Draft Tiered Site-Specific Environmental Assessment

Emergency Operations Center
Las Cruces, NM Doña Ana County

Emergency Operations Center Grant Program

Project # EOC 2022-EO-00002 (47692)

March 2024

FEMA

Federal Emergency Management Agency
Department of Homeland Security
800 N. Loop 288
Denton, TX 76209

1. Introduction

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 (GPD) Programs was prepared and a Finding of No Significant Impact (FONSI) was issued on July 6, 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). This Tiered Site-Specific Environmental Assessment (SEA) has been prepared in accordance with the July 2010 GPD PEA and FEMA's Instruction 108-1-1. The focus of this Tiered SEA is on areas of concern; including land use; geology, soils, and seismicity; and biological resources. These environmental resource areas require additional discussion or analysis that are beyond the scope of the PEA.

2. Purpose and Need

Doña Ana County has applied for the Emergency Operations Center (EOC) Grant Program under the application number EOC 2022-EO-00002 (47692). The purpose of the EOC Grant Program is 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. Fully capable emergency operations facilities at the state and local levels are an essential element of a comprehensive national emergency management system and are necessary to ensure continuity of operations and continuity of government in major disasters or emergencies caused by any hazard.

Doña Ana County needs an EOC facility that has adequate size to accommodate the staff required for a Level 1 Full Activation for disaster response and coordination. Required staff include emergency managers, first responders from multiple jurisdictions, Voluntary Organizations Active in Disaster (VOAD)/Community Organizations Active in Disaster (COAD) partners, and infrastructure operators. The EOC will need to be able to function as the main command and control center for large incidents, or in an incident support capacity to response activities being managed at the state or other levels. The existing facility has limited space, which has proved challenging during previous EOC activations for disasters including the 2006 Hatch Flood; 2011 Winter Freeze; 2013 La Union Flood; 2019 Migrant Crisis; 2020-2022 COVID-19 Pandemic; and 2021 La Union and South Valley Flood. A Functional Exercise conducted on August 16, 2023, demonstrated only half of the staff necessary for a Level 1 Full Activation of the EOC could fit in the EOC facility, and the lack of adequate space and staff significantly impacted the ability to respond to and recover from the disaster scenario.

3. Alternatives

Two project alternatives are proposed in this SEA: 1) No Action and 2) Proposed Action Alternative- Construction of a New EOC.

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. The existing facility is too small to handle disaster response and coordination, as has been demonstrated during previous disaster responses. Based on an exercise training held in 2023, it was evident

that the current EOC could not adequately fit in the existing space. The inadequate spacing in the EOC resulted in an impeded response to the disaster scenario proposed in the exercise.
Under the Proposed Action Alternative, Doña Ana County will construct and equip a new EOC facility on approximately 7.5 acres of 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 area is covered with various vegetation including creosote, mesquite, desert willow, narrow-leaf yucca, four-wing saltbush, and cacti. North of the site includes a golf course and to the east is a water storage tank. The elevation of the project area ranges from 4,040 to 4,060 feet above sea level. Locals utilize the surrounding area for hiking and jogging (Tierra Right of Way Services, Ltd., 2024).

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. See Figure 1 for proposed project site plan.

The new EOC/OEM Facility will provide adequate space for the coordination of emergency managers, first responders from multiple jurisdictions, VOAD/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 be able 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. Furthermore, the facility design includes future expansion capabilities to ensure the facility can be added onto in a cost-effective manner as needs change/grow over the next 45 years.

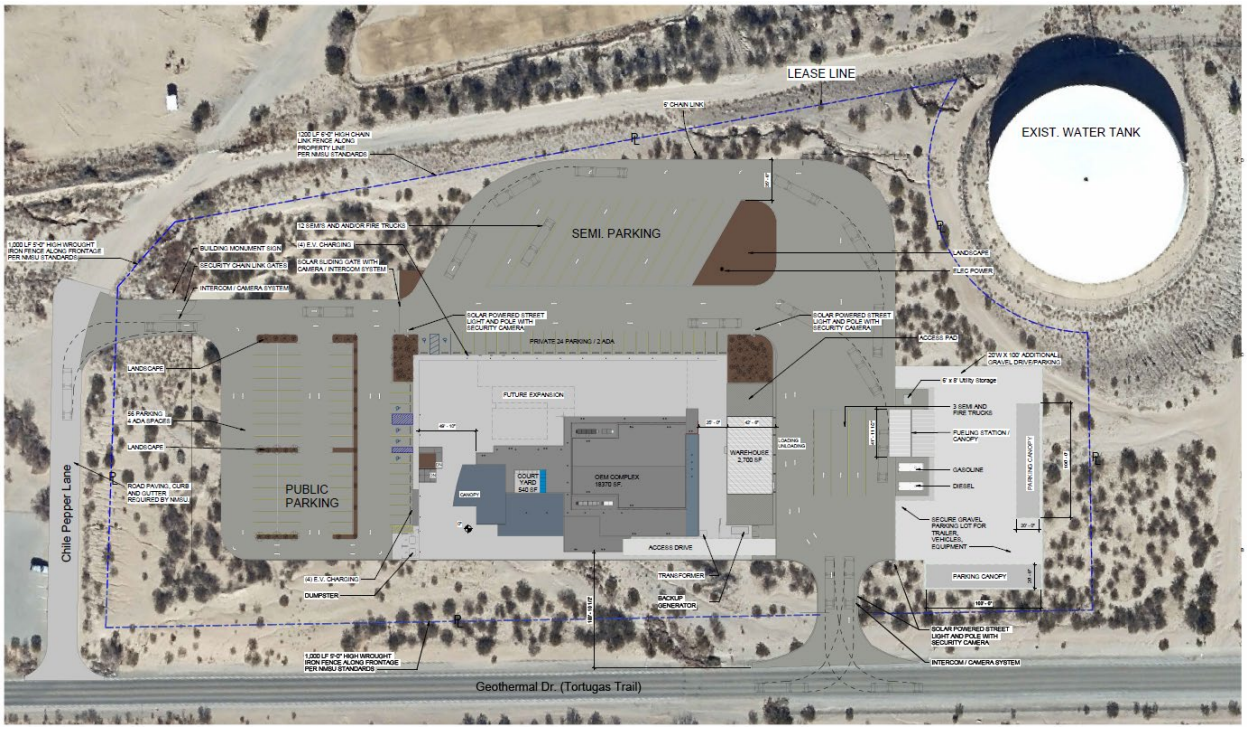

Figure 1: Site Plan for Proposed Dona Ana County Las Cruces, NM EOC Complex

4. Environmental Impacts

Discussion of the environmental impacts associated with the No Action Alternative is included in the July 2010 GPD PEA. This document incorporates the GPD PEA by reference.

FEMA's environmental and historic preservation review reveals that all environmental areas of concern are appropriately accounted for in the GPD PEA with the exception of land use; geology, soils, and seismicity; and biological resources. Impacts to those resource areas under the No Action and Proposed Action Alternatives are analyzed below. Table 1 provides a summary of the findings for the other environmental areas of concern that FEMA typically reviews.

Table 1: Summary of Impacts Under Laws/Regulations Identified in the GPD PEA

Criteria	No Action Impacts	Proposed Action Impacts
Water Resources	No effects.	There would be no significant effects to water resources from this project type. Doña Ana County would be responsible for securing and meeting the conditions of water quality permits such as NPDES and state permits.
Floodplains	No effects.	No effect. Per Flood Insurance Rate Map (FIRM) panel 35013C1111G, dated 7/6/2016, the project is located outside the 500-year floodplain, and the activity does not adversely affect floodplain values.
Wetlands	No effects.	No effect. A review of the National Wetland Inventory (NWI) online mapper, accessed on 02/14/2024, indicates that the area is not located within, nor does it affect a designated wetland
Human Health and Safety	There could be adverse effects to human health and safety because existing vulnerabilities in public safety and homeland security preparedness would persist. There would be no effect on hazardous materials.	There would be no significant effect from the use, storage, handling, and disposal of hazardous materials and wastes associated with this project type. Doña Ana County is responsible for securing and meeting conditions of permits and requirements at the Federal, State, Tribal and/or local level for the handling of these materials. The construction of new facilities and structures related to preparedness and homeland security missions would have a beneficial effect on public safety.
Low Income and Minority Populations	No effect.	No significant adverse impacts are expected on minority and low-income populations. New construction projects are intended to improve emergency response and public safety capabilities and therefore would have a long-term beneficial impact on all segments of the population.
Historic Properties	No effect.	A desktop and cultural resource survey was performed on the project area. No archaeological sites or historic cultural properties were identified in the project area. FEMA has determined that there will be No Historic Properties Affected. SHPO concurrence with this determination was received, dated February 6, 2024. Consultation with Comanche Nation, Fort Sill Apache Tribe of Oklahoma, Kiowa Tribe, Mescalero Apache Tribe, Navajo Nation, Pueblo of Isleta, Pueblo of Tesuque, and Ysleta del Sur Pueblo was conducted per 36 CFR §800.2(c)(2)(i)(B) on February 1, 2024. The Tribes did not provide comments within 30 days or declined to comment. FEMA has determined that proposed project will not adversely affect traditional, religious, or culturally significant sites.
Infrastructure	No effect.	Short-term adverse construction- related effects, such as increases in wastes, increases in construction vehicle traffic, and disruption of utilities services, would not be significant. No significant operations-related effects are expected.

Air Quality	No effect.	No significant construction-related effects are expected, and any effects would be short-term. No significant operations-related effects are expected.
Noise	No effect.	No significant construction-related effects are expected and increases in noise levels are expected to occur primarily during daytime hours.
Visual Quality	No effect.	Short-term adverse construction-related effects would not be significant.
Climate Change	No effect	Short-term adverse construction-related effects would not be significant. Long-term effects from operations-related emissions increases would not be significant.

4.1 Land Use

Land use is described as the manner and purpose for which, people utilize land and its resources. Land use planning varies depending on land ownership and jurisdictional boundaries. Land use within and in the immediate vicinity of urban areas is generally guided by comprehensive plans that specify the allowable types and locations of present and future land use. In most cases, that comprehensive plan is developed through a public participation process and approved by publicly-elected officials to capture local values and attitudes toward planning and future development. Zoning ordinances and regulations vary throughout the U.S. and are primarily set at the regional, city, county, or local level.

The proposed EOC triggered additional review in this SEA because the proposed project site exceeds the 5-acre threshold considered in the GPD PEA. The proposed EOC site is 7.5 acres. The GPD PEA evaluates impacts related to the following land designations: coastal zones, coastal barriers, and important farmlands. The EOC is not located within coastal areas, so this SEA only evaluates potential impacts to farmlands.

The purpose of the U.S. Department of Agriculture, Farmland Protection Policy Act (FPPA) is to minimize the impact Federal programs have on the unnecessary and irreversible conversion of prime, unique, or important farmland to nonagricultural uses. It assures that to the extent possible, federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. The proposed project area contains soils of Bluepoint loamy sand, which are described as Farmlands of Statewide Importance, which is subject to the provisions of the FPPA (NRCS, 2024).

4.1.1 No Action Alternative

There would be no change to land use under the No Action Alterative because the project would not be implemented. Farmlands of Statewide Importance would not be converted to other uses.

4.1.2 Proposed Action

FEMA has determined that the conversion of Farmlands of Statewide Importance to non-agricultural use is exempt from the FPPA. The Proposed Action is within close proximity of a U.S. Census Bureau (2020) area categorized as urbanized. In addition, an area designated for a 5-million-gallon storage tank is within 0.02 miles of the project area. Projects on land already in urban development or used for water storage are not subject to the FPPA, and therefore consultation with the Natural Resources Conservation Service is not required. No significant adverse impacts to land use are expected. Doña Ana County is responsible for coordinating land use changes with local governments to obtain any applicable construction and zoning permits.

4.2 Geology, Soils, and Seismicity

The Proposed Action triggered additional review in this SEA because the proposed project site exceeds the 5-acre threshold considered in the GPD PEA for geology, soils, and seismicity. The proposed EOC site is 7.5 acres.

The geology of an area refers specifically to the surface and near-surface materials of the earth and to how those materials were formed. These resources are typically described in terms of regional or local geology, including mineral resources, earth materials, soil resources, and topography. Soil characteristics within an area depend on the parent material located in that area. Areas with similar soils are grouped and labeled as soil series because of their similar origins and chemical and physical properties, which cause the soils to perform similarly for land use purposes. Geologic, topographic, and soil characteristics may impose limitations on potential uses for a particular site. Areas characterized by susceptibility to flooding, seismic or volcanic activity, tsunamis, landslides, mudslides, structural instability, excessive erodibility, or steep slopes may entirely preclude the implementation of a proposed project at a particular location or may require the use of certain engineering technologies or require consultation with state or federal agencies before the proposed project may proceed.

Executive Order (EO) 12699 – Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction establishes responsibilities regarding the seismic-related safety of buildings owned, leased, or funded by federal agencies. Under this EO, each federal agency responsible for the design and construction of a federal or federally-funded building must ensure that the building is designed and constructed in accordance with appropriate seismic design and construction standards. These standards are promulgated through the National Earthquake Hazard Reduction Program (NEHRP) and are subsequently incorporated into model building codes (such as the International Building Code/International Residential Code) that are used as the basis for local building codes in most municipalities. The purposes of these requirements are to:

- Reduce the risks to persons who would be affected by the failure during an earthquake of buildings owned by the federal government, leased for federal uses, or purchased or constructed with federal assistance;
- Improve the capability of essential federal buildings to function during and after an earthquake;
- Reduce earthquake-related losses to public buildings in a cost-effective manner.

Las Cruces is located within the Rio Grande Valley and within the Rio Grande Rift, which is a documented region of tectonic, volcanic, and seismic activity (Wong, 2009). The Rio Grande Rift is a narrow belt of en échelon, basins that cross between Southern Colorado and New Mexico. Through geological dating of volcanic rocks, it was determined that rift extension in this region began around 36 million years ago near Las, Cruces (Kelley, 2012). According to the U.S. Geological Survey's (USGS) seismic hazard maps for the United States, the project area in south central New Mexico is located in area of low seismic ground motion hazard (USGS, 2014). The project area contains Bluepoint loamy sand units. The Bluepoint soil series is characterized as containing excessively drained soils, formed in eolian materials derived from mixed rock sources. (National Cooperative Soil Survey, 2011). The site is an undeveloped area that is owned by NMSU. The area is covered with various vegetation including creosote, mesquite, desert willow, narrow-leaf yucca, four-wing saltbus, and cacti (Tierra Right of Way Services, Ltd., 2024).

4.2.1 No Action Alternative

There would be no impacts to geology, seismicity, or soils under the No Action Alterative because the project would not be implemented. The parcel would remain undeveloped.

4.2.2 Proposed Action

There would be no change to geology under the Proposed Action. There would be temporary disturbance of up to 7.5 acres of soils under the Proposed Action as it will be cleared and leveled for the main EOC building, and a warehouse of approximately 2,700 gross square feet, along with parking lots, loading areas, and service locations. In addition, underground utility lines for water, sewer, internet, and electric will be extended to the site via rights-of-way. As a result of the proposed activities, short-term, insignificant effects on soils are expected. Doña Ana County must follow applicable mitigation measures found in Section 7.2 of the GPD PEA that would minimize the effects of the project to soils.

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 NEHRP. Therefore, the constructed buildings will represent a low seismic hazard to occupants.

4.3 Biological Resources

The Proposed Action triggered additional review in this SEA because the proposed project site exceeds the 5-acre threshold for removal of woody vegetation considered in the GPD PEA for biological resources. The Proposed Action includes the removal of vegetation over 7.5 acres.

Section 7 of the Endangered Species Act requires federal agencies to ensure that federally conducted, permitted, funded, or licensed actions are not likely to jeopardize the continued existence of federally listed species or destroy or adversely modify designated critical habitat.

Tierra Right of Way Services, Ltd. (Tierra) conducted a full coverage natural pedestrian survey of the project area on January 9, 2024 to identify the potential for special-status species, including candidates for listing, proposed for listing, or listed as endangered or threatened for protection under the Endangered Species Act; birds protected under the Migratory Bird Treaty Act; animals listed as endangered or threatened under the New Mexico Wildlife Conservation Act; and plants protected under the New Mexico Administrative Code (see Appendix A**)**. This section summarizes the results of the desktop research and the natural pedestrian survey performed by Tierra.

The U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPAC) system identifies 5 federally threatened or endangered species that have the potential to occur in the project area. (USFWS, 2024). Table 2 provides an evaluation for these 5 federally listed species, including an analysis of the potential of species occurrence within the project area.

Table 2: Federally and State-Listed Threatened, Endangered, and Candidate Species within the Project Area in Las Cruces, New Mexico

Common Name	Status/Type	Range or Habitat Requirement	Potential for Occurrence in Proposed Project Area	Determination of Effect
Northern aplomado falcon (*Falco femoralis septentrionalis*)	Experimental Population Non-Essential Endangered; Bird	Chihuahuan desert grassland habitat in southern New Mexico, with some shrubs or trees for nesting, including mesquite and yuccas. Historically range as far north as Socorro County in NM.	**Unlikely to occur** within the proposed project area based on pedestrian survey observations and input from New Mexico Department of Game and Fish on species occurrence.	No effect
Southwestern willow flycatcher (*Empidonax traillii extimus)*	Endangered; Bird	In New Mexico, the primary breeding areas occur along the Gila River and the Rio Grande with other smaller populations scattered throughout the state. Associated with moist riparian areas throughout the year. Breeding habitat requirements vary by region. In migration may be associated with willows along ditches, cottonwood woodland, and salt cedar stands. Breeds and migrates through relatively dense riparian tree and shrub communities associated with rivers, swamps, and other wetlands, including lakes and reservoirs. Nests in native vegetation, but also uses thickets dominated by nonnative tamarisk (Tamarix sp.) and Russian olive (Elaeagnus angustifolia), or in mixed native and nonnative stands of vegetation.	**Unlikely to occur** within the proposed project area due to the lack of riparian habitat.	No effect
Yellow-billed cuckoo (*Coccyzus americanus)*	Threatened; Bird	NM largest cuckoo populations occur in the Rio Grande and Gila Rivers with smaller populations scattered throughout the state. Breeds in and migrates through riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; and deciduous woodlands with cottonwoods and willows. Dense understory foliage is important for nest site selection. Nests in willow and cottonwood trees; forages in similar riparian woodlands. Uses wooded habitat with dense cover and water nearby, including woodlands with low, scrubby vegetation, overgrown orchards, abandoned farmland, and dense thickets along streams and marshes.	**Unlikely to occur** within the proposed project area based on pedestrian survey observations and input from New Mexico Department of Game and Fish on species occurrence.	No effect
Mexican Wolf (*Canis lupus baileyi)*	Experimental Population Non-Essential Endangered; Mammal	Mexican wolves are found in a variety of southwestern habitats; they prefer mountain woodlands.	**Unlikely to occur** because the project area does not contain woodland habitat.	No effect
Sneed Pincushion (*Coryphantha sneedii*)	Endangered; Plant	Grows on calcareous, gravelly, rocky, or bedrock cliffs, slopes, and benches with grassland or shrub-steppe vegetation above 4,000 feet elevation in the Bishop Cap, Franklin, and southern Guadalupe mountains of southern New Mexico.	**Unlikely to occur** because the project area is outside of the species documented range.	No effect

Source: USFWS (2024); Tierra (2024)

4.3.1 No Action Alternative

The No Action Alternative would not directly affect special-status species because the project would not be implemented.

4.3.2 Proposed Action

There would be a temporary disturbance of up to 7.5 acres of under the Proposed Action. The proposed project construction will require approximately 7.5 acres to be cleared and leveled. To investigate the impact to vegetation and wildlife, Tierra performed a full-coverage natural pedestrian survey. The survey identified various plant species including trees, numerous shrubs and subshrubs, and Non-native plants on site. Wildlife and signs of wildlife in the project areas were described as bird sightings, coyote *(Canis latrans)* tracks, an active wood rat (*Neotoma* sp.) midden, and two burrows into the channels of drainages. The drainage areas, however, did not show any evidence of use by any species. No active nests were identified during the survey.

The survey did not identify any special-status plant or animal species in the proposed project area. FEMA has determined that the Proposed Action will have no effect to listed species.

5. Mitigation

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 are 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 biologist 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, the 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 (Appendix C).

6. Agencies Consulted (see Appendix B)

- New Mexico State Historic Preservation Officer
- Comanche Nation
- Fort Sill Apache Tribe of Oklahoma (FSA)
- Kiowa Indian Tribe of Oklahoma (Kiowa Tribe)
- Mescalero Apache Tribe of the Mescalero Reservation, New Mexico
- Navajo Nation, Arizona, New Mexico & Utah
- Pueblo of Isleta, New Mexico (POI)
- Pueblo of Tesuque, New Mexico
- Ysleta Del Sur Pueblo (YDSP)
- U S Fish and Wildlife Service, IPAC
- New Mexico Department of Homeland Security

7. Public Comment

The public will be notified of the availability of the Draft SEA through the publication of a public notice in the local paper of record. The Draft SEA document will be made available for public review on the FEMA's website at https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository and 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. FEMA will conduct at 15-day public comment period commencing on the initial date of publication of the public notice. FEMA will consider and respond to all public comments in the final SEA. If no substantive comments are received, the draft SEA will become final and a FONSI will be issued for the project.

8. List of Preparers

LaToya Leger, Regional Environmental Officer, FEMA Region 6
Dorothy Cook, Senior Environmental Protection Specialist, FEMA Region 6
Omololu Dawodu, Environmental Protection Specialist, FEMA Region 6
Angela McComb, Archaeologist, FEMA Region 6

9. References

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Appendix A

Biological Survey

Appendix B

Agency Consultation and Coordination

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

Appendix D

Public Notice