

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

Project Information

Project Name: FY24-CDBG-PdN,-1410-Dan-Haskins-Dr.,-79936

HEROS Number: 900000010346858

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

RE Preparer: Jo Ann Vera

State / Local Identifier: TX

Certifying Officer: Elda Rodriguez Hefner

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 1410 Don Haskins Dr, El Paso, TX 79936

Additional Location Information:
N/A

Direct Comments to:

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

FY2023-2024 49th Year CDBG EN Funded Public Facilities: Paso Del Norte (PdN) Children's - East (the Center) is building a new facility at 1410 Bob Hope Drive in the 79936-zip code. The Center intends to expand its Inclusive Early Learning childcare programs to East El Paso which is dedicated to serving children with disabilities. The Center is purchasing a 1.13-acre parcel of land to accommodate an 8,400 sq./ft. structure. The Center intends to construct a new Inclusive Early Learning Center (childcare operation) that will provide early childcare, and early child education to children with disabilities in an inclusive environment with children who have no disabilities. The Center will also expand its Autism program by implementing a classroom-based therapy program for children with autism served at the IELC East facility. The IELC will also provide after-school and out-of-school care for school aged children when the school day is over and when school is not in session. The IELC will occupy approximately 8,400 sq./ft. Additionally, a fully accessible playground will be constructed to accommodate all children, regardless of disability. The Center is new construction and has identified this location because of the ease of access for persons utilizing services from PdN Children's in East-El Paso. 1410 Bob Hope is one block west of Loop 375. It is the 2nd address north of the intersection of Bob Hope and Pellicano. Loop 375 provides direct access from I-10 to Montana Blvd. Loop 375 provides additional access for families residing or working south of I-10 all the way to the border. The Center is going to expand services to East El Paso by constructing an 8,400 S.F. building that will accommodate an inclusive learning center (childcare operation) and fully accessible playground to serve children with disabilities. Children without disabilities will also be served in order to meet the Center's inclusion priorities. The building will be a single level structure. The fully accessible playground will be approximately 9000 S.F. and will consist of 3 separate play areas to safely accommodate the different age groups of children we serve. This project is a new construction. The architect who designs the building will use the latest and most efficient technology, including led lighting, higher seer factors for HVAC systems, building materials with high insulation ratings, etc. Landscaping will primarily include rock and native plants and the playground equipment will be shaded with materials that are approved by Texas Childcare Licensing standards to include sand and gravel surfaces.

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

For over 30 years, our IELC has provided high quality early childhood education and developmental support to families in El Paso, with a focus on addressing the complex needs of children with special needs. Our IELC is the only one of its kind in the city. Our non-profit organization integrates an inclusive early childhood education model with in-house therapeutic/developmental supports and coordination with community wrap-around services to meet the unique needs of the children in our program. At PdN Children's, we have positioned ourselves as the go-to agency for serving children with special needs and their families in our community. Our proposed program to expand our IELC will address an ongoing post-pandemic childcare shortage crisis through a disability lens as we attempt to remove additional barriers parents/caregivers of children with special needs encounter when seeking to access early learning and childcare services. In El Paso, and across the state of Texas, few

programs operate under inclusive early learning models. According to the National Association for the Education of Young Children, early childhood inclusion is defined as "embodying the values, policies, and practices that support the right of every infant and young child and [their] family, regardless of ability, to participate in a broad range of activities and contexts as full members of families, communities and society." In embracing early childhood inclusion, PdN Children's is committed to ensuring that children with and without disabilities and their families experience a complete sense of belonging and community membership; have the opportunity to develop positive social relationships and naturally occurring friendships; and engage in developmentally appropriate educational activities to help achieve their full potential. We pride ourselves on being a high-quality early childhood program that prioritizes access, participation, and support for the youngest members of our community. Our commitment to serve children with special needs and their families is steeped in the knowledge and awareness that, despite anti-discrimination and access laws like the Americans with Disabilities Act, Section 504, and the Individuals with Disabilities Education Act, people with disabilities are among the most marginalized and discriminated against. This is no exception in the realm of early childhood education and childcare, where families experience great difficulty in securing reliable and consistent care that often leads to their exit from the workforce or education and in perpetual financial crisis. Although facilities are barred from discriminating against a child based on disability status, many providers perceive different medical, physical, learning, or behavioral support needs as an "undue burden" on their center operations-which often allows them to elude serving children with these support needs. Whether through lack of awareness of the law, subpar training or professional development, or outright discrimination, parents and caregivers are experiencing serious barriers when seeking childcare. State lawmakers have even attempted to address the systemic barriers children with special needs and their families encounter related to childcare placement.

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

The Inclusive Early Learning Center aligns with the primary objective to advance equity, build sustainability and improve community outcomes through equitable programming volunteerism, and education designed to empower residents and strengthen their relationship with local government. The children that we will serve will access early educational opportunities. Under the Community Vulnerabilities, children with special needs or disabilities are considered to be at a higher risk for poor health as a result of the barriers they experience to social, economic, political, and environmental resources, as well as limitations due to illness or disability. Our target population under this project are children with disabilities which are already at a disadvantage due to their condition. The City of El Paso is becoming a Community of Excellence by addressing five categories. Our project will assist the City's effort to ensure Equity and Inclusion and Family Stability by providing high quality inclusive

childcare. El Paso's strength will be demonstrated by twelve factors of resilience, through this project, we will be meeting family's basic needs and will support the livelihood and employment needs of families that have children with special needs and need to find safe, reliable and high-quality childcare so they can pursue educational goals and or employment. Under the Four Vision Blocks, the IELC will fall under Goal #4 which is to provide recreational, cultural and educational opportunities. When the CAN was conducted, one area for improvement was to increase disability services, our IELC will address this much needed service for this population.

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

- [1410 Bob Hope Dr Google Maps.pdf](#)
- [1410 Bob Hope Dr Contamination Checklist.pdf](#)
- [PDN Photos.pdf](#)
- [Project Description.docx](#)
- [Preliminary Design Estimate.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:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-23-MC-48-0015	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded, Assisted or Insured Amount: \$1,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$1,000,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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 0046C, DATE 02/16/2006, ZONE X.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The

		project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. The project is in compliance with contamination and toxic substances requirements. See Attachment 6 NEPAassist resource material for Toxics / Contaminates within 1 mile of project location. Hazardous Waste, 2 sites: Honeywell Manufacturing Inc., and Family Dollar #7107 ECHO Reports attached with "No Violations Indicated". Water Dischargers, 7 sites: Alamo Drafthouse Cinema, and Northern View Business Park ECHO Reports attached with "No Violations Indicated"; Emerson Climate Technologies, Verde Palms North, El Paso DC, Joe Battle 12 Waterline and Loop 375 Grading Improvements EPA Reports attached with "No Records Data Available". Brownfields: West Corner Joe Battle Facility Report attached. No significant non-compliance issues and will not impact nor conflict with project scope of work.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. The project activities will consist of new

		construction of public facility on a cleared commercial lot. The project scope of work will have no effect due to nature of project activities.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. The proposed project will not increase residential density. Project activities will consist of new construction of public facility and does not meet the definition of HUD-assisted project for explosive hazards per 24 CFR Part 51.201. Therefore, the explosive hazard regulations do not apply.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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 repairs and rehabilitation and will not convert any undeveloped land. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. See Attachment 10: FIRM 480214, PANEL 0046C, DATE 02/16/2006, ZONE X.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. 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

		<p>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>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.</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 based on Scope of Work activities New construction and/or ground disturbance. 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</p>

		Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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	New Construction	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The subject property was an empty lot. The site was generally level and free of vegetation. No odorous standing water was observed at the site. Our visual inspection did not observe that the soil was contaminated.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Empty lot	
SOCIOECONOMIC			
Employment and Income Patterns	1	This development is public facility. The City which has experienced significant growth in the past 5 years bringing additional recreational, residential,	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		retail and commercial activity and services.	
Demographic Character Changes / Displacement	2	This property is a commercial development.	
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.	
Commercial Facilities (Access and Proximity)	1	Commercial Facilities are located in the vicinity of the proposed project site.	
Health Care / Social Services (Access and Capacity)	1	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	
Waste Water and Sanitary Sewers (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.	
Parks, Open Space and Recreation (Access and Capacity)	2	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site.	
Transportation and Accessibility (Access and Capacity)	2	idership 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.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	N/A	
Vegetation / Wildlife (Introduction,	2	N/A	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Modification, Removal, Disruption, etc.)			
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	N/A	
Energy Efficiency	1	New construction to include state of the art high efficiency energy conservation materials.	

Supporting documentation

[Phase I\(1\).pdf](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed

by:

Omar Delgado

7/28/2023 12:00:00 AM

[1410 Bob Hope Dr Contamination Checklist.pdf](#)

[PDN Photos.pdf](#)

[Project Description.docx](#)

[Preliminary Design Estimate.pdf](#)

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

Fish + Wildlife, FEMA, NEPAassist Ranchos del Sol Neighborhood Association

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

The property was bounded west by Bob Hope Drive and east by vacant lot. Adjacent to the south end of the property was a commercial building occupied by Auto Zone

Auto Parts. Existing commercial buildings with asphalt parking lots were found to the north of the property. Based on the aerial photographs for the years of 1936, 1956, 1967, 1979, 1984, 1988, 1991, 1996, 2003, 2005, 2008, 2012, and 2016, the property appeared to be virgin desert land all those years. No current activity occurred on the property. Positive impact on the community.

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

When we were looking for the appropriate property, we prioritized finding a property in East El Paso that had ease of client access and greatest potential market considerations. We looked at 4 areas. 1. 12145 Montwood- Existing building that would require a complete gutting of the inside. Considerations included the building being too large to completely remodel, Cost of the building purchase plus remodeling costs. Another purchaser had a contract to purchase the property and we were lined up as a 2nd interested party if the event the 1st party did not contract. 2. 1500 Bob Hope - Raw land which would require subdividing the sellable land. Owner was unresponsive to our offers. The land had no development and would require the inclusion of ponding, land preparation etc. All would be additional costs. 3. Ft. Bliss - The center engaged in conversation to discuss a land lease with Ft. Bliss for land located adjacent to the new WBAMC. The lease terms were not in the best interest of the agency 4. Raw Land at Lee Blvd and Montana - A lease/purchase option was negotiated with MIMCO, however, an agreement that was beneficial to the agency was not able to be achieved. 5. 9279 N. Loop - Existing building, determined the building would be small and require significant and costly modifications to turn it into a child/care facility. Ponding existed but it was uncertain if the ponding could be used by this building. 6. 1410 Bob Hope - Vacant land that is ready for construction - This land was chosen and purchased largely due to the availability of accessible ponding infrastructure. The land is developed and the size of the land is appropriate for a new construction of the childcare operation. Land is largely prepared for construction so investment in to land preparation is minimal. The purchase price was acceptable and the purchase was made.

No Action Alternative [24 CFR 58.40(e)]

Commercial property to be filled by other businesses.

Summary of Findings and Conclusions:

The property which is the subject of our query is a vacant lot at the time of our study. There is no visible sign that the property has been contaminated by chemical spills. There are no polychlorinated biphenyls (PCBs) or asbestos containing materials (ACMs) on the site. The property has no water discharge or contaminated air emissions source. There is no documentation that the site has ever been acquired for use as a landfill. Regulatory agencies have no record of litigations which could have compromised the site's environmental integrity. Environmental Lien was not found.

Activity & Use Limitations (AULs) was not found at the property. Beneficial impact on the community.

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
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Project Mitigation Plan

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 1410 Bob Hope 79936.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 1410 Bob Hope 79936.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 0046C, DATE 02/16/2006, ZONE X.

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):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

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)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

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.

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

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. The project is in compliance with contamination and toxic substances requirements. See Attachment 6 NEPAAssist resource material for Toxics / Contaminates within 1 mile of project location. Hazardous Waste, 2 sites: Honeywell Manufacturing Inc., and Family Dollar #7107 ECHO Reports attached with "No Violations Indicated". Water Dischargers, 7 sites: Alamo Draffhouse Cinema, and Northern View Business Park ECHO Reports attached with "No Violations Indicated"; Emerson Climate Technologies, Verde Palms North, El Paso DC, Joe Battle 12 Waterline and Loop 375 Grading Improvements EPA Reports attached with "No Records Data Available". Brownfields: West Corner Joe Battle Facility Report attached. No significant non-compliance issues and will not impact nor conflict with project scope of work.

Supporting documentation

[1410 Bob Hope Dr Contamination Checklist\(1\).pdf](#)
[Phase I.pdf](#)
[Property Profile Report West Corner Joe Battle.pdf](#)
[ICIS Search EPA Verde Palms North.pdf](#)
[ICIS Search EPA Loop 375 Grading Impr.pdf](#)
[ICIS Search EPA Joe Battle 12 Waterline.pdf](#)
[ICIS Search EPA Emerson Climate Tech.pdf](#)
[ICIS Search EPA El Paso DC.pdf](#)
[Detailed Facility Report ECHO Northern View Business Park.pdf](#)
[Detailed Facility Report ECHO Honeywell Mfg Inc.pdf](#)
[Detailed Facility Report ECHO Family Dollar 7107.pdf](#)
[Detailed Facility Report ECHO Alamo Draffhouse.pdf](#)
[Attachment 6 Toxcis 1410 Bob Hope 79936.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. The project activities will consist of new construction of public facility on a cleared

commercial lot. 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

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. The proposed project will not increase residential density. Project activities will consist of new construction of public facility and does not meet the definition of HUD-assisted project for explosive hazards per 24 CFR Part 51.201. Therefore, the explosive hazard regulations do not apply.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

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✓ 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 repairs and rehabilitation and will not convert any undeveloped land. 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 1410 Bob Hope 79936.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 0046C, DATE 02/16/2006, ZONE X.

Supporting documentation

[Attachment 10 Floodplain 1410 Bob Hope 79936.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	Completed
✓ Mescalero Apache Tribe	Response Period Elapsed
✓ Tonkawa Tribe of Oklahoma	Response Period Elapsed
✓ White Mountain Apache Tribe	Completed
✓ 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.

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:

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
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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. 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

[THC Tracking 202311903.msg](#)
[TDAT.pdf](#)
[Section 106 letter.pdf](#)
[Attachment 11 Historic 1410 Bob Hope 79936.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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

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El Paso, TX

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✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
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.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

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 based on Scope of Work activities New construction and/or ground disturbance. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.

Supporting documentation

[Attachment 14 Wetlands 1410 Bob Hope 79936.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