EL PASO SERVICE PROCESSING CENTER

FINAL
ENVIRONMENTAL ASSESSMENT

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT

September 15, 2021

CONTENTS

FIGURES:

TABLES:

ACRONYMS AND ABBREVIATIONS

ACA	American Correctional Association
ACM	Asbestos-Containing Material
ADP	average daily population
amsl	above mean sea level
AOR	Area of Responsibility
APE	Area of Potential Effect
AQCR	Air Quality Control Region
ARPA	Archeological Resources Protection Act
AST	Aboveground Storage Tank
BCC	Birds of Conservation Concern
BLS	Bureau of Labor Statistics
BMP	Best Management Practice
C	Celsius
CAA	Clean Air Act
CBP	Customs and Border Protection
CDF	Contract Detention Facilities
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CGP	Construction General Permit
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CH_4	Methane
CO2e	Carbon Dioxide Equivalent
CILA	Comisión Internacional de Límites y Aquas
COVID-19	Coronavirus Disease-2019
CT	Census Tract
CWA	Clean Water Act
dB	Decibel
dBA	A-weighted Decibel
DHHS	Department of Health and Human Services
DHS	Department of Homeland Security
DOJ	Department of Justice
EA	Environmental Assessment
EO	Executive Order
EOIR	Executive Office for Immigration Review
EPIA	El Paso International Airport
ERO	Enforcement and Removal Operations
DNL	Day-night Average Sound Level
F	Fahrenheit
FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FOH	Federal Occupational Health

FONSI	Finding of No Significant Impact
FRA	Federal Railroad Administration
FY	Fiscal Year
GHG	Greenhouse Gas
gsf	gross square foot
GWP	Global Warming Potential
HVAC	Heating, Ventilation, and Air Conditioning
Hz	Hertz
IBWC	International Boundary and Water Commission
ICE	Immigration and Customs Enforcement
IGSA	Intergovernmental Service Agreement
INA	Immigration and Nationality Act
IPaC	Information for Planning and Consultation
kWh	Kilowatt Hours
LBP	Lead Based Paint
L_{eq}	Equivalent Continuous Sound Level
MBTA	Migratory Bird Treaty Act
mg/cm^2	milligrams per centimeter squared
MOVES	Motor Vehicle Emission Simulator
MT	Metric Ton
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NDAA	National Defense Authorization Act
NDS	National Detention Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NO_2	Nitrogen Dioxide
NO_x	Nitrogen Oxides
N_2O	Nitrous Oxide
NRCS	Natural Resource Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
O_3	Ozone
OAFM	Office of Asset and Facilities Management
ONAC	Office of Noise Abatement and Control
OSHA	Occupational Safety and Health Administration
Pb	Lead
PBNDS	Performance-Based National Detention Standards
PCB	Polychlorinated Biphenyls
PCPI	Per Capita Personal Income
PM_{10}	fine particulate matter
$PM_{2.5}$	very fine particulate matter
POV	Privately-owned Vehicle
PREA	Prison Rape Elimination Act

PUSCx	Palustrine Unconsolidated Shoreline Seasonal Wetland
RCRA	Resource Conservation and Recovery Act
ROC	Region of Comparison
ROI	Region of Influence
ROW	Right-of-Way
RTS	Rapid Transit System
SDWA	Safe Drinking Water Act
sf	square foot
SGCN	Species of Greatest Conservation Need
SHPO	State Historic Preservation Officer
SO_2	Sulfur Dioxide
SPC	Service Processing Center
SPCC	Spill Prevention, Control, and Countermeasure
SWPPP	Stormwater Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
TDLR	Texas Department of Licensing and Regulation
TDS	Total Dissolved Solids
THC	Texas Historical Commission
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
TSCA	Toxic Substances Control Act
TWDB	Texas Water Development Board
TX	Texas
TXDOT	Texas Department of Transportation
U.S.	United States
USBR	United States Bureau of Reclamation
U.S.C.	United States Code
USCB	United States Census Bureau
USEPA	United States Environmenal Protection Agency
USFWS	United States Fish and Wildlife Service
VOC	Volatile Organic Compound
VSQG	Very Small Quantity Generator
WWTP	Wastewater Treatment Plant
XRF	X-ray Fluorescence

INTRODUCTION

The El Paso Service Processing Center (SPC) is located at 8915 Montana Avenue, El Paso, Texas. The City of El Paso is situated within El Paso County, which is the western-most county in Texas. The border between the United States (U.S.) and Mexico lies 4.5 miles to the southwest of the facility. The Department of Homeland Security's (DHS's) Immigration and Customs Enforcement (ICE) proposes the demolition of four existing dormitory buildings and the construction of one new dormitory building at the El Paso SPC. ICE has prepared this Final Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] 4321 *et seq.*) and other relevant federal and state laws and regulations, as well as DHS Directive 023-01, Revision 01 and DHS Instruction Manual 023-01-001-01, Revison 01, Implementation of the National Environmental Policy Act. This Final EA discloses the environmental impacts that would result from the Proposed Action and alternatives.

1.1 BACKGROUND

ICE is the principal investigative arm of DHS and the second largest investigative agency in the federal government. ICE's mission is to protect America from cross-border crime and illegal immigration that threaten national security and public safety. The Office of Enforcement and Removal Operations (ERO), one of three operational divisions that comprise ICE, enforces the nation's immigration laws through identification, apprehension, and removal of unlawfully present noncitizens from the U.S. in accordance with the Immigration and Nationality Act (INA) of 1952 (8 U.S.C.). To conduct its mission, ICE's responsibilities include the fulfillment of federal orders for the securing and departure of detainees designated in removal proceedings and arranging the detention of noncitizens when necessary and prescribed by law.

The current ICE detention system consists of ICE-owned SPCs; intergovernmental service agreements (IGSA) with local, state, and U.S. Department of Justice (DOJ) facilities; and contract detention facilities (CDF). The five SPCs owned by ICE are mission-critical for the ICE detention system. Whereas most other detention options offer flexibility during surges of illegal immigration, the SPCs provide ICE an assured base of detention capacity in conformance with applicable detention standards in secure and efficient settings for ICE detention and removal operations.

ICE's ERO maintains 24 areas of responsibility (AORs) in the U.S. The ERO El Paso AOR encompasses the entire state of New Mexico and a contiguous area of 18 counties in west Texas. Within this AOR, ERO maintains two dedicated detention facilities: the El Paso SPC in El Paso, Texas, and the Otero County Processing Center CDF in Chaparral, New Mexico. These two facilities currently have the capacity to hold 840 and 1,089 detainees, respectively.

The El Paso AOR also uses four other non-dedicated facilities under IGSAs to hold additional detainees in New Mexico and west Texas. According to ICE's publicly available Dedicated and Non-Dedicated Facility List, the fiscal year (FY) 2020 average daily population (ADP) of detainees in this AOR was 1,442, with 36 percent of this total reported at the El Paso SPC. The FY 2020 ADP numbers are lower than normal due to detainee occupancy restrictions and social distancing requirements related to the Coronavirus Disease-2019 (COVID-19) pandemic.

The ICE Office of Asset and Facilities Management (OAFM) and ERO are responsible for ensuring that the El Paso SPC is operated in a manner consistent with applicable federal, state, and local laws and regulations. The El Paso SPC plays a critical role in providing secure detainee housing as well as food,

medical and dental care, clothing, recreational facilities, and legal and other services for detainees prior to deportation, transportation, or release. The SPC also provides accommodation for employee parking, training, and other support services such as food preparation, site maintenance, and administration.

Secure detention facilities such as SPCs, IGSAs, and CDFs must operate effectively as self-contained communities in which all necessary goods and services are provided in a safe, secure, and controlled manner. When ICE was formed in 2003, the agency operated its detention system under the National Detention Standards (NDS) that had been issued in 2000. ICE subsequently revised these standards by creating the ICE Performance-Based National Detention Standards (PBNDS) in 2008 to more clearly delineate the results or outcomes that adherence to requirements would accomplish. The 2008 PBNDS were also designed to improve safety, security, and conditions of confinement for detainees. ICE further revised its PBNDS in 2011 and 2016 to improve medical and mental health services, increase access to legal services and religious opportunities, improve communication with detainees with limited English proficiency, improve the process for reporting and responding to complaints, reinforce protections against sexual abuse and assault, and increase recreation and visitation. SPCs now operate in accordance with ICE PBNDS 2011 and 2016 Revisions; the March 7, 2014 DHS regulation under the Prison Rape Elimination Act of 2003 (PREA) (34 U.S.C. § 303 *et seq*.); the *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (DHS PREA Standards) (6 Code of Federal Regulations [CFR] Part 115); and American Correctional Association (ACA) accreditation under the most current version of the ACA Adult Local Detention Facilities Standards.

The ACA standards to which ICE adheres establish an operational structure for correctional facilities and similar facilities and programs. These standards are designed to facilitate the development of agency-specific policies and procedures to govern everyday operations. Since the mid-2000s, ACA standards have relied on a performance-based model in which agencies collect, track, and analyze internal outcomes related to each standard to gauge their performance and adjust their operations accordingly. The ACA publishes 22 different manuals for all correctional field areas. This includes dedicated manuals for the operation of different types of correctional facilities including prisons, jails, juvenile correctional facilities, juvenile detention facilities, probation/parole agencies, and others. ACA also publishes standards for correctional programs that impact multiple types of facilities such as correctional industries (manufacturing programs), food service, electronic monitoring, therapeutic communities, and central office administration. ACA standards relating to safety require adherence to all federal, state, and local fire and safety codes; emergency planning and preparation requirements; and the provision of related training and materials for staff and inmates. Security standards mandate inspections of all firearms and training of armed officers; visitor and staff search and tracking procedures; and inmate counting and tracking procedures.

Six of the eight detainee dormitory buildings at the El Paso SPC were built in 1965, and four of these six dormitories have exceeded their useful lives due to their age and high rate of use. ICE proposes to demolish these four undersized and outdated dormitory buildings, construct one new detainee dormitory building, and develop a secure recreation area in compliance with the 2011 PBNDS and 2016 ACA standards. The proposed dormitory building would increase the facility's overall capacity from 840 to up to 1,200 detainees, an increase of up to 360 detainees. The proposed El Paso SPC dormitory demolition, construction, and associated site improvements are herein referred to as the "Project."

1.2 SITE LOCATION AND LAYOUT

The 166,206-gross square foot (gsf) El Paso SPC is located adjacent to the El Paso International Airport (EPIA) in an urbanized area. The proximity of the El Paso SPC to the EPIA promotes the expeditious and efficient removal of detainees by air to their home countries. Figure 1.2-1 shows the regional location of the El Paso SPC.

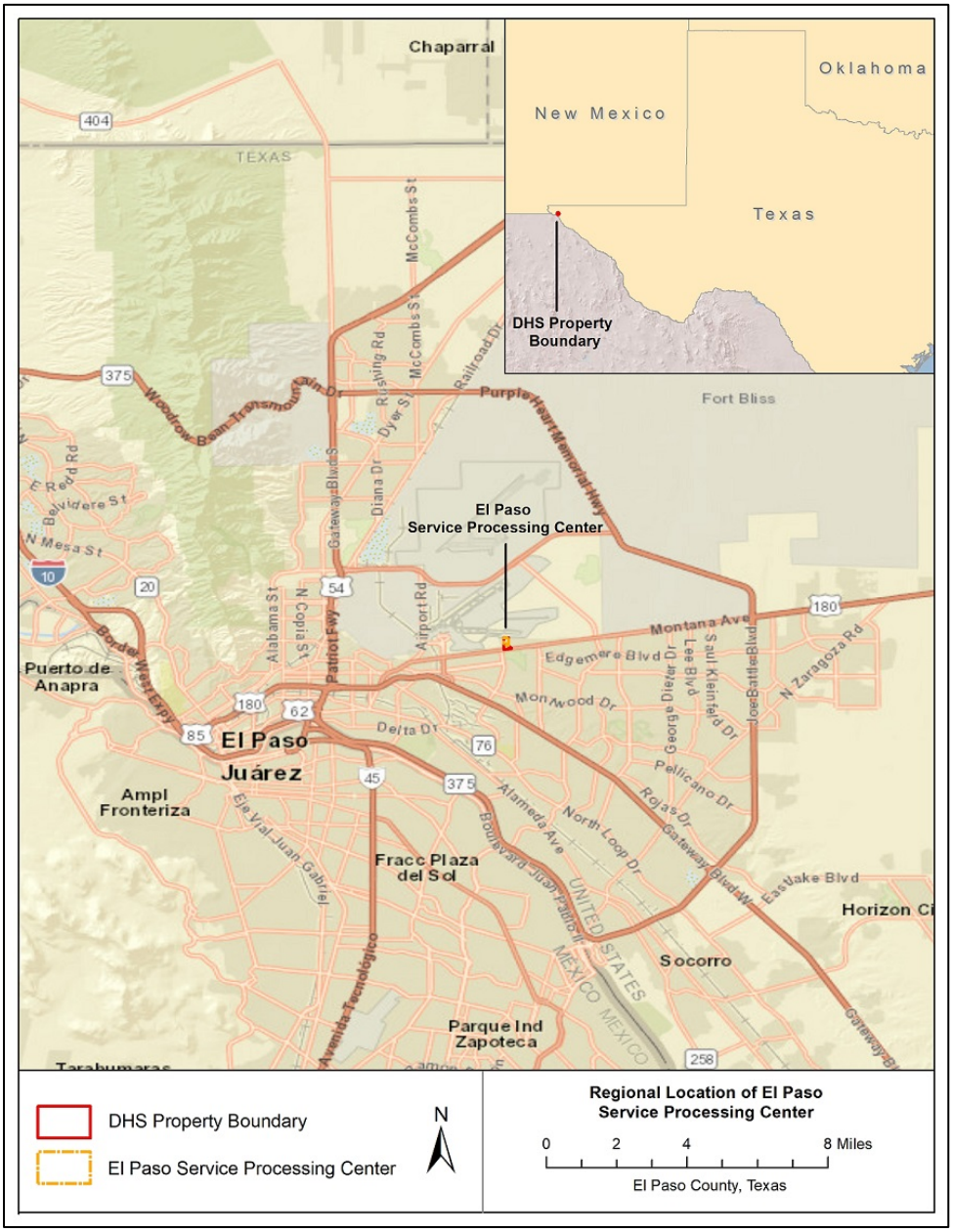


Figure 1.2-1. Regional Location of the El Paso SPC

A facility owned by U.S. Customs and Border Protection (CBP), another component of DHS, is immediately adjacent to the El Paso SPC between the SPC and Montana Avenue. The CBP facility houses Border Patrol Sector Headquarters, maintenance facilities, a training center, and an intelligence center. Figure 1.2-2 shows the El Paso SPC Project area and vicinity.

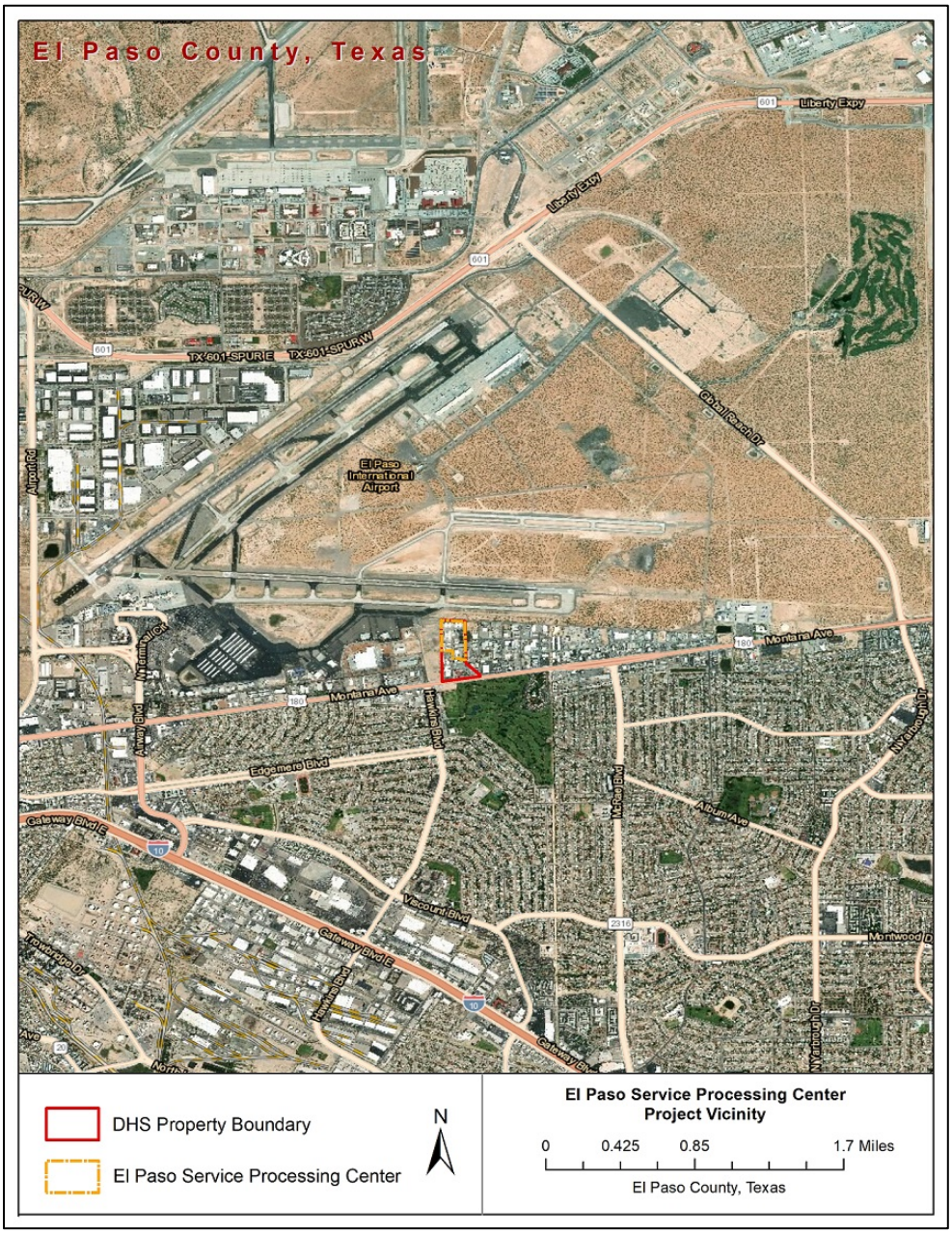


Figure 1.2-2. El Paso SPC Project Area and Vicinity

The El Paso SPC contains 41 buildings and 20 structures onsite, including eight detainee dormitory buildings, six of which were built in 1965 and two of which were built in 1998. Under the Proposed Action, four of the dormitories built in 1965 would be demolished and replaced with an updated dormitory building. Facilities at the SPC also include a dining hall and kitchen, storage and guard shacks, a laundry building, an infirmary, and other support structures. These buildings and site areas are shown in Figure 1.2-3. Buildings at the El Paso SPC are used to facilitate court proceedings; legal services; detainee visitation; food service; cultural and religious services; recreation; laundry; medical and dental treatment; transportation services; administrative functions; removal operations; alternatives to detention

operations; and maintenance. The facility provides workspace and other areas for approximately 650 contract staff, 130 DHS employees, and 10 DOJ employees.

Figure 1.2-3. El Paso SPC Site Map

1.3 PURPOSE AND NEED

The Project's purpose is to enhance ICE's ability to process, detain, and deport unlawfully present noncitizens in accordance with federal law through the modernization and expansion of outdated and undersized detainee dormitory buildings at the El Paso SPC. The detainee dormitory buildings constructed in 1965 have exceeded their useful lives and can no longer meet the continuing demand for processing and detainee services onsite. The ADP of detainees at the SPC in FY 2018 was 743. In 2019, this number increased to 813. The rated bed capacity of the SPC is 840. Therefore, the continued increased demands for processing and detainee services at the El Paso SPC are reasonably foreseeable. The proposed Project would ensure that adequate facility and infrastructure resources are available for the efficient and lawful operation of the El Paso SPC.

The need for the Proposed Action is to fulfill ICE's mission in the El Paso AOR by allowing the continued and uninterrupted operation and provision of detention capacity at the El Paso SPC in accordance with applicable detention and facility standards. The El Paso SPC must comply with the 2011 PBNDS (revised in 2016) and 2016 ACA standards.

1.4 PUBLIC INVOLVEMENT

The NEPA process provides several opportunities for public involvement. During these designated times, interested and affected parties (stakeholders) may provide relevant information, express their concerns, and provide their views about:

- The Project and its possible impacts on the natural and human environment;
- What should be addressed in the analysis and evaluation of the Proposed Action; and
- The adequacy of the NEPA analysis and documentation of potential impacts in the EA.

A letter regarding the purpose and need, Proposed Action, action alternatives, No Action Alternative, and decision to be made was sent to interested parties on January 26, 2021. A total of three comments were received during this scoping period. The EPIA, U.S. Fish and Wildlife Service (USFWS), and the Texas Parks and Wildlife Department (TPWD) submitted comments. Comments focused on the nonviability of ICE purchasing land from the airport, the lack of federally-listed threatened and endangered species occurring in the project area, and proposed best management practices (BMP) and mitigation measures to reduce impacts on biological resources occurring onsite. Copies of the letters sent and comments received are included in Appendix A.

A notice of availability (NOA) of the Draft EA was published on August 3, 2021 in the El Paso Times and El Diario de El Paso. The NOA was also emailed to 23 stakeholders. The NOA provided instructions as to where the public and other interested parties could review the Draft EA, and it provided instructions for submitting comments. The Draft EA was made available on the DHS website (https://www.dhs.gov/national-environmental-policy-act), and it was also made available at two El Paso Public Library locations, the Judge Edward S. Marquez Branch and the Irving Schwartz Branch. Comments were accepted through September 1, 2021. Two public comments were received. Neither comment required revisions to the EA.

1.5 DECISION TO BE MADE

Based on the analysis and description of the Proposed Action and alternatives documented in this Final EA, the responsible official will determine whether the Proposed Action should be implemented at this time, or if the No Action Alternative should be selected. The Proposed Action and No Action Alternative are discussed in Chapter 2, Description of the Proposed Action and Alternatives. The No Action Alternative (not replacing four existing, outdated dormitories) would not meet the purpose and need for the Project.

NEPA and the Council on Environmental Quality (CEQ) regulations that guide the implementation of NEPA mandate that agencies consider environmental issues in their decision-making. The decision to be made would be based on the environmental and non-environmental issues evaluated in this document.

2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Per 40 Code of Federal Regulations (CFR) § 1502.14, the federal government must consider reasonable alternatives to a proposed action. Considering alternatives helps avoid unnecessary impacts and allows analysis of reasonable ways to achieve the stated purpose. To warrant detailed evaluation, an alternative must be technically and economically feasible, meet the purpose and need for the Proposed Action, and support ICE's mission.

2.1 ALTERNATIVE 1 – DEMOLITION OF EXISTING DORMITORIES AND CONSTRUCTION OF ONE DETAINEE DORMITORY BUILDING IN EXISTING DORMITORY LOCATION

Under Alternative 1, ICE would demolish four of the dormitories that were built in 1965 at the El Paso SPC that total 21,097 gsf and hold 294 detainees (Dormitories 1 through 4 as shown in Figure 2.1-1), and construct one new dormitory building on the disturbed area where the existing dormitories are located. The proposed new dormitory building would hold up to 600 detainees, increasing the facility's total capacity from 840 to up to 1,200 detainees. The purchase of adjacent land would not occur under this alternative. This alternative would require a partial shutdown of the facility during the construction phase. This shutdown may require many detainees to be transported to other ERO AORs due to the lack of available bed space within the El Paso AOR. Changes to detainee AORs may trigger a change in court circuits for immigration proceedings, which could move detainees away from their private attorneys, local family members, and community resources.

The new dormitory building would be one story tall–encompassing approximately 25,000 gsf–and would meet current detention standards. New kitchen equipment would be purchased and installed in the existing dining hall and kitchen building. Under this alternative, there would not be sufficient space to develop a secure outdoor recreational area for detainees as recommended by the PBNDS. Figure 2.1-1 shows the site plan for the El Paso SPC on the DHS property with proposed changes that would occur under Alternative 1.

The construction phase of the Project would take approximately 12 months following completion of the design. Work would involve grading and excavation, demolition, framing and finishing, and paving. A staging area near the new dormitory building would be designated for construction materials. A temporary security fence would be erected around the construction site and staging area. Construction of the new detainee dormitory building would require connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas.

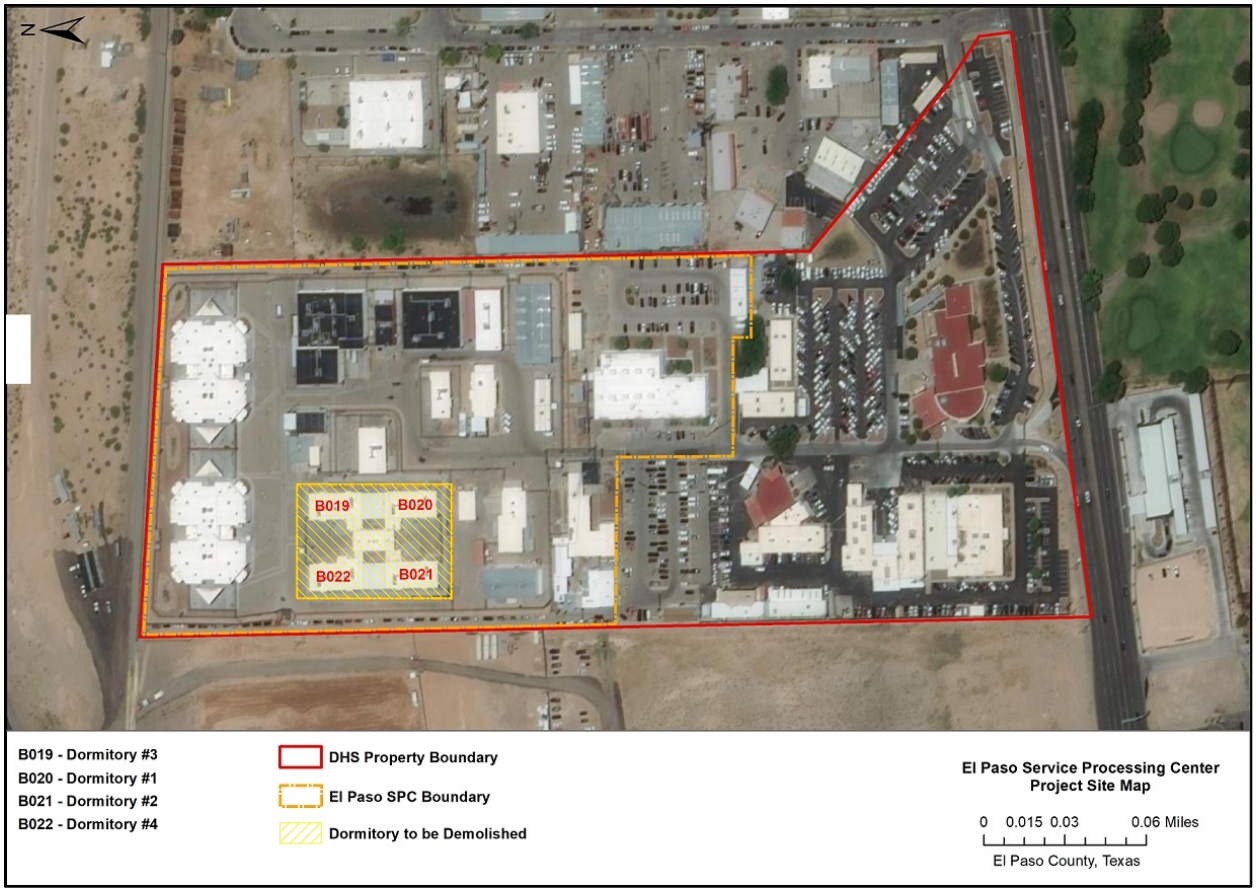


Figure 2.1-1. Site Plan with Proposed Changes for the El Paso SPC on the DHS Property– Alternative 1

2.2 Alternative 2 – Construction of One Detainee Dormitory Building on Land Acquired from El Paso Water Authority

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority owned by the City of El Paso east of the El Paso SPC for the construction of a new detainee dormitory building. Four existing outdated and undersized dormitories at the El Paso SPC that total 21,097 gsf and hold 294 detainees (Dormitories 1 through 4) would be demolished. As with Alternative 1, the proposed new dormitory building would hold up to 600 detainees, increasing the facility's total capacity from 840 to up to 1,200 detainees. This alternative would result in the same amount of additional dormitory space as Alternative 1 without the need to relocate detainees as the new facilities would be completed 6 months before the old facilities were demolished. Unlike Alternative 1, this alternative would not require the partial shutdown of the facility during the construction phase. Figure 2.2-1 shows the site plan for the El Paso SPC on the DHS property with proposed changes that would occur under Alternative 2.

The new dormitory building would be one story tall–encompassing approximately 25,000 gsf–and would meet current detention standards. As with Alternative 1, new kitchen equipment would be purchased and installed in the existing dining hall and kitchen building. A secure outdoor recreation area would be developed within the footprint of the demolished dormitories.

The construction phase of the Project would take approximately 12 months following completion of design. Work would entail grading and excavation, demolition, framing, and finishing. ICE would also construct a permanent perimeter fence around the newly acquired property. An area would be designated within the property footprint for the staging of construction materials. A temporary security fence would be erected around the construction site and staging area. Construction of one new dormitory building would require connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas.

The City of El Paso currently owns an existing groundwater well that is located just outside of the proposed construction footprint, along with a control building located within the construction footprint. Both the groundwater well and the control building would be relocated to the east, outside the boundaries of the acquired property. ICE would allow the El Paso Water Authority to access the land that ICE purchased to move the well through a granted easement.

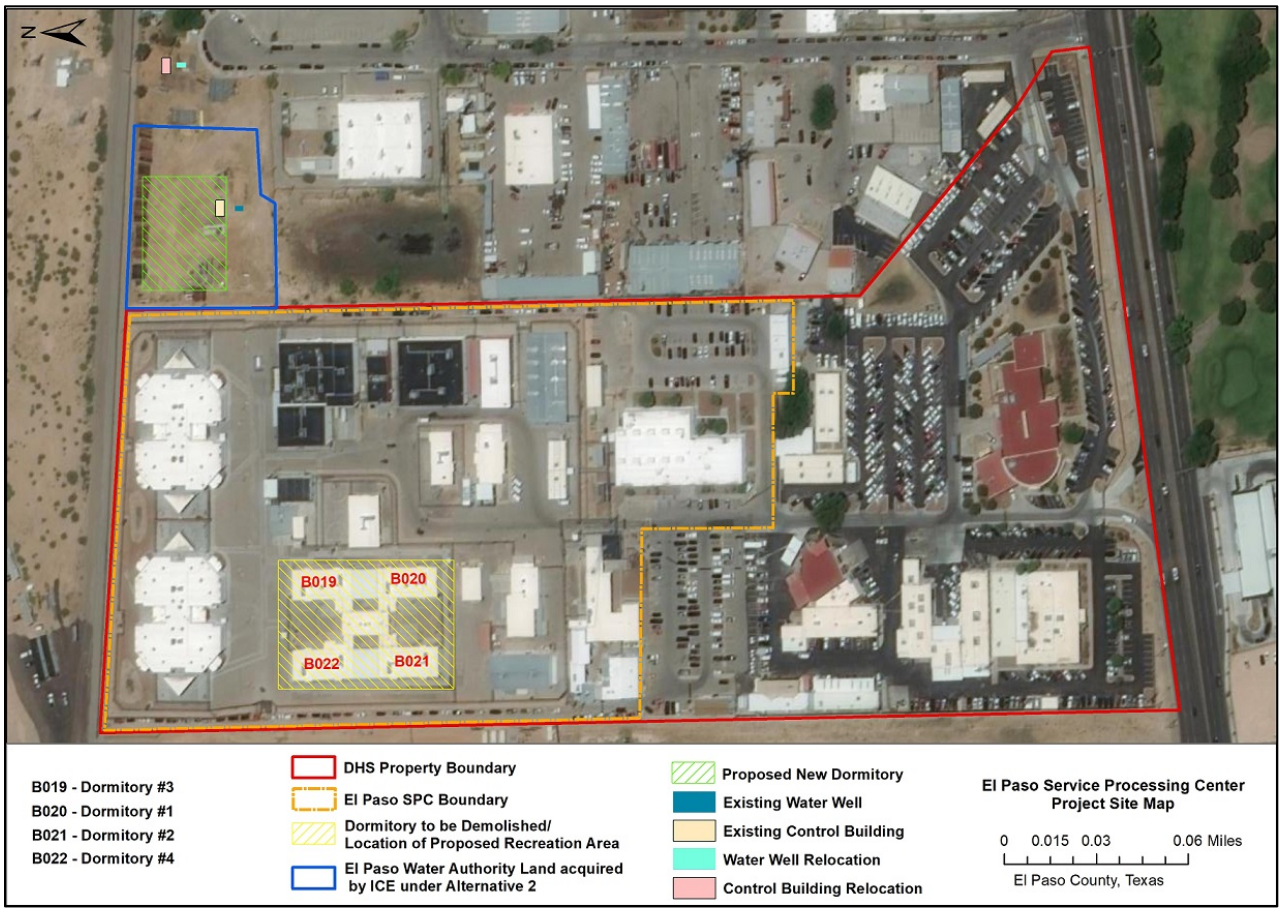


Figure 2.2-1. Site Plan with Proposed Changes for the El Paso SPC on the DHS Property– Alternative 2

2.3 No Action Alternative

The No Action Alternative is included and analyzed to provide a baseline for comparison with impacts from the Project and also to satisfy federal requirements for analyzing “no action” under NEPA.

The No Action Alternative assumes that no construction, improvement of infrastructure, or demolition would occur at the El Paso SPC on the DHS property. Minor repairs would occur as needed, and operation of the existing facilities would continue as described in Chapter 1. No new land parcels would be acquired under the No Action Alternative. This alternative would not meet the purpose and need of the Project (as identified in Chapter 1 of this Final EA) as the facility infrastructure improvements needed to ensure the continued use of the El Paso SPC in compliance with applicable detention and facility standards would not occur. The No Action Alternative would make it difficult for the SPC to efficiently meet all adequate conditions for confinement, quality of life, and access to a range of services for detainees, and overall safe and secure operations as detailed in the current PBNDS and ACA standards. Although the No Action Alternative does not meet the purpose and need for the proposed Project, this alternative will be carried forward for analysis and comparison, as required by CEQ NEPA regulations.

2.4 Alternatives Considered and Dismissed from Detailed Analysis

Three alternatives to the action alternatives presented in this EA were considered and dismissed from detailed analysis. Two of the options involved the purchase or use of existing facilities:

- ICE considered the purchase of an existing prison, jail, detention center, or another comparable facility that meets current detention standards to provide the capacity needed to replace the outdated detainee dormitories with larger, modernized dormitories.
- ICE also considered the development of an agreement (through a CDF contract, IGSA, or direct lease) to use an existing prison, jail, detention center, or another comparable facility that meets current detention standards to provide the capacity needed to replace the outdated detainee dormitories with larger, modernized dormitories.

These two alternatives considered and eliminated from further analysis were determined to be inadequate to support ICE's mission due to lack of available facilities in the El Paso AOR that would meet ICE's current detention standards, as well as the lack of facility capacity to maintain 1,200 bed spaces for ICE detainees. No existing alternative facilities in the El Paso AOR meet ICE's operational and detention needs while conforming to current ICE staffing and transportation equipment levels. These findings are detailed in an accompanying report in Appendix B that satisfies ICE's alternative detention evaluation requirements under 8 U.S.C. § 1231(g).

A third alternative was considered but dismissed:

- ICE considered acquiring up to 10.24 acres of land owned by the El Paso International Airport (EPIA) southwest of the El Paso SPC for the construction of one new dormitory building.

The Department of Aviation requested that this option be dropped from further consideration for several reasons. The property is currently under contract to two tenants who are operating businesses and recently finished constructing facilities. Also, the airport's standard process is to lease land in furtherance of the Federal Aviation Administration (FAA) mandate; thus, disposition of the land would eliminate the opportunity for the airport to receive revenue from the land leases. Additionally, reserving property that has direct access to the airfield for aeronautical purposes continues to remain the airport's primary development objective.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter describes the current environment for resource areas that may be affected by the Proposed Action and the alternatives, and the potential environmental consequences associated with these alternatives. Resource areas analyzed include: land use; geology and soils; water quality; utilities and infrastructure; cultural resources; air quality; transportation and traffic; noise; aesthetics and visual resources; socioeconomics; environmental justice; waste management and hazardous materials; and biological resources.

3.1 METHODOLOGY

The affected environment summarizes the current physical, biological, social, and economic environments of the area within and surrounding the El Paso SPC. For each resource area, the bounds of the area for analysis that could be impacted by the Proposed Action and the alternatives are defined, and the elements or components of the resource area that may be potentially affected are described. For some resource areas, the geographic area for analysis of the affected environment extends beyond the boundaries of the El Paso SPC to encompass the City of El Paso or El Paso County. However, for many of the resource areas potentially affected by the alternatives, the area of analysis is located within the footprint of the Project site where the Project elements (e.g., dormitory) are or would be located.

The analysis of environmental consequences for each resource area begins by explaining the methodology used to characterize potential impacts, including any assumptions made. The impacts analysis considers how the condition of a resource area would change as a result of implementing each of the alternatives and describes the types of impacts that would occur (direct, indirect, beneficial, adverse). The significance of impacts is assessed using four parameters: magnitude, duration, extent, and likelihood of occurrence. The impact types and significance criteria are described below. The terms “impacts” and “effects” are used interchangeably in this chapter.

Types of Impacts

For this EA, direct and indirect effects are defined as:

Direct effects: Effects that are caused by the action and occur at the same time and place.

Indirect effects: Effects that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects also include “induced changes” in the human and natural environments.

In other words, direct impacts are those that are caused directly by an alternative, such as soil erosion caused by excavation to construct a new building under the Proposed Action. Indirect impacts are those follow-on effects induced by the initial impact. An example of an indirect impact is an adverse impact on water quality, such as stream sedimentation, caused by soil erosion from excavation to construct a new building.

Identified impacts may be either adverse or beneficial. For this EA, the following definitions are used:

Adverse impacts: Those impacts which, in the judgment of an expert resource area analyst, are regarded as having a negative and harmful effect on the analyzed resource area. An adverse impact causes a change that moves the resource area away from a desired condition or detracts from its appearance or condition.

Beneficial impacts: Those impacts which, in the judgment of an expert resource area analyst, are regarded as having a positive and supportive effect on the analyzed resource area. A beneficial impact constitutes a positive change in the condition or appearance of the resource area or a change that moves the resource area toward a desired condition.

The adverse impact may be to the natural environment (e.g., decrease in a vegetated area), and the beneficial impact may be to the human environment (e.g., improved quality of life as a result of improvements to detainee living space). Or the opposite may be true: the adverse impact may be to the human environment and the beneficial impact may be to the natural environment. Or, both adverse and beneficial impacts may occur to the natural and human environment for a single resource area.

Significance Criteria

Significance criteria were defined as a means of measuring the size of the impact and its significance. A structured framework is required to support conclusions concerning the significance of effects and to integrate individual resource area assessments systematically. For example, construction projects generally require some grading and soil disturbance. These activities have an impact on the soil and could also affect air quality (by creating fugitive dust), water quality (through erosion of the bare soil and sediment deposition in the surface water), and terrestrial resources (through the removal of vegetation and wildlife habitat). Using the same criteria to describe the size and significance of impacts for each of these resource areas allows for comparing the impacts between resource areas and determining the significance.

The significance of impacts was determined systematically by assessing four parameters of environmental impact: magnitude (how much), duration (how long), extent (sphere of influence) and likelihood of occurrence (probability). Each parameter was divided into the following levels:

Magnitude:

- Major – Substantial impact or change in a resource area that is easily defined, noticeable, and measurable, or exceeds a standard.
- Moderate – Noticeable change in a resource area occurs, but the integrity of the resource area remains intact.
- Minor – Change in a resource area occurs, but no substantial resource area impact results.
- Negligible – The impact is at the lowest levels of detection – barely measurable but with perceptible consequences.
- None – The impact is below the threshold of detection with no perceptible consequences.

Duration:

- Permanent – Impact would last indefinitely.
- Long-term – Impact would likely last the lifetime of the Project, or for as long as the El Paso SPC is in operation.
- Short-term – Impact would last the duration of the construction phase.
- Temporary – Impact would be continuous and last for a portion of the construction phase.

- Intermittent – Impact would not be constant or continuous but rather recurring or periodic. Intermittent impacts could occur temporarily or in the short or long term.

Extent:

- Large – Impacts would affect the resource area on a county, regional, or state level, extending well past the immediate Project area.
- Medium or localized – Impacts would affect the resource area only in the Project area or its immediate surroundings, and would not extend into the county, region, or state. For example, noise impacts from building construction activities are usually localized as they can be heard from approximately 1,000 feet but not further away.
- Small or limited – Impacts would affect the resource area over a portion of the Project area.

Likelihood:

- High – The impact is more likely to occur than not, i.e., approximately 50 percent likelihood or higher.
- Medium – The impact has some chance of occurring, but probably below 50 percent likelihood.
- Low – The impact has a non-zero but very small likelihood of occurrence.
- None – The impact has zero probability of occurring.

3.1.1 Cumulative Impacts

Cumulative impacts are the impacts on the environment that result from the incremental impact of the [proposed] action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such actions. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time. Cumulative impacts include the direct and indirect impacts of a project together with the past, present, and reasonably foreseeable future actions of other projects.

The City of El Paso has experienced steady population and economic growth over the last few decades. Past and ongoing major actions near the El Paso SPC are primarily associated with new development on vacant land. Current and foreseeable future state and local development projects within and in the vicinity of the Project area are identified below in Table 3.1-1.

Table 3.1-1. Past, Present, and Foreseeable Development Projects Within and Surrounding the ICE El Paso SPC

Project	Lead Agency	Scope	Status
Franklin Mountain Aviation LLC / Million Air	City of El Paso Airport Land Lease	Construction of a private jet terminal and hangar operated by Million Air east of Hawkins Boulevard and North of Stinson Avenue. The City of El Paso issued the construction permit on September 25, 2019 for 1800 Hawkins Blvd, El Paso, TX 79925. It includes one 9,843 sf airplane terminal, one 10,000 sf arrival canopy that cantilevers 80 feet out from the terminal for deplaning passengers, one 23,383 sf aircraft hangar, 24 covered parking spaces, 68 surface parking spaces, an extension of the airport's existing runway system to this new facility, and space for a second hangar in the future.	The facility opened in June 2021.
Circle K	City of El Paso Airport Land Lease	Northeast of the Montana Ave and Hawkins Blvd intersection, Circle K constructed a new location at this intersection. Circle K is a gas station and convenience store chain offering a wide variety of products. The City of El Paso issued the construction permit on October 25, 2020 for 1612 Hawkins Blvd, El Paso, TX 79925.	The facility opened in June 2021.
Car Wash City Express	Private	Brand new car wash location that opened in 2020 at 8836 Montana Ave, El Paso, TX 79925. The 1.89-acre property was previously vacant with no aboveground buildings or structures.	It was completed in 2020.
Freeway Conversion of Montana Avenue	Texas Department of Transportation	Montana Avenue in East El Paso will become a six-lane freeway with frontage roads in two or three phases with an estimated cost of more than $370 million. The western extent of construction for Phase 1 is about 1.25 miles to the east of the El Paso SPC. During the first phase, existing Montana Avenue lanes would be used during construction of the middle freeway lanes, which should help traffic flow during construction. Phase 1 involves some land acquisition. Fort Bliss and the Texas General Land Office are providing land along the northern portion of Montana Avenue, and some private land was purchased. The second or third phase, depending on funding, would include adding flyover connector bridges at Global Reach and Loop 375 to connect those thoroughfares directly to the freeway. Global Reach would eventually be turned into a freeway as well.	Phase 1 of construction is expected to be completed in the summer of 2022.

3.2 LAND USE

Land use generally refers to the human use of land. It is further defined as the economic and cultural activities (e.g., agricultural, residential, industrial, mining, and recreational uses) practiced at a given place. Land use changes occur regularly throughout the U.S. and can be either beneficial or adverse, depending on the classification and scope of the change. Land uses such as habitat restoration or reclamation of previously contaminated lands may positively impact the human or natural environment. Urbanized land uses may be adverse as it could degrade water quality by increasing impervious surfaces and stormwater runoff in a given area.

Local zoning ordinances define acceptable uses of land in most areas and influence the existing use of the land and the types of land use on adjacent properties. Planning for current and future land uses ensures orderly growth and usability of resources. Zoning ordinances may be use-based or form-based to divide a jurisdiction into different districts. Use-based ordinances rely on land use classifications to separate properties according to compatibility and future plans for the use of the land. Form-based ordinances consider the existing character of a jurisdiction's zoning based on building or architectural types, neighborhood patterns, or other physical features. Since there is no national framework with uniform terminology for describing land use classifications, definitions often vary amongst towns or cities, and states. However, typical classifications for land use include agricultural, commercial, industrial, institutional, preservation, recreational, residential, transportation, and undeveloped.

3.2.1 Affected Environment

This section describes existing land use in the vicinity of the El Paso SPC. The El Paso SPC is located on the north side of Montana Avenue adjacent to the EPIA in a predominantly industrial and commercial area of El Paso, Texas (Figure 3.2-1). The EPIA passenger terminal is located approximately 1.5 miles west of the El Paso SPC, and downtown El Paso is situated approximately 7 miles to the southwest. CBP owns and operates the buildings located between the ICE-owned buildings and Montana Avenue. The DOJ's Executive Office for Immigration Review (EOIR) also occupies space within the El Paso SPC for legal proceedings.

Figure 3.2-1. Nearby Streets in the Vicinity of the El Paso SPC

El Paso, Texas, has use-based zoning (El Paso Code of Ordinance, Title 20. Zoning). This ordinance defines many land use types: ten residential districts, six commercial districts, four industrial and manufacturing districts, and 14 special purpose districts. Zoning within and near the El Paso SPC is classified as manufacturing (M-1), commercial (C-1, C-2, C-3, or C-4), or residential (R-4) (City of El Paso, 2021a). The area surrounding EPIA is classified as an M-1 light industrial district. Businesses and warehouses to the east and west of the facility on either side of Montana Avenue, which provides vehicular entrances and exits to the ICE facility and other nearby streets, are zoned as C-1, C-2, C-3, or C-4 regional commercial districts. To the south of Montana Avenue is a predominantly R-4 light density residential district. Under the local city ordinance, the El Paso Water property is zoned C-4 (commercial use).

3.1.1.1 Adjacent Land Use North of the El Paso SPC

The EPIA, immediately adjacent to the north of the El Paso SPC, is a large airport owned by the City of El Paso. The airport encompasses almost 7,000 acres and includes two air carrier runways and one general aviation runway. From 2011 to 2019, the airport handled an average of 2,962,488 passengers per year. In 2020, the EPIA handled just 1,491,148 passengers due to the COVID-19 pandemic, representing an approximate 50 percent drop in passengers (EPIA, 2021a). Building height and land-use constraints – along with other restrictions - are in place to ensure that development does not impact airport operations within five miles of the EPIA. The Federal Aviation Administration (FAA) is responsible for ensuring that proposed land uses of EPIA property do not adversely affect the airport's safety, use, or efficiency.

The Texas Department of Transportation (TXDOT) published a final EA and Finding of No Significant Impact (FONSI) in August 2018 for road expansion and the construction of elevated overpasses along Montana Avenue between Global Reach Drive and N Zaragoza Road to reduce congestion and improve mobility (TXDOT, 2018). Global Reach Drive is 2 miles east of the El Paso SPC. Land use changes are occurring along Montana Avenue due to this ongoing construction because an additional 141 acres of right-of-way (ROW) are required for the project. TXDOT acquired approximately 17.9 of the 141 acres from the EPIA (EPIA, 2019).

3.1.1.2 Adjacent Land Use West of the El Paso SPC

Historically, the City of El Paso-owned land north of Montana Avenue between Hawkins Boulevard and the El Paso SPC has been vacant with no aboveground buildings or structures; however, two sites have hosted recent construction. This land is made-up of 12 indiviudal parcels of land and is zoned as both a C-2 commercial district and an M-1 light industrial district, encompassing a total of 17.98 acres.

Construction of a private jet terminal and hangar was recently completed east of Hawkins Boulevard and northeast of Stinson Avenue (Table 3.1-1; City of El Paso, 2021b). The facility opened in June 2021 and includes a 9,843-sf airplane terminal, 10,000-sf arrival canopy, 23,383-sf aircraft hangar, 92 parking spaces, an extension of EPIA's existing runway system to this new facility, and space for a second hangar in the future (Niles Bolton, No Date). Additionally, a Circle K gas station and convenience store northeast of the Montana Avenue and Hawkins Boulevard intersection finished construction and opened in June 2021 (City of El Paso, 2021b; EPIA, 2021b). Farther west of the El Paso SPC, more aviation, government, and business land uses exist north of Montana Avenue.

3.1.1.3 Adjacent Land Use East of the El Paso SPC

The City of El Paso owns the land to the east of the El Paso SPC at the end of Mattox Street (3813 Mattox Street, El Paso, TX 79925). This land is composed of five parcels that total 3.37 acres. A retention pond to manage stormwater runoff covers 1.11 of these acres. The El Paso Water Authority operates and utilizes

this land and has a groundwater well, emergency generator, and control building on the property. El Paso Water Authority also uses the property to store various materials. According to the Texas Water Development Board's (TWDB) groundwater well database, this property's well (31.797778, -106.368333) was drilled in 1960 into the Hueco-Mesilla Bolson Aquifer and is 830 feet deep at an elevation of 3,955 feet above mean sea level (amsl) (Texas well ID#4914401) (TWDB, 2021). The groundwater well provides water for the City of El Paso public water supply.

Other properties north of Montana Avenue between the El Paso SPC and Mattox Street include office buildings, businesses, and a CBP training facility. Farther east of the El Paso SPC, more commercial uses exist north of Montana Avenue.

3.1.1.4 Adjacent Land Use South of the El Paso SPC

Businesses and a City-owned 125-acre golf course exist immediately south of Montana Avenue. Additionally, a car wash was completed in 2020 approximately 100 feet south of the entrance to the El Paso SPC. The 1.89-acre property was previously vacant with no aboveground buildings or structures. Farther south of the El Paso SPC, the predominant land use is residential.

3.2.2 Environmental Consequences

The area of analysis for land use is the El Paso SPC, the El Paso Water Authority property, and all adjacent areas. Impacts to land use would be significant to the human environment if:

- There would be non-compliance with any applicable zoning ordinances or incompatibility with adjacent designated land uses, thereby impeding practical local and regional planning efforts; or
- There would be a substantial alteration of existing land use that adversely impacts current or planned use of the nearby area.

3.2.2.1 Alternative 1

Under Alternative 1, the proposed new dormitory building would be built on the developed area containing the demolished dormitories (Figure 2.1-1). The new building would be one story and consist of 25,000-gsf. The purchase of adjacent land would not occur under this alternative. The new dormitory building would be the same height as the existing dormitories and would occupy a similar footprint within the El Paso SPC. The proposed construction would be compatible with the current zoning and surrounding land uses, and no foreseeable changes to land use would occur. There is a high likelihood that there would be no short-term impacts to land use during the construction period because areas to the north, west, and east of the facility are already disturbed and support commercial or industrial uses. After the construction period, operations and maintenance of the facility would not impact long-term land use because the arrangement and function of the El Paso SPC would be consistent with current uses. Alternative 1 would neither require any changes to land use nor substantially change the height or size of any buildings or structures within the property. Therefore, Alternative 1 would not impact land use, resulting in no significant impacts to land use.

3.2.2.2 Alternative 2

Under Alternative 2, the proposed new dormitory building would be constructed on 1.98 acres of the 3.37-acre El Paso Water Authority property at 3813 Mattox Street, El Paso, TX 79925 (Figure 2.2-1). Under this alternative, ICE would purchase the 1.98-acres of land, which has been disturbed since 1960 when the groundwater well was installed. The City of El Paso would retain ownership of the remaining 1.39 acres of land on the property. ICE would construct a 25,000-gsf one-story building on this acquired

property. Under this alternative, a secure outdoor recreation area would be developed within the footprint of the demolished dormitories within the El Paso SPC. ICE would erect a temporary fence around the construction site during the construction period, and the El Paso Water Authority would relocate the existing groundwater well, control building, and emergency generator to the east side of its property. After the construction period, ICE would install a permanent perimeter security fence around the acquired land.

Under Alternative 2, short-term adverse impacts resulting from the relocation of the El Paso Water Authority infrastructure would not be substantial because the proposed development would be consistent with the local zoning ordinance. Alternative 2 is expected to increase the suitability of the 1.98 acres to support its current and planned land use because a new building and related infrastructure would be added to the land. Under the local city ordinance, the El Paso Water property is zoned C-4 (commercial use). Although ICE would not be bound by the City of El Paso's use-based zoning ordinance because it is a federal government agency, ICE would design and construct the new dormitory building similarly to the existing dormitories at the El Paso SPC and other surrounding commercial properties. In the long term, activities at the expanded ICE facility would have a beneficial impact on land use since proposed uses align with current zoning. Construction, operation, and maintenance of the new dormitory building would not require any changes to land use zoning and would not impede practical local and regional planning efforts. Alternative 2 would result in direct, beneficial, minor, long-term to permanent, localized impacts to land use with a high likelihood of occurring. Impacts would not be significant.

3.2.2.3 No Action Alternative

Under the No Action Alternative, no construction would occur. Existing land uses would remain unchanged, and there would be no adverse or beneficial impacts to land use. Therefore, there would be no significant impacts under the No Action Alternative.

Cumulative Impacts

In the area of analysis, two known projects (an airport hangar and a gas station/convenience store west of the El Paso SPC, described in Section 3.1.1.2) recently finished construction and opened in June 2021. A car wash facility south of the El Paso SPC was recently completed as well (described in Section 3.1.1.4). All three of these projects impacted land use by converting vacant land into commercial/business use. Although these land use changes are likely permanent, the projects are consistent with the local zoning ordinance and increase the suitability of land to support its current and planned commercial land use. Proposed dormitory reconstruction under Alternative 1 would not result in any cumulative impacts on land use. In combination with the development proposed under Alternative 2, there would be direct, beneficial, moderate, long-term to permanent, localized cumulative impacts to land use with a high likelihood of occurrence; however, because there would be no changes in land use zoning or incompatible uses, there would be no cumulative impacts to land use under Alternative 2. There would be no significant cumulative impacts under either alternative.

3.3 GEOLOGY, TOPOGRAPHY AND SOILS

This section presents an overview of geology, topography, and soil resources within the El Paso SPC project area and vicinity and an evaluation of the Proposed Action's potential impact to geology and soils.

3.3.1 Affected Environment

Geological resources refer to the Earth's surface and subsurface materials and are commonly described in terms of geology, topography, and soils.

3.3.1.1 Geology

Geology is the study of the physical composition and configuration of the Earth. The state of Texas has a wide range of geologic regions consisting of various rock units. Rock units group together rocks based on their similar physical characteristics. The El Paso SPC and vicinity is situated on a windblown sand rock unit which was formed in the Quaternary period that spans from 2.58 million years ago to today (TNRIS and USGS, 2007). Although the rock units vary across El Paso County, the entire county is located within the Quaternary undivided region southeast of the Franklin Mountain Range. The Franklin Mountain Range is approximately seven miles from the El Paso SPC and consists of volcanic and intrusive igneous rocks (ICE, 2010).

Geologic hazards, such as earthquakes and landslides, are natural events that can threaten human safety and cause property damage. There are no fault lines located under or near the El Paso SPC; however, on March 26, 2020, some residents in the El Paso area reported feeling a magnitude 5 earthquake that originated over 200 miles from El Paso around Mentone, TX (USGS, 2020). El Paso has an arid climate, receiving only 8 inches of rain annually, and is not considered susceptible to mudslides and landslides. However, in 2006, unseasonable heavy rains resulted in city-wide flooding that may have affected some unstable slopes (City of El Paso, 2012).

3.3.1.2 Topography

Topography is the arrangement of both natural and human-made landforms on Earth's surface. Topographic maps show landscape features such as mountains and rivers and often include cities, parks, transportation routes, and buildings. Elevation is a distinguishing aspect of topographic maps depicted as contour lines to enable visualization of landforms. When contour lines are close together, the landscape's slope is steep and becomes more gradual as the contour lines are spread farther apart. The El Paso SPC is located at approximately 3,945 to 3,940 feet amsl. The El Paso SPC and its surrounding area are considered to have a flat topography, with a slope of less than two percent to the north towards the EPIA. The exception to the flat topography is the Franklin Mountains which rise to an elevation of 7,192 feet and are located seven miles to the northwest of the project area (TNRIS and USGS, 2007; ICE, 2010; Far West Texas, 2016).

3.3.1.3 Soils

Soil refers to the inorganic and organic materials overlying bedrock. Soils can be described in terms of type and physical characteristics (e.g., texture and erosion potential). Soil texture is measured by the relative proportions of sand, silt, and clay particles in a mass of soil. The basic textural classes, in order of increasing proportion of fine particles, are sand, loamy sand, sandy loam, loam, silt loam, silt, sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, and clay. Erosion potential is determined by slope, the prevailing climate, vegetation, and characteristics of the soil that impact soil drainage, such as porosity (permeability to water) and texture (USDA, 1971).

A soil association consists of adjacent soils that occur together. The Natural Resource Conservation Service (NRCS) soil survey reports one soil association present within the project area: the Hueco-Wink association, hummocky (NRCS, No Date). In the area, 45 percent of the total acreage consists of Hueco loamy fine sand, 35 percent is Wink fine sandy loam and loamy fine sand, and the remaining 20 percent consists of small areas of other soils (NRCS, No Date; USDA, 1971). Hummocky describes the irregular surface. Hueco soils typically have a 4-inch-thick surface layer of brown loose heavy loamy fine sand that is mildly alkaline (i.e., with a pH greater than seven) and non-calcareous (i.e., a low calcium carbonate content). Beneath the surface layer is typically a 22-inch-thick subsoil layer of calcareous fine sandy loam that is brown and yellowish-brown in color followed by a 32-inch-thick layer of indurated caliche

(hardened deposit of calcium carbonate). The Wink soils typically have a pale-brown 6-inch-thick surface layer and an 18-inch-thick light yellowish-brown subsoil. Both layers are considered to be calcareous fine sandy loam. Under the top two layers is a hardened caliche layer (USDA, 1971). Both soil types are considered to be well drained with low to very low runoff (NRCS, No Date).

3.3.2 Environmental Consequences

This section discusses the Proposed Action's potential impact to geology, topography, and soils within the El Paso SPC project area and vicinity under each alternative. A significant impact to geology, topography, and soils would occur if project activities would be expected to cause any of the following impacts:

- The alteration of geological structures;
- Grading or filling that would result in a substantial change in topography;
- Soil erosion that causes substantial channelization, extensive damage to vegetation, or a sustained increase in sedimentation in streams;
- Soil composition and/or physical characteristics are substantially damaged, including a substantial decrease in soil stability, decrease in permeability of water (drainage), or contamination;
- Soils are substantially disrupted or displaced; or
- The violation of any federal, state or local regulation, including any stormwater permits.

3.3.2.1 Alternative 1

No impacts to geology within the El Paso SPC project area and vicinity would be expected as a result of implementing Alternative 1 because no geologic features would be disturbed.

Under Alternative 1, ICE would demolish four dormitories that cover 21,097 gsf and subsequently construct one new dormitory building totaling 25,000 gsf on the demolished dormitories' footprint. Considering the overlapping location of the existing and proposed dormitories, construction would only disturb about 0.6 acres of previously disturbed soil, and excavation depths would not exceed the depth of previously disturbed soil. Connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas, along with the temporary installation of a security fence around the construction site and staging area, would also involve earthwork on previously disturbed soil. Soil erosion from earthwork activities could occur as a result of ground disturbance leading to detachment of soils and transport of freshly disturbed soils via wind and/or storm water runoff, including to the stormwater water retention basin on the southern part of the Water Authority property which channels runoff from the eastern side of the SPC site; however, BMPs normally required for construction projects and erosion and sediment controls would be implemented to minimize erosion, such as identifying the construction zone with construction fence, silt fence, or similar material prior to construction activity; temporarily suspending operation of ground-disturbing equipment during large precipitation events to reduce the production of sediment; and using check dams of pea gravel-filled burlap bags or other material and/or immediate mulching of exposed areas to minimize sedimentation and erosion. Thus, earthwork activities would be expected to result in minor, adverse impacts to soils but would not change the existing topography since minimal grading would be needed. Since the site would be stabilized following the completion of construction activities, impacts would not persist beyond completion of demolition and construction activities.

Increasing impervious surface coverage (e.g., buildings and pavement) could result in soil erosion by increasing stormwater runoff from the project site. Given that the new dormitory building would be constructed within the disturbed area containing the old dormitories, the new building would either not increase or only fractionally increase the amount of impervious surface coverage within the project area; therefore, permanent adverse impacts to soil structure and drainage would be negligible. During construction, a separate staging area to temporarily store construction materials would be used adjacent to the construction site. Thus, additional temporary, adverse impacts to soil structure and drainage would be expected to occur; however, given the small size of additional impervious coverage, these impacts are likely to be negligible.

Increasing soil compaction (i.e., displacing air from the soil) could decrease the soil's permeability to water (drainage capabilities). Soil compaction within the project area could occur as a result of vehicle and foot traffic during construction activities; however, these impacts would likely be minimal and limited to the area immediately surrounding the demolition/construction site and staging area. In the event of an accidental leak or spill of fuel, cleaning chemicals, surfactants, oils or lubricants, or other materials, the spilled material could contaminate soils within the project area; however, with the implementation of BMPs and use of spill kits, accidental spills would be unlikely to occur and quantities would not be considered substantial.

Impacts to geology, topography, and soils within the El Paso SPC project area and vicinity from Alternative 1 would be expected to be minor, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.3.2.2 Alternative 2

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority east of the El Paso SPC for the construction of the new dormitory building totaling 25,000 gsf and would subsequently demolish four existing dormitories that cover 21,097 gsf. Construction and demolition would not occur simultaneously and would not overlap in location as they would under Alternative 1. A secure outdoor recreation area would be developed within the footprint of the demolished dormitories. The acquired land has historically been subject to foot and vehicular traffic. Considering the combined size of the existing and proposed dormitory building and the use of a separate staging area for construction materials, more than one acre of land would be expected to be disturbed and therefore require coverage under a Construction General Permit (CGP). As a condition for coverage under the CGP, a Stormwater Pollution Prevention Plan (SWPPP) would be developed and implemented. The SWPPP is required to include BMPs and erosion and sediment controls to minimize erosion as discussed under Alternative 1. Compliance with the CGP would minimize impacts to soils from planned earthwork. Thus, earthwork activities would be expected to result in minor, adverse impacts to soils via soil erosion. Since the project sites would be stabilized following the completion of construction activities, these impacts would not persist beyond completion of construction and demolition activities.

Demolition and the development of a secure outdoor recreation area would occur on about 0.5 acres of previously disturbed soils and would be expected to have similar impacts as under Alternative 1. The construction of the dormitory building; connection to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas infrastructure; and permanent installation of a perimeter fence would occur on mostly disturbed soil. Two to six feet of excavation of previously disturbed soil would be expected to result in permanent, minor adverse impacts associated with the displacement of soil.

In addition to the construction and demolition of dormitories, the El Paso Water Authority-owned groundwater well and control building located on the acquired land would be relocated to the northeastern corner of the site. This would involve the drilling of an 830-foot well which would result in permanent disturbance of soil, and potentially bedrock, to this depth. Thus, the installation of a new well would be expected to result in permanent, minor adverse impacts to soils and geology.

The construction of the dormitory building and the development of a secure outdoor recreation area would increase impervious surface coverage, resulting in an expected increase in the quantity of stormwater runoff from the project area. Increased volumes of stormwater runoff are more likely to cause soil erosion; however, the El Paso area is considered to be arid and only receives about eight inches of annual rainfall. Thus, following the stabilization of the disturbed areas, soil erosion due to stormwater is not expected to noticeably increase. Increases to impervious surface coverage would be expected to result in permanent, negligible adverse impacts associated with loss of soil structure and drainage.

Construction would involve grading within the acquired land. Given that the topography of the project area is relatively flat, impacts from grading and compacting of soils would be imperceptible, and the topography would not noticeably change from current conditions. Thus, permanent adverse impacts from grading would be expected to be negligible.

Similar to Alternative 1, increasing soil compaction could decrease the soil's permeability to water. Soil compaction within the project area could occur as a result of vehicle and foot traffic during construction activities; however, these impacts would likely be minimal and limited to the area immediately surrounding the demolition/construction sites and staging area. In the event of an accidental leak or spill of fuel, cleaning chemicals, surfactants, oils or lubricants, or other materials, the spilled material could contaminate soils within the project area; however, with the implementation of BMPs and use of spill kits, accidental spills would be unlikely to occur, and quantities would not be considered substantial.

Impacts to geology, topography, and soils within the El Paso SPC project area and vicinity from Alternative 2 would be expected to be minor, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.3.2.3 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of utility infrastructure, acquisition of new land, or relocation of groundwater wells; therefore, no impacts to geology, topopgrahyand soils would be expected to occur. There would be no significant impacts to geology, topography, and soils under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development on vacant land and likely would contribute additive, adverse, cumulative impacts on soil within the vicinity of the El Paso SPC when considered with the Proposed Action. These other projects all increase impervious surface coverage and likely involve earthwork and grading which could result in soil erosion, displacement, and compaction; however, these projects would not be expected to impact geology nor change the overall topography. Although the individual area of disturbance of each project is small, the combined area of these projects results in the disturbance of

larger localized sections of soil. Impacts to soil structure and drainage over a larger area make it more difficult for water to drain through the soil; however, all projects occur in relatively urbanized locations. As such, the cumulative impacts to geology and soils would have a high likelihood of occurrence and are expected to be adverse, localized, permanent, and minor in magnitude but would not be significant.

3.4 WATER QUALITY

This section presents an overview of water quality within the El Paso SPC project area and El Paso County and an evaluation of the Proposed Action's potential impact to water quality.

3.4.1 Affected Environment

Water quality is typically measured against specific standards or criteria that vary depending on the desired or needed use of the water. Standards are set to ensure that the water quality is sufficient to maintain the designated uses of the water, including usability for aquatic life, contact recreation, water supply, or fish consumption (TWDB, 2019). The potable water supplied to the El Paso SPC is sourced from both surface water (Rio Grande) and groundwater (Hueco-Mesilla Bolson aquifers) resources. The Clean Water Act (CWA) (33 U.S.C. §1251 et seq.) establishes the basic framework for regulating water quality standards and enables the U.S. Environmental Protection Agency (USEPA) to authorize states to set and enforce water quality standards. Within Texas, water quality standards are established in the Texas Water Code and enforced by the Texas Commission on Environmental Quality (TCEQ) (TCEQ, 2018b). Water planning within the state of Texas is managed by the TWDB. The TWDB divides the state into 16 regional water planning areas; El Paso County is located in the Far West Texas (Region E) Planning Area (TWDB, 2019).

3.4.1.1 Surface Water

Texas surface water quality standards consider total dissolved solids (TDS), nutrients, dissolved oxygen, bacteria, and toxicity. TDS is typically a direct measure of salinity and determines whether water is acceptable for drinking water, livestock, or irrigation. Dissolved solids include chloride and sulfate, which are also measured independently from TDS and have their own water quality criteria not to be exceeded. Nutrients are chemical constituents that can result in the overgrowth of aquatic vegetation; they are most commonly some form of nitrogen or phosphorus. The concentration of dissolved oxygen must be sufficient to support existing aquatic life. Bacteria is used as an indicator of potential contamination by feces. Toxicity refers to adverse effects to living organisms as a result of exposure to toxic materials (TWDB, 2019).

The Rio Grande and the Pecos River are the principal surface water sources in the Far West Texas region. El Paso County is located in the upper Rio Grande drainage basin. Water in the Rio Grande is supplied by snow melt in southern Colorado and northern New Mexico. The Rio Grande Compact established the minimum volume of water that should flow through Colorado, New Mexico, and Texas and then into Mexico. The International Boundary and Water Commission (IBWC) and Comisión Internacional de Límites y Aquas (CILA), in coordination with the U.S. Bureau of Reclamation (USBR), are responsible for implementing treaties (i.e., the 1906 International Treaty and 1944 International Treaty) between the U.S. and Mexico that establish minimum surface water flows and identify water quality issues. In general, surface water quality varies depending on the amount of flow and the rate and source of runoff from adjacent lands. For the Rio Grande, the primary water quality issue is increasing salinity resulting from irrigation return flow and municipal wastewater return in New Mexico. The increasing salinity is exacerbated during drought conditions (Far West Texas, 2016). In compliance with Sections 303(d) and 305(b) of the CWA, the TCEQ has identified impaired water bodies within or bordering Texas that do not

meet water quality standards for their designated use. Three segments of the Rio Grande have been designated as impaired within El Paso County including:

- Below the Riverside Diversion Dam extending from the confluence of the Rio Conchos (Mexico) in Presidio County to the Riverside Diversion Dam in El Paso County for bacteria, chloride, and TDS in the water.
- Below the International Dam extending from the Riverside Diversion Dam to the International Dam for bacteria in the water.
- Above the International Dam extending from the International Dam to the New Mexico State Line for bacteria in the water.

Although all segments are more than approximately four miles away from the project area, the reasons for each segment's impairment are an indication of potential contaminants of concern, namely bacteria, chloride, and TDS.

The CWA prohibits all pollutant discharges from point sources into waters of the U.S. unless the point source is granted a permit under Section 402 of the Act. In 1998, the USEPA granted the TCEQ the authority to issue Section 402 permits under the Texas Pollutant Discharge Elimination System (TPDES) program. The permit program establishes control measures to regulate the discharge of wastewater and effluent into surface waters. Effluent from industries, domestic wastewater from municipal treatment facilities, runoff from agricultural operations, and stormwater that runs off urban areas are considered discharge sources under the permit program (TCEQ, 2018b). Discharges of stormwater runoff and certain non-stormwater discharges from construction sites are covered by the TPDES CGP (TXR150000). Construction projects that disturb less than one acre and are not part of a larger common plan of development do not require an application for coverage under the CGP to discharge stormwater. Construction projects that disturb one to five acres of land are considered to be small construction activities and require coverage under the CGP; any greater disturbance is considered large and also requires coverage. Coverage under the CGP requires the development and implementation of a SWPPP to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges to protect the water quality of receiving surface waters (TCEQ, 2018a).

3.4.1.2 Groundwater

Texas groundwater quality standards evaluate TDS, nitrates, arsenic, and radionuclides. Nitrates are naturally occurring in groundwater; however, elevated levels are indicative of overuse of fertilizers and improper disposal of human and animal waste. Similarly, arsenic occurs within Texas groundwater naturally, but elevated levels are indicative of contamination. Radionuclides are atoms that emit radiation (TWDB, 2019). There are nine major aquifers and 22 minor aquifers in Texas; El Paso County is situated on the Hueco-Mesilla Bolson aquifers. The Hueco Bolson aquifer extends from east of the Franklin Mountains southeastward into southern Hudspeth County and is the primary source of potable water for eastern El Paso, including the El Paso SPC. The Mesilla Bolson aquifer is located west of the Franklin Mountains and extends northwards into New Mexico. Within the Far West Texas region, groundwater quality issues are commonly related to naturally high concentrations of TDS or the occurrence of elevated concentrations of individual dissolved constituents. High concentrations of TDS likely result from the lack of sufficient recharge and restricted circulation of the aquifers. The average concentration of TDS has increased in the Hueco Bolson aquifer as the freshwater has been consumed. There are no major trends that indicate widespread groundwater quality issues due to the downward movement of surface contaminants (Far West Texas, 2016).

There are ten groundwater wells within a one-mile radius of the El Paso SPC, all of which pump water from the Hueco Bolson aquifer (Table 3.4-1).

Table 3.4-1. Groundwater Wells within a One Mile Radius of El Paso SPC*

Approximate Distance from El Paso SPC (miles)	State Well Number	Owner	Water Use	Well Depth (feet)
< 0.1 (located on the adjacent El Paso Water Authority land)	4914401	El Paso Water Authority	Public Supply	830
0.1	4914429	Cielo Vista Golf Course	Irrigation	804
0.1	4914412	City of El Paso	Public Supply	695
0.4	4914709	El Paso Water Authority	Public Supply	810
0.5	4914406	El Paso Water Authority	Public Supply	791
0.6	4913613	El Paso Water Authority	Unused	623
0.7	4913617	El Paso Water Authority	Public Supply	930
0.8	4914411	City of El Paso	Unused	340
0.8	4914701	El Paso Water Authority	Public Supply	723
1	4914402	El Paso Water Authority	Public Supply	746

Source: TWDB, No Date

* Note: An additional well is owned by the El Paso Water Authority (State Well Number: 4914418) located approximately 0.7 miles from the El Paso SPC, but it has been plugged or destroyed.

3.4.2 Environmental Consequences

This section discusses the Proposed Action's potential impact to water quality within the El Paso SPC project area and El Paso County under each alternative. A significant impact to water quality would occur if project activities would be expected to cause any of the following impacts:

- Discharge into surface water or groundwater resources that would result in the violation of water quality standards;
- Substantial damage to or contamination of nearby groundwater wells such that it would impede their intended use;
- Discharge that contains any of the pollutants of concern into impaired bodies of water; or
- The violation of any federal, state or local regulation, including any stormwater permits.

3.4.2.1 Alternative 1

Under Alternative 1, ICE would demolish four dormitories that cover 21,097 gsf and subsequently construct one new dormitory building totaling 25,000 gsf on the disturbed area where the demolished dormitories are located. Considering the overlapping size of the existing dormitories, the proposed dormitory building, and the use of a separate staging area for construction materials, the area of disturbance likely would not exceed the one-acre threshold requiring coverage under the CGP. Pollutants that could enter stormwater following grading and excavation, demolition, framing and finishing, and paving activities include sediment, equipment and vehicle fuel, cleaning chemicals, surfactants, oils and lubricants, and other materials associated with construction. Contaminated stormwater could be carried

through stormwater infrastructure to nearby surface waters; however, BMPs and erosion and sediment controls would be implemented to minimize the discharge of these pollutants such as identifying the construction zone with construction fence, silt fence, or similar material prior to construction activity; temporarily suspending operation of ground-disturbing equipment during large precipitation events to reduce the production of sediment; and using check dams of pea gravel-filled burlap bags or other material and/or immediate mulching of exposed areas to minimize sedimentation and erosion. The demolition and construction of dormitories would be expected to result in negligible, adverse impacts to surface water quality, and impacts would not persist beyond completion of the activities.

Increasing impervious surface coverage could result in a slight increase in stormwater runoff that would be directed from the project site to stormwater infrastructure and surface waters. Given that the new dormitory building would be constructed in the footprint of the old dormitories, the new building would only fractionally increase the amount of impervious surface coverage within the project area; therefore, permanent adverse impacts to stormwater quantity would be negligible.

Similar to demolition and construction activities, connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas could cause pollutants such as sediment, equipment and vehicle fuel, cleaning materials, oils and lubricants, and other materials associated with construction to enter stormwater runoff. BMPs and erosion and sediment controls would be implemented to minimize the discharge of these pollutants during construction. Thus, construction would be expected to result in negligible, adverse impacts to surface water quality and impacts would not persist beyond completion of the activities.

Excavation depths for construction activities would be expected to range from two to six feet (demolition does not involve excavation). The groundwater wells within the vicinity of the El Paso SPC pump water from hundreds of feet below the ground surface. Given the depth and distance of groundwater wells from the project area, construction activities proposed under Alternative 1 would not be expected to impact the groundwater wells or groundwater quality within the project area and vicinity.

The new dormitory building would be designed to meet current detention standards. In compliance with the PBNDS 2011 (revised in 2016), ICE tests drinking water at least annually to ensure compliance with applicable water quality standards (ICE, 2016). The operation of the new dormitory building would not be expected to impact surface water or groundwater quality.

Impacts to water quality within the El Paso SPC project area and El Paso County from Alternative 1 would be expected to be negligible, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.4.2.2 Alternative 2

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority east of the El Paso SPC for the construction of one dormitory building totaling 25,000 gsf and subsequently demolish four existing dormitories that cover 21,097 gsf. A secure outdoor recreation area would be developed on the footprint of the demolished dormitories. Unlike Alternative 1, construction and demolition activities would not occur in the same overlapping area. Considering the combined size of the existing and proposed dormitories and the use of a separate staging area for construction materials, the area of disturbance likely would exceed the one-acre threshold for requiring coverage under the CGP (small construction activities). The area of disturbance is unlikely to exceed the five-acre threshold for

large construction activities. Potential pollutants that could enter stormwater would be the same as under Alternative 1, , including draining into the stormwater retention basin on the southern part of the Water Authority property which channels runoff from the eastern side of the SPC site. As a condition for coverage under the CGP, a SWPPP would be developed and implemented. The SWPPP is required to include BMPs and erosion and sediment controls to minimize the discharge of pollutants, as discussed under Alterantive 1. Compliance with the CGP would minimize impacts to water quality from planned construction and demolition. Thus, the construction and demolition of dormitories would be expected to result in negligible, adverse impacts to surface water quality, and impacts would not persist beyond completion of the activities.

The construction of the dormitory building and the development of a secure outdoor recreation area would increase the impervious surface coverage, resulting in an increase in the quantity of stormwater runoff from the project area. Increased volumes of stormwater runoff are more likely to cause soil erosion and pick up contaminants from the project area; however, the El Paso area is considered to be arid and only receives about eight inches of rain annually. Thus, following the stabilization of the site, stormwater is not expected to noticeably increase. Increases to impervious surface coverage would be expected to result in permanent, negligible adverse impacts to surface water quality.

Similar to Alternative 1, the new dormitory building would be designed to meet current detention standards. In compliance with the PBNDS 2011 (revised in 2016), ICE tests drinking water at least annually to ensure compliance with applicable water quality standards (ICE, 2016). The operation of the new dormitory building would not be expected to impact the quality of surface water or groundwater.

Connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas could cause pollutants such as sediment, equipment and vehicle fuel, cleaning materials, oils and lubricants, and other materials associated with construction to enter stormwater runoff. BMPs and erosion and sediment controls would be implemented to minimize the discharge of these pollutants during the construction and expansion of utilities. Thus, the construction and expansion of utilities would be expected to result in negligible, adverse impacts to surface water quality, and impacts would not persist beyond completion of the activities.

In addition to the construction and demolition of dormitories, the El Paso Water Authority-owned groundwater well and control building located on the acquired land would be relocated to the northeastern corner of the site. The existing well would need to be plugged/decommissioned; this would be performed by a driller or pump installer licensed by the Texas Department of Licensing and Regulation (TDLR). The well would be plugged with neat cement weighing no less than 14.6 pounds per gallon. The mild steel well casing would be left in place. The construction contractor would know the location of the old well and would cut off the well casing as needed to accommodate construction. Since the well has direct contact with groundwater, proper procedures to close the well are vital to protecting groundwater quality. The closure of the existing well would result in a temporary, localized, disturbance of sediment around the groundwater located beneath the project area.

In the event of an accidental leak or spill of fuel, cleaning chemicals, surfactants, oils or lubricants, or other materials, depending on the amount and proximity of the spill to the well, the spilled material could reach the Hueco Bolson aquifer beneath the project area; however, with the implementation of BMPs and use of spill kits, accidental spills would be unlikely to occur. Thus, the closure of the existing groundwater well would be expected to result in minor, adverse impacts to groundwater quality and impacts would not persist beyond completion of the activities.

Similar to Alternative 1, excavation depths for construction activities would be expected to range from two to six feet. Under Alternative 2, the El Paso Water Authority-owned groundwater well would be located adjacent to the site of the new dormitory construction; however, since the well would be closed prior to construction and given the distance of other groundwater wells from the construction area, impacts to groundwater quality would not likely occur as a result of excavation activities.

The installation of the new well would involve the use of a drill rig to drill the well and install a pump. The well would be approximately the same depth as it is currently (about 830 feet deep); however, the well's final total depth would be adjusted to best achieve the desired quality and quantity of pumped water. The drilling of the new well would result in a temporary, localized, disturbance of sediment around groundwater located beneath the project area.

In the event of an accidental spill of fuel, cleaning chemicals, surfactants, oils or lubricants, or other materials, depending on the amount and proximity of the spill to the well, the spilled material could reach the Hueco Bolson aquifer beneath the project area; however, with the implementation of BMPs and use of spill kits, accidental spills would be unlikely to occur. The well would continue to be owned and operated by the El Paso Water Authority who would be responsible for continued water quality monitoring. Thus, the installation of the new well would be expected to result in minor, adverse impacts to groundwater quality and impacts would not persist beyond the completion of the installation.

Impacts to water quality within the El Paso SPC project area and El Paso County from Alternative 2 would be expected to be minor, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.4.2.3 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of utility infrastructure, acquisition of new land, or the relocation of groundwater wells; therefore, no impacts to water quality would be expected to occur. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development and likely would contribute additive, adverse, cumulative impacts on water quality in and adjacent to the project area when considered with the Proposed Action. These other projects will impact the quality and quantity of runoff flowing into surface waters during construction activities and following the permanent increase in impervious area coverage; however, construction projects typically employ erosion and sediment controls and BMPs to minimize impacts to runoff. Projects disturbing an area larger than one acre must obtain coverage under the CGP. Additionally, all projects occur in relatively urbanized locations and are not expected to degrade the quality of surface water. These projects are not expected to impact groundwater quality. As such, the cumulative impacts to water quality would have a high likelihood of occurrence and are expected to be adverse, medium to large extent, short-term, and minor in magnitude but less than significant.

3.5 BIOLOGICAL RESOURCES

This section discusses the affected environment and environmental consequences that would result under each alternative for biological resources in the project area, including vegetation, fish, wildlife, non-native invasive species, and special status species. The project area for the analysis of biological resources includes both the existing El Paso SPC and the 1.98-acre El Paso Water Authority property.

3.5.1 Affected Environment

As previously documented in the 2010 El Paso SPC programmatic EA, no naturally occurring vegetation or native habitats occur within the El Paso SPC. The facility consists entirely of paved surfaces and landscaped areas with little habitat value. Wildlife and birds have been seldom observed at the facility other than common and nuisance species well-adapted for urban environments, such as house mice (*Mus musculus*), raccoon (*Procyon lotor*), desert cottontail (*Sylivilagus audubonii*), mourning dove (*Zenaida macroura*), American robin (*Turdus migratorius*), great-tailed grackle (*Quiscalus mexicanus*), and common insects.

The El Paso Water Authority property is similarly devoid of native vegetation and wildlife habitat. The site has been continually accessed by humans and vehicles in support of the nearby El Paso Water Authority facility and does not support any native vegetation; the species currently present at the site consist primarily of nuisance weeds such as mat sandbur (*Cenchrus lonsispinus*). The wildlife community present at the site is identical to that of the El Paso SPC; the El Paso Water Authority property does not support any unique or additional wildlife species.

No wetlands occur within either area; however, there is 0.79-acre seasonal pond adjacent to the southern portion of the El Paso Water Authority property. This pond is fed primarily by stormwater flows and has a rocky shoreline with minimal vegetation; it is classified as an excavated palustrine unconsolidated shoreline seasonal (PUSCx) wetland in the USFWS National Wetland Inventory (NWI).

3.5.1.1 Special Status Species

During scoping, the USFWS, Austin Ecological Services Field Office, indicated that they did not identify any species of concern, including federally listed threatened or endangered species, that would be impacted by the proposed project.

A review of special status species was performed to develop a list of protected species that potentially occur in and near the project area. The list of special status species was compiled from the USFWS IPaC (Information for Planning and Consultation) online project planning tool (USFWS, 2021) and from the TPWD review of the proposed project (TPWD, 2021). According to the IPaC review, seven federally listed animal species could potentially occur in or near the project area, and there is no designated critical habitat in either property (USFWS, 2021). There are three additional special status species, including one state-listed species, potentially present within two miles of the project area according to the TPWD (TPWD, 2021; Appendix A). Table 3.5-1 lists the federal and state protected species potentially occurring in and near the project area.

Table 3.5-1. Federal and State Protected Animal Species Potentially Occurring in the Vicinity of the Project Area

Common Name	Scientific Name	Federal Status	State Status	Habitat
Birds				
Mexican Spotted Owl	*Strix occidentalis lucida*	Threatened	Threatened	Mixed-conifer forest, pine-oak forest, rocky canyons. Nests in areas with complex forest structure and mature or old growth stands with high canopy closure.
Northern Aplomado Falcon	*Falco femoralis septentrionalis*	Endangered	Endangered	Desert grasslands with scattered mesquite and yucca, coastal prairies with yucca-covered sand ridges, riparian woodlands located in open grasslands. Nests in old or freshly constructed nests of other raptors or corvids.
Piping Plover	*Charadrius melodus*	Threatened	Threatened	Along coastlines, lakeshores, river banks, and alkali wetlands. Nests above the high-water line in sandy areas with sparse vegetation.
Red Knot	*Calidris canutus rufa*	Threatened	Threatened	Tidal flats, rocky shores, and beaches along coastlines of oceans and lakes ranging from the Canadian arctic to South America. Nests in tundra grasslands.
Southwestern Willow Flycatcher	*Empidonax traillii extimus*	Endangered	Endangered	Densely vegetated, native riparian areas. Nests in intact patches of riparian habitat near surface water or saturated soil in stands ranging 4-7m in height.
Yellow-billed Cuckoo	*Coccyzus americanus*	Threatened	Threatened	Wooded areas with dense cover and water nearby, including woodlands with scrub vegetation, abandoned farmland, and dense riparian thickets. Nests in oaks, beech, hawthorn, ash, and willows along streams and rivers.
Reptiles				
Texas Horned Lizard	*Phrynosoma conutum*	Not Listed	Threatened	Open, arid, and semi-arid regions with sparse

Common Name	Scientific Name	Federal Status	State Status	Habitat
				vegetation, including grass, cactus, scattered brush or scrubby trees. Soils may vary in texture from sandy to rocky.
Western Box Turtle	*Terrapene ornata*	Not Listed	SGCN*	Open areas such as prairie grasslands, pastures, fields, sandhills, and open woodlands. Burrows in soil under plants such as yucca or enters burrows made by other species.
Western rattlesnake	*Crotalus viridis*	Not Listed	SGCN	Open areas including grasslands, both desert and prairie, as well as shrub desert rocky hillsides. Also inhabits edges of arid and semi-arid river breaks.
Plants				
Sneed Pincushion Cactus	*Coryphantha sneedii var. sneedii*	Endangered	Endangered	Exposed areas of steep, sloping limestone in shrublands and grasslands of the Chihuahuan Desert.

*SGCN = Species of Greatest Conservation Need

Sources: TPWD, 2021; USFWS, 2021

The Migratory Bird Treaty Act (MBTA) and Executive Order (EO) 13186 on the Responsibility of Federal Agencies to Protect Migratory Birds require the protection of migratory birds and their habitats. EO 13186 clarifies the responsibilities of federal agencies to consider the effects of agency actions on birds listed under MBTA.

The USFWS IPaC online project planning tool (USFWS, 2021) identified one migratory bird species, the burrowing owl (*Athene cunicularia*), potentially occurring in or near the project area as being of particular concern because it is designated as a USFWS Birds of Conservation Concern (BCC). This species lives in open, treeless areas with sparse vegetation and is typically found on gently sloping terrain. Burrowing owls typically enlarge existing burrows dug by small mammals in elevated areas with loose soil and nearby lookout points such as dirt mounds, bushes, fence posts, or road signs. Although there are other migratory birds that could potentially fly over the project area, there does not appear to be any habitat on either property to support a stopover.

3.5.2 Environmental Consequences

This section describes the potential impacts associated with the Proposed Action and alternatives on biological resources within the project area and vicinity.

Impacts on vegetation would be considered significant if:

- Native vegetation is removed from specific plant communities that are considered to be locally or regionally important, or are known to play a critical role in maintaining local or regional ecosystem function and overall biodiversity; or
- The amount of native vegetative habitat removed from any specific plant community would be enough to substantially alter regional ecosystem function or overall biodiversity due to loss or displacement of species from the area.

Impacts on wildlife would be considered significant if:

- There is loss of wildlife habitats that are considered to be locally or regionally important and are critical in maintaining ecosystem function and overall biodiversity in the local area or region;
- Loss of habitat affects the viability of at least some native species;
- Enough individuals of a wildlife population are removed so that it would substantially alter ecosystem function in that region; or
- Population numbers, population structure, genetic variability, and other demographic factors for species have large, short-term declines, with long-term population numbers significantly depressed.

Impacts on threatened and endangered species would be considered significant if:

- There is violation of the Endangered Species Act (ESA); or
- There is a loss of any threatened or endangered species individual as a result of the Proposed Action.

3.5.2.1 Alternative 1

Adverse impacts to biological resources under Alternative 1 would be primarily limited to temporary disturbance of animals in the areas immediately surrounding the project site. The area around the existing dormitories does not contain any native vegetation communities or wildlife habitat, and their demolition and the subsequent construction of one new dormitory building is not likely to injure or kill any individual animals or impact the habitat availability for any given species, including special status species. The area encompassed by the existing dormatories and where the new dormitory building would be constructed does not contain any habitat supporting the federally listed species identified in Table 3.5-1. Construction noise and associated visual disturbance during the construction period could potentially result in the temporary displacement of some wildlife species in the immediate vicinity of the site while humans or equipment are present in the project area. Noise can startle individuals, cause stress, mask communication and other natural sounds, and displace animals from surrounding habitat. Increased human activity at the project area during the construction period could also potentially disrupt wildlife movements during migration, dispersal, breeding, nesting, and normal (e.g., resting, feeding) behavior.

Wildlife disturbance would be limited to the general vicinity of the project area and to the period of construction and operation; any displaced animals would likely return to the vicinity of the project area upon completion of construction. Furthermore, the areas surrounding the project site are generally of low habitat quality and are not likely to harbor intact wildlife populations, thus adverse impacts would be minimal. Any displacement of animals is not likely to increase their energy expenditure or resource competition outside of the range of natural variation. As such, impacts to biological resources under Alternative 1 would be adverse, localized, short-term, and of negligible intensity. There would be a high likelihood of occurrence if species are present onsite, otherwise there would be no likelihood for impacts

to occur. Impacts would not be significant. There would be no effect to federally listed species and no further consultation with the USFWS would be required.

3.5.2.2 Alternative 2

Under Alternative 2, less than one acre of vegetation would be cleared, damaged, or trampled on the El Paso Water Authority property during the construction period. The 25,000 gsf footprint of the proposed dormitory building and its immediate vicinity would be cleared of nuisance weeds in support of construction activities for the entire lifetime of the new building. Disturbed ground would be susceptible to the continued establishment and spread of invasive grasses and weeds within the property; however, the majority of the area would be covered with impervious surface for the life of the dormitory building. The project area on the El Paso Water Authority facility has been repeatedly disturbed in the past, and the vegetation community on the property is composed of nuisance weeds which provide little habitat value to wildlife. Construction-related disturbance would not appreciably impact the prevalence of any given native vegetative species or reliant animal community outside of the property or within El Paso County as a whole. BMPs such as erosion control measures and equipment washing would also be implemented to prevent degradation of the adjacent wetland and the introduction and establishment of invasive species.

Adverse impacts to wildlife under Alternative 2 would be primarily limited to temporary disturbance of animals in the immediate surroundings, as discussed under Alternative 1. The El Paso Water Authority property consists of frequently disturbed, low quality wildlife habitat and does not contain a sizable resident wildlife population. Vehicles within the project area would travel at less than 15 miles per hour at all times, which would allow small mammals and reptiles to avoid moving vehicles. Construction activities in this property are not likely to injure or kill any individual animals or impact the habitat availability for any given species. Adverse impacts to wildlife under Alternative 2, on both the SPC site during demolition and on the El Paso Water Authority property during construction, would be nearly identical to those under Alternative 1 and would be limited to short-term disturbance during the construction period.

Although special status species are not known to be present within the project area or its immediate vicinity, ten special status species may occur within two miles of the project area. In order to avoid adverse impacts to special status species, a number of BMPs were recommended by TPWD and would be implemented prior to, during, and after the construction and demolition period.

The project area would be surveyed for special status species prior to construction and demolition. Precautions would be taken to not harm, remove, damage, or adversely alter habitat conditions for any special status species even though the site is not likely to support any special status species given its low habitat value. Precautions would include the employment of a permitted biological monitor during site clearing or trenching and contractor training for the avoidance of protected species. Any special status reptiles encountered during surveys would be allowed to leave the project area on their own or be translocated prior to clearing, and wildlife exclusion fences would be erected around the project area to exclude special status reptiles from the project area during the construction period. Any nests or burrows (including burrows for the Western burrowing owl) encountered during preconstruction surveys would be avoided until their residents have left the project area, and harvester ant mounds would be avoided to the extent possible to prevent impacts to the Texas horned lizard. Dark-sky lighting practices (e.g., focusing light downward, using only the minimum amount of night-time lighting possible for safety and

security purposes, and minimizing blue-light emissions) would also be implemented at the new dormitory building to prevent prolonged visual disturbance from facility lighting.

As such, impacts to biological resources under Alternative 2 would be adverse, localized, short-term, and of negligible intensity. There would be a high likelihood of occurrence if species are present onsite, otherwise there would be no likelihood for impacts to occur. Impacts would be less than significant. There would be no effect to federally listed species and no further consultation with the USFWS would be required.

3.5.2.3 No Action Alternative

Under the No Action Alternative, no dormitories would be demolished or constructed and the El Paso SPC would continue to operate at its current capacity. Vegetation communities at both properties would continue to consist primarily of nuisance weeds, and wildlife communities would continue to consist primarily of common species tolerant of urban areas and habituated to relatively high levels of auditory and visual disturbance. Thus, the No Action Alternative would not have any effects on biological resources. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development on vacant land and likely would contribute additive, adverse, cumulative disturbance and habitat removal impacts on wildlife in and adjacent to the project area when considered with the Proposed Action. These other projects all displace and disturb wildlife over a larger area, making it more difficult for animals to escape stressful noise and visual impacts. Similarly, although the individual area of disturbance of each project is small, they cumulatively result in the removal of larger localized areas of vegetation and wildlife habitat. However, all of these projects are occurring in relatively urbanized locations, and the areas of disturbance are not likely to harbor intact native wildlife or vegetation communities. Removal of these areas from productivity and the associated disturbance and displacement of wildlife is not likely to increase wildlife energy expenditure or resource competition outside of the range of natural variation. As such, the cumulative impacts to biological resources, including special status wildlife, would have a high likelihood of occurrence and are expected to be adverse, localized, short-term, and minor in magnitude but would be less than significant.

3.6 UTILITIES AND INFRASTRUCTURE

The El Paso SPC contains 41 buildings and 20 structures onsite. The facilities include dormitories, dining hall and kitchen, storage and guard shacks, a laundry building, an infirmary, and other support structures. This section describes the existing potable water supply, sanitary sewer and wastewater treatment system, stormwater management, energy systems and supply, and fencing/security features at the site.

3.6.1 Affected Environment

The affected environment for utilities and infrastructure comprises the El Paso SPC facility and the footprint of the adjacent El Paso Water Authority land to be acquired by ICE under Alternative 2.

3.6.1.1 Potable Water Supply, Sanitary Sewer, and Wastewater

El Paso Water provides potable water and wastewater services to the El Paso SPC. The sources of the City of El Paso's municipal water are groundwater from the Hueco-Mesilla Bolson aquifers and surface water from the Rio Grande; however, water from the Rio Grande is primarily used for irrigation. The Mesilla Bolson aquifer is the primary source of potable water for western El Paso, and the Hueco Bolson aquifer is the primary source of potable water for eastern El Paso, which includes the El Paso SPC. Wells pumping the Hueco Bolson aquifer are concentrated to the northeast of the City of El Paso and in the vicinity of the EPIA (ICE, 2010). The wastewater generated at the facility is treated at the Kay Bailey Hutchison Wastewater Treatment Plant (WWTP), located at 10751 Montana Avenue.

Potable water is supplied to the facility through a city water main on Montana Avenue. A water valve assembly is located near the Montana Avenue ROW. A 6-inch waterline proceeds northward to the ICE facility before branching to various facility buildings. A separate fire water line draws water from the same Montana Avenue city water main. It connects to the site fire hydrants and sprinkler systems and is dedicated for firefighting purposes (ICE, 2019).

An 8-inch sanitary sewer connects 25 feet east of the aforementioned water and fire connection to a Montana Avenue trunk sewer system. The sanitary sewer pipe runs parallel with the water lines and connects to various buildings on site. There is another sanitary line that connects to the facilities from the north side. A grease interceptor is installed on the side of the Dining Hall and Kitchen (Building B013) (ICE, 2019). Overall, the facility's potable water and wastewater system is adequate and in good condition.

Water consumption at the El Paso SPC for FY 2020 was reported by the facility personnel to be 42,800 gallons per day, 1.3 million gallons per month, and 15.6 million gallons per year. The facility's potable water consumption and wastewater generation is nearly the same as the SPC does not engage in any meaningful landscape irrigation activities. The facility experienced a 26.3 percent reduction in water use from FY 2019 to FY 2020, which likely contributed to reduced detainee and employee counts at the facility due to the COVID-19 pandemic.

The City of El Paso owns an existing groundwater well, currently located just outside the proposed construction footprint on the El Paso Water Authority land, that would be acquired by ICE for the construction of the dormitory building under Alternative 2. A control building is currently located within that construction footprint.

3.6.1.2 Stormwater Management

The stormwater drainage system at the El Paso SPC includes collection structures, underground piping, and detention basins. Stormwater from building roofs is generally discharged onto grade and drains by sheet action to catch basins, curb inlets, or adjacent streets. Stormwater from the roof of Dormitories 7 and 8 is piped to detention ponds adjacent to the buildings. Stormwater from paved areas, including parking lots and campus paving, is generally captured by sheet action and drains to trench drains and catch basins. Portions of the main visitor parking lot drain to a detention basin near the Administration Building (ICE, 2019). Some land area on the east side of the El Paso SPC also drains into the stormwater retention basin within the southern portion of the El Paso Water Authority property.

Ponding of water may occur in some areas after infrequent storms; however, it eventually evaporates and/or infiltrates into the collection areas. The SPC personnel have indicated that the ponding water does

not pose a major inconvenience to facility operations, though upgrades to the stormwater system may be needed to prevent localized flooding and soil erosion during future storm events (ICE, 2013).

3.6.1.3 Energy Systems and Supply

Energy at the El Paso SPC is a combination of electric power and natural gas. El Paso Electric provides electricity to the facility, and Texas Gas Service supplies natural gas to the site. Electric power is used for most energy needs, while natural gas is used to power various appliances such as Heating, Ventilation, and Air Conditioning (HVAC) systems, water heaters, and emergency generators.

The facility personnel reported the electricity consumption at the SPC to be 7,942 kilowatt-hours (kWh) per day, 244,705 kWh per month, or 2,936,460 kWh per year for Fiscal Year (FY) 2020. The El SPC facility is fed by El Paso Electric overhead service transformers located east of the Processing Center (Building B011). The transformers are 13.8kV-120, 1 phase, 2 wire, 100kVA, liquid type. A pad-mounted transformer owned by El Paso Electric is located west of Computer Building (Building B036). The transformer is a 13.8kVA-208/120V, 3 phase, 4 wire, liquid type. An underground 1200 A 208/120V service enters the main switchboard in the Maintenance Storage area (Building B027). Power is distributed from the main transformer via 400 and 500A circuits to other buildings and to the Administration Building for additional distribution. Further distribution to other buildings occurs via underground service (ICE, 2019).

Emergency power is provided from one diesel-powered and four natural gas-powered stand-by generators that serve selected electrical loads and areas. The generators are tested weekly and operated for 20-40 minutes for maintenance purposes. The generators were operated for less than an hour during emergencies in FY 2020, as reported by the SPC staff.

From FY 2019 to FY 2020, the facility experienced an 8.5 percent reduction in electricity usage, a 17.5 percent reduction in natural gas usage, and a 47.4 percent increase in fuel oil consumption. These reductions are attributed to reduced detainee and employee counts at the facility due to the COVID-19 pandemic.

3.6.1.4 Fencing

The El Paso SPC is a secure site with a perimeter fence and additional layers of inner fencing which define a secure zone around the various structures present onsite. The perimeter fencing is typically 10 feet in height and topped with barbed wire and helical razor ribbon wire with additional helical razor wire at the fence base. The interior fencing is typically 10 feet in height and is topped with barbed wire and helical razor ribbon wire. Dormitories 7 and 8 are bounded by 12-foot-high interior fencing.

Another type of fencing, low fencing, surrounds the stormwater detention structure adjacent to the Administration Building (Building B032). The 4-foot-high fencing includes galvanized chain link fencing and painted tubular metal fencing. All intermediate and corner posts are set in concrete. A 3-foot-wide swinging gate is included in the chain link fencing.

3.6.2 Environmental Consequences

The area of analysis for utilities and infrastructure is the El Paso SPC facility and the footprint of the adjacent El Paso Water Authority land to be acquired by ICE under Alternative 2. Impacts to utilities and infrastructure would be significant if:

- The demand for domestic water, sanitary sewer, electricity, and natural gas services post construction exceed the capacity of the onsite municipal infrastructure and utility systems.

3.6.2.1 Alternative 1

Under Alternative 1, four dormitories would be demolished and one new dormitory building would be constructed within the disturbed area occupied by the demolished dormitories' footprint. Alternative 1 requires connections to existing underground utilities for potable water, sanitary sewer, electricity, and natural gas to accommodate the increased detainee capacity.

For the duration of the 12-month construction period, the facility would be partially shut down, and 294 detainees inhabiting Dormitories 1 through 4 could be temporarily relocated to other ERO AORs due to lack of available bed space within the El Paso AOR. This would result in a short-term decrease in the facility's demand on or usage of domestic water, electricity, and natural gas, and would result in the generation of fewer gallons of wastewater. The demand on the facility's utility services during construction could be less than FY 2020 levels due to reduced detainee and employee counts resulting from detainee relocation effort and the continued effects of COVID-19 that require social distancing protocols to be practiced by detainees and employees indoors . During the construction period, temporary generators or diesel fuel would meet the energy demand of construction equipment and machinery, which would temporarily increase the facility's GHG emissions compared to current levels.

Upon completion of construction, detainees who were previously relocated would be brought back to the El Paso campus. The facility would be able to accommodate a greater number of detainees, up to 1,200. This, coupled with the El Paso staff returning to work at full capacity following the subsiding effects of COVID-19 due to the government's vaccination effort, would lead to an increase in the consumption of domestic water (and the subsequent generation of more wastewater), and an increased demand for electricity, and natural gas, and fuel oil at the site. However, this additional load would not exceed the capacity of the municipal infrastructure/utility systems. Moreover, proposed utility and facility expansions have been designed and are necessary to meet current PBNDS and ACA standards. Impacts to utilities at the SPC would therefore be minor, long-term, beneficial, and localized with a high likelihood of occurrence. Impacts would be less than significant.

3.6.2.2 Alternative 2

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority east of the El Paso SPC for the construction of one new dormitory building. This alternative would result in the same amount of additional dormitory space as Alternative 1 but without the need to relocate detainees as the new facilities would be completed six months before the old facilities would be demolished. There would be no partial shutdown of the facility during the construction phase.

As a result, the consumption of utilities, such as use of domestic water and subsequent generation of wastewater, and the demand for electricity and natural gas is expected to be similar to FY20 levels during the construction and demolition period.

Upon completion of construction activities, it is anticipated that a greater number of detainees would be accommodated at the new dormitory building, up to 1,200 individuals. This, coupled with the El Paso staff returning to work at full capacity following the subsiding effects of COVID-19 due to the government's vaccination effort, would lead to an increase in the consumption of domestic water (and the subsequent generation of more wastewater), and an increased demand for electricity and natural gas at the site.

However, this additional load would not exceed the capacity of the municipal infrastructure/utility systems. Moreover, proposed utility and facility expansions have been designed and are necessary to meet current PBNDS and ACA standards. Impacts to utilities at the SPC would therefore be minor, long-term, beneficial, and localized with a high likelihood of occurrence. Impacts would be less than significant.

Additionally, the groundwater well and control building, currently located within the footprint of the El Paso Water Authority property, would be relocated to the east, outside of the land to be acquired. The SPC's staff and detainees are not expected to consume water directly from this well and would, therefore, not be impacted by this action. Neighboring facilities/buildings that use water from this well may experience short-term impacts during the 12-month construction period when water from this well is not available; however, these impacts would not last beyond the construction phase once water from the relocated well becomes available for use. Impacts would be less than significant.

3.6.2.3 No Action Alternative

Under the No Action Alternative, construction and demolition activities would not occur at the El Paso SPC. As the ADP numbers return to pre-COVID-19 levels and more employees return to the SPC at full capacity, utility usage is expected to increase from FY 2020 levels and reach previous levels of normal operation. However, the design life of existing utilities would be exceeded without the proposed improvements, therefore increasing maintenance costs, the probability of breakdowns, and/or disruptions in water, wastewater, electric, or natural gas services. Therefore, impacts to utilities at the SPC as a result of the No Action Alternative would be moderate, adverse, long-term, and localized with a high likelihood of occurrence but would be less than significant.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects listed in Table 3.1-1, in conjunction with the improvements at the El Paso SPC, would likely contribute additive, adverse and beneficial, cumulative impacts to utility services and infrastructure in and adjacent to the project area. The combined impact of the projects may lead to temporary interruptions in water and/or electric services during the construction phase; however, it is anticipated that the local area utilities are currently sufficient to provide all services needed. If required, these services would be expanded to accommodate additional utility loads, local and regional infrastructure additions associated with the Proposed Action, and the current and foreseeable development projects listed in Table 3.1-1. These projects would impact the infrastructure at and near the project site in a beneficial manner since the newer buildings would be constructed in accordance with the latest building codes. As such, planned expansion of utilities and associated infrastructure under Alternatives 1 and 2 would result in minor, long-term, and beneficial cumulative impacts over a medium extent, with a high likelihood of occurrence. In the short term, cumulative impacts to utilities and infrastructure would be minor, adverse, and localized with a low likelihood of occurrence and would be less than significant.

3.7 CULTURAL RESOURCES

This section describes the current setting for cultural resources and evaluates potential effects to cultural resources that would occur as a result of the proposed Project. Cultural resources, while not defined in statute or regulation, are generally historic properties as defined by the National Historic Preservation Act of 1966 (NHPA); cultural items as defined by the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA); archeological resources as defined by the Archeological Resources Protection Act of

1979 (ARPA); sacred sites as defined by EO 13007, Indian Sacred Sites; and collections and associated records as defined by 36 CFR § 79. Cultural resources are associated with human use of an area. They may include archeological sites, historic properties, or locations of ethnographic interest associated with past and present use of an area. A cultural resource can be physical remains, intangible traditional use areas, or an entire landscape encompassing past cultures or present, modern-day cultures. Physical remains of cultural resources are usually referred to as archeological sites, while buildings or structures are usually referred to as historic resources.

Section 106 of NHPA, and the implementing regulations for Section 106 at 36 C.F.R. Part 800, require federal agencies to consider the effects of their activities on districts, sites, buildings, structures, and objects included in or eligible for listing on the National Register of Historic Places (NRHP). The Texas Historical Commission (THC) and Texas State Historic Preservation Officer (SHPO) were consulted as part of the planning process for this Project; this correspondence is included in Appendix C. Additionally, eight federally recognized tribes with interests in El Paso County were consulted to determine potential impacts to tribal resources (TDAT, 2021). The THC Tribal contacts list and associated maps of interest were reviewed to determine if any additional tribes have interest in El Paso County, and none were identified (THC, 2021; NPS, 2021).

3.7.1 Affected Environment

The area of potential effect (APE) is the geographic area where historic properties, those resources eligible for or listed on the NRHP, if present, could be directly or indirectly impacted by the Proposed Action and alternatives (36 CFR § 800.16(d)). For cultural resources, the APE is the El Paso SPC and the adjacent land currently owned by the El Paso Water Authority. Both properties were owned by the U.S. Army until 1957, when the City of El Paso took ownership of the property. In 1965, the federal government again took ownership of the land within the El Paso SPC's property boundaries. The adjacent property has been owned by the City of El Paso and the El Paso Water Authority since 1957.

3.7.1.1 El Paso SPC Property

The El Paso SPC contains 41 buildings and 20 structures onsite, including eight dormitories; six were built in 1965 while the other two were built in 1998. Other facilities at the SPC include a dining hall and kitchen, storage and guard shacks, a laundry building, an infirmary, and other support structures. Buildings at the El Paso SPC are used to facilitate court proceedings; legal services; detainee visitation; food service; cultural and religious services; recreation; laundry; medical and dental treatment; transportation services; administrative functions; removal operations; alternatives to detention operations; and maintenance.

The El Paso SPC property is heavily disturbed and almost entirely paved. No NRHP-eligible or listed structures are located within the APE.

3.7.1.2 El Paso Water Authority Property

The El Paso Water Authority property is approximately 3.37 acres in size, although under Alternative 2 ICE would only acquire 1.98 acres of the property. The property is mostly clear of vegetation, and the surface is heavily disturbed soil with some gravel present. A 0.79-acre stormwater pond, created between 1967 and 1991, is located in the southern section of the property.

A cultural resource assessment of the El Paso Water Authority land was conducted by Stone Point Services, LLC. The assessment found that the proposed Alternative 2 would not impact cultural or historic resources, including NRHP listed, eligible, or potentially eligible structures or sites. The assessment

included a pedestrian archeological survey with 14 shovel tests, all of which tested negative for cultural materials (SPS, 2021).

3.7.2 Environmental Consequences

The El Paso SPC and adjacent El Paso Water Authority land comprise the APE for assessment of potential effects to cultural and historic resources under the Proposed Action and action alternative. A desktop analysis of structures older than 50 years was conducted as part of project planning. The Texas Historic Sites Atlas, historic photography, the NRHP, and the Texas Natural Resources Information System were reviewed to determine potential impacts to historic resources from the proposed undertaking (THC Atlas, 2021; NPS, 2021). Based on these identification methods and results from the cultural resource assessment, ICE determined that neither alternative would affect historic properties as none were present.

ICE initiated coordination with the Texas SHPO via a THC submission dated June 17, 2021. Following a formal consultation process, the Texas SHPO concurred with ICE's determination of "no historic properties affected" through a letter dated July 7, 2021. This determination is included in Appendix C.

Eight federally recognized Tribes/Nations were notified of the proposed project through letters sent on June 17, 2021, and June 21, 2021. Comments were requested within 30 days of receipt of the letter. To date, one response has been received from the White Mountain Apache Tribe. This response stated that the Project would "not have an adverse effect on the tribe's cultural heritage resources and/or traditional cultural properties." The White Mountain Apache Tribe response is included in Appendix C.

3.7.2.1 Alternative 1

Under Alternative 1, ICE would demolish four dormitories and construct one new dormitory building in the footprint of the existing dormitories within the boundaries of the El Paso SPC. Alternative 1 is not anticipated to have any effects on historic properties because none were determined to be present at the site. Additionally, due to the similar height and size of the proposed dormitory compared to the existing dormitories and surrounding structures, and limited existing sightlines near the El Paso SPC, Alternative 1 would not affect the viewshed of nearby properties. Impacts on archeological resources are not anticipated to occur as a result of Alternative 1 because none have been identified and the proposed ground disturbance would be limited to the heavily disturbed footprint of the El Paso SPC.

The area proposed for construction under Alternative 1 has been previously impacted by construction and maintenance activities, and the potential for intact, significant archeological sites is considered low as these sites would have been destroyed or heavily damaged. Such areas typically do not require archeological surveys due to their disturbed nature. However, if cultural materials are discovered during site activities associated with the construction of the dormitory building or demolition of the existing dormitories, all earth-moving activity within and around the immediate discovery area would be stopped, and the THC Archeology Division (512-463-6096) would be contacted to provide further consultation about actions that may be necessary to protect the cultural materials. Additionally, if during demolition and construction activities human remains are discovered, the following steps would be followed:

- Work within 50 feet of the discovery shall cease, and ICE shall notify the local police department and medical examiner, as soon as practicable, but no later than 24 hours after the discovery.
- The local police department shall determine if the discovery is a crime scene.

- If the local police department determines that the discovery is a crime scene, then work can resume once the crime scene investigation is complete.
- If the local police department determines that the discovery is not a crime scene and ICE, in consultation with the SHPO and THPOs (if applicable), determines that the human remains or associated objects are Native American (as defined by NAGPRA), ICE shall comply with 43 CFR 10.4 and the NAGPRA before work can resume.
- If the local police department determines that the discovery is not a crime scene and ICE, in consultation with the SHPO and any THPO (if applicable), determines that the human remains are not Native American (as defined by NAGPRA), work can resume.

3.7.2.2 Alternative 2

Under Alternative 2, ICE would acquire 1.98 acres of adjacent land from the El Paso Water Authority for the construction of one new dormitory building. Alternative 2 is not anticipated to have any effects on historic properties because none were determined to be present at the El Paso SPC or on the adjacent land to be acquired from the El Paso Water Authority. Additionally, due to the similar height and size of the proposed dormitory compared to the existing structures within and nearby the El Paso SPC and El Paso Water Authority property, Alternative 2 would not affect the viewshed of nearby properties.

As with the El Paso SPC discussed under Alternative 1, the areas on El Paso Water Authority land where construction and ground disturbing activities are proposed under Alternative 2 have been previously impacted by construction and maintenance activities, and the potential for intact, significant archeological sites is considered low as these sites would have been destroyed or heavily damaged previously. Additionally, the El Paso Water Authority land was surveyed for below ground resources and none were identified. Should cultural materials be discovered during site grading or paving associated with construction of the dormitory building, all earth-moving activity within and around the immediate discovery area would be stopped until a qualified archeologist can assess the nature and significance of the find as discussed above under Alternative 1.

3.7.2.3 No Action Alternative

Under the No Action Alternative, no construction or land acquisition activities would take place. Therefore, no impacts to cultural resources would occur, and impacts would be less than significant.

Cumulative Impacts

Alternatives 1 and 2 would not disturb any cultural or historic resources; therefore, neither alternative would contribute any cumulative impacts to cultural resources when considered cumulatively with other projects that have occurred in the APE or are ongoing or planned. There would be no significant cumulative impacts from either Alternative.

3.8 AIR QUALITY AND CLIMATE CHANGE

Air quality is the measure of the atmospheric concentration of defined pollutants in a specific area. Air quality is affected by pollutant emission sources, as well as the movement of pollutants in the air via wind and other weather patterns. An air pollutant is any substance in the air that can cause harm to humans or the environment. Pollutants may be natural or anthropogenic and may take the form of solid particles, liquid droplets, or gases. Natural sources of air pollution include smoke from wildfires, dust, and wind erosion. Anthropogenic sources of air pollution include emissions from vehicles, industrial facilities, and

general uses of fossil fuels; dust from unpaved roads, agriculture, or construction sites; and smoke from human-caused fires.

It is well documented that the Earth's climate has fluctuated throughout its history from entirely natural causes. However, recent scientific evidence indicates a correlation between increasing global temperatures over the past century and the worldwide increase in anthropogenic (i.e., human) greenhouse gas (GHG) emissions (IPCC, 2013). Climate change associated with global warming is predicted to produce negative environmental, economic, and social consequences across the globe in the coming years. More specifically, any GHG emissions from the Proposed Action could directly contribute to an increase in global GHG atmospheric concentrations and average global temperatures, which indirectly causes numerous environmental and social effects. These global impacts would be manifested as impacts on resources and ecosystems in Texas.

3.8.1 Affected Environment

3.8.1.1 Air Quality

Because air quality is measured and regulated on a regional level, the air quality analysis in this EA utilizes air quality data from the El Paso-Las Cruces-Alamogordo Air Quality Control Region (AQCR) (40 CFR § 81.82). The El Paso-Las Cruces-Alamogordo AQCR encompasses six counties in western Texas and four counties in southern New Mexico, including El Paso County, the area where the project would occur.

The USEPA Region 6 and the TCEQ regulate air quality in Texas. The Clean Air Act (CAA) (42 U.S.C. 7401-7671q), as amended, gives the USEPA the responsibility to establish the primary and secondary National Ambient Air Quality Standards (NAAQS) (40 CFR § 50) that set acceptable concentration levels for six criteria pollutants, compounds that cause or contribute to air pollution and which could endanger public health and the environment. The six criteria pollutants are: particulate matter (both fine particulate matter [PM_{10}] and very fine particulate matter [$PM_{2.5}$]), sulfur dioxide (SO_2), carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3) and lead (Pb)[1]. O_3 is a strong photochemical oxidant that is formed when NO_2 reacts with volatile organic compounds (VOCs) (also referred to as hydrocarbons) and oxygen in the presence of sunlight. O_3 is considered a secondary pollutant because it is not directly emitted from pollution sources but is formed in the ambient air.

Short-term standards (One-, Eight-, and 24-hour periods) have been established for criteria pollutants that contribute to acute health effects, while long-term standards (annual averages) have been established for pollutants that contribute to chronic health effects. Each state has the authority to adopt standards stricter than those established under the federal program; however, Texas has accepted the federal standards. AQCRs that exceed the NAAQS are designated as *nonattainment* areas, and those in accordance with the standards are designated as *attainment* areas. AQCRs that have been redesignated from *nonattainment* to *attainment* are called maintenance areas. The USEPA has designated El Paso County (part of the El Paso-Las Cruces-Alamogordo AQCR) as a moderate *nonattainment* area for PM_{10} (USEPA, 2021a). Because the project is located in a *nonattainment* area, the General Conformity Rule[2] requirements apply. The General Conformity Rule states that if a project would result in a total net

[1] Lead is not considered further in this analysis because none of the project activities have the potential to generate air lead emissions.

[2] Established under the CAA, the General Conformity Rule ensures that the actions taken by federal agencies do not interfere with a state's plans to attain and maintain the NAAQS. According to the rule, if a project takes place in an area that is in *attainment*, then the general conformity requirements do not apply to the project.

increase in direct and indirect emissions of nonattainment or maintenance pollutants that are less than the applicable *de minimis* (i.e., negligible) thresholds established in 40 CFR § 93.153(b), detailed conformity analyses are not required pursuant to 40 CFR § 93.153(c). For purposes of analysis, the project emissions were estimated and compared to the *de minimis* thresholds. This comparison is presented in Section 3.8.2.

The USEPA monitors levels of criteria pollutants at representative sites in each region throughout the U.S. Table 3.8-1 shows the monitored concentrations, the NAAQS, and the air monitor location for each criteria pollutant; air monitoring data for the SO_2 3-hour averaging time were unavailable. As shown in Table 3.8-1, ozone concentration exceeded the NAAQS level in 2020, though the PM_{10} concentration was below the federal limit.

Table 3.8-1. National Ambient Air Quality Standards and 2020 Measured Criteria Pollutant Concentrations

Averaging Time	NAAQS	Monitored Data	Monitor Location[a]
CO			
1-hour[b] (ppm)	35	3.7	800 S San Marcial Street
8-hour[b] (ppm)	9	2.1	800 S San Marcial Street
NO_2			
1-hour (ppb)	100	72	650 R E Thomason Loop
O_3			
8-hour (ppm)[c]	0.070	0.082	10834 Ivanhoe
SO_2			
1-hour[b] (ppb)	75	7	800 S San Marcial Street
3-hour[b] (ppm)	0.5	N/A	N/A
$PM_{2.5}$			
24-hour[d] (µg/m^3)	35	31.9	800 S San Marcial Street
Annual arithmetic mean[e] (µg/m^3)	12	9.1	800 S San Marcial Street
PM_{10}			
24-hour[b] (µg/m^3)	150	142	10834 Ivanhoe
Pb			
3-month average (µg/m^3)	0.15	0.006	250 Rim Road

Sources: 40 CFR § 50.1-50.12; USEPA, 2020a; USEPA, 2021b.

Note: ppb = parts per billion; ppm = parts per million; µg/m^3 = micrograms per cubic meter; CO = carbon monoxide; N/A = data not available; NAAQS = National Ambient Air Quality Standards; NO_2 = nitrogen dioxide; O_3 = ozone; Pb = lead; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter; PM_{10} = particulate matter less than 10 microns in diameter; SO_2 = sulfur dioxide; TX = Texas.

[a] Because there are no air monitoring stations at the SPC, data from the closest available air monitoring stations in El Paso, TX were used. The same location was not used for each criteria pollutant due to data availability.

[b] Not to be exceeded more than once per year.

[c] The 3-year average of the fourth highest daily maximum 8-hour average O_3 concentrations.

[d] The 3-year average of the 98th percentile of 24-hour concentrations at each population-oriented monitor must not exceed 35 µg/m^3.

[e] The 3-year average of the weighted annual mean $PM_{2.5}$ concentrations must not exceed 12.0 µg/m^3.

Currently, onsite emissions of criteria air pollutants at the El Paso SPC result from facility operations, such as the usage of HVAC systems and stand-by generators. Electricity consumption at the facility results in the generation of off-site criteria pollutants. With building systems in need of repair and/or replacement, buildings at the SPC are not likely to be energy efficient and therefore, likely to result in greater emissions from energy use than newer, more efficient buildings. Mobile source emissions result from the operation of privately-owned vehicles (POVs) utilized by the employees at the El Paso SPC.

3.8.1.2 Climate Change

GHGs are gases that trap heat in the atmosphere by absorbing outgoing infrared radiation. GHG emissions occur from both natural processes and human activities. Water vapor is the most important and abundant GHG in the atmosphere. However, human activities produce only a small amount of the total atmospheric water vapor. The most common GHGs emitted from natural processes and human activities include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The main source of GHGs from human activities is the combustion of fossil fuels, such as oil, coal and natural gas. Other examples of GHGs created and emitted primarily through human activities include fluorinated gases (e.g., perfluorocarbons) and sulfur hexafluoride. The main sources of these man-made GHGs are refrigerants and electrical transformers.

Numerous studies document the recent trend of rising atmospheric concentrations of CO_2. The longest continuous record of CO_2 monitoring extends back to 1958 (Keeling, 1960; Scripps, No Date). These data show that atmospheric CO_2 levels have risen an average of 1.5 parts per million per year over the last 56 years (NOAA, 2021). Global annually averaged temperature measured over both land and oceans has increased by about 1.8°F (1.0°C) according to a linear trend from 1901 to 2016, and by 1.2°F (0.65°C) for the period 1986–2015 as compared to 1901–1960, with sixteen of the last 17 years having been the warmest ever recorded by human observations (USGCRP, 2018). Recent observed changes due to climate change include rising temperatures, shrinking glaciers and sea ice, thawing permafrost, a lengthened growing season, and shifts in plant and animal ranges. International and national organizations independently confirm these findings (IPCC, 2013; USGCRP, 2014).

Each GHG is assigned a global warming potential (GWP) by the USEPA (USEPA, 2018a). The GWP is the ability of a gas or aerosol to trap heat in the atmosphere. The GWP rating system is standardized to CO_2, which is given a value of one. For example, CH_4 has a GWP of 28, which means that it has a global warming effect 28 times greater than CO_2 on an equal-mass basis (IPCC, 2013). To simplify GHG analyses, total GHG emissions from a source are often expressed as a CO_2 equivalent (CO2e), which is calculated by multiplying the emissions of each GHG by its GWP and adding the results together to produce a single, combined emission rate representing all GHGs. While CH_4 and N_2O have much higher GWPs than CO_2, CO_2 is emitted in such large quantities that it is the predominant contributor to global CO_2 equivalent emissions from both natural processes and human activities.

The operation of energy systems at the El Paso SPC result in the emission of GHGs. As reported by facility personnel, the SPC produced 1,340.2 metric tons (MT) of CO2e GHG emissions from electricity consumption, approximately 441.1 MT CO2e from natural gas consumption, and approximately 0.94 MT CO2e from fuel consumption in FY 2020.

3.8.2 Environmental Consequences

This section discusses the impacts to air quality and the GHG emissions at, and in the vicinity of, the El Paso SPC expected to occur from implementation of the Proposed Action.

Impacts to air quality would be significant if:

- The emission of criteria air pollutants during the construction phase exceed the *de minimis* threshold.

Impacts to climate would be significant if:

- There is a substantial increase in the concentration of GHGs released in the long term during the operation of the facility's energy systems compared to current levels.

3.8.2.1 Alternative 1

Air Quality

Under Alternative 1, Dormitories 1 through 4 would be demolished and one new dormitory building would be constructed within the disturbed area occupied by the existing dormitories. As explained in Section 3.8.1, USEPA's General Conformity Rule under the CAA ensures that the actions taken by federal agencies do not interfere with a state's plans to attain and maintain the NAAQS (40 CFR § 93.153(b)). Because the El Paso-Las Cruces-Alamogordo AQCR is in nonattainment for PM_{10}, the General Conformity Rule requirements apply to the project. For purposes of analysis, all direct and indirect emissions of PM_{10}, $PM_{2.5}$, SO_2, CO, nitrogen oxides (NO_x), and O_3[3] were estimated for the construction phase of Alternative 1 and compared to the General Conformity Rule *de minimis* threshold rates to determine whether implementation of the project would impact air quality in the region. Emissions of lead were not analyzed because no project activity would result in the generation of lead emissions.

Emissions of criteria air pollutants were estimated for construction equipment that would be operated under Alternative 1, such as backhoes, bulldozers, and dump trucks. Emission rates for these equipment were estimated using USEPA's MOVES2014b[4] model (USEPA, 2018b). For purposes of analysis and to provide a conservative estimate of potential air emissions, it was assumed that all nonroad construction equipment would be operated full-time (i.e., eight hours per day and five days per week). The results of the conformity analysis are presented in Table 3.8-2. As shown in Table 3.8-2, the total annual emissions associated with the construction/demolition phase of the Proposed Action would not exceed the *de minimis* threshold rate for any of the criteria pollutants analyzed. These impacts to air quality would occur during construction and demolition activities and would end once these activities are completed.

[3] Ozone is a secondary pollutant (i.e., it is created when NO_2 reacts with VOCs and oxygen in the presence of sunlight. Therefore, the emissions of the precursor pollutant (i.e., NO_2) were used to calculate the O_3 emissions that would occur under the Proposed Action.

[4] MOVES is the USEPA's Motor Vehicle Emission Simulator used to create emission factors or inventories for both on-road motor vehicles and non-road equipment. It provides an estimate of emissions from cars, trucks, construction equipment, and non-highway mobile sources under a wide variety of user-defined conditions, such as vehicle types, time periods, geographical areas, and pollutants. This software is widely used for analyses supporting State Implementation Plans and conformity determinations (USEPA, 2015b).

Table 3.8-2 Project Annual Emissions Compared to General Conformity Rule Thresholds

Equipment	Tons of CO	Tons of NO_2	Tons of SO_2	Tons of PM_{10}	Tons of $PM_{2.5}$
Nonroad Vehicles					
Backhoe (diesel)	0.090	0.111	2.08×10^{-4}	0.014	0.013
Bulldozer (diesel)	0.079	0.243	9.89×10^{-4}	0.014	0.013
Dump truck (diesel)	0.024	0.028	4.06×10^{-5}	0.004	0.003
Total (tons per year)	**0.193**	**0.382**	**0.001**	**0.031**	**0.030**
***De minimis* threshold (tons per year)**	**100**	**100**	**100**	**100**	**100**

Source: USEPA, 2021c

Additionally, construction workers commuting to and from the El Paso SPC in POVs and trucks delivering materials to the construction site would temporarily contribute to an increase in criteria pollutants at the project site. Construction and demolition activities at the El Paso SPC would generate fugitive dust (non-toxic particulate matter) emissions. Emissions from open areas (e.g., a construction site) require reasonable precautions to prevent particulate matter from becoming airborne. Such BMPs would include:

- Using water for dust control when grading roads or clearing land;
- Covering open equipment when conveying or transporting material likely to create objectionable air pollution when airborne; and
- Promptly removing spilled or tracked dirt or other materials from paved streets.

Once construction activities are completed, operations at the El Paso SPC would be at levels somewhat greater than pre-COVID-19 levels (FY 2019) and levels prior to project implementation (FY 2020) due to increased detainee capacity at the dormitories. However, the newly constructed dormitory building would be equipped with up-to-date systems that would be more energy efficient, resulting in fewer emissions. Overall, the implementation of this alternative would result in short-term, localized, minor, adverse impacts and long-term, localized, negligible, beneficial impacts to air quality with a high likelihood of occurrence. Impacts would not be significant.

Climate Change

GHG emissions associated with Alternative 1 would primarily result from the operation of fuel-fired equipment (e.g., bulldozers, backhoes, and dump trucks) during construction and demolition of the existing dormitories and the use of POVs by construction workers to commute to and from the project site. However, these emissions would occur over the short term and would end upon the completion of construction, representing an incremental, but overall negligible, contribution to climate change.

Once the new dormitories are constructed, the facility would be able to accommodate a greater number of detainees, up to 1,200. This, coupled with the El Paso staff returning to work at full capacity following the subsiding effects of COVID-19 due to the government's vaccination effort, would lead to a greater demand on the facility's energy systems compared to FY 2020 levels. However, it is anticipated that the newly constructed dormitory building would be equipped with up-to-date systems that would be more energy efficient, resulting in emissions that would only minimally exceed the current GHGs levels, both at the El Paso SPC and offsite at power generation facilities. Due to the relatively small amount of GHGs generated at the facility overall, the implementation of Alternative 1 would result in short-term, minor,

adverse impacts and long-term, negligible, adverse impacts to climate change with a high likelihood of occurrence. Impacts would not be significant.

3.8.2.2 Alternative 2

Air Quality

The impacts to air quality from the implementation of Alternative 2 would be the same as the impacts described under Alternative 1 above. The only difference would be that demolition of Dormitories 1 through 4 would occur at the current El Paso SPC, and construction of the new dormitory building would occur at the El Paso Water Authority land that would be acquired by ICE.

As under Alternative 1, the implementation of Alternative 2 would result in short-term, localized, minor, adverse impacts and long-term, localized, negligible, beneficial impacts to air quality with a high likelihood of occurrence. Impacts would be less than significant.

Climate Change

The impacts to climate change from the implementation of Alternative 2 would be the same as the impacts described under Alternative 1 above. The only difference would be that demolition of Dormitories 1 through 4 would occur at the current SPC site, and construction of the new dormitory building would occur at the El Paso Water Authority land that would be acquired by ICE.

As under Alternative 1, the implementation of Alternative 2 would result in short-term, minor, adverse impacts and long-term, negligible, adverse impacts to climate change with a high likelihood of occurrence. Impacts would not be significant.

3.8.2.3 No Action Alternative

No new impacts on air quality or climate change at and in the vicinity of the El Paso SPC would occur under the No Action Alternative because none of the proposed activities would occur. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. Construction of the facilities listed in Table 3.1-1, in combination with the improvements at the El Paso SPC, would contribute additive, adverse, cumulative impacts to air quality and climate change at and near the project site. Construction activities would increase the levels of criteria air pollutants , though their levels are not anticipated to exceed the *de minimis* threshold. Likewise, construction and demolition activities would increase the GHG concentration in the short term, though their levels are not anticipated to substantially exceed the current GHG levels. Fugitive dust emissions would also occur as a result of construction; however, with the implementation of BMPs, dust emissions would be minimized.

There would be short-term, adverse, moderate cumulative impacts to air quality with a medium extent and high likelihood of occurrence, but impacts would be less than significant. The operation of the newly constructed facilities would result in off-site emissions of criteria pollutants in the long term, resulting in adverse cumulative impacts to air quality at the site of electricity generation that are less than significant.

Also, there would be short-term, adverse, minor cumulative impacts to climate change with a medium extent and high likelihood of occurrence, but impacts would be less than significant. The operation of the newly constructed facilities would result in off-site emissions of GHGs in the long term, resulting in adverse cumulative impacts to climate change at the site of electricity generation that are less than significant.

3.9 TRANSPORTATION AND TRAFFIC

This section presents an overview of the existing transportation and traffic conditions in the El Paso SPC project area and vicinity and an evaluation of each alternative's potential impact to those transportation and traffic conditions.

3.9.1 Affected Environment

This section describes the affected environment in terms of the local transportation and traffic, SPC construction activity, operations activities, and detainee movement.

3.9.1.1 Local Transportation and Traffic

The El Paso SPC is adjacent to the EPIA. Like most airport districts in the country, the area surrounding the EPIA is an uncoordinated assortment of parking lots, hotels, commercial strips, and industry. Both residents and stakeholders have prioritized transforming this area into a redeveloped, revitalized, and attractive regional gateway, particularly with the new Montana Avenue Rapid Transit System (RTS) line. Airport and city officials have plans to redevelop areas west, south, and east of the terminal (City of El Paso, 2012).

Access and connectivity to and from the airport terminal and adjacent areas are critical. Accordingly, traffic funnels onto Airway Boulevard where there are currently over 40,000 vehicles each day on both Airway Boulevard and on Montana Avenue at Airway Boulevard. Airport Road does provide secondary access to Airway Boulevard, with 35,000 daily vehicles on Airport Road just north of Airway Boulevard (City of El Paso, 2012).

There are two access points to the SPC from the Montana Avenue major arterial roadway, one at the north end of the SPC site and one at the southeast corner. At a distance of approximately 900 to 1,000 feet from the southeast corner entrance from Montana Avenue, there is a controlled access point to the 10-acre walled-in area where the existing dormitories are located.

3.9.1.2 SPC Construction Activity

There is no major construction activity currently ongoing at the El Paso SPC, nor is any planned through the period of implementation of the Proposed Action.

3.9.1.3 Detainee Movement

There are four dormitories to be demolished of the eight existing dormitories at the El Paso SPC. The four dormitories total 21,097 gsf and hold 294 detainees. Movement of detainees via some form of transport is limited and may infrequently include short trips within the SPC to utilize available services, although most of the onsite services would more typically be accessed without the need for transportation.

Movement of detainees outside the SPC is rare and would primarily include access to medical and other services not available onsite or transport to the adjacent airport for the purpose of returning detainees by air to their home countries. The "turnover" rate for detainees, i.e., how many new arrivals there are,

and the number of permanent departures are unknown, but most detainees are not at the SPC for a long duration.

Detainee-related transport may also occur when detainees receive an unknown number of family visits or visits from outside the facility for various reasons. At this time, 2020-2021, the visits are likely virtual due to COVID-19 restrictions.

3.9.1.4 Operations Activities

The El Paso SPC contains 41 buildings and 20 other structures onsite. Facilities at the SPC include eight dormitories, a dining hall and kitchen, storage and guard shacks, a laundry building, an infirmary, and other support structures. Buildings at the El Paso SPC are used to facilitate court proceedings; legal services; detainee visitation; food service; cultural and religious services; recreation; laundry; medical and dental treatment; transportation services; administrative functions; removal operations; alternatives to detention operations; and maintenance. The facility provides workspace and other areas for approximately 130 DHS employees, 10 DOJ employees, and 650 contract staff. With no major construction in progress, traffic due to deliveries of supplies and materials related to these identified functions is typical of a business park or light industrial area.

3.9.2 Environmental Consequences

This section discusses the potential impact to transportation and traffic within the El Paso SPC project area and vicinity under each alternative. The area of analysis for land use is the El Paso SPC, the El Paso Water Authority property, and all adjacent areas. Impacts to transportation and traffic would be significant to the human environment if:

- Project activities would create substantial traffic congestion or hazard;
- Project activities would cause the failure or deterioration of an existing or proposed transportation feature; or
- Project activities would contribute to a violation of any federal, state, or local law or regulation.

3.9.2.1 Alternative 1

Under Alternative 1, ICE would demolish four dormitories and subsequently construct one new dormitory building on the disburbed area occupied by the existing dormitories. The impacts on transportation and traffic would be direct and adverse, having minor magnitude, short-term duration, small extent, and medium likelihood. The overall impact would not be significant, as described in more detail below.

Local Transportation and Traffic

During the period of dormitory demolition and construction, there may be increased traffic and stress on local transportation assets, such as Montana Avenue, arising from the hauling away of demolition debris and the mobilization of construction materials and equipment to the project site. Due to close proximity of the project site to the airport, high volume local traffic areas would experience a slightly increased level of traffic. Since these areas are designed for accommodating high traffic volume, there would be a marginal impact on local transportation assets during the construction period.

Once the project is complete, the facility capacity would increase 43 percent, which would proportionately increase trips made to the airport to place detainees on planes returning them to their home countries.

SPC Construction Activity

The construction phase of the Project would take approximately 12 months following completion of design. Transportation and traffic impacts during construction and demolition would be primarily caused by the delivery and operation of heavy equipment including cranes, trucks of all sizes, diesel generators, and heavy construction vehicles; therefore, transportation and traffic impacts would be relatively high during daytime periods at locations within several hundred feet of active construction.

A staging area near the dormitory location would be designated for construction materials. Demolition and construction activities would be expected to result in minor, adverse impacts to transportation and traffic and would not continue beyond the construction period.

Construction traffic to and from the site of the existing dormitories would pass through a controlled access point that has the potential to cause brief periods of minimal traffic congestion at this limited access location.

Detainee Movement

Under Alternative 1, detainees would be temporarily relocated during the demolition of old dormitories and the construction of new ones. This would require transport of 294 detainees outside the SPC and either within or outside of the El Paso AOR. Considering the scope of this transport within the context of the overall AOR, this would have a negligible transportation and traffic impact, regardless of the number of detainees transported by a single vehicle.

Once relocated within the El Paso AOR as required by Alternative 1, detainees would have access to comparable services to those available onsite at the SPC, as described in the Affected Environment section above, without a need for an increased transportation requirement to provide these services.

Operations Activities

Under Alternative 1, operations activities described in the Affected Environment section above would continue at a reduced level within the SPC due to the relocation of detainees during the partial shutdown of the facility. This would result in a reduced level of traffic volume and a partial canceling effect for other increases in transportation and traffic impacts occurring during the construction period. There would be a need for operations activities at the sites where detainees are relocated, but at these dispersed locations within and outside the AOR, that need would be absorbed into ongoing operations activities at these locations. Thus, Alternative 1 would have a slightly positive impact on transportation and traffic within the SPC.

3.9.2.2 Alternative 2

Under Alternative 2, ICE would acquire adjacent land owned by the El Paso Water Authority for the construction of one new dormitory building and subsequently demolish four existing dormitories. The impacts on transporation and traffic would be direct and adverse, having minor magnitude, short-term duration, small extent, and medium likelihood. The overall impact would not be significant, as described below.

Local Transportation and Traffic

Under Alternative 2, local transportation and traffic impacts would be the same as under Alternative 1.

SPC Construction Activity

The transportation and traffic impacts from construction and demolition activities under Alternative 2 would be similar to the transportation and traffic impacts under Alternative 1. Transportation and traffic impacts from some normal facility operations that would be curtailed during the partial shutdown under Alternative 1 would continue during the construction activities for Alternative 2. These additional transportation and traffic impacts would not appreciably increase the normal transportation and traffic impacts within the area. Thus, demolition and construction activities would be expected to result in minor, adverse impacts to transportation and traffic and would not continue beyond the construction period.

Construction traffic during the demolition period would pass through the controlled access point, as described for Alternative 1. However, construction traffic for new dormitory construction would not have to pass through this controlled access point, eliminating the potential for traffic congestion at this loaation.

Detainee Movement

The transportation and traffic impacts on detainee movement activities under Alternative 2 would be similar to the transportation and traffic impacts under Alternative 1, except that transportation of detainees within the AOR due to the partial shutdown of Alternative 1 would not occur.

Operations Activities

The transportation and traffic impacts on operations activities under Alternative 2 would be similar to the transportation and traffic impacts under Alternative 1, except that the slight reduction in traffic volume in the SPC due to the partial shutdown of Alternative 1 would not occur.

3.9.2.3 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of utility infrastructure, or acquisition of new land leading to changes in local transportation and traffic, SPC construction activity, detainee movement, or operations activities; therefore, no impact to transportation and traffic would be expected to occur. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development affecting transportation and traffic and would likely contribute additive, adverse, cumulative disturbance on and adjacent to the project area when considered with the Proposed Action. Cumulative impacts may occur if construction activities associated with the Proposed Action coincide with construction activities associated with ongoing construction that would convert Montana Avenue to a six-lane freeway. If the construction activities do coincide, the cumulative impacts to transportation and traffic would have a high likelihood of occurrence and are expected to be adverse, localized, short-term, and minor in magnitude but less than significant.

3.10 NOISE

This section presents an overview of noise, the existing ambient noises in the El Paso SPC project area and vicinity, and an evaluation of the Proposed Action's potential impact from noise.

3.10.1 Affected Environment

Noise is typically defined as sound that is unwanted by the receiver. For both human and wildlife receptors, unwanted sounds include those that interfere with common activities such as sleeping, communication, and concentration or cause physiological harm (Suter, 1991; USEPA, 1981). In order to understand noise and how it is measured and perceived, it is important to understand the basic physical properties and qualities of sound.

Sound is the result of rapid variations of pressure in a medium, usually air, caused by a disturbance or vibration. A sound's frequency refers to how fast the pressure changes occur and is measured in terms of cycles per second or Hertz (Hz). Sound frequency is perceived as pitch; a high frequency sound is considered high pitched. In general, a young person with average hearing can hear frequencies between 20 Hz to 20,000 Hz; however, the upper detectable limit decreases with age. For reference, typical human speech frequencies range between 500 Hz to 4,000 Hz.

Sound level refers to the amplitude of the pressure changes that cause sound and is measured in units of sound pressure or decibels (dB). Decibels are defined with respect to the standard threshold for human hearing called the reference sound pressure (20 micropascals at 1,000 Hz); therefore, humans do not perceive sound less than 0 dB. Decibels are measured on a logarithmic scale rather than a linear scale, meaning humans perceive a 10-dB increase as a doubling of loudness. A-weighted decibels (dBA) are adjusted to approximate typical human hearing sensitivity by filtering out lower frequency sounds. For reference, the sound level of a normal conversation is about 60 dBA and the threshold of pain is considered to be 140 dBA (OSHA, 2013).

Sound is also characterized by duration and how the sound is distributed in time. Sounds are considered continuous if there is little or no variation in time and are considered varying if there are differing levels over a period of time. Intermittent sounds are interspersed with quiet periods and impulsive sounds are characterized by relatively high sound levels and very short durations (USEPA, 1981).

Human and wildlife responses to noise vary according to characteristics of the sound source such as the sound level, duration, frequency, distribution in time, and distance and the sensitivity of the receptor such as age, general health, time of day, and activity. Depending on the sound source and sensitivity of the receptor (i.e., humans or wildlife), noise can result in noise-induced hearing loss, interference with communication, adverse effects on sleep, adverse effects on performance and behavior, non-auditory health effects, and annoyance (Suter, 1991). Since wildlife use sounds to complete basic biological functions including communication, navigation, and finding food and mates, additional background noise can interfere with an animal's ability to complete these functions. Common sounds, their average sound level, and a human's typical response are listed in Table 3.10-1.

Table 3.10-1. Sound Levels and Common Human Responses

Common Sounds and Noises	Average Sound Level (dBA)	Typical Response (after routine or repeated exposure)
Softest audible sound	0	Sounds at these levels are typically considered quiet and/or ambient.
Normal breathing	10	
Soft whisper, rustling leaves	30	
Normal conversation/speech	60	Sounds at this level are typically considered intrusive.
Washing machine, dishwasher	70	Sounds at this level are typically considered annoying.
Heavy/city traffic	80-85	Sounds at this level are typically considered very annoying.
Motorcycle	95	Damage to hearing possible after about 50 minutes of exposure
Approaching subway train	100	Hearing loss possible after 15 minutes
Loud entertainment venues (such as sporting events and rock/pop concerts)	105–110	Hearing loss possible in less than 5 minutes
Firecrackers	140–150	Pain and ear injury

Sources: CDC, 2019; Berger et al., 2018

3.10.1.1 Noise Metrics and Regulations

In general, the purpose of noise regulations is to either protect human health by regulating occupational noise hazards or to protect human health from environmental noise pollution. The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) established the framework for regulating occupationally associated noise levels. The Occupational Safety and Health Administration (OSHA) is responsible for regulating noise hazards associated with occupational hearing loss such as from the use of construction equipment. Permissible noise exposures from construction noise are set under 29 CFR 1926.52 and are presented below in Table 3.10-2. If sounds exceed these standards, an effective hearing conservation program is required.

Table 3-10-2. Permissible Noise Exposures

Duration per day (hours)	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
< 0.25	115

Source: eCFR, 2021 (29 CFR 1926.52)

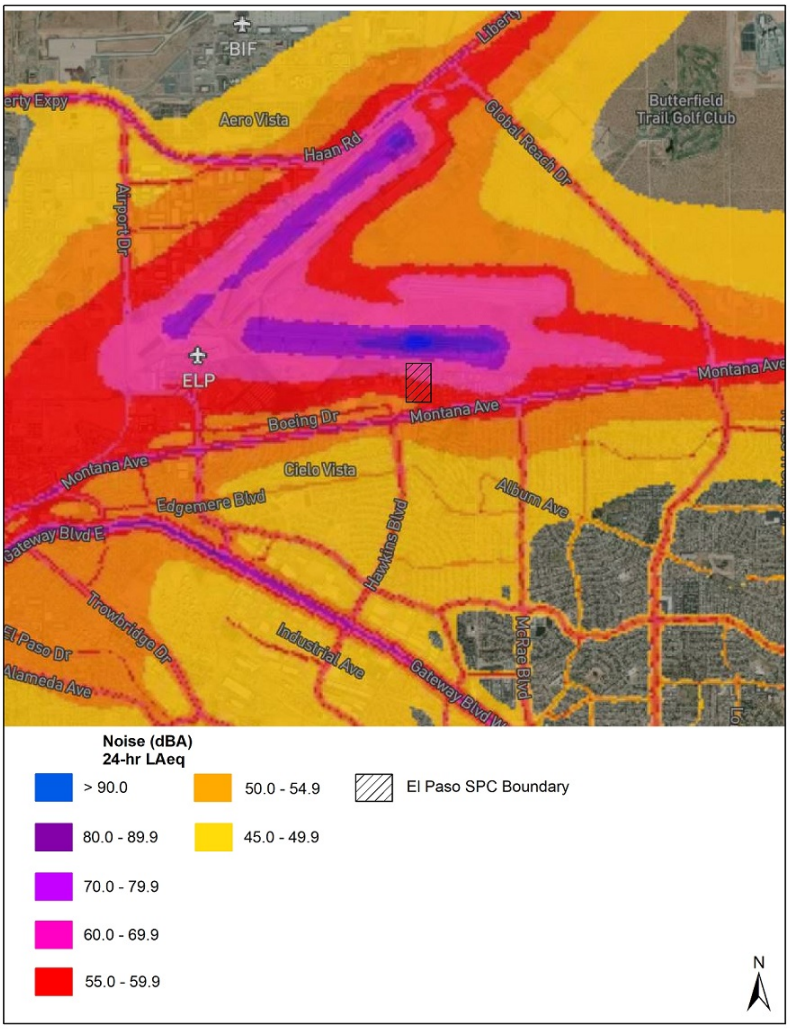
While individual sounds are characterized by their sound level on the dBA scale, various metrics to measure community noise exposure over time have been developed. The Equivalent Continuous Sound

Level (L_{eq}) is the average sound level (dBA) over time. The Day-night Average Sound Level (DNL) is used to measure sound energy over a 24-hour period. The DNL incorporates a 10-dB nighttime penalty from 10:00 pm to 7:00 am (i.e., sounds that occur between 10:00 pm and 7:00 am are evaluated as 10 dB higher than measured) (Suter, 1991). Community and environmental noise was first addressed on a federal level through the CAA which established the USEPA's Office of Noise Abatement and Control (ONAC) to study of noise and its effect on the public health and welfare (42 U.S.C. 7641). In 1974, the USEPA determined that a yearly average DNL of 45 dB would enable adequate speech communication indoors and a DNL of 55 dB would enable normal communication outdoors at a distance of about 3 meters (Suter, 1991). In 1981, the USEPA transferred the primary responsibility of regulating noise and implementing noise control policies to state and local governments and the ONAC was closed. Under the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.) and the Quiet Communities Act of 1978 (42 U.S.C. 4913), the USEPA retains the authority to study noise pollution and its adverse effects (USEPA, 2020b).

In El Paso, noise is regulated in Chapter 9.40 of the El Paso, Texas City Code. The code prohibits sound that is discernable beyond property lines and exceeds 70 dBA between the hours of 10:00 p.m. and 7:00 a.m. This noise ordinance, does not however apply to sound produced by any government body performing a government function (El Paso City Code, 2019).

3.10.1.2 Ambient Noise around the El Paso SPC

Ambient noise refers to the existing levels and sources of noise in a community. The primary and most studied sources of noise which produce community annoyance are aircraft, road traffic, and railroad noise; however, noise from industry, construction, and in buildings can also be common sources of unwanted noise (Suter, 1991). The El Paso SPC is located along Montana Avenue and is adjacent to the EPIA. Montana Avenue is a frequently congested state highway that connects the far east side of El Paso to the city center. In addition to urban traffic noises, construction noises occur along Montana Avenue in support of improvement plans under the City of El Paso's Comprehensive Plan. In 2009, a widening project increased the road to six lanes. The EPIA operates two air carrier runways and one general aviation runway with daily flights that serve an average of 2,962,488 passengers per year from 2011 to 2019 (EPIA, 2021a). Figure 3.10-1 below presents sound levels from transportation sources in the vicinity of the El Paso SPC project area created using data collected for the national multimodal transportation noise mapping initiative from the Federal Highway Administration (FHWA), the Federal Railroad Administration (FRA), and the FAA to create a map of noise levels from aviation, road, and rail noise sources. The ambient sound level over a 24-hour period within the vicinity of the project area ranges from 55.0 to 69.9 dBA.



Source: BTS, 2018

Figure 3.10-1. Map of Local Noise from Aviation, Road, and Rail Sources

The area around the El Paso SPC includes a mix of commercial and residential land uses. Within a one-mile radius of the El Paso SPC there are at least portions of the following potential sensitive receptors: four schools (Scotsdale Elementary School, Cielo Vista Elementary School, MacArthur Elementary School, and Burges High School), two churches, three city parks (Hawkins, Edgemere, Cielo Vista, and MacArthur), and the Lone Star Gold Course. There are no hospitals within one mile of the El Paso SPC (City of El Paso, No Date).

3.10.2 Environmental Consequences

This section discusses the Proposed Action's potential impact from noise within the El Paso SPC project area and vicinity under each alternative. A significant impact from noise would occur if:

- Expected sounds from project activities create areas of incompatible land use on the basis of noise (i.e., interfere with the use of nearby properties); or
- The Proposed Action would contribute to a violation of any federal, state or local noise regulation.

3.10.2.1 Alternative 1

Under Alternative 1, ICE would demolish four dormitories and subsequently construct one new dormitory building on the disturbed area occupied by the existing dormitories.

Noise during demolition and construction would primarily be caused by the operation of heavy equipment (frequently concurrent) including the use of two backhoes, two bulldozers, two dump trucks and other construction vehicles; therefore, noise levels can be relatively high during daytime periods at locations within several hundred feet of active construction. Individual construction activities such as use of a bulldozer, grader, truck, roller, backhoe, and paving machine typically generate noise levels of 77 to 130 dBA directly at the source of the sound (Berger et al., 2018). Relatively high construction noise levels typically occur within distances of 400 to 800 feet from the site of major equipment operations; no sensitive receptors or residential properties are located within 800 feet of the project area. During demolition and construction activities, higher than ambient noise levels would be temporarily expected and perceptible to nearby receptors; however, these activities are proposed to occur Monday to Friday during normal working hours, 7:00 am to 4:00 pm to reduce disturbance to the surrounding areas. Thus, demolition and construction activities would be expected to result in minor, adverse impacts to ambient noise and impacts would not persist beyond completion of these activities.

The temporary relocation of current occupants of the dormitory to be demolished and a temporary decrease in normal facility operations would result in a slight decrease in typical ambient noise levels from normal facility operations. The increased capacity and use of the proposed dormitory building could result in increasing noise from vehicle traffic to the El Paso SPC and from facility operations; however, these increases in noise are unlikely to be perceptible to nearby human and wildlife receptors since the sounds would unlikely be distinguished from the existing noise already occurring from El Paso SPC and EPIA operations. Thus, operation of the new dormitory building would be expected to result in permanent, negligible adverse impacts to ambient noise.

Given the range of impacts, overall impacts from noise within the El Paso SPC project area and vicinity under Alternative 1 would be expected to be minor, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.10.2.2 Alternative 2

Under Alternative 2, ICE would acquire adjacent land owned by the El Paso Water Authority for the construction of one new dormitory building with a recreational area and subsequently demolish four existing dormitories. Similar to Alterative 1, noise during construction and demolition would primarily be caused by the operation of heavy equipment (frequently concurrent) including the use of two backhoes, two bulldozers, two dump trucks and other construction vehicles; therefore, noise levels can be relatively high during daytime periods at locations within several hundred feet of active construction. The impact of noise from construction and demolition activities under Alternative 2 would be similar to the impact of noise under Alternative 1; however, during the construction activities ambient noise from normal facility operations would also occur. These normal ambient noises would not be expected to appreciably increase the ambient noise within the area. Thus, demolition and construction activities would be expected to result in minor, adverse impacts to ambient noise and impacts would not persist beyond completion of these activities.

The increased capacity and use of the proposed dormitory building and recreational area could result in increasing noise from vehicle traffic to the El Paso SPC, facility operations, and sounds from the

recreational area. The new building would be located farther from residential properties and farther from Montana Avenue than the existing dormitories. Increases in noise are unlikely to be perceptible to nearby human and wildlife receptors since the sounds would unlikely be distinguished from the existing noise from El Paso SPC and EPIA operations. Thus, operations of the new dormitory building would be expected to result in permanent, negligible adverse impacts to ambient noise.

Given the range of impacts, overall impacts from noise within the El Paso SPC project area and vicinity from Alternative 2 would be expected to be minor, adverse, localized, and permanent with a high likelihood of occurrence. Impacts would not be significant.

3.10.2.3 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of utility infrastructure, acquisition of new land, or the relocation of groundwater wells; therefore, no new noise impacts would be expected to occur. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. Projects near the El Paso SPC that would contribute cumulative impacts to noise include the ongoing operation of the EPIA, existing traffic along Montana Avenue, the operation of a new private jet terminal and hangar (construction completed in June 2021); the operation of a Circle K gas station and convenience store chain (construction completed in June 2021); and the freeway conversion of Montana Avenue (Phase 1 construction to be completed in 2022). These projects would contribute additive, adverse, cumulative increases in noise in and adjacent to the project area when considered with the Proposed Action. Concurrent construction projects would contribute short-term increases in noise within the vicinity of the El Paso SPC during daytime hours. The operation of the new private jet terminal would contribute permanent increases in noise from takeoff, landing, and maintenance operations; however, the increase is not likely to be distinguishable from other noises already occurring at the EPIA. These other projects would increase the ambient noise over a larger area, making it more difficult for sensitive receptors and wildlife to avoid unwanted noise. As such, the cumulative impacts to noise would have a high likelihood of occurrence and are expected to be adverse, localized, short-term and long-term, and minor in magnitude but would be less than significant.

3.11 AESTHETICS AND VISUAL RESOURCES

A visual resource (or aesthetics) is the interaction between a human observer and the landscape one observes. The subjective response of the observer to the various natural and/or artificial elements of a given landscape and the arrangement and interaction between them is fundamental to the visual resources impact analysis (USDA, 1995). A related term, “viewshed”, is a subset of a landscape unit and consists of all the surface areas visible from an observer’s viewpoint.

3.11.1 Affected Environment

There are no designated scenic view corridors, vistas, viewing areas or other scenic resources in the vicinity of the El Paso SPC. The Project is not located in an area subject to any local, state or federal agency visual quality objectives. Figure 1.2-2 shows the general area surrounding the El Paso SPC; it is located on the north side of Montana Avenue adjacent to the EPIA in a predominantly industrial and commercial area of El Paso, TX.

Immediately adjacent to the north of the El Paso SPC is the EPIA, a large airport that provides commercial and charter passenger services, air cargo, and general aviation services. To the west of the SPC was a formerly vacant lot owned by the City of El Paso. Two facilities recently finished construction on this land (see Table 3.1-1). This land is located north of Montana Avenue between Hawkins Boulevard and the El Paso SPC. 3.37-acres of land owned by the City of El Paso and operated by the El Paso Water Authority lies to the immediate east of the SPC, between the SPC and Mattox Street. A retention pond to manage stormwater runoff covers 0.79 of these acres. The remaining acreage is utilized by the El Paso Water Authority; the property has a groundwater well, emergency generator, and control building. El Paso Water Authority also uses this property to store various materials. Several other properties are located north of Montana Avenue between the El Paso SPC and Mattox Street (see Section 3.2.1, Land Use). The view of the SPC is partially obstructed on all sides due to the presence of 10-foot-high perimeter fencing topped with barbed wire and helical razor ribbon wire.

The southern and western portions of the El Paso SPC are visible to pedestrians and commuters on Montana Avenue and Hawkins Boulevard respectively. Viewers traveling on Montana Avenue would generally be those commuting to and from work, home, or the airport and may not be particularly attentive to the visual character of the surrounding landscape. Visitors to/employees of the facilities to the west of Hawkins Boulevard (e.g., the Post Office or FedEx Ship Center), facilities located to the north of Montana Avenue between the El Paso SPC and Mattox Street (e.g., CBP Border Patrol Training Facility, auto body repair shop), and the Lone Star Golf Club to the south of Montana Avenue would be exposed to portions of the western, eastern, and southern parts of the SPC respectively and would generally be more aware of the visual character of the surrounding landscape.

The El Paso Water Authority property to be acquired by ICE under Alternative 2 is visible to the pedestrians and commuters at the northern end of Mattox Street and visitors to/employees of the facilities located to the immediate south and east of the property. It is also partially visible to the detainees and staff at the El Paso SPC.

3.11.2 Environmental Consequences

This section discusses the impacts to aesthetics and visual resources that would occur as a result of construction and demolition activities under Alternatives 1 and 2 and the No Action Alternative. Impacts to aesthetics and visual resources would be significant to the human environment if:

- There is a substantial alteration in the viewshed of the impacted public at the construction site(s) and nearby areas.

3.11.2.1 Alternative 1

Under Alternative 1, Dormitories 1 through 4 would be demolished, and one new dormitory building would be constructed on the demolished dormitories' footprint. Since these dormitories are located along the northwestern border of the El Paso SPC, the viewsheds of the travelers on Hawkins Boulevard and visitors to/employees of the facilities to the west of the boulevard would primarily be impacted by construction activities. The new private jet terminal and hangar and Circle K location (see Table 3.1-1) would partially buffer the construction site from Hawkins Boulevard and neighboring facilities. The presence of the 10-foot-high perimeter fencing would also obstruct their view partially. The viewsheds of the detainees and employees at the El Paso SPC would also be impacted as they would be fully exposed to the views of the construction site and staging areas. The impacts to the viewsheds of the affected individuals would only last during the course of construction and would end upon the conclusion of

construction and demolition activities. Post construction, the new dormitory building would improve the viewsheds of the detainees and employees at the El Paso SPC in the long term but would have negligible impact on the viewsheds of the travelers outside of the facility.

Overall, impact to the viewsheds of the affected individuals would be minor and adverse in the short term and negligible and beneficial in the long term. These impacts would be localized and have a high likelihood of occurrence but would be less than significant.

3.11.2.2 Alternative 2

As under Alternative 1, the viewsheds of travelers on Hawkins Boulevard and visitors to/employees of the facilities to the west of the boulevard, and the viewsheds of the detainees and employees at the SPC, would be impacted by construction activities. In addition, the construction of one new dormitory building on the newly acquired El Paso Water Authority land to northeast of the SPC would impact the viewshed of travelers on the northern end of the Mattox Street, and to a certain extent, the visitors to/employees of the facilities to the immediate east and south of the construction footprint. This impact would be adverse during the construction phase but beneficial in the long term post construction. Overall, impacts to the viewsheds of affected individuals would be minor and adverse in the short term, and negligible and beneficial in the long term. These impacts would be localized and have a high likelihood of occurrence but would be less than significant.

3.11.2.3 No Action Alternative

Under the No Action Alternative, there would be no change to the El Paso SPC. No new visual and aesthetic effects would be expected at the site. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. Construction of the facilities listed in Table 3.1-1, in combination with the improvements at the El Paso SPC, would contribute additive, adverse and beneficial, cumulative impacts to aesthetics and visual resources at and near the project site. The construction of a private jet terminal and hangar on the formerly vacant lot to the immediate west of the El Paso SPC and the construction of a new Circle K gas station and convenience store northeast of the Montana Avenue an Hawkins Blvd intersection, in conjunction with the construction activities at the El Paso SPC and the El Paso Water Authority land, would adversely impact the viewsheds of people traveling on the roadways in the vicinity of these projects, the visitors to/employees of the facilities located in the neighborhood of these project sites, and the detainees and employees at the SPC. However, adverse impacts to the viewsheds of the affected individuals would only last during the course of construction and would end upon the conclusion of construction activities. After construction of the aforementioned facilities, the affected individuals would experience beneficial, negligible impacts to their viewsheds. As such, the cumulative impacts on visual resources and aesthetics resulting from the proposed alternatives would be minor and adverse in the short term, and negligible and beneficial in the long term. These effects would be localized with a high likelihood of occurrence but would be less than significant.

3.12 SOCIOECONOMICS

The analysis of socioeconomic impacts identifies those aspects of the social and economic environment that are sensitive to changes and that may be affected by activities associated with the Proposed Action.

Socioeconomic factors describe the local demographics, income characteristics, and employment of the region of influence (ROI) that could be potentially be affected by the proposed project. The El Paso SPC is located in El Paso, Texas in El Paso County. El Paso is the largest city in El Paso County, which shares its southeastern border with the U.S./Mexico border. For purposes of this analysis, El Paso County is the analytical ROI for consideration of socioeconomic effect.

3.12.1 Affected Environment

The data supporting this analysis were collected from standard sources, including the U.S. Census Bureau (USCB) and the Bureau of Labor Statistics (BLS). Demographic data for El Paso are presented and compared to El Paso County overall. Economic data presented in this section focus on El Paso County. The most recent and best available data are presented throughout the section.

3.12.1.1 Population

The El Paso SPC is located in urban El Paso which is the most populated city in El Paso County, Texas. A review of U.S. Census data was conducted to compare the socioeconomic characteristics of the City of El Paso and El Paso County (USCB, 2010; USCB, 2015; USCB, 2019d). The population increased in both locations at an average annual rate of 41 percent from 2010 to 2019 (Table 3.12-1).

Table 3.12-1. Population Growth in El Paso City and El Paso County, Texas

Location	Population			
	2010	2015	2019	Average Annual Growth Rate (2010 – 2019)
City of El Paso	628,923	677,325	679,813	4.1%
El Paso County	772,280	831,095	836,062	4.1%

Sources: USCB, 2010; USCB, 2015; USCB, 2019d

3.10.1.2 Labor

Labor in the ROI is discussed in this section by subtopic: civilian labor force, unemployment, and earnings (by per capita personal income and by industry compensation).

Civilian Labor Force

The size of a county's civilian labor force is measured as the sum of those currently employed and unemployed. People are classified as unemployed if they do not have a job, have actively looked for work in the prior four weeks, and are currently available for work. As shown in Table 3.12-2, from 2000 to 2019 El Paso County's labor force grew 30.7 percent, 4 percent slower than the state of Texas overall. El Paso County added over 84,000 people to its labor force over the last 19 years, while the state of Texas added approximately 4 million to its labor force during this same period (BLS, 2021a; BLS, 2021b).

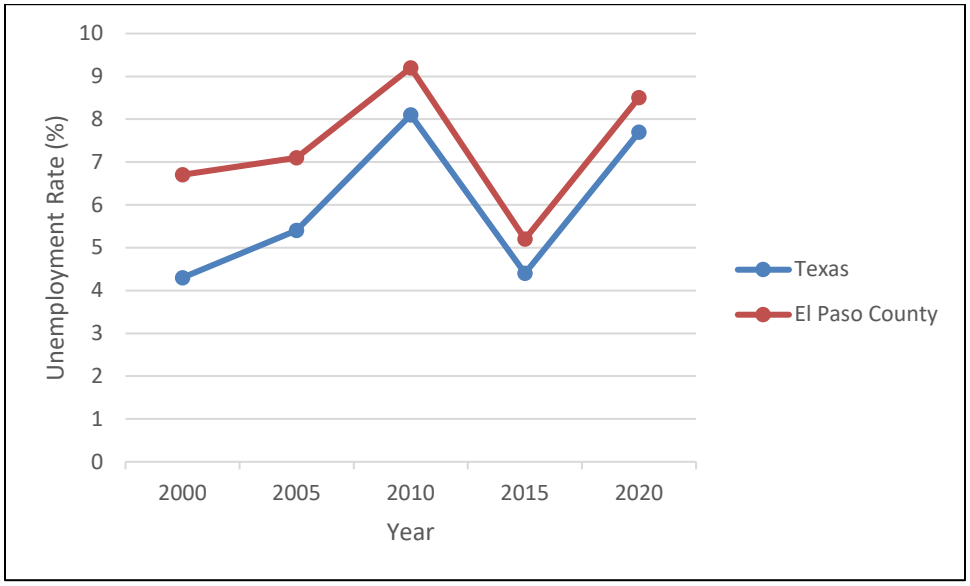
Table 3.12-2. Civilian Labor Force 2000 – 2020

Location	2000	2005	2010	2015	2020	Growth Rate of Labor Force (2000-2019)
El Paso County	275,363	290,010	340,840	341,643	360,013	30.7%
Texas	10,374,468	11,123,576	12,240,591	13,088,205	13,981,530	34.7%

Sources: BLS, 2021a; BLS, 2021b

Unemployment

The unemployment rate is calculated based on the number of unemployed persons divided by the labor force, where the labor force is the number of unemployed persons plus the number of employed persons. Figure 3.12-1 exhibits the annual unemployment rates in El Paso County and the state of Texas overall for the years 2000, 2005, 2010, 2015, and 2020. Unemployment rates in El Paso County were higher but had a similar trend to those of the state of Texas; and both the county and state unemployment rates rose and fell with national trends. From 2000 to 2010, unemployment in El Paso County and Texas increased by 2.5 and 3.8 percent, respectively. The sharp increase between 2005 and 2010 can be attributed to the 2008 economic crisis, which was part of the global financial downturn. Unemployment rates steadily decreased from 2010 to 2019 before sharply increasing in 2020 due to the COVID-19 pandemic. Unemployment rates were 8.5 and 3.5 percent in El Paso County and Texas, respectively in 2020 (BLS 2021c; BLS 2021d).



Sources: BLS, 2021c; BLS, 2021d

Figure 3.12-1. Unemployment Rates of El Paso County and Texas (2000 – 2020)

Earnings

Several measures are used to describe earnings, including per capita personal income (PCPI), total industry income, and compensation by industry. Personal income data are measured and reported for the county of residence. PCPI is the total personal income for county residents divided by the county's total

population. Compensation data, however, is measured and reported for the county of work location and is typically reported on a per job basis. Compensation data indicates the wages and salaries for work done in a particular place (e.g., a county), but if the worker does not live in the county where the work occurred then a sizeable portion of the compensation will be spent elsewhere. These expenditures will not remain in or flow back into the economy of the county where the work is done. Total compensation includes wages and salaries as well as employer contribution for employee retirement funds, social security, health insurance, and life insurance.

Per Capita Personal Income

Personal income is the income received by a person from all sources, representing the sum of net earnings by place of residence, property income, and personal current transfer receipts or government social benefits. This includes earnings from work, interest and dividends received, as well as government transfer payments, such as social security checks. Personal income is measured before the deduction of income taxes and other personal taxes and is reported in current dollars.

Table 3.12-3 shows 2000, 2005, 2010, 2015, and 2019 annual PCPI for El Paso County and the state of Texas. All dollar estimates are in current dollars (not adjusted for inflation). In 2019, the PCPI in El Paso County was $37,715, representing a 4.66 percent average annual increase since 2000; while on average, the state's PCPI increased 4.27 percent per year from 2000 to 2019. El Paso County's PCPI was about 25 to 30 percent lower than the state overall from 2000 to 2019. While El Paso County's PCPI was lower than Texas' PCPI during the 19-year interval shown in Table 3.10-3, on average El Paso County's PCPI grew roughly 0.4 percent faster than the state PCPI.

Table 3.12-3. Per Capita Personal Income 2000 – 2019

Location	2000	2005	2010	2015	2019	Average Annual Percent Change (2000 – 2019)
El Paso County	$19,082	$22,924	$28,399	$32,808	$37,715	4.66
Texas	$28,135	$32,745	$38,276	$46,553	$52,813	4.27

Sources: BEA, 2020a

Industry Compensation

The term "Total Industry Compensation," often used in economic data, is somewhat of a misnomer in that a portion of the "industry earnings" stems from government-related activity. For example, government and government enterprises account for 39.4 percent of total compensation of employees in El Paso County; government and government enterprises often account for a similar proportion of the compensation of employees in a county. Nevertheless, total industry compensation provides a good picture of the relative sizes of market-related economic activity, or business activity, performed in a county (Table 3.12-4).

Table 3.12-4. Compensation of Employees by Industry in El Paso County (2019)

Industry Description	Compensation ($000)	Percent
Government and government enterprises	7,709,068	39.4
Health care and social assistance	2,088,305	10.7
Retail trade	1,342,384	6.9

Industry Description	Compensation ($000)	Percent
Manufacturing	1,074,549	5.5
Administrative, waste management, and support services	1,011,067	5.2
Transportation and warehousing	961,160	4.9
Construction	936,345	4.8
Wholesale trade	853,547	4.4
Accommodation and food services	760,398	3.9
Finance and insurance	620,112	3.2
Professional, scientific, and technical services	559,880	2.9
Other services (except government and government enterprise)	551,939	2.8
Information	279,553	1.4
Real estate and rental and leasing	262,182	1.3
Utilities	197,606	1.0
Educational services	163,273	0.8
Management of companies and enterprises	109,581	0.6
Arts, entertainment, and recreation	65,439	0.3
Farm	11,020	0.06
Mining, quarrying, and oil and gas extraction	3,518	0.02
Total Compensation of Employees	**19,560,926**	

Sources: BEA, 2020b

Income is generated by economic activity in El Paso County through a variety of sectors, including various types of business, as well as the government. This income is not always received by a person living in the county; for example, a person from a neighboring county may cross county lines when commuting to work. The employee compensation by industry, however, is a measure of economic activity generated in the county, regardless of where the employee resides.

The sources of economic activity in El Paso County are shown in Table 3.12-4. The government and government enterprises; health care and social assistance; retail trade; manufacturing; administrative, waste management, and support services; transportation; and construction accounted for over 75 percent of the approximately $19.6 billion compensated to employees in El Paso County in 2019.

3.12.2 Environmental Consequences

This section discusses aspects of the social and economic environment that are sensitive to changes and that may be affected by activities associated with the Proposed Action and No Action Alternative.

3.12.2.1 Alternative 1

The demolition of existing dormitories and construction of one new dormitory building in their place under Alternative 1 would likely marginally increase construction expenditures within the ROI for the duration of the demolition and construction phases. These revenues could potentially result in the creation of a small number of construction jobs for the duration of the construction period. Materials would also likely be sourced from local suppliers and could potentially contribute to the indirect creation of jobs within the area. Construction workers employed on the project would also likely increase revenues

at local retail stores and restaurants during the construction period, resulting in induced (i.e., third-order) economic benefits. However, given the small scale and 12-month duration of action alternatives, it is not likely that a substantial number of jobs would be created or consumer demand stimulated within El Paso County as a result of demolition and construction activities under Alternative 1. In the long-term, the increased capacity of the El Paso SPC would create 36 additional jobs. These workers would indirectly contribute to the local economy in the same mechanism as construction workers, although they also likely would not have a substantial effect on the overall economy. Furthermore, no populations are expected to migrate into the ROI to meet any increased demand that does occur in either the short or long term.

The proximity of the project site to Montana Avenue and the EPIA could potentially increase traffic for local residents and visitors of El Paso for the duration of the construction and demolition period. Prolonged and periodic traffic delays from the transportation of heavy machinery, building materials, construction waste, relocated detainees from temporarily reduced facility capacity, or debris on this road could potentially reduce resident and visitor access to businesses or recreational resources in the City of El Paso. However, delays would likely only occur while large equipment occupied the roadway and would not persist beyond the duration of the construction period. Increased traffic is not expected to appreciably impact revenues, recreational values, or quality of life within the ROI in the long term.

Overall, the demolition and construction of dormitories under Alternative 1 would cause negligible to minor beneficial direct, indirect, and induced economic impacts within the ROI. The majority of these benefits would only persist for the duration of the demolition and construction phases of the project, although a small number of permanent jobs would also be created as a result of the increased capacity of the El Paso SPC. Alternative 1 is not expected to substantially alter traffic patterns, visitation rates, or recreational values within the ROI. Overall, the direct, indirect, and induced socioeconomic impacts of Alternative 1 would be beneficial, negligible to minor in magnitude, short- and long-term in duration, and high in likelihood. Therefore, impacts would not be significant.

3.12.2.2 Alternative 2

As discussed in Section 2.2, Alternative 2 differs primarily from Alternative 1 in that new dormitory building would be constructed on a 1.98 acre-property acquired from the El Paso Water Authority, allowing the existing dormitories to be used for the duration of the construction period. Adverse and beneficial impacts to socioeconomic resources within the ROI would occur largely through the same pathways, although with slightly differing magnitudes due to the ability of the El Paso SPC to maintain its current capacity for the duration of the construction period. Under Alternative 2, additional transportation and relocation of detainees from the El Paso SPC above current levels would not be necessary, thereby lessening the cumulative impact of these efforts on local traffic patterns. However, given that the overall transportation of detainees is not expected to substantially impact air quality or traffic and that the alternatives do not substantially differ in cost, the overall impacts of Alternative 2 to are nearly equivalent to those under Alternative 1. Since the 1.98-acre property under consideration for purchase is currently owned by the City of El Paso and not subject to property taxes, property tax revenues would also not change under Alternative 2.

As with Alternative 1, the demolition and construction of dormitories would cause negligible to minor beneficial direct, indirect, and induced economic impacts within the ROI under Alternative 2. The majority of these benefits would only persist for the duration of the demolition and construction phases of the project, although a small number of permanent jobs would also be created as a result of the increased capacity of the El Paso SPC. Alternative 2 is not expected to substantially alter traffic patterns, visitation

rates, or recreational values within the ROI. Overall, the direct, indirect, and induced socioeconomic impacts of Alternative 2 would be beneficial, negligible to minor in magnitude, short- and long-term in duration, and high in likelihood. Therefore, impacts would not be significant.

3.12.2.3 No Action Alternative

No property acquisition, construction, or demolitions would occur at the El Paso SPC under the No Action Alternative. Minor repairs would occur as needed, and maintenance and operation of the existing facilities would continue. The beneficial impacts to socioeconomic resources described under Alternatives 1 or 2 would not occur in the short or long term; current socioeconomic conditions would continue to persist for the duration of the project life within the ROI. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impact on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development and likely would contribute additive, beneficial, cumulative impacts on socioeconomic resources due to increased construction revenues during their respective construction periods and additional indirect and induced impacts from the expenditures of construction workers within the ROI. Similarly, the projects may have a slightly greater, short-term adverse impact on traffic flows during overlapping construction periods. However, even when considered cumulatively, these projects are not likely to substantially impact the socioeconomic resources of the area; the level of employment and revenues within the ROI would not likely be appreciably impacted by these actions, and no appreciable population impacts would occur. As such, the overall direct, indirect, and induced cumulative socioeconomic impacts of the Proposed Action would be beneficial, minor in magnitude, short-term and long-term in duration, and high in likelihood but less than significant.

3.13 ENVIRONMENTAL JUSTICE

The USEPA defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The goal of “fair treatment” is not to shift risks among populations, but to identify potential disproportionately high adverse impacts on minority communities and low-income communities and identify and address any adverse impacts.

EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires that federal agencies consider as a part of their action any disproportionately high and adverse human health or environmental effects to minority populations and low-income populations. Federal agencies are required to ensure that these potential effects are identified and addressed.

For purposes of assessing environmental justice under NEPA, the CEQ defines a minority population as one in which the percentage of minorities exceeds 50 percent or is substantially higher than the percentage of minorities in the general population or another appropriate unit of geographic analysis (CEQ, 1997). Potential impacts with the greatest intensity and longest duration would occur at or in the vicinity of the El Paso SPC, which is located within Census Tract (CT) 34.02, CT 34.02 and is defined as the ROI for any direct and indirect impacts that may be associated with the implementation of the Proposed Action. For purposes of comparison, El Paso County is defined as the region of comparison (ROC), or the

"general population" as it corresponds to the CEQ definition. Additionally, note that the area is commercial and industrial with light residential areas to the south (see Section 3.2, Land Use).

3.13.1 Affected Environment

In this section, race and income data for CT 34.02 (the ROI) are compared to race and income data for El Paso County (the ROC). Due to the site-specific nature of the Proposed Action, CT data are used to identify high concentration "pockets" of environmental justice populations in or near the El Paso SPC. CTs are small, relatively permanent statistical subdivisions of a county or equivalent entity, generally with a population size between 1,200 and 8,000 people. A CT usually covers a contiguous area, and its boundaries usually follow visible and identifiable features (e.g., road, river). CTs were designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions. All figures and calculations are based on the United States Census Bureau (USCB) 2012-2016 USCB American Community Survey datasets.

3.13.1.2 Minority Populations

The CEQ defines "minority" as including the following population groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic Origin; or Hispanic (CEQ, 1997). The CEQ defines a minority population in the following ways:

- "…If the percentage of minorities exceeds 50 percent... (CEQ, 1997)." As this definition applies to the Proposed Action, if more than 50 percent of the population in CT 123.01 consists of minorities, this would qualify as an environmental justice population.
- "… [If the percentage of minorities] is substantially higher than the percentage of minorities the general population or other appropriate unit of geographic analysis (CEQ, 1997)." For purposes of this analysis, a discrepancy of 10 percent or more between minorities (the sum of all minority groups) in CT 34.02 and El Paso County would be considered "substantially" higher, and would categorize CT 34.02 as constituting an environmental justice population.

As Table 3.13-1 indicates, CT 34.02 meets the regulatory definition of a minority population or minority group(s) because minorities represent more than 50 percent of CT 34.02's total population (USCB, 2019). By this CEQ definition of a minority population, the ROI constitutes an environmental justice population.

Table 3.13-1. Summary of Minorities in the ROI and ROC in 2014 – 2019

Location	Total Population	Minority (%)	American Indian and Alaska Native (%)	Black or African American (%)	Asian (%)	Native Hawaiian and Other Pacific Islander (%)	Hispanic or Latino (%)
Census Tract 34.02[a]	5,700	91.8	0.2	1.5	1.0	0.0	89.1
El Paso County[b]	836,062	81.1	0.3	3.0	1.1	0.1	82.6

Sources: USCB, 2019a

[a] ROI

[b] ROC

3.13.1.2 Low-Income Populations

Low-income populations are defined as households with incomes below the federal poverty level. There are two slightly different versions of the federal poverty measure: poverty thresholds defined by the USCB and poverty guidelines defined by the Department of Health and Human Services (DHHS).

The poverty thresholds are the original version of the federal poverty measure and are updated each year by the USCB. The USCB uses a set of income thresholds that vary by family size and composition (number of children and elderly) to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. The same applies for a single individual. The official poverty thresholds do not vary geographically but are updated for inflation. The official poverty definition considers pre-tax income and does not include capital gains or non-cash benefits such as public housing, Medicaid, and food stamps (CEQ, 1997). Poverty thresholds are primarily used for statistical purposes, such as calculating poverty population figures or estimating the number of Americans in poverty each year. Poverty threshold figures are reported in the annual poverty report and provide a measurment for progress or regress in antipoverty efforts. Environmental Justice Guidance Under NEPA recommends that USCB poverty thresholds be used to identify low-income populations (CEQ, 1997). As such, this section uses USCB poverty thresholds to identify low-income populations.

Because CEQ guidance does not specify a threshold for identifying low-income populations, the same approach used to identify environmental justice minority populations is applied to low-income populations. CT 34.02 would be defined as a low-income population or environmental justice population if:

- More than 50 percent of CT 34.02 consists of families or persons below the poverty threshold; or
- The percentage of low-income families or persons in CT 34.02 is substantially higher than the percentage in El Paso County. A discrepancy of 10 percent or more between CT 34.02 and El Paso County would be considered "substantially" higher and would categorize CT 34.02 as constituting a low-income population.

As Table 3.13-2 indicates, the percentage of all people and all families below the poverty threshold in CT 34.02 is 10.8 and 8.1 percent higher than in El Paso County, respectively. As such, CT 34.02 has a substantially higher percentage of all persons in poverty than El Paso County and also qualifies as an environmental justice community on this basis.

Table 3.13-2. Summary of Income and Poverty Statistics in the ROI and ROC in 2014 – 2019

Location	People Below the Poverty Threshold (%)	Families Below the Poverty Threshold (%)
Census Tract 34.02[a]	31.0	25.2
El Paso County[b]	20.2	17.1

Sources: USCB, 2019b; USCB, 2019c

[a] ROI

[b] ROC

3.13.2 Environmental Consequences

Consideration of the potential consequences for environmental justice requires three main components:

1. A demographic assessment of the affected community to identify the presence of minority populations and low-income populations that may be potentially affected.
2. An assessment of all potential impacts identified to determine if any result in adverse impact to the affected environment.
3. An integrated assessment to determine whether any disproportionately high and adverse impacts exist for minority populations or low-income populations present in the ROI.

As described in the Affected Environment (Section 3.13.1), CT 34.02 represents the ROI for any direct and indirect impacts to environmental justice populations that may be associated with the implementation of the Proposed Action and No Action Alternative. For purposes of comparison, El Paso County was defined as the geographic unit of comparison and the "general" population (the ROC). The percentage of the low-income population in the ROI does not exceed 50 percent but is substantially higher than the percentage in the ROC. The minority population in CT 34.02 represents more than 50 percent of CT 34.02's total population. Therefore, CT 34.02 consists of an environmental justice population on both of these bases. The potential for the minority population or low-income population in CT 34.02 to be displaced, suffer a loss of employment or income, or otherwise experience adverse effects to general physical health and well-being was assessed. Additionally, potential impacts resulting from the Proposed Action as well as the No Action Alternative are evaluated below. In general, the types of potential impacts on environmental justice communities could include:

- Social and economic benefits of indirect and induced jobs created;
- Health risks from increased fugitive dust and exhaust emissions;
- Noise disturbances;
- Restricted or delayed access to schools due to traffic and time delays;
- Restricted or delayed access to residential areas and public transportation due to traffic and time delays; and
- Restricted or delayed access to hospital or health care facilities due to traffic and time delays.

3.13.2.1 Alternative 1

As discussed in Section 2.1, Alternative 1 involves the demolition of four existing dormitories and construction of one new dormitory building directly within the footprint of the demolished dormitories footprint.

The use of heavy equipment during construction and demolition activities under the Alternative 1 would cause negligible to minor adverse air quality and noise impacts to nearby environmental justice communities in the short term. The operation of heavy machinery and additional transportation/ relocation of detainees required during the demolition and construction of dormitories would increase emissions of NO_x, SO_2, CO, airborne dust, and soil surface disturbance within the project area and its immediate vicinity. Given that these emissions would occur at ground level, they would likely cause short-term increases in the concentration of air pollutants in the immediate vicinity of the construction activities, but it is unlikely that these emissions would be transported more than a few miles (See Section 3.8). Increased emissions would reduce the already poor air quality of the area and prolonged exposure could potentially degrade the health and well-being of the low-income populations and minority populations living nearby. Similarly, heavy machinery operated during the construction and demolition phases of the project would produce noise of 77 to 130 dBA directly at the source of the sound during

daytime hours, which could serve as nuisance to nearby residents. Construction would primarily occur during normal weekday business hours, and construction equipment mufflers would be properly maintained and in good working order to minimize the effects of noise impacts. Both adverse noise and air quality impacts would have a high likelihood of occurring and a medium or large extent, affecting residents south and west in the vicinity of the facility (see Sections 3.8 and 3.10). Once construction ceases, ambient pollutant concentrations and noise occurrence would return to existing levels. In the long term, after the completion of construction activities, adverse noise, and air quality impacts would not occur.

Children would be especially vulnerable to adverse air quality impacts as they tend to receive higher doses of air pollution relative to their body mass, have smaller diameter airways, spend more active time outdoors, and are closer to ground-level sources of vehicle exhaust than adults (USEPA, 2012). In particular, children residing in CT 34.02 or attending any of the seven schools within two miles of the project area could experience temporary, negligible to minor adverse impacts with a low likelihood during construction activities. Noise disturbances from construction activities could also have negligible to minor adverse impacts on the health, learning, and general well-being of children.

All project activities under the Alternative 1 would take place on El Paso SPC property, and no public road closures would be required. However, offsite traffic impacts could occur due to project worker commutes, the transport of heavy equipment to and from the project site via heavy trucks, and additional transportation and relocation of detainees required during the construction period due to reduced housing capacity of the El Paso SPC (see Section 3.9). Increased use of surface roads in the vicinity of the El Paso SPC could potentially delay traffic flows for the duration of the demolition and construction phases, reducing the access of low-income communities to essential healthcare and community services (e.g., schools, houses of worship, community centers, etc.). However, traffic flows would likely return to current conditions after the completion of the construction period and no long-term traffic impacts to low income communities or minority communities from Alternative 1 are expected.

Alternative 1 would likely result in the short-term hiring of local community members, to include those from low-income populations and minority populations, in support of demolition and construction activities. Increased detainee capacity as a result of the newly constructed dormitory building would also require the hiring of additional support staff at the El Paso SPC in the long term, including corrections officers, healthcare employees, custodians, and food service employees. Indirect economic impacts (discussed in Section 3.12) would also result from directly impacted industries (i.e., contractors) purchasing building supplies and materials from other industries. Local vendors from whom construction companies would make purchases and local retail stores and establishments where El Paso SPC workers would shop would also be benefited, potentially creating additional jobs. Induced impacts could also occur when employees of the directly and indirectly affected industries spend the wages they receive. The indirect and induced jobs that would be created would likely be relatively low-wage and low-skill jobs, such as restaurant workers or convenience store clerks. Beneficial impacts to the labor force or employment would be most pronounced within the City of El Paso and surrounding El Paso County.

Potential economic and health benefits associated with jobs could disproportionately benefit minority populations or low-income populations in CT 34.02 in search of a job. Jobs and income are strongly associated with beneficial health outcomes such as an increase in life expectancy, improved child health status, improved mental health, and reduced rates of chronic and acute disease morbidity and mortality (HDA, 2004; Cox et al., 2004). The likelihood of these beneficial impacts is high because the link between jobs and income and beneficial health outcomes mentioned above is well-established, however the

magnitude of this impact would likely be minor due to the relatively small number of jobs that would be created. The extent of impacts would be large because all minority populations in search of a job in the city of El Paso and the surrounding El Paso County could benefit. However, the greatest social and economic benefits of job creation would be associated with the demolition and construction phases of the project and would largely revert to currently existing levels in the long term after construction is complete, albeit with the creation of a small number of permanent jobs due to the increased capacity of the El Paso SPC.

Overall, the use of heavy equipment would cause negligible to minor adverse noise and air quality impacts to minority communities, low-income communities, and children in CT 34.02 in the short term. The short- and long-term creation of direct, indirect, and induced jobs from demolition, construction, and increased facility capacity would create minor health benefits for environmental justice communities; however, the majority of these benefits would only persist for the duration of the demolition and construction phases with only a small number of permanent jobs created. Overall, impacts under Alternative 1 on environmental justice communities in CT 34.02 would not be disproportionately high and adverse on low-income populations or minorty populations in either the short or long term. There would be no significant impacts to environmental justice communities under Alternative 1.

3.13.2.2 Alternative 2

As discussed in Section 2.2, Alternative 2 differs primarily from Alternative 1 in that new dormitory building would be constructed on a 1.98 acre-property acquired from the El Paso Water Authority, allowing the existing dormitories to be used for the duration of the construction period. Adverse and beneficial impacts to environmental justice communities under Alternative 2 would occur similarly to those discussed under Alternative 1, although with slightly differing magnitudes due to the ability of the El Paso SPC to maintain its current capacity for the duration of the construction period. Under Alternative 2, additional transportation and relocation of detainees from the El Paso SPC above current levels would not be necessary, thereby lessening the cumulative impact of these efforts on local air quality and traffic patterns. However, given that the overall transportation of detainees is not expected to substantially impact air quality or traffic, the overall impacts of Alternative 2 to environmental justice communities are nearly equivalent to those under Alternative 1.

As with Alternative 1, under Alternative 2 the use of heavy equipment would cause negligible to minor adverse noise and air quality impacts to minority communities, low-income communities, and children in CT 34.012 in the short term. The short- and long-term creation of direct, indirect, and induced jobs from demolition, construction, and increased facility capacity would create minor health benefits for environmental justice communities; however, the majority of these benefits would only persist for the duration of the demolition and construction phases with only a small number of permanent jobs created. Overall, impacts under Alternative 2 on environmental justice communities in CT 34.02 would not be disproportionately high and adverse in either the short or long term. There would be no significant impacts to environmental justice communities under Alternative 2.

3.13.2.3 No Action Alternative

No property acquisition, construction, or demolitions would occur at the El Paso SPC under the No Action Alternative. Minor repairs would occur as needed and maintenance and operation of the existing facilities would continue. The adverse and beneficial impacts to environmental justice communities described under Alternatives 1 and 2 would not occur in the short or long term; current conditions would continue

to persist for the duration of the project life within the ROI. There would be no significant impacts under the No Action Alternative.

Cumulative Impacts

The cumulative impacts scenario considers the potential impact on the environment which may result from the incremental impact of the Proposed Action when added to the other past, present, and reasonably foreseeable future actions within or near the project area. All projects identified in Table 3.1-1 are associated with new development and likely would contribute additive, beneficial, cumulative impacts on environmental justice communities due to increased construction revenues during their respective construction periods and additional indirect and induced impacts from the expenditures of construction workers within the ROI. Similarly, the projects may have a slightly greater, short-term adverse impact on traffic flows, air quality, and noise during overlapping construction periods. However, even when considered cumulatively, these projects are not likely to substantially impact environmental justice communities of the area; the level of employment and revenues within the ROI would not likely be appreciably impacted by these actions; and the overall noise level and air quality would not be appreciably changed. As such, the overall direct, indirect, and induced cumulative impacts on environmental justice communities under the Proposed Action would not be disproportionately high and adverse in either the short or long term. There would be no significant cumulative impacts to environmental justice communities.

3.14 Waste Management and Hazardous Materials

Specific environmental statutes and regulations govern hazardous material and hazardous waste management activities at federal operations and facilities. For this analysis, the terms hazardous waste, hazardous materials, and toxic substances include those substances defined as hazardous by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and the Spill Prevention, Control, and Countermeasure (SPCC) Rule under the CWA. In general, these regulations cover substances that, because of their quantity, concentration, or physical, chemical or toxic characteristics, may present a danger to public health or welfare or the environment when released into the environment. The purpose of CERCLA, often referred to as Superfund, is to clean up contaminated sites so that public health and welfare are not compromised. RCRA provides for “cradle to grave” regulation of hazardous wastes. A SPCC plan outlines the methods and procedures established to minimize the potential for spills and discharges at a facility. Other federal laws applicable to hazardous waste and materials include:

- Clean Air Act (CAA);
- Safe Drinking Water Act (SDWA);
- Occupational Safety and Health Administration (OSHA);
- Toxic Substances Control Act (TSCA); and
- National Defense Authorization Act (NDAA).

In addition to the acts and laws mentioned above, EO 12088, Federal Compliance with Pollution Control, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved. Hazardous waste in Texas is regulated primarily under the authority of the RCRA of 1976 and Title 30 of the Texas Administrative Code. Other Texas laws regarding hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. Worker health and safety and public safety, managed under OSHA, are key issues when dealing with hazardous materials that may affect human health and the environment.

3.14.1 Affected Environment

The area of analysis for hazardous waste and materials is the El Paso SPC campus and El Paso Water Authority property.

As described in Section 1.2, Site Background, the El Paso SPC contains 41 buildings and 20 structures onsite including eight dormitories, six of which were built in 1965 and two of which were built in 1998. Facilities at the SPC also include a dining hall and kitchen, storage and guard shacks, a laundry building, an infirmary, and other support structures. The future land use at this site is expected to remain the same. The numbers and types of structures onsite may change as the El Paso SPC is continually renovated.

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority east of the El Paso SPC for the construction of one new dormitory building. This area contains a groundwater well, emergency generator, and control building; the El Paso Water Authority also uses the land to store various materials. The El Paso Water Authority property is primarily void of vegetation, although some herbaceous species and common weeds are present.

The land was unused until 1967, when the El Paso Water Authority water well was installed and vegetation was cleared from the area. A 0.79-acre stormwater pond was later excavated on the property in the late 1970s and still exists today, although this section of property is not included within the area that would be acquired under Alternative 2. The property was used for well water pumping and the storage of debris and equipment from 2012 to 2021. There is no legacy contamination from the presence of debris on the El Paso Water Authority site.

3.14.1.1 Uses and Storage of Hazardous Materials and Wastes

The following section describes the hazardous materials and wastes currently generated and stored at the El Paso SPC and the El Paso Water Authority site. These are used for the maintenance of the detention center by onsite personnel.

Chemicals Associated with Maintenance Activities

Chemicals and other maintenance materials currently stored at the SPC include paints, solvents, cleaning products, and pesticides that could be subject to regulation under RCRA. Maintenance warehouse buildings and pesticide sheds are used to store these materials. All maintenance activities are implemented per the industry's standard practices. Vehicles operating onsite also occasionally contribute to small oil and fuel leaks.

Wastes such as spent fluorescent light bulbs and ballasts (universal waste), waste oil, and medical waste are generated and stored onsite. Since the detention center produces less than 220 pounds of hazardous waste per month, it is categorized as a Very Small Quantity Generator (VSQG). VSQGs face the lowest level of required actions for hazardous waste generators, but they are still required to identify all the hazardous waste generated and ensure that hazardous waste is delivered to a person or facility authorized to manage it. All hazardous wastes at the facility are managed and disposed of in accordance with state and federal regulations. Medical waste generated at the medical center and at an on-site modular building is typically picked up and disposed of by a contractor on a weekly basis.

No chemicals associated with maintenance activities were observed at the El Paso Water Authority site, although well water pumping and equipment and debris storage activities occur. A small oil stain was

observed on the paved area next to the water well pump, likely as a result of regular pump lubrication (Adastra, 2021).

Aboveground Storage Tanks

The El Paso SPC currently houses one 190-gallon aboveground storage tank (AST) to provide diesel fuel for an emergency generator. There is also a 100 gallon grease trap in the kitchen area.

The area that would be acquired from the El Paso Water Authority under Alternative 2 contains one 753-gallon portable diesel AST that serves as a secondary containment base tank for an emergency generator (Adastra, 2021).

Polychlorinated Biphenyls

A polychlorinated biphenyl (PCB) is an organic chlorine compound – once widely employed as a dielectric and coolant fluid in electrical apparatuses and other technologies involving heat transfer. In 1976, concern over the toxicity and persistence of PCBs in the environment led Congress to ban their domestic production, as detailed in the TSCA (15 U.S.C. § 2605) (USEPA, 2017). The USEPA issued PCB usage and disposal regulations in 1979 (USEPA, 1979).

PCB contamination often occurs as a result of damaged electrical transformers that were built before 1979. The El Paso SPC site houses two overhead service transformers and one pad mounted transformer (ICE, 2013). The El Paso Water Authority site that would be acquired under Alternative 2 contains four pole mounted transformers. Although there was no information related to the age or PCB content of transformers for either site, all units were observed in good working condition with no evidence of leaks or releases (Adastra, 2021).

Asbestos and Lead-Based Paint

ICE conducted surveys for asbestos-containing material (ACM) for Dormitories 1-6 and their connector in July 2014. This survey confirmed that the white window caulking in the dormitories and the connector contained ACM. Survey findings indicated that all identified ACM with the potential to be disturbed during demolition or renovation activities must be abated by a licensed/accredited abatement contractor in accordance with all applicable federal, state, and local regulations.

Structures built before 1978 are likely to contain lead based paint (LBP), which is classified as paint that contains greater than or equal to 0.5 percent lead by weight, or 1.0 milligram per square centimeter lead by x-ray fluorescence (XRF). To date, no LBP surveying has occurred for the dormitories or connector, but one instance of LBP was discovered in another area of the SPC during a 2003 Federal Occupational Health (FOH) survey of the second sally port. No ACM or LBP has been observed at the El Paso Water Authority site.

3.14.2 Environmental Consequences

Potential environmental consequences from Alternatives 1 and 2 and the No Action Alternative are discussed in detail in the following sections. Potential environmental consequences from construction, infrastructure repair and rehabilitation, demolition, and potential contact with hazardous waste and materials during implementation of the Proposed Action would be largely minimized or avoided by using industry standard BMPs as discussed below.

Impacts to hazardous waste and materials would be significant to the human environment if:

- There would be substantial alteration of resources containing asbestos, LBP, PCBs, or hazardous waste with noncompliance of any applicable regulations; or
- Notable amounts of hazardous materials would be disturbed or hazardous waste generated as a necessary part of the Proposed Action.

3.14.2.1 Alternative 1

Under Alternative 1, existing dormitories would be demolished and one new dormitory building would be constructed in their place. The USEPA Lead Renovation, Repair, and Painting Rule does not apply to total demolition projects, but it is recommended that lead-safe practices are employed during demolition. Any LBP present in the dormitories must be abated by a licensed contractor.

Construction activities would require the onsite use and storage of hazardous materials, such as diesel fuel, paint, adhesives, thinners, and solvents, all of which would inherently increase the risk of an accidental spill. Additionally, vehicles operating onsite may occasionally contribute to minor oil and fuel leaks, but impacts are mitigated by following BMPs, such as regular vehicle inspections and maintenance. Operation of heavy machinery during both demolition and construction could also result in an increased chance of fuel or oil spills. Any spills or releases of hazardous materials, pollutants, contaminants, or petroleum products would result in intermittent, short-term, adverse impacts to the affected soil or water resources. For example, the spilling of paint solvents and fuels could occur accidentally, and therefore would be considered as non-continuous. Solvents can enter the groundwater supply through the soil, where they can cause birth and cardiac defects when ingested (USEPA, 2015a). However, the magnitude of these impacts would be minor because events would be addressed with BMPs as soon as a release is noticed, and steps would be taken such as application of absorbents and removal of soil. Following appropriate BMPs, including usage of drop cloths, proper storage, and maintaining a clean working environment, would also lower the risk of spills, resulting in a low likelihood of adverse impacts.

The storage, containment, or disposal of any municipal trash, debris, soils, universal waste, and potentially hazardous waste generated during demolition and construction would be addressed in accordance with applicable authorities such as RCRA and SPCC. Under the Alternative 1, potential impacts from demolition and construction activities would be minor and adverse with a low likelihood and localized extent. Debris, trash, and soils from construction and demolition would only impart a nuisance to the immediate surroundings before cleanup. Impacts would be short-term and would end once demolition and construction activities were completed.

All demolition and construction activities would follow applicable procedures to avoid producing hazardous waste or dust, which would mitigate and prevent substantial impact from the production, storage, and disposal of these materials. All ACM removed during demolition activities would be abated by accredited contractors and managed in accordance with applicable regulations. Any lead-based paint waste encountered during demolition activities would be collected and disposed of in accordance with applicable federal, state, and local regulations. Any other hazardous waste produced during construction, demolition, or renovation activities would be disposed of properly, following appropriate federal regulations and local city and county disposal procedures.

Under Alternative 1, the effects of hazardous materials and waste would be adverse, short-term, and minor with a localized extent and a low likelihood of occurrence. Impacts would not be significant.

3.14.2.2 Alternative 2

Under Alternative 2, existing dormitories would be demolished and one new dormitory building would be constructed on the 1.98-acre property purchased from the El Paso Water Authority. Impacts from demolition of dormitories would be identical to those under Alternative 1, and impacts from construction would be similar to Alternative 1.

Because the new dormitory building under Alternative 2 would be constructed on land acquired from the El Paso Water Authority, the diesel-fired backup generator, its secondary containment base tank, pump, motor, control building, and concrete pads that currently reside on the property would need to be removed and relocated. The oil stain on the concrete pad would be remedied before construction by applying detergent and scrubbing with water.

The removal and relocation of equipment and concrete pads would require additional equipment operation and would potentially create more construction debris compared to Alternative 1. In turn, this would increase the potential for fuel and oil releases. Spills and releases of hazardous materials, contaminants, pollutants, and petroleum products would result in intermittent, short-term, adverse impacts to the affected soil and water. Following BMPs would decrease the probability and magnitude of a fuel spill or dust release, resulting in a minor magnitude and lower likelihood of adverse impacts.

Under this alternative, construction on the El Paso Water Authority property has the potential to impact an adjacent non-jurisdictional 0.79-acre PUSCx classified wetland on the southern portion of the site. Possible short-term impacts to the affected water and soil from oil or fuel spills and construction debris would be avoided by implementing BMPs and fostering awareness of the nearby wetland. The pond is on land not included in the purchase of the El Paso Water Authority property and is fenced off from the proposed construction area. Although there would be increased use of equipment operation and construction debris as compared to Alternative 1, impacts from hazardous materials and waste under Alternative 2 would be adverse, intermittent, short-term, and minor with a localized extent and a low likelihood of occurrence. Impacts would not be significant.

3.14.2.3 No Action Alternative

The No Action Alternative assumes that no demolition or construction activities would occur at the El Paso SPC. Minor repairs would occur as needed, and current maintenance and operation of the existing facilities would continue. Other ongoing impacts would be similar to those resulting from current operations, consistent with the existing hazardous material use and disposal practices. Thus, the No Action Alternative would not have any new effects from hazardous materials and waste, and there would be no significant impacts.

Cumulative Impacts

The cumulative impacts scenario considers the potential impacts on the environment resulting from the incremental impact of Proposed Action when added to other past, present, and reasonably foreseeable future actions within or near the project area. Impacts on hazardous materials and waste from construction and demolition activities occurring under the Proposed Action and from other projects in the vicinity, such as the private jet terminal and hangar and freeway conversion of Montana Avenue (see Table 3.1-1), would be short term, adverse, and minor, with a localized extent and low likelihood. This is due to the potential for accidental spills and discharge of hazardous chemicals (e.g., fuel, paints, solvents) into the surrounding environment which can enter the groundwater supply and cause cardiac defects and other health issues if ingested. However, by following appropriate BMPs and regulations, the magnitude

of these impacts would be low as the chemicals would be used in relatively small quantities, and discharges can be easily cleaned before entering water supplies.

Under the No Action Alternative, the amount of hazardous materials and waste generated would remain approximately the same as current levels. Although spills of hazardous materials could occur during other projects in the vicinity of the El Paso SPC, they would be cleaned up according to the applicable regulations and any impacts would be localized. Therefore, when considered in tandem with the other projects described in the cumulative scenario, the No Action Alternative would not contribute to cumulative impacts and would not result in any significant cumulative impacts.

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5.0 GLOSSARY

Aquifer: Underground layer of water-containing rock formations or unconsolidated material.

Anthropogenic: Caused or influenced by people, either directly or indirectly.

Arid Climate: A dry climate that receives little rain.

Arterial Roadway: A high-capacity urban road that sits below freeways/motorways on the road hierarchy in terms of traffic flow and speed.

Asbestos: A group of six naturally occurring minerals composed of soft, flexible fibers that are heat-resistant. Exposure to asbestos causes cancers and other diseases, including mesothelioma and asbestosis.

Attainment Area: An area with concentrations of criteria pollutants that are below the levels established by National Ambient Air Quality Standards (NAAQS).

Bird of Conservation Concern: Bird species, subspecies, and populations that without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act and represent the highest conservation priorities of the USFWS. These birds include nongame birds, gamebirds without hunting seasons, subsistence-hunted nongame birds in Alaska, ESA candidate species, ESA proposed species, and recently delisted ESA species.

Calcareous: Describes material that contains calcium carbonate or chalky material.

Caliche: A hardened layer of calcium carbonate formed in soils.

Census Tract: Small, relatively permanent statistical subdivisions of a county or equivalent entity, generally with a population size between 1,200 and 8,000.

Civilian Labor Force: The primary measure of available labor within a given area. It is calculated by summing the total number of employed and unemployed persons over the age of 16 in a given area.

Controlled Access Point: Gated entrance to facility.

Criteria Pollutant: Six pollutants that can harm human health and the environment and cause property damage. They are regulated by the Clean Air Act.

Cultural Resources: All sites, buildings, structures, districts, and objects as defined by the National Historic Preservation Act, as amended.

Detention Basin: Surface storage basins or facilities that provide flow control through attenuation of stormwater runoff.

Electrical Transformer: Electrical transformers are machines that transfer electricity from one circuit to another with changing voltage level and without frequency change. Transformers help improve safety and efficiency of power systems by raising and lowering voltage levels as and when needed.

Endangered Species: Formal listing designation of the Endangered Species Act which signifies that a given species is in danger of extinction throughout all or a significant portion of its range.

Environmental Justice Community: A community in which the percentage of minorities or low-income individuals exceeds 50 percent or is substantially higher than the corresponding percentages in the general population or other appropriate unit of geographic analysis.

Fault Line: A fracture in the rock that forms the Earth's surface where earthquakes are more likely to occur.

Frequency: As it relates to sound, frequency refers to the pitch of a sound or the speed of a sound wave's repetition. High frequency sounds are considered to be high pitch sounds.

Geology: The study of the physical composition and configuration of the Earth.

Greenhouse Gas: Gases that trap heat in the atmosphere by absorbing outgoing infrared radiation. Greenhouse gas emissions occur from natural processes and human activities.

Groundwater: Water contained in subsurface formations such as in fractures of a rock formation.

Habitat Disturbance: A change in physical environmental conditions which interferes with the normal functioning of a given biological system. Common examples include clearing of vegetation or disking/tilling soil.

Hazardous Material: Articles or substances which are capable of posing a risk to health, safety, property, or the environment; and are listed or classified in the regulations.

Hazardous Waste: Wastes with properties that make them dangerous or potentially harmful to human health or the environment. Hazardous wastes can be liquids, solids, contained gases, or sludges.

Hummocky: Describes terrain with an irregular surface (i.e., small mounds).

Induced Economic Benefits: Third order economic benefits derived from household spending of labor income within a given area. For example, increased revenues at local restaurants from construction workers would be considered an induced economic benefit.

Industry Compensation: Wages, salaries, employer contributions for employee retirement funds, social security, health insurance, and life insurance provided by each employing market sector, including government, present within the economy of a given area.

Inorganic Material: Any substance that is not derived from living organisms such as rocks, minerals, and metals.

Impervious Surface: Land coverage that does not allow water to penetrate into the ground, such as parking lots, buildings, and concrete.

Land Use: Refers to the human use of land. It is further defined as the economic and cultural activities (e.g., agricultural, residential, industrial, mining, and recreational uses) practiced at a given place.

Loam: Soil that is equal proportions of sand, silt, and clay.

Maintenance Area: Nonattainment areas that meet the NAAQS and the requirements in the Clean Air Act, they are redesignated as maintenance areas.

Nitrates: Salts containing NO_3^- which are commonly used in fertilizers and are regulated in water quality standards.

Noise: Sound that is unwanted by the receiver of the sound because it interferes with common activities such as sleeping, communication, and concentration or causes physiological harm.

Nonattainment Area: Areas where the concentration of one or more criteria pollutants is found to exceed the regulated level for one or more of the NAAQS.

Nuisance Species: Native or non-native species which causes ecological or economic harm where present. Common examples include poison ivy (*Toxicodendron radicans*) and Canada goose (*Branta canadensis*).

Organic Material: Any substance that is derived from living organisms. Organic material in soil includes plant matter and microbes.

Per Capita Personal Income: The total personal income of a given area divided by the total population of the area.

Photochemical Oxidant: Secondary air pollutant formed by the action of sunlight on nitrogen oxides and reactive hydrocarbons, their precursors.

Porosity: The quality of allowing water to pass through. Soil porosity refers to the amount of “empty” space in the soil that allows water to move through the soil.

Poverty Threshold: Fixed income thresholds varying by family size and composition which are used to evaluate the poverty status of a given family unity. These thresholds only consider pre-tax income and do not include capital gains or non-cash benefits such as public housing, Medicaid, and food stamps.

PUSCx Classified Wetland: A wetland that is non-tidal and dominated by trees, shrubs, persistent emergents, and mosses while being below salinity of 0.5 parts per trillion. These wetlands also have an unconsolidated shore, are seasonally flooded, and were excavated by humans.

Quaternary Period: The current geological time period; referring to a timespan beginning 2.58 million years ago to today.

Radionuclides: Atoms that emit radiation and are regulated in water quality standards.

Region of Influence: The geographic area in which local demographics, income characteristics, and employment could be most appreciably impacted as a result of the implementation of the Proposed Action.

Resource Competition: A negative interaction between individuals associated with a requirement for shared limiting resources resulting in a reduction of fitness at the individual or population level.

Rock Unit: A geologic term for a grouping of rocks based on their similar physical characteristics.

Salinity: The quantity of dissolved salt content in water.

Soil Compaction: The pressing of soil such that the pore space (see porosity definition) decreases. Compacted soil has a reduced ability to drain water.

Solvent: A substance, ordinarily a liquid, in which other materials dissolve to form a solution.

Sound Level: Effectively refers to the loudness of sound measured in decibels (dB).

Species of Greatest Conservation Need: Native animals and plants in Texas which are declining or rare and in need of attention to recover or to prevent the need for listing under state or federal regulation. These species are the primary focus of the Texas Conservation Action Plan and guide TPWD's nongame conservation efforts.

Surface Water: A body of water that is above the ground, such as a lake, river, or stream.

Threatened Species: Formal listing designation of the Endangered Species Act which signifies that a given species is likely to become endangered within the foreseeable future.

Topography: Describes the general elevation, shape, and contours of the surface of the Earth.

Total Dissolved Solids (TDS): The total amount of substances such as minerals, salts, metals, and organic matter in water.

Toxicity: The adverse effects to living organisms as a result of exposure to harmful materials.

Unemployment Rate: The number of unemployed persons in a given area divided by the civilian labor force of that area. Persons are classified as unemployed if they do not currently have a job, have actively looked for work in the prior four weeks, and are currently available.

Very Small Quantity Generator: A facility is a VSQG if it generates the following amounts and types of waste:

- Less than 220 pounds of hazardous waste per month;
- No more than 2.2 pounds of acutely hazardous waste per month; or
- More than 220 pounds of Class 1 nonhazardous waste per month.

Volatile Organic Compound (VOC): Compounds that have a high vapor pressure and low water solubility. Many VOCs are human-made chemicals that are used and produced in the manufacture of paints, pharmaceuticals, and refrigerants.

Water Quality: A measure of the suitability of water for a designated use, for example, contact recreation such as swimming or for a municipal water supply.

Wildlife Disturbance: The avoidance response of a given animal or species of animal to stimuli resulting from the presence of humans in its habitat.

Zoning Ordinance: Defines acceptable uses of land in most areas that influence the existing use of the land and the types of land use on adjacent properties. Zoning ordinances may be use-based or form-based to divide a jurisdiction into different districts. Use-based ordinances rely on land use classifications to separate properties according to compatibility and future plans for the use of the land. Form-based ordinances consider the existing character of a jurisdiction's zoning based on building or architectural types, neighborhood patterns, or other physical features.

APPENDIX A: PUBLIC SCOPING CORRESPONDENCE

APPENDIX B: ALTERNATIVE DETENTION CENTER EVALUATION REPORT

APPENDIX C: SECTION 106 CONSULTATION