

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

Project Information

Project Name: ED-Paso-Del-Norte-Trail,-Zoo-to-Tobin,-El-Paso,-TX-79905

HEROS Number: 900000010284702

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

RE Preparer: JoAnn Vera

State / Local Identifier:

Certifying Officer: Elda Rodriguez Hefner

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 4100 E Paisano Dr, El Paso, TX 79905

Additional Location Information:

El Paso Zoo, 4100 E. Paisano to the intersection of Tobin and Fox Plaza 5056 Alameda Ave., El Paso, TX 79905

Direct Comments to:

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

Pilot Trails Segment from the El Paso Zoo, 4100 E. Paisano to the intersection of Tobin and Medical Center of the Americas / Fox Plaza: The City of El Paso will partner with the Paso del Norte Health Foundation and Texas Department of Transportation (TxDOT) to complete a 0.84 mile-long pilot section. This land is currently vacant and abuts the Franklin Canal, which is an EPCWID irrigation lateral channel. *Scope: Pre-construction: 1. Planning, design and engineering work necessary for construction of the pilot trail segment (to be paid for by PDNCF and provided to the City of El Paso as in-kind match); 2. Land acquisition or MOU, ILA, or similar instrument for construction and public use of the trail. *Construction: 1. Paved Trail: Minor excavation for sub-base, base, and surface of 0.84 mile-long asphalt trail; 2. Pedestrian-Scale Lighting: Trenching for and installation of electrical lines, pedestrian scale lighting installation along the 0.84 mile trail; and; 3. Trail Amenities: Excavation and installation of concrete pads and the amenities for which they are needed (benches, bike racks, bike repair station, waste receptacles, drinking fountain) along the 0.84 mile trail; and; 4. Wayfinding Signage: Excavations for footings for cement, pole and placard for signs along the 0.84 mile trail; and; 5. Intersection Improvements: Minor demolition and reconstruction of curb ramps at intersections, road paint for crosswalks where portions of the trail will utilize existing sidewalks in the City right-of-way.

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

The Paso del Norte Trail is needed to create a county-wide trail system that serves as a regional attraction that connects communities, celebrates the history of our community and region, highlights our neighborhoods, promotes health and active living, and catalyzes economic development. The county-wide trail system is intended to be destination worthy and function as both recreation and transportation. At completion, it will span some 60+ miles, extending the full length of El Paso county from the New Mexico-Texas Border at Anthony, south along the Rio Grande, past the Franklin Mountains and Sunland Park, through Downtown El Paso, the Medical Center of the Americas, Chamizal National Memorial, Playa Drain, and then Southeast into the rural communities of the Mission Valley past the historic mission. Forty miles of this trail corridor will be within the city of El Paso. Investing in this trail will allow residents to have safer and healthier routes to destinations. The proposed trail segment will serve as a model infrastructure project, connecting the Medical Center of the Americas to the El Paso Zoo along the Franklin Canal. Part of a much larger trail corridor, this project will help residents and visitors access new recreational opportunities and will provide the economic, social, and environmental benefits that improve our region's quality of life. It will demonstrate the value of trails for our community and connect a central employment hub to a major public facility. This trail segment prioritizes connectivity for pedestrians and cyclists, provides safe recreational space, and creates a community amenity to promote healthy lifestyles, drive ecotourism, improve the visual impression of the community, increase the value of nearby residential and commercial properties, and promote sustainable development.

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

The Paso del Norte Trail: The Paso del Norte Trail is a community-driven effort to develop a county-wide trail in El Paso County. The Paso del Norte Trail, upon completion, will be a 68-mile trail that will run along the Rio Grande and its irrigation canals from Anthony, TX at the state line with New Mexico all the way to Alamo Alto, TX. The goal behind this trail is to create a regionally significant landmark that promotes active transportation, preserves the history and culture of our region, highlights the Rio Grande river, supports economic development and ecotourism, provides educational and volunteer opportunities, and makes healthy living the easy choice for this unique, binational community. This trail segment will serve as a pilot segment and connect to this larger trail endeavor,

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

[El Paso Zoo and Botanical Gardens Google Maps.pdf](#)

[MCA to Zoo Trail Narrative REVISED.docx](#)

[Scope of Work Canal Trail\(1\).pdf](#)

[Attachment 11 Historic Franklin Canal route\(1\).pdf](#)

[Project Location.pdf](#)

[Photo 7.pdf](#)

[Photo 6.pdf](#)

[Photo 5.pdf](#)

[Photo 4.pdf](#)

[Photo 3.pdf](#)

[Photo 2.pdf](#)

[Photo 1.pdf](#)

[Construction Soft Cost - PDN Trail.xlsx](#)

[FIELD CONTAMINATION CHECKLIST Paso Del Norte Trail.pdf](#)

Determination:

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

Approval Documents:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-22-CP-TX-0883	Other	Community Project Funding - HUD

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

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,390,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Attachment 1, project site is not within a Civilian or Military runway zone.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. No Coastal Barriers in El Paso, Texas. Compliance based on location and CBMA, See Attachment 2.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from

		flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. No Coastal Zones in El Paso, Texas. Compliance based on location and CZMA. See Attachment 5.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. Field Contamination Checklist and photos located at Inspector section of EA. See Attachment 6 NEPAassist resource material for sites located within 1 mile of proposed project. Hazardous Waste, 4 sites: Los Angeles Body Shop, Exclusive Cleaners, Haskell Wastewater Plant and University Medical Center ECHO Reports attached with "No Violations Indicated". Water Dischargers, 4 sites: Washington Park Baseball Renovation, Jefferson High School and LA Body Shop ECHO Reports

		attached with "No Violations Indicated". Haskell Wastewater Treatment Plant ECHO Report attached with "Violation Indicated", reporting not submitted by deadline. No significant non-compliance issues and will not impact nor conflict with project scope of work.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. The project scope of work will have no effect due to nature of project activities.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to repairs and rehabilitation and will not convert any undeveloped land. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The City of El Paso does not contain any EPA-designated sole source aquifers. See Attachment 13.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. No new construction and/or ground disturbance. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.</p>

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Trail amenities are permissible in all zoning districts in the City of El Paso, per El Paso City Code Title 20 (Zoning), Appendix A (Table of Permissible Uses), section 11.30 (Open Space). El Paso City Code Section 20.02 (Zoning Definitions), subsection 20.02.648 includes recreational trails in its definition of Open Space. Appendix A - TABLE OF PERMISSIBLE USES Code of Ordinances El Paso, TX Municode Library 20.02.648 - Open space. Code of Ordinances El Paso, TX Municode Library	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The texture is described as a fine sandy loam. Soils are well drained with moderate infiltration rates with moderately coarse textures.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	N/A	
Energy Efficiency	1	Energy consumption will be minor, as the only proposed usage will be the solar-powered pedestrian lights.	
SOCIOECONOMIC			
Employment and Income Patterns	2	The proposed trail will not negatively impact any existing or proposed future employer. Its siting has no deleterious impact on access or any other variable pertaining to surrounding land uses. It is possible that this trail will create instances where pedestrians and bicyclists can safely traverse from neighborhoods to employment centers or transit stops through its provision of a safe nonmotorized transportation alternative. This could increase employees' ability to attend work reliably without having to depend on access to a vehicle.	
Demographic Character Changes / Displacement	2	This project does not involve property acquisition of developed or developable lots, and therefore no displacement is	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		<p>anticipated directly from the establishment of the trail. The trail segment is not anticipated to introduce any change in the composition of the established neighborhood. No secondary or tertiary displacement is anticipated from its introduction. Trails are not associated with increased dust, noise, light, or commercial activity, that would cause voluntary relocation amongst surrounding existing sensitive uses, and they do not introduce an increase in density that would change the existing markets in the established neighborhood.</p>	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	1	<p>It is anticipated that connecting the Zoo to the Paso del Norte Trail System could be synergistic in a way that benefits zoo attendance and increase the sorts of educational programming they could offer regarding the natural environment of El Paso.</p>	
Commercial Facilities (Access and Proximity)	1	<p>The trail will help to establish a viable nonmotorized travel network that will connect neighborhoods to commercial centers, This has the foreseeable effect of slightly boosting commercial traffic, as well as creating a way for the carless population to reliably reach centers of employment.</p>	
Health Care / Social Services (Access and Capacity)	1	<p>Trails are associated with health benefits, per numerous studies to include Economic Benefits of Trails : ConservationTools which states that "trails reduce medical costs by encouraging exercise and other healthy outdoor activities." Additionally, creating a segment of safe, nonmotorized travel infrastructure will help connect homes to health care and social services through removing vehicle access as a barrier.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The introduction of waste baskets along the trail will reduce the risk of litter entering the Franklin Canal.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	El Paso Water Utilities provides services if required.	
Water Supply (Feasibility and Capacity)	2	El Paso Water Utilities provides services if required.	
Public Safety - Police, Fire and Emergency Medical	2	Police, fire and medical services are available within proximity to property site.	
Parks, Open Space and Recreation (Access and Capacity)	1	This project directly results in the provision of open recreational space.	
Transportation and Accessibility (Access and Capacity)		Ridership is imperative to public transportation's success. The transportation corridor is a benefit to El Paso's future residents because they rely heavily on public transportation to commute to jobs.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	To remain undisturbed.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	To remain undisturbed.	
Other Factors 2	2	N/A	

Supporting documentation

[MCA to Zoo Trail Narrative REVISED\(1\).docx](#)

Additional Studies Performed:

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Zoo-to-Tobin,-El-Paso,-TX-
79905

El Paso, TX

900000010284702

Field Inspection [Optional]: Date and completed

by:

Jo Ann Vera

9/14/2022 12:00:00 AM

[MCA to Zoo Trail Narrative REVISED.docx](#)

[Scope of Work Canal Trail\(1\).pdf](#)

[Attachment 11 Historic Franklin Canal route\(1\).pdf](#)

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[Photo 1.pdf](#)

[Construction Soft Cost - PDN Trail.xlsx](#)

[FIELD CONTAMINATION CHECKLIST Paso Del Norte Trail.pdf](#)

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

State Historical Preservation Commission, FEMA, NEPAassist, US Fish and Wildlife
Commission and Wetlands Mapper.

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

This trail segment prioritizes connectivity for pedestrians and cyclists, provides safe recreational space, and creates a community amenity to promote healthy lifestyles, drive ecotourism, improve the visual impression of the community, increase the value of nearby residential and commercial properties, and promote sustainable development.

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

There are no alternatives.

No Action Alternative [24 CFR 58.40(e)]

Do not construct Trail: Negative impacts: car reliance, lack of recreational space, lack of eventual trail network, GHG, health

Summary of Findings and Conclusions:

Positive impact on human experience No impact on surrounding environment
Section 106 Review Floodplain

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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Project Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

[Attachment 1 Airport Franklin Canal route.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

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

Supporting documentation

[Attachment 2 Coastal Barrier.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

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

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

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

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

Yes

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

Yes

- ✓ No

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

Supporting documentation

[Attachment 3 Flood 4100 Paisano Dr 79905.pdf](#)

Are formal compliance steps or mitigation required?

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79905

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Yes

✓ No

Air Quality

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

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

Yes

No

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

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

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

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Zoo-to-Tobin,-El-Paso,-TX-
79905

El Paso, TX

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Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

[Attachment 5 Coastal Zone.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

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

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

None of the Above

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

No

Explain:

Upon review, there were no toxic and/or hazardous substance found nearby property site. See Site Specific Field Contamination Checklist. No significant non-compliance issues and will not impact nor conflict with project scope of work.

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. Field Contamination Checklist and photos located at Inspector section of EA. See Attachment 6 NEPAassist resource material for sites located within 1 mile of proposed project. Hazardous Waste, 4 sites: Los Angeles Body Shop, Exclusive Cleaners, Haskell Wastewater Plant and University Medical Center ECHO Reports attached with "No Violations Indicated". Water Dischargers, 4 sites: Washington Park Baseball Renovation, Jefferson High School and LA Body Shop ECHO Reports attached with "No Violations Indicated". Haskell Wastewater Treatment Plant ECHO Report attached with "Violation Indicated", reporting not submitted by deadline. No significant non-compliance issues and will not impact nor conflict with project scope of work.

Supporting documentation

[Attachment 6 Toxics Franklin Canal route.pdf](#)
[4 Detailed Facility Report ECHO University Medical Center.pdf](#)
[4 Detailed Facility Report ECHO Haskell Wastewater Treatment Plant.pdf](#)
[3 HW Detailed Facility Report ECHO LA Body Shop.pdf](#)
[3 Detailed Facility Report ECHO Haskell Wastewater Plant.pdf](#)
[2 WD Detailed Facility Report ECHO Jefferson High School.pdf](#)
[2 HW Detailed Facility Report ECHO Exclusive Cleaners.pdf](#)
[1 WD Detailed Facility Report ECHO Washington Park Baseball Reno.pdf](#)
[1 HW Detailed Facility Report ECHO Los Angeles Body Shop.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. The project scope of work will have no effect due to nature of project activities.

ED-Paso-Del-Norte-Trail,-
Zoo-to-Tobin,-El-Paso,-TX-
79905

El Paso, TX

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Supporting documentation

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

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

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Farmlands Protection

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

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

Yes

No

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

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to repairs and rehabilitation and will not convert any undeveloped land. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.

Supporting documentation

[Attachment 9 Farmland.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

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

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

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

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

[Attachment 3 Flood 4100 Paisano Dr 79905\(1\).pdf](#)

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

Does your project occur in a floodplain?

No

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

Yes

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Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

[Attachment 10 Floodplain 4100 Paisano Dr 79905.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

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

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
 - ✓ Apache Tribe of Oklahoma Completed

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- | | |
|--------------------------------------|-----------|
| ✓ Comanche Nation of Oklahoma | Completed |
| ✓ Fort Sill Apache Tribe of Oklahoma | Completed |
| ✓ Mescalero Apache Tribe | Completed |
| ✓ Tonkawa Tribe of Oklahoma | Completed |
| ✓ White Mountain Apache Tribe | Completed |
| ✓ Wichita + Affiliated Tribes | Completed |
| ✓ Ysleta Del Sur Puebla | Completed |

Other Consulting Parties

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

Written request for consultation to SHPO/THC with corresponding documentation maps, pictures, scope of work and cost estimate sent via eTRAC, THC electronic tracking system.

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

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

- Yes
- No

Step 2 – Identify and Evaluate Historic Properties

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

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

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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Additional Notes:

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

Document reason for finding:

✓ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary
Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[THPO Consultation Letter.pdf](#)
[Section 106 Submission 202300470.msg](#)
[The Historic Franklin Canal.pdf](#)
[Scope of Work Canal Trail.pdf](#)
[Photo 6\(1\).pdf](#)
[Photo 7\(1\).pdf](#)
[Photo 4\(1\).pdf](#)
[Photo 5\(1\).pdf](#)
[Photo 3\(1\).pdf](#)
[Photo 2\(1\).pdf](#)
[Photo 1\(1\).pdf](#)
[Attachment 11 Historic Franklin Canal route.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

✓ None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

[Attachment 12B Railroad Franklin PDN Trail.pdf](#)

[Attachment 12A Airport Franklin PDN Trail.pdf](#)

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Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

No

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

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

No

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

Yes

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

Supporting documentation

[Attachment 13 Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

[Attachment 14 Wetlands Franklin PDN Trail.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

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

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

No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

[Attachment 15 Wild River.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No