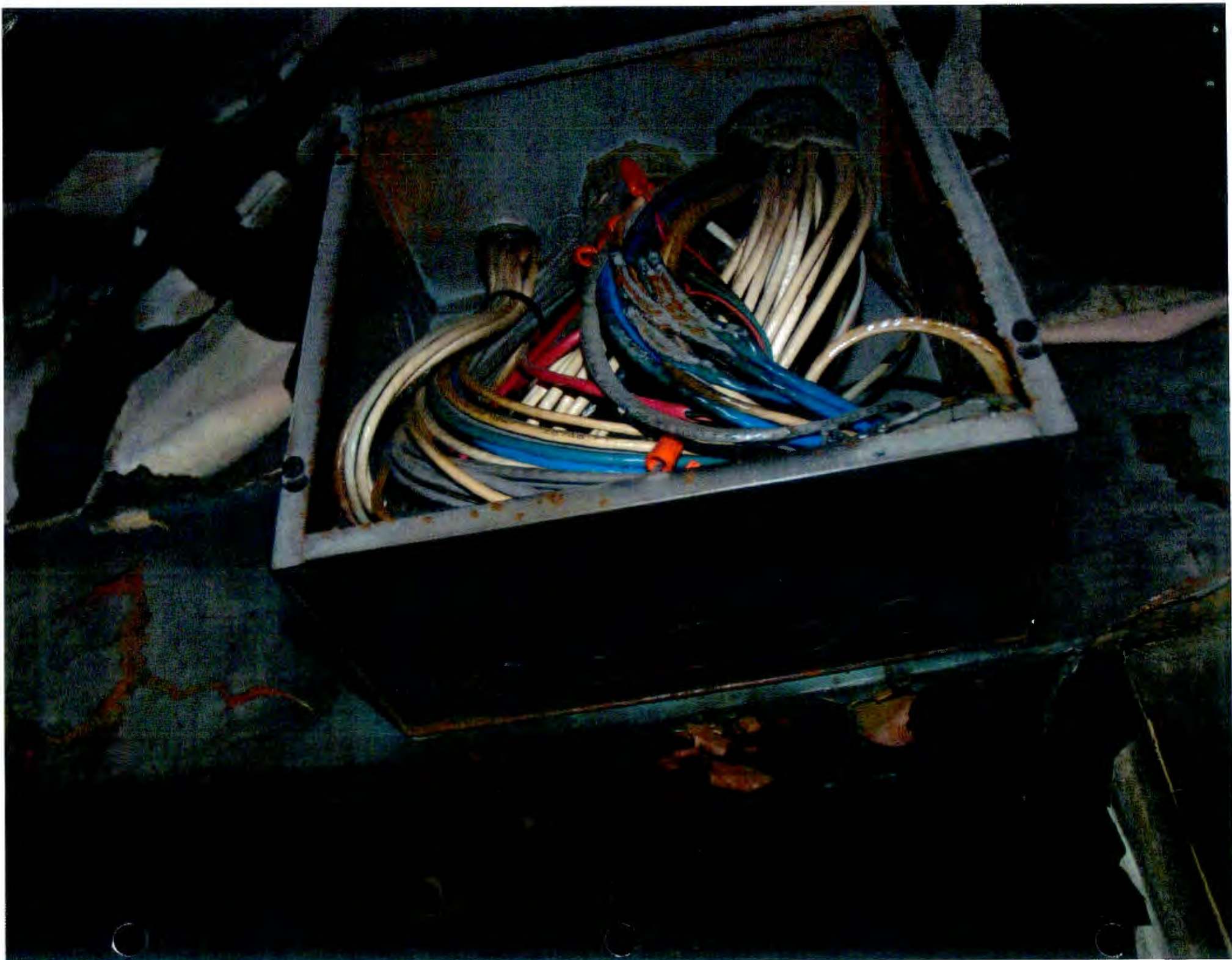
COMPLETION DATE: _____

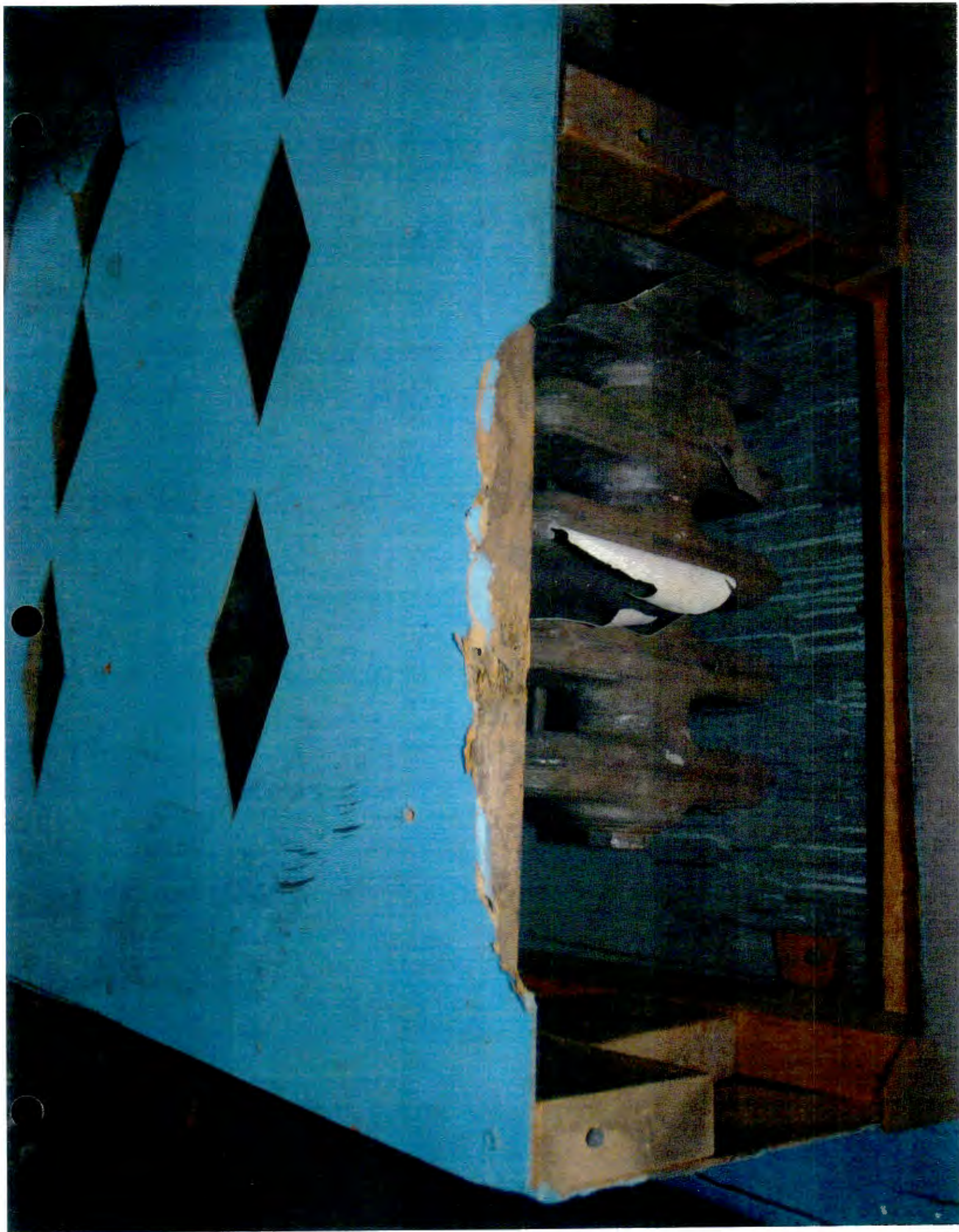
ASSIGNED BY: [Signature]















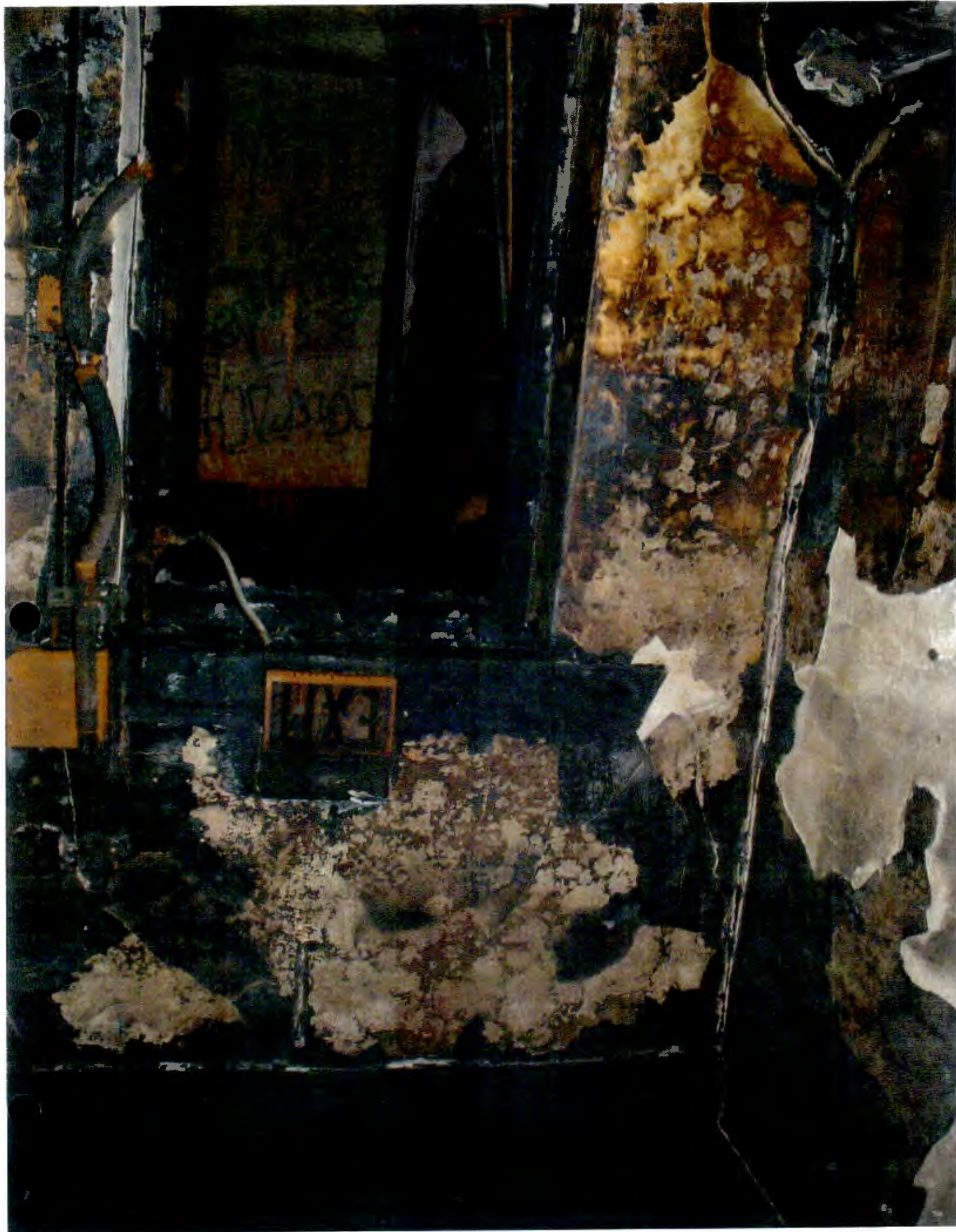












ASBESTOS
Respiratory Hazard
Authorized Personnel Only
Protective Clothing
is Required in This Area

DANGER












THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

MEMORANDUM

TO: **OFFICE OF LEGISLATIVE COUNSEL**

FROM: 
W. Mike Halona, Department Manager III
NAVAJO LAND DEPARTMENT
Division of Natural Resources

DATE: March 21, 2016

SUBJECT: **DOCUMENT NO. 5530: PROPOSED RELINQUISHMENT OF THOREAU BOARDING
SCHOOL FACILITIES FROM BUREAU OF INDIAN AFFAIRS TO THE NAVAJO NATION.**

Navajo Land Department (NLD) is pleased to inform your office that 164 Review Document No. 5530 has completed the administrative review process for the proposed relinquishment of the Thoreau Boarding School facilities, located in Thoreau, New Mexico and prepared for the legislative process.

There are a couple of issues that you should be made aware of:

1. An updated legal survey plat is still pending from the BIA. Once received, the difference in acreage throughout the report should be verified, along with the legal description.
2. BIA reported that there was no legal land withdrawal made. Therefore, there is no Title Status Report. The subject property is a Navajo trust land.
3. The inspection reports will indicate that the remaining building on site has numerous deficiencies, which will require a decision to demolish or save the building. The building is experiencing continuous vandalism and has fire damage.

Navajo Land Department finds the relinquishment of the old Thoreau Boarding School is in the best interest for the Navajo Nation and the Thoreau Chapter. Should you have any questions, please contact myself at 871-6440 or Raymond Pine at 871-7840. Thank you.

Xc: Project File
Edmund Yazzie, Council Delegate

Document No. 005530Date Issued: 02/18/2016**EXECUTIVE OFFICIAL REVIEW**Title of Document: Thoreau Boarding School Relinquishment Contact Name: Raymond PineProgram/Division: DIVISION OF NATURAL RESOURCESEmail: raypine@frontiernet.net Phone Number: 928-871-7840☐ **Business Site Lease** Sufficient Insufficient

- | | | | |
|---|-------------|---|---|
| 1. Division: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| (only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review) | | | |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

- | | | | |
|--|-------------|---|---|
| 1. Division: _____ | Date: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

- | | | | |
|---|-------------|---|---|
| 1. Office of Management and Budget: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Navajo Housing Authority Request for Release of Funds**

- | | | | |
|--|-------------|---|---|
| 1. NNEPA: _____ | Date: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Lease Purchase Agreements**

- | | | | |
|--|-------------|---|---|
| 1. Office of the Controller: _____ | Date: _____ | □ | □ |
| (recommendation only) | | | |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Grant Applications**

- | | | | |
|---|-------------|---|---|
| 1. Office of Management and Budget: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

- | | | | |
|--|-------------|---|---|
| 1. Division: _____ | Date: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Relinquishment of Navajo Membership**

- | | | | |
|--|-------------|---|---|
| 1. Land Department: _____ | Date: _____ | □ | □ |
| 2. Elections: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

Sufficient Insufficient

1. Division: _____ Date: _____ ☐ ☐
2. Office of the Attorney General: _____ Date: _____ ☐ ☐

☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐

☐ **Rights of Way**

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. Office of the Attorney General: _____ Date: _____ ☐ ☐
7. OPVP _____ Date: _____ ☐ ☐

☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

1. Minerals _____ Date: _____ ☐ ☐
2. OPVP _____ Date: _____ ☐ ☐
3. NLD _____ Date: _____ ☐ ☐

☐ **Assignment of Mineral Lease**

1. Minerals _____ Date: _____ ☐ ☐
2. DNR _____ Date: _____ ☐ ☐
3. DOJ _____ Date: _____ ☐ ☐

☐ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐
8. OPVP _____ Date: _____ ☐ ☐

☒ **OTHER: LAND RELINQUISHMENT by BIA**

1. NLD _____ Date: 2/28/16 ☒ ☐
2. DNR _____ Date: 2/28/16 ☒ ☐
3. NNEPA _____ Date: 3-9-2016 ☒ ☐
4. DOJ _____ Date: 3-17-16 ☒ ☐
5. OP/VP _____ Date: 3-18-16 ☒ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



☐ RESUBMITTAL

DOJ
03-14-16 1033a
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC # 005530
SAS #:
UNIT: NRU

*** FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE			
DATE OF REQUEST: 3-14-16	ENTITY/DIVISION: NLD / DNR		
CONTACT NAME: Shirley McCabe / R.P.	DEPARTMENT: NLD		
PHONE NUMBER: 928-891-7047	E-MAIL: shirley.mccabe@fontview.net		
TITLE OF DOCUMENT: #5530 - Thorcan Boarding School Relinquishment by BIA to NN			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 03/14/16 11:03 AM	REVIEWING ATTORNEY/ADVOCATE: Sage Veronica 03/23/16		
DATE/TIME OUT OF UNIT: 03/17/16 3:27 pm			
DOJ ATTORNEY / ADVOCATE COMMENTS			
Document is legally sufficient			
REVIEWED BY: (PRINT) Sage Garland	DATE / TIME 3-17-16/11:45 AM	SURNAMED BY: (PRINT) Shirley McCabe	DATE / TIME 3-17-16 12:35 PM
DOJ Secretary Called: Shirley McCabe for Document Pick Up on 03/17/16 at 2:04 PM By: SB			
PICKED UP BY: (PRINT)		DATE / TIME:	



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**



ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION

OFFICE OF ENVIRONMENTAL REVIEW

PO BOX 339 WINDOW ROCK ARIZONA 86515 Office: 928/871-7188 Fax: 928/871-7996

Website: www.navajonationepa.org

M E M O R A N D U M

TO: Shirley McCabe,
Title Section
Navajo Land Department
Division of Natural Resources

FROM:

Rita Whitehorse-Larsen, Senior Environmental Specialist
Office of Executive Director/Administration
Office of Environmental Review
NNEPA

DATE: March 9, 2016

SUBJECT: 164 EOR 005530 Thoreau Boarding School Relinquishment

The Navajo Nation Environmental Protection Agency (NNEPA) reviewed¹²³ and recommends **approval** for the proposed land acquisition as stated in EOR 005530 pursuant the Title 4, NNC Chapter 9 Navajo Nation Environmental Policy Act, Subchapter 1, §904. The Bureau of Indian Affairs (BIA) Navajo Region proposes to transfer excess real property located at the old Thoreau Boarding School, Thoreau, New Mexico to Navajo Nation. The old Thoreau Boarding School contains 16 acres and the following are currently on the property, partially burned school elementary-boarding, storage pump house, pump house and fence.

If there are any questions, you may contact Rita Whitehorse-Larsen at 928/871-7188. Thank you.

1 Enchantment Environmental Services. Environmental Assessment Thoreau Dloayazhi Community School Demolition/Transfer. July 2010.

2 Advanced Environmental Solutions Inc. Report of Phase I Environmental Site Assessment. November 2010.

3 Tiis Yatooh Inc. Phase II A14PS00490 Thoreau BIA School. August 2014.

164 EOR 005530 NLD Land Acquisition BIA Thoreau Boarding School relinquish



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

DIVISION OF
NATURAL RESOURCES
FEB 23 2016

MEMORANDUM

TO: EXECUTIVE OFFICIAL REVIEWERS

FROM:


W. Mike Malone, Department Manager III
NAVAJO LAND DEPARTMENT
Division of Natural Resources

DATE: February 18, 2016


SUBJECT: Document No. 5530 - Thoreau Boarding School Relinquishment

Attached, for your review, are the compiled documents on the transfer of Thoreau Boarding School facilities to the Navajo Nation (NN) from Bureau of Indian Affairs (BIA).

On June 12, 2015, United States Department of the Interior, Bureau of Indian Affairs, gave the Navajo Nation an official notice to transfer/relinquish excess real property located in Thoreau, New Mexico. The subject property is in Tribal Trust status and will remain as such upon the transfer. There was no official land withdrawal, lease, or permit issued to BIA.

On August 25, 2015, an on-site physical inspections and assessments were performed by various NN departments/divisions. Per the attached reports, it was determined that the stone building, referred to as Building 901, has been vandalized and severely damaged by fire. NLD is recommending RDC to make a determination/decision on the said building (demolish or save).

There a few documents and/or information pending from BIA. They are as follows:

1. An updated survey plat
2. ~~Legal Description showing total acreage being relinquish~~ 
3. Title Status Report (if any)

Upon acceptance and approval of the relinquishment, Thoreau Chapter wishes to withdraw the land to be utilized for the best interest and use for the local community residents, programs, resources, etc.

If you have any questions or need additional information, please contact me at 928-871-6440 or Raymond Pine at 928-871-7840. Your understanding is appreciated.

XC: Thoreau Boarding School Facilities Project File
Edmund Yazzie, NNC Delegate