

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

**Project Information**

**Project Name:** *Morning Glory Wastewater project (Phase I & Phase II)*

**Responsible Entity:** *County of El Paso*

**Grant Recipient** (if different than Responsible Entity): *Same as above*

**State/Local Identifier:** Texas

**Preparer:** *Munzer Alsarraj*

**Certifying Officer Name and Title:** *Ruben J. Vogt, County Judge*

**Grant Recipient** (if different than Responsible Entity): Same as above

**Consultant** (if applicable): N/A

**Direct Comments to:** **Munzer Alsarraj**  
800 E. Overland, Suite 200  
El Paso, Tx 79901  
(915) 543-3845  
malsarraj@epcounty.com

**Project Location:**

Morning Glory Subdivision is located in the far east of El Paso County, Texas off of Alameda Ave (Tx 20).

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

The project is consist of **two (2) phases** that will address the construction of publicly owned and operated sewer system to approximately 106 homes in the Morning Glory subdivision through;

**Phase I:** Construct first-time Sewer service to fifty seven (57) households in the Morning Glory Manor Subdivision Phase I area. Contractor shall install approximately two thousand three hundred seventy linear feet (2,370LF) of twelve-inch (12") sewer line, two thousand six hundred sixty linear feet (2,660LF) of eight-inch (8") sewer line, nineteen (19) manhole, de-watering, inspections, removal and replacement of HMAC, trench safety, traffic control, installation of fifty one (51) new residential service connections, yard-lines, decommissioning of septic tanks and all related fees and related appurtenances.

**Phase II:** Construct first-time Sewer service to fifty nine (59) households in the Morning Glory Manor Subdivision phase II area. Contractor shall install approximately three thousand five hundred fifty linear feet (3,550LF) of twelve-inch (12") sewer line, one thousand six hundred ten linear feet (1,610LF) of eight-inch (8") sewer line, twelve (12) manhole, de-watering, inspections, removal and replacement of HMAC, trench safety, traffic control, installation of fifty two (52) new residential service connections, yard-lines, decommissioning of septic tanks and all related fees and related appurtenances.

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

Households in the Colonia of Morning Glory, located in El Paso County, do not have public wastewater service and rely upon septic tanks that are very old and might lead to a failing septic systems, resulting in a potential threat to public health

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

The residents of this area have no public wastewater system and are relaying on the septic tanks for their wastewater disposal. The majority of these systems are old and might fail. Installing and connecting to a new wastewater system, will eliminate the risk associated with using septic water

**Funding Information**

Grant Number	HUD Program	Funding Amount
7218025 (Phase I)	TxCDBG - Colonia Funds	\$500,000
7218015 (Phase II)	TxCDBG - Colonia Funds	\$500,000

**Estimated Total HUD Funded Amount:**

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]:

Phase I, \$981,620.00

Phase II, \$930,479.00

Total estimated project cost is \$1,912,099.00

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project area is not within an FAA-designated civilian airport Runway Clear Zone. Please refer to Airport runway map <b>Exhibit 9</b>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the Coastal location map, the project is located inland, not adjacent to any coast, waterway, bayou or any other water body. Please refer to <b>Coastal location map Exhibit 3</b>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project area is located outside any mapped flood hazard zones. However, this will be further analyzed on a site specific basis. Please refer to FEMA and Local flood control officer letter along with <b>Floodplain Map. Exhibit 1</b>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	TCEQ responded with no effect See NAAQS Nonattainment Map <b>Exhibit 7</b> .

<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the Coastal location map, the project is located inland, not adjacent to any coast, waterway, bayou or any other water body. Please refer to <b>Coastal location map Exhibit 3</b>
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project area and adjacent properties are free of hazardous materials, contaminants, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants. This will be analyzed further using site specific methods. Please refer to <b>Exhibit DD and photos</b>
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on-site assessment and previous environmental assessment on and adjacent subdivision/project, this project does not anticipate an effect on any federally protected Threatened or Endangered Species, nor adversely modify critical habitats. We have reached out to the Tx Parks and Wildlife but have not heard back from them.
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This wastewater project will not include any constructions that will increase the residential densities. Also, an onsite assessment was conducted and no evidence of any above ground storage containers that might or do contain any hazardous liquids or fuels. Please refer to aerial footage of the subdivision (exhibit DD) and photos
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the onsite assessment, the area is developed and occupied by residential dwellings. This Project is exempt from farmland protection policy act (FPPA) and does not include nor impact farmland, or other farmland of statewide or local importance as identified by the US Dept. of Agriculture and NRCS  Please refer to the NRCS letter
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project area is located outside any mapped flood hazard zones. However, this will be further analyzed on a site specific basis. Please refer to Floodplain map and letter from local flood plain administrator.  <b>Exhibit 1</b>
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Historical, cultural and archeological resources are not likely to be encountered since all activities are to take place in previously disturbed terrain. Please refer to Tx Historical commission letter indicating that no historic properties affected. Tribal location map <b>Exhibit TT</b>
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project will not induce noise impact in excess of HUD standards, nor involves development of noise sensitive uses. Project location is more than 3000 feet from the rail road and 15 miles of the closest airport

<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on-site assessment, the project area is not located within a U.S. EPA designated Sole Source Aquifer watershed area. EPA was contacted and the concurred with a no impact will result from this project. <b>Please refer to Exhibit 4 and EPA letter</b>
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project area is not located in a wetland. USDA/NRCS and ACE were contacted and voiced no impact or permit required. <b>Please refer to exhibit 2</b>
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	No impact to any Wild and Scenic Rivers will occurred as this project entails of the installation of wastewater collection lines that will be constructed at a depth of 3-15 feet under the ground. <b>Please refer to National wild and scenic rivers system map Exhibit 6</b>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project will not have a disproportionate impact on low income families or minorities. <b>Please refer to exhibit EE</b>

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning	1	The project area lies outside any corporate city limits and thus does not have to comply with any city plans and zoning ordinances. The County of El Paso does not have Zoning enforcement authority in this area.

/ Scale and Urban Design		This wastewater project entails of installing collection system that will have the least long term impacts to the environment once the line is constructed. For the construction of the wastewater collection system, land will be temporarily disturbed by trenching; however, these areas will reestablish once construction is complete. <b>Please refer to exhibits A &amp; B</b>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	1	Based on the onsite assessment, the project site and its immediate vicinity are relatively flat. There are no Prime Farmlands or farmlands of statewide importance within the proposed project area. NRCS has confirmed the fore going. The proposed project will not have a negative impact on the existing landscape of the area. <b>Please refer to photos and Exhibit SS</b>
Hazards and Nuisances including Site Safety and Noise	2	Based on the onsite assessment, we don't anticipate that the contractor should encounter any hazard and nuisance and if they do, the contractor shall be responsible for coordinating any exchange of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the Site in accordance with Laws or Regulations.
Energy Consumption	2	Electricity is provided by El Paso Electric Company to the residents of this area. Construction equipment's will not relay on that. They are powered by diesel. Therefore, no unusual amount of energy consumption is expected in the proposed project

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	Based on previous projects, this project will create economical development in the county through the employment of local residents as well as it will not result in changes to the local employment rates, poverty levels, or local incomes
Demographic Character Changes, Displacement	2	This project does not anticipate demographic character changes. Both low income and minority areas on the system have been identified. On-site review of the proposed construction areas found a significantly higher percentage of minority and low income families located within the immediate project area. The proposed utility improvements will benefit all residents in the area and connect the existing residents. <b>Please refer to Exhibit EE</b>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The Clint Independent School District serve the project area's school children and will be notified during the construction period. <b>Please see map of the nearby schools Exhibit D</b>
Commercial Facilities	2	Based on the onsite assessment, there are no commercial facilities located in the subdivision. There are only very small family owned stores near the project area. <b>Please refer to photos</b>

Health Care and Social Services	2	This project will not adversely impact the health care systems in the area as none are located in the subdivision <b>Please see map of nearest health care facilities Exhibit E and photos</b>
Solid Waste Disposal / Recycling	2	This wastewater project will not adversely impact solid waste services. Solid Waste services in the area are provided by Lower Valley Water District and will be notified of the project construction schedule to accommodate any pick up schedule
Waste Water / Sanitary Sewers	1	This project is intent to improve the health and safety in the subdivision by constructing first time public wastewater services by connecting to Lower Valley Water District collection system. Installing and connecting to a new wastewater system, will eliminate the risk associated with using OSSF-Septic Tanks
Water Supply	2	This project will not adversely impact water system. Water is currently being supplied from Lower Valley Water District and in compliance with TCEQ and health standards. Contractor will be utilizing water during the construction through a metered fire hydrants
Public Safety - Police, Fire and Emergency Medical	2	This project will not adversely impact Police, fire or Emergency Medical services as a copy of the traffic control plan and construction schedule will be provided to the effected agencies prior of starting construction. <b>Please see Exhibit G &amp; H</b>
Parks, Open Space and Recreation	2	This project will not adversely impact open space, parks and recreation areas. <b>Please refer to Exhibit J-7 and photos</b>
Transportation and Accessibility	2	Based on the onsite assessment, Morning Glory Subdivision has a network of paved streets and is adjacent to Alameda Ave on the east side. Temporary traffic barriers may be necessary for short periods during pipeline installation, and traffic detours may be necessary. However, transportation within and access to the area will suffer no long term impacts as a result of the proposed improvements. Permits for road crossings may be required for county roads throughout the project area <b>Please see transit route Exhibit M.</b>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The water project will take place in a developed area that is not located in designated areas of neither natural features nor agricultural lands. Construction of the proposed project would provide negative impacts to the groundwater. <b>Please refer to photos and exhibit B</b>
Vegetation, Wildlife	2	Project will be constructed in previously disturbed right-of-way from the County of El Paso. The entire corridor will be in previously disturbed land with little to no native vegetation. No long term impacts will occur as a result of this project. <b>Please refer to photos.</b>
Other Factors		

**Additional Studies Performed:**

**Field Inspection** (Date and completed by):

On site assessment was conducted on June 5<sup>th</sup>, 2018 and completed by Munzer Alsarraj.

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

Mr. Bernie Sargent	Chief/Mitigation Division	HUD Forth Worth
County Historical Chaorman	Federal Emergency Maanagement Agency	Forth Worth Regional Office
5326 Rockwood Road	800 North Loop 328	801 Cherry Street, Unit # 45, Ste. 2500
El Paso Texas 79932-2412	Denton, Texas 76201	Forth Worth, Tx 76102
Mr. Mark Wolfe		
State Historical Preservation Officer	TCEQ	NFIP State Coordinator
Tecas Historical Commision	P.O. Box 13087, MC-205	TCEQ
P.O.Box 12276, Capital Station	Austin, Texas 78711-3087	P.O. Box 13087
Austin, Texas 78711		Austin, Texas 78711-3087
Director	Governor Carlos Hisa	Texas Department of Health
Resource Protection Division	Tribal Council Office	1100 West 49th Street
Texas Parks and Wildlife Department	117 S. Old Pueblo RD.	Austin, Texas 78756
4200 Smith School Road	P.O. Box 17579	
Austin, Texas 78744	El Paso TX 79907	
Mr. F. Lawrence Oaks	Mr. Robert D. Lawrence	Mr. Steve Helfert
Executive Director	Office of Planning & Coordination Enforcement Division	Field Supervisor
Texas Historical Commission	USEPA, Region VI	U.S. Fish and Wildlife Service Ecological Services
P.O. Box 12276	1445 Ross Avenue, 6EN-XP	10711 Burnet Road, Suite 200
Austin, Texas 78711	Dallas, Texas 75202-2733	Austin, Texas 78758
U.S. Army Corps of Engineers	State Conservationist	Water Resource Division
Albuquerque District	USDA Natural Resources Conservation Service	U.S.G.S
4101 Jefferson Plaza NE	101 South Main	8027 Exchange Dr.
Albuquerque, NM 87109-3435	Temple, Texas 76501-7682	Austin, Texas 78754

**List of Permits Obtained:**

None were required

**Public Outreach** [24 CFR 50.23 & 58.43]:

The environmental assessment is available to the public to view during regular business hours and bilingual employees are available to accommodate a non-English speaking individuals.

**Cumulative Impact Analysis** [24 CFR 58.32]:**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

The alternatives evaluated for this project required significant level of engineering evaluation, focusing on the best alternative for the Morning Glory Subdivision.

Alternative 1 is the preferred alternative that includes a wastewater collection system that provides Morning Glory Subdivision with the best option for wastewater collection service. This

alternative has the potential to provide first time wastewater service to the project area. The County's First alternative is to provide first time wastewater service to One hundred sixteen (116) households in the Morning Glory area.

Alternative 2, a separate centralized system (mechanical) commonly known as Package plant which will result in effluent discharged into agriculture ditch and conditions would remain the same, except a no more septic tanks on site.

Alternative 3, is generally "No Action"

**No Action Alternative [24 CFR 58.40(e)]:**

Due to Constitutional and financial constraints. Most Texas counties often consider "no action" as their normal action. Feasibility is the driving force. Limited funded and rising project costs are barriers that often prevent the county from adequately addressing priorities it has identified and rated through comprehensive assessments. Therefore, if this action is taken, and based on the septic tank age, this might result in the collapsing of the septic tanks which might result in discharge of the graywater to the ground water and possible water contamination.

**Summary of Findings and Conclusions:**

This project does not anticipate adverse impact as to the factors noted above. Based on the conclusions of this assessment I find that the request for the release of funds for this project will not constitute an action significantly affecting the quality of the human environment. Therefore, it is the finding of the preparer of this document, there is no significant impact on environment, on from this project

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

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

*By hiring a highly qualified project engineer, the County has addressed or minimized adverse impacts in the design, construction and system operation and management. The County addresses negative impacts on the habitats and the community, including the timing of the project construction, as well as the previously listed factors to coincide with seasonal impacts—bird migration, irrigation flows, agriculture, community activities, etc. The County of El Paso requires project engineer and the contractors to carry sufficient bonding and to have ample experience required for this project. The County Public Works Department staff has demonstrated the capacity to successfully plan and manage similar projects.*

*As Some mitigating measures are necessary for this project regarding environmental resources in the area. Mitigating measures will be made available to contractors by being included in the Contract Specifications. The following is a summary of mitigation required for the project:*

**Culture Resources**

If cultural materials or human remains are encountered during construction, work must cease in the immediate area; work can continue in the project area where no cultural materials are present. In the discovery area, work must cease, and the contractor must notify the consultant engineer, County of El Paso, and both the State Historical Preservation Officer at (512) 463-5867.

### Biological Resources

To avoid potential harm to the State listed Texas Horned Lizard (*Phrynosoma cornutum*), and Greater Short-horned Lizard (*Phrynosoma hernandesi*); the Project Engineer and Owner will implement the following measures:

- All pipeline trenches should be covered by the end of each day when feasible, or if not, inspected prior to the initiation of daily construction. Contractors should be made aware of the potential presence of horned lizards and instructed to notify an individual authorized by the Texas Parks and Wildlife Department to relocate any individual species out of the path of construction.

Law, Authority, or Factor	Mitigation Measure

### Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

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

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

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

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Name/Title/Organization

Munzer Alsarraj, Infrastructure Program Manager  
County of El Paso, Public Works Department  
800 E. Overland Suite 200  
EL Paso, Texas 79901

Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: Ruben J. Vogt, County Judge

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