

Appendix A
Biological Survey

Doña Ana County-FEMA Emergency Operations Center Biological Survey

January 16, 2023
Tierra Project No.: 23TE00-356.01

Prepared by:
Bruce Pavlick, M.S.

Prepared for:
Stephen Lopez, Emergency Manager
Doña Ana County and City of Las Cruces
Office of Emergency Management
1170 North Solano, Suite D
Las Cruces, New Mexico 88001

Introduction

Doña Ana County, New Mexico, contracted Tierra Right of Way Services, Ltd. (Tierra), to conduct a due diligence review of biological resources on a 7.48-acre site selected for a new emergency operations facility. The site is south of the New Mexico State University (NMSU) golf course, north of Geothermal Drive, and just east of Interstate 25. The site is part of a larger parcel owned by the State (APN #4010137470054), in Section 27, Township 23 South, Range 2 East, New Mexico Principal Baseline and Meridian (Figure 1).

Methods

Tierra obtained an official species list for the project from the U.S. Fish and Wildlife Service (FWS) (see Attachment A) and an online project review report from the New Mexico Department of Game and Fish (NMDGF) (see Attachment B). The attached reports identified special status species that may occur in the project vicinity. Special status species evaluated in this study include species that are 1) candidates for listing, proposed for listing, or listed as endangered or threatened for protection under the Endangered Species Act; 2) birds protected under the Migratory Bird Treaty Act; 3) animals listed as endangered or threatened under the New Mexico Wildlife Conservation Act; and 4) plants protected under the New Mexico Administrative Code. Species from the FWS and NMDGF resources were compiled and used as a target list of special status species to evaluate potential project impacts.

A Tierra senior biologist conducted a full-coverage pedestrian survey for special status species and their habitats at the site on January 9, 2024. Skies were clear, winds were calm, and temperatures ranged between 25°F and 48°F.



Tierra Right of Way Services, Ltd.
1575 East River Road, Suite 201
Tucson, Arizona 85718

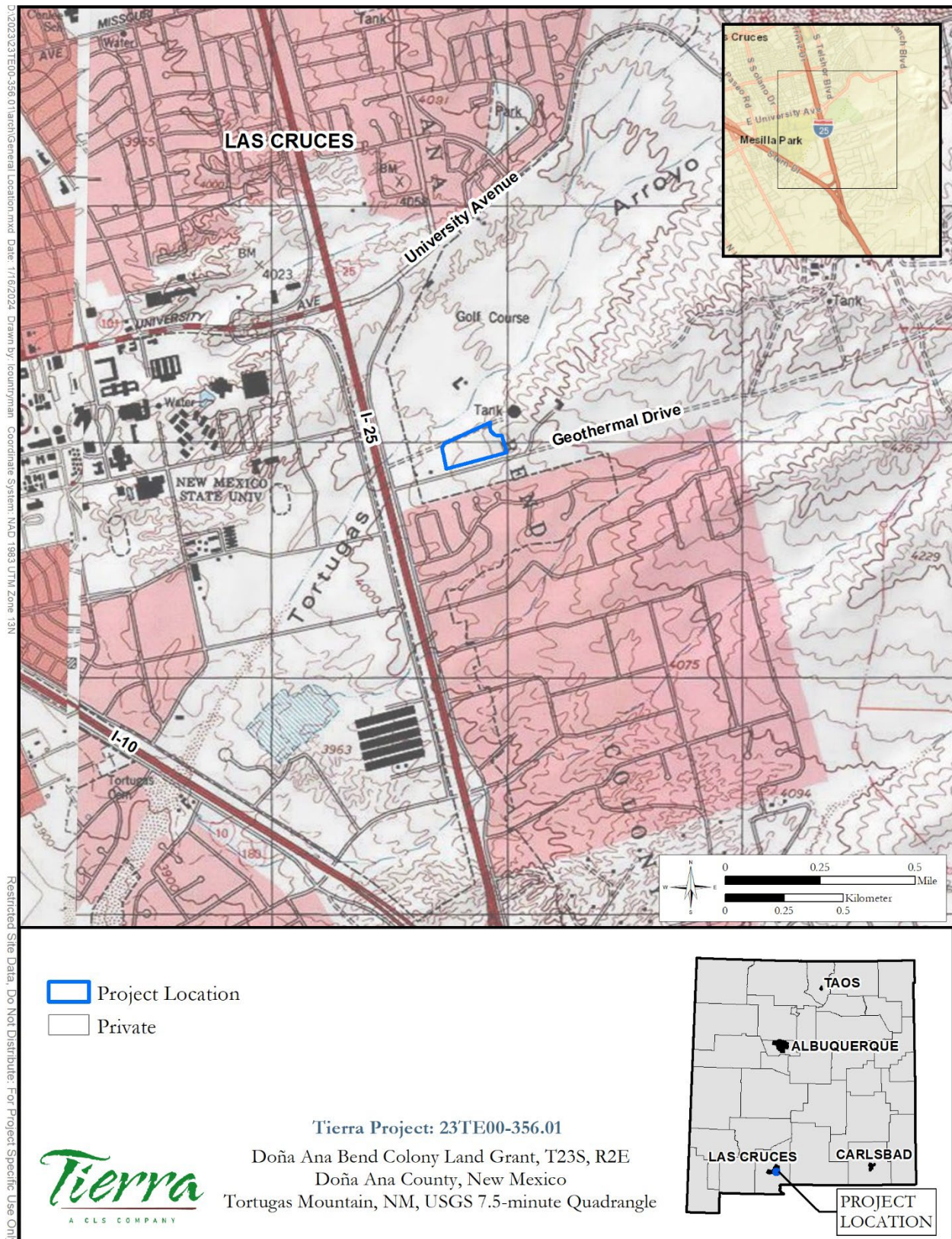


Figure 1. Project location.

Results

The site is an undeveloped area with native species. Soils in the area are Bluepoint loamy sand derived from sandy alluvium (NRCS 2024). Elevation ranges from 4,040 to 4,060 feet. The area is a popular hiking and jogging spot with a footpath crossing through the project area and Geothermal Drive providing public access to the nearby Tortugas Mountain hiking trails. Current disturbances to the project area include an NMSU sewer line that runs east–west through the property and a water drainage path from Geothermal Drive.

Plants on site include trees such as desert willow (*Chilopsis linearis*) and honey mesquite (*Prosopis glandulosa*); shrubs and subshrubs, including creosote bush (*Larrea tridentata*), four-wing saltbush (*Atriplex canescens*), Torrey’s jointfir (*Ephedra torreyana*), and threadleaf snakeweed (*Gutierrezia microcephala*); cactis and succulents such as Engelmann’s hedgehog cactus (*Echinocereus engelmannii*), pinkflower hedgehog cactus (*Echinocereus fasciculatus*), purple pricklypear (*Opuntia macrocentra*), and soaptree yucca (*Yucca elata*); and grasses and forbs that include needle and thread (*Hesperostipa comata*), sacred thorn-apple (*Datura wrightii*), and Adonis blazingstar (*Mentzelia multiflora*).

Non-native plants seen were limited to several detached Russian thistle (*Salsola* sp).

Wildlife and signs of wildlife were chiefly limited to birds. Other sightings were coyote (*Canis latrans*) tracks, an active wood rat (*Neotoma* sp.) midden, and two burrows into the incised channels of drainages that had no evidence of recent use by any species.

Birds seen include rock pigeon (*Columba livia*), Eurasian collared dove (*Streptopelia decaocto*), loggerhead shrike (*Lanius ludovicianus*), ruby-crowned kinglet (*Regulus calendula*), curve-billed thrasher (*Toxostoma curvirostre*), and house finch (*Haemorhous mexicanus*). No active nests were seen.

Conclusion

No special status species were seen in the project area during the field survey. Tierra recommends a “no effect” determination on species protected under the Endangered Species Act and further believes there are no animals or plants on-site that are protected by state laws.

Photos



Photo 1. Southwest view from northeast corner of site.



Photo 2. West-southwest view from southeast corner of site.



Photo 3. Northeast view from southwest corner of site.

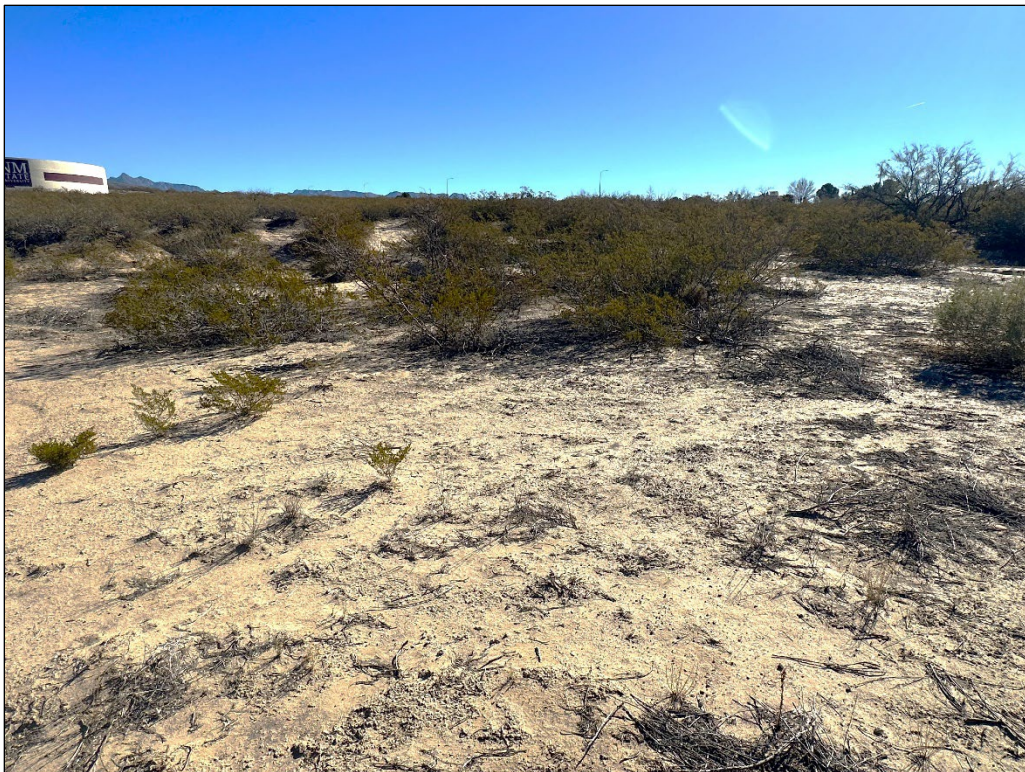


Photo 4. East-northeast view from northwest corner of site.

References

NRCS (Natural Resources Conservation Service)
2024 Web Soil Survey. Available at: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed January 8, 2024.

Attachment A. FWS IPaC report



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna Road Ne
Albuquerque, NM 87113-1001
Phone: (505) 346-2525 Fax: (505) 346-2542



In Reply Refer To:

November 20, 2023

Project Code: 2024-0018305

Project Name: Emergency Operations Center Facility For Doña Ana County

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 *et seq.*), the Migratory Bird Treaty Act as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668(c)). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area, and to recommend some conservation measures that can be included in your project design.

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the ESA is to provide a means whereby threatened and endangered species and

the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (NEPA; 42 USC 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>.

Candidate Species and Other Sensitive Species

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico State agencies. These lists, along with species information, can be found at the following websites.

Biota Information System of New Mexico (BISON-M): www.bison-m.org

New Mexico State Forestry. The New Mexico Endangered Plant Program:
<https://www.emnrd.nm.gov/sfd/rare-plants/>

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: nmrareplants.unm.edu

Natural Heritage New Mexico, online species database: nhnm.unm.edu

WETLANDS AND FLOODPLAINS

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, www.fws.gov/wetlands/Data/Mapper.html, integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

MIGRATORY BIRDS

In addition to responsibilities to protect threatened and endangered species under the ESA, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 CFR 10.12 and 16 USC 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a Federal nexus) or a Bird/Eagle Conservation Plan (when there is no Federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>. We also recommend review of the Birds of Conservation Concern list (<https://www.fws.gov/media/birds-conservation-concern-2021>) to fully evaluate the effects to the birds at your site. This list identifies migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent top conservation priorities for the Service, and are potentially threatened by disturbance, habitat impacts, or other project development activities.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 thereby provides additional protection for both migratory birds and migratory bird habitat. Please visit <https://www.fws.gov/partner/council-conservation-migratory-birds> for information regarding the implementation of Executive Order 13186.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State protected and at-risk species fish, wildlife, and plants.

For further consultation with the Service we recommend submitting inquiries or assessments electronically to our incoming email box at nmesfo@fws.gov, where it will be more promptly routed to the appropriate biologist for review.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New Mexico Ecological Services Field Office

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

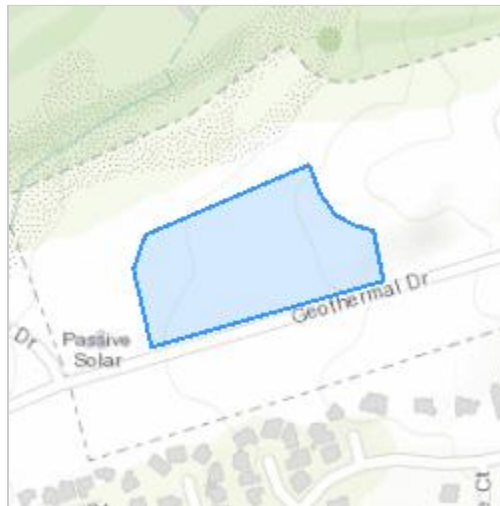
(505) 346-2525

PROJECT SUMMARY

Project Code: 2024-0018305
Project Name: Emergency Operations Center Facility For Doña Ana County
Project Type: New Constr - Above Ground
Project Description: Proposed emergency operations center in Las Cruces, NM. The roughly 7.5-acre project area falls on New Mexico State University property, with a land lease to Doña Ana County. The County is seeking federal funding through the Federal Emergency Management (FEMA).

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.28164575,-106.73239344724868,14z>



Counties: Doña Ana County, New Mexico

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Mexican Wolf <i>Canis lupus baileyi</i> Population: U.S.A. (portions of AZ and NM)see 17.84(k) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3916	Experimental Population, Non- Essential

BIRDS

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923	Experimental Population, Non- Essential
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Sneed Pincushion Cactus <i>Coryphantha sneedii</i> var. <i>sneedii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4706	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Tierra Right of Way Services, Ltd.

Name: Kelsey Crawford

Address: 1575 E River Rd Ste 201

City: Tucson

State: AZ

Zip: 85718

Email: kcrawford@tierra-row.com

Phone: 8008870847

Attachment B. NMDGF Environmental Review Tool Report



PROJECT INFORMATION

Project Title: Emergency Operations Center Facility For Doña Ana County
Project Type: ENDANGERED SPECIES
Latitude/Longitude (DMS): 32.281705 / -106.733013
County(s): DONA ANA
Project Description: New Construction - Above Ground: construction of an emergency operations center in Las Cruces, NM. Heavy equipment will be used. 100 % disturbance is assumed. There will be building construction. Erosion control and dust mitigation will be used. A biological survey will be conducted prior to construction. Area will be reseeded with native plants after construction.

REQUESTOR INFORMATION

Project Organization:
Contact Name: Bruce Pavlick
Email Address: bpavlick@tierra-row.com
Organization: Tierra Right of Way Services, Ltd.
Address: 1575 East River Road, Suite 201, Tucson AZ 85718
Phone: 15205486697

OVERALL STATUS

The information contained within this report comprises the recommendations of the New Mexico Department of Game and Fish (Department) for management and mitigation of proposed project impacts to wildlife and habitat resources; see the Project Recommendations section below for further details. No further consultation with the Department is required based on the project's location and, with implementation of mitigation measures described in the Project Recommendations section below, no adverse effects to wildlife or important habitats are anticipated. However, a Department biologist may be in touch within 30 days if they determine that further review is required.



About this report:

- This environmental review is based on the project description and location that was entered. The report must be updated if the project type, area, or operational components are modified.
- This is a preliminary environmental screening assessment and report. It is not a substitute for the potential wildlife knowledge gained by having a biologist conduct a field survey of the project area. Federal status and plant data are provided as a courtesy to users. The review is also not intended to replace consultation required under the federal Endangered Species Act (ESA), including impact analyses for federal resources from the U.S. Fish and Wildlife Service (USFWS) using their [Information for Planning and Consultation tool](#).
- This report contains information on wildlife species protected under the ESA and the [Wildlife Conservation Act \(WCA\)](#), [Species of Greatest Conservation Need \(SGCN\)](#), and Species of Economic and Recreational Importance (SERI). Species listed under the ESA are protected from take at the federal level and under the WCA are protected from take at the state level. SGCN are identified in the [State Wildlife Action Plan \(SWAP\) for New Mexico](#); all of these species are considered to be of conservation concern but not all of them are protected from take at the state or federal level. The harvest of all SERI is regulated at the state level. The Department has no authority to designate critical habitat for species listed under the WCA; only the USFWS can designate critical habitat for species listed under the ESA.
- The New Mexico Environmental Review Tool (ERT) utilizes species observation locations and species habitat suitability models, both of which are subject to ongoing change and refinement. Inclusion or omission of a species within a report cannot guarantee species presence or absence within your project area. To determine occurrence of any species listed in this report, or other wildlife that may be present within your project area, onsite surveys conducted by a qualified biologist during appropriate, species-specific survey timelines may be necessary.
- The Department encourages use of the ERT to modify proposed projects for avoidance, minimization, or mitigation of wildlife impacts. However, the ERT is not intended to be used in a repeatedly iterative fashion to adjust project attributes until a previously determined recommendation is generated. The ERT serves to assess impacts once project details are developed. The [New Mexico Crucial Habitat Assessment Tool](#), the data layers from which are included in the ERT, is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.



Emergency Operations Center Facility For Doña Ana County



- | | | | |
|---------------------------|------------------------------|------------------------------|---|
| Buffered Project Boundary | Department of Energy | State Land Office | U.S. Department of Agriculture |
| Project Boundary | NM Department of Game & Fish | State of New Mexico | U.S. Fish and Wildlife Service |
| Bureau of Land Management | NM State Forestry Division | Tribal Land | U.S. Forest Service |
| City Land | NM State Parks | U.S. Army Corps of Engineers | U.S. Natural Resources Conservation Service |
| County Land | National Park Service | U.S. Bureau of Reclamation | |
| Department of Defense | Private | | |

USGS, New Mexico Department of Game and Fish (NMDGF), Natural Heritage New Mexico (NHNM), and USDA Forest Service,

Compiled by Richard Norwood of NHNM over the period 2020 to 2021.

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastysreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Special Status Animal Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI
Mountain Treefrog	Hyla wrightorum			SGCN
Barking Frog	Craugastor augusti			SGCN
Aplomado Falcon	Falco femoralis		E	SGCN
Peregrine Falcon	Falco peregrinus		T	SGCN
Elf Owl	Micrathene whitneyi			SGCN
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN
Common Nighthawk	Chordeiles minor			SGCN
Bank Swallow	Riparia riparia			SGCN
Pinyon Jay	Gymnorhinus cyanocephalus			SGCN
Western Bluebird	Sialia mexicana			SGCN
Mountain Bluebird	Sialia currucoides			SGCN
Bendire's Thrasher	Toxostoma bendirei			SGCN
Sprague's Pipit	Anthus spragueii			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Bell's Vireo	Vireo bellii		T	SGCN
Virginia's Warbler	Leiothlypis virginiae			SGCN
Lucy's Warbler	Leiothlypis luciae			SGCN
Black-Throated Gray Warbler	Setophaga nigrescens			SGCN
Black-Chinned Sparrow	Spizella atrogularis			SGCN
Vesper Sparrow	Poocetes gramineus			SGCN
Thick-billed Longspur	Rhynchophanes mccownii			SGCN
Chestnut-Collared Longspur	Calcarius ornatus			SGCN
Cassin's Finch	Haemorhous cassinii			SGCN
Rainbow Trout	Oncorhynchus mykiss			SERI
Channel Catfish	Ictalurus punctatus			SERI
Spotted Bat	Euderma maculatum		T	SGCN
Pale Townsend's Big-Eared Bat	Corynorhinus townsendii pallescens			SGCN
Mule Deer	Odocoileus hemionus			SERI
Gray-Checkered Whiptail	Aspidoscelis tessellata		E	SGCN
Rock Rattlesnake	Crotalus lepidus			SGCN
Desert Massasauga	Sistrurus catenatus edwardsii			SGCN

ESA = Endangered Species Act, C = Candidate, LE = Listed Endangered, LT = Listed Threatened, XN = Non-essential Experimental Population, for other ESA codes see this website: <https://nbnm.unm.edu/node/1378928>; WCA = Wildlife Conservation Act, E = Endangered, T = Threatened; SERI = Species of Economic and Recreational Importance; SGCN = Species of Greatest Conservation Need.

Special Status Plant Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS
Night-Blooming Cereus	Peniocereus greggii var. greggii		E	SS

NMAC = New Mexico Administrative Code, NMRPCS = [New Mexico Rare Plant Conservation Strategy](#), SS = NM Rare



Plant Conservation Strategy Species, E = Endangered

Project Recommendations

Your proposed project activities may require a custom review for assessment of potential effects to wildlife. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. A Department biologist will confirm whether any additional conservation measures are needed. You should expect to receive any additional project recommendations within 30 days of your project submission. If the "OVERALL STATUS" section indicates that no further consultation with the Department is required based on its location, then you will only receive additional project feedback from the Department if a biologist deems it necessary.

Burrowing owl (*Athene cunicularia*) may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute. Before any ground disturbing activities occur, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist using the Department's [burrowing owl survey protocol](#). Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.

Your project area intersects an Important Plant Area (IPA) that contains one or more species of plants listed as threatened or endangered by the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) under New Mexico Statutes Annotated (NMSA) 75-6-1 or by the USFWS under the federal ESA. Although IPAs have no legal designation, they have been identified as areas that support either a high diversity of sensitive plant species or contain the last remaining locations of New Mexico's most endangered plants. The Department recommends that you consult with EMNRD's [Endangered Plant Program Coordinator](#) regarding any state-listed plants and the USFWS's [Information for Planning and Consultation \(IPAC\)](#) system for any federally-listed plants and reaching out to the appropriate federal species lead(s) with the [New Mexico Ecological Services Office of USFWS](#). The Department does not have any authority to designate or advise on state- or federally-listed plants.

The Department provides technical guidance to support the persistence of all protected species of native fish and wildlife, including game and nongame wildlife species. Species listed within this report include those that have been documented to occur within the project area, and others that may not have been documented but are projected to occur within the project vicinity.

Recommendations are provided by the Department under the authority of § 17-1-5.1 New Mexico Statutes Annotated 1978, to provide "communication and consultation with federal and other state agencies, local governments and communities, private organizations and affected interests responsible for habitat, wilderness, recreation, water quality and environmental protection to ensure comprehensive conservation services for hunters, anglers and nonconsumptive wildlife users".

The Department has no authority for management of plants or Important Plant Areas. The New Mexico Endangered Plant Program under the Energy, Minerals, and Natural Resources Department's Forestry Division, identifies and develops conservation measures necessary to ensure the survival of plant species within New Mexico. Plant status information is provided within this report as a courtesy to users. Recommendations provided within the ERT may not be sufficient to preclude impacts to rare or sensitive plants, unless conservation measures are identified in coordination with the Endangered Plant Program.

Additional coordination and/or consultation may also be necessary under the federal ESA or National Environmental Policy Act (NEPA). Further site-specific mitigation recommendations may be proposed during ESA consultation and/or NEPA analyses or through coordination with affected federal agencies.

Appendix B

Agency Consultation



January 29, 2024

RE: Section 106 Review Consultation, EOC-2022-EO-00002 (47692),
Doña Ana County Emergency Operations Center (EOC),
Las Cruces, Doña Ana County, NM 88003
(36.203333, -97.073611)

To: Representatives of Federally recognized Tribes with Interest in this Project Area

The Grant Programs Directorate of the Federal Emergency Management Agency (FEMA) is providing grant funding through an Emergency Operations Center (EOC) Grant to Doña Ana County (Applicant) to create space for an Emergency Operations Center (Undertaking). FEMA is initiating Section 106 review for the above referenced project based on your Tribe's ancestral interest in the project area.

Utilizing the EOC grant 2022-EO-00002 (47692), Doña Ana County proposes to construct a new Emergency Operations Center. An area of approximately 7.5 acres will be cleared and leveled for an EOC building and warehouse with associated parking lots, loading areas and service locations. Underground utility lines for water, sewer, internet and electric will be extended to the site via existing rights-of-way.

The mitigation work will take place in undisturbed ground.

FEMA has determined that the Area of Potential Effect (APE) for the proposed Undertaking shall include the footprint of the project based on the scale and nature of the undertaking, as well as the area reasonably required to stage materials. The APE is approximately 9.3 acres in size and is bounded by Geothermal Drive to the south and Water Tank Road to the west and north.

We are writing to request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed Undertaking. Any comments you may have on FEMA's findings and recommendations should also be provided.

On January 23, 2024, FEMA consulted the New Mexico Historic Preservation Division's New Mexico Cultural Resources Information System (NMCRIS) website, photographs, maps, and FEMA's internal files in order to identify historic properties. There are no previously recorded historic resources present within the APE. In advance of this project, the Applicant has performed a Cultural Resources Inventory (NMCRIS Activity Number 154629).

The Cultural Resources Inventory was finalized January 16, 2024 under NM State Permit Number NM-23-152-S. The report found no previously recorded resources within the survey area; however, multiple archaeological sites and surveys are located within 1,000 meters (3,281 ft.) of the project area. The project is adjacent to an annual pilgrimage route used by Tortugas Tribal members to access Tortugas Mountain; no known pilgrimage routes cross through the project area.

Based on the available information gathered to date through this review process, there are no previously recorded archeological sites within the project area, and it is unlikely that the Undertaking would impact any intact archeological deposits, if present. FEMA has determined that there will be **No Historic Properties Affected** as a result of the Undertaking.

Please provide your comments within 30 days of receipt of this letter. If you concur with FEMA's determination, please sign below. If you notify us that your review identifies cultural properties within the APE, or project work discloses the presence of archeological deposits, FEMA will contact your Tribe to continue consultation.

An aerial view, a topographic map, and photos showing the project location and APE are attached. Your prompt review of this project is greatly appreciated. Should you need additional information please contact Robert Scoggin, EHP Tribal Liaison at Robert.w.scoggin@fema.dhs.gov (202) 716-4139.

Sincerely,

Chris Dooley
Acting Regional Environmental Officer
FEMA Region 6

Concurrence by:

Date:

Tribe

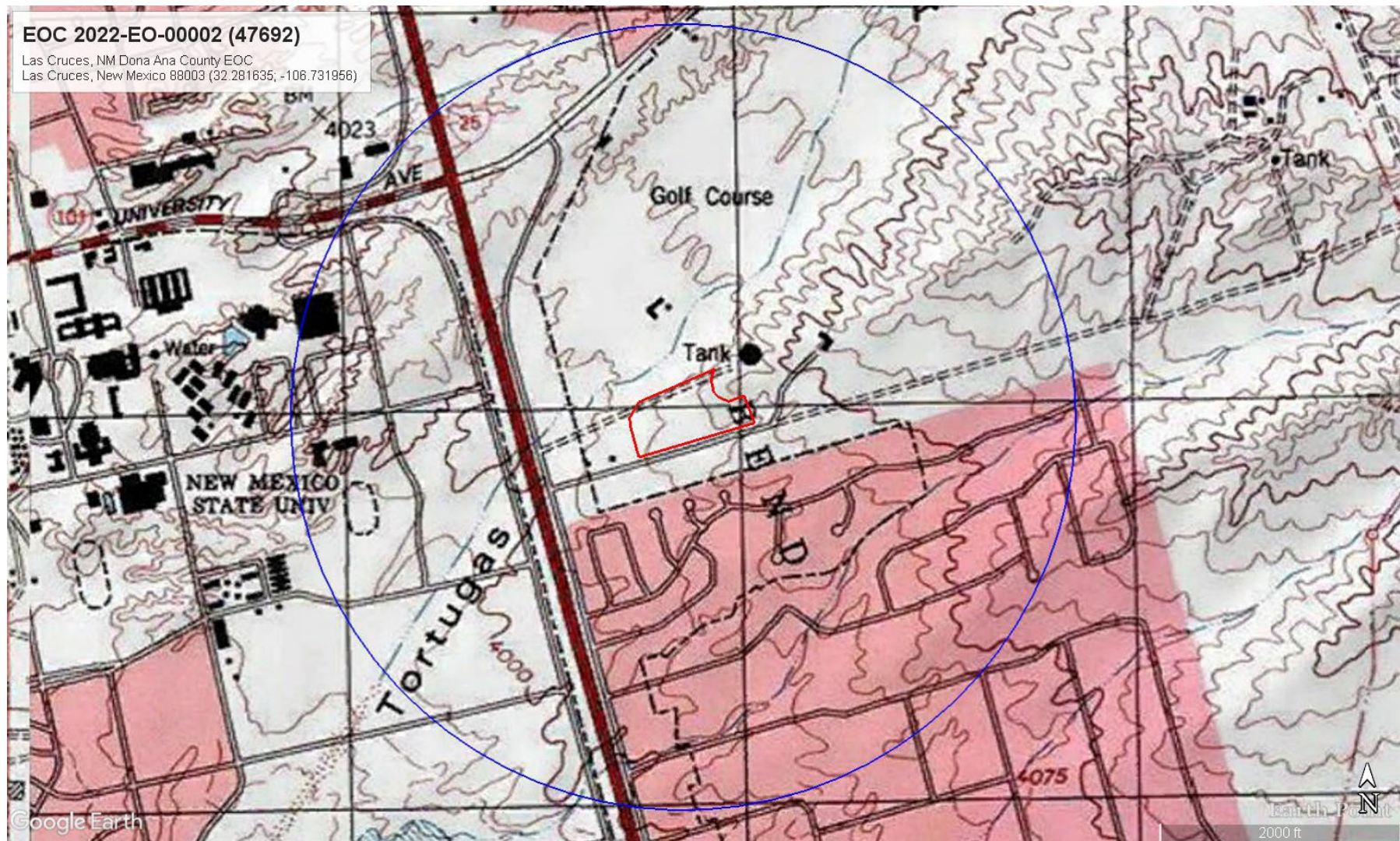


Figure 1: Topographic map showing APE (red box) and 0.5 mi. buffer (blue circle). Image via Google Earth, 2024.



Figure 2: Aerial image showing APE (red box) and buffer (blue circle). Image via Google Earth, 2024.

REDACTED

Figure 3: Topographic map showing APE (red box), 0.5-mi. buffer (blue circle) and surrounding historic resources. Image via NM CRIS, 2024.

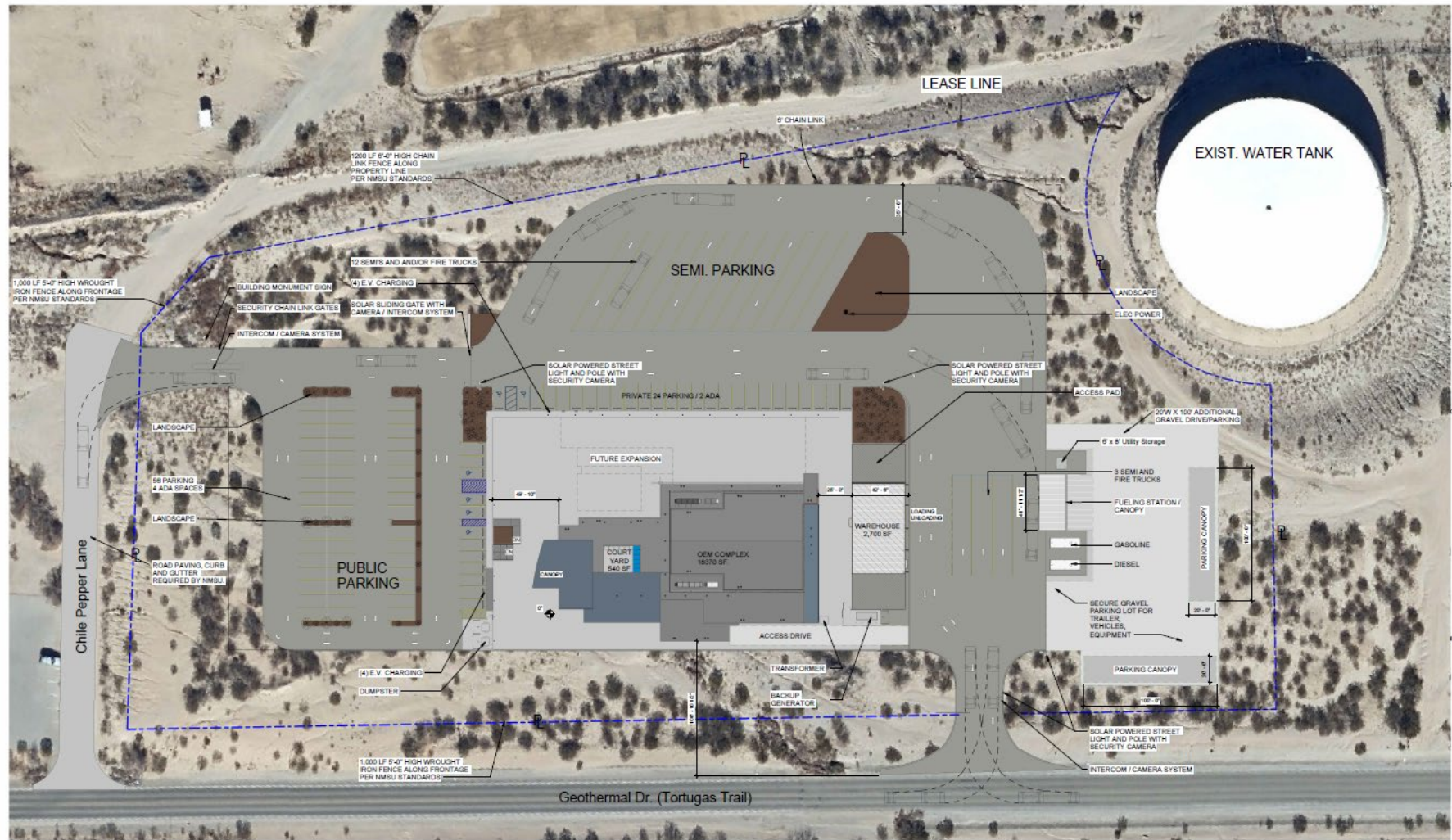


Figure 4: Site plan showing proposed work. Image via Applicant, 2024.



Figure 5: Photograph of project area, looking east. Image via Applicant, 2023.



Figure 6: Photograph of project area, looking west. Image via Applicant, 2023.

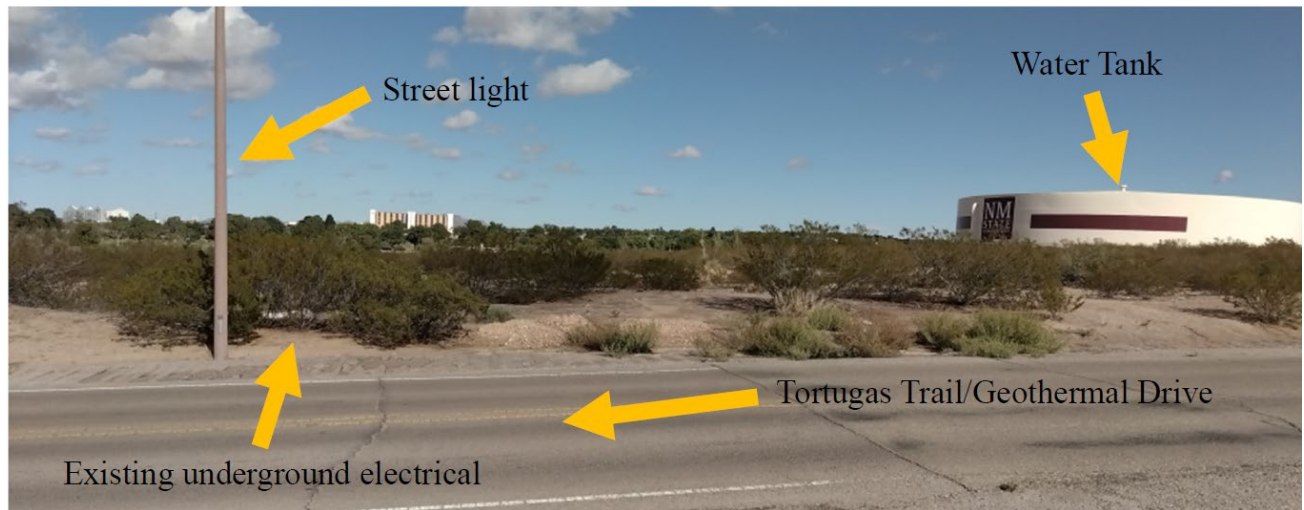


Figure 7: Photograph of project area, looking north from Geothermal Drive. Image via Applicant, 2023.



January 29, 2024

Jeff Pappas, PhD
State Historic Preservation Officer
Attention Michelle Ensey, DSHPO
Department of Cultural Affairs
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

RE: Section 106 Review Consultation,
EOC-2022-EO-00002 (47692), Doña Ana County Emergency Operations Center (EOC),
Las Cruces, Doña Ana County, NM 88003
(Lat.: 32.281635, Long.: -106.731956)
UTM: 13N 336899E 3572970N

Dear Dr. Pappas:

The Grant Programs Directorate of the Federal Emergency Management Agency (FEMA) is providing grant funding through an Emergency Operations Center (EOC) Grant to Doña Ana County (Applicant) to create space for an Emergency Operations Center (Undertaking). FEMA is initiating Section 106 review for the above referenced property in accordance with the Programmatic Agreement among FEMA, the New Mexico State Historic Preservation Officer (SHPO), and the New Mexico Department of Homeland Security and Emergency Management (DHSEM), dated May 23, 2016, as amended (2016 Statewide PA).

Utilizing the EOC grant 2022-EO-00002 (47692), Doña Ana County proposes to construct a new Emergency Operations Center. An area of approximately 7.5 acres will be cleared and leveled for an EOC building and warehouse with associated parking lots, loading areas and service locations. Underground utility lines for water, sewer, internet and electric will be extended to the site via existing rights-of-way.

FEMA has determined that the Area of Potential Effect (APE) for the proposed Undertaking includes the footprint of the existing facility, and surrounding area where staging may occur. The APE is inclusive of both direct effects (construction) and indirect effects (visual). In accordance with Stipulation II.C(2)(b) of the 2016 Statewide PA, FEMA is requesting your comments on or concurrence with the proposed APE. The APE is approximately 9.3 acres in size and is bounded by Geothermal Drive to the south and Water Tank Road to the west and north.

On January 23, 2024, FEMA consulted the New Mexico Historic Preservation Division's New Mexico Cultural Resources Information System (NMCRIIS) website, photographs, maps, and FEMA's internal files in order to identify historic properties. There are no previously recorded historic resources present

within the APE. In advance of this project, the Applicant has performed a Cultural Resources Inventory (NMCRIS Activity Number 154629).

The Cultural Resources Inventory was finalized January 16, 2024 under NM State Permit Number NM-23-152-S. The report found no previously recorded resources within the survey area; however, multiple archaeological sites and surveys are located within 1,000 meters (3,281 ft.) of the project area. The project is adjacent to an annual pilgrimage route used by Tortugas Tribal members to access Tortugas Mountain; no known pilgrimage routes cross through the project area.

Soils in the APE consist of loamy sand. The area is undeveloped and has likely seen superficial disturbance through typical weathering and occasional flooding. Subsurface soils are expected to be largely undisturbed.

No historic resources are present within the APE. Based on the information provided, FEMA has therefore determined that there will be **No Historic Properties Affected** as a result of the proposed Undertaking.

We respectfully request concurrence with this determination. A topographic map, an annotated aerial map, and photos showing the project location and proposed work, as prepared by the Applicant, are attached. Your prompt review of this project is greatly appreciated. Should you need additional information please contact Angela A. McComb, Historic Preservation Specialist at angela.mccomb@fema.dhs.gov or (202) 717-1443.

Sincerely,

Christopher Dooley
Acting Regional Environmental Officer
FEMA Region 6

Appendix C

Finding of No Significant Impacts (FONSI)

for

Final Programmatic Environmental Assessment for the Evaluation of FEMA's Grant Programs Directorate Programs

and

Draft Tiered Site-Specific Environmental Assessment Emergency Operations Center Las Cruces, NM Doña Ana County



FEMA

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
TIERED SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT (SEA)
LAS CRUCES, NM DONA ANA COUNTY EMERGENCY OPERATIONS CENTER
PROJECT # 2022-EO-00002 (47692)**

BACKGROUND

In accordance with the National Environmental Policy Act (NEPA) of 1969; the Federal Emergency Management Agency's (FEMA) Instruction 108-1-1 for implementing NEPA; and the President's Council on Environmental Quality NEPA implementing regulations at 40 CFR Parts 1500-1508; FEMA prepared a Tiered Site-Specific Environmental Assessment (SEA) to assess the environmental impacts that might result from the construction of an Emergency Operations Center (EOC) in Las Cruces, Doña Ana County, New Mexico. Doña Ana County has applied for EOC Grant Program funding, through the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM), under Project 2022-EO-00002 (47692). The purpose of the proposed project is to ensure continuity of operations and continuity of government in major disasters or emergencies caused by any hazard. The EOC Grant Program is intended to improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable EOCs with a focus on addressing identified deficiencies and needs.

This SEA was tiered from, and incorporates by reference, the findings of the *Final Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Programs* dated July 2010, including the Finding of No Significant Impact (FONSI) for the PEA which was issued on July 6, 2010. The SEA focuses on the areas of concern that required additional analysis and was beyond the scope of the PEA. FEMA found that all environmental areas of concern are accounted for in the PEA with the exception of land use; geology, soils, and seismicity; and biological resources. This SEA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a FONSI.

Two project alternatives were considered in the SEA: 1) No Action and 2) Proposed Action. Under the No Action Alternative, the proposed EOC would not be constructed. As a result of this alternative, Doña Ana County would have to continue to use the existing EOC which is not adequately designed to handle disaster response and coordination and has been demonstrated during previous disaster responses.

Under the Proposed Action Alternative, Doña Ana County will construct and equip a new EOC facility on approximately 7.5 acres of vacant, undeveloped land on Geothermal Drive in Las Cruces, NM (32.281635; -106.731956) owned by New Mexico State University (NMSU). A land lease has been fully executed for the property.

The new facility will be approximately 20,000 square feet in size, including the main EOC, supporting conference rooms, and a training classroom, along with administrative offices for the Office of Emergency Management (OEM). In addition, a new detached warehouse facility will be constructed, measuring approximately 2,700 square feet, to support resource management, disaster supply ordering, storage, and distribution. Other construction activities consist of the installation of parking lots, loading areas, and service locations and underground utility lines for water, sewer, internet, and electric to be extended to the site via rights-of-way.

The new EOC/OEM facility will provide adequate space for the coordination of emergency managers, first responders from multiple jurisdictions, Voluntary Organizations Active in Disaster (VOAD)/Community Organizations Active in Disaster (COAD) partners, and infrastructure operators during disaster response and recovery. It will be able to provide direct assistance to other counties in the region, as well as augment the State EOC. It is being specifically designed to focus on community lifelines and will be able to operate as either the main command and control center for large incidents, or in an incident support model for others.

A public notice was posted in a local newspaper and the SEA was made available for a 15-day public comment period on FEMA's website and in hard copy at the Doña Ana County Office of Emergency Management and the Doña Ana County Government Center – County Manager's Office. No comments on the SEA were received from the public during the 15-day comment period.

CONDITIONS

Actions under this SEA and FONSI must meet the following conditions. Failure to comply with these conditions would make the FONSI determinations inapplicable for the project and could jeopardize the receipt of FEMA funding.

1. Doña Ana County is responsible for coordinating land use changes with local governments to obtain any applicable construction and zoning permits.
2. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the grantee and subgrantee will immediately halt construction activities in the vicinity of the discovery, secure the site, and take reasonable measures to avoid or minimize harm to the finds. All archaeological findings will be secured and access to the sensitive area restricted. The grantee and subgrantee will inform FEMA immediately and FEMA will consult with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO) or appropriate Tribal official. Construction work cannot resume until FEMA completes consultation and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act and other applicable Federal and State requirements.

3. Doña Ana County must prepare a Storm Water Pollution Prevention Plan and obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to initiating work. Implementation of appropriate erosion and sediment control Best Management Practices (BMPs) are required during construction.
4. All structures in areas of seismic risk that are covered by the GPD PEA must be designed and constructed in accordance with appropriate seismic design and construction standards, which are promulgated through the National Earthquake Hazard Reduction Program (NEHRP).
5. Doña Ana County will limit vegetation management work during the peak migratory bird-nesting period of April 15 through September 1 as much as possible to avoid destruction of individuals, nests, or eggs. If vegetation reduction activities must occur during the nesting season, applicant will deploy a qualified biological monitor with experience conducting breeding bird surveys to survey the vegetation management area for nests prior to conducting work. The biologist will determine the appropriate timing of surveys in advance of work activities. If an occupied migratory bird nest is found, work within a buffer zone around the nest will be postponed until the nest is vacated and juveniles have fledged. The biological monitor will determine an appropriate buffering radius based on species present, real-time site conditions, and proposed vegetation management methodology and equipment. For work near an occupied nest, the biological monitor would prepare a report documenting the migratory species present and the rationale for the buffer radius determination, and submit that report to FEMA for inclusion in project files.
6. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
7. Doña Ana County must comply with the conditions stated in the GPD PEA FONSI, dated July 6, 2010, for the Proposed Action Alternative including following applicable mitigation measures as identified in Section 7 of the GPD PEA to the maximum extent possible.

FINDING OF NO SIGNIFICANT IMPACT

Based on the findings of the SEA, coordination with the appropriate agencies, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (FEMA Instruction 108-1-1) and the proposed project as described in the attached SEA may proceed.

APPROVAL AND ENDORSEMENT

Dorothy Cook
Supervisory Environmental Protection Specialist
FEMA Region 6

Stacey Street
Director, Office of Grants Administration
Grant Operations Division



FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

**FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
FOR THE EVALUATION OF FEMA'S GRANT PROGRAMS
DIRECTORATE PROGRAMS**

BACKGROUND

In accordance with the National Environmental Policy Act (NEPA) of 1969, FEMA's regulations for implementing NEPA at 44 Code of Federal Regulations (CFR) Part 10, and the President's Council on Environmental Quality NEPA implementing regulations at 40 CFR Parts 1500-1508, FEMA prepared a draft Programmatic Environmental Assessment (PEA) to evaluate the potential impacts to the human environment resulting from typical actions funded by FEMA's Grant Programs Directorate (GPD) through the homeland security and emergency preparedness grant programs. These programs provide grant funding to States, territories, local and Tribal governments, and private entities to enhance their homeland security and emergency preparedness efforts. The PEA is incorporated by reference into this FONSI.

The PEA is intended for actions that are relatively minor in scale and typically considered for funding under the various GPD programs. The PEA evaluated two alternatives: no action and program implementation. Under the program implementation alternative, FEMA evaluated the following seven project types: planning; management and administration; training; exercises; purchase of mobile and portable equipment; modification of existing structures and facilities; and new construction. FEMA will develop Tiered Site-specific Environmental Assessments (SEA) for those GPD actions requiring evaluation under areas of concern not evaluated in this PEA, having impacts beyond those described in the PEA, requiring mitigation to reduce the level of impacts below significance, or otherwise requiring a Tiered SEA as identified in Table 5-1 in the PEA.

Notice of the availability of the PEA was published in the Federal Register on April 8, 2010, for a 30-day public comment period. Based on comments received, FEMA removed communication towers as a project type evaluated in the PEA. FEMA will develop a separate analysis tiered from this PEA to address communication towers and will provide a 15-day public comment period on that document.

CONDITIONS

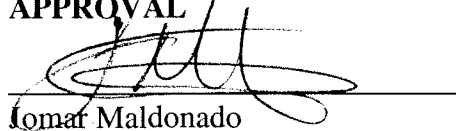
Actions under this PEA and FONSI must meet the following conditions. Failure to comply with these conditions would make the FONSI determination inapplicable for the project and could jeopardize the receipt of FEMA funding.

1. Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state, and federal regulations. If contaminated materials are discovered during construction activities, the work will cease until the appropriate procedures and permits are implemented.
2. The grantee and subgrantee will follow applicable mitigation measures as identified in Section 7 of the PEA to the maximum extent possible.
3. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the grantee and subgrantee will immediately halt construction activities in the vicinity of the discovery, secure the site, and take reasonable measures to avoid or minimize harm to the finds. All archaeological findings will be secured and access to the sensitive area restricted. The grantee and subgrantee will inform FEMA immediately and FEMA will consult with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO) or appropriate Tribal official. Construction work cannot resume until FEMA completes consultation and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act and other applicable Federal and State requirements.
4. The grantee and subgrantee must meet any project-specific conditions developed and agreed upon between FEMA and with environmental planning or historic preservation resource and regulatory agencies during consultation or coordination.
5. The grantee and subgrantee are responsible for obtaining and complying with all required local, State and Federal permits and approvals.

FINDING

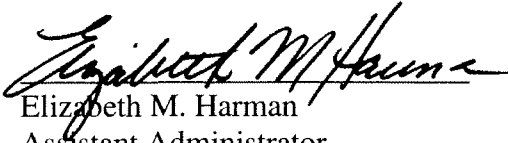
Based upon the information contained in the Final PEA, the potential impacts resulting from the seven project types analyzed in the PEA, and in accordance with FEMA's regulations at 44 CFR Part 10 and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA finds that the implementation of the proposed action will not have significant impacts to the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared. This FONSI is based upon proposed actions fitting one of the seven project types described in the Final PEA and meeting all conditions prescribed for that particular project type.

APPROVAL



Omar Maldonado
Environmental Officer

Date 7/2/10



Elizabeth M. Harman
Assistant Administrator
Grant Programs Directorate

Date 7/6/10

Section Seven Mitigation

FEMA will require grantees and subgrantees to follow the mitigation measures in Sections 7.1 and 7.2 to the extent practicable and applicable to avoid or minimize impacts to the quality of the human environment. These mitigation measures are not required to reduce impacts below the level of significance, thereby avoiding the need to develop an EIS; rather these general measures are required by FEMA to further minimize the impacts of those actions for which impacts are already below the level of significance. If grantees or subgrantees cannot avoid or minimize the impacts, a Tiered SEA may be required. The general mitigation measures outlined in this section may be superseded by higher or more stringent standards required by the particular Federal, State or Territory, Tribe, or local government agency issuing a permit, license, or approval for the project. Additional project-specific mitigation measures may be imposed as a condition of project approval/grant award by FEMA for those projects covered by a CATEX that trigger extraordinary circumstances or those projects for which a Tiered SEA will be prepared.

7.1 Measures to avoid impacts to the human environment

1. Avoid taking actions that modify existing land use patterns;
2. Avoid undertaking projects in areas characterized by susceptibility to seismic or volcanic activity, tsunamis, landslides, mudslides, structural instability, excessive erodibility, or steep slopes;
3. Avoid undertaking projects in the floodplain;
4. Avoid undertaking projects on important farmlands;
5. Avoid undertaking projects on or near Traditional Cultural Properties (TCPs);
6. Avoid undertaking projects in wetlands;
7. Avoid undertaking projects that adversely affect historic properties, including archaeological resources;
8. Avoid undertaking projects that adversely affect threatened and endangered or special status species or critical habitat.

7.2 Minimization Measures for ground disturbing/ construction activities of up to five (5) acres

1. Follow applicable State, Territory, Tribal, and local permitting requirements for construction;
2. Water down construction site two to three times per day if dust emissions become a problem;
3. Enclose or water down exposed dirt storage piles;
4. Minimize the disturbed area and preserve vegetation to the maximum extent possible;
5. Maintain topsoil whenever possible;
6. Phase construction activities to the extent possible;
7. Control stormwater flowing to and through the project site;

8. Protect slopes by using measures such as erosion control blankets, bonded fiber matrices, turf reinforcement mats, silt fences (for moderate slopes), etc.;
9. Temporarily protect storm drain inlets until site is stabilized;
10. Retain sediment on-site and control dewatering practices by using sediment traps or basins for large areas (> 1 acre) when appropriate;
11. Establish stabilized construction entrances/exits (e.g. large crushed rocks, stone pads, steel wash racks, hose-down systems, pads);
12. Limit construction activities, including operation of heavy machinery, to normal business hours (M-F 7am-5pm);
13. Avoid engaging in construction activities within 200 feet of noise-sensitive receptors such as schools, hospitals, residential areas, nursing homes, etc.
14. Ensure adequate maintenance of equipment, including proper engine maintenance, adequate tire inflation, and proper maintenance of pollution control devices;
15. Ensure equipment at the project site uses the manufacturer's standard noise control devices (i.e., mufflers, baffling, and/or engine enclosures);
16. Reduce construction equipment idling to the maximum extent practicable;
17. Implement plans to eliminate and minimize oil or fuel spills from construction equipment;
18. Minimize the impacts of equipment staging areas;
19. Stabilize slopes promptly through temporary and permanent cover best management practices (BMPs). Following construction all remaining disturbed areas must be revegetated with locally acquired sources of native seeds and plants in a manner that returns the site to its pre-construction condition or better. Plantings are done during the optimum season for the species being planted. Any seeding carried out during the revegetation program is completed with commercially available seeds certified to be free of noxious weed seeds and other invasive species. If necessary, an irrigation system is installed to ensure establishment of the planted vegetation. The target for new plantings is an 80 percent survival rate at the end of 3 years. Invasive exotic plant species are controlled to the maximum extent practical to accomplish the revegetation effort. If the application of a chemical is required to control an invasive exotic plant species, the chemical is applied by a certified pesticide or herbicide applicator per labeled directions and in compliance with all Federal, State, and local laws and regulations.
20. When applicable adopt measures to minimize traffic impacts during construction such as providing warning signage, limit the use of public right-of-ways for staging of equipment or materials, use of flagpersons when needed, and coordinate detours if traffic access points will be obstructed.
21. Avoid engaging in construction activities within 660 feet of a bald or golden eagle nest during nesting and fledging, as nesting eagles are quite sensitive to human activities during these times.
22. Establish an inspection and maintenance approach to ensure these measures are working adequately.
23. To the extent possible, adopt other feasible measures under the EPA Guidance Potential for Reducing Greenhouse Gas Emissions in the Construction Sector.
24. Avoid archaeological sites by shifting ground disturbance in a particular area, when possible.

Appendix D

Public Notice

**FEMA PUBLIC NOTICE OF AVAILABILITY
DRAFT TIERED SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT (SEA)
LAS CRUCES, NM DONA ANA COUNTY EMERGENCY OPERATIONS CENTER
PROJECT # 2022-EO-00002 (47692)**

Interested persons are hereby notified that Dona Ana County, New Mexico has applied to the Federal Emergency Management Agency (FEMA), for Emergency Operations Center (EOC) Grant Program funding, through the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM). The EOC Grant Program is intended to improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable EOCs with a focus on addressing identified deficiencies and needs.

FEMA proposes to provide funding to Doña Ana County to ensure continuity of operations and continuity of government in major disasters or emergencies caused by any hazard in Doña Ana County, New Mexico. Under the Proposed Action Alternative, Doña Ana County proposes to construct and equip a new EOC Facility on approximately 7.5 acres of land owned by New Mexico State University (NMSU). A Land Lease has been fully executed for the property.

The new facility will be approximately 20,000 square feet in size, including the main EOC, supporting conference rooms, and a training classroom, along with administrative offices for the Office of Emergency Management (OEM). In addition, a new detached warehouse facility will be constructed, measuring approximately 2,700 square feet, to support resource management, disaster supply ordering, storage, and distribution. Other construction activities consist of the installation of parking lots, loading areas, and service locations and underground utility lines for water, sewer, internet, and electric to be extended to the site via rights-of-way.

In accordance with 44 Code of Federal Regulations (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, a Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Programs was prepared and a Finding of No Significant Impact (FONSI) was issued in July 2010, pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). A draft tiered Site-Specific Environmental Assessment (SEA) has been prepared to assess the potential impacts of the proposed action and alternatives on the human and natural environment. The draft SEA evaluates alternatives that provide for compliance with applicable environmental laws. The alternatives evaluated include (1) no action; (2) the proposed action described above.

The draft SEA is available for review and comment at the Doña Ana County Office of Emergency Management, 1170 N. Solano, Suite O, Las Cruces, NM 88001, and the Doña Ana County Government Center – County Manager's Office, 845 N. Motel Blvd., Las Cruces, NM 88007, Monday-Friday, 8-5 pm. An electronic version of the draft EA can be requested from Omololu Dawodu, FEMA Region 6, at omololu.dawodu@fema.dhs.gov or viewed on FEMA's website at <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository>.

The comment period will end 15 days from the initial notice publication date on **March X**, 2024. Written comments on the draft SEA can be mailed or emailed to Omololu Dawodu, Environmental protection Specialist, FEMA Region 6, 800 N Loop 288, Denton, TX 76209; Email: omololu.dawodu@fema.dhs.gov. If no substantive comments are received, the draft SEA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

All other questions regarding disaster assistance should be directed to FEMA's Helpline at 1-800-621-3362 or visit www.DisasterAssistance.gov.