APPENDIX A: PUBLIC SCOPING CORRESPONDENCE
January 26, 2021

Adam Zerrenner, Field Supervisor  
Austin Ecological Services Field Office  
U.S. Fish and Wildlife Service  
10711 Burnet Road, Suite 200  
Austin, Texas 78758

RE: Preparation of an Environmental Assessment (EA) for New Dormitory Construction at the United States Immigration and Customs Enforcement El Paso Service Processing Center in El Paso, Texas

Sent via email only to Adam_Zerrenner@fws.gov

Dear Adam Zerrenner,

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code §§ 4321-4347), U.S. Immigration and Customs Enforcement (ICE) is preparing an Environmental Assessment (EA) for a proposed action. ICE is the principal investigative arm of the U.S. Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. Created in 2003 through a merger of the investigative and interior enforcement elements of the U.S. Customs Service and the Immigration and Naturalization Service, ICE now has more than 20,000 employees in over 400 offices in all 50 states and 46 foreign countries. ICE’s primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE Service Processing Centers (SPCs) must have sufficient detention services, armed transportation services, on-call guard services, administrative and office space services, and parking spaces to effectively and efficiently conduct ICE’s mission. This mission involves fulfilling orders for the securing and departure activities of detainees who are designated in removal proceedings, and for arranging the detention of detainees when such action becomes necessary and prescribed by law.

In an effort to ensure ICE’s primary mission is achieved, ICE is proposing to demolish four undersized and outdated detainee dormitories and construct new detainee dormitories at the El Paso SPC, a facility operated by ICE’s Enforcement and Removal Operations (ERO). ERO maintains 24 areas of responsibility (AORs) in the U.S. The ERO El Paso AOR encompasses the entire state of New Mexico plus a contiguous area of 18 counties in west Texas. Within this AOR, ERO maintains two dedicated detention facilities: the ICE-owned El Paso SPC in El Paso, Texas and the Otero County Processing Center (a contract detention facility) in Chaparral, New Mexico. These two facilities currently have the capacity to hold 840 and 1,089 detainees, respectively.

The El Paso SPC serves as a temporary detention facility for individuals pending review and determination of their immigration status. The detainee dormitories at this facility are aging and inadequate to serve the continuing demand for processing and detainee services at this location. The work proposed at this site would ensure that adequate dormitories are available for the efficient and lawful operation of the El Paso SPC, which operates in accordance with American Correctional...
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Association (ACA) accreditation, Performance-Based National Detention Standards (PBNDS), and DHS regulation under the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79), Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities (DHS PREA Standards, 6 C.F.R Part 115). These standards detail the adequate conditions of confinement, quality of life, access to a range of services for detainees, and overall safe and secure operations.

The EA will analyze the construction of a new detainee dormitories at the El Paso SPC campus at 8915 Montana Avenue in El Paso, TX, including land acquisition, demolition of four existing dormitories, and development of a secure recreation area for detainees. ICE is evaluating four alternatives:

- Construction of new detainee dormitories in the existing dormitory location;
- Construction of detainee dormitories on land acquired from the El Paso International Airport;
- Construction of detainee dormitories on land acquired from the adjacent El Paso Water Authority; and
- The No Action Alternative. The No Action Alternative is included to provide a baseline for comparison with impacts from the Project, and also to satisfy federal requirements for analyzing “no action” under NEPA.

ICE requests comments on these alternatives as summarized below. Figures for these alternatives are attached to this letter.

**Alternative 1 – Demolition and Construction of Detainee Dormitories in Existing Location:** Under Alternative 1 (Figure 4), ICE would demolish four dormitories (Dormitories 1 through 4, also referred to as buildings B019, B020, B021, and B022 in the figures) that total 21,097 gross square feet (gsf) at the El Paso SPC that hold 294 detainees and construct a new dormitory on the demolished dormitories’ footprint. The proposed new dormitory 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 would require many detainees to be transported to other ERO AORs due to 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 would be one story tall and approximately 25,000 gsf and would meet current detention standards. Under this alternative there would not be ample space to develop a secure outdoor recreational area for detainees as recommended by the PBNDS. Under Alternative 1, new kitchen equipment would also be purchased and installed in the existing kitchen building.

**Alternative 2 – Construction of Detainee Dormitories on Land Acquired from the El Paso International Airport:** Under Alternative 2 (Figure 5), ICE would acquire 10.24 acres of land owned by the El Paso International Airport southwest of the El Paso SPC for the construction of a new detainee dormitory. As under Alternative 1, detainee dormitories 1 through 4 (also referred to as buildings B019, B020, B021, and B022 in the figures) would be demolished and the proposed new dormitories would hold up to 600 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 before the old facilities were demolished. Construction of a new detainee dormitory on adjacent land would require the associated construction and expansion of potable water and sanitary sewer infrastructure on the El Paso SPC site. Electricity and natural gas infrastructure would also be expanded or constructed. The construction phase of the Project would take approximately 12 months following design completion.
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The existing dormitories would be demolished approximately 6 months after construction of the new dormitory. A secure outdoor recreation area would be developed within the footprint of the demolished dormitories. Unlike Alternative 1, this alternative would not require the partial shutdown of the facility during the construction phase. As with Alternative 1, new kitchen equipment would be purchased and installed in the existing kitchen building.

**Alternative 3 – Construction of Detainee Dormitories on Land Acquired from El Paso Water Authority:**
Under Alternative 3 (Figure 6), ICE would acquire 3.86 acres of land owned by the El Paso Water Authority east of the El Paso SPC for the construction of a new detainee dormitory, which would be the same size as discussed under Alternative 1. As in Alternative 2, detainee dormitories 1 through 4 (also referred to as buildings B019, B020, B021, and B022 in the figures) will be demolished and potable water, sanitary sewer, electricity, and natural gas infrastructure would be expanded. Like Alternative 2, the construction phase for Alternative 3 would take approximately 12 months following completion of design and the new facilities would be completed 6 months before the old facilities were demolished, eliminating the need to relocate detainees during the construction process. A secure outdoor recreation area would be developed within the footprint of the demolished dormitories. As with Alternatives 1 and 2, new kitchen equipment for the dining hall facility would also be purchased and installed.

**No Action Alternative:** The No Action Alternative assumes that no construction, improvement of infrastructure, or demolition would occur at the El Paso SPC.

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this EA. A copy of the draft and final EA will be made available online; please advise if your office requires a hard copy of the document. Please also inform us if someone else within your office other than you should be the point of contact for review of the Draft EA.

Your prompt attention to this request would be greatly appreciated. Please direct all correspondence, questions, and requests for additional information to me at the address below, or contact me at ICESustainability@ice.dhs.gov

Sincerely,

David Frenkel

David Frenkel
Environmental, Energy, and Sustainability Program Manager
U.S. Immigration and Customs Enforcement
Office of the Chief Financial Officer
Office of Facilities Administration
500 12th Street SW, Stop 5703
Washington, DC 20536

**Attachments:**
- Figure 1 – El Paso Service Processing Center Regional Location
- Figure 2 – El Paso Service Processing Center Project Area and Vicinity
- Figure 3 – El Paso Service Processing Center Project Site Map
- Figure 4 – El Paso Service Processing Center with Proposed Changes – Alternative 1
• Figure 5 – El Paso Service Processing Center with Proposed Changes – Alternative 2
• Figure 6 – El Paso Service Processing Center with Proposed Changes – Alternative 3
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Figure 1. El Paso Service Processing Center Regional Location
RE: Preparation of an Environmental Assessment (EA) for New Dormitory Construction at the United States Immigration and Customs Enforcement El Paso Service Processing Center in El Paso, Texas

Figure 2. El Paso Service Processing Center Project Area and Vicinity
Figure 3. El Paso Service Processing Center Project Site Map
Figure 4. El Paso Service Processing Center with Proposed Changes – Alternative 1
Figure 5. El Paso Service Processing Center with Proposed Changes – Alternative 2
Figure 6. El Paso Service Processing Center with Proposed Changes – Alternative 3
Good Morning David,

The Fish and Wildlife Service does not have any species of concern that would be impacted by the project as proposed. Thank you for reaching out to us.

Christina

U.S. Fish and Wildlife Service
10711 Burnet Road, Suite 200
Austin, Texas 78758
512/490-0057, extension 235

Hi Christina,

Please see the attached. I don't believe we have any species of concern in this area. Would you or a member of the branch please confirm?

Appreciate it,

Adam
Good afternoon,

Please see the attached letter regarding the preparation of an Environmental Assessment to evaluate a proposed action by the U.S. Immigration and Customs Enforcement (ICE). In an effort to ensure ICE’s primary mission is achieved, ICE is proposing to replace four undersized and outdated detainee dormitories at the El Paso Service Processing Center (SPC) by either constructing new detainee dormitory in the existing location or purchasing adjacent property to locate/construct the dormitory. I look forward to your response.

Respectfully,

David

David Frenkel
Environmental, Energy, and Sustainability Program Manager
Immigration and Customs Enforcement
500 12th Street SW, Washington, DC 20536
March 9, 2021

Mr. David Frenkel
Environmental, Energy, and Sustainability Program Manager
U.S. Immigration and Customs Enforcement
Office of the Chief Financial Officer
Office of Facilities Administration
500 12th Street SW, Stop 5703
Washington, DC 20536

RE: Preparation of an Environmental Assessment for New Dormitory Construction at the United States Immigration and Customs Enforcement El Paso Service Processing Center in El Paso County, Texas

Dear Mr. Frenkel:

Texas Parks and Wildlife Department (TPWD) has received the request for coordination regarding the proposed project referenced above located in El Paso County. TPWD staff has reviewed the information provided and offers the following information, comments, and recommendations concerning this project.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency may be required by state law. For further guidance, see the Texas Parks and Wildlife (TPW) Code, Section 12.0011. For tracking purposes, please refer to TPWD project number 45932 in any return correspondence regarding this project.

Project Description

The information provided included the following project description:

“U.S. Immigration and Customs Enforcement (ICE) is proposing to demolish four undersized and outdated detainee dormitories and construct new detainee dormitories at the El Paso SPC (Service Processing Center), a facility operated by ICE’s Enforcement and Removal Operations (ERO). ERO maintains 24 areas of responsibility (AORs) in the U.S. The ERO El Paso AOR encompasses the entire state of New Mexico plus a contiguous area of 18 counties in west Texas. Within this AOR, ERO maintains two dedicated detention facilities: the ICE-owned El Paso SPC in El Paso, Texas and the Otero County Processing Center (a contract detention facility) in Chaparral, New Mexico. These two facilities currently have the capacity to hold 840 and 1,089 detainees, respectively.

The Environmental Assessment (EA) will analyze the construction of a new detainee dormitories at the El Paso SPC campus at 8915 Montana Avenue in El Paso, TX, including land acquisition, demolition of four existing dormitories, and
development of a secure recreation area for detainees. ICE is evaluating four alternatives:

- Construction of new detainee dormitories in the existing dormitory location;
- Construction of detainee dormitories on land acquired from the El Paso International Airport;
- Construction of detainee dormitories on land acquired from the adjacent El Paso Water Authority; and
- The No Action Alternative. The No Action Alternative is included to provide a baseline for comparison with impacts from the Project, and also to satisfy federal requirements for analyzing “no action” under NEPA.”

**General Construction Recommendations**

TPWD would like to provide the following general construction recommendations to assist in project planning.

**Recommendation:** TPWD recommends the judicious use and placement of sediment control fence to exclude wildlife from the construction area. In many cases, sediment control fence placement for the purposes of controlling erosion and protecting water quality can be modified minimally to also provide the benefit of excluding wildlife access to construction areas. The exclusion fence should be buried at least six inches and be at least 24 inches high. The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated with site-specific native species. Construction personnel should be encouraged to examine the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the area of impact and provide safe egress opportunities prior to initiation of construction activities. TPWD recommends that any open trenches or excavation areas be covered overnight and/or inspected every morning to ensure no wildlife species have been trapped. For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Also, inspect excavation areas for trapped wildlife prior to refilling.

**Recommendation:** For soil stabilization and/or revegetation of disturbed areas within the proposed project area, TPWD recommends erosion and seed/mulch stabilization materials that avoid entanglement hazards to snakes and other wildlife species. Because the mesh found in many erosion control blankets or mats pose an entanglement hazard to wildlife, TPWD recommends the use of no-till drilling, hydromulching and/or hydroseeding due to a reduced risk to wildlife. If erosion control blankets or mats will be used, the product should not contain netting, but if it must contain netting it should contain loosely woven, natural fiber netting in which the mesh design allows the threads to
move, therefore allowing expansion of the mesh openings. TPWD recommends avoiding the use of plastic mesh matting.

**Impacts to Vegetation/Wildlife Habitat**

TPWD would like to provide the following vegetation removal, revegetation, and landscaping recommendations to assist in project planning.

**Recommendation:** TPWD recommends reducing the amount of vegetation proposed for clearing if possible and minimizing clearing of native vegetation, particularly mature native trees, riparian vegetation, and shrubs to the greatest extent practicable. TPWD recommends in-kind on-site replacement/restoration of the native vegetation wherever practicable. Colonization by invasive species, particularly invasive grasses and weeds, should be actively prevented. Vegetation management should include removing invasive species early on while allowing the existing native plants to revegetate the disturbed areas. TPWD recommends referring to the Lady Bird Johnson Wildflower Center Native Plant Database for regionally adapted native species that would be appropriate for landscaping and revegetation.

**Facility Lighting**

Sky glow as a result of light pollution can have negative impacts on wildlife and ecosystems by disrupting natural day and night cycles inherent in managing behaviors such as migration, reproduction, nourishment, sleep, and protection from predators. Wildlife impacts from light pollution is of concern to TPWD.

**Recommendation:** TPWD recommends committing to dark-sky lighting practices for the new ICE detainee dormitories. When lighting is added, TPWD recommends minimizing sky glow by focusing light downward, with full cutoff luminaries to avoid light emitting above the horizontal. TPWD recommends using the minimum amount of night-time lighting needed for safety and security and to use dark-sky friendly lighting that is on only when needed, down-shielded, as bright as needed, and minimizing blue light emissions. Appropriate lighting technologies and beneficial management practices (BMPs) can be found on the International Dark-Sky Association website.

**Federal Laws**

*Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) prohibits direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control, except when specifically authorized by the Department of the Interior. This protection applies to most native bird species,
including ground nesting species. The U.S. Fish and Wildlife Service (USFWS) Migratory Bird Office can be contacted at (505) 248-7882 for more information on potential impacts to migratory birds.

**Recommendation:** TPWD recommends excluding vegetation clearing activities during the general bird nesting season, March 15 through September 15, to avoid adverse impacts to breeding birds. If clearing vegetation during the migratory bird nesting season is unavoidable, TPWD recommends surveying the area proposed for disturbance to ensure that no nests with eggs or young will be disturbed by operations. TPWD recommends performing active bird nest surveys no more than five days prior to planned clearing or construction. TPWD recommends that a minimum 150-foot buffer of vegetation remain around any nests that are observed prior to disturbance. Any vegetation (such as trees, shrubs, and grasses) or other open areas where occupied nests are located should not be disturbed until the eggs have hatched and the young have fledged.

**State Laws**

*Parks and Wildlife Code – Chapter 64, Birds*

TPW Code Section 64.002, regarding protection of nongame birds, provides that no person may catch, kill, injure, pursue, or possess a bird that is not a game bird. TPW Code Section 64.003, regarding destroying nests or eggs, provides that, no person may destroy or take the nests, eggs, or young and any wild game bird, wild bird, or wild fowl.

**Recommendation:** Please review the *Migratory Bird Treaty Act* section above for recommendations as they are also applicable for Chapter 64 of the TPW Code compliance.

*Parks and Wildlife Code, Section 68.015 – State-listed Species*

TPW Code regulates state-listed threatened and endangered animal species. The capture, trap, take, or killing of state-listed threatened and endangered animal species is unlawful unless expressly authorized under a permit issued by USFWS or TPWD. The *TPWD Guidelines for Protection of State-Listed Species*, which includes a list of penalties for take of species, can be found on the Wildlife Habitat Assessment Program website. State-listed species may only be handled by persons with authorization obtained through TPWD. For more information on this permit, please contact the Wildlife Permits Office at (512) 389-4647.

Texas horned lizard (*Phrynosoma cornutum*)

The project area may provide suitable habitat for the state-listed threatened Texas horned lizard. The Texas horned lizard inhabits open, arid and semi-arid regions
with sparse vegetation, including grass, cactus, scattered brush or scrubby trees and soil may vary in texture from sandy to rocky.

If present in the project area, the Texas horned lizard could be impacted by ground disturbing activities from construction. A useful indication that the Texas horned lizard may occupy the site is the presence of harvester ant (\textit{Pogonomyrmex barbatus}) mounds since harvester ants are the primary food source of Texas horned lizards. Texas horned lizards may hibernate on-site in loose soils a few inches below ground during the cool months from September/October to March/April. Construction in these areas could harm hibernating lizards. Horned lizards are active above ground when temperatures exceed 75 degrees Fahrenheit. If horned lizards (nesting, gravid females, newborn young, lethargic from cool temperatures or hibernation) cannot move away from noise and approaching construction equipment in time, they could be affected by construction activities.

**Recommendation:** TPWD recommends implementing the following BMPs to assist in minimizing potential impacts to the Texas horned lizard. TPWD notes that implementing the following BMPs could also help minimize impacts to a variety of native wildlife species that may inhabit the project area:

\textit{Contractor Training for Protected Species} – TPWD recommends providing training for project contractors prior to the construction of the proposed project. Wildlife training should consist of identification of Texas horned lizards and their primary food source (harvester ants), and the proper protocol to avoid impact if a Texas horned lizard or other rare or protected species is encountered. TPWD recommends instructing contractors to avoid impacts to harvester ant mounds where feasible. TPWD understands that ant mounds in the direct path of construction would be difficult to avoid, but contractors should be mindful of these areas when deciding where to place project specific locations and other disturbances associated with construction.

\textit{Biological Monitor} – TPWD recommends that a permitted biologist be on-site during construction activities, especially during site clearing and trenching, to look for protected species, advise the construction crews on appropriate action if horned lizards are observed, and relocate any protected individuals that are in imminent harm. Biologists must be authorized to handle horned lizards and other state-listed species. If a biological monitor cannot be on-site during construction, site personnel should be trained for encounters with protected species and a qualified biologist should be notified of the siting and consulted on appropriate action.

\textit{Horned Lizard Encounters} – If Texas horned lizards are encountered, they should be avoided and allowed to leave the project area on their own. If a horned lizard must be relocated, TPWD recommends relocating them off-
site to an area that is close-by and contains similar habitat. TPWD recommends that any translocations of reptiles be the minimum distance possible no greater than one mile, preferably within 100 to 200 yards from the initial encounter location. After horned lizard removal, the area that will be disturbed during active construction and project specific locations should be fenced off to exclude horned lizards and other reptiles.

The exclusion fence should be constructed and maintained as follows:

- The exclusion fence should be constructed with metal flashing or drift fence material. Rolled erosion control mesh material should not be used.
- The exclusion fence should be buried at least 6 inches deep and be at least 24 inches high.
- The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated with site-specific native species.

_Speed Limits_ – TPWD recommends reducing speed limits in the project area to at least 15 mph to help prevent vehicle-induced mortality of this species.

_Work During Cold Weather_ – If construction activities take place during cold weather, it is recommended that construction personnel stay observant of activities that may harm the Texas horned lizard, such as disruption of burrows. In cold weather, this species will use burrows or pallets near the base of vegetation for shelter. Their slow metabolism in cold weather can reduce movements, restricting their ability to flee from danger.

_Trenches_ – To avoid direct harm to state-listed species and other wildlife that may occur in the project area, TPWD recommends that any open trenches or excavation areas be covered overnight and/or inspected every morning to ensure no Texas horned lizards or other wildlife have been trapped. For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Also, inspect excavation areas for trapped wildlife prior to refilling. As previously mentioned, if state-listed species are trapped in trenches, they should be removed by personnel permitted by TPWD to handle state-listed species.

_No Kill Wildlife Policy_ – TPWD recommends implementing a “No Kill Wildlife Policy” during the construction and operation of the site. This policy prevents inadvertently killing protected species that may be mistaken for common species.
Species of Greatest Conservation Need

In addition to state and federally-protected species, TPWD tracks Species of Greatest Conservation Need (SGCN) and other special features and natural communities that are not listed as threatened or endangered. These species and communities are tracked in the Texas Natural Diversity Database (TXNDD), and TPWD actively promotes their conservation. TPWD considers it important to evaluate and, if necessary, minimize impacts to SGCN and their habitat to reduce the likelihood of endangerment and preclude the need to list as threatened or endangered in the future.

Western box turtle (*Terrapene ornata*)

TPWD notes that there is a research-grade iNaturalist (www.inaturalist.org) observation for the western box turtle located approximately 850 feet from the project area. The western box turtle occurs throughout Texas, typically in open habitats such as prairie grasslands, pastures, fields, sandhills, and open woodlands. Adults have a home-range size of approximately 6 to 14 acres. The western box turtle is omnivorous although the bulk of the diet consists of insects. This species is active spring through fall with courtship and mating occurring primarily in the spring. For shelter, they burrow into soil (e.g., under plants such as yucca) or enter burrows made by other species. Western box turtles are threatened by habitat loss and fragmentation, vehicle strikes on roads, and collection for the pet trade and food markets. The project area may provide suitable habitat for this species.

**Recommendation:** TPWD recommends referring to the recommendations listed above for the Texas horned lizard as those recommendations are applicable to the western box turtle as well. TPWD recommends identifying locations of burrows on the project site and avoiding impacts to burrows and reducing speed limits in the project area if feasible. TPWD also recommends that any translocations of reptiles be the minimum distance possible no greater than one mile, preferably within 100 to 200 yards from the initial encounter location.

Western rattlesnake (*Crotalus viridis*)

TPWD notes that there is a research-grade iNaturalist observation for the western rattlesnake located approximately 1.35 miles from the project area, within El Paso International Airport. The western rattlesnake inhabits grasslands, both desert and prairie, as well as shrub desert rocky hillsides. This species can also be found at the edges of arid and semi-arid river breaks. The project area may provide suitable habitat for this species.

**Recommendation:** TPWD recommends avoiding disturbance of the western rattlesnake if found during clearing and construction. Because snakes are generally perceived as a threat and killed when encountered, and since the
project area may contain suitable habitat for the western rattlesnake, TPWD recommends construction personnel and contractors be advised to avoid injury or harm to all snakes encountered during clearing and construction. Injury to humans usually occurs when the snake becomes agitated following harassment or when someone attempts to handle a recently dead venomous snake that still contains its bite reflex. Therefore, contractors should avoid contact with snakes if encountered and allow all native snakes to safely leave the premises.

Western burrowing owl (*Athene cunicularia hypugaea*)

TPWD notes that there are two eBird (www.ebird.org) observations for the western burrowing owl located approximately 1.75 miles from the project area, within El Paso International Airport. The western burrowing owl is a ground-dwelling owl that uses the burrows of prairie dogs and other fossorial animals for nesting and roosting. When natural burrows are limited, this species will breed in urban habitats which may lead to problems for the owls or their young. The owls opportunistically live and nest in road and railway rights-of-way, parking lots, baseball fields, school yards, golf courses, and airports. They have also been found nesting on campuses, in storm drains, drainage pipes, and cement culverts, on banks, along irrigation canals, under asphalt or wood debris piles, or openings under concrete pilings or asphalt. The burrowing owl is protected under the MBTA, and take of these birds, their nests, and eggs is prohibited. Potential impacts to the burrowing owl could include habitat removal as well as displacement and/or destruction of nests and eggs if ground disturbance occurs during the breeding season. There may be suitable habitat for this species within the project area.

**Recommendation:** TPWD recommends avoiding disturbance of mammal burrows or other suitable habitat during the construction of the proposed project. As previously mentioned, TPWD recommends conducting project activities outside the breeding season (March 15 to September 15). Nesting areas and burrows should be protected from intensive disturbance during incubation. Excavation of an active nest burrow may destroy eggs, young owls, or even adults and is violation of the MBTA. If nesting owls are found inhabiting the project area, disturbance should be avoided until the eggs have hatched and the young have fledged.

**Evaluation of SGCN**

TPWD notes that it is the responsibility of the project proponent to evaluate all of the species listed on the TPWD Rare, Threatened, and Endangered Species of Texas by County online application (RTEST or TPWD county list), not just state-and federally-listed species, and to determine if those species have habitat within the project area and if those species have the potential to be impacted by the construction of the proposed project.
Recommendation: Please review the TPWD county list for El Paso County because species in addition to those discussed in this letter could be present within the project area depending upon habitat availability. TPWD recommends including a discussion and evaluation of potential impacts to SGCN (in addition to state-listed and federally-listed species) in the Draft EA for this project. The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally-listed species.

Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, considering all the variable factors contributing to the lack of detectable presence. If encountered during construction, measures should be taken to avoid impacting all wildlife, regardless of listing status.

Texas Natural Diversity Database

TPWD notes that there were no TXNDD records located within the project area for the proposed ICE detainee dormitories.

The TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Absence of information in the database does not imply that a species is absent from that area. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presence, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and cannot be used as presence/absence data. They represent species that could potentially be in your project area. This information cannot be substituted for field surveys.

Recommendation: The TXNDD is updated continuously based on new, updated and undigitized records; therefore, TPWD recommends requesting the most recent TXNDD data on a regular basis. For questions regarding a record or to request the most recent data, please contact TexasNatural.DiversityDatabase@tpwd.texas.gov.

Recommendation: To aid in the scientific knowledge of a species’ status and current range, TPWD encourages project proponents and their contractors report all encounters of SGCN, state-listed, and federally-listed species to the
TXNDD according to the data submittal instructions found on the TXNDD website.

TPWD strives to respond to requests for project review within a 45-day comment period. Responses may be delayed due to workload and lack of staff. Failure to meet the 45-day review timeframe does not constitute a concurrence from TPWD that the proposed project will not adversely impact fish and wildlife resources.

TPWD appreciates the opportunity to provide comments and recommendations for this project. If you have any questions, please contact me at (512) 389-8054 or Jessica.Schmerler@tpwd.texas.gov.

Sincerely,

Jessica E. Schmerler, CWB
Wildlife Habitat Assessment Program
Wildlife Division

JES:45932
February 19, 2021

David Frenkel
Environmental, Energy, and Sustainability Program Manager
U.S. Immigration and Customs Enforcement
Office of the Chief Financial Officer
Office of Facilities Administration
500 12th Street SW, Stop 5703
Washington, DC 20536

Dear Mr. Frenkel:

Thank you for your correspondence dated January 26, 2021 regarding an EA for new dormitory construction at the El Paso Service Processing Center. The letter listed four alternatives and seeks our input and comments on all; however, the feedback provided is only on Alternative 2 as it is the only alternative that directly impacts/issues airport land.

I would like to request Alternative 2 be dropped for consideration and from further evaluation as part of the EA document. With at least two commercial developments in process, the potential for additional development is limited. The parcel shown in Figure 5 includes a 10.24 acres of airport property that is currently under contract to two tenants that are either operating businesses or constructing facilities at this time. The Fixed Base Operation (FBO) to the immediate north holds a right of first refusal on 9.561 AC. Additionally, the land to the south of the parcel (1.626 AC) is being developed as a new convenience store and construction is well underway with opening projected for spring of this year.

The Airport and the Community would be impacted if you pursue Alternative 2. The airport standard process is to lease land in furtherance our FAA self-sustainability mandate. Any disposition of land eliminates the opportunity for the airport to receive revenue from the land leases in this area. The lack of long-term income derived from land leases would impact the airport’s ability to finance operations in the future. Private economic interest would also be impacted, as significant investment into the land has already been completed. Lastly, the community, characterized by airport users, is best served by airport uses. Accordingly, reserving property that has direct access to the airfield for aeronautical purposes will continue to remain ELP’s primary development objective.

As it stands, there is no available airport land contiguous to your facility for development or expansion. I would, however, like to propose the possibility of a long-term land lease on property in another location that may be of interest to you. Knowing that your existing facility is over 50 years old, you may want to consider a new facility on airport property on undeveloped land that would allow you to design a campus that is more in line with the

Sam Rodriguez, PE, CM, cfm, cnu-a
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O: (915) 212-0330  |  FlyElPaso.com
current needs of CBP. Of course, this proposal would have to be approved by the Federal Aviation Administration (FAA) after we agree on a campus concept and terms of lease.

I look forward to continuing this conversation with you if our proposal is of interest to your organization.

Regards,

Sam Rodriguez, PE, CM
Director of Aviation
APPENDIX B: ALTERNATIVE DETENTION CENTER EVALUATION REPORT
Alternative Detention Center Evaluation Report

Prepared for:
US Department of Homeland Security
Immigration and Customs Enforcement
El Paso Service Processing Center
El Paso, TX

Submitted by:
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Contract No. GS-21F-046DA
Task Order #70CMSW19FR0000015

December 11, 2020
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## ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADP</td>
<td>Average Daily Population</td>
</tr>
<tr>
<td>AOR</td>
<td>Area of Responsibility</td>
</tr>
<tr>
<td>CBP</td>
<td>U.S. Customs and Border Protection</td>
</tr>
<tr>
<td>DHS</td>
<td>U.S. Department of Homeland Security</td>
</tr>
<tr>
<td>HIFLD</td>
<td>Homeland Infrastructure Foundation-Level Data</td>
</tr>
<tr>
<td>ICE</td>
<td>U.S. Immigration and Customs Enforcement</td>
</tr>
<tr>
<td>IGSA</td>
<td>Intergovernmental Service Agreement</td>
</tr>
<tr>
<td>EA</td>
<td>Environmental Assessment</td>
</tr>
<tr>
<td>EPA</td>
<td>U.S. Environmental Protection Agency</td>
</tr>
<tr>
<td>ERO</td>
<td>Enforcement and Removal Operations</td>
</tr>
<tr>
<td>FY</td>
<td>Fiscal Year</td>
</tr>
<tr>
<td>gsf</td>
<td>gross square feet</td>
</tr>
<tr>
<td>NEPA</td>
<td>National Environmental Policy Act</td>
</tr>
<tr>
<td>SPC</td>
<td>Service Processing Center</td>
</tr>
<tr>
<td>sq ft</td>
<td>square feet</td>
</tr>
<tr>
<td>U.S.</td>
<td>United States</td>
</tr>
<tr>
<td>U.S.C</td>
<td>United States Code</td>
</tr>
<tr>
<td>USMS</td>
<td>U.S. Marshals Service</td>
</tr>
</tbody>
</table>
1.0 INTRODUCTION

The United States (U.S.) Department of Homeland Security (DHS) U.S. Immigration and Customs Enforcement (ICE) is preparing an Environmental Assessment (EA) to analyze the potential environmental impacts of mission-critical modernization and expansion of detainee dormitories and related construction activities at the El Paso Service Processing Center (SPC) located at 8915 Montana Avenue, El Paso, Texas. The EA is being prepared in compliance with the National Environmental Policy Act (NEPA). The 166,206-gross square foot (gsf) El Paso SPC facility contains 17 administrative buildings, seven facility trailers, eight storage sheds or containers, and eight detainee dormitories with a maximum total capacity of 840 detainees. The 16.1-acre El Paso SPC site is located in an urbanized area near the El Paso International Airport and is approximately 4.5 miles northeast of the U.S./Mexico border.

ICE’s primary mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. The purpose of the proposed construction and improvement activities is to more effectively and efficiently support the work of ICE’s Enforcement and Removal Operations (ERO) at the El Paso SPC. The El Paso SPC is located in ERO’s El Paso Area of Responsibility (AOR), a continuous geographical area that encompasses the entire state of New Mexico and 18 counties in western Texas. ICE’s ERO maintains 24 AORs in the U.S. Within the El Paso AOR, ERO maintains two dedicated detention facilities: the El Paso SPC in El Paso, Texas and the Otero County Processing Center in Chaparral, New Mexico.

The U.S. Customs and Border Protection (CBP), another law enforcement agency of DHS, is responsible for making apprehensions at the border and then transferring detainees to ICE for processing and legal proceedings. In the CBP El Paso Sector, which encompasses the entire state of New Mexico as well as El Paso and Hudspeth counties in Texas, CBP currently apprehends more people than the capacity of existing ICE detention centers can support. The purpose of the proposed action as defined in the EA is to fulfill ICE’s mission in the ERO El Paso AOR by allowing the continued and uninterrupted operation and provision of detention capacity at the El Paso SPC with a maximum capacity of up to 1,200 detainees. The proposed action under authority 8 United States Code (U.S.C.) § 1231(g) consists of the demolition and replacement of four outdated and undersized dormitory buildings; the construction of new infrastructure to support the new dormitories; and the potential acquisition of adjacent land. The four outdated dormitories currently hold 294 detainees; the new dormitories are planned to have a capacity of up to 600 detainees.

1.1 Purpose and Scope of Work

8 U.S.C § 1231(g)(2) requires that ICE consider the rental or acquisition of any existing prison, jail, detention center, or other comparable facility suitable for their detention needs prior to initiating any project for the construction of a new detention facility. The purpose of this report is to analyze the available detention centers, jails, and prisons (hereafter collectively referred to as “facilities”) in the El Paso AOR and within a 30-mile driving distance of the El Paso SPC in order to determine the potential viability of these facilities for housing 600 ICE detainees. This report provides information needed for ICE to determine the feasibility of using one or more available facilities within 30 miles of the El Paso SPC for dedicated bed space.
2.0 METHODS

In order to identify potentially viable facilities, the DHS Homeland Infrastructure Foundation-Level Data (HIFLD) Prison Boundary shapefile and Excel file (last updated July 2020) were downloaded from the online ESRI DHS geoplatform. The dataset includes spatial boundaries and attributes for all secure detention facilities located in the U.S. All facilities with the same physical address were combined into the same row. This only occurred for the separate units of the Penitentiary of New Mexico. Facilities in the El Paso AOR from the HIFLD dataset are included as Appendix A. All facilities able to support more than 600 detainees within the El Paso AOR were queried using a shapefile of the ERO El Paso AOR boundary and designated as potential targets for ICE acquisition. This number was used because it represents ICE’s current detention requirement, the new dormitories described in the proposed action will have a maximum capacity of up to 600 detainees. For the 12 facilities that did not have available capacity data within the HIFLD dataset, an online document search was conducted using primary sources and government websites. An online document search was only successful for the Penitentiary of New Mexico and the Northwest New Mexico Correctional Center; primary sources from the State of New Mexico were used to verify their actual capacities. Where capacity information was not available within the HIFLD dataset or online document search, an assumed detainee capacity was calculated using the known square footage of the remaining 10 facilities without reported capacity information (described further in Section 2.1). Additionally, 13 facilities identified as closed within the El Paso AOR were researched to determine each facility’s reason for closure and respective closure date. Aerial imagery and Google Maps StreetView were reviewed for all closed facilities to ensure that the physical structures were still in place and not being used for other purposes. All closed detention centers that did not meet these requirements were eliminated from further analysis. After analyzing the listed reasons for closure, the Old Main Unit of the Penitentiary of New Mexico was excluded because it is a filming location for television and film productions, and an educational facility for the general public.

2.1 Assumptions

Where the capacity of a detention facility was not available in the HIFLD dataset or online document search, the capacity was calculated using the square footage of the facility. The capacity was assumed to be a function of the square footage of the structure(s) in question. The square footage of each facility was estimated using the most recent aerial imagery available in Google Earth Pro. Multiple floors or levels were not accounted for in the estimation of facility area due to the logistical difficulty associated with verifying this information for the facilities in question. The determined capacities of available facilities were then divided by their estimated square footage to determine the capacity rate per square foot. These capacity rates were averaged to calculate the mean capacity rate of one detainee per 300 square feet. This average was then multiplied by the square footage of facilities of unknown square feet.

Current ERO personnel with extensive experience in the El Paso AOR were interviewed as a group to determine the operational criteria that should be applied to assess whether detention facilities identified met ICE’s operational needs. This interview established that detention facilities outside of a 30-mile driving distance would not meet ICE’s need because they were determined to present serious safety and logistical challenges for ICE and would negatively impact interoperability with CBP in the AOR; the infrastructure and personnel necessary to conduct the ICE detention mission are largely confined to the immediate El Paso metropolitan area due to the unique climatic, geographic, and demographic features of the El Paso AOR. This interview also confirmed that the existing old dormitories had a maximum capacity of 294 detainees and that the new dormitories need to have a capacity of up to 600 detainees to meet ICE detention requirements. Accordingly, if the old dormitories were demolished without replacement, ICE would require dedicated detention capacity for up to 600 detainees in the El Paso AOR.
AOR. For purposes of this analysis, the minimum facility capacity of 600 open bed spaces is the first screening criterion, and a 30-mile driving distance is the second screening criterion.

2.2 Data Sources
The primary data source for this analysis was the DHS HIFLD Prison Boundary shapefile and the ERO El Paso AOR shapefile. A variety of other sources were used to collect additional information, including newspaper articles, technical evaluations and reports conducted by ICE or state budget authorities, and official websites.

2.3 Facility Characteristics Assessment
Once a list of viable facilities was developed, the viable facilities were then ranked by percent occupancy as determined in the equation below.

\[
\text{Occupancy (\%)} = \frac{\text{Population}}{\text{Capacity}} \times 100
\]
3.0 RESULTS

The El Paso AOR contains 99 total detention facilities (listed in Appendix A) excluding the El Paso SPC. 21 of these facilities had a listed or assumed capacity of over 600. No facility with an unavailable source of capacity data had a square footage-estimated capacity of over 600 using the methodology described in Section 2.1.

Five of the 21 facilities were eliminated from further analysis because they are currently used by ICE and lack available dedicated space to house 600 detainees. The Otero County Processing Center is used exclusively by ICE and lacks available capacity for an additional 600 detainees; therefore, this facility was excluded from further analysis. Additionally, ICE currently shares four facilities in the El Paso AOR using Intergovernmental Service Agreements (IGSA). ICE detainees are housed in the Otero County Prison Facility and West Texas Detention Facility under an agreement with the U.S. Marshals Service (USMS). Similarly, ICE uses the Cibola County Correctional Center and the Torrance County Detention Facility under an IGSA. The Cibola County Correctional Center is shared with USMS and Cibola County and the Torrance County Detention Facility is shared with Torrance County.

The remaining facilities analyzed are ranked in terms of open bed space in Table 1 and Appendix B. This table only includes the first screening criteria of the analysis. Negative values in the open beds column of the table indicate already overcrowded conditions.

### Table 1: Candidate Facilities for ICE Acquisition or Agreement

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>State</th>
<th>Driving Distance to El Paso SPC (miles)</th>
<th>Population</th>
<th>Capacity</th>
<th>Occupancy</th>
<th>Open Beds</th>
</tr>
</thead>
<tbody>
<tr>
<td>CI Reeves County I &amp; II</td>
<td>TX</td>
<td>201</td>
<td>1255</td>
<td>2,407</td>
<td>52.14%</td>
<td>1,152</td>
</tr>
<tr>
<td>Bernalillo County Metropolitan Detention Center</td>
<td>NM</td>
<td>282</td>
<td>1316</td>
<td>1,950</td>
<td>67.49%</td>
<td>634</td>
</tr>
<tr>
<td>San Juan County Adult Detention Center</td>
<td>NM</td>
<td>450</td>
<td>631</td>
<td>1,091</td>
<td>57.84%</td>
<td>460</td>
</tr>
<tr>
<td>Lynaugh Prison</td>
<td>TX</td>
<td>238</td>
<td>1,134</td>
<td>1,416</td>
<td>80.08%</td>
<td>282</td>
</tr>
<tr>
<td>Sanchez State Jail</td>
<td>TX</td>
<td>7</td>
<td>833</td>
<td>1,100</td>
<td>75.73%</td>
<td>267</td>
</tr>
<tr>
<td>CI Reeves County III</td>
<td>TX</td>
<td>201</td>
<td>1,176</td>
<td>1,356</td>
<td>86.73%</td>
<td>180</td>
</tr>
<tr>
<td>El Paso County Detention Facility</td>
<td>TX</td>
<td>9</td>
<td>836</td>
<td>1,000</td>
<td>83.60%</td>
<td>164</td>
</tr>
<tr>
<td>Doña Ana County Detention Center</td>
<td>NM</td>
<td>54</td>
<td>758</td>
<td>896</td>
<td>84.60%</td>
<td>138</td>
</tr>
<tr>
<td>Santa Fe County Adult Correctional Facility</td>
<td>NM</td>
<td>327</td>
<td>558</td>
<td>662</td>
<td>84.29%</td>
<td>104</td>
</tr>
<tr>
<td>Northwest New Mexico Correctional Center</td>
<td>NM</td>
<td>327</td>
<td>723</td>
<td>823</td>
<td>87.85%</td>
<td>100</td>
</tr>
<tr>
<td>Ector County Detention Center</td>
<td>TX</td>
<td>279</td>
<td>576</td>
<td>667</td>
<td>86.36%</td>
<td>91</td>
</tr>
<tr>
<td>Lea County Correctional Facility</td>
<td>NM</td>
<td>230</td>
<td>1,150</td>
<td>1,200</td>
<td>95.83%</td>
<td>50</td>
</tr>
<tr>
<td>Penitentiary of New Mexico, Level II, V, and VI Units</td>
<td>NM</td>
<td>327</td>
<td>872</td>
<td>906</td>
<td>96.25%</td>
<td>34</td>
</tr>
</tbody>
</table>
There are 16 facilities within the El Paso AOR that potentially meet the basic capacity requirements of the proposed action. However, all of these facilities are currently in use, so they lack available dedicated space for ICE detainees. Appendix B includes all relevant data collected for the facilities listed in Table 1 and supplements this table.

If both screening criteria of the analysis are applied, only four of the 16 facilities are within a 30-mile driving distance from the El Paso SPC. These facilities are shown in Table 2. None of these facilities have available dedicated space for ICE detainees.

**Table 2: Facilities within a 30-mile driving distance of the El Paso SPC**

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>State</th>
<th>Driving Distance to El Paso SPC (miles)</th>
<th>Population</th>
<th>Capacity</th>
<th>Occupancy</th>
<th>Open Beds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanchez State Jail</td>
<td>TX</td>
<td>7</td>
<td>833</td>
<td>1,100</td>
<td>75.70%</td>
<td>267</td>
</tr>
<tr>
<td>El Paso County Detention Facility</td>
<td>TX</td>
<td>9</td>
<td>836</td>
<td>1,000</td>
<td>83.60%</td>
<td>164</td>
</tr>
<tr>
<td>FCI La Tuna</td>
<td>TX</td>
<td>29</td>
<td>590</td>
<td>520</td>
<td>113.50%</td>
<td>-70</td>
</tr>
<tr>
<td>El Paso County Annex Jail</td>
<td>TX</td>
<td>7</td>
<td>2,055</td>
<td>1,450</td>
<td>141.70%</td>
<td>-605</td>
</tr>
</tbody>
</table>
4.0 CONCLUSIONS

All facilities in Table 2 lack a sufficient number of open beds to support El Paso SPC detainees. None of them meet the requirement to house 600 ICE detainees at a dedicated facility within a 30-mile driving distance of the El Paso SPC.
APPENDIX A. DHS HIFLD DATA
<table>
<thead>
<tr>
<th>Column Name</th>
<th>Column Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME</td>
<td>Facility Name</td>
</tr>
<tr>
<td>ADDRESS</td>
<td>Facility Address</td>
</tr>
<tr>
<td>CITY</td>
<td>Facility City</td>
</tr>
<tr>
<td>COUNTY</td>
<td>Facility County</td>
</tr>
<tr>
<td>STATE</td>
<td>Facility State</td>
</tr>
<tr>
<td>ZIP</td>
<td>Facility Zip</td>
</tr>
<tr>
<td>TELEPHONE</td>
<td>Facility Telephone Number</td>
</tr>
<tr>
<td>TYPE</td>
<td>Facility Type</td>
</tr>
<tr>
<td>STATUS</td>
<td>Facility Status</td>
</tr>
<tr>
<td>POPULATION</td>
<td>Facility Population</td>
</tr>
<tr>
<td>CAPACITY</td>
<td>Facility Capacity</td>
</tr>
<tr>
<td>SOURCE</td>
<td>Data Source</td>
</tr>
<tr>
<td>SOURCE DATE</td>
<td>Source Date</td>
</tr>
<tr>
<td>VAL_METHOD</td>
<td>Data Validation Method</td>
</tr>
<tr>
<td>VAL_DATE</td>
<td>Data Validation Date</td>
</tr>
<tr>
<td>SECURELVL</td>
<td>Facility Security Level</td>
</tr>
<tr>
<td>COUNTY</td>
<td>ADDRESS</td>
</tr>
<tr>
<td>--------</td>
<td>---------</td>
</tr>
<tr>
<td>Bernalillo County Metropolitan Detention Center</td>
<td>300 Deputy Dean Mier Dr SW</td>
</tr>
<tr>
<td>Lea County Correctional Facility</td>
<td>4600 NW Mullin Dr</td>
</tr>
<tr>
<td>Cibola County Correctional Center</td>
<td>500 Cibola Loop</td>
</tr>
<tr>
<td>Sandoval County Adult Detention Center</td>
<td>815 State Hwy 180</td>
</tr>
</tbody>
</table>

### Table Notes
- **Source:** Databases and official websites of the respective counties and states.
- **Notes:** Additional sources include links to online reports and facility-specific information.
<table>
<thead>
<tr>
<th>MARIC</th>
<th>ADDRESS</th>
<th>CITY</th>
<th>COUNTY</th>
<th>STATE</th>
<th>ZIP</th>
<th>TELEPHONE</th>
<th>TYPE</th>
<th>STATUS</th>
<th>POPULATION</th>
<th>CAPACITY</th>
<th>SOURCE</th>
<th>DATE</th>
<th>EMAIL_ADDR</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOUTHERN NM CORRECTIONAL FACILITY, LEVEL I UNIT</td>
<td>4300 JOE B SILVA BLVD</td>
<td>LAS CRUCES</td>
<td>DONA ANA</td>
<td>NM</td>
<td>88003</td>
<td>(575) 523-3200</td>
<td>STATE</td>
<td>OPEN</td>
<td>271</td>
<td>180</td>
<td><a href="https://www.co.osls.nm.us/prison-facilities/southern-nm-correctional-facility/">https://www.co.osls.nm.us/prison-facilities/southern-nm-correctional-facility/</a></td>
<td>7/21/2017</td>
<td>MAGGIE OTHER</td>
</tr>
<tr>
<td>Eddy County Detention Center</td>
<td>116 MCBRIDE RD</td>
<td>GRANTS</td>
<td>Eddy</td>
<td>NM</td>
<td>88030</td>
<td>N/A</td>
<td>COUNTRY</td>
<td>CLOSED</td>
<td>0</td>
<td>262</td>
<td><a href="http://www.edc.gov/corrections/">http://www.edc.gov/corrections/</a></td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Curry County Adult Detention Facility</td>
<td>424 MICHAELE ST</td>
<td>EL VALE</td>
<td>CURRY</td>
<td>NM</td>
<td>88301</td>
<td>(575) 241-2264</td>
<td>COUNTY</td>
<td>OPEN</td>
<td>300</td>
<td>234</td>
<td><a href="http://www.curry.gov/">http://www.curry.gov/</a></td>
<td>6/22/2018</td>
<td>MAGGIE OTHER</td>
</tr>
<tr>
<td>Cibola County Detention Center</td>
<td>950 RUIDAS DR</td>
<td>ALBUQUERQUE</td>
<td>CIBOLA</td>
<td>NM</td>
<td>87115</td>
<td>(505) 742-6340</td>
<td>COUNTY</td>
<td>OPEN</td>
<td>990</td>
<td>258</td>
<td><a href="https://www.corrections.state.nm.us/jails-miscellaneous/">https://www.corrections.state.nm.us/jails-miscellaneous/</a></td>
<td>7/18/2017</td>
<td>MAGGIE OTHER</td>
</tr>
<tr>
<td>El Paso County Detention Facility</td>
<td>3400 RAYMOND</td>
<td>EL PASO</td>
<td>EL PASO</td>
<td>TX</td>
<td>79901</td>
<td>(915) 758-3131</td>
<td>COUNTY</td>
<td>OPEN</td>
<td>729</td>
<td>243</td>
<td><a href="https://www.epco.net/jail/jail.htm">https://www.epco.net/jail/jail.htm</a></td>
<td>4/26/2018</td>
<td>MAGGIE OTHER</td>
</tr>
<tr>
<td>Eddy County Detention Center</td>
<td>502 REYNOLDS DR</td>
<td>ALBUQUERQUE</td>
<td>Eddy</td>
<td>NM</td>
<td>88030</td>
<td>(505) 343-3700</td>
<td>COUNTY</td>
<td>OPEN</td>
<td>312</td>
<td>260</td>
<td><a href="https://www.city-albuquerque.org/egov/jail/">https://www.city-albuquerque.org/egov/jail/</a></td>
<td>4/26/2018</td>
<td>MAGGIE OTHER</td>
</tr>
</tbody>
</table>

**Notes:**
- For detailed information, visit the respective websites provided.
- Dates indicate when the data was last updated.
- Email addresses and phone numbers are for reference only and may not be accurate or up-to-date.
- The table above provides a summary of detention facilities across various counties, including their locations, type, status, and population capacity.
APPENDIX B. ANALYZED FACILITY DATA
<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Facility Operator</th>
<th>Driving Distance to El Paso SPC (miles)</th>
<th>Population</th>
<th>Capacity</th>
<th>Occupancy</th>
<th>Open Beds</th>
<th>Inmate Type</th>
<th>Entity with inmates at the facility</th>
<th>webpage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cl Reeves County I &amp; II</td>
<td>98 West County Road 204</td>
<td>Pecos</td>
<td>TX</td>
<td>The GEO Group</td>
<td>201</td>
<td>1,255</td>
<td>2,407</td>
<td>52%</td>
<td>1,152</td>
<td>Adult</td>
<td>Reeves County and Bureau of Prisons</td>
<td><a href="https://www.genegroup.com/FacilityDetail/FacilityID/62c0774c0ebdcfe.html">https://www.genegroup.com/FacilityDetail/FacilityID/62c0774c0ebdcfe.html</a></td>
</tr>
<tr>
<td>Bernalillo County Metropolitan Detention Center</td>
<td>200 Deputy Dean Mesa Drive SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>Bernalillo County</td>
<td>282</td>
<td>1,316</td>
<td>1,950</td>
<td>67%</td>
<td>634</td>
<td>Adult</td>
<td>Bernalillo County</td>
<td><a href="https://www.bernalillocounty.org/department-of-criminal-justice/frequently-asked-questions.aspx">https://www.bernalillocounty.org/department-of-criminal-justice/frequently-asked-questions.aspx</a></td>
</tr>
<tr>
<td>San Juan County Adult Detention Center</td>
<td>875 Andrea Drive</td>
<td>Farmington</td>
<td>NM</td>
<td>San Juan County</td>
<td>450</td>
<td>631</td>
<td>1,091</td>
<td>58%</td>
<td>460</td>
<td>Adult</td>
<td>San Juan County</td>
<td><a href="https://www.sjc.gov/adult-detention-center/staff-and-population">https://www.sjc.gov/adult-detention-center/staff-and-population</a></td>
</tr>
<tr>
<td>Lynbaugh Prison</td>
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<td>Fort Stockton</td>
<td>TX</td>
<td>TX Department of Criminal Justice</td>
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<td>282</td>
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<td>TX State</td>
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<td>Sanchez State Jail</td>
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<td>Cl Reeves County III</td>
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<td>836</td>
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<td>Santa Fe</td>
<td>NM</td>
<td>Santa Fe County</td>
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<tr>
<td>Lea County Correctional Facility</td>
<td>6000 West Millen Drive</td>
<td>Hobbs</td>
<td>NM</td>
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<td>1,200</td>
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<td>50</td>
<td>Adult</td>
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<tr>
<td>Penitentiary of New Mexico, Level II, V, and VI Units</td>
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<td>Santa Fe</td>
<td>NM</td>
<td>NM Corrections Department</td>
<td>327</td>
<td>872</td>
<td>906</td>
<td>96%</td>
<td>34</td>
<td>Adult</td>
<td>NM State</td>
<td><a href="https://cd.nm.gov/divisions/adult-prisons/nmc/nmc-prison-facilities/northwestern-new-mexico/">https://cd.nm.gov/divisions/adult-prisons/nmc/nmc-prison-facilities/northwestern-new-mexico/</a></td>
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<td>Guadalupe County Correctional Facility</td>
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<td>Santa Rosa</td>
<td>NM</td>
<td>The GEO Group</td>
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<td>98%</td>
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<td>Adult</td>
<td>NM State</td>
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</tr>
<tr>
<td>Central NM Correctional Facility / Main / Level II Unit</td>
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<td>Los Lunas</td>
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<td>NM Corrections Department</td>
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<td>955</td>
<td>965</td>
<td>99%</td>
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</tr>
<tr>
<td>El Paso County Annex Jail</td>
<td>12901 Montana Avenue</td>
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<td>TX</td>
<td>El Paso County</td>
<td>8</td>
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<td>1,450</td>
<td>142%</td>
<td>605</td>
<td>Adult</td>
<td>El Paso County and TX State</td>
<td><a href="https://www.epcounty.com/sheriff/annex.html">https://www.epcounty.com/sheriff/annex.html</a></td>
</tr>
</tbody>
</table>
APPENDIX C: SECTION 106 CONSULTATION
June 17th, 2021

Mark Altaha, THPO
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
PO Box 507
Fort Apache, AZ 85926
Phone: 928-338-3033


Sent via Email Only to markaltaha@wmat.us

Dear Mark Altaha,

This letter is provided to inform you that the Department of Homeland Security (DHS) – U.S. Immigration and Customs Enforcement (ICE) is proposing an undertaking subject to review under Section 106 of the National Historic Preservation Act of 1966. The proposed undertaking will involve the demolition of four undersized and outdated dormitories, the construction of four new dormitories, and the development of a secure recreation area at the El Paso Service Processing Center (SPC) in El Paso, Texas. ICE has also prepared a Draft 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.

The El Paso SPC is situated within El Paso County, which is the Western-most county in Texas (location below). The border between the United States (US) and Mexico lies 4.5 miles to the southwest of the facility. The 166,206-gross square foot (gsf) El Paso SPC is located adjacent to the El Paso International Airport (EPIA) in an urbanized area.

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<thead>
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<tbody>
<tr>
<td>El Paso SPC</td>
<td>8915 Montana Avenue</td>
<td>31.79383</td>
<td>-106.36913</td>
<td>Exhibit A</td>
</tr>
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</table>

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. Additionally, the facility provides workspace and other areas for approximately 650 contracted staff, 130 DHS employees, and 10 Department of Justice employees.

Four of the eight detainee dormitories at the facility have exceeded their functionality due to their age and high rate of use. ICE proposes to demolish these four undersized and outdated dormitories, construct four new detainee dormitories, and develop a secure recreation area in compliance with the 2011 Performance-
Based National Detention Standards and 2016 American Correctional Association standards. The proposed dormitories would increase the facility’s overall capacity from 840 to 1,200 detainees, an increase of up to 360 detainees. ICE is considering two alternatives for this Proposed Project.

**Alternative 1 - Demolition and Construction of Detainee Dormitories in Existing Locations**

Under Alternative 1, ICE would demolish the four outdated dormitories at the facility and construct new dormitories in the same location. The proposed dormitories would hold up to 600 detainees, which would more than double the previous capacity of the old dormitories of 294 detainees. The new buildings would be one story tall, meet all current detention standards, and encompass approximately 25,000 gross square feet. New kitchen equipment would be purchased and installed. Under this alternative, there would not be ample space to develop a secure outdoor recreational area for detainees as recommended by Performance-Based National Detention Standards (PBNDS).

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. Adjacent, already-disturbed land near the new dormitories would be designated as a staging area for construction materials. A temporary security fence would be erected around the construction site and staging area. Construction of new detainee dormitories would require the associated construction and expansion of potable water and sanitary sewer infrastructure within the El Paso SPC site. Electricity and natural gas infrastructure would also be expanded or constructed on site. Under Alternative 1, approximately 1.5 acres of heavily disturbed soil within the El Paso SPC property boundary would be disturbed during the construction phase of the Project.

**Alternative 2 – Construction of Detainee Dormitories on Land Acquired from the El Paso Water Authority**

Under Alternative 2, ICE would acquire 1.98 acres of land owned by the El Paso Water Authority located to the east of the El Paso SPC for the construction of the four new detainee dormitories. Similar to Alternative 1, the proposed new dormitories – one story tall and encompassing 25,000 gross square feet – would increase the facility’s capacity from 840 detainees 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 six months before the old facilities were demolished. This alternative would also not require the partial shutdown of the facility during the construction phase. Alternative 2 would involve the disturbance of up to 3.5 acres of land - approximately 1.5 acres of land located within the heavily disturbed El Paso SPC property, and approximately 2 acres of land located within the El Paso Water Authority parcel.

The dormitories would meet current detention standards. Similar to Alternative 1, new kitchen equipment would be purchased and installed. Additionally, 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 the completion of design. Work would entail grading and excavation, demolition, framing, and finishing. ICE would also construct a permanent perimeter security fence around the newly acquired parcel of land. A specific area would be designated for the staging of construction materials. A temporary security fence would be erected around the construction site and staging area. Construction of new detainee dormitories would require the associated construction and expansion of

potable water and sanitary sewer infrastructure on the El Paso Water Authority site. Electricity and natural gas infrastructure would need to be expanded or constructed, too.

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 parcel of land. ICE would allow the El Paso Water Authority to access the land that ICE purchased to move the well through a granted easement.

Area of Potential Effects
The area of potential effect (APE) is the geographic area where historic properties, if present, could be impacted by the Proposed Action and alternatives. For cultural resources, this 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 as part of Biggs Army Airfield until 1957, when the City of El Paso took ownership of the property. In 1965, the federal government again took ownership of the land to establish the El Paso SPC’s property boundaries. The adjacent land parcel has been owned by the city of El Paso and the El Paso Water Authority since 1957.

The El Paso SPC property is heavily disturbed and almost entirely paved. The El Paso Water Authority property is approximately 3.37 acres in size, although ICE would only acquire 1.98 acres of the property under Alternative 2. The property is mostly clear of vegetation, and the surface is heavily disturbed soil with some gravel present. A dried pond, created between 1967 and 1991, is located in the southern section of the property. A small structure was once present on the site but was removed by 1991 and replaced with a structure located southeast of the original structure.

Identification of Historic Properties
ICE reviewed the Texas Historic Sites Atlas (https://atlas.thc.state.tx.us/Data/GISData and https://atlas.thc.texas.gov/Map), historic photography, the National Register of Historic Places, and the Texas Natural Resources Information System to determine potential impacts to historic resources from the proposed undertaking. A cultural resource assessment of the El Paso Water Authority land (Alternative 2) was conducted by Stone Point Services, LLC and was submitted to the Texas Historical Commission for review on Tuesday, June 8th, 2021 (Tracking # 202110281). Stone Point Services utilized a 1.0-mile area of study for their report.

The Proposed Action would contain minimal ground disturbance within the heavily disturbed footprint of the El Paso SPC. Facilities within the El Paso SPC are made of concrete and aluminum siding and have been consistently modified over the years to meet mission requirements. The dormitories are not associated with events that have made a significant contribution to the broad patterns of our history. The buildings are not associated with the lives of significant persons in the past. The dormitories do not embody any distinctive characteristics of a type, period, or method of construction that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. The property and buildings have not yielded and are not likely to yield information important in history or prehistory. Therefore, the dormitories do not meet the criteria for listing on the National Register of Historic Places (NRHP).

The Phase I survey of the El Paso Water Authority land included a pedestrian archaeological survey with 14 shovel tests, all of which tested negative for cultural materials. The Cultural Resources Survey Report identified one historic structure on the El Paso Water Authority site. A 1960-era well house was recorded but does not meet the criteria to be listed on the NRHP (see Figure 7).

Alternative 1 – The area proposed for construction under Alternative 1 has been previously impacted by construction and maintenance activities, and the potential for intact, significant archaeological sites is considered low as these sites would have been destroyed or heavily damaged. Such areas typically do not require archaeological surveys due to their disturbed nature. However, if cultural materials are discovered during site activities associated with the construction of the dormitories or demolition of the existing structures, all earth-moving activity within and around the immediate discovery area would be stopped until a qualified archaeologist can assess the nature and significance of the find.

Alternative 2 – No cultural resources or historic properties were identified; therefore, there would be no effect on historic properties. Should cultural materials be discovered during site grading or paving associated with construction of the dormitories, all earth-moving activity within and around the immediate discovery area would be stopped until a qualified archaeologist contacted to assess the nature and significance of the find.

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.

Maps

Overview maps for the Project’s location were produced using GIS software and are provided in Exhibit A.

Photographs

Photographs of the proposed site location are provided in Exhibit B.

Conclusion

ICE welcomes your comments on this undertaking regarding information or concerns (if any) that you may have regarding cultural resources, traditional cultural properties (TCPs), and Indian sacred sites within the proposed project areas. Based upon our review of publicly available information and an evaluation of potential effects, ICE finds that no historic properties are affected, pursuant to 36 C.F.R § 800.4(d)(1).

ICE respectfully requests that you respond to this request for review of our findings via email (PDF) to my colleague, Noah Cruz, at Noah.S.Cruz@associates.ice.dhs.gov, or in writing, within thirty (30) days of receipt of this letter, in accordance with C.F.R § 800.4(c)(4). Please direct any questions or informational requests to Mr. Cruz via email.

Sincerely,

David Frenkel  
Program Manager, Environmental, Energy, and Sustainability  
Immigration and Customs Enforcement  
500 12th Street SW  
Washington, DC 20536  
Cell: 202-878-1767  
David.Frenkel@ice.dhs.gov

Exhibit A – Project Overview Maps

Figure 1. Regional Location of the El Paso SPC
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 2. El Paso SPC and Project Vicinity

Figure 3. El Paso SPC Site Map

Figure 4. El Paso SPC Site Plan with Proposed Changes – Alternative 1

Figure 5. El Paso SPC Site Plan with Proposed Changes – Alternative 2

Exhibit B – Photographs of Site

Figure 1. View North from Approximate Center of Project Area

Figure 2. View South from Approximate Center of Project Area

Figure 3. View East Down Transect 1

Figure 4. View South of Dried-Up Pond

Figure 5. Mechanically Compacted Gravel Lot in the Project Area

Figure 6. Construction Equipment in the Northern Project Area

Figure 7. View of 1960-Era Well House
To:       David Frenkel, Program Manager, Environmental, Energy, and Sustainability
Date:    June 21, 2021
Re:      Demolition/Construction of Dormitories / Construction of a Secure Recreation Area

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the project dated: June 17, 2021. In regards to this, please attend to the following statement below.

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the U.S. Immigration and Customs Enforcement’s demolition and construction of dormitories and the construction of a secure recreational area, at the El Paso Service Processing Center, in El Paso, Texas.

Please be advised, we reviewed the consultation letter and the information provided, and we’ve determined that the proposed project plans will “Not have an Adverse Effect” on the tribe’s cultural heritage resources and/or traditional cultural properties.

Thank you for your continued collaborations in protecting and preserving places of cultural and historical importance.

Sincerely,

Mark T. Altaha

White Mountain Apache Tribe – THPO
Historic Preservation Office
June 17th, 2021

Mark Wolfe, Executive Director
Texas Historical Commission
1511 Colorado Street
Austin, TX 78701
Phone: 512-936-4323


Sent via the Electronic THC Review and Compliance (eTRAC) Only

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Attachment Items

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<td>31.79383</td>
<td>-106.36913</td>
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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. Adjacent, already-disturbed land near the new dormitories would be designated as a staging area for construction materials. A temporary security fence would be erected around the construction site and staging area. Construction of new detainee dormitories would require the associated construction and expansion of potable water and sanitary sewer infrastructure within the El Paso SPC site. Electricity and natural gas infrastructure would also be expanded or constructed on site. Under Alternative 1, approximately 1.5 acres of heavily disturbed soil within the El Paso SPC property boundary would be disturbed during the construction phase of the Project.

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Identification of Historic Properties
ICE reviewed the Texas Historic Sites Atlas (https://atlas.thc.state.tx.us/Data/GISData and https://atlas.thc.texas.gov/Map), historic photography, the National Register of Historic Places, and the Texas Natural Resources Information System to determine potential impacts to historic resources from the proposed undertaking. A cultural resource assessment of the El Paso Water Authority land (Alternative 2) was conducted by Stone Point Services, LLC and was submitted to the Texas Historical Commission for review on Tuesday, June 8th, 2021 (Tracking # 202110281). Stone Point Services utilized a 1.0-mile area of study for their report.

The Proposed Action would contain minimal ground disturbance within the heavily disturbed footprint of the El Paso SPC. Facilities within the El Paso SPC are made of concrete and aluminum siding and have been consistently modified over the years to meet mission requirements. The dormitories are not associated with events that have made a significant contribution to the broad patterns of our history. The buildings are not associated with the lives of significant persons in the past. The dormitories do not embody any distinctive characteristics of a type, period, or method of construction that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. The property and buildings have not yielded and are not likely to yield information important in history or prehistory. Therefore, the dormitories do not meet the criteria for listing on the National Register of Historic Places (NRHP).

The Phase I survey of the El Paso Water Authority land included a pedestrian archaeological survey with 14 shovel tests, all of which tested negative for cultural materials. The Cultural Resources Survey Report identified one historic structure on the El Paso Water Authority site. A 1960-era well house was recorded but does not meet the criteria to be listed on the NRHP (see Figure 7).

Alternative 1 – The area proposed for construction under Alternative 1 has been previously impacted by construction and maintenance activities, and the potential for intact, significant archaeological sites is considered low as these sites would have been destroyed or heavily damaged. Such areas typically do not require archaeological surveys due to their disturbed nature. However, if cultural materials are discovered during site activities associated with the construction of the dormitories or demolition of the existing structures, all earth-moving activity within and around the immediate discovery area would be stopped until a qualified archaeologist can assess the nature and significance of the find.

Alternative 2 – No cultural resources or historic properties were identified; therefore, there would be no effect on historic properties. Should cultural materials be discovered during site grading or paving associated with construction of the dormitories, all earth-moving activity within and around the

immediate discovery area would be stopped until a qualified archaeologist contacted to assess the nature and significance of the find.

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.

Maps
Overview maps for the Project’s location were produced using GIS software and are provided in Exhibit A.

Photographs
Photographs of the proposed site location are provided in Exhibit B.

Determination of Eligibility
Based on the analysis listed above, the DHS Deputy Federal Historic Preservation Officer, who meets the Secretary of Interior’s Professional Qualifications, did not identify any properties within the APE listed on, or eligible for inclusion in, the National Register of Historic Places. The Cultural Resources Assessment conducted by Stone Point Services, LLC, did not identify any eligible archaeological sites within the El Paso Water Authority property.

Determination of Effect
Based upon the scope of the Proposed Project, along with a review of publicly available information and an evaluation of potential effects, ICE’s determination is “no effect”, pursuant to 36 C.F.R. § 800.4(d)(1). This determination is based on a review of Phase I survey results and review of the potential historical significance of the potentially impacted El Paso SPC buildings, their age, and their location and was reviewed by the DHS Deputy Federal Historic Preservation Officer, who meets the Secretary of Interior’s Professional Qualifications.

Consulting Parties/Public Notification
Federal law and policy require federal entities to consult with Indian tribes if a project or activity they are involved in has the potential to cause adverse effects on Native American historic sites and cultural resources, including – but not limited to – archaeological sites, traditional cultural properties, sacred sites, and artifacts. ICE consulted the Tribal Directory Assessment Tool (TDAT) to identify tribes that may have an interest in the proposed undertaking. Through this assessment, ICE identified the following tribes to provide consultation packages to the appropriate Tribal Historian Preservation Officers (THPO):

- Apache Tribe of Oklahoma
- Comanche Nation, Oklahoma
- Fort Sill Apache Tribe of Oklahoma
- Mescalero Apache Tribe of the Mescalero Reservation, New Mexico
- Tonkawa Tribe of Indians of Oklahoma
- White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
- Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma
• Ysleta Del Sur Pueblo

THPO letters will be sent out on the same day as this letter’s submission via eTRAC. In the event of an inadvertent discovery of human remains and/or cultural deposits, all Project activity near the location will cease immediately until proper notification of consulting parties has occurred, and mitigative measures have been determined and implemented.

Exhibit A – Project Overview Maps

Figure 1. Regional Location of the El Paso SPC
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 2. El Paso SPC and Project Vicinity

Figure 3. El Paso SPC Site Map

Figure 4. El Paso SPC Site Plan with Proposed Changes – Alternative 1

Figure 5. El Paso SPC Site Plan with Proposed Changes – Alternative 2
Exhibit B – Photographs of Site

Figure 1. View North from Approximate Center of Project Area

Figure 2. View South from Approximate Center of Project Area

Figure 3. View East Down Transect 1

Figure 4. View South of Dried-Up Pond

Figure 5. Mechanically Compacted Gravel Lot in the Project Area

Figure 6. Construction Equipment in the Northern Project Area
Figure 7. View of 1960-Era Well House
GENERAL INFORMATION

I. PROPERTY TYPE AND LOCATION

Project Name (and/or Site Trinomial) Cultural Resources Assessment for the ICE El Paso Dormitory Project
County (ies) El Paso
USGS Quadrangle Name and Number Fort Bliss SE 7.5 min quad
UTM Coordinates Zone 13R E 370377.37 N 3518817.82
Location 3813 Mattox Street, El Paso, Texas 79925
Federal Involvement Yes No
Name of Federal Agency U.S. Immigration and Customs Enforcement
Agency Representative David Frenkel, Environmental, Energy, and Sustainability Program Manager

II. OWNER (OR CONTROLLING AGENCY)

Owner El Paso Water
Representative John E. Balliew, President & CEO
Address 1154 Hawkins Boulevard, First Floor
City/State/Zip El Paso, Texas 79925
Telephone (include area code) 915-566-6359 Email Address jeballiew@epwu.org

III. PROJECT SPONSOR (IF DIFFERENT FROM OWNER)

Sponsor Solv LLC
Representative Tom Grome, CEO
Address 8201 Greensboro Drive, Suite 700
City/State/Zip McLean, VA 22102
Telephone (include area code) 513-965-1810 Email Address tom.grome@solvllc.com

PROJECT INFORMATION

I. PRINCIPAL INVESTIGATOR (ARCHEOLOGIST)

Name Todd McMakin
Affiliation Stone Point Services, LLC
Address 11827 CR 41
City/State/Zip Tyler, TX 75706
Telephone (include area code) 903-952-3819 Email Address Todd@StonePointServices.com
II. PROJECT DESCRIPTION

Proposed Starting Date of Fieldwork: May 15, 2021
Requested Permit Duration: 2 Years 0 Months (1 year minimum)
Scope of Work (Provided an Outline of Proposed Work): Intensive pedestrian archaeological survey with shovel testing, see attached

III. CURATION & REPORT

Temporary Curatorial or Laboratory Facility: Stone Point Services, LLC
Permanent Curatorial Facility: Stephen F. Austin State University

IV. LAND OWNER'S CERTIFICATION

I, John E. Balliew (or representative) of El Paso Water, do certify that I have reviewed the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Owner, Sponsor, and Principal Investigator are responsible for completing the terms of the permit.

Signature: ___________________________ Date: 4/18/21

V. SPONSOR'S CERTIFICATION

I, Tom Grom of Solv LLC, do certify that I have reviewed the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Sponsor, Owner, and Principal Investigator are responsible for completing the terms of this permit.

Signature: ___________________________ Date: 4/19/21

VI. INVESTIGATOR'S CERTIFICATION

I, Todd McMakin of Stone Point Services, LLC (Investigative Firm), do certify that I will execute this project according to the submitted plans and research design, and will not conduct any work prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Principal Investigator (and the Investigative Firm), as well as the Owner and Sponsor, are responsible for completing the terms of this permit.

Signature: ___________________________ Date: April 7, 2021

Principal Investigator must attach a research design, a copy of the USGS quadrangle showing project boundaries, and any additional pertinent information. Curriculum vita must be on file with the Archaeology Division.

FOR OFFICIAL USE ONLY

Reviewer: ___________________________ Date Permit Issues: ___________________________
Permit Number: ___________________________ Permit Expiration Date: ___________________________
Type of Permit: ___________________________ Date Received for Data Entry: ___________________________
Scope of Work:

*Cultural Resources Assessment of the
ICE El Paso Dormitory Project,
El Paso County, Texas*

Prepared for:

Texas Historical Commission
April 9, 2021

Stone Point Services, LLC (SPS) has been contracted to provide a cultural resources survey of an approximately 3.37-acre (1.36-hectare) tract encompassing a mostly cleared city lot in El Paso, El Paso County, Texas (3813 Mattox Street El Paso, TX 79925) (herein referred to as the “Subject Property” and “survey area”). The purpose of this cultural resources survey is to identify cultural resources (archeological and historic) that may be impacted by proposed construction within the 3.37-acre (1.36-hectare) tract. This scope of work (SOW) will outline the proposed survey area and identify specific methods to be employed during the cultural resources investigations.

Project Description
The U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE) is proposing a development in the City of El Paso, Texas. Solv LLC (Solv) is the prime contractor supporting ICE in this effort. SPS has been contracted by Solv to provide a cultural resources survey of the proposed site. The survey area is defined as a 3.37-acre (1.36-hectare) tract encompassing a mostly cleared city lot with a pond in the southern section of the survey area.

The survey methods identified in the SOW below will outline the methods proposed by SPS to identify any previously unidentified cultural resources that may exist within the survey area. For the purpose of this SOW, the survey area is identified as a 3.37-acre (1.36-hectare) tract. The total number of shovel tests will be determined in the field. Shovel testing will be consistent with archeological survey guidelines for area surveys issued by the State of Texas. All shovel testing and site delineation procedures will meet the above-referenced guidelines to determine the nature of any buried archeological deposits and their vertical and horizontal extent. Additional shovel tests will be excavated as needed to delineate any identified archeological site fully. Recommendations will be made to avoid National Register of Historic Places (NRHP) or State Archeological Landmark (SAL) potentially eligible or eligible archeological sites. Any previously recorded archeological sites within the survey area will be revisited to assess their condition and NRHP/SAL eligibility, regardless of their current NRHP recommendations as determined by previous surveys.
**Background**

Based on a review of the Texas Archeological Sites Atlas and the NRHP database, three archeological projects and eleven archeological sites have been previously recorded within one mile of the Subject Property (Tables 1 and 2).

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Approximate Distance</th>
<th>TAC Permit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survey</td>
<td>0.37-m E</td>
<td>4034</td>
<td>A survey was conducted in 2006 by TRC for the Kinder Morgan Pipeline to Phoenix</td>
</tr>
<tr>
<td>Linear Survey</td>
<td>0.32-m S</td>
<td>N/A</td>
<td>No information is available.</td>
</tr>
<tr>
<td>Data Recovery/Monitoring</td>
<td>0.39-m E</td>
<td>N/A</td>
<td>Monitoring and data recovery conducted in 2006 by TRC for the Kinder Morgan Pipeline to Phoenix</td>
</tr>
</tbody>
</table>

**Table 2: Previously recorded archeological sites within 1-mile of the Subject Property**

<table>
<thead>
<tr>
<th>Site Number</th>
<th>Approximate Distance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>41EP2470</td>
<td>0.53-m NW</td>
<td>A prehistoric open campsite was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP947</td>
<td>0.56-m N</td>
<td>A prehistoric site was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP2925</td>
<td>0.81-m N</td>
<td>A prehistoric ceramic scatter was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP946</td>
<td>0.72-m NE</td>
<td>A prehistoric ceramic scatter was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP2923</td>
<td>0.63-m NW</td>
<td>A prehistoric lithic scatter was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP948</td>
<td>0.55-m N</td>
<td>A prehistoric lithic and ceramic scatter was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP2924</td>
<td>0.85-m N</td>
<td>A prehistoric campsite was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
<tr>
<td>41EP945</td>
<td>0.77-m NE</td>
<td>A prehistoric site was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.</td>
</tr>
</tbody>
</table>
A prehistoric site was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.

A prehistoric site was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.

A prehistoric site was recorded in 1985 by Jornada Anthropological Research Association for the El Paso International Airport Survey.


The Subject Property’s commercial land use history may indicate that surficial cultural resources would likely be disturbed. Relatively shallow soils of the Hueco-Wink soils association are present within the Subject Property. The Hueco and Wink series soils were formed in Pleistocene-age coarse-loamy alluvium; these are present as sand sheets atop very gravelly loam and a cemented (pyroclastic) horizon. The Pleistocene-aged sediments exposed at the surface within the Subject Property are older than the chronology for North America’s human occupation, and no Holocene-aged depositional units are noted to be present. Due to the age of the soil’s parent material, any archeological materials, if present, should be situated within the upper 60-centimeters (23-inches) of the soil profile. This topsoil layer is atop a layer of indurated clastic grains or lithified conglomerate. The shallow nature and temporal placement of these soils are not conducive to containing deeply-buried archeological materials. The areas across the surrounding uplands include relatively shallow soils formed on ancient sediment, which are not conducive to deeply-buried archeological deposits.

**Project Methodology**

**Background Review**

SPS will examine readily available data pertinent to the history, prehistory, ethnography, geomorphology, and environment of the survey area, including but not limited to the Texas Archeological Sites Atlas, the Natural Resources Conservation Service, and the Texas Natural Resources Information System (TNRIS). The purpose of this research is to develop a general understanding of the survey area and how it may have changed through time, to identify previously recorded historic and archeological resources, and to generate the information and perspectives needed to predict the likely presence or absence of resources and the likely
character or potential impacts. The records examined will include a review of online data containing information about previously recorded archeological and historic resources in the vicinity of the survey area. The results of the literature review will be a compilation of previously recorded cultural resources that are in or near the project area and will serve to provide an historical context for the survey area.

The background research will also include information about standing historic structures and known cemeteries near the survey areas. As noted above, the purpose of the background research is to inform the SPS crew of potentially important cultural resources that other surveys have previously identified near the Subject Property. Using data from the background research, our researchers can pinpoint those areas that are more likely to include archeological sites. The background research will likewise help identify historic resources, such as historic buildings and cemeteries located within, or close to, the survey area.

**Field Investigations**

The field investigations will be limited to the 3.37-acre (1.36-hectare) survey area. All field methods will meet Texas Historical Commission (THC) standard for survey in Texas. Cultural resources investigations of the Subject Property will include an intensive archeological survey using both pedestrian (surface) survey and shovel testing techniques. A pedestrian survey will be used to locate cemeteries, chimneys, earthworks, and other aboveground features, as well as artifacts lying on the ground surface. All survey methods will meet the THC requirements as stipulated in the Revised Terrestrial Survey Standards (as revised in 2020), including guidelines for surveys of this nature. As the survey area is 3.37-acres (1.36-hectares), a minimum of 8 shovel tests will be excavated in the survey area.

For the purpose of this SOW, the survey area is identified as a 3.37-acres (1.36-hectares) tract. The total number of shovel tests will be determined in the field. Shovel tests will be consistent with archeological survey guidelines issued by the State of Texas. All shovel testing and site delineation procedures will meet the above-referenced guidelines. For surveys of under 25-acres, at least two shovel tests must be excavated per acre. Therefore, this survey will include no less than 8 shovel tests.

Shovel tests will be at least 30-centimeters in diameter and excavated to at least 80-centimeters below the present ground surface when possible or the bottom of Holocene deposits, whichever is encountered first. Each shovel test will be excavated in no greater than 20-centimeter levels. All other shovel tests will be at least 30-centimeters in diameter and excavated to at least 80-centimeters or sterile subsoil, whichever is encountered first. The location of each shovel test will be recorded with a hand-held GPS and plotted on project maps. Soil from the shovel tests will be screened through a 0.25-inch wire mesh screen. All shovel tests will be backfilled for safety upon completion. If artifacts are found, additional shovel tests will be excavated at 10-meter or closer intervals in a cruciform pattern until two consecutive negative shovel tests are present in each direction.

A minimum of nine shovel tests will be excavated at any newly identified archeological resource (e.g., one initial positive plus two negatives in each direction), and more will be excavated as
needed to delineate the site fully. Sites will be recorded using a hand-held GPS and plotted on USGS 7.5- minute topographic maps and aerial photography. No site delineation will be conducted outside of the survey tract.

Artifacts will be field analyzed, photographed, and returned to their original provenience. For this survey’s purposes, artifacts with markings, mode of construction, or materials that can identify the age of the artifact will be considered a diagnostic artifact. Examples include formal stone tools with an intact base, prehistoric ceramics, and historic ceramics and glass with a maker’s mark. Diagnostic artifacts will also be field analyzed, photographed, and returned to their original provenience. Each site will be photographed with high resolution digital color images (three megapixels or higher) and documented using Texas archeological site forms. SPS will submit this documentation to the Texas Archeological Research Laboratory (TARL) upon the conclusion of the fieldwork. The Project Archaeologist will maintain detailed notes on survey methods, sites identified during the survey, and relevant environmental factors associated with each site. This information will be thoroughly documented in the technical report.

Each archeological site will be evaluated as either not eligible for the NRHP or unassessed for the NRHP. Likewise, each site will be assessed for SAL potential. Site delineation activities will be restricted to the survey area. SPS will seek to provide an initial NRHP/SAL eligibility assessment for each identified site, with the caveat that formal eligibility assessments may require additional fieldwork. Recommendations for avoidance or NRHP testing will be made for each site.

**Deep/Mechanical Testing Potential**

Soil data indicates that the Subject Property contains a soil profile with relatively shallow topsoil, measuring approximately 60-centimeters (23-inches) thick. Soil horizons in this area are imprinted on Pleistocene-aged alluvium with an underlying pyroclastic “caliche” layer. The lack of Holocene-aged allostratigraphic units indicates that this property does not contain a depositional environment conducive to forming deeply-stratified archeological deposits. As a result, no deep testing for cultural resources will be initiated as part of this project. If the development designs are changed to include Holocene-aged alluvial soil units, SPS will coordinate with the THC to construct an appropriate testing methodology.

**Analysis, Report Preparation, and Curation**

SPS will prepare a draft report of the investigations to be reviewed by Solv. The draft report will describe the methods used, results, and initial NRHP/SAL recommendations for each identified site. SPS will also include recommendations for additional work necessary under pertinent federal and/or state laws. Once the draft report has been reviewed by Solv, SPS will address these comments in a draft technical report to be submitted to the THC for review. After THC accepts the report, Stone Point Services will transfer the relevant notes, maps, and photographs to Stephen F. Austin State University for final curation.
Figure 1: General location map
Figure 2: USGS Fort Bliss quadrangle map showing the Subject Property and review area
Figure 3: Aerial image showing the project location
Re: Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas

THC Tracking #202110281

Date: 06/30/2021
ICE El Paso Dormitory Project
3813 Mattox Street
El Paso, TX 79925

Description: Cultural resources survey for the Ice El Paso Dormitory project. This project is being completed for the US Immigration and Customs Enforcement (ICE).

Dear Todd McMakin:
Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

The review staff, led by Caitlin Brashear, Drew Sitters, has completed its review and has made the following determinations based on the information submitted for review:

Above-Ground Resources
• No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments
• No effect on identified archeological sites or other cultural resources. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
• THC/SHPO concurs with information provided.
• No sites recorded.
• This draft report is acceptable. Please submit a final report: one restricted version with any site location information (if applicable), and one public version with all site location information redacted. To complete the Texas Antiquities Permit, submit an abstract online at http://xapps.thc.state.tx.us/Abstract and ensure a curation form has been forwarded to the agency. Archeological project area shapefiles are due with the submittal of the draft report; if this has not occurred, email them to Archeological_projects@thc.texas.gov.
We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: caitlin.brashear@thc.texas.gov, drew.sitters@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit http://thc.texas.gov/etrac-system.

Sincerely,

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.