

# Tier 1 Environmental Assessment New Mexico Home Recovery Program Chaves County

Prepared for:



**New Mexico Department of  
Homeland Security and Emergency Management**

Prepared by:



**Eastern Research Group, Inc.**

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## LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act of 1990
AFS	Air Facility Systems
APE	Area of Potential Effects
ASD	acceptable separation distance
ASTM	American Society for Testing and Materials
BGEPA	Bald and Golden Eagle Protection Act
BMPs	best management practices
CDBG-DR	Community Development Block Grant Disaster Recovery
CFR	Code of Federal Regulations
CWA	Clean Water Act
DHSEM	Department of Homeland Security and Emergency Management
DNL	Day/Night Noise Level
EA	Environmental Assessment
EPA	U.S. Environmental Protection Agency
ERG	Eastern Research Group, Inc.
ERR	Environmental Review Record
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GIS	Geographic Information System
HASP	health and safety plan
HRP	Home Recovery Program
HUD	U.S. Department of Housing and Urban Development
IPaC	Information for Planning and Consultation
LMI	Low- to Moderate-Income
MBTA	Migratory Bird Treaty Act
MID	most impacted and distressed
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMCRIS	New Mexico Cultural Resources Information System
NMED	New Mexico Environment Department
NMFS	National Marine Fisheries Service
NMSA	New Mexico Statutes Annotated
NPIAS	National Plan of Integrated Airport Systems
NPL	National Priorities List
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
OSHA	Occupational Safety and Health Administration
PPDR	Private Property Debris Removal

PPE	personal protective equipment
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office
SSA	sole source aquifer
T&E	threatened and endangered
THPO	Tribal Historic Preservation Office
TRI	Toxics Release Inventory
U.S.C.	United States Code
USFWS	U.S. Fish and Wildlife Service

## 1.0 INTRODUCTION

The State of New Mexico experienced two federally declared disasters in 2024. DR-4795-NM (New Mexico's South Fork Fire, Salt Fire, and Flooding) was declared on June 20, 2024, in response to the South Fork Fire, Salt Fire, and subsequent flood events in Lincoln County, Otero County, Rio Arriba County, San Juan County, and the Mescalero Apache Reservation. DR-4843-NM (New Mexico Severe Storm and Flooding) was declared on November 1, 2024, in response to a severe storm and flooding events in Chaves County. These disasters significantly compromised the structural integrity of homes, creating an urgent need for comprehensive rehabilitation and reconstruction.

The U.S. Department of Housing and Urban Development (HUD) allocated Community Development Block Grant Disaster Recovery (CDBG-DR) funding to the State of New Mexico for areas impacted by DR-4795 and DR-4843. HUD designated two counties as “most impacted and distressed” (MID), which are Lincoln County for DR-4795 and Chaves County for DR-4843. As the authorized agency for all statewide disaster response and recovery operations, the New Mexico Department of Homeland Security and Emergency Management (DHSEM) is the responsible entity for management of CDBG-DR. The proposed New Mexico Home Recovery Program (HRP or Program) will help disaster-impacted residents return to safe, resilient, and sustainable living conditions, with mitigation strategies integrated to reduce future disaster risks.

While the HRP is available to residents of Lincoln and Chaves Counties, the focus of the environmental review herein is on impacts and actions of the HRP within Chaves County and only references Lincoln County where appropriate.

### 1.1 DR-4843 Background

On October 19, 2024, a record-setting rain event hit Chaves County, New Mexico, with 5.78 inches of rainfall within a 6-hour period. The storm remained stationary for several hours, with the result that local waterways were filled with several feet of water. The intense and prolonged rainfall overwhelmed local riverine and drainage systems, triggering severe flash flooding that devastated the City of Roswell, as well as several downstream communities including Hagerman, Dexter, and Lake Arthur (Figure 1-1). Due to the rapid onset of the event, residents had minutes to evacuate. The New Mexico National Guard personnel and local emergency response officials rescued more than 300 individuals in emergency swift water evacuations, most of which took place from 10:00 p.m. to early morning on October 20, 2024. Vehicles were swept into buildings, bridges, and other public infrastructure, and homes were filled with upwards of four feet of water.



**Figure 1-1. Sentinel Satellite Imagery Pre- and Post-Flood in Chaves County, NM**

In Chaves County, preliminary damage assessments from the DR-4843 event identified 146 homes completely destroyed; 528 homes with major damage; 247 homes with minor damage; and 148 homes affected in other ways (CDBG-DR Action Plan, Section 2.2.1).

## 1.2 Approach

Pursuant to HUD’s regulations at 24 Code of Federal Regulations (CFR) Part 58, DHSEM, as the responsible entity, is conducting a tiered environmental review of the HRP and its funded projects to expedite the environmental review. The broad-level Tier 1 environmental review for HRP-funded activities in Chaves County will achieve the following:

- Demonstrate broad programmatic compliance with environmental laws and authorities, where possible, thus avoiding the need for site-specific evaluations of those laws and authorities;
- Assess the potential for HRP-funded activities in Chaves County to result in significant impacts to the environment (this review satisfies the National Environmental Policy Act [NEPA] and HUD Part 58 requirements for a NEPA environmental assessment [EA]); and
- Establish programmatic guidelines, standards, and decision pathways for subsequent site-specific Tier 2 reviews.

Specific project locations will be identified once applications for the HRP are received and reviewed. DHSEM will subsequently conduct Tier 2 site-specific environmental reviews for each individual project or property prior to approval and commencement of construction (Appendix E). These Tier 1 and 2 environmental reviews together will ensure that each project complies with environmental requirements and that any site-specific mitigation measures are identified and implemented.

## 2.0 PROGRAM INFORMATION

### 2.1 General

**Program Name:** New Mexico Home Recovery Program

**Responsible Entity:** New Mexico Department of Homeland Security and Emergency Management (DHSEM)

**State/Local Identifier:** New Mexico

**Preparer:** Eastern Research Group, Inc. (ERG)

**Certifying Officer Name and Title:** Ali Rye, State Director

**Grant Recipient** (if different than Responsible Entity): Home Recovery Program Eligible Homeowners

**Consultant** (if applicable): ERG

**Direct Comments to:** 1) Email: [publiccomments@dhsem.nm.gov](mailto:publiccomments@dhsem.nm.gov);

*Note: Please include "Comment on Chaves County Tier 1 EA" in the subject line*

2) DHSEM's online comment portal:

<https://www.dhsem.nm.gov/cdbg-dr2025/>;

3) Postal mail:

*Note: Please include "Comment on Chaves County Tier 1 EA" in the subject line*

New Mexico Department of Homeland Security and Emergency Management

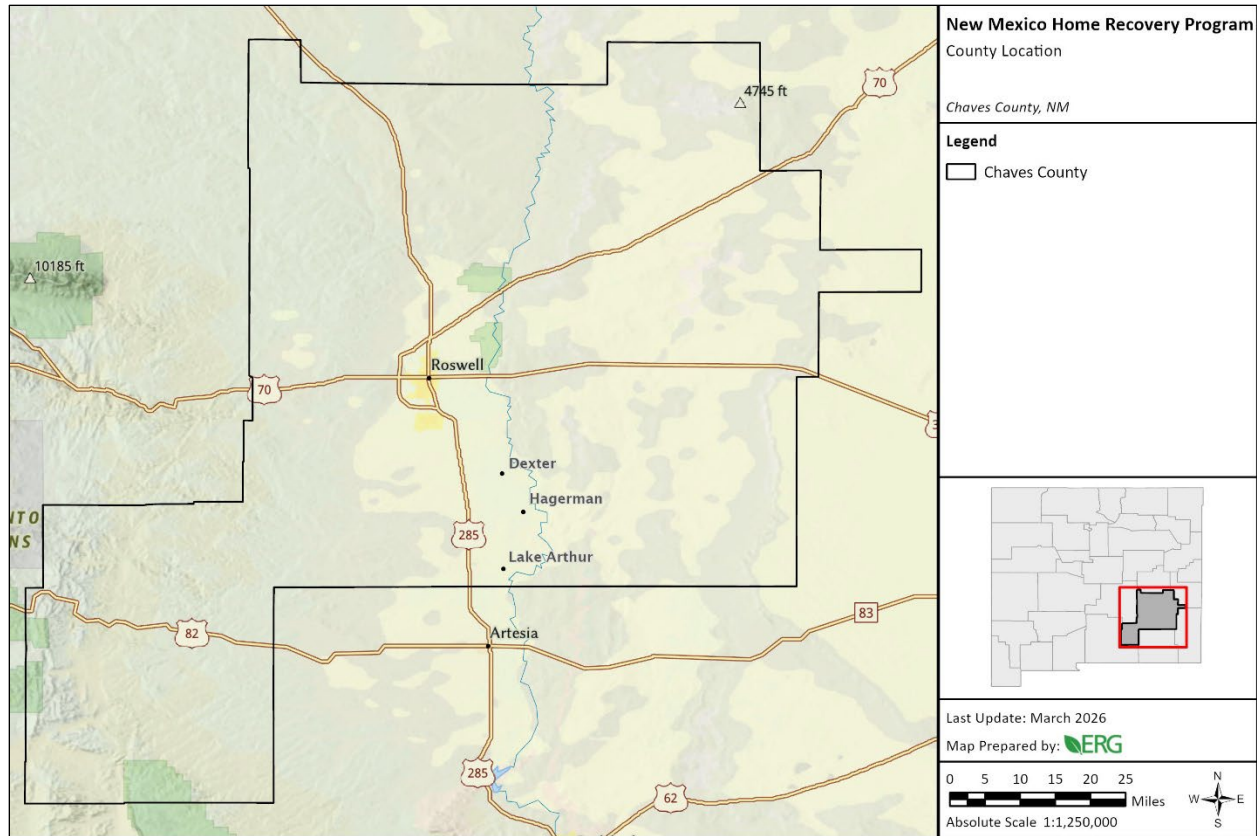
Attention: Public Comments.

3005 S St Francis Dr, STE 1-D, #404

Santa Fe, NM 87505

### 2.2 Program Location

HRP activities will occur within Chaves County, New Mexico (Figure 2-1). The specific locations of individual HRP projects are not yet available and will be identified during the Tier 2 review. While this Tier 1 review covers the entirety of Chaves County, it is anticipated that site-specific project locations may generally be concentrated within the City of Roswell and the communities of Hagerman, Dexter, and Lake Arthur, as these areas were generally the most impacted by the DR-4843 disaster event.



**Figure 2-1. General Location Map of Chaves County, NM**

### 2.3 Description of the Proposed Program [24 CFR § 58.32]

The goals of the HRP are to help disaster-impacted residents in Chaves County return to safe, resilient living conditions and to incorporate mitigation strategies that reduce future disaster risks through direct services. By leveraging state-managed resources, the HRP will provide housing recovery assistance to eligible applicants residing in Chaves County. Assistance will be provided on a first-come, first-served basis, subject to funding availability and HRP eligibility requirements. Applications will be evaluated using prioritization criteria consistent with HUD CDBG-DR requirements and HRP policies, including:

- **Low- to Moderate-Income (LMI) Thresholds.** LMI households will be prioritized for assistance (minimum of 70% of HRP funds).
- **Total Loss Homes.** Residents whose homes were severely damaged or deemed not suitable for rehabilitation may be prioritized to alleviate potential for ongoing circumstances of homelessness due to the disaster.
- **Elderly Persons (above age 65).** Elderly persons are an at-risk population that may be prioritized for assistance.
- **Individuals with Disabilities.** Persons with disabilities are an at-risk population that may be prioritized for assistance.

The HRP will be administered by the State of New Mexico through direct service delivery, ensuring both the efficient allocation of resources and compliance with applicable federal and state disaster recovery guidelines. To implement the HRP, DHSEM will conduct a competitive procurement process to establish a qualified pool of general contractors. Approved projects will be assigned to these contractors for execution, with DHSEM overseeing project management and issuing payments directly to the contractors. Homeowners will not receive direct financial assistance; instead, DHSEM will cover the cost of eligible construction measures directly through the HRP funds.

The HRP will provide direct rehabilitation, reconstruction, and new construction services for disaster-impacted single-family homes (i.e., 1 to 4 units) affected by federally declared disasters in Lincoln and Chaves Counties. These categories of eligible activities are further described below:

- **Housing Rehabilitation:** Essential repairs to restore disaster-damaged homes to safe, livable conditions, including structural, plumbing, electrical, roofing, and interior work. To receive housing rehabilitation, the estimated total damage to the home must be less than 60% the pre-disaster fair market value of the home.
- **Housing Reconstruction:** Full rebuilding of homes that are not suitable for rehabilitation (e.g., damage exceeds 60% the pre-disaster fair market value of the home), compliant with modern building codes and incorporation of resilience measures. Reconstructed home configurations will be based on minimum unit size in relation to household size and composition.
- **New Housing Construction:** Construction of new homes may be provided for disaster-impacted households on properties they already own, provided the site is located outside of the floodplain. While undamaged property owned by the household may be used for new unit placement, the acquisition of new property is not eligible for funding under the New Mexico HRP. Newly constructed home configurations will be based on minimum unit size in relation to household size and composition.

Additional details regarding potentially eligible activities are provided in Section 4.2.3.2 of the CDBG-DR Action Plan.

## 2.4 Statement of Purpose and Need for the Proposal

The DR-4843 declared event caused widespread destruction of homes and severely impacted housing availability in affected communities. As documented in the CDBG-DR Action Plan, the State of New Mexico already faces a shortage of affordable housing, and Chaves County is no exception. This scarcity was exacerbated by the devastation caused by the DR-4843 declared event. In Chaves County, entire neighborhoods were inundated with floodwaters exceeding four feet in some areas. Additional homes were destroyed when floodwaters carried railcars, vehicles, and other large debris into residential structures. Federal Emergency Management Agency (FEMA) authorized Individual Assistance, Public Assistance, and Direct Housing

programs to provide direct relief to affected residents, offset emergency response costs, and support infrastructure repairs.

The HRP is needed because this federally declared disaster has left many households struggling to recover from damage or destruction of residential structures, resulting in unmet housing needs and increased vulnerability to future hazards. Even with funding from insurance, FEMA, non-profits, and other sources, many LMI, elderly, and disabled residents continue to lack the financial support to repair or reconstruct their damaged homes to pre-disaster conditions. As a result, the purpose of the HRP is to satisfy the unmet disaster-related housing need that remains after all other funding sources have been accounted for and a duplication of benefit review is completed. The HRP will restore safe, sanitary, and resilient housing and reduce long-term risk through rehabilitation, reconstruction, and (where necessary) new construction, with mitigation strategies integrated to reduce future disaster risks.

## 2.5 Existing Conditions and Trends [24 CFR § 58.40(a)]

Chaves County is located in southeast New Mexico and is the fourth largest county in the state by area (approximately 6,075 square miles). The county seat is Roswell, where approximately 70% of the county population resides. Based on U.S. Census Bureau data, Chaves County has a total population of 65,157 people, with 26,864 housing units and 23,712 total households. The median household income in Chaves County is \$52,938, which is lower than the statewide and national median household incomes (\$67,816 and \$81,604, respectively), and the poverty rate is 24.3%, which is higher than statewide and national rates (16.4% and 12.1%, respectively). Approximately 35% of the population in Chaves County speaks a language other than English at home (statewide = 31.4%). The Chaves County population is relatively young, with a median age of 37.2 years (statewide median = 39.9 years) and 16.5% of the county population is 65 years and older (statewide = 20.1%). The disabled population in Chaves County is 19.6%, which is higher than the statewide population (17.3%).

The Pecos River and valley run generally north to south across the county and provides fertile soils and irrigation for surrounding agriculture. There are four Level III ecoregions<sup>1</sup> in Chaves County, which contain variable vegetation types: Arizona/New Mexico Mountains in the southwest; Southwestern Tablelands in the south, west, and north; Chihuahuan Deserts in the south and central; and High Plains in the east. Based on the 2024 Annual National Land Use Land Cover Database, the significant majority of land cover in Chaves County is shrub/scrub (approximately 87%), with grassland/herbaceous (approximately 8%) and cultivated crops (approximately 2%). Developed land, inclusive of open space, low-intensity, medium-intensity, and high-intensity development, comprises approximately 2% of county land use and is

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<sup>1</sup> As defined by the U.S. Environmental Protection Agency (EPA) in collaboration with various stakeholders, ecoregions are areas where ecosystems (and the type, quality, and quantity of environmental resources) are generally similar, based on analysis of various biotic and abiotic phenomena such as geology, landforms, soils, vegetation, climate, land use, wildlife, and hydrology. This system classifies four hierarchical levels of ecoregions, from general (Level I) to more detailed (Level IV). There are 105 Level III ecoregions in the continental U.S., including eight within New Mexico.

generally present around Roswell and the south-central portion of Chaves County. Approximately 43% of land in Chaves County is privately owned, followed by approximately 31% being federally owned and managed by the Bureau of Land Management. Approximately 25% of land is owned by the state with the remainder of land managed by other federal agencies (U.S. Forest Service, Bureau of Reclamation, and U.S. Department of War).

The climate across New Mexico is highly variable due to its significant size and range of geography. The 2023 New Mexico State Hazard Mitigation Plan—which covers the five-year period from 2024 through 2028 and is authored by DHSEM—identified the following primary natural hazards for the state: wildfire, flooding, drought, severe weather, and landslides and debris flow. Since 2022, five Presidential Major Disaster Declarations have been declared in New Mexico related to fire, flood, and mud/landslide events. These exposures and hazards lead to higher risks for residents already impacted by DR-4843, especially populations experiencing economic hardship, aging individuals, persons with limited English proficiency, and those with disabilities.

The DR-4843 disaster caused widespread and multifaceted damage across Chaves County, with particularly severe impacts in and around the City of Roswell. In 2024, FEMA estimated a total of approximately \$119 million in damages and losses in Chaves County. The disaster exposed the lack of resilient housing construction practices and revealed critical vulnerabilities in the housing stock, exacerbating the severe shortages of affordable housing including through the rental market, multi-family housing, and public housing. In the unmet need assessment of the CDBG-DR Action Plan, DHSEM estimated that approximately 1,883 homes in Chaves County were damaged, resulting in an unmet housing need of more than \$59 million (see Section 2.2.7). The severe shortage of available housing in disaster-impacted areas has left many displaced families with few, if any, viable options to return home.

Based on poverty rates reported by the U.S. Census Bureau, New Mexico consistently ranks among the most economically challenged states in the nation, further limiting residents' ability to rebuild or relocate after a disaster. In Chaves County, these economic disparities are even more pronounced, leaving many households disproportionately reliant on federal and state assistance for recovery. The disaster severely disrupted the region's agriculture and tourism industries, delaying economic recovery for individuals and communities and reducing local tax revenue, thus limiting the capacity of local governments to invest in critical recovery efforts.

Additional discussion of existing conditions and trends related to specific resources listed in 24 CFR Part 58 is presented in Sections 3.0 and 4.0.

## 2.6 Funding Information

**Table 2-1. Funding Information**

Grant Number	HUD Program	Funding Amount
B-25-DU-35-0001	CDBG-DR	\$137,178,000 total (\$100,000,000 for HRP)

### 2.6.1 Estimated Total HUD Funded Amount

HUD allocated a total of \$137,178,000 in CDBG-DR funding to the State of New Mexico to support long-term disaster recovery by addressing unmet needs in communities impacted by DR-4795 and DR-4843. A minimum of 80% of this funding (\$109,742,400) is required to be spent in Chaves and Lincoln Counties due to their MID designation by HUD. Of the total funds, a minimum of 70% (\$96,024,600) is required to be dedicated to serving LMI persons and a minimum of 13% (\$17,893,000) is required to be dedicated to Mitigation Set-Aside funding. The Mitigation Set-Aside funding supports the integration of hazard mitigation measures into eligible rehabilitation and reconstruction activities.

The HRP, serving Chaves and Lincoln Counties, utilizes \$100,000,000 of the CDBG-DR allocation. DHSEM has not dedicated specific amounts of HRP funding per county. As further discussed above in Section 2.3, assistance will be provided to applicants on a first-come, first-served basis, subject to funding availability, HRP eligibility requirements, and based on prioritization criteria consistent with HUD CDBG-DR requirements and HRP policies.

### 2.6.2 Estimated Total Program Cost (HUD and non-HUD funds) [24 CFR § 58.32(d)]

In addition to the \$137,178,000 in CDBG-DR funding from HUD, other financial programs and resources are available to support disaster recovery efforts. These include FEMA’s Private Property Debris Removal (PPDR) Program, Disaster Case Management grants, and Individual Assistance program for uninsured or underinsured necessary expenses; HUD’s Section 8 Housing Voucher Program; the Small Business Administration’s Disaster Home Loans program; insurance payouts; and distributions from charitable organizations. An estimate of the total amount of funding available through these various programs and resources is not readily available.

### 3.0 COMPLIANCE WITH 24 CFR § 58.5 AND § 58.6 LAWS AND AUTHORITIES

**Table 3-1. Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
<p><b>Clean Air</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No  <input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>Chaves County is in an attainment/unclassifiable area for all National Ambient Air Quality Standards (NAAQS) and is not subject to a maintenance plan. Therefore, Clean Air Act General Conformity requirements do not apply to the HRP. Compliance is achieved at the Tier 1 review.</p> <p>See Appendix C, Attachment C-1 for supporting documentation demonstrating non-applicability.</p>
<p><b>Coastal Zone Management</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No  <input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>New Mexico has no coastline and does not have an approved Coastal Zone Management Program. Therefore, the HRP will have no impact on coastal resources. Compliance is achieved at the Tier 1 review.</p> <p>See Appendix C, Attachment C-2 for supporting documentation demonstrating non-applicability.</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR § 58.5(i)(2)</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Per HUD policy, HRP sites must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites or other locations that contain hazardous wastes. The New Mexico Environment Department (NMED) administers New Mexico Administrative Code 20.6.2 (Ground and Surface Water Protection Regulations), which requires the clean-up of contaminated soil, soil vapor, and groundwater to protect human health and the environment.</p> <p>Compliance will be achieved at the Tier 2 review. Maps of documented solid and</p>

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		<p>hazardous waste disposal facilities, contaminated sites, waste generators and industrial facilities that may contain hazardous wastes and/or toxic chemicals were prepared as part of the Tier 1 review. Due to the large number of sites of concern in Chaves County, site-specific reviews will be required for proposed reconstruction, rehabilitation, and new construction activities to evaluate the potential for health and safety effects. An American Society for Testing and Materials (ASTM) Qualified Professional will be required to complete the Site Specific Toxic and Hazards Materials review and provide a signed statement certifying compliance with Toxics and Hazardous Materials requirements during the Tier 2 review.</p> <p>To identify sites with hazardous materials, contamination, toxic chemicals, gases and/or radioactive substances within 3,000 feet as specified in 24 CFR § 58.5(i), DHSEM will review web-based data for each project site, including EPA Geographic Information System (GIS) data for the Superfund List, National Priorities List (NPL), Toxics Release Inventory (TRI), Brownfields, Air Facility Systems (AFS), and Hazardous Waste (RCRAInfo) databases. DHSEM will also review information on contaminated sites and hazardous and solid waste sites from the NMED’s OpenEnviroMap.</p> <p><u>Radon</u></p> <p>Radon, a naturally occurring gas found in nearly all soils, can enter a building through cracks and permeable areas in the foundation. Project locations may present a risk for radon through indoor air exposure. For rehabilitation activities, DHSEM will evaluate radon indoor air exposure risks on a site-specific basis in accordance with HUD’s Notice CPD-23-103: Departmental Policy for Addressing Radon in the Environmental Review Process. If testing identifies elevated levels of radon for sites with rehabilitation activities, radon mitigation will be implemented. For housing reconstruction and new construction activities, radon mitigation</p>

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		<p>measures (e.g., radon-resistant construction techniques) will be incorporated in the design and implemented during construction.</p> <p><u>Asbestos, Lead-Based Paint, and Mold</u></p> <p>Project locations may include asbestos-containing materials, lead-based paint, and/or mold.</p> <p><b>Asbestos:</b> All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including: National Emission Standard for Asbestos, standard for demolition and renovation (40 CFR § 61.145) and National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations (40 CFR § 61.150). For rehabilitation activities, the general contractor will complete a visual inspection of impacted materials and notify DHSEM if sampling is required. If necessary, mitigation will be implemented and abatement will occur prior to construction.</p> <p><b>Lead-Based Paint:</b> All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, HUD’s lead-based paint regulations in 24 CFR Part 35, Subparts A, B, H, J, K, and R. These regulations apply to housing constructed prior to January 1, 1978. For rehabilitation activities affecting homes constructed prior to 1978, HRP will complete a lead-based paint risk assessment of the residence. Lead-based paint hazards will be remediated during construction. Following construction and cleaning, a clearance inspection will be completed to confirm removal of lead hazards.</p> <p><b>Mold:</b> Mold can have an adverse effect on human health and is a very common problem in houses that have been flooded, which may require remediation. For rehabilitation activities, the general contractor will complete a visual inspection of the residence for the presence of mold. If observed, the general contractor will</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		<p>follow HRP Standard Operating Procedures by confirming inclusion in the rehabilitation scope of work, notifying DHSEM if a Change Order is required, completing remediation, and providing corresponding clearance documentation to DHSEM.</p> <p>See Appendix C, Attachment C-3 for supporting documentation, including figures showing the locations of potentially contaminated sites in Chaves County.</p>
<p><b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>In accordance with the Endangered Species Act (ESA), particularly Section 7, HUD must ensure that any action it carries out, funds, or authorizes is not likely to jeopardize the continued existence of threatened and endangered (T&amp;E) species in the wild or adversely modify or destroy their designated critical habitat. Project activities that may affect federally listed T&amp;E species or designated critical habitats in any way (including beneficial effects) require ESA Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) and/or the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS), as applicable. Regarding species that are <i>proposed</i> for listing, the agency must <i>confer</i> with USFWS and/or NMFS on project activities that are likely to jeopardize the continued existence of such species or result in the destruction or adverse modification of its proposed critical habitat.</p> <p>DHSEM used the USFWS Information for Planning and Consultation (IPaC) tool—a web-based application designed to streamline the environmental review process—to generate an Official Species List (Project Code: 2026-0067874, dated March 25, 2026) for Chaves County. The list indicates that 25 ESA-protected species have the potential to occur in the vicinity of Chaves County. These include mammals (3 species), birds (5), reptiles (1), fishes (3), clams (1), snails (3), insects (1), crustaceans (1), and flowering plants (7). Refer to Appendix C, Attachment C-4 for the complete Official Species List. However, certain species included on the species</p>

<p><b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b></p>	<p><b>Was compliance achieved at the Tier 1 review?</b></p>	<p><b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b></p>
		<p>list (e.g., fishes, clams, snails, and crustaceans) are not expected to be present in areas affected by HRP activities. In addition, seven critical habitats and one proposed critical habitat are present within the county. These critical habitats are mainly found in wetlands, spring systems, and other aquatic habitats, so it is unlikely—though possible—for critical habitats to overlap areas affected by HRP activities. DHSEM did not identify any resources under NMFS jurisdiction in New Mexico; therefore, consultation with NMFS is not required.</p> <p>In addition to ESA-protected species, the USFWS IPaC tool identified migratory birds, including bald eagles (<i>Haliaeetus leucocephalus</i>) and golden eagles (<i>Aquila chrysaetos</i>), have the potential to occur in Chaves County. The Migratory Bird Treaty Act (MBTA) (16 United States Code [U.S.C.] §§ 703-712) protects migratory birds, their nests, eggs, and young from unauthorized take, which includes actions that kill, capture, sell, trade, transport, injure, or disturb birds or destroy active nests. Although not protected under the ESA, eagles are federally protected under the MBTA and the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. §§ 668-668d). The BGEPA provides additional protection specifically for bald and golden eagles by prohibiting, except under certain specified conditions, the take, disturbance, or possession and commerce of eagles, their nests, or eggs without authorization from USFWS. Because these federal wildlife protections apply to federally funded activities, potential impacts to migratory birds and eagles must be considered during environmental review.</p> <p>DHSEM also reviewed the HRP’s potential impacts to state-listed species to ensure compliance with applicable state wildlife protection requirements and support early identification of sensitive biological resources. The New Mexico Wildlife Conservation Act and the New Mexico Endangered Plant Species Statute provide protections for state-listed species that are managed by the New Mexico Department of Game and Fish and the New Mexico Forestry Division. On March 2,</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		<p>2026, the New Mexico Department of Wildlife obtained an auto-generated New Mexico Environmental Review Tool (NMERT) project report for Chaves County (Project ID: NMERT-5683). The report identifies special status animal species potentially within 1 mile of Chaves County and contains initial recommendations regarding potential impacts on state-protected wildlife and their habitats. See Appendix C, Attachment C-4 for a copy of the NMERT report and New Mexico Department of Wildlife comments and additional recommendations. See Section 6.0 for mitigation measures and conditions that DHSEM has adopted for the HRP. Endangered species compliance for the Program is described below by the category of eligible activity:</p> <ul style="list-style-type: none"> <li>• <b>Housing Rehabilitation:</b> Rehabilitation projects—if limited to interior work, with no exterior earth disturbance, vegetation removal, or construction activity—are likely to have <i>No Effect</i> on protected wildlife resources. Examples may include interior repairs, plumbing and electrical work, mold remediation, accessibility improvements, and lead-based paint mitigation.</li> </ul> <p>Exterior rehabilitation activities could include structural, utility, and roofing repairs within existing footprints and previously disturbed and developed/urban areas. These activities are not anticipated to affect habitat; however, noise, dust, and vibrations could affect nearby protected wildlife resources, if present. Landscaping and tree trimming and/or removal, if required (e.g., for hazard mitigation), could affect habitat for protected species.</p> <p>DHSEM will address compliance at the Tier 2 review. If the Tier 2 review determines that species of concern are not identified in the project vicinity, and/or if the project incorporates sufficient impact avoidance measures to ensure <i>No Effect</i> on protected species (such as avoiding disturbance outside the project footprint, limiting vegetation removal, and adhering to seasonal</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</p>	<p>Was compliance achieved at the Tier 1 review?</p>	<p>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</p>
		<p>restrictions where applicable), the Tier 2 review may conclude that further review or consultation is not required.</p> <p>See “Tier 2 Consultation for Potential Effects” below regarding the review and consultation requirements (including efforts towards a programmatic ESA Section 7 consultation with USFWS) if the Tier 2 review identifies potential effects to protected species.</p> <ul style="list-style-type: none"> <li>• <u>Housing Reconstruction</u>: Reconstruction could include fully rebuilding homes within existing footprints and previously disturbed and developed areas, including areas both within and outside of floodplains, either of which can be comprised of ecologically-rich habitats utilized by protected species. Example activities may include heavy machinery use, increased human activity, demolition, debris removal, foundation replacement, ground disturbance, grading and filling, construction, roofing, utility installation and repair, and exterior finishing and landscaping. These activities may result in work near riparian areas, and may include vegetation removal, noise, dust, and vibrations that could affect nearby protected wildlife resources and habitat (potentially including critical habitat), if present. Effects could be compounded if multiple reconstruction projects occur in close spatial and time proximity.</li> </ul> <p>DHSEM will address compliance at the Tier 2 review. If the Tier 2 review determines that species of concern or associated habitats are not identified in the project vicinity, and/or if the project incorporates sufficient impact avoidance measures to ensure <i>No Effect</i> on protected species and habitat (such as preventing disturbance outside the project footprint, limiting vegetation removal, creating a buffer to avoid riparian areas, and adhering to seasonal restrictions where applicable), the Tier 2 review may conclude that further review or consultation is not required.</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		<p>See “Tier 2 Consultation for Potential Effects” below regarding the review and consultation requirements (including efforts towards a programmatic ESA Section 7 consultation with USFWS) if the Tier 2 review identifies potential effects to protected species.</p> <ul style="list-style-type: none"> <li>• <u>New Housing Construction</u>: New construction may occur on already owned properties, in either previously disturbed or undisturbed areas, and outside of the floodplain. Example activities may include heavy machinery use, increased human activity and traffic, ground disturbance, vegetation removal, construction, utility installation, and exterior finishing and landscaping. These activities may result in work near riparian areas (while excluding work in the floodplain), habitat destruction, vegetation removal, light pollution, noise, dust, vibrations and water contamination during land clearing, grading, and building, which could affect nearby protected wildlife resources and habitat (potentially including critical habitat), if present. Effects could be compounded if multiple construction projects occur in close spatial and time proximity.</li> </ul> <p>Compliance will be achieved at the Tier 2 review. For each project, the IPaC tool will be used to determine the potential for protected species in the vicinity of the project site. Based on IPaC results, site conditions, and the proposed scope of work, a species effect determination will be made. If it is determined that a project <i>May Affect</i> protected species, their habitat, or critical habitat, and mitigation measures cannot be used to reduce the effect, additional studies and/or consultation with the USFWS would be completed. If the Tier 2 review determines that protected species or associated habitats or critical habitat are not identified in the project vicinity, and/or if the project incorporates sufficient impact avoidance measures to ensure <i>No Effect</i> on protected species and habitat (such as preventing disturbance outside the project footprint,</p>

<p><b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b></p>	<p><b>Was compliance achieved at the Tier 1 review?</b></p>	<p><b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b></p>
		<p>limiting vegetation removal, creating a buffer to avoid riparian areas and critical habitats, and adhering to seasonal restrictions where applicable), the Tier 2 review will conclude that further review or consultation is not required.</p> <p>See “Tier 2 Consultation for Potential Effects” below regarding the review and consultation requirements if the Tier 2 review identifies potential effects to protected species.</p> <p><u>Tier 2 Consultation for Potential Effects</u></p> <p>If the Tier 2 review determines that a project may affect listed or proposed species or their respective critical habitat, consultation (for listed species) or conference (for proposed species) with USFWS would be required. If DHSEM determines that a project <i>May Affect</i> and is <i>Likely to Adversely Affect</i> listed species or destroy or adversely modify designated critical habitat, then it will be ineligible for HRP funding.</p> <p>DHSEM is in the process of initiating ESA Section 7 consultation with USFWS, including preparation of a biological assessment, with the goal of obtaining programmatic concurrence on effects determinations for rehabilitation and reconstruction projects. If DHSEM and USFWS reach a programmatic agreement for compliance with ESA Section 7, DHSEM will make appropriate updates to this Tier 1 EA and the Tier 2 framework to reflect the streamlined consultation requirements and applicable impact avoidance measures.</p> <p>If the Tier 2 review identifies active migratory bird nests, eagle nesting areas, or other protected wildlife resources in the project area, appropriate avoidance measures and/or mitigation measures coordinated between agencies would be implemented prior to and/or during construction.</p> <p>See Appendix C, Attachment C-4 for supporting documentation, including figures,</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		the Official IPaC Species List, and information on state-listed protected species.
<p><b>Explosive and Flammable Hazards</b> 24 CFR Part 51, Subpart C</p>	<p>Yes    No <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Regulations at 24 CFR Part 51, Subpart C prohibit the following:</p> <ul style="list-style-type: none"> <li>• Locating HUD-assisted projects (development, construction, rehabilitation that will increase residential densities, or conversion) near facilities that store, handle, or process hazardous substances of a flammable or explosive nature, thus potentially exposing occupants or end-users of a project to the risk of injury in the event of a fire or an explosion.</li> <li>• Locating a project that includes a hazardous facility (a facility that mainly stores, handles, or processes flammable or combustible chemicals, such as bulk fuel storage facilities and refineries) closer than the acceptable separation distance (ASD) from residences and any other facility or area where people may congregate or be present.</li> </ul> <p>Explosive and flammable hazards compliance for the HRP is described below by the category of eligible activity:</p> <ul style="list-style-type: none"> <li>• <u>Housing Rehabilitation and Housing Reconstruction</u>: Compliance is achieved at the Tier 1 review. Rehabilitation and reconstruction activities will not increase residential density as there will not be an increase in the number of dwelling units per structure or the number of bedrooms in a home. Therefore, the activity will not increase the number of people being exposed to hazardous operations. Because the activity will not increase residential density, it is not subject to compliance with 24 CFR Part 51, Subpart C.</li> <li>• <u>New Housing Construction</u>: Compliance will be achieved at the Tier 2 review. Although the number of dwelling units or bedrooms per structure will not change with new housing construction, the location of the structure may change, which has the potential to change the residential density surrounding hazardous operations. New construction activities will need to be evaluated on</li> </ul>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		<p>a site-specific basis. A new construction project will be ineligible for HRP funding if it places the new structure within the ASD of a hazardous facility and if mitigating factors do not resolve the potential hazard (24 CFR § 51.205).</p> <p>See Appendix C, Attachment C-5 for supporting documentation.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) &amp; 1541; 7 CFR Part 658</p>	<p>Yes    No <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Chaves County contains the following qualifying farmland: approximately 184,924 acres of farmland of statewide importance (4.8% of the county) and 1,773 acres of prime farmland if irrigated (0.05% of the county). Pursuant to the Farmland Protection Policy Act (FPPA), activities that result in the conversion of farmland to non-agricultural purposes require consultation with the Natural Resources Conservation Service.</p> <p>FPPA compliance for the HRP is described below by the category of eligible activity:</p> <ul style="list-style-type: none"> <li>• <u>Housing Rehabilitation</u>: Compliance is achieved at the Tier 1 review. Repair and rehabilitation activities will occur within previously disturbed residential footprints and will not involve development of undeveloped land. Therefore, FPPA does not apply.</li> <li>• <u>Housing Reconstruction</u>: Compliance is achieved at the Tier 1 review. Reconstruction activities may involve minor changes within previously disturbed residential footprints or within existing developed parcels and may include the reconstruction of minor accessory structures (if they are attached to the damaged house). However, these activities do not involve the development of undeveloped land. Therefore, FPPA does not apply.</li> <li>• <u>New Housing Construction</u>: Compliance will be achieved at the Tier 2 review. DHSEM will limit new construction funding to projects that <i>do not</i> result in conversion of prime or unique farmland. Specifically, if DHSEM determines during Tier 2 review that none of the following criteria apply, the application</li> </ul>

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		<p>will not be approved for funding:</p> <ul style="list-style-type: none"> <li>- The project consists of re-development of land that is already developed.</li> <li>- The project is located in an urbanized area.</li> <li>- The project is located in areas that are not considered qualifying farmland.</li> </ul> <p>See Appendix C, Attachment C-6 for supporting documentation, including figures showing qualifying farmland and urbanized areas.</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Based on review of FEMA National Flood Hazard Data, portions of Chaves County are designated as within Special Flood Hazard Areas (SFHA), including Zones A, AE, AH, or AO. Portions of Chaves County are also designated as within the 500-year floodplain (Zone X).</p> <p>Executive Order 11988 compliance will be achieved at Tier 2 review for each HRP site-specific project through review of its location relative to the floodplain identified using FEMA National Flood Hazard Data. The Tier 2 review will also identify required mitigation measures, as applicable.</p> <p>As part of the 8-step process, DHSEM evaluated the impacts of the proposed HRP and alternatives on the floodplain and identified mitigation measures to reduce impacts. No HRP activities will occur within the FEMA regulatory floodway. Rehabilitation and reconstruction projects in flood hazard areas will be required to comply with the national floodplain elevation standards as well as local floodplain ordinances. New housing construction must occur outside of the floodplain. Therefore, DHSEM determined the HRP is not expected to adversely affect substantial areas of floodplains, including their intrinsic values (e.g., cultural, recreational, educational, scientific) and beneficial environmental functions.</p> <p>See Appendix C, Attachment C-7 for supporting documentation, including a figure showing floodplains, and Appendix D for the floodplain and wetland notice and</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		public comments.
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 &amp; 110; 36 CFR Part 800</p>	<p>Yes    No <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Tier 1 review evaluated the HRP’s potential to affect resources eligible for, or listed in, the National Register of Historic Places (NRHP; i.e., historic properties) in accordance with the National Historic Preservation Act (NHPA) and its implementing regulations at 36 CFR Part 800 (i.e., Section 106). A review of the New Mexico Cultural Resource Information System (NMCRIS) for Chaves County identified four NRHP-listed historic districts and 18 individually listed above-ground properties (Attachment C-8). Archaeological site data is not provided in this Attachment due to the sensitivity of archaeological sites. Numerous NRHP-eligible (but not listed on the NRHP), state-listed, and unevaluated resources are also present within the county.</p> <p>HRP activities have the potential to result in direct or indirect effects on historic properties, including ground disturbance or indirect effects resulting in changes to setting or viewsheds. However, compliance is achieved at the Tier 1 review for interior rehabilitation activities occurring within buildings that are less than 50 years old or previously determined ineligible for the NRHP, as these activities have <i>no potential to affect historic properties</i>. Interior rehabilitation within buildings that are 50 years of age or older that have not been evaluated for NRHP eligibility will be evaluated during the Tier 2 review to determine whether historic properties are present and whether the activity has the potential to affect such properties.</p> <p>All other activities will be evaluated at Tier 2 to determine the potential to affect historic properties. Tier 2 review will consider the nature and extent of ground disturbance, the presence of buildings or structures 50 years of age or older, and the potential for archaeological resources.</p> <p>Where applicable, DHSEM will apply the Advisory Council on Historic Preservation (ACHP) <i>Program Comment for Certain Housing, Building, and Transportation</i></p>

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		<p><i>Undertakings.</i> The ACHP Program Comment is a Section 106 program alternative issued pursuant to 36 CFR § 800.14(e) that establishes standardized review procedures and treatment measures for certain undertakings, including certain disaster recovery and housing-related activities.</p> <p><u>Tier 2 Consultation for Potential Effects</u></p> <p>If Tier 2 review determines that a project cannot meet the conditions of the ACHP Program Comment, DHSEM will complete project-specific review in accordance with 36 CFR Part 800, including identification of historic properties within the Area of Potential Effects (APE), evaluation of NRHP eligibility as appropriate, assessment of effects, and consultation with the State Historic Preservation Office (SHPO), Tribal Nations, and other consulting parties, as required.</p> <p>DHSEM recognizes that properties of traditional religious and cultural significance to Tribal Nations may be present within the Program area. While the ACHP Program Comment underwent formal Tribal consultation, Tier 2 review will include consideration of these resources through government-to-government consultation in accordance with 36 CFR Part 800, as appropriate.</p> <p>DHSEM is exploring other program alternatives to streamline Section 106 consultation requirements for the HRP. If such agreements become formalized, DHSEM will make appropriate updates to this Tier 1 EA and the Tier 2 framework to reflect the streamlined consultation requirements and applicable impact avoidance measures.</p> <p>See Appendix C, Attachment C-8 for supporting documentation, including figures showing the locations of NRHP-listed historic properties (excluding archaeological sites).</p>
<b>Noise Abatement and Control</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project activities will cause temporary increases in noise levels, which will be mitigated by complying with local noise ordinances. Long-term noise levels will be

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
<p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51, Subpart B</p>		<p>the same as pre-disaster levels, with potential for minor noise changes in the case of new construction on undeveloped properties.</p> <p>HUD’s noise criteria and standards at 24 CFR § 51.101(a)(2) state that “responsible entities under 24 CFR Part 58 must take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas.” The provision at 24 CFR § 51.101(a)(3) addresses new construction and states that “HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure.” However, the regulation at 24 CFR § 51.101(a)(3) further states that HUD noise policy does not apply to “assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.”</p> <p>Noise abatement and control compliance for the HRP is described below by the category of eligible activity:</p> <ul style="list-style-type: none"> <li>• <u>Housing Rehabilitation</u>: Compliance is achieved at the Tier 1 review. Rehabilitation activities will restore housing substantially as it existed prior to the 2024 disaster events and will not require noise attenuation.</li> <li>• <u>Housing Reconstruction</u>: Compliance will be achieved at the Tier 2 review. Although reconstruction activities will restore housing substantially as it existed prior to the 2024 disaster events, DHSEM will evaluate noise attenuation requirements on a site-specific basis for these projects.</li> <li>• <u>New Housing Construction</u>: Compliance will be achieved at the Tier 2 review. Site-specific reviews of new housing locations will be required to determine whether the location is within an acceptable noise zone and/or will require noise attenuation.</li> </ul>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
		See Appendix C, Attachment C-9 for supporting documentation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	New Mexico has one designated sole source aquifer (SSA): the Espanola Basin Aquifer System SSA. However, this aquifer is located more than 100 miles from Chaves County. Therefore, the HRP will not impact SSAs. Compliance is achieved at the Tier 1 review.  See Appendix C, Attachment C-10 for supporting documentation demonstrating non-applicability.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 & 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on USFWS National Wetland Inventory (NWI) data, freshwater emergent wetlands, freshwater forested/shrub wetlands, freshwater ponds, lakes, riverine features, and “other” features are present in Chaves County.  Rehabilitation and reconstruction projects could involve construction activities near or within isolated and/or non-regulated wetlands, particularly if wetlands are present within the affected parcel. Example construction activities could include equipment staging, vehicle access, minor footprint changes, and elevation of homes located within floodplains. While new housing construction must occur outside of the floodplain, it is possible that new housing construction could occur within wetlands. Overall, the HRP is not expected to adversely affect substantial areas of wetlands, including their intrinsic values (e.g., cultural, recreational, educational, scientific) and beneficial environmental functions.  Executive Order 11990 compliance will be achieved at Tier 2 review for each HRP site-specific project through review of its activity type (i.e., housing rehabilitation, housing reconstruction, or new housing construction) and location relative to wetlands identified using desktop data sources (e.g., USFWS NWI) or visual site observation, as appropriate, to identify indicators of wetland hydrology, hydric soils, hydrophytic vegetation, or other surface waters. The Tier 2 review will also identify any reasonable alternatives and required mitigation measures, as

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.5</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		<p>applicable.</p> <p>As part of the Tier 2 review, DHSEM will also consider compliance with Section 404 of the Clean Water Act (CWA) for any jurisdictional Waters of the U.S., including any associated mitigation measures. DHSEM will limit funding to projects that would not result in dredge or fill within Waters of the U.S.; therefore, projects will not require Section 404 permits from the U.S. Army Corps of Engineers.</p> <p>Additionally, housing rehabilitation, reconstruction, and new construction will not impact Section 10 navigable waters; therefore, the requirements of the Rivers and Harbors Act do not apply.</p> <p>Per Executive Order 11990, DHSEM must provide opportunity for early public review of any plans or proposals for new construction in wetlands. DHSEM fulfilled this requirement as part of the 8-step process for Executive Order 11988 (Floodplain Management).</p> <p>See Appendix C, Attachment C-11 for supporting documentation, including a figure showing wetlands, and Appendix D for the floodplain and wetland notice and public comments.</p>
<p><b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No <input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>Four segments of rivers in north-central New Mexico are designated as Wild and Scenic Rivers. However, none of these segments are located within or downstream of Chaves County. Further, no study rivers or river segments listed in the Nationwide Rivers Inventory are present in Chaves County. Therefore, HRP activities will not impact Wild and Scenic Rivers and the requirements of this Act do not apply. Compliance is achieved at the Tier 1 review.</p> <p>See Appendix C, Attachment C-12 for supporting documentation demonstrating non-applicability.</p>

**Table 3-2. Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.6**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.6	Was compliance achieved at the Tier 1 review?	If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.
<p><b>Airport Hazards</b> 24 CFR Part 51 Subpart D</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>HUD's airport hazard requirements (24 CFR Part 51, Subpart D) are intended to prevent HUD assistance for incompatible development near civil or military airports. Per 24 CFR § 51.302(b), these policies apply to new construction and to substantial or major modernization and rehabilitation.</p> <p>DHSEM reviewed the Federal Aviation Administration (FAA) National Plan of Integrated Airport Systems (NPIAS) and identified one civil airport in Chaves County: Roswell Air Center, located at 1 Jerry Smith Circle, Roswell, NM. The airport location and applicable 2,500-foot screening radius (per HUD guidance) are shown in Appendix C, Attachment C-13. No military airfields were identified.</p> <p>Airport hazard compliance for the HRP is described below by the category of eligible activity:</p> <ul style="list-style-type: none"> <li>• <u>Housing Rehabilitation</u>: Compliance is achieved at the Tier 1 review. Rehabilitation activities would not be considered substantial or major rehabilitation. Any potential rehabilitation activities that would be considered substantial or major rehabilitation will be classified as reconstruction (see below). Therefore, rehabilitation activities are not subject to HUD airport hazard requirements.</li> <li>• <u>Housing Reconstruction and New Housing Construction</u>: Compliance will be achieved at the Tier 2 review. DHSEM will evaluate each reconstruction and new construction project to determine if the site is within the screening radius of Roswell Air Center and, if so, whether it is within a Runway Protection Zone or Clear Zone. Any reconstruction or new construction within these zones will be considered incompatible with HUD policy (24 CFR § 51.303) and therefore ineligible for HRP funding.</li> </ul>

<b>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR § 58.6</b>	<b>Was compliance achieved at the Tier 1 review?</b>	<b>If Yes: Describe compliance determinations made at the Tier 1 review. If No: Describe the policy, standard, or process to be followed in the Tier 2 review.</b>
		See Appendix C, Attachment C-13 for supporting documentation, including figures showing airports and their screening buffers.
<b>Coastal Barrier Resources</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 U.S.C. § 3501]	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	No Coastal Barrier Resource Units are present in New Mexico. Therefore, no impacts on designated coastal barrier resources will occur and the requirements of this Act do not apply. Compliance is achieved at the Tier 1 review. See Appendix C, Attachment C-14 for supporting documentation demonstrating non-applicability.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 U.S.C. §§ 4001-4128; 42 U.S.C. § 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on review of FEMA National Flood Hazard Data, portions of Chaves County are designated as within SFHAs, including Zones A, AE, AH, or AO. Homeowners using HRP assistance for a property located in an SFHA must obtain and maintain flood insurance in the amount and duration prescribed by FEMA’s National Flood Insurance Program. Compliance with requirements of the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 will be achieved at Tier 2 review for each site-specific project in conjunction with the Tier 2 Floodplain Management review to identify the necessity of flood insurance. See Appendix C, Attachments C-7 and C-15 for supporting documentation, including a map of floodplains.

## 4.0 ENVIRONMENTAL ASSESSMENT FACTORS [24 CFR § 58.40]

### 4.1 Environmental Assessment Factor Impact Evaluation

Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features, and resources of the Program area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action.

Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed, and applicable permits or approvals have been obtained or noted.

Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list 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

**Table 4-1. Environmental Assessment Factors: Land Development**

Land Development Environmental Assessment Factor	Impact Code	Impact Evaluation
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	3	The HRP is designed to support recovery consistent with the State’s CDBG-DR Action Plan and applicable hazard mitigation and disaster recovery strategies by prioritizing the rehabilitation and reconstruction of housing within existing residential areas. Rehabilitation and reconstruction activities would restore housing within previously developed residential areas and would not alter the scale, character, or urban design of surrounding neighborhoods. In most cases, reconstruction would occur on the same parcel as the original structure. If new construction were to occur on a different parcel, the parcel would be required to be zoned for residential use and comply with applicable local land use plans, zoning ordinances, and development standards. All construction activities would be required to obtain applicable local permits and approvals prior to implementation (Section 6.0, Mitigation Measures and Conditions). HRP activities (construction and occupancy) are therefore expected to remain consistent with local land use plans and zoning requirements and would not substantially alter community land use patterns or urban design.
Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff	3	Because most HRP activities would occur in areas impacted by flooding, DHSEM anticipates that eroded and unstable soils may be present in many affected parcels. These conditions, if present, could affect constructability and would require steps to reduce further erosion and stormwater-related impacts during and after construction. For all HRP projects, slopes and soil conditions would be assessed prior to construction, would be addressed during local permitting processes, and would be accounted for in any required erosion and stormwater management plans. For all HRP activities involving earth disturbance, the contractor would implement best management practices (BMPs) to prevent erosion and sedimentation impacts to nearby water bodies. Where applicable, the contractor would obtain and comply with permit conditions. Further, flood mitigation measures would be integrated into the primary rehabilitation and reconstruction scopes of work as practicable (Section 6.0, Mitigation Measures and Conditions). Adherence to current standards and use of modern design standards would likely improve environmental resilience compared to pre-disaster conditions.

Land Development Environmental Assessment Factor	Impact Code	Impact Evaluation
		Occupancy of homes following project completion would not affect soils, slopes, erosion, or drainage. Therefore, impacts are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.
Hazards and Nuisances including Site Safety and Noise	3	<p>The proposed HRP activities would generally involve temporary hazards and nuisances typically associated with construction and renovation activities, although the potential for certain hazards caused by flooding may be elevated (e.g., mold). Construction activities associated with HRP activities may result in minor, temporary disruptions (e.g., noise, traffic, or access limitations) in the vicinity of nearby community facilities and services. Examples of facilities, services, and infrastructure that could experience these effects during construction include but are not limited to educational and commercial facilities, health care and social services, public safety services (e.g., police, fire, and emergency medical), parks and other recreational spaces, and transportation infrastructure (e.g., sidewalks, roadways, and transit stops). These impacts would be short-term and localized. DHSEM would require the implementation of BMPs to minimize potential disruptions, such as coordinating construction schedules, maintaining safe access to adjacent properties, and complying with applicable local noise ordinances. Therefore, the proposed HRP activities are not expected to generate excessive noise during short-term construction or long-term residential use. DHSEM would implement BMPs to minimize hazards and nuisances. These include limiting construction noise to daytime hours, using equipment that complies with local noise control ordinances, enforcing appropriate site safety protocols including clearly marked work zones, use of personal protective equipment (PPE), maintaining dust control through watering or other dust suppression methods, ensuring proper storage and disposal of construction materials and waste, restricting access in active construction areas to authorized personnel only, and providing ongoing safety training and supervision during construction activities.</p> <p>The potential for site-specific health and safety concerns would be evaluated at the Tier 2 level for all projects and, if present, would be addressed via further site assessments, testing, BMPs, and remediation measures as appropriate to protect workers and occupants and prevent uncontrolled releases of hazardous materials. While noise levels would temporarily</p>

Land Development Environmental Assessment Factor	Impact Code	Impact Evaluation
		increase and could affect nearby sensitive receptors, HRP activities would comply with local noise ordinances and DHSEM would implement specific noise attenuation requirements for reconstruction and new construction. These measures would ensure that hazard and nuisance impacts would be minor (Section 6.0, Mitigation Measures and Conditions). Sites with hazards that cannot be mitigated to safe levels under HUD standards and applicable federal, Tribal, State, and local laws and regulations would not be selected for HRP assistance.

**Table 4-2. Environmental Assessment Factors: Socioeconomic**

Socioeconomic Environmental Assessment Factor	Impact Code	Impact Evaluation
Employment and Income Patterns	1	The proposed HRP would reduce the financial burden on participating households by providing assistance for the rehabilitation, reconstruction, or replacement of disaster-damaged homes. Housing recovery would enable displaced residents to return to their communities and restore pre-disaster employment and income patterns. HRP activities would also generate short-term employment opportunities in the local construction and related service sectors. Because the disaster disrupted businesses, employment, and household income in affected communities, the HRP is expected to support the gradual recovery of local economic activity and household stability. Therefore, minor beneficial impacts to employment and income patterns are anticipated.
Demographic Character Changes, Displacement	1	The proposed HRP would restore pre-disaster housing conditions through the rehabilitation, reconstruction, and new construction of disaster-damaged homes. The HRP is designed to allow residents to remain in their houses by supporting in-place rehabilitation or reconstruction of storm-damaged structures, thereby minimizing changes to neighborhood character and demographics through preservation of community composition and prevention of displacement. Rehabilitation or reconstruction activities may result in temporary

Socioeconomic Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>displacement for some residents; however, residents would be able to return to their homes upon completion of construction. Therefore, no permanent displacement is anticipated to be caused by the HRP. BMPs related to Program administration, such as clear communication with applicants, coordinated construction scheduling, and prioritization of vulnerable households (consistent with HUD CDBG-DR requirements and HRP policies), would limit the duration and impact of temporary displacement, ensuring continued community stability.</p> <p>In cases where the residents were displaced from their communities due to the disaster, the HRP would allow those residents to return to their homes and communities. The return of displaced residents could result in localized effects, as populations and the corresponding demand for community facilities and services rebound to pre-disaster conditions. Because the HRP would not include large-scale relocation or new housing development outside of existing communities, population shifts are expected to be limited and would primarily reflect a return to pre-disaster conditions.</p> <p>Reconstruction is expected to occur primarily on the same parcel as the damaged home, as this is the most feasible and cost-effective approach and supports HRP priorities to restore housing within existing communities. In cases where reconstruction is not feasible (e.g., due to site constraints or hazard risk), new housing construction on a different parcel would still be required to comply with local zoning and land use requirements, which would limit the potential for substantial shifts in development patterns. While new construction projects could result in some shifts in primary residences between communities, this is expected to have negligible impacts on populations and community facilities and services. Therefore, the HRP would result in benefits by reducing displacement and is expected to have negligible effects on the demographic character of affected communities.</p>

**Table 4-3. Environmental Assessment Factors: Community Facilities and Services**

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
Educational and Cultural Facilities	3	<p>By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for local educational and cultural facilities to return approximately to pre-disaster levels. These facilities served the resident population prior to the disaster and are expected to have sufficient capacity to accommodate any returning residents that were displaced by the disaster. The HRP would not involve additional housing development relative to pre-disaster or population expansion; therefore, no increase in demand for educational or other cultural facilities is anticipated.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to educational and cultural facilities are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>
Commercial Facilities	3	<p>By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for commercial facilities and services to return approximately to pre-disaster levels. These facilities served the resident population prior to the disaster and are expected to have sufficient capacity to accommodate returning residents. The HRP would not involve new housing development or population expansion and therefore inhabitation is not expected to increase demand for commercial facilities or services.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to commercial facilities and services are anticipated to be minor following</p>

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
		implementation of applicable construction BMPs and adherence to permitting requirements.
Health Care and Social Services	3	<p>By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for health care and social services to return approximately to pre-disaster levels. The HRP would not involve additional housing development relative to pre-disaster or population expansion; therefore, no increase in demand for health care and social services is anticipated.</p> <p>However, local health care and social service providers have historically been under-resourced in Chaves County and may have limited capacity to meet existing demand, including for mental health services. While the HRP would not directly address these broader capacity constraints, it may result in minor beneficial effects on individual and community health by restoring safe and habitable living conditions. Activities such as mold remediation and lead-based paint mitigation, as applicable, would reduce environmental health risks for residents.</p> <p>In addition to the HRP, DHSEM will administer CDBG-DR funds through the Post-Disaster Infrastructure Investment Program, which supports the repair, reconstruction, and long-term resilience of public infrastructure, including facilities that provide health care and social services. Together, these programs are expected to support the recovery of community infrastructure and contribute to improved community health and stability.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to health care and social services are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
Solid Waste Disposal / Recycling	3	<p>Construction activities under the proposed HRP would result in increased generation of solid waste and recyclable materials that require handling, staging, and disposal. Site assessments, testing, BMPs, and remediation measures would be implemented as appropriate to protect workers and occupants and prevent uncontrolled releases of hazardous materials (“Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and Section 6.0, Mitigation Measures and Conditions). All waste would be properly handled, stored, and disposed of at an appropriate facility in accordance with applicable local solid waste management and disposal ordinances/regulations. To the extent practicable, projects would incorporate waste minimization and recycling practices, including segregation of recyclable materials (e.g., metals, concrete, asphalt, and clean wood) and reuse of materials where feasible.</p> <p>The City of Roswell Solid Waste Director has confirmed the Roswell Municipal Landfill has the capacity and infrastructure to accommodate waste generated by HRP activities. Further, this increase in generated waste would be temporary and only during construction. The HRP would not involve additional housing development relative to pre-disaster or population expansion; therefore, no increase in demand for waste disposal and recycling services is anticipated following construction.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, any impacts on waste disposal and recycling facilities are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>
Waste Water / Sanitary Sewers	2	<p>Construction activities under the proposed HRP are not expected to impact waste water or sanitary sewer infrastructure. By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for waste water and sanitary</p>

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>sewer infrastructure/services to return approximately to pre-disaster levels. Sewer systems, including those in Roswell, sustained damage during the DR-4843 flooding disaster. DHSEM has allocated and will administer CDBG-DR funds through the Post-Disaster Infrastructure Investment Program to restore damaged water infrastructure. Following completion of repairs, these water systems are expected to have sufficient capacity to accommodate returning residents. The HRP would not involve new housing development or population expansion and therefore is not expected to cause an increased demand for waste water or sanitary sewer services. If new construction occurs on a different parcel, the parcel would be required to be zoned for residential use with access to a municipal sewer or onsite septic system. See “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification.</p> <p>Therefore, the HRP is not expected to impact waste water or sanitary sewer infrastructure.</p>
Water Supply	2	<p>Construction activities under the proposed HRP are not expected to impact water supply infrastructure. By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for water infrastructure/services to return approximately to pre-disaster levels. Water supply infrastructure, including drinking water treatment facilities, water mains, and acequias, sustained damage during the DR-4843 flooding disaster. DHSEM has allocated and will administer CDBG-DR funds through the Post-Disaster Infrastructure Investment Program to restore damaged water infrastructure. Following completion of repairs, these water systems are expected to have sufficient capacity to accommodate returning residents. The HRP would not involve new housing development or population expansion and therefore is not expected to cause an increased demand for water supply. See “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification.</p> <p>Therefore, the HRP is not expected to impact water supply.</p>

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
Public Safety - Police, Fire and Emergency Medical	3	<p>By enabling displaced residents to return to their homes and communities, the proposed HRP is expected to cause demand for police and emergency medical services to return approximately to pre-disaster levels. The HRP would not involve additional housing development relative to pre-disaster or population expansion; therefore, no increase in demand for police, fire, and emergency medical services is anticipated following construction. Demand for fire services could potentially decrease because the HRP would rehabilitate or reconstruct homes (as abandoned and/or unrepaired structures pose a potential fire risk), incorporate fire-resistant materials in construction, and incorporate defensible space and ignition-resistant design in wildfire-prone communities.</p> <p>Further, the Post-Disaster Infrastructure Investment Program would aid in the construction, repair, or restoration of community infrastructure and facilities (e.g., public safety buildings) that serve disaster-affected populations.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to public safety services are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>
Parks, Open Space and Recreation	3	<p>Parks, open space, and recreational amenities, such as Spring Park Zoo, Cahoon Park, Cielo Grande Recreation Area, Lake Arthur Town Park, and Noon Optimist Park, are present in the areas affected by the disaster. The proposed HRP activities would occur on existing residential parcels or other properties zoned for residential development. HRP activities would not convert parkland, open space, or recreational facilities to other uses and, as no population expansion elements are included, are expected to cause demand for these amenities to return approximately to pre-disaster levels. Parks, open space, and recreational amenities that served the community prior to the disaster would continue to serve returning residents under</p>

Community Facilities and Services Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>existing use patterns.</p> <p>See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to parks, open space, and recreational facilities are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>
Transportation and Accessibility	3	<p>Transportation infrastructure and programs available to residents of Chaves County include roadways, bus routes, airports, and bicycle and pedestrian infrastructure. The HRP would not involve new housing development or population expansion and therefore inhabitation is not expected to increase demand for transportation infrastructure and services. However, transportation infrastructure, such as roadways and bridges, sustained damage during the DR-4843 flooding disaster. DHSEM has allocated and will administer CDBG-DR funds through the Post-Disaster Infrastructure Investment Program to repair or replace damaged roads, bridges, and related transportation infrastructure to restore mobility and emergency access.</p> <p>The proposed HRP activities would result in minor, temporary increases in construction-related traffic near the affected residences. See “Hazards and Nuisances including Site Safety and Noise” in Table 4-1 and “Demographic Character Changes, Displacement” in Table 4-2 for further discussion and justification regarding temporary construction-related impacts and long-term changes in demand, respectively.</p> <p>Therefore, impacts to transportation and accessibility are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>

**Table 4-4. Environmental Assessment Factors: Natural Features**

Natural Features Environmental Assessment Factor	Impact Code	Impact Evaluation
Unique Natural Features, Water Resources	3	<p>Unique natural features—e.g., those that are rare or of special social/cultural, economic, educational, aesthetic, or scientific value—could be present on parcels where HRP activities occur, even if the subject parcel is zoned as residential. Examples could include waterfalls, unique rock outcroppings, caves, canyons, fossils, and unique or endemic plant or animal communities. Rehabilitation and reconstruction would occur within previously disturbed residential footprints or within existing developed parcels and would be unlikely to affect unique natural features. For new construction, where activities may occur on previously undeveloped land, an initial site visit conducted as part of the Tier 2 review would evaluate the presence of unique natural features. If such features are identified, project activities would avoid or minimize impacts to the extent practicable through project siting, design modifications, and implementation of applicable construction BMPs and permitting requirements.</p> <p>As discussed in Section 3.0 and documented in Appendix D, construction activities associated with the HRP could impact floodplains, surface waters, and wetlands. For all HRP activities involving earth disturbance, the contractor would implement BMPs to prevent erosion and sedimentation impacts to nearby natural features and to avoid or minimize direct impacts to wetlands. Where applicable, the contractor would obtain and comply with permit conditions. No HRP activities would occur within the FEMA regulatory floodway.</p> <p>Therefore, impacts on unique natural features and water resources are anticipated to be minor following implementation of applicable construction BMPs and adherence to permitting requirements.</p>
Vegetation, Wildlife	3	<p>The proposed HRP activities would mostly occur within existing footprints and previously disturbed and developed areas, including areas both within and outside of floodplains, either of which can be comprised of ecologically rich habitats utilized by protected species. Rehabilitation and reconstruction activities are expected to have limited potential to affect such resources due to their occurrence within previously disturbed areas.</p>

Natural Features Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>For new construction, activities may occur on previously undeveloped parcels. While parcels zoned for residential use are generally associated with developed or disturbed conditions, they may still support vegetation and wildlife. Potential impacts to these resources would be minimized through adherence to Program-wide construction BMPs, including limiting ground disturbance to the minimum necessary, minimizing vegetation and tree clearing, and implementing revegetation with native or regionally appropriate species where practicable (Section 6.0, Mitigation Measures and Conditions).</p> <p>In addition, project activities would comply with applicable environmental laws and regulations. Where required, projects would undergo review and coordination under applicable authorities, including ESA Section 7 requirements. These processes would ensure that any potential impacts to protected species, habitats, or jurisdictional waters are appropriately evaluated and addressed.</p> <p>Therefore, impacts to vegetation and wildlife are anticipated to be minor following implementation of applicable construction BMPs and adherence to regulatory compliance requirements.</p>
Other Factors	N/A	N/A

**Table 4-5. Environmental Assessment Factors: Energy**

Energy Environmental Assessment Factor	Impact Code	Impact Evaluation
Energy Efficiency	1	<p>The proposed HRP would implement construction methods that consider energy efficiency and sustainability. All rehabilitation, reconstruction, and new construction would be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future catastrophic shocks and stressors. Therefore, the HRP would result in beneficial impacts to energy efficiency.</p>

## 4.2 Additional Studies Performed

Additional studies were not conducted for the Tier 1 review.

## 4.3 Field Inspection

No field inspections were completed for the Tier 1 review. Site-specific damage assessments, scopes of work, and cost estimates would be prepared by independent inspectors, estimators, or engineers contracted by DHSEM for each eligible activity. Additional field surveys/inspections by specialized staff for certain resources (e.g., cultural resources, contamination and toxic substances, wetlands) may be required during Tier 2 reviews, as necessary.

## 4.4 List of Sources, Agencies, and Persons Consulted

See Appendix A for a complete list of references used during preparation of this Tier 1 review.

See Appendix B for the list of agencies and individuals consulted during preparation of this Tier 1 review, as well as outreach tracking, and a sample outreach letter. Additional correspondence, such as responses received or additional replies and outreach, is available under the appropriate cover in Appendix C. Further, based on interest expressed in the HRP, agencies and individuals consulted had the opportunity to attend virtual information sessions on March 18 and 19, 2026.

## 4.5 List of Permits Obtained

Outstanding regulatory approvals (identified in Section 3.0) would be obtained prior to or during Tier 2 reviews. Contractors would be responsible for acquiring applicable permits and adhering to local, state, and federal requirements for project-specific implementation.

## 4.6 Public Outreach [24 CFR § 58.43]

As part of the 8-step process, DHSEM provided an opportunity for early review of the proposed HRP. A public notice was published on the DHSEM website (<https://www.dhsem.nm.gov/cdbg-dr2025/>) on February 27, 2026. Copies of the notice were also published on DHSEM's social media accounts. The notice was also published in Spanish. Public comments were accepted through March 16, 2026. No substantive comments were received. See Appendix D (Floodplain Notice and Public Comments).

DHSEM also prepared and is publishing a notice of the Finding of No Significant Impact (FONSI), in accordance with 24 CFR § 58.43, to notify the public of this Tier 1 Environmental Assessment and its findings. See Appendix F (Environmental Review Certification and Release of Funds Documentation).

## 4.7 Cumulative Impact Analysis [24 CFR § 58.32]

Pursuant to 24 CFR § 58.32(a), DHSEM as the responsible entity “must group together and evaluate as a single project all individual activities which are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions.” This Tier 1 Environmental Assessment was developed to evaluate the potential impacts of all HRP eligible activities within Chaves County, with Tier 2 site-specific environmental reviews to be conducted for each individual project or property prior to approval and commencement of construction. This approach, which considers the effects of the HRP as a whole in Chaves County (followed by the site-specific reviews), satisfies this requirement via *functional aggregation* by considering the cumulative impacts of all HRP activities.

In addition to the HRP, DHSEM has allocated and will administer CDBG-DR funds through the Post-Disaster Infrastructure Investment Program, which would support the repair, reconstruction, and long-term resilience of public infrastructure that was damaged or destroyed by DR-4843. Site-specific locations of these activities are not known, but activities are eligible to occur in HUD-designated and State-designated MID areas of Lincoln County; Chaves County; San Juan County; Rio Arriba County; and Mescalero Apache Tribal land in Otero County. Examples of the types of eligible activities that would occur under the Post-Disaster Infrastructure Investment Program include but are not limited to the following:

- Repair and expansion of roads, bridges, and related transportation infrastructure.
- Drainage and stormwater improvements, including dredging and acequia restoration.
- Restoration of and upgrades to disaster-affected water, wastewater, and electrical systems.
- Construction, repair, and restoration of community facilities (e.g., community centers, public safety buildings, health facilities).
- Demolition of unsafe or deteriorated public structures.
- Rehabilitation and enhancement of public spaces.

DHSEM intends to prepare project-specific NEPA-compliant Categorical Exclusions and Environmental Assessments to evaluate the potential impacts of activities funded through the Post-Disaster Infrastructure Investment Program. Cumulative impacts from the HRP and the Post-Disaster Infrastructure Investment Program could occur if activities under both programs take place within a similar timeframe and location (e.g., home reconstruction and road repairs in the same neighborhood). While the Post-Disaster Infrastructure Investment Program could involve numerous projects affecting surface waters and wetlands (e.g., piping repair/replacement, culvert replacement, dredging, acequia restoration), impacts to those resource areas are expected to be minor under the HRP. Under both programs, construction activities would have localized and temporary impacts; would be conducted in accordance with applicable federal, state, and local laws and authorities; and would incorporate BMPs and mitigation measures as identified in the Tier 1 reviews for their respective programs.

Cumulative impacts from these two programs are therefore not anticipated to rise to a level of significance.

#### **4.8 Alternatives [24 CFR § 58.40(e)]**

In addition to the proposed HRP (Proposed Alternative), as detailed in Section 2.0, DHSEM evaluated the No Action Alternative.

#### **4.9 No Action Alternative [24 CFR § 58.40(e)]**

The No Action Alternative would not provide a mechanism to residents affected by the DR-4843 disaster to address the unmet disaster-related housing need and to support their return to safe and sustainable living conditions. Rehabilitation, reconstruction, (where necessary) new construction, and incorporation of mitigation measures that reduce future flood risk and improve long-term housing stability would not occur. The purpose and need of the HRP would not be addressed under the No Action Alternative, as residents would continue struggling to recover from damage or destruction of residential structures, resulting in continued unmet housing needs and increased vulnerability to future hazards.

## **5.0 SUMMARY OF FINDINGS AND CONCLUSIONS**

### **5.1 Compliance with § 58.5 and § 58.6 Laws and Authorities**

As documented in Section 3.0, the HRP has been evaluated for compliance with statutes, executive orders, and regulations listed at 24 CFR § 58.5 and § 58.6. Based on this review, the following compliance factors do not apply to the proposed HRP:

1. Clean Air
2. Coastal Zone Management
3. Sole Source Aquifers
4. Wild and Scenic Rivers
5. Coastal Barrier Resources

Further, the compliance factors listed below require consideration during a Tier 2 review before it can be concluded that HRP activities would comply with applicable requirements at a specific site:

1. Contamination and Toxic Substances
2. Endangered Species
3. Explosive and Flammable Hazards
4. Farmlands Protection
5. Floodplain Management
6. Historic Preservation
7. Noise Abatement and Control
8. Wetlands Protection
9. Airport Hazards
10. Flood Insurance

A Tier 2 Site-Specific Review Checklist is provided in Appendix E. This checklist must be completed for each site-specific activity prior to commencing any project work (i.e., rehabilitation, reconstruction, or new construction).

### **5.2 Environmental Assessment Factors**

Section 4.0 evaluates the qualitative and quantitative significance of the potential effects of the proposed HRP. Based on this review, HRP activities would result in a minor adverse impact on the following environmental factors:

1. Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design
2. Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff
3. Hazards and Nuisances including Site Safety and Noise
4. Educational and Cultural Facilities
5. Commercial Facilities
6. Health Care and Social Services

7. Solid Waste Disposal / Recycling
8. Public Safety - Police, Fire and Emergency Medical
9. Parks, Open Space and Recreation
10. Transportation and Accessibility
11. Unique Natural Features, Water Resources
12. Vegetation, Wildlife

Mitigation measures and BMPs would be implemented as necessary (Section 6.0, Mitigation Measures and Conditions). A Tier 2 Site-Specific Review Checklist is provided in Appendix E. This checklist must be completed for each site-specific activity prior to commencing any project work (i.e., rehabilitation, reconstruction, or new construction) and would identify any additional project-specific mitigation measures, BMPs, or permit requirements.

## 6.0 MITIGATION MEASURES AND CONDITIONS

This section identifies mitigation measures adopted by the New Mexico Department of Homeland Security and Emergency Management (DHSEM) for all Program projects to reduce, avoid, or eliminate adverse environmental impacts and/or to avoid non-compliance or non-conformance with the above-listed authorities and factors addressed in this Tier 1 review. In addition to any site-specific mitigation measures and/or project conditions, as identified in the Tier 2 review for each individual project site, these measures and conditions will be incorporated by DHSEM into project contracts, development agreements, design documentation, site plans, and other relevant documents. If circumstances arise during completion of the Tier 2 review that are not fully addressed by the Tier 2 Framework, the framework may be refined or supplemented, as appropriate, to ensure compliance with U.S. Department of Housing and Urban Development (HUD) environmental review requirements under 24 Code of Federal Regulations (CFR) Part 58.

### 6.1 General Home Recovery Program Project Conditions

1. All projects will obtain all applicable federal, state, Tribal, and local permits and comply with relevant zoning and building code requirements. An initial site visit will be conducted to document existing site conditions related to environmental impacts, which will inform whether additional surveys or environmental assessments will be required. This site visit will be conducted, to the extent practicable, simultaneously with damage assessment and hazardous building materials surveys. Site inspections will be required for all projects.
2. All projects will incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against future hazards, as applicable.
3. The contractor shall notify DHSEM in writing prior to implementing any change to the approved project, including modifications in design, location, scope, footprint, construction methods, or purpose. The contractor shall not proceed with the modified activity until DHSEM provides written confirmation that the project remains authorized or that any required additional review or approvals have been completed.
4. The contractor shall conduct project activities in a manner that avoids or minimizes disruption to surrounding community facilities, infrastructure, services, and public access. Examples of such community features include, but are not limited to, transportation infrastructure (e.g., sidewalks, transit stops, roadways), educational and cultural facilities, commercial facilities, health care and social services, public safety services (e.g., police, fire, and emergency medical), and parks and recreational spaces. Where construction occurs adjacent to such community features, the contractor shall implement appropriate measures (e.g., temporary pedestrian routing, signage, barriers, or coordination with local agencies) to maintain safe and accessible conditions, including compliance with applicable accessibility requirements (e.g., Americans with Disabilities Act of 1990 [ADA]), to the extent practicable.
5. Throughout all construction activities, the contractor shall implement standard best management practices (BMPs) to minimize environmental impacts, including

maintaining equipment in good working order, minimizing the extent and duration of ground disturbance, using existing roads and rights-of-way for all transportation, avoiding off-road driving, controlling runoff, properly staging materials (e.g., locating staging areas in previously disturbed areas where possible and minimizing the size of staging areas), and restoring disturbed areas to pre-construction conditions to the extent practicable.

6. Hazardous materials and safety conditions for the contractor:
  - a. All work shall be conducted in accordance with a DHSEM-approved health and safety plan (HASP) and spill response plan.
  - b. Construction materials, fuels, and hazardous substances shall be stored in designated areas with appropriate containment measures to prevent spills, leaks, or runoff to surrounding areas.
  - c. Hazardous material spills shall be prevented to the extent practicable through proper storage, handling, and equipment maintenance. Any spills that occur shall be immediately contained and cleaned up in accordance with applicable federal, state, and local regulations.
7. Solid waste management and recycling conditions for the contractor:
  - a. All construction and demolition debris shall be properly managed, stored, and disposed of at permitted facilities in accordance with applicable federal, state, Tribal, and local regulations.
  - b. Waste materials shall be contained and staged in a manner that prevents releases to the environment, including runoff, wind dispersal, or exposure to the public.
  - c. Contractors shall incorporate waste minimization and recycling practices to the extent practicable, including segregation of recyclable materials (e.g., metals, concrete, asphalt, and clean wood) and reuse of materials where feasible.
  - d. Contractors shall comply with applicable local solid waste management and disposal requirements, including use of approved disposal facilities and documentation of proper disposal, as required.
8. Prior to ground disturbance, the contractor shall use appropriate utility location services (e.g., call-before-you-dig) to identify and avoid impacts to existing underground infrastructure.
9. Construction personnel shall be informed of applicable environmental requirements and sensitive resources prior to initiating work, including procedures for inadvertent discoveries and resource protection.
10. Where applicable, the contractor shall obtain and comply with stormwater permits and associated requirements, including preparation and implementation of erosion and sediment control and stormwater management plans.
11. The contractor shall protect existing vegetation outside the approved construction limits to the extent practicable through the use of fencing, flagging, or other protective measures.
12. The contractor shall avoid the introduction or spread of invasive species to the extent practicable, including by using clean equipment and native or regionally appropriate plant species for revegetation.

13. For new construction, where activities may occur on previously undeveloped land, the initial site visit will evaluate the presence of unique natural features (e.g., waterfalls, unique rock outcroppings, caves, canyons, fossils, and unique or endemic plant or animal communities). If such features are identified, the contractor shall avoid or minimize impacts to the extent practicable through project siting, design modifications, and implementation of applicable construction BMPs and permitting requirements (potentially including coordination with the U.S. Fish and Wildlife Service [USFWS] and/or the New Mexico Department of Wildlife).
14. The contractor shall incorporate flood risk reduction measures into project design to the extent practicable, to improve long-term resilience and reduce risk to life and property. Such measures should prioritize protection of critical systems and, where feasible, use approaches that minimize impacts to surrounding environmental and community resources.
15. The contractor shall implement wildfire risk reduction measures to the extent practicable, to improve life safety and reduce structural vulnerability. Fire-resistant materials, defensible space, and other protective measures may be incorporated where feasible, provided they are consistent with applicable design standards and do not result in unnecessary adverse environmental impacts.
16. Compliance with applicable mitigation measures and conditions will be documented in project files and verified, as appropriate, through site inspections or construction monitoring.

## **6.2 Statute-Specific Mitigation Measures and Construction Best Management Practices Required for All Projects**

### **Clean Air Act (42 U.S.C. § 7401 et seq.)**

- The contractor shall implement dust control measures, including use of water or chemical suppressants, covering haul trucks, reducing vehicle speeds on unpaved surfaces, and minimizing vehicle idling to the extent practicable.
- The contractor shall properly maintain construction equipment to reduce emissions.

### **Toxic Chemicals, Hazardous Materials, Contamination, and Radioactive Substances (24 CFR § 58.5(i)(2))**

- All activities must comply with applicable federal, state, and local laws and regulations regarding environmental protection and hazardous materials, including but not limited to:
  - Federal Clean Water Act (33 U.S.C. § 1251 et seq.)
  - Federal Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.)
  - Federal Clean Air Act (42 U.S.C. § 7401 et seq.)
  - Federal Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.)

- New Mexico Air Quality Control Act (NMSA 1978, § 74-2-1 et seq.)
- New Mexico Hazardous Waste Act (NMSA 1978, § 74-4-1 et seq.)
- New Mexico Solid Waste Act (NMSA 1978, § 74-9-1 et seq.)
- New Mexico Water Quality Act (NMSA 1978, § 74-6-1 et seq.)
- New Mexico Radiation Protection Act (NMSA 1978, § 74-3-1 et seq.)
- Chaves County Zoning Ordinances
- The contractor shall comply with regulations governing asbestos handling and demolition activities, including the National Emission Standards for Hazardous Air Pollutants (40 CFR § 61.145 and § 61.150).
- The contractor shall comply with HUD lead-based paint regulations (24 CFR Part 35).
- The contractor shall take appropriate precautions to protect workers and the public from exposure to hazardous materials such as asbestos, lead-based paint, and mold, including use of personal protective equipment in accordance with Occupational Safety and Health Administration (OSHA) standards (29 CFR § 1926.95).
- The contractor shall address hazardous material spills immediately using appropriate spill containment and cleanup measures in accordance with a DHSEM-approved spill response plan.
- The contractor shall incorporate radon mitigation measures (e.g. radon-resistant construction techniques) into the design for new construction and reconstruction activities and implement these measures during construction.

#### **Endangered Species Act (50 CFR Part 402)**

- The contractor shall avoid or minimize disturbance to natural habitats to the extent practicable, including limiting ground disturbance to the project footprint, minimizing vegetation removal, and avoiding sensitive habitats such as riparian areas where feasible.
- The contractor shall implement the general trenching conservation measures outlined in the New Mexico Department of Wildlife's Trenching Project Guidelines, to the extent practicable, to reduce entrapment and mortality of wildlife.
- Trees to be removed/trimmed shall first be inspected for bats, migratory birds, and eagles. If observed, the contractor shall contact DHSEM to determine appropriate next steps prior to tree removal/trimming.
- For projects involving home demolition, DHSEM will determine if the home will have been unoccupied for at least 3 months prior to demolition. If so, the home to be demolished shall first be inspected for roosting bats. If observed, the contractor shall contact DHSEM to determine appropriate next steps prior to demolition.
- If project activities could cause impacts to previously unidentified federally listed species, nesting migratory birds, eagle nests, or suitable habitat during project implementation, the contractor shall stop work in the immediate area and contact

DHSEM to determine appropriate next steps, including coordination with USFWS and/or the New Mexico Department of Wildlife, if necessary.

**Floodplain Management and Flood Insurance (24 CFR Part 55; Executive Order 11988; 42 U.S.C. § § 4001–4128; 42 U.S.C. § 5154a)**

- Projects located within the Federal Emergency Management Agency (FEMA)-designated Special Flood Hazard Area (SFHA) shall comply with HUD floodplain management requirements and applicable local floodplain development regulations.
- Projects involving residential structures located within the 100-year (1% annual chance) floodplain shall comply with HUD floodplain management requirements, including elevation, floodproofing, or other mitigation measures, as applicable, consistent with 88 FR 6428 and local regulations.
- Recipients of assistance for structures located within the SFHA will be required to obtain and maintain flood insurance in accordance with HUD requirements.

**Historic Preservation (36 CFR Part 800)**

- In the event that previously unidentified archaeological resources, cultural materials, or human remains are discovered during ground-disturbing activities, the contractor shall stop work in the immediate vicinity of the discovery and notify DHSEM. DHSEM will coordinate with the State Historic Preservation Office (SHPO)/Tribal Historic Preservation Office (THPO) and appropriate Tribal Nations to determine appropriate treatment measures prior to authorizing the contractor to resume work.
- Where applicable, projects will also comply with any standard treatments or review pathways established through the Advisory Council on Historic Preservation (ACHP) Program Comment for Certain Housing, Building, and Transportation Undertakings.

**Noise Abatement and Control (24 CFR Part 51, Subpart B)**

- The contractor shall ensure construction equipment is properly maintained and equipped with functioning mufflers.
- Construction activities shall comply with applicable local noise ordinances.
- To the extent practicable, construction activities shall be limited to daytime hours to minimize noise impacts to surrounding receptors.
- For projects located in a Normally Unacceptable noise environment (66–75 Day/Night Noise Level [DNL]), the contractor shall incorporate noise attenuation measures sufficient to achieve an interior noise level of 45 DNL or less, consistent with HUD requirements at 24 CFR Part 51, Subpart B.

**Wetlands Protection (24 CFR Part 55; Executive Order 11990)**

- The contractor shall implement erosion and sediment control BMPs (e.g., silt fencing, straw wattles or fiber rolls, sediment traps or basins, stabilized construction entrances,

inlet protection, and temporary soil stabilization measures such as mulch or erosion control blankets) to prevent impacts to wetlands and surface waters.

- The contractor shall stabilize and revegetate disturbed soils as soon as practicable following construction.
- When conducting revegetation in areas adjacent to wetlands, riparian zones, or other sensitive habitats, the contractor shall utilize native or regionally appropriate plant species to the extent practicable to support habitat function and reduce the potential for invasive species establishment.
- The contractor shall identify and avoid impacts to sensitive areas, including wetlands and riparian zones, to the maximum extent practicable. Where impacts cannot be avoided, the contractor shall restore the affected areas to previous conditions to the maximum extent practicable.
- The contractor shall avoid the use of heavy equipment within wetlands where practicable.

### **Energy Efficiency**

- Projects may incorporate recognized green building standards (e.g., ENERGY STAR®, Enterprise Green Communities, LEED, ICC 700 National Green Building Standard®, EPA Indoor airPLUS, or equivalent standards), as appropriate.

## 7.0 DETERMINATION

**Finding of No Significant Impact** [24 CFR § 58.40(g)(1)]

The Program will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR § 58.40(g)(2)]

The Program may significantly affect the quality of the human environment.

Preparer Signature: [to be signed after public review period] Date: \_\_\_\_\_

Name/Title/Organization: Patrick Goodwin, NEPA Program Manager, ERG

Certifying Officer Signature: [to be signed after public review period] Date: \_\_\_\_\_

Name/Title: Ali Rye, State Director

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR § 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**This document represents the Tier 1 review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in the Tier 2 reviews.**