

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: FY24-NOFA-HACEP-Mesa-Hills-Apts.,-79912update

HEROS Number: 900000010372729

Start Date: 12/25/2023

Responsible Entity (RE): EL PASO, City 1 - 300 N. Campbell El Paso TX, 79901

RE Preparer: JoAnn Vera

State / Local Identifier: Texas

Certifying Officer: Elda Rodriguez Hefner

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: , El Paso, TX 79912

Additional Location Information:

6.325 acre vacant land site located west of South Mesa Hills Drive, El Paso, TX 79912. Lot 3, Block 1, Coronado Del Sol.

Direct Comments to: City of El Paso (CITY 3)
Department of Community and Human Development
801 Texas Ave., 3rd Floor
El Paso, TX 79901

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

FY2024 HOME NOFA Investor-Owned (I/O) Project: HACEP dba HOME Mesa Hills Apartments, S. Mesa Hills Dr. + Bluff Trail Lane, El Paso, TX 79912 - Project Address: 6.325 acre vacant land site located west of South Mesa Hills Drive, El Paso, TX 79912 Lot 3,Block 1, Coronado Del Sol. New Construction of 64 affordable housing units which includes public housing and PBV units. The project will include new infrastructure site work as site is vacant. Scope of work: Mesa Hills is a new construction, all affordable, rental residential property for families with a total of 64 units with 1 to 3 bedroom units, which 20 units will be public housing serving families with extremely low income; and 44 project based voucher units serving families with incomes up to 50% of AMI. The project will include site work to provide infrastructure to provide wet and dry utilities, streets, etc. as well as a community center to provide resident services with a playground and outdoor seating. *Re-examination of ERR October 7, 2024 per CFR Part 58.47: additional 40 units TDHCA Tax Credit Award \$16,000,000. HOME's South Mesa Hills Community is a planned 104-unit affordable housing apartment community to be built in West El Paso, on South Mesa Hills Dr. near Bluff Canyon Dr. The project will consist of 64 units for Phase I and 40 units for Phase II. Phase I will be conformed of four 2-story buildings which will have 24 1-BR, 24 2-BR and 16 3-BR, an office, a playground, and a Community Center. Phase II 2.8218 acres or 122,917.35 sq. ft. will be conformed of three 2-story buildings which will have 24 1-BR, 12 2-BR, 4 3-BR, and basketball court.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Mesa Hills I and II is a new construction affordable housing community in the Sunland Park North neighborhood. Future residents of Mesa Hills will greatly benefit from the site's excellent access and proximity to an array of commercial complexes and grocery stores that provide opportunities for employment and shopping. The site also has a wide range of nearby social services, parks, educational institutions, and access to the local transit network that will provide significant opportunity for future residents.

The need for affordable housing in this neighborhood and across the city is great. According to the 2019 El Paso Regional Housing plan, the city has a shortage of 3,300 rental units for households earning less than \$30,000 annually. In census tract 11.14 where the future development is located, median gross rent as a percentage of household income is 37.4% as of 2021 according to the American Community Survey (ACS). Mesa Hills will facilitate access to quality housing in a community-oriented environment, with outdoor gathering spaces, and will support current and future neighborhood residents and families seeking homes which are affordable and close to transit, retail, jobs, and schools. With a wide variety of shops and retail within walking distance to the future development, there is less of a dependence on personal vehicles which will alleviate any additional financial burden for future residents. The development of Mesa Hills will set a leading example for a more community-oriented neighborhood that is currently in need of increased affordable housing options.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The Mesa Hills apartments are surrounded by a wide range of amenities to help support and provide equitable opportunities to low-income families. The site has access to the local Sun Metro bus network. Sunland Park Drive is a major commercial corridor with several malls and commercial plazas for the local community. Stores within walking distance of this future development are Family Dollar, "Five or Below", PetSmart, Ross Dress for Less, and restaurants like: Corner Bakery, "Buffalo Wild Wings" and IHOP. Just across the street lies the Sunland Park Mall with additional stores for a variety of options. The number of shops and retail provide consumer and employment opportunities to the future residents of Mesa Hills. Also located at these shopping centers are several groceries including Sprouts Farmers Market, Food King, and Target Super Center. Due to the large amount of commercial activity, there are also bus lines within walking distance to provide public transportation connections to other parts of the city. The location of the Mesa Hills apartments creates a thriving environment for children and growing families. Nearby is access to parks and other recreational facilities. Within a mile from the site are three parks, Harvey Park, HT Ponsford Park, and Crestmont Park, all provide a child and pet-friendly environment that allows for other recreational activities. Other nearby attractions include Resler Canyon, and Bob-O's Family Fun Center are excellent environments for growing families. In addition to recreation, are several educational institutions facilitating a supportive environment for children and growing families. Schools such as Putnam, Zach White, and Johnson elementary schools are all local exemplary educational institutions for children with a variety of amenities. Examples of schooling at higher levels include the Coronado High School, the St. Mathew Catholic School, and the Mountain West Montessori School.

Maps, photographs, and other documentation of project location and description:

- [Google Maps Mesa Hills property.pdf](#)
- [Project Description 09162024.pdf](#)
- [Photos 2 10012024.pdf](#)
- [Photos 1 10012024.pdf](#)
- [Site Specific Field Contamination Checklist 10022024.pdf](#)
- [Photos Mesa Hills.pdf](#)
- [P31 Certified Copy of Ordinance.pdf](#)
- [Mesa Hills Zoning Letter.pdf](#)
- [Mesa Hills SOW.pdf](#)
- [Mesa Hills Site Contamination.pdf](#)
- [MESA HILLS Land Study.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

- [HEROSS~1.PDF](#)
- [heros-SignaturePage-FY24HOME-NOFA-HACEP-MesaHills79912_Signed 1-16-2024.pdf](#)
- [EPT Affidavit 10688123.pdf](#)
- [FONSI + RROF Mesa Hills 10222024.pdf](#)
- [Affidavit EP Times.pdf](#)
- [FONSI and RROF Mesa Hills.pdf](#)

7015.15 certified by Certifying Officer 11/27/2024
on:

7015.16 certified by Authorizing Officer 3/4/2024
on:

Reevaluation of a Completed Review

The environmental findings of a completed environmental review were re-evaluated to determine if the original findings are still valid for all of the three scenarios below:

- a. Substantial changes in the nature, magnitude, or extent of the project, including adding new activities not anticipated in the original scope of the project are proposed.

- b. There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project, or
- c. The selection of an alternative not in the original finding is proposed.

It was determined that the original findings were still valid.

Statement or memo documenting determination:

Re-examination of ERR October 7, 2024 per CFR Part 58.47: additional 40 units TDHCA Tax Credit Award \$16,000,000. HOME's South Mesa Hills Community is a planned 104-unit affordable housing apartment community to be built in West El Paso, on South Mesa Hills Dr. near Bluff Canyon Dr. The project will consist of 64 units for Phase I and 40 units for Phase II. Phase I will be conformed of four 2-story buildings which will have 24 1-BR, 24 2-BR and 16 3-BR, an office, a playground, and a Community Center. Phase II 2.8218 acres or 122,917.35 sq. ft. will be conformed of three 2-story buildings which will have 24 1-BR, 12 2-BR, 4 3-BR, and basketball court. Evaluated Air Quality, Toxics and Contaminates, Endangered Species and Noise Abatement; found no significant noncompliance issues and will not impact nor conflict with the additional 40 units Phase II project scope of work.

[Mesa Hills II Cover Letter.pdf](#)

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
M-23-MC-48-0213	Community Planning and Development (CPD)	HOME Program	\$5,783,260.00
TDHCA	Other	Tax Credit	\$16,000,000.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$5,783,260.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$19,370,044.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determination (See Appendix A for source determinations)</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6</p>		
<p>Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Attachment 1, project site is not within a Civilian or Military runway zone.</p>
<p>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. No Coastal Barriers in El Paso, Texas. Compliance based on location and CBMA, See Attachment 2.</p>
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. See Attachment 3: FIRM 480214, PANEL 0027D, DATE 01/03/1997, ZONE C.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. See Attachment 4 Air Quality. 8-Hour Ozone (2015) Designated Area Area/State/County</p>

		<p>Report Data is current as of September 30, 2024 El Paso-Las Cruces, TX-NM (Marginal - Nonattainment) NEW MEXICO (Region VI) Dona Ana County (P) TEXAS (Region VI) El Paso County Carbon Monoxide (1971) Designated Area Area/State/County Report Data is current as of September 30, 2024 El Paso, TX (Moderate <= 12.7ppm - Maintenance) TEXAS (Region VI) El Paso County (P) Portion of the City Limits of El Paso Project estimated emissions levels are below de minimis levels for all nonattainment or maintenance pollutants, the project is in compliance with the Clean Air Act and no further action is required.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. No Coastal Zones in El Paso, Texas. Compliance based on location and CZMA. See Attachment 5.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. See Attachment 6 NEPAassist resource material for toxic and contamination sites within 1 mile of project location. Hazardous Waste, 18 sites: KMart #9325, Family Dollar #5141, Walmart NM 7229, City of El Paso PDH ECHO</p>

		<p>reports attached with "No Violations Indicated"; Chevron 76184, Furr's Supermarket, Desert Cleaners, Mesa Hills Chiropractic, Sparkle Cleaners, Home Club, Kits Cameras, Oklahoma Installation, Sears 1027, Target T08022, Carrier Corporation, Penske Truck Leasing, American Minerals, and DG Shelter Products EPA Reports attached with "No Record Data Available". Water Dischargers, 4 sites: Desert Pass Unit 3 and CST Store 1260 ECHO Reports attached with "Terminated Permit"; Coronado High School and City of El Paso ECHO Reports attached with "No Violations Indicated". Air Pollution: Valle Bank of El Paso ECHO Report attached with "No Violations Indicated". Toxic Releases: American Minerals ECHO Report attached with "No Violations Indicated". No significant non-compliance issues and will not impact nor conflict with project scope of work.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. Vacant Lot has been cleared and is prepped for future construction of multi-family complexes. The project scope of work will have no effect due to nature of project activities.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to new construction of a multi-family</p>

		residential project and is within the City limits. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. See Attachment 10: FIRM 480214, PANEL 0027D, DATE 01/03/1997, ZONE C.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. See Attachment 11 and response from SHPO/THC: The review staff, led by Charles Peveto and Drew Sitters, has completed its review and has made the following determinations based on the information submitted for review: Above-Ground Resources * No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. Archeology Comments * No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.</p>

<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. See Attachment 12A, 12B and 12C NEPA Assist resource materials for Noise Attenuation. Major Roadways: I-10 approximately 998 ft. and S. Mesa Hills Dr. 152 ft. from project. HUD Calculator: 68dnl. Attached list of Energy Efficiency Measures to be implemented in this Project. No significant non-compliance issues and will not impact nor conflict with project scope of work.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The City of El Paso does not contain any EPA-designated sole source aquifers. See Attachment 13.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The subject property was the "cleanest property" ever Inspected within El Paso City limits by the senior Environmental Engineer during his 34 years of experience. This Parcel appears to be immediately ready to be sold or developed.	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The subject property was the "cleanest property" ever Inspected within El Paso City limits by the senior Environmental Engineer during his 34 years of experience. This Parcel appears to be immediately ready to be sold or developed.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	According to United States Department of Agriculture, Soil Survey Geographic (SSURGO) Database, the native soil type is Bluepoint association, rolling.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	According to United States Department of Agriculture, Soil Survey Geographic (SSURGO) Database, the native soil type is Bluepoint association, rolling.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Major Roadways: S. Mesa Hills Dr. 152 ft. from project. HUD Calculator: 65dnl, at the acceptable level of 65dnl. No significant non-compliance issues and will not impact nor conflict with project scope of work.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Major Roadways: S. Mesa Hills Dr. 152 ft. from project. HUD Calculator: 65dnl, at the acceptable level of 65dnl. No significant non-compliance issues and will not impact nor conflict with project scope of work.	
SOCIOECONOMIC			
Employment and Income Patterns	2	This development is multi-family residence. The City which has experienced significant growth in the past 5 years bringing	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		additional recreational, residential, and commercial properties.	
Employment and Income Patterns	2	This development is multi-family residence. The City which has experienced significant growth in the past 5 years bringing additional recreational, residential, and commercial properties.	
Demographic Character Changes / Displacement	1	This property is a new construction multi-family residential property. No displacement.	
Demographic Character Changes / Displacement	1	This property is a new construction multi-family residential property. No displacement.	
Environmental Justice EA Factor	2	N/A	
Environmental Justice EA Factor	2	N/A	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site. Several educational institutions facilitating a supportive environment for children and growing families. Schools such as Putnam, Zach White, and Johnson elementary schools are all local exemplary educational institutions for children with a variety of amenities. Examples of schooling at higher levels include the Coronado High School, the St. Mathew Catholic School, and the Mountain West Montessori School.	
Educational and Cultural Facilities (Access and Capacity)	2	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site. Several educational institutions facilitating a supportive environment for children and growing families. Schools such as Putnam, Zach White, and Johnson elementary schools are all local exemplary educational institutions for children with a variety of amenities. Examples of schooling at higher levels include the Coronado High School, the St.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		Mathew Catholic School, and the Mountain West Montessori School.	
Commercial Facilities (Access and Proximity)	2	Commercial Facilities are located in the vicinity of the proposed project site. Stores within walking distance of this future development are Family Dollar, "Five or Below", PetSmart, Ross Dress for Less, and restaurants like: Corner Bakery, "Buffalo Wild Wings" and IHOP. Just across the street lies the Sunland Park Mall with additional stores for a variety of options.	
Commercial Facilities (Access and Proximity)	2	Commercial Facilities are located in the vicinity of the proposed project site. Stores within walking distance of this future development are Family Dollar, "Five or Below", PetSmart, Ross Dress for Less, and restaurants like: Corner Bakery, "Buffalo Wild Wings" and IHOP. Just across the street lies the Sunland Park Mall with additional stores for a variety of options.	
Health Care / Social Services (Access and Capacity)	2	Health care is located in the vicinity of the proposed project site.	
Health Care / Social Services (Access and Capacity)	2	Health care is located in the vicinity of the proposed project site.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The City of El Paso Environmental Services department provides commercial garbage, recycling collection.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The City of El Paso Environmental Services department provides commercial garbage, recycling collection.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	1	El Paso Water Utilities provides services for project site.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	1	El Paso Water Utilities provides services for project site.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Water Supply (Feasibility and Capacity)	2	El Paso Water Utilities provides services for project site.	
Water Supply (Feasibility and Capacity)	2	El Paso Water Utilities provides services for project site.	
Public Safety - Police, Fire and Emergency Medical	2	Police, fire and medical services are available within proximity to property site.	
Public Safety - Police, Fire and Emergency Medical	2	Police, fire and medical services are available within proximity to property site.	
Parks, Open Space and Recreation (Access and Capacity)	1	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site. The location of the Mesa Hills apartments creates a thriving environment for children and growing families. Nearby is access to parks and other recreational facilities. Within a mile from the site are three parks, Harvey Park, HT Ponsford Park, and Crestmont Park, all provide a child and pet-friendly environment that allows for other recreational activities. Other nearby attractions include Resler Canyon, and Bob-O's Family Fun Center are excellent environments for growing families.	
Parks, Open Space and Recreation (Access and Capacity)	1	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site. The location of the Mesa Hills apartments creates a thriving environment for children and growing families. Nearby is access to parks and other recreational facilities. Within a mile from the site are three parks, Harvey Park, HT Ponsford Park, and Crestmont Park, all provide a child and pet-friendly environment that allows for other recreational activities. Other nearby attractions include Resler Canyon, and Bob-O's Family Fun Center are excellent environments for growing families.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Transportation and Accessibility (Access and Capacity)	1	Ridership is imperative to public transportation's success. The transportation corridor is a benefit to El Paso's future residents because they rely heavily on public transportation to commute to jobs. The Mesa Hills apartments are surrounded by a wide range of amenities to help support and provide equitable opportunities to low-income families. The site has access to the local Sun Metro bus network. Sunland Park Drive is a major commercial corridor with several malls and commercial plazas for the local community.	
Transportation and Accessibility (Access and Capacity)	1	Ridership is imperative to public transportation's success. The transportation corridor is a benefit to El Paso's future residents because they rely heavily on public transportation to commute to jobs. The Mesa Hills apartments are surrounded by a wide range of amenities to help support and provide equitable opportunities to low-income families. The site has access to the local Sun Metro bus network. Sunland Park Drive is a major commercial corridor with several malls and commercial plazas for the local community.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	N/A	
Unique Natural Features /Water Resources	2	N/A	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	N/A	
Vegetation / Wildlife (Introduction, Modification,	2	N/A	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Removal, Disruption, etc.)			
Other Factors 1			
Other Factors 1			
Other Factors 2			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	No potential environmental concerns identified.	
Climate Change	2	No potential environmental concerns identified.	
Energy Efficiency	1	New construction to include state of the art high efficiency energy conservation materials.	
Energy Efficiency	1	New construction to include state of the art high efficiency energy conservation materials.	

Supporting documentation

[Mesa Hills Transportation map.pdf](#)

[Mesa Hills Schools map.pdf](#)

[Mesa Hills Retail map.pdf](#)

[Mesa Hills Rendering.pdf](#)

[Mesa Hills Recreation map.pdf](#)

[Mesa Hills Medical Facilities map.pdf](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed

by:

Bernice Cano

10/1/2024 12:00:00 AM

[Project Description 09162024.pdf](#)

[Photos 2 10012024.pdf](#)

[Photos 1 10012024.pdf](#)

[Site Specific Field Contamination Checklist 10022024.pdf](#)

[Photos Mesa Hills.pdf](#)

[P31 Certified Copy of Ordinance.pdf](#)

[Mesa Hills Zoning Letter.pdf](#)

[Mesa Hills SOW.pdf](#)

[Mesa Hills Site Contamination.pdf](#)
[MESA HILLS Land Study.pdf](#)

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

FEMA (Federal Emergency Management Agency) Fish and Wildlife Service (Species List Austin Ecological Services Field Office) NEPAassist Resources (National Environmental Protection Agency) State Historical Preservation Office (SHPO) City of El Paso Planning Department Neighborhood Association: Mesa Hills Neighborhood Association + Upper Mesa Hills Neighborhood Association Upper Mesa Hills Neighborhood Association + Mesa Hills Neighborhood Association [REDACTED], PE Tribes with interest within El Paso County, Texas

[TBL 3.pdf](#)

[TBL 2.pdf](#)

[TBL 1.pdf](#)

[HACEP Mesa Hills Apartments Neighborhood Assoc.pdf](#)

[Rezoning Item 6 REVISED 05162024.pdf](#)

List of Permits Obtained:

City of El Paso Planning Department - Rezoning

Public Outreach [24 CFR 58.43]:

Public Meetings held by Housing Authority dba HOME 05082024 and 07092024

[SOUTH ~1.PDF](#)

[Sign Photo.pdf](#)

[Public Hearing Attendance July 9.pdf](#)

[MINUTE~1.PDF](#)

[Letter to Residents.pdf](#)

[Informational Meeting Attendance May 8.pdf](#)

Cumulative Impact Analysis [24 CFR 58.32]:

The need for affordable housing in this neighborhood and across the city is great. According to the 2019 El Paso Regional Housing plan, the city has a shortage of 3,300 rental units for households earning less than \$30,000 annually. In census tract 11.14 where the future development is located, median gross rent as a percentage of household income is 37.4% as of 2021 according to the American Community Survey (ACS). Mesa Hills will facilitate access to quality housing in a community-oriented environment, with outdoor gathering spaces, and will support current and future neighborhood residents and families seeking homes which are affordable and close to transit, retail, jobs, and schools. With a wide variety of shops and retail within walking

distance to the future development, there is less of a dependence on personal vehicles which will alleviate any additional financial burden for future residents.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

New construction, no alternatives taken.

No Action Alternative [24 CFR 58.40(e)]

The development of Mesa Hills will set a leading example for a more community-oriented neighborhood that is currently in need of increased affordable housing options.

Summary of Findings and Conclusions:

A review of several dozen Federal, State, and other databases identified absolutely no environmental findings regarding the subject property. No Recognized Environmental Conditions were found. * Six (6) very minor occurrences were classified as "De Minimis Conditions" that were identified at one (1) off-site location that would not impact the subject property. These six very minor sites listed in the database were both hydrologically down gradient, and too far away from the subject property to be significant environmental risks to the subject property. * No immediate significant environmental hazards were observed on-site, and no potential environmental issues regarding the subject property from off-site sources were identified during this Assessment. No further Environmental Assessment actions appear warranted. * Very small amounts of trash and some construction debris were observed onsite. No hazardous materials or waste were observed onsite at the time of the site inspection (refer to photos in Attachment C). * The subject property was the "cleanest property" ever inspected within El Paso City limits by the senior Environmental Engineer during his 34 years of experience. This Parcel appears to be immediately ready to be sold or developed. * No further Environmental Assessment actions are recommended, based on this Phase I ESA.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	Upon completion of units, a certified Radon Technician will evaluate each unit and provide documentation of compliance.	N/A	New construction - once project is complete a certified Radon Technician will test each unit and provide documentation of compliance.	

Project Mitigation Plan

RADON: For new construction projects, it would be acceptable to include radon testing as a mitigation requirement under the Contamination screen in HEROS. Note: The ERR can also be closed out and approved at that point. HUD's guidance on this can be found in CPD Notice 23-103. Here's the applicable excerpt found on Page 8: In instances where radon testing will be conducted but cannot be conducted until after the environmental review record is certified -such as with new construction or certain rehabilitation projects- then the initial documentation would not include a radon evaluation but must include a condition for post-construction radon testing followed by mitigation if needed. The environmental preparer must update the environmental review record with the radon evaluation and proof of any required mitigation when complete.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Attachment 1, project site is not within a Civilian or Military runway zone.

Supporting documentation

[Attachment 1 Airport Mesa Hills.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. No Coastal Barriers in El Paso, Texas. Compliance based on location and CBMA, See Attachment 2.

Supporting documentation

[Attachment 2 Coastal Barrier.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

2. Upload a FEMA/FIRM map showing the site here:

[Attachment 3 Flood Mesa Hills.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary

Compliance Determination

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. See Attachment 3: FIRM 480214, PANEL 0027D, DATE 01/03/1997, ZONE C.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

Ozone

Particulate Matter, <2.5 microns

Particulate Matter, <10 microns

3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above

Carbon monoxide 12.70 ppm (parts per million)

Provide your source used to determine levels here:

U.S. EPA's Green Book on Nonattainment Areas for Criteria Pollutants AIRNOW

4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

Enter the estimate emission levels:

Carbon monoxide 12.70 ppm (parts per million)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

Screen Summary

Compliance Determination

The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide. This project does not exceed *de minimis* emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. See Attachment 4 Air Quality. 8-Hour Ozone (2015) Designated Area Area/State/County Report Data is current as of September 30, 2024 El Paso-Las Cruces, TX-NM (Marginal - Nonattainment) NEW MEXICO (Region VI) Dona Ana

County (P) TEXAS (Region VI) El Paso County Carbon Monoxide (1971) Designated Area Area/State/County Report Data is current as of September 30, 2024 El Paso, TX (Moderate <= 12.7ppm - Maintenance) TEXAS (Region VI) El Paso County (P) Portion of the City Limits of El Paso Project estimated emissions levels are below de minimis levels for all nonattainment or maintenance pollutants, the project is in compliance with the Clean Air Act and no further action is required.

Supporting documentation

[EPA AIRNOW 10072024.pdf](#)

[EPA AIRNOW Current Air Quality.pdf](#)

[Attachment 4 Air Quality.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. No Coastal Zones in El Paso, Texas. Compliance based on location and CZMA. See Attachment 5.

Supporting documentation

[Attachment 5 Coastal Zone.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

- ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening.
- None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

- No

Explain:

Upon review, there were no toxic and/or hazardous substance found nearby property site. See Site Specific Field Contamination Checklist. Upon review, there were no toxic and/or hazardous substance found nearby property site. See Site Specific Field Contamination Checklist.

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. See Attachment 6 NEPAassist resource material for toxic and contamination sites within 1 mile of project location. Hazardous Waste, 18 sites: KMart #9325, Family Dollar #5141, Walmart NM 7229, City of El Paso PDH ECHO reports attached with "No Violations Indicated"; Chevron 76184, Furr's Supermarket, Desert Cleaners, Mesa Hills Chiropractic, Sparkle Cleaners, Home Club, Kits Cameras, Oklahoma Installation, Sears 1027, Target T08022, Carrier Corporation, Penske Truck Leasing, American Minerals, and DG Shelter Products EPA Reports attached with "No Record Data Available". Water Dischargers, 4 sites: Desert Pass Unit 3 and CST Store 1260 ECHO Reports attached with "Terminated Permit"; Coronado High School and City of El Paso ECHO Reports attached with "No Violations Indicated". Air Pollution: Valle Bank of El Paso ECHO Report attached with "No Violations Indicated". Toxic Releases: American Minerals ECHO Report attached with "No Violations Indicated". No significant non-compliance issues and will not impact nor conflict with project scope of work.

Supporting documentation

[HOME Letter for Radon Testing.pdf](#)

[Photos 2 10012024\(1\).pdf](#)

[Photos 1 10012024\(1\).pdf](#)

[Site Specific Field Contamination Checklist 10022024\(1\).pdf](#)

[Mesa Hills SOW\(1\).pdf](#)

[Mesa Hills Site Contamination\(1\).pdf](#)

[4 Phase I Property Photos.pdf](#)

[3 Phase I Site Location Map.pdf](#)

[2 Phase I Topographical Map.pdf](#)

[1 Phase I Historical and Aerial Photos.pdf](#)

[RCRAInfo Facility EPA Target T0822.pdf](#)
[RCRAInfo Facility EPA Sparkle Cleaners.pdf](#)
[RCRAInfo Facility EPA Sears 1027.pdf](#)
[RCRAInfo Facility EPA Penske Truck Leasing.pdf](#)
[RCRAInfo Facility EPA Oklahoma Installation.pdf](#)
[RCRAInfo Facility EPA Mesa Hills Chiropractic.pdf](#)
[RCRAInfo Facility EPA Kits Cameras.pdf](#)
[RCRAInfo Facility EPA Home Club.pdf](#)
[RCRAInfo Facility EPA Furr's Supermarket.pdf](#)
[RCRAInfo Facility EPA DG Shelter Products.pdf](#)
[RCRAInfo Facility EPA Desert Cleaners.pdf](#)
[RCRAInfo Facility EPA Chevron 76184.pdf](#)
[RCRAInfo Facility EPA Carrier Corp.pdf](#)
[RCRAInfo Facility EPA American Minerals.pdf](#)
[Detailed Facility Report ECHO WalMart 7229.pdf](#)
[Detailed Facility Report ECHO Valley Bank.pdf](#)
[Detailed Facility Report ECHO KMart 9325.pdf](#)
[Detailed Facility Report ECHO Family Dollar 5141.pdf](#)
[Detailed Facility Report ECHO Desert Pass.pdf](#)
[Detailed Facility Report ECHO CST Store 1260.pdf](#)
[Detailed Facility Report ECHO Coronado HS.pdf](#)
[Detailed Facility Report ECHO COE PDH.pdf](#)
[Detailed Facility Report ECHO City of El Paso.pdf](#)
[Detailed Facility Report ECHO American Minerals.pdf](#)
[West of South Mesa Hills Dr Phase 1 ESA.pdf](#)
[Attachment 6 Toxics Mesa Hills .pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. Vacant Lot has been cleared and is prepped for future construction of multi-family

complexes. The project scope of work will have no effect due to nature of project activities.

Supporting documentation

[Species List Austin Ecological Services Field Office.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to new construction of a multi-family residential project and is within the City limits. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.

Supporting documentation

[Attachment 9 Farmland.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

2. Upload a FEMA/FIRM map showing the site here:

[Attachment 3 Flood Mesa Hills.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. See Attachment 10: FIRM 480214, PANEL 0027D, DATE 01/03/1997, ZONE C.

Supporting documentation

[Attachment 10 Floodplain Mesa Hills.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Apache Tribe of Oklahoma Response Period Elapsed

✓ Comanche Nation of Oklahoma	Response Period Elapsed
✓ Fort Sill Apache Tribe of Oklahoma	Response Period Elapsed
✓ Mescalero Apache Tribe	Response Period Elapsed
✓ Tonkawa Tribe of Oklahoma	Response Period Elapsed
✓ White Mountain Apache Tribe	Response Period Elapsed
✓ Wichita + Affiliated Tribes	Response Period Elapsed
✓ Ysleta Del Sur Puebla	Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Written request for consultation to SHPO/THC with corresponding documentation maps, pictures, scope of work and cost estimate sent via eTRAC, THC electronic tracking system. Tribal Consultations are sent out and are given a 30-day response time.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

- Yes
- No

Step 2 – Identify and Evaluate Historic Properties

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

6.325 acre vacant land site located west of South Mesa Hills Drive, El Paso, TX 79912. Lot 3, Block 1, Coronado Del Sol.

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination

below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
-------------------------------	--------------------------	------------------	-----------------------

Additional Notes:

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. See Attachment 11 and response from SHPO/THC: The review staff, led by Charles Peveto and Drew Sitters, has completed its review and has made the following determinations based on the information submitted for review: Above-Ground Resources * No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. Archeology Comments * No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

Supporting documentation

[Ysleta del Sur Pueblo.pdf](#)
[Wichita + Affiliated Tribes of Oklahoma.pdf](#)
[White Mountain Apache Tribe.pdf](#)
[Tonkawa Tribe of Oklahoma.pdf](#)
[Mescalero Apache Tribe of New Mexico.pdf](#)
[Fort Sill Apache Tribe of Oklahoma.pdf](#)
[Comanche Nation Oklahoma.pdf](#)
[Apache Tribe of Oklahoma.pdf](#)
[P31 Certified Copy of Ordinance\(1\).pdf](#)
[West of South Mesa Hills Dr Phase 1 ESA\(1\).pdf](#)
[Section 106 letter White Mountain.pdf](#)
[THC 202404161.msg](#)
[1 Phase I Historical and Aerial Photos\(1\).pdf](#)
[Attachment 11 Historic Mesa Hills property.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

- There are no noise generators found within the threshold distances above.

Based on the response, the review is in compliance with this section. Document and upload a map showing the location of the project relative to any noise generators below.

Noise generators were found within the threshold distances.

Screen Summary

Compliance Determination

The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. See Attachment 12A, 12B and 12C NEPAassist resource materials for Noise Attenuation. Major Roadways: I-10 approximately 998 ft. and S. Mesa Hills Dr. 152 ft. from project. HUD Calculator: 68dnl. Attached list of Energy Efficiency Measures to be implemented in this Project. No significant non-compliance issues and will not impact nor conflict with project scope of work.

Supporting documentation

[Energy Conservation - Noise Attenuation measures.pdf](#)

[TXDOT FTT I10.pdf](#)

[HUD dnl Calculator 02062025.pdf](#)

[Attachment 12A Airport Mesa Hills 79912 2.pdf](#)

[Attachment 12C Roadways Mesa Hills 79912 I-10.pdf](#)

[TXDOT FTT S Mesa Hills Dr.pdf](#)

[DNL Calculator HUD Exchange.pdf](#)

[Attachment 12C Roadways S Mesa Hills Dr .pdf](#)

[Attachment 12C Roadways Mesa Hills to access.pdf](#)

[Attachment 12B Railroad Mesa Hills.pdf](#)

[Attachment 12A Airport Mesa Hills.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
<p>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</p>	<p>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</p>	<p>40 CFR Part 149</p>

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The City of El Paso does not contain any EPA-designated sole source aquifers. See Attachment 13.

Supporting documentation

[Attachment 13 Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.

Supporting documentation

[Attachment 14 Wetlands Mesa Hills.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.

Supporting documentation

[Attachment 15 Wild River.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No



Community + Human Development Department

MAYOR

Renard U. Johnson

January 24, 2025

CITY COUNCIL



District 1

Alejandra Chávez

Dear [Redacted],

District 2

Dr. Josh Acevedo

Thank you for your email and for sharing your comments regarding the Environmental Assessment (EA) for Mesa Hills Apartments. We appreciate the time you invested in reviewing the final EA and submitting feedback.

District 3

Deanna M. Rocha

District 4

Cynthia Boyar Trejo

At this time, we will address the environmental matters outlined in your letter dated November 19, 2024. These items have been reviewed, and our responses are provided below for your reference. Please note that our responses are limited to questions or issues directly pertaining to the environmental review process.

District 5

Ivan Niño

District 6

Art Fierro

District 7

Lily Limón

District 8

Chris Canales

CITY MANAGER

Dionne Mack

Item	Description	Response
2 – Page 1	<i>General Comment - Why did the City prepare the SEA and associated notices for HOME if they are an entity that is run entirely separately from the City of El Paso?</i>	The unit of general local government within which the project is located that exercises land use authority must act as the environmental Responsible Entity (RE) under NEPA for the local public housing authority (PHA). Please refer to the regulation at 24 CFR Part 58.2(a)(7)(ii)(B). Local PHAs are not permitted to act as an RE.
3	<i>General Comment - Were any other locations for this affordable housing project considered or was Lot 3, Block 1, the only one?</i>	As to the alternatives analysis, the regulation at 24 CFR Part 58.40(e) allows for the consideration of taking no action or not implementing the project as an alternative. As stated in the environmental review record, the project will provide increased affordable housing options for the community that would otherwise

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DELIVERING EXCEPTIONAL SERVICES



Community + Human Development Department

MAYOR

Renard U. Johnson

CITY COUNCIL

District 1

Alejandra Chávez

District 2

Dr. Josh Acevedo

District 3

Deanna M. Rocha

District 4

Cynthia Boyar Trejo

District 5

Ivan Niño

District 6

Art Fierro

District 7

Lily Limón

District 8

Chris Canales

CITY MANAGER

Dionne Mack

		not be available. We would defer you to HOME for this concern.
4	<i>General Comment - I don't understand why other federal agencies are required to perform more extensive work in order for their EAs to be in strict compliance with NEPA.</i>	HUD's environmental protocol, which the City is required to adhere to, complies with the requirements set forth by the Council on Environmental Quality (CEQ) and HUD's NEPA-implementing regulations found at 24 CFR Parts 50 and 58. While HUD does utilize a prescribed format for environmental assessment-level projects, it is required to be site-specific.
5 – Page 2	<i>General Comment - Negative Impact as a result of increase - traffic.</i>	The project has been determined to conform with local compatible land use, scale, and zoning requirements as indicated by the issuance of the associated City of El Paso permits to proceed with construction.
6	<i>General Comment - Negative Impact as a result of increase - traffic.</i>	See response to Item #5.
7	<i>General Comment - Vehicle Parking along Mesa Hills and Residential Streets</i>	See response to Item #5.
8	<i>What does the acronym PBV stand for?</i>	PBV refers to Project-based Vouchers.
11	<i>Endangered Species Act - The vacant lot has not been cleared and grubbed as stated under the Compliance Determination column.</i>	The concern relative to air quality and the hazards posed by ambient contamination are not disputed. However, HUD requires projects to comply with the Clean Air Act and National Ambient Air Quality Standards (NAAQS) set by the EPA. While El Paso County is currently in a non-attainment status for two criteria pollutants (8-hour ozone and particulate matter (PM)), the project itself will not generate any additional air quality contamination that would exceed de minimis thresholds and is in compliance with

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Community + Human Development Department

MAYOR

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CITY COUNCIL

District 1

Alejandra Chávez

District 2

Dr. Josh Acevedo

District 3

Deanna M. Rocha

District 4

Cynthia Boyar Trejo

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District 6

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District 7

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District 8

Chris Canales

CITY MANAGER

Dionne Mack

		the Texas State Implementation Plan (SIP).
12	<i>Endangered Species Act - The vacant lot has not been cleared and grubbed as stated under the Compliance Determination column.</i>	In conformance with Section 7 of the Endangered Species Act (ESA) of 1973, the City (acting as the federal agency for the undertaking) has made a No Effect determination regarding impacts to endangered /threatened species and critical habitats. The site has been significantly cleared and does not currently appear to contain “50% coverage.” This, along with the site falling within a well-developed urban area in close proximity to I-10 make this determination appropriate. It should also be noted that a biological assessment or evaluation <i>is not</i> required by the US Fish and Wildlife Service for construction projects that are not considered major federal actions that would significantly affect the quality of the human environment.
13	<i>Floodplain Management - Has the City reviewed the revised preliminary flood risk information and updated Flood Insurance Rate Maps (FIRMS) released by FEMA last June to determine if subject lot falls into a high-risk flood zone?</i>	According to the best available data available at the time of the assessment, the effective FIRM dated 1/3/97 showed that the site is not located in a floodplain of concern (100-year SFHA or 500-year). Note: The MSC does not currently show a preliminary map being issued that has altered that determination.
14	<i>Historic Preservation - Recommend that an Archeological Study be performed prior to construction to ensure that no more artifacts exist on this vacant piece of land.</i>	The Texas Historical Commission (THC), via a correspondence dated 12/14/2023, indicated that no historic properties would be affected by the project. However, if any cultural materials should be encountered during construction,

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CITY COUNCIL

District 1

Alejandra Chávez

District 2

Dr. Josh Acevedo

District 3

Deanna M. Rocha

District 4

Cynthia Boyar Trejo

District 5

Ivan Niño

District 6

Art Fierro

District 7

Lily Limón

District 8

Chris Canales

CITY MANAGER

Dionne Mack

		work will cease in the immediate area and consultation will be re-initiated with the Archaeologic Division of THC.
15	<i>What does NWSRS stand for?</i>	NWSRS refers to the National Wild and Scenic Rivers System.
16	<i>Compliance with Plans/Compatible Land Use and Zoning</i>	The project complies with local land use and zoning requirements.
17	<i>Hazards and Nuisances including Site Safety and Site Generated Notice</i>	The noise analysis was conducted in the Noise Abatement and Control screen of the Related Laws and Authorities section of the environmental review. Recognizing the vicinity of I10, the construction materials used will provide sufficient noise attenuation to reach HUD's interior noise standards found at 24 CFR Part 51(B).
18 – Page 4	<i>The Environmental Assessment Factors are listed twice on each of these pages with no new information provided.</i>	This was a formatting error that occurred while saving the record out of the HUD Environmental Review Online System (HEROS).
19	<i>Public Outreach - Both meetings conducted by HOME were a waste of time since they did not answer our questions.</i>	The comment is noted. We would defer you to HOME for this concern.
20	<i>Summary of Findings and Conclusions - Delete the sentence that reads, " ... cleanest property with El Paso City Limits by the Senior Environmental Engineer... "</i>	See response to Item #16.
21	<i>The FIRMS, dated January 03, 1997, are outdated. Reference the most current maps released by FEMA earlier this year.</i>	See response to Item #13.
22	<i>The deer in this area use Lot 3, Block I, as their path in search of food. Refer to Attachments 4 & 5 for more information. What is the City and/or HOME planning to do in order to mitigate this environmental impact?</i>	This comment is noted. However, there is no regulatory or statutory requirement to consult with the USFWS under Section 7 of the Endangered Species Act or provide formal mitigation for this scenario.

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DELIVERING EXCEPTIONAL SERVICES



Community + Human Development Department

MAYOR

Renard U. Johnson

We appreciate the time and thought you've devoted to this process. The City of El Paso remains committed to maintaining compliance with all federal regulations and conducting comprehensive environmental reviews as we move forward.

CITY COUNCIL

District 1

Alejandra Chávez

Sincerely,

District 2

Dr. Josh Acevedo

A handwritten signature in black ink, appearing to read "Abraham Gutierrez".

District 3

Deanna M. Rocha

District 4

Cynthia Boyar Trejo

Abraham Gutierrez
Assistant Director

District 5

Ivan Niño

District 6

Art Fierro

District 7

Lily Limón

District 8

Chris Canales

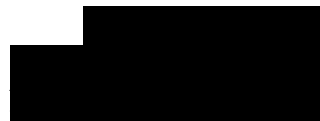
CITY MANAGER

Dionne Mack

Araceli Guerra | Managing Director | Community + Human Development Department | (915) 212-1401



DELIVERING EXCEPTIONAL SERVICES



November 19, 2024

Mr. Abraham Gutierrez
Assistant Director
Department of Community and Human Development
City of El Paso
801 Texas Ave
El Paso, Texas 79901

SUBJECT: Review Comments, Supplemental Environmental Assessment, Project Name FY24-NOFA-HACEP-Mesa Hills Apartments, 79912 Update

Mr. Gutierrez:

I am in receipt of the Supplemental Environmental Assessment (SEA) prepared by Ms. JoAnn Vera of the City's Compliance and Environmental Review, on behalf of the Housing Authority (HOME), to support the construction of forty (40) additional apartment units at Lot 3, Block 1, in the neighborhood of Coronado del Sol. Listed below are the comments generated during my review of this document and the Notices of No Significant Impact and Intent to Request Release of funds.

1. General Comment – Thank you for allowing me the opportunity for review the SEA. I wish I would have had the opportunity to review the EA prepared for the sixty-four (64) apartment units before it was finalized earlier this year. Recommend that you consider using other sources to make future EAs available for public review besides the El Paso Times. One source that you might consider is to providing them to the affected District Representative so that he/she can inform its constituents of the draft EAs.
2. General Comment - Why did the City prepare the SEA and associated notices for HOME if they are an entity that is run entirely separately from the City of El Paso? According to Mr. Chris Canales, our District Representative, "... HOME operates in many respects as an independent developer and private management company." Does the City offer this type of service (prepare environmental documents) to any other private developers at no cost?
3. General Comment –General Comment – Were any other locations for this affordable housing project considered or was Lot 3, Block 1, the only one? If no other locations were considered it would be extremely difficult to justify that the only location considered offers the least amount of environmental impacts. As I will try to briefly explain below, this location (Lot 3, Block 1) is not ideal for this type of project because of the negative impacts that it offers.
4. General Comment – The SEA which is very similar to the EA prepared for the Phase I (64 apartment units) is a standard boiler plate instead of being site specific. As per your email of August 21, 2024, it was the U.S. Department of Housing and Urban Development that

streamlined the requirements of NEPA and crafted a template for the City to use for this project and others. I don't understand why other federal agencies are required to perform more extensive work in order for their EAs to be in strict compliance with NEPA. Visit the [agreementWithAttachments.pdf](#) to review the EA (265 pages long) that was recently prepared the U.S. Section of the International Boundary and Water Commission in order to be able to update and/or eliminate their active and inactive grazing leases at Falcon Dam which is located in Starr and Zapata Counties, Texas.

5. General Comment, Negative Impact as a Result of Increase Traffic – Currently, we don't have the infrastructure (not only vehicles but also for pedestrians) that we need to be able to accommodate a project of this size in our neighborhood – Coronado del Sol. With this in mind, I respectfully request that a Traffic Study (Traffic Impact Analysis) be conducted by a qualified Engineering Consultant to analyze the negative impacts of not only on S Mesa Hills but, most importantly, on De Leon Street as a result of the additional traffic generated by the proposed affordable housing project; refer to Attachment 1 for the existing traffic flow pattern to either North Mesa Street and/or S Mesa Hills Drive. Assuming that each of the 104 new apartment residents have the maximum two (2) vehicles per household would yield an additional 208 vehicles that both De Leon Street and Mesa Hills Drive would have to accommodate. This amount of vehicles does not include any service vehicles from electricians, plumbers, HVAC technicians, care providers, etc. As you are aware, De Leon Street is a residential street and **not** designed to handle such a high volume of traffic. The amount of traffic on De Leon Street has mushroomed since the connection (less than 20 feet wide) of S Mesa Hills Drive to Marcena Street in the early 90s. The residents of De Leon Street should **not** be expected to handle more traffic. The cost for the study should be a very small investment compared to the multi-million dollar value (19.5) of the Mesa Hills II Project.
6. General Comment, Negative Impact as a Result of Increase Traffic - Currently, there is a three (3) way stop on the corner of Mesa Hills Drive and Bluff Trail Ln; refer to Attachment 2. Unfortunately, a good number of drivers traveling from either S Mesa Hills Drive and/or Marcena Street refuse to stop. I personally have had a few near misses with drivers who run the stop sign(s). The additional traffic generated by the proposed development project will only make matters worse. This safety concern should also be analyzed as part of the traffic study(ies) conducted.
7. General Comment as a Result of Vehicle Parking along Mesa Hills and Residential Streets - Medano Heights Apartments have been labeled by HOME as their "showcase model" of affordable multi-family housing. During our visit to the complex during the month of April, my wife and I noticed several vehicles parked along Picacho Hills Court even though sufficient parking was available within the limits of the complex; refer to Attachment 3. The reason(s) behind this is irrelevant. What is important to make note of is that the same will occur as a result of the proposed development project. The apartment residents will be parking along Mesa Hills Drive, Bluff Trail Ln and/or Bluff Canyon Cir. This is unacceptable and should not be allowed. Similar parking challenges are being experienced at other apartment complexes owned by HOME throughout the City of El Paso.
8. Page 2, Second Sentence, Description of the Proposed Project - What does the acronym PBV stand for? Please clarify. Any and all acronyms should be defined.
9. Page 3, Second to the last sentence, Existing Conditions and Trends - The El Paso Independent School District (EPISD) recently identified Putnam Elementary School as one

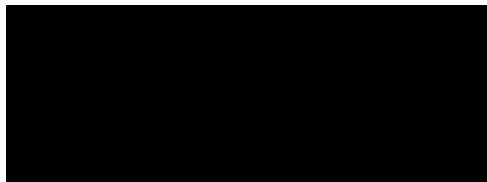
of the schools to be closed as early as next school year. Either delete the name “Putnam” in its entirety or make reference to its closure. Furthermore, Johnson Elementary School does not exist anymore – it hasn’t for a while. It was replaced in August 2022 (that was 2 years ago) by Charles Murphree School - EPISD rebranded the former Johnson Elementary and Morehead Middle School. It is imperative that this SEA reflect current conditions.

Regardless, there is no dedicated crossing for the future school children to cross S Mesa Hills and walk to the bus stop at Mercena Street and De Leon Street.

10. Page 3, Last sentence, Existing Conditions and Trends – Both St. Mathew Catholic and Mountain West Montessori School are private schools. How can the future residents of the affordable even consider the idea of sending their children to private schools at the expense of taxpayers? Why even mentioned these schools if they are not an option for the children residing in the multi-family apartments.
11. Pages 5 and 6, Air Quality, Compliance Factors – Research conducted by the U.S. Environmental Protection Agency (EPA) has shown that children, pregnant women, older adults, and individuals with pre-existing heart and lung disease are more susceptible to air pollution. Constructing the affordable housing adjacent to Interstate 10 is not a good idea for medical reasons. Other EPA studies have linked short and long term air pollution exposure with increased risk for adverse pregnancy outcomes such as low-birth weight, cancer, diabetes, cognitive impairment, and neurological diseases such as Parkinson’s disease, Alzheimer’s disease, Dementia, stroke, migraines, and headaches. For more information of this study(ies) visit the link <https://www.epa.gov/air-research/research-health-effects-air-pollution>.
12. Page 6, Endangered Species Act – The vacant lot has **not** been cleared and grubbed as stated under the Compliance Determination column. It currently has at least 50% coverage with native vegetation that is prime habitat for endangered birds. Recommend that the site be visited by a qualified Biologist and the sentence be revised accordingly.
13. Page 7, Floodplain Management – Has the City reviewed the revised preliminary flood risk information and updated Flood Insurance Rate Maps (FIRMS) released by FEMA last June to determine if subject lot falls into a high risk flood zone? The 1997 FIRMS referenced for this compliance factor are extremely old and will be superseded very soon.
14. Page 7, Historic Preservation - According to one of my neighbors, her father Mr. Joe Maldonado, a well-known Archaeologist, found artifacts at Lot 3 of Block 1 in the early 2000s. Recommend that an Archeological Study be performed prior to construction to ensure that no more artifacts exist on this vacant piece of land.
15. Page 8, Wild and Scenic Rivers Act - What does the acronym NWSRS stand for? Please clarify. Any and all acronyms should be defined.
16. Page 9, Compliance with Plans/Compatible Land Use and Zoning – Delete the first sentence that reads, “... cleanest property within El Paso City limits by the Senior Environmental Engineer...” in its entirety since it is an opinion and not a fact. The SEA should only include facts that are adequately supported by data.
17. Page 9, Hazards and Nuisances including Site Safety and Site Generated Notice – Also, measure the noise level of vehicles traveling on Interstate 10 in accordance with 24 Code of Federal Regulations, Part 51.103, since the affordable housing will be constructed adjacent to the freeway.

18. Pages 9, 10, 11, 12, 13, & 14 – The Environmental Assessment Factors are listed twice on each of these pages with no new information provided. Is this an oversight or was it done intentionally?
19. Page 15, Public Outreach – Both meetings conducted by HOME were a waste of time since they did not answer our questions. Their responses were very vague. Most importantly, I and several of my neighbors never received an invitation letter even though we live within the circle of impact.
20. Page 16, Second to the last Sentence, Summary of Findings and Conclusions – Delete the sentence that reads, “... cleanest property with El Paso City Limits by the Senior Environmental Engineer...” in its entirety since it is an opinion and not a fact. The SEA should only include facts that are adequately supported by data. Also, the statement that reads, “Parcel appears to be immediately ready to be sold...” is not current since HOME purchased the property from the El Paso Independent School District in 2019. Revise the sentence accordingly.
21. Page 21, Last Sentence, Compliance Determination – The FIRMs, dated January 03, 1997, are outdated. Reference the most current maps released by FEMA earlier this year.
22. Page 29, Response to Question No. 1 – The deer in this area use Lot 3, Block 1, as their path in search of food. Refer to Attachments 4 & 5 for more information. What is the City and/or HOME planning to do in order to mitigate this environmental impact? The City erected a temporary fence a couple of months ago prematurely along the entire length of S Mesa Hills. This fence prevents the deer and other wildlife from entering the vacant lot. Mitigation efforts should be coordinated with the U.S. Fish and Wildlife Service.
23. General Comment, Negative Impact as a Result of Increase in Crime - CEO Gerald Chichon of HOME stated at the public meeting on July 9th that there would be an increase in crime as a result of the Mesa Hills II Project, not because it was low income but because it was an apartment complex. In general, there is more crime in apartment complex than there is at single family homes. This contention has been validated by the respective El Paso Police Department (EPPD) via an Open Records Request (Attachments 6 & 7). There have been over 2,000 police reports filed for Medano Height Apartments (the newest complex on the westside of El Paso) since its birth in March of 2020 to June 2011 - that averages to about 500 police reports per year or 1.37 incidents per day. This an extremely high number considering that off duty police officers are hired by HOME to patrol the complex. A high number of incidents were also recorded by EPPD for Salazar Apartments (3,529) and Robinson Apartments (1,346); the latter apartment complex was under renovations for a year or two during this time frame. In order to compare apples to apples, I requested the number of incidents for our residential streets (Bluff Canyon, Bluff Ridge, Bluff Trail, and Bluff View) and The Retreat Apartments for the same period of time and learned that there were only 43 and 140 incidents, respectively. It is without a doubt that the introduction of affordable housing apartments into our neighborhood will definitely increase crime exponentially. What measures, if any, will the City implement to address this negative impact?
24. General Comments – My review comments and those received from other reviewers, if any, should be made part of the final SEA along with the responses from the City to each comment. I request though that my name and contact information be redacted before it is released to the public.

I hereby request that City take the necessary steps to re-evaluate the SEA in strict compliance with Part 58.47 of 24 CFR based on the environmental findings described above. If you have any questions, please call me at either ([REDACTED]) or via email [REDACTED]. Thanks for your prompt attention.



cc: Mr. Jomar Maldonado
Director of NEPA
Council of Environmental Quality
730 Jackson Place, NW
Washington, DC 20503

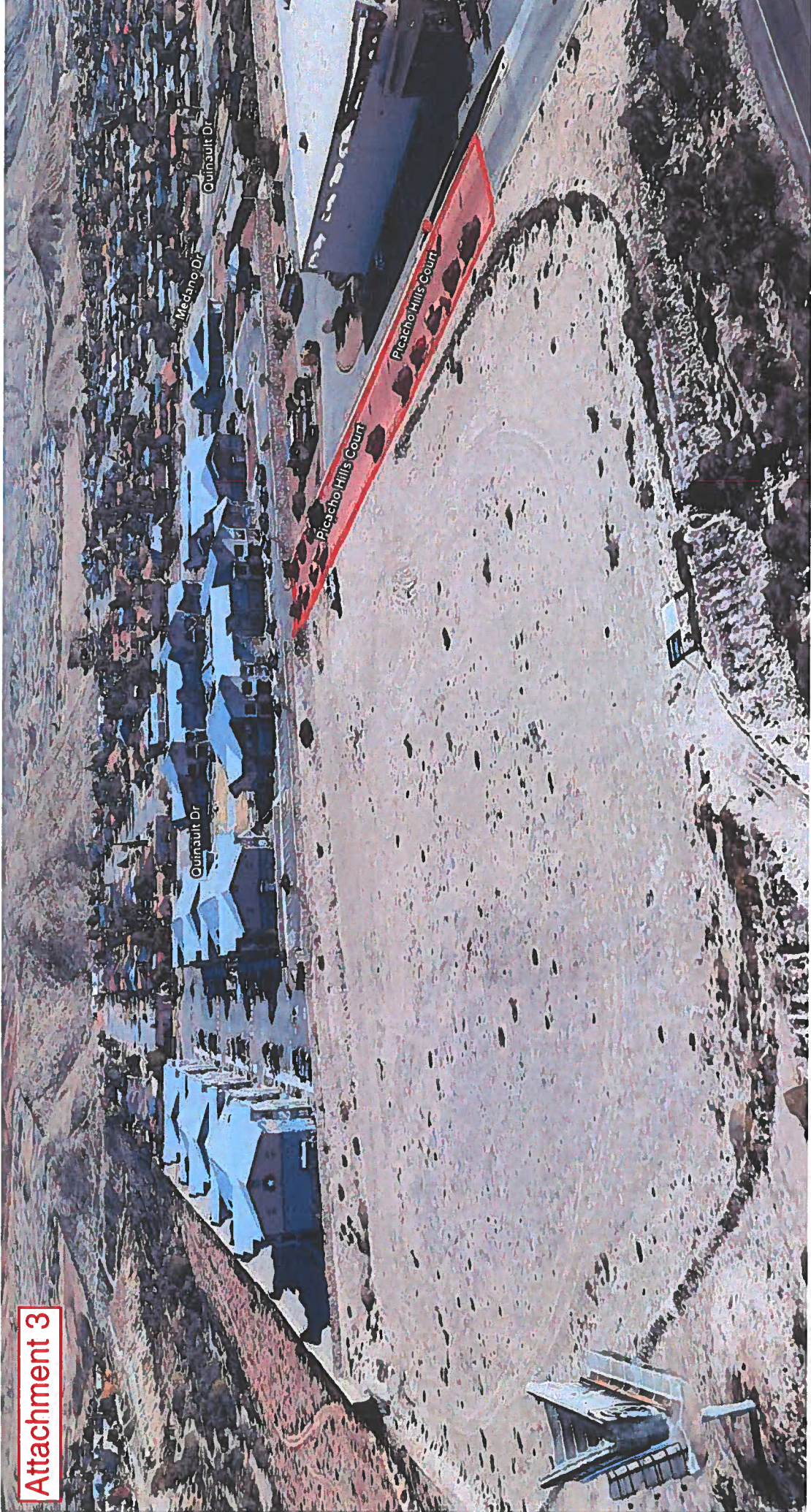
Attachment 1



Attachment 2

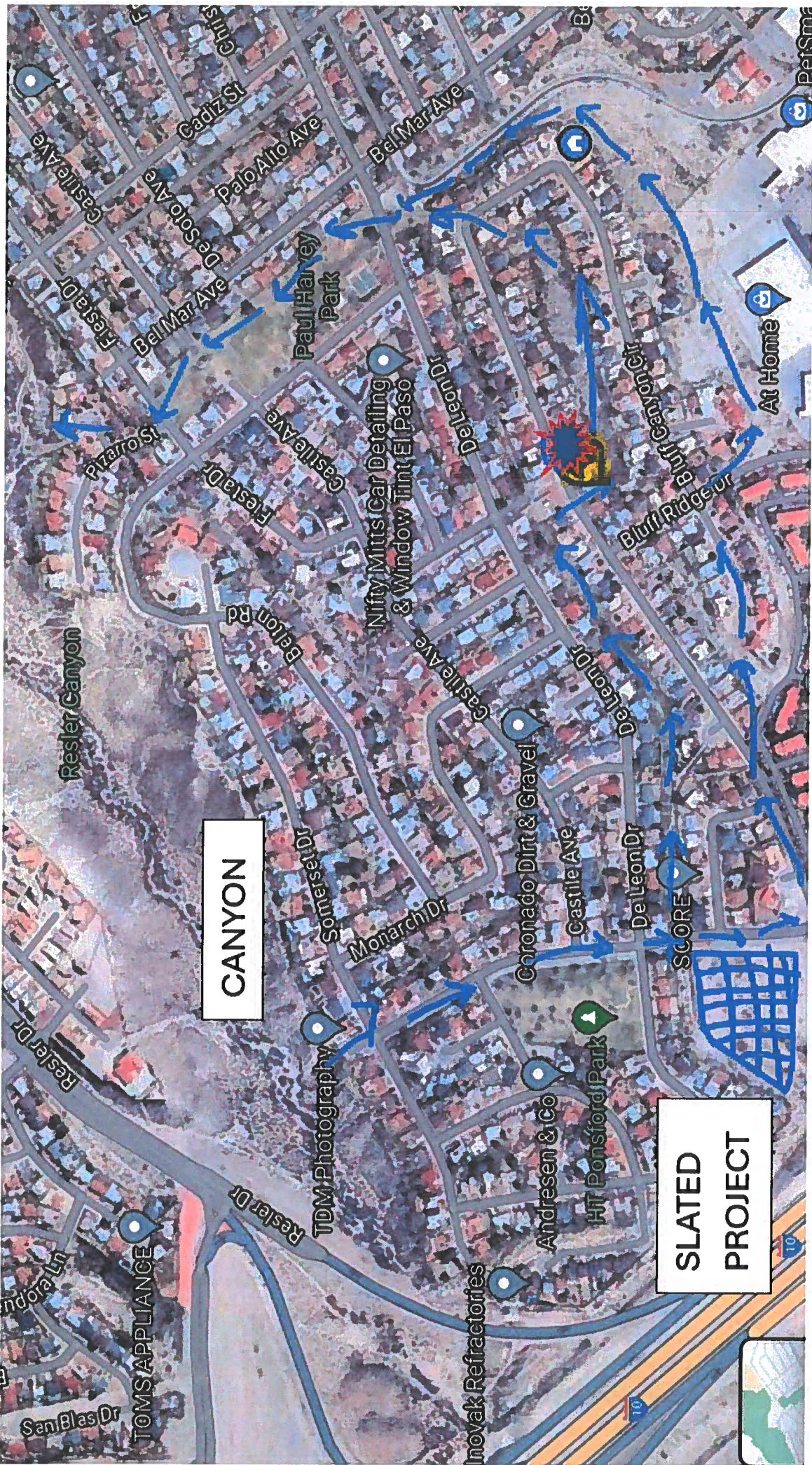
UNOVAK REFRACTORIES







Attachment 4



CANYON

SLATED PROJECT

Attachment 5

06/11/2024

Re: Open Records Request #W154983-060424

Dear

The El Paso Police Department is in receipt of your request referenced above wherein you asked for *"any and all documents including and not limited to police reports for allegations, reports, and events relating to or occurring at the Medano Heights apartments, located at 7801 Medano Dr., El Paso, TX 79912, from March 10, 2020 to present."*

Under the Texas Public Information Act, a governmental body may ask a requestor to clarify a request for information if the request is unclear and/or discuss narrowing the request. The Police Department is telling me that there are well over 2,000 documents responsive to this request. Assuming it will take just 10 minutes per document to find, copy, redact and upload each document, and it will probably take more than 10 minutes, that is 333 hours of labor. The fee for this labor is a minimum of \$15.00 per hour, so as you can see, this would be extremely expensive for you ($\$15.00 \times 333 \text{ hours} = \$5,000.00$) so we invite you to narrow your request. It is also unclear exactly what documents you want. Are you talking just about incident reports?

Please be advised that pursuant to Section 552.222 of the Texas Government Code, a request for information is considered withdrawn if you, as a requestor, do not respond, in writing, to this written request for clarification or additional information within 61 days after that date this request for clarification is sent. Please note that, pursuant to *City of Dallas v. Abbott*, 304 SW3d 380 (Tex. 2010), when a governmental entity requests clarification or narrowing of an unclear or overbroad request for public information, the ten-day period to request an attorney general opinion as to the applicability of exception to disclosure requirement is measured from the date the request is clarified or narrowed.

We look forward to working with you to provide you with the accurate responsive documentation.

Sincerely,

Mary La Rue
Certified Paralegal, ret.
Public Records Coordinator
City of El Paso
Office of the City Attorney
(915) 212 - 0033

Attachment 6



OFFICE OF THE CITY ATTORNEY

August 28, 2024

MAYOR
Oscar Leeser



CITY COUNCIL

District 1
Brian Kennedy

District 2
Dr. Josh Acevedo

District 3
Cassandra Hernandez

District 4
Joe Molinar

District 5
Isabel Salcido

District 6
Art Fierfo

District 7
Henry Rivera

District 8
Chris Canales

INTERIM CITY
MANAGER
Cary Westin

RE: Your requests for records # W160680-082124

Dear :

The El Paso Police Department is in receipt of your request referenced above wherein you asked for specified report and photos from the El Paso Police Dept. Under the Texas Public Information Act, a governmental body may ask a requestor to clarify a request for information if the request is unclear or overbroad. Your request is overbroad as no time frame was provided and needs to be narrowed. The Police Dept. advised:

“Upon search of both addresses I was given back results of

3529 incidents for: 5353 Ridge St.
1346 incidents for: 421 Magnum Cir”

Depending on your response and clarification, it may be necessary for us to create an invoice detailing an estimate of time and costs. If the estimate exceeds \$40.00, then we will notify you in writing. If the estimate exceeds \$100, under section 552.263 of the Texas Government Code, the City will require a deposit of the estimated costs before we begin to process the request. Please be advised that pursuant to Section 552.222 of the Texas Government Code, a request for information is considered withdrawn if you, as a requestor, do not respond in writing to this written request for clarification or additional information within 61 days after that date this request for clarification is sent. Please note that, pursuant to *City of Dallas v. Abbott*, 304 SW3d 380 (Tex. 2010), when a governmental entity requests clarification or narrowing of an unclear or overbroad request for public information, the ten-day period to request an attorney general opinion as to the applicability of exception to disclosure requirement is measured from the date the request is clarified or narrowed.

We look forward to working with you to provide you with the accurate responsive documentation.

Sincerely,

Sandra Chavez

Sandra Chavez
Public Records Coordinator

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DELIVERING EXCEPTIONAL SERVICES

Attachment 7