FINAL ENVIRONMENTAL ASSESSMENT

Department Of Homeland Security

Federal Law Enforcement Training Centers

Land Acquisition and Transfer, and Construction and Operation of New Driving Track and Solar Array at the Federal Law Enforcement Training Centers

Artesia, Eddy County, New Mexico

JULY 2024

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Cover Sheet

Final Environmental Assessment

Land Acquisition and Transfer, and

Construction and Operation of New Driving Track and Solar Array

at the Federal Law Enforcement Training Centers

Artesia, Eddy County, New Mexico

Proposed Action: FLETC proposes to acquire and transfer land, and construct, operate, and maintain a new driving track and a solar photovoltaic (PV) array near the Federal Law Enforcement Training Centers (FLETC) facilities in Artesia, Eddy County, New Mexico.

Type of Statement: Final Environmental Assessment (EA)

Lead Agency: FLETC, a Component of the Department of Homeland Security (DHS)

Consulting Agencies: Refer to **Section 6** of this EA for a complete list of stakeholders.

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Abstract: FLETC proposes the acquisition and transfer of land, and to construct, operate, and maintain a new driving track on a 160-acre parcel of land near FLETC's facilities in Artesia, Eddy County, New Mexico. FLETC intends to exchange (i.e., "land swap") an equivalent sized parcel of land with a private entity for the proposed 160-acre parcel of land. The Proposed Action is needed because the existing driving track facility at FLETC's Main Campus in Artesia is in disrepair and does not provide sufficient capacity for FLETC emergency driver training needs. Following the land swap, the track at the Main Campus would be decommissioned, and 60 acres from that track would be repurposed for installation, operation, and maintenance of a solar PV array. Collectively, the proposed land swap, new driving track, and PV array comprise FLETC's Proposed Action. The proposed new driving track would be located directly adjacent to the existing FLETC Artesia Special Training Complex (STC) and would consolidate all driver training tracks at the STC. The proposed PV array would be located within FLETC's Main Campus. Collectively, the Proposed Action would optimize land use at FLETC Artesia by allowing FLETC to better fulfill its mission and further DHS' sustainability goals.

This EA has been prepared to document the Proposed Action and potential impacts at the FLETC facility in compliance with the National Environmental Policy Act of 1969 (NEPA, 42 United States Code [U.S.C.] 4321 et seq.), the Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 CFR Part 1500-1508), DHS Directive 023-01 Revision 01, Implementation of the NEPA, and other pertinent environmental statutes, regulations, and compliance requirements. The Draft EA was made available for public review and comment between May 30, 2024, and June 29, 2024. No comments were received on the Draft EA. The Final EA is published on the DHS NEPA website at www.dhs.gov/nepa.

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Acronyms and Abbreviations

°F	Degrees Fahrenheit
ACM	Asbestos-Containing Material
APE	Area of Potential Effect
BBCs	Birds of Conservation Concern
BLM	Bureau of Land Management
CAA	Clean Air Act
CEJST	Climate and Economic Justice Screening Tool
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CGP	Construction General Permit
CH_4	Methane
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
CVE	Central Valley Electric Cooperative, Inc.
CWA	Clean Water Act
dB	Decibels
dBA	Weighted Decibel
DHS	Department of Homeland Security
EBS	Environmental Baseline Survey
eGRID	Emissions and Generation Resource Integrated Database
EO	Executive Order
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FLETC	Federal Law Enforcement Training Centers
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
ft	Feet
GHG	Greenhouse Gases
GWh	Gigawatt Hours
GWh/yr	Gigawatt Hours per Year
GWP	Global Warming Potential
HPD	New Mexico Historic Preservation Division
HUD	U.S. Department of Housing and Urban Development
IAC	White House Environmental Justice Interagency Work Group
IPaC	Information for Planning and Consultation

LBP	Lead-Based Paint
MBTA	Migratory Bird Treaty Act
msl	Mean Sea Level
MWac	Megawatts of Alternating Current
MWdc	Megawatts of Direct Current
MWh	Megawatt Hours
N_2O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMDGF	New Mexico Department of Game and Fish
NMED	New Mexico Environment Department
NO_2	Nitrogen Dioxide
NOA	Notice of Availability
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Soil Conservation Service
NRHP	National Register of Historic Places
O_3	Ozone
OAO	Office of Artesia Operation
Pb	Lead
PCB	Polychlorinated Biphenyls
pCi/L	Picocuries per Liter
$PM_{2.5}$	Particulate Matter less than 2.5 Micrometers in Diameter
PM_{10}	Particulate Matter less than 10 Micrometers in Diameter
PV	Photovoltaic
RDU	Renewable Diesel Unit
REC	Recognized Environmental Condition
RMP	Risk Management Plan
ROI	Region of Influence
SHPO	State Historic Preservation Office
SO_2	Sulfur Dioxide
SPS	Southwestern Public Service Company
STC	Special Training Complex
SWPPP	Stormwater Pollution Prevention Plan

T&E	Threatened and Endangered
THPO	Tribal Historic Preservation Office
U.S.	United States
U.S.C.	U.S. Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UST	Underground Storage Tank

1. Introduction

The Department of Homeland Security (DHS) Federal Law Enforcement Training Centers (FLETC) is an interagency law enforcement training organization that services more than 80 federal agencies. State, local, and international law enforcement agencies utilize FLETC facilities and expertise to train personnel. FLETC currently provides training to law enforcement personnel at three residential training sites in the United States (U.S.): Glynco, Georgia; Charleston, South Carolina; and Artesia, New Mexico; as well as at one re-qualification training facility in Cheltenham, Maryland.

This Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential direct, indirect, and cumulative effects on the physical, natural, cultural, and socioeconomic environments resulting from FLETC's proposal to exchange or "land swap" a 160-acre parcel of land, and construct, operate, and maintain a new driving track near FLETC's Special Training Complex (STC) in Artesia, Eddy County, New Mexico. The new driving track would replace an existing driving track at FLETC's Main Campus in Artesia. In addition, a portion of the existing driving track would be repurposed to install a solar photovoltaic (PV) array. Collectively, the proposed land swap, construction, operation, and maintenance of a new driving track, and installation, operation, and maintenance of a PV array comprise FLETC's Proposed Action.

FLETC, as a federal agency, is required to incorporate environmental considerations into its decision-making process for the actions it proposes to undertake. The Proposed Action would assist FLETC and DHS in meeting their overall mission readiness goals. This EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code [U.S.C.] § 4321 et seq.), the Council on Environmental Quality (CEQ) NEPA implementing regulations (40 Code of Federal Regulations [CFR] Parts 1500-1508), DHS Directive 023-01, Rev. 01, *Implementation of the National Environmental Policy Act*, and DHS Instruction Manual 023-01-001-01, Rev. 01, *Implementation of the National Environmental Policy Act.*

1.1 Background

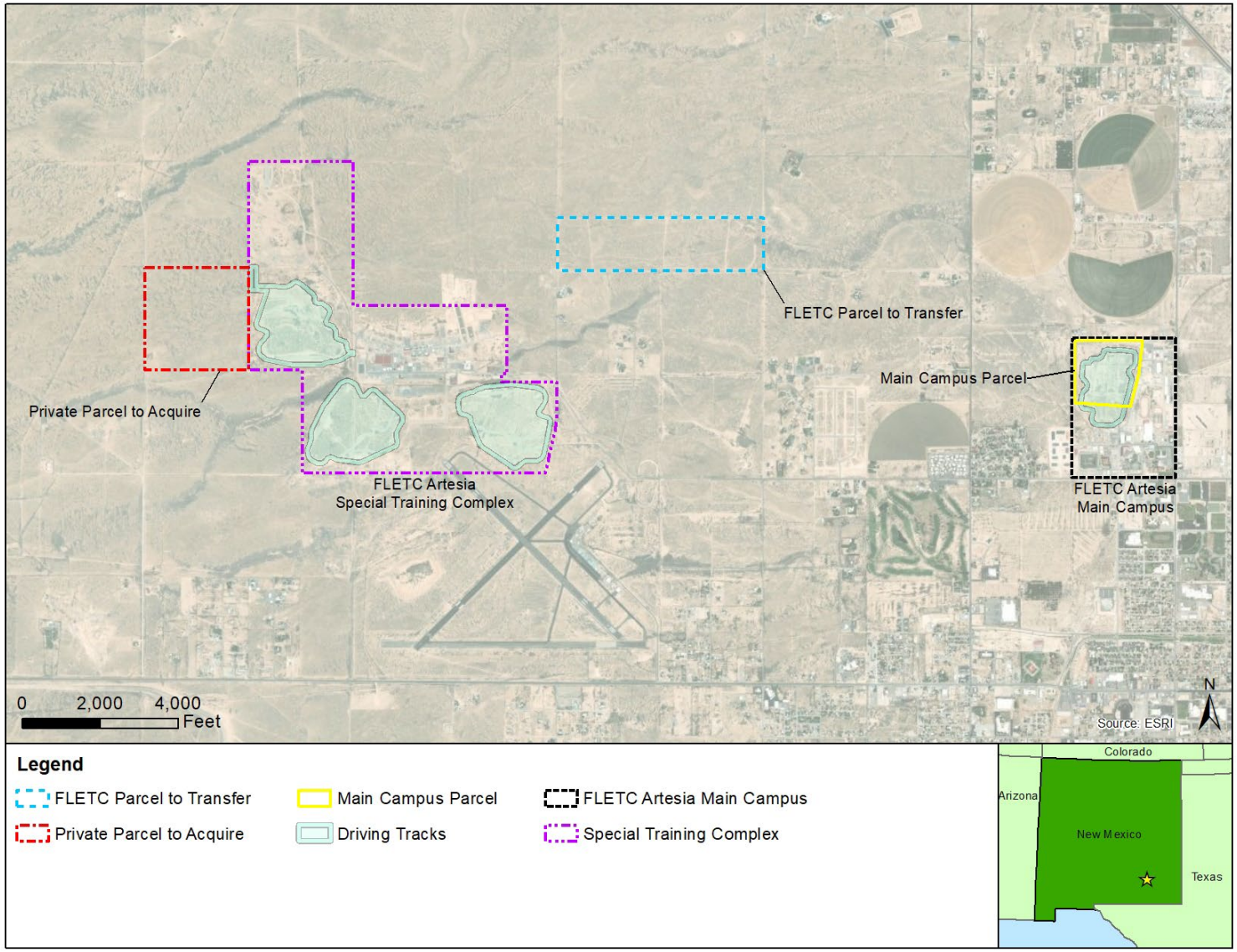
FLETC provides training to law enforcement personnel at its facilities in Artesia, New Mexico. The Office of Artesia Operation (OAO) consists of the Main Campus within the City of Artesia

and an STC which is located 3 miles west of the Main Campus (see **Figure 1**). The OAO contains numerous facilities for conducting basic and advanced law enforcement training. The Main Campus provides space for support and student facilities, such as offices, dormitories, classrooms, a health unit, cafeteria, and student center. The Main Campus also provides a variety of training facilities, such as physical training facilities, raid houses, practical exercise areas, international border fences, and one driver training track (FLETC, 2023a).

The STC, also known as the Range Complex, consists of approximately 3,480 acres and is used for training law enforcement personnel in firearms and driving. Training facilities include indoor and outdoor firing ranges, and emergency driving and off-road driving tracks (FLETC, 2023a). The STC contains three driving tracks that are designed to evaluate critical driving skills to include emergency response and pursuit driving, reading the roadway, multitasking and decision-making, and advanced driving skills.

In addition to providing federal law enforcement training, FLETC Artesia houses various agency-specific programs. This location is home to the U.S. Border Patrol and Bureau of Indian Affairs Law Enforcement Academies, as well as a Transportation Security Administration Training Center. FLETC Artesia also offers a Uniformed Police Training Program, in addition to a variety of other basic and advanced training programs (FLETC, 2023a). FLETC Artesia has recently developed a Master Plan for its campuses, which identifies potential future projects and redevelopment in support of its mission.

Figure 1. Project Location



1.2 Description of the Proposed Action

FLETC is proposing an approximately 160-acre exchange of land, or "land swap," with a private entity (see **Figure 1**). In total, the transfer would involve 320 acres of property. The 160-acre parcel of private land that FLETC would receive through the proposed land swap is currently undeveloped and is directly adjacent to another existing driving track at the STC. The 160-acre parcel FLETC would transfer to the private entity through the land swap is an unused and undeveloped tract of land located near the STC but not directly adjacent to the existing STC facilities. The tract of land to be transferred by FLETC in the land swap is not ideal for construction of a new driving track due to its distance from existing facilities and its layout. The proposed land swap would provide FLETC with sufficient space directly adjacent to existing STC driving tracks to construct, operate, and maintain a new emergency driving track that would meet all training and design requirements. The new driving track would be adjacent to, and to the west of, the existing Emergency Response Range/Sport Utility Vehicle Range at the STC. An emergency driving track is currently located at the Main Campus, but is in need of repairs and upgrades to the pavement design. Following the land swap and new construction at the STC, this existing track would be retired from use and a portion would be repurposed for the installation of a PV array.

The proposed new emergency driving track at the STC would be used daily for training and driving evaluation. Operations would only occur during daylight hours, but site lighting and associated electrical utilities may be installed for security purposes. An estimated 2,000 law enforcement personnel are trained each year on the existing track to be replaced. The number of trainees is expected to increase in the foreseeable future by about 30 percent, so the new track would be designed to accommodate a higher throughput of personnel, although the Proposed Action would not increase the required staffing at OAO. Stormwater controls would be installed at the driving track to manage stormwater flow.

It is anticipated that the private entity would use the parcel it receives from FLETC for cattle grazing.

Construction of a new emergency driving track on the new parcel at the STC would enable FLETC to repurpose a 60-acre portion of the existing emergency driving track on the Main Campus for the installation of a ground-mounted PV array. The track pavement on the existing track would

not be removed. The array would be installed in the vacant space inside the existing driving track, allowing the remaining portion of the track to be maintained as access roads for the PV array. The maximum size system that would be installed is an 8.3 megawatts of direct current (MWdc)/6.75 megawatts of alternating current (MWac) PV system. This system is estimated to produce an annual energy yield of 15.7 gigawatt hours per year (GWh/yr) (New Mexico Gas Company, 2022). Operational startup of the array would be anticipated within three to five years.

Final design and site layout of the proposed emergency driving track and PV array, as connected but independent actions, would be completed following this EA. FLETC would evaluate the final designs of these features against the preliminary descriptions analyzed within this EA. If the potential impacts of the driving track or PV array, based on their final designs, are greater than or beyond the scope of the impacts identified in this EA, FLETC would conduct supplemental NEPA analysis to assess and disclose those additional environmental consequences.

1.3 Purpose and Need for the Proposed Action

The purpose of the Proposed Action is to conduct a land acquisition and transfer (i.e., "land swap") with a private entity where FLETC would transfer a 160-acre tract of land in exchange for a 160-acre tract adjacent to existing driving tracks at the FLETC Artesia STC. The tract received by FLETC in the land swap would be used to construct, operate, and maintain a new, up-to-date emergency driving track. The proposed driving track would consolidate all driving tracks at the STC location and ensure FLETC maintains its ability to provide required training. It would also allow the existing, outdated emergency driving track at the Main Campus to be repurposed for installation of the ground-mounted PV array. The proposed land swap would optimize land use at FLETC Artesia and allow FLETC to better fulfill its mission, as well as further DHS's sustainability goals through the construction of the solar array.

The Proposed Action is needed because the existing driving track at the Main Campus is in disrepair and does not provide sufficient capacity for FLETC emergency driver training needs. The existing emergency driving track on the Main Campus is in need of repairs and substantial pavement design upgrades that could reduce training capacity and slow or stop training on this track at FLETC Artesia if not addressed. Further, FLETC Artesia is facing an increased number of students requiring emergency driver training, and the existing track at the Main Campus does

not have sufficient capacity to handle the larger student load. The driving tracks must satisfy the newest training requirements, allow for efficient training, and have the necessary features to train and evaluate critical law enforcement and emergency response driving skills. The proposed new driving track would allow FLETC to better fulfill its mission to ensure the federal law enforcement community is prepared to safeguard U.S. people, property, and institutions (FLETC, 2023b).

Installation of the PV array is needed to allow FLETC to decrease energy costs and its reliance upon traditional, fossil-fuel-based energy sources. This element of the Proposed Action would help the agency meet federal directives on increasing renewable energy (e.g., Executive Order [EO] 14057, *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*), as well as DHS's overall sustainability goals, while not compromising the ability to achieve its mission.

1.4 Location of the Proposed Action

The FLETC Artesia STC is a 3,480-acre training center located in Artesia, Eddy County, New Mexico. The STC is located approximately 3 miles west of the Main Campus, which is located at 1793 North 13th Street, Artesia, New Mexico. The STC is also directly north of the Artesia Municipal Airport.

FLETC's 160-acre parcel proposed for transfer to the private entity is located at latitude/longitude 32.873° N, 104.455° W. The private entity's 160-acre parcel that FLETC proposes to acquire is located at latitude/longitude 32.868° N, 104.494° W. The parcel at the Main Campus proposed for installation of the PV array is located at 32.864° N, 104.418° W. These three parcels are shown in **Figure 1**.

1.5 Agency Coordination and Public Participation

Public participation opportunities during this NEPA process are guided by DHS NEPA implementing procedures, the requirements of NEPA, and the CEQ regulations (40 CFR 1506.6). The NEPA process encourages public involvement in decisions affecting the quality of the human environment. FLETC has coordinated with federal, state, and local agencies during the preparation of this EA. This coordination fulfills requirements under EO 12372, *Intergovernmental Review of Federal Programs* (amended by EO 12416, and supplemented by EO 13132), which requires federal agencies to coordinate with state and local officials and consider their views in

implementing a federal proposal, such as federal financial assistance or direct federal development. Potentially interested federal, state, and local agencies were contacted on February 8, 2024. Copies of correspondence, and any responses received, are provided in **Appendix A**.

Additionally, EO 13175, *Consultation and Coordination with Indian Tribal Governments* (2000), Presidential Memorandum of January 26, 2021, *Tribal Consultation and Strengthening Nation to Nation Relationships*, and DHS Tribal Affairs policy at 071-04 and 071-04-001 require government-to-government notification and consultation to ensure meaningful and timely input by tribal officials for federal actions that may have tribal implications. Tribal Nations with potential interest in the Proposed Action were contacted on February 28, 2024. Two responses have been received to date, from the Comanche Indian Tribe and the Mescalero Apache Tribe (see **Section 3.2.3.1**). A record of correspondence with Tribal Nations regarding this EA is provided in **Appendix B**.

A Notice of Availability (NOA) for this Draft EA and Finding of No Significant Impact (FONSI) was published on the DHS website and in the *Artesia Daily Press* to initiate the public comment period. The Draft EA and FONSI were made available for review and comment during a 30-day public comment period between May 30, 2024, and June 29, 2024, to receive comments from the public; federal, state, and local agencies; and federally recognized Native American tribes. No comments were received during this review period. The Final EA and FONSI are available on the DHS website at www.dhs.gov/nepa, and a hard copy was provided to Artesia Public Library, 205 W. Quay Avenue, Artesia, New Mexico, 88210. A list of stakeholders contacted during the review period is included in **Section 6**.

1.6 Regulatory Compliance and Best Management Practices

NEPA is a federal statute requiring the identification and analysis of potential environmental impacts of proposed federal actions before those actions are taken. CEQ is the principal federal agency responsible for the administration of NEPA. CEQ regulations mandate that all federal agencies use a systematic, interdisciplinary approach to environmental planning and the evaluation of actions that might affect the environment. This EA was prepared in accordance with NEPA, the CEQ's implementing regulations, and the DHS NEPA Directive and Instruction. In addition to NEPA, numerous federal environmental statutes, regulations, and EOs may apply to the Proposed

Action. Federal environmental regulatory requirements and EOs potentially relevant to the Proposed Action include, but are not limited to, the following:

- American Indian Religious Freedom Act
- Archaeological Resources Protection Act
- Clean Air Act (CAA)
- Clean Water Act (CWA)
- Endangered Species Act (ESA)
- Energy Independence and Security Act
- Farmland Protection Policy Act (FPPA)
- Migratory Bird Treaty Act (MBTA)
- National Historic Preservation Act (NHPA)
- Occupational Safety and Health Act
- Resource Conservation and Recovery Act
- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands
- EO 12372, Intergovernmental Review of Federal Programs
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- EO 13045, Protection of Children from Environmental Health Risks and Safety Risks
- EO 13175, Consultation and Coordination with Indian Tribal Governments
- EO 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All

Further, **Table 1** lists major federal and state permits, approvals, and interagency coordination that could be required to implement the Proposed Action, as well as the current status.

Table 1. Key Permits and Approvals (as applicable) and Interagency Coordination

Agency	Permit/Approval/Coordination	Status
U.S. Fish and Wildlife Service (USFWS)	- ESA Section 7 coordination/consultation - MBTA coordination - Bald and Golden Eagle Protection Act	- Complete. Section 7 concurrence received February 22, 2024.
U.S. Environmental Protection Agency (USEPA)	- CWA National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP)	- No response received to date.
Federally Recognized Native American Tribes and Nations	- Consultation regarding potential effects on cultural resources or sacred sites - Consultation under NHPA Section 106 for potential effects on historic properties (ground disturbance)	- See **Appendix B**.
New Mexico Historic Preservation Division (HPD)	- Consultation under NHPA Section 106 for potential effects on historic properties	- Complete. Concurrence received March 28, 2024.
New Mexico Department of Game and Fish (NMDGF)	- Consultation regarding potential effects on state-listed species	- Complete. Recommendations received February 9, 2024.

In addition to complying with relevant federal and state laws, and obtaining all key permits, FLETC also plans to adopt various best management practices (BMPs) identified through interagency coordination to avoid or minimize adverse environmental effects to the greatest extent practicable. **Table 2** includes a list of BMPs that FLETC would implement. These BMPs are considered to be part of the Proposed Action; the impact analysis in **Section 3** assumes implementation of these BMPs. If FLETC determines it is unable to implement one or more of these BMPs, it would be considered a change in the Proposed Action and supplemental NEPA analysis may be required if it would substantively alter the impact analysis documented in this EA.

Table 2. Best Management Practices Included in Proposed Action

Resource	Best Management Practice
Air Quality and Climate Change	- Apply water or use stabilization measures on areas of bare soil to minimize dust or wind-blown soil. - Cover dump trucks carrying materials that could become airborne. - Maintain construction equipment in accordance with manufacturers' specifications to reduce exhaust emissions.
Cultural Resources	- Cease work if unanticipated cultural resources are discovered and report the discovery to the HPD and federally recognized tribes.
Visual Resources	- Angle and position PV panels to minimize glare. - Install PV panels that have textured glass or an anti-reflective coating to reduce glare.
Geology and Soils	- Obtain and adhere to the NPDES CGP and develop a stormwater pollution prevention plan (SWPPP) to manage erosion and stormwater discharges. - Implement sediment controls prior to conducting land-disturbing activities and maintain throughout construction.
Noise	- Use mufflers on construction equipment and vehicles. - Turn off equipment when not in use. - Limit construction activities to daytime hours.
Biological Resources	- Clean construction equipment prior to bringing on-site to minimize the introduction of invasive species. - Use native plant species and certified weed-free sources to revegetate and reclaim the PV array site. - Adhere to time-of-year restrictions between April 15 and September 1 to minimize impacts to nesting migratory birds. Coordinate with USFWS if migratory bird nests are found during construction or if incidental takings occur. - Conduct surveys for burrowing owls prior to performing ground disturbance and consult with NMDGF and USFWS if burrows are discovered. - If ground-disturbing activities would occur within a black-tailed prairie dog colony and cannot be moved away from the colony site, consult with NMDGF for trapping and relocation procedures.
Water Resources	- Obtain and adhere to the NPDES CGP and develop a SWPPP to manage erosion and stormwater discharges. - Perform routine inspections of equipment and maintain spill containment materials to prevent releases to groundwater. - Adhere to spill response plans during operation.
Infrastructure and Utilities	- N/A

Resource	Best Management Practice
Energy	- Provide advance notice to end users of electric utility interruptions that may occur while installing the PV array.
Land Use	- N/A
Hazardous Materials and Waste	- Implement the existing FLETC Artesia Spill Prevention, Control, and Countermeasure Plan (SPCCP) to address inadvertent releases. - Establish contractual requirements pertaining to contractor's care and handling of solar panels to minimize potential for damage, and identify applicable cleanup/disposal requirements for damaged panels. - Maintain spill containment and clean-up materials on-site. - Perform regular vehicle checks and maintenance of the vehicles using the proposed driving track. - Replenish necessary vehicle fluids only at proper locations.
Socioeconomics and Environmental Justice	- Adhere to BMPs for other resource areas to prevent the potential for disproportionate adverse impacts.

1.7 Organization of the Document

Section 1 describes the Proposed Action, presents the purpose and need for the action, and summarizes applicable regulatory requirements. **Section 2** discusses the consideration of alternatives to the Proposed Action, including the Preferred Alternative. The affected environment and environmental consequences are detailed in **Section 3**. **Section 4** includes an evaluation of cumulative impacts and irreversible and irretrievable resource commitments. Conclusions of the EA are provided in **Section 5**. **Section 6** contains a list of those agencies and individuals who were consulted during preparation of this EA. **Section 7** contains a list of document preparers, and **Section 8** provides a list of references utilized in the preparation of this EA. Other documents and resources used to supplement this EA are provided as appendices to this report.

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2. Description of the Proposed Alternatives

2.1 Introduction

This section describes detailed information about FLETC's proposal to exchange 160 acres of land, to construct, operate, and maintain a driving track and PV array in the STC and Main Campus, respectively. As discussed in **Section 1.6**, the NEPA process evaluates potential environmental consequences associated with a proposed action and considers alternative courses of action. This section details the Preferred Alternative and the No Action Alternative, and alternatives considered but eliminated from further detailed analysis. Reasonable alternatives must satisfy the purpose and need for a Proposed Action. CEQ guidance requires the inclusion of a No Action Alternative, against which potential effects can be compared. While the No Action Alternative would not satisfy the purpose or need for the Proposed Action, it is analyzed in detail in accordance with CEQ regulations. Alternatives that do not support the purpose of and need for the Proposed Action (**Section 1.3**) are not considered reasonable alternatives.

2.2 No Action Alternative

As required by NEPA and CEQ regulations, the No Action Alternative reflects future conditions within the Proposed Action area should the Proposed Action not be implemented. Under the No Action Alternative, the proposed land swap between FLETC Artesia and the private entity would not occur. FLETC Artesia would not construct a new emergency driving track adjacent to existing driving tracks at the STC and would continue to maintain the existing driving track located at the Main Campus. The continued presence of the driving track at the Main Campus would preclude the use of that parcel for installation of the PV array. The 160-acre FLETC-owned parcel proposed for transfer would remain unused.

The No Action Alternative does not satisfy FLETC's purpose and need for the Proposed Action as identified in **Section 1.3**. The No Action Alternative is carried forward for analysis in the EA to provide a comparison of baseline conditions to the Proposed Action, as required by the CEQ NEPA implementing regulations (40 CFR 1502.14). The No Action Alternative reflects the status quo and serves as a benchmark against which effects of the Proposed Action can be evaluated.

2.3 Alternatives Considered but Dismissed from Further Consideration

FLETC evaluated the following alternatives to the Proposed Action. However, these alternatives did not meet the purpose and need; were not technically or economically feasible; or would not avoid or substantially lessen one or more potential socioeconomic or environmental impacts that would result from the Proposed Action. Therefore, these alternatives were dismissed from further consideration.

2.3.1 Upgrades to the Existing Track

FLETC considered performing the necessary upgrades to the pavement design and other modifications to the existing driving track at the Main Campus. Upgrading and redesigning the existing track would not be cost-effective due to the high costs associated with the needed repairs, other upgrades, and maintenance when compared to the cost of constructing a new track. In addition to the costs of repairs and upgrades, the existing driving track would need to be decommissioned while being repaired, reducing the total driver training capacity at FLETC Artesia during construction. This would cause a training bottleneck as students would need to be trained on already-built driving tracks. Additionally, the Main Campus has limited undeveloped space, and FLETC has identified the existing track for redevelopment in its Master Plan. Continuing to use the existing emergency track would preclude other future development at the Main Campus, such as the proposed PV array.

Therefore, an alternative to upgrade the existing track at the Main Campus has been eliminated from further consideration due to lack of cost effectiveness, resultant training bottlenecks, and its incompatibility with FLETC Artesia's Master Plan.

2.3.2 Use of the Existing FLETC STC Parcel

FLETC considered an alternative that would develop the parcel it currently owns (i.e., the parcel proposed for transfer in the Preferred Alternative), either for use as the new driving track or for placement of the PV array. The currently owned parcel would not be able to accommodate a new driving track due to the location and layout of the parcel. This parcel is removed from the STC and existing facilities. It is also surrounded by private land used for cattle grazing. Those factors make FLETC access to the existing parcel difficult and would likely have impacts on private grazing operations. The parcel proposed for transfer was also determined not to be feasible for use of the

PV array due to the same site access limitation. Moreover, no transmission lines or utility connections are present at that parcel that could connect to the PV array, making this site technically infeasible, without substantial efforts to install electric infrastructure.

Therefore, the alternative to use the existing FLETC parcel for either the new driving track or PV array has been eliminated from further consideration for not being technically feasible for either project component due to the location relative to existing facilities, layout, and lack of utility infrastructure.

2.4 Preferred Alternative

The Preferred Alternative would implement the Proposed Action as described in **Section 1.2**. Under this alternative, FLETC would conduct a total 320-acre land swap with a private entity to obtain a 160-acre parcel adjacent to the existing Emergency Response Range/Sport Utility Vehicle Range at the STC. The 160-acre parcel transferred by FLETC would be expected to be used for cattle grazing by a private entity. The parcel obtained by FLETC would be used to construct, operate, and maintain a new emergency driving track at the STC. In conjunction, this would cease operation of the existing driving track at the Main Campus. The proposed driving track at the STC would be used daily for training and driving evaluation for approximately 2,600 law enforcement personnel per year.

Relocation of the driving track from the Main Campus would allow an approximately 60-acre portion of the existing driving track parcel to be redeveloped and used to install the PV array. Energy generated by the PV array would be able to supply over 80 percent of FLETC's electrical needs and FLETC would also be able to export a certain percentage of energy generated to the local electrical utility.

The Preferred Alternative is the only alternative that would meet the purpose and need for the Proposed Action, ensuring that the driving track is capable of meeting future training requirements while not precluding future development at the Main Campus. Therefore, this is the only action alternative carried forward for further analysis within this EA. The Preferred Alternative would optimize land use at FLETC Artesia by allowing FLETC to better fulfill its mission. Additionally, the Preferred Alternative would further DHS's sustainability goals by reducing reliance on fossil-

fuel-based sources of electricity in support of federal efforts to transition to carbon-free and carbon pollution-free sources of power, and by building climate-resilient infrastructure.

3. Affected Environment and Environmental Consequences

This section details the relevant environmental conditions and resources at FLETC Artesia that would be potentially affected by the implementation of the Proposed Action at the preferred site location. The characterization of existing conditions provides a baseline for assessing the potential environmental impacts from activities associated with the Proposed Action. Only those resources with the potential to be impacted by the Proposed Action are described and evaluated in detail; **Table 3** presents a list of resources that are not discussed in detail. There is no potential for the Proposed Action to impact these resources and they have been eliminated from further analysis.

Table 3. Resources Eliminated from Detailed Analysis

Resource	Rationale
Mineral Resources	None of the parcels included in the Proposed Action are known to contain mineral resources. Both parcels proposed for transfer are currently unused, while the third parcel hosts a driving track. Mineral resource development has not previously occurred at either parcel, and development included in the Proposed Action would entail shallow surficial disturbance (i.e., for the proposed driving track and PV array). Therefore, the Proposed Action would not affect mineral resources.
Traffic and Transportation	The Proposed Action would not change traffic or transportation patterns in the surrounding area. There would be no permanent increase in the number of vehicles using the surrounding roadways. The Proposed Action would construct a contained driving track that would be used for training purposes. No driver training would occur on roadways outside of FLETC Artesia. Negligible additional vehicle trips between the FLETC Artesia Main Campus and STC may occur once the driving track is operational, given the anticipated increase in students. Therefore, the Proposed Action would not affect traffic and transportation.
Protection of Children	EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, states that agencies should ensure that potential health and safety risks to children are identified and addressed, since children may be more susceptible than adults to certain risks. There are children under 18 years of age surrounding the Proposed Action area (see **Table 9**). All elements of the Proposed Action would be confined to secure areas that are not accessible to children, and children would not be disproportionately exposed to associated environmental impacts or safety risks. Therefore, the Proposed Action would not affect the protection of children.

3.1 Air Quality and Climate Change

3.1.1 Definition of the Resource

Air Quality

Air quality is defined by the concentration of various pollutants in the atmosphere. Air quality conditions at a given location are a function of several factors including the quantity and type of pollutants emitted locally and regionally, as well as the dispersion rates of pollutants in the region. Primary factors affecting pollutant dispersal include wind speed and direction, atmospheric stability, climate and temperature, and topography. Air quality is affected by stationary emissions sources (e.g., boilers, emergency generators, and industrial processes), mobile sources (e.g., motor vehicles, construction equipment, and aircraft), and area sources (e.g., vehicle and aircraft fuel transfer, storage, and dispensing).

The region of influence (ROI) for air quality is Eddy County, New Mexico.

Climate Change and Greenhouse Gases

Global climate change refers to long-term fluctuations in temperature, precipitation, wind, sea level, and other elements of Earth's climate system. Greenhouse gases (GHGs) include water vapor, carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Sources of GHGs include fuel combustion in mobile and stationary sources, as well as refrigerant leaks and certain industrial processes. The heating effect from these gases is considered the probable cause of the global warming observed over the last 50 years (USEPA, 2009). However, not all GHGs contribute equally, in aggregate or per unit, to global warming. Thus, to standardize the global warming potential (GWP) for each GHG, all GHGs are expressed relative to a reference gas, CO_2, which is assigned a GWP equal to 1. GHGs are multiplied by their GWP and the results are added to calculate the total equivalent emissions of CO_2 (carbon dioxide equivalent, or CO_2e). The Fifth Assessment Report of the Intergovernmental Panel on Climate Change established a 100-year GWP of 28 for CH_4 and 265 for N_2O.

3.1.2 Affected Environment

Air Quality

Under the Clean Air Act (CAA) and its amendments, the USEPA identifies air pollutants that cause or contribute to the endangerment of human health and/or environmental welfare and establishes air quality "criteria" that guide the establishment of air quality standards to regulate these pollutants (42 U.S.C. Sections 7408 – 7409). To date, the USEPA has established criteria for six air pollutants: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), particulate matter less than 2.5 micrometers in diameter ($PM_{2.5}$), particulate matter less than ten micrometers in diameter (PM_{10}), and sulfur dioxide (SO_2). As a result, the USEPA created National Ambient Air Quality Standards (NAAQS) meant to safeguard public health (i.e., primary NAAQS) and environmental welfare (i.e., secondary NAAQS). Current NAAQS are presented in **Table 4**.

Table 4: National Ambient Air Quality Standards

Pollutant	Averaging Time	Level	Form
CO	8-hour	9 ppm	Not to be exceeded more than once per year
	1-hour	35 ppm	
Pb	Rolling 3-month average	0.15 µg/m3	Not to be exceeded
NO_2	1-hour	100 ppb	98th percentile of 1-hour daily maximum concentrations, 3-year average
	Annual	53 ppb	Annual mean
O_3	8-hour	0.070 ppm	Annual fourth-highest daily maximum 8-hour concentration, 3-year average
PM	$PM_{2.5}$ Annual (primary)	12 µg/m3	Annual mean, 3-year average
	$PM_{2.5}$ Annual (secondary)	15 µg/m3	Annual mean, 3-year average
	$PM_{2.5}$ 24-hour	35 µg/m3	98th percentile, 3-year average
	PM_{10} 24-hour	150 µg/m3	Not to be exceeded more than once per year, 3-year average
SO_2	1-hour	75 ppb	99th percentile of 1-hour daily maximum concentrations, 3-year average
	3-hour	0.5 ppm	Not to be exceeded more than once per year

Notes: ppb = parts per billion; ppm = parts per million; µg/m3 = micrograms per cubic meter of air.
Source: (USEPA, 2024e)

USEPA and state/local air quality control agencies monitor and evaluate outdoor air quality for compliance with the NAAQS. Areas where monitored outdoor air concentrations are within an applicable NAAQS are considered in attainment of that NAAQS. If sufficient ambient air monitoring data are not available to decide, the area is instead deemed as attainment/unclassifiable. Areas where monitored outdoor air concentrations exceed the NAAQS are designated by the USEPA as nonattainment areas. Nonattainment designations for some pollutants (e.g., O_3) can be further classified based on the severity of the NAAQS exceedances. Lastly, areas that have historically exceeded the NAAQS, but have since instituted controls and programs that have successfully remedied these exceedances are known as maintenance areas.

Air quality in New Mexico is regulated by the New Mexico Environment Department (NMED) under provisions of the New Mexico Air Quality Control Act. The NMED operates various programs, including ambient air monitoring and air quality permitting, to carry out its regulatory duties under state and federal law in New Mexico. Eddy County is considered in attainment/unclassifiable for all NAAQS (USEPA, 2024f). No ambient air monitors are located in close proximity to the Proposed Action. The nearest monitor is located approximately 34 miles south-southeast of the facility immediately adjacent to the City of Carlsbad. This monitor measures ambient concentrations of NO_2 and O_3 (USEPA, 2024a). Although this monitor has at times registered exceedances of the O_3 NAAQS, the area is still currently considered in attainment/unclassifiable for all NAAQS.

The General Conformity Rule (40 CFR Part 51, Subpart W) requires federal agencies to prepare written Conformity Determinations for federal actions in or affecting NAAQS in nonattainment areas to demonstrate that their actions will not cause or contribute to violations of the NAAQS, except when the action is covered under the Transportation Conformity Rule or when the action is exempt because the total increase in emissions is insignificant, or *de minimis*. Because the Proposed Action would occur in an area considered in attainment/unclassifiable for all NAAQS, the General Conformity Rule would not apply to the Proposed Action, and no General Conformity analysis is required.

Climate Change and Greenhouse Gases

According to the most recent National Emissions Inventory, New Mexico emitted approximately 50.5 million metric tons of CO_2, 677,000 metric tons of CH_4, and 23,000 metric tons of N_2O, totaling approximately 75.6 million metric tons of CO_2e in 2021. In the same year, the United States emitted approximately 5.03 billion metric tons of CO_2, 28.3 million metric tons of CH_4, and 1.5 million metric tons of N_2O, totaling approximately 6.23 billion metric tons of CO_2e (USEPA, 2023e).

GHGs are regulated under Section 202 of the CAA. The USEPA regulates GHGs through mobile source emission standards and permitting requirements under the Title V Operating Permits program. These regulations include fuel efficiency and renewable fuel standards on light-duty, medium-duty, and heavy-duty vehicles.

EO 13990, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, signed January 20, 2021, and CEQ's *National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change*, interim guidance issued January 9, 2023, require an accounting of the full costs of GHG emissions from federal projects, as identified in terms of the social costs of CO_2, CH_4, and N_2O. These costs are estimates of the monetized damages associated with incremental increases in these emissions.

EO 14008, *Tackling the Climate Crisis at Home and Abroad*, further strengthens EO 13990 by implementing objectives, including requiring federal agencies to develop and implement climate action plans, to reduce GHG emissions and bolster resilience to the impacts of climate change. The DHS *Climate Action Plan* recognizes the effects of climate change on DHS's mission and aims to implement strategies to address the risks posed by climate change including incorporating climate adaptation planning and processes into DHS mission areas, ensuring climate resilient facilities and infrastructure, ensuring climate-ready services and supplies, and increasing climate literacy (DHS, 2021). *The Long-term Strategy of the United States: Pathways to Net-Zero Greenhouse Gas Emissions by 2050* sets target benchmarks to achieve net-zero GHG emissions by no later than 2050 through emission-reducing investments such as carbon-free power generation, zero-emission vehicles, energy-efficient buildings, and expansion and protection of forest areas (DOS & EOP, 2021). Finally, EO 14057 transforms how the federal government builds, buys, and manages its assets and operations, by supporting the growth of America's clean energy and clean technology

industries and accelerating progress toward achieving a net-zero, carbon pollution-free electricity sector by 2035. Specifically, it sets government-wide sustainability goals, which include 100 percent carbon pollution-free electricity by 2030.

The City of Artesia, New Mexico, has an average high temperature of 94 degrees Fahrenheit (°F) in July, which is the hottest month, and an average low temperature of 23°F in January and December, which are the coldest months. Artesia has average annual rainfall of 12.92 inches per year and approximately 7 inches of snowfall on average. The wettest month of the year is September, with an average rainfall of 1.84 inches (US Climate Data, 2024).

Most of New Mexico has warmed at least one degree Fahrenheit over the last century. In the coming decades, New Mexico is expected to continue to warm, which will likely decrease the flow of water in the Colorado, Rio Grande, and other rivers; threaten the health of livestock; increase the frequency and intensity of wildfires; convert some rangelands to desert; and increase the severity of agricultural pest outbreaks. Less precipitation is expected to fall as snow and the decreased snowpack is expected to melt earlier in the year, altering water availability patterns and potentially decreasing water supply overall (USEPA, 2016).

3.1.3 Environmental Consequences

3.1.3.1 Preferred Alternative

Criteria Pollutants

Construction

Construction emissions would include exhaust emissions from construction equipment used for site preparation (e.g., land clearing and grading, pavement base, and utility excavation), pavement installation activities, and construction of the proposed ground-mount PV array. Site preparation and grading activities would generate particulate matter (e.g., windblown dust). Fugitive volatile organic compounds would be emitted during driving track paving and stripe painting application. Fuel combustion in construction employee commute vehicles would contribute to the short-term increase of construction-related emissions.

The existing emergency driving track at the Main Campus would remain operational until the new proposed track is complete. Construction activities would be phased such that the new track is

developed first, and then the PV array is installed within the repurposed existing track thereafter. This would reduce the peak potential air emissions associated with this Proposed Action. Additionally, BMPs would be implemented during construction to further reduce potential impacts on air quality. These control measures could include applying water or using other stabilization measures on areas of bare soil or soil piles, and covering dump trucks that transport materials that could become airborne, in order to eliminate or minimize visible emissions (such as dust or wind-blown soil). Contractors would also be required to maintain construction equipment in accordance with manufacturers' specifications to reduce exhaust emissions. Therefore, the Proposed Action would cause *short-term, less-than-significant* adverse impacts to the existing air quality environment in the vicinity of the project site during facility construction.

Operations

Land Swap and Driving Track

The land swap is administrative in nature; therefore, no emissions are anticipated from the land exchange. The Proposed Action would replace existing training facilities. However, due to the expected increase in students receiving training, the number of training drives would increase. Therefore, a minor increase in operational emissions from driver training activities would occur once the new track is constructed and use of the existing driving track on the Main Campus is discontinued. The Proposed Action would cause *long-term, less-than-significant* adverse impacts to the existing air quality environment in the vicinity of the project site during facility operation.

PV array

Operation of the PV array would include the routine use of vehicles accessing the array for maintenance activities. Fuel combustion in these vehicles would cause a negligible increase in all criteria pollutant emissions at the site. The resulting emissions would cause *long-term, less-than-significant* adverse impacts to the existing air quality environment in the vicinity of the project site during facility operation.

Climate Change and Greenhouse Gases

Construction

Similar to criteria pollutants, the Proposed Action would have *short-term, less-than-significant* adverse impacts to GHG emissions from fuel combustion in construction equipment and construction employee commute vehicles. Construction of the driving track and PV array would produce approximately 3,058 metric tons of CO_2, 0.09 metric ton of CH_4, and 0.24 metric ton of N_2O, totaling approximately 3,124 metric tons of CO_2e. This is the equivalent emissions produced by 394 households in one year (USEPA, 2024d). Construction of the Proposed Action would result in an increase of approximately 0.00413 percent of annual state and 0.00005 percent of annual national CO_2e emissions.

The Interagency Working Group on Social Cost of Greenhouse Gases established social costs per ton of CO_2, CH_4, and N_2O emissions in terms of 2020 U.S. dollars. Using a 2.5% discount rate, the social costs for GHGs emitted in 2025 are $83 per metric ton of CO_2, $2,200 per metric ton of CH_4, and $30,000 per metric ton of N_2O. Assuming that construction of the driving track and PV array would both be completed in entirety within calendar year 2025, these activities would result in social costs of $253,839 for CO_2 emissions, $192 for CH_4 emissions, and $7,150 for N_2O emissions, for a total social cost of $261,180 (Interagency Working Group on Social Cost of Greenhouse Gases, 2021).

Operations

Land Swap and Driving Track

No GHG emissions increases would result from the proposed land swap, which is an administrative action. However, due to the expected increase in students receiving training, the number of training drives would increase. Therefore, a minor increase in operational GHG emissions from driver training activities would occur once the new track is constructed and use of the existing driving track on the Main Campus is discontinued.

Increased driver training activities (i.e., by approximately 30 percent) could increase operational GHG emissions by approximately 33.9 metric tons of CO_2e annually.[1] This would represent an approximate 0.000000544 percent increase over annual national baseline GHG emissions and an approximate 0.000044862 percent increase over annual state baseline GHG emissions. These emissions would be the equivalent of approximately 4.4 households annually, and would represent an annual social cost of $2,848 (i.e., $2,847 for CO_2 emissions, less than $1 for CH_4 emissions, and less than $1 for N_2O emissions) (Interagency Working Group on Social Cost of Greenhouse Gases, 2021).[2]

PV array

The proposed PV array on the 60-acre parcel would produce approximately 15.7 gigawatt-hours (GWh) per year of electricity, which accounts for more than 80 percent of FLETC Artesia's annual electrical consumption (New Mexico Gas Company, 2022). Central Valley Electric Cooperative, Inc. (CVE) supplies electricity to FLETC Artesia. CVE distributes power purchased from a variety of generating sources within the Southwest Power Pool (CVE, 2021). The specific mix of generating sources and resulting GHG emission rates from power distributed by CVE may vary from year to year. However, USEPA maintains information regarding GHG and other emissions from regional power generation in its Emissions & Generation Resource Integrated Database (eGRID). CVE is located within eGRID's SPSO subregion, which produces an average of 1,031.6 pounds of CO_2 per megawatt-hour (MWh) (USEPA, 2021). At full operating capacity, the PV array could offset approximately 8,098 tons per year (7,346 metric tons) of CO_2 emissions, or approximately 0.0145 percent of annual state CO_2 emissions and 0.00015 percent of annual national CO_2 emissions. This would be the equivalent emissions produced by 926 households annually, and would represent a social benefit of $617,100 per year.[3] Installation and operation of the PV array is consistent with federal directives established in EOs 14008 and 14057, which

[1] FLETC estimates that its driving training classes currently total 7,142 annual miles driven and 18,000 vehicle idle hours cumulatively, and that training classes may increase by 30 percent per year once the Proposed Action is implemented. Estimated motor vehicle emissions were modeled using emission factors from USEPA's Motor Vehicle Emissions Simulator (MOVES4) model and the US Air Force Air Conformity Applicability Model (ACAM, version 5.0.23a), and with vehicle idling fuel consumption rates from Argonne National Laboratory (ANL, 2018).

[2] This value was derived for calendar year 2026 using the 2.5% discount rate. Additionally, social cost values increase by about 1.5% each year.

[3] This value was derived for calendar year 2026 using the 2.5% discount rate. Additionally, because social cost values increase by about 1.5% each year, the social benefit of solar energy produced by FLETC would also increase annually.

include prioritizing deployment of clean energy technologies and infrastructure and taking a government-wide approach to achieving net-zero emissions.

During summer, the PV array is expected to produce enough electricity to power all of FLETC Artesia's demand, in accordance with federal directives, with a surplus that could be exported and sold to CVE under a special agreement using the "Import and Export Power" type interconnection (New Mexico Gas Company, 2022). If the agreements required to export and sell solar power produced at FLETC Artesia can be developed and implemented, this would contribute to CVE's ability to meet state-mandated Renewable Portfolio Standard targets requiring 50 percent renewable energy by January 1, 2030.

Conclusion

Given the global effect of the change in climate conditions caused by GHGs, the incremental, short- and long-term GHG emissions increases associated with construction and operation of the Proposed Action would not have a measurable effect on climate change. Operation of the PV array is expected to have beneficial contributions to a reduction in regional GHG emissions by offsetting approximately 80 percent of FLETC Artesia's existing annual energy demands and by potentially selling summer surplus solar-generated energy to CVE to help meet its renewable energy targets.

Overall, the changing climate is not anticipated to impact future operations at the proposed new driving track or cause an increase in the limited impacts associated with construction of the Proposed Action. Pavements would de designed to withstand existing and future annual temperature fluctuations. Other anticipated climate change effects such as increased wildfires and decreased snowpack or water supply are unlikely to impact operation of the proposed facility.

3.1.3.2 No Action Alternative

Under the No Action Alternative, the ambient air quality environment and GHG emissions would remain in their current existing conditions. Therefore, the No Action Alternative would have no impact on air quality and climate change.

The proposed PV array would not be constructed, and FLETC Artesia would continue to consume energy purchased from CVE without generating any additional renewable energy. Since no surplus

solar energy would be exported to the local grid, the potential contribution to CVE's renewable energy portfolio targets and federal net-zero GHG emission goals would not be realized.

3.2 Cultural Resources

3.2.1 Definition of the Resource

The term "cultural resources" refers to a broad range of properties relating to history, prehistory, or places important in traditional religious practices and include historic properties, archeological resources, and sacred sites. Several federal laws and EOs, including the NHPA, Archaeological and Historic Preservation Act, American Indian Religious Freedom Act, Archaeological Resources Protection Act (ARPA), Native American Graves Protection and Repatriation Act (NAGPRA), and EO 13007, *Indian Sacred Sites*, refer to cultural resources.

The NHPA includes property types such as pre-contact and historic-age sites, buildings and structures, districts, and other places that have physical evidence of human activity considered important to a culture or a community for scientific, traditional, religious, or other reasons. These resources can prove useful in understanding and describing the cultural practices of past peoples or retain cultural and religious significance to modern groups. Resources judged significant under criteria established in the NHPA are considered eligible for listing in the National Register of Historic Places (NRHP). The NRHP refers to those places as "historic properties" and the NHPA requires federal agencies to consider the effects of their activities and programs on NRHP-eligible or listed properties.

The implementing regulations for the NHPA, *Protection of Historic Properties* (36 CFR Part 800), present a process for federal agencies to consult with the appropriate State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer, federally recognized tribes, Native Hawaiian Organizations, other interested parties, and, when appropriate, the Advisory Council on Historic Preservation. This is to ensure that potential effects on historic properties are adequately considered.

Cultural items, as defined by NAGPRA, include human remains, as well as both associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony or objects that have an ongoing historical, traditional, or cultural importance to a Native American group or culture (NPS, 2024). Archeological resources, as defined by ARPA, consist of any material

remains of past human life or activities that are of archeological interest and are at least 100 years of age. Such items include, but are not limited to, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal remains, or any portion or piece of those items (NPS, 2006). Sacred sites are defined by EO 13007 as any specific, discrete, narrowly delineated location on federal land that is identified by a Native American tribe or Native American individual determined to be an appropriately authoritative representative of a Native American religion as sacred by virtue of its established religious significance, or ceremonial use by, a Native American religion, provided that the tribe or appropriately authoritative representative of a Native American religion has informed the federal land-owning agency of the existence of such a site (DOI, 1996).

Additionally, EO 13175 requires federal agencies to notify and consult with federally recognized tribes that have cultural ties to an affected area. These consultation procedures are intended to ensure that the potential impacts from the undertaking on sites of traditional religious and cultural significance are adequately considered.

In accordance with Section 106, FLETC initiated consultation with the HPD (i.e., the New Mexico SHPO) via letter on February 28, 2024, and provided its determinations of effects from the undertaking via a second letter on March 19, 2024. The HPD concurred with FLETC's determinations on March 28, 2024. All Section 106 correspondence with the HPD is provided in **Appendix B**.

Consistent with Section 106, EO 13175, and DHS Tribal Affairs Policy 071-04, FLETC has identified five federally recognized tribes that are historically affiliated with the Proposed Action area: Comanche Indian Tribe, Kiowa Tribe, Mescalero Apache Tribe, Tesuque Pueblo, and Ysleta del Sur Pueblo. FLETC initiated consultation with each tribe via letter on February 28, 2024; a record of this consultation, including subsequent attempts to contact the tribes, is provided in **Appendix B**.

The ROI for cultural and historic resources, and pursuant to 36 CFR 800.16(d), is the Area of Potential Effects (APE). The APE includes both the 160-acre FLETC property proposed for transfer to private ownership and the 160-acre parcel that will be added to the FLETC property. It also includes the approximately 60-acre parcel that would be used for the PV array, as well as a 500-meter buffer around each parcel to account for potential visual impacts. The visual APE for

the parcels proposed for the land swap was identified as a 500-meter buffer around the parcels because of the nature of the anticipated land use (i.e., FLETC's proposed emergency driving track), which would be minimally visible beyond this distance. The 500-meter visual APE around the parcel proposed for the PV array was sufficient because of the presence of buildings, trees, and fences within the area that generally obfuscate the view of the proposed low solar development beyond this distance.

3.2.2 Affected Environment

To identify historic properties in the APE, FLETC reviewed internal data, NRHP listings, the New Mexico Cultural Resources Information System (NMCRIS), and topographic maps. Numerous archaeological surveys have been conducted within portions of the APE since the 1970s that have sufficiently investigated the potential for historic properties. No dedicated cultural surveys were conducted for this Proposed Action (AECOM, 2024).

A review of previous investigations and recorded resources available from the NMCRIS shows that two archaeological sites have been previously recorded within the APE for this Proposed Action (Site IDs: LA137498 and LA108387). Site LA137498 is an historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is an historic scatter within 500 meters of this parcel. Both sites have previously been determined ineligible for the listing in the NRHP (Actis, 2006).

No archaeological sites or above-ground historic resources, including properties listed in or eligible for listing in the NRHP, Recorded New Mexico Historic Landmarks, Official New Mexico Historical Markers, or Historic New Mexico Cemeteries were identified within the APE of the parcel proposed for acquisition (AECOM, 2024). No archaeological sites have been identified in the APE for the Main Campus parcel; however, six historic buildings older than 48 years of age have been recorded within the visual APE for this parcel: 35324, 42206, 44207, 442208, 42210, and 42211 (AECOM, 2024). These buildings were constructed as part of the FLETC Main Campus from 1966 to 1976 and were determined ineligible for listing in the NRHP in 2017.

3.2.3 Environmental Consequences

3.2.3.1 Preferred Alternative

No known archaeological sites listed in or eligible for inclusion in the NRHP occur within the APE. While two archaeological sites have been recorded within the APE, neither of which are eligible for the NRHP, these sites would not be disturbed by proposed construction activities in the newly acquired parcel. Further, the parcel transfer would not affect the condition of these sites.

Although six historic-age or near historic-age buildings are located within the visual APE, they have been determined ineligible for listing in the NRHP. Installation of the PV array would not affect these buildings as the direct view would be limited and installation is not anticipated to affect the character of the surrounding viewshed, which has already been affected due to subsequent modern building and structure construction. All remaining above-ground buildings within the APE are less than 50 years old. The Preferred Alternative would have *no adverse effect* on cultural resources.

FLETC sent a letter dated March 19, 2024, to the HPD with a determination of no adverse effects on both archaeological and above-ground resources. In a letter dated March 28, 2024, the HPD concurred with FLETC's determination of no adverse effects. FLETC contacted Tribal Nations via letter dated February 28, 2024. The Comanche Nation responded on February 28, 2024, confirming that no properties of cultural importance were identified. The Mescalero Apache Tribe responded on March 4, 2024, requesting additional information on prior cultural resource surveys. FLETC provided a summary of prior surveys to the Mescalero Apache Tribe on March 11, 2024.

Although it is unlikely that any previously unrecorded significant archaeological or historic sites are present within the APE, there is the potential for inadvertent archaeological discoveries while conducting ground-disturbing activities. Should any unanticipated cultural resources be discovered during construction of the driving track, FLETC would immediately cease work and report the discovery to the HPD and federally recognized tribes for consultation on how to proceed.

3.2.3.2 No Action Alternative

Under the No Action Alternative, the property transfer between FLETC and the private entity would not occur and a new driving track would not be constructed at the STC. There would be *no*

impact to cultural resources and no effect to historic properties. No ground disturbance would occur that would have the potential to disturb archaeological sites that may be present and the surrounding viewshed would not be modified.

3.3 Visual Resources

3.3.1 Definition of the Resource

Visual resources refer to the visible features on a landscape, both manmade and natural, moving and stationary. Although visual quality is partly subjective, visual characteristics that often render an area less attractive include clashing or incoherent architectural elements; unorganized mixing of open and built spaces; presence of litter; and dead or dying vegetation. Actions that remedy or mitigate such characteristics generally improve visual quality. Changes in lighting conditions or the introduction of landscape elements that could contribute to glare may also affect the visual quality of an area by altering the viewer experience.

Glint is defined as a momentary reflection of light, while glare is a reflection of light that can be larger and of a longer duration (NREL, 2016). Both glint and glare are common phenomena from both natural features, such as from waterbodies, and manmade features, such as windows. Various factors influence the perception of glint or glare, including the position of the sun relative to the feature on the ground and the overall visibility and line-of-sight to the feature that may produce glint or glare.

The ROI for visual resources includes the viewshed from which the Preferred Alternative would be potentially visible. On the ground, the ROI for the parcels proposed for transfer/acquisition is generally bounded by U.S. Route 82 and the Artesia Municipal Airport to the south, and North 26th Rural Street to the east. The parcels are not bounded to the north or west, due to the presence of extensive open areas. The ROI for the Main Campus parcel is generally bounded by West Richey Avenue to the south, U.S. Route 285 to the east, North 26th Rural Street to the west, and adjacent farmland to the north. The ROI for the entire Proposed Action area also extends skyward, given the nearby presence of Artesia Municipal Airport and the potential for incoming and outgoing flights to view the Proposed Action area.

3.3.2 Affected Environment

The overall visual landscape of the ROI is lightly developed with expansive swaths of farmland and public lands managed by the Bureau of Land Management (BLM) (see **Section 3.10.2**). Given the relatively flat topography of the surrounding area and the absence of features, visibility to the parcels proposed for transfer/acquisition would be high from the north and west, although no visual receptors are located in those directions. Visibility from the south and east may be limited due to the presence of Artesia Municipal Airport. Views of the Main Campus parcel would be partly obstructed by buildings, but would be visible from the north. Approaching and departing aircraft would have clear views of the Proposed Action area owing to the flat topography.

3.3.3 Environmental Consequences

3.3.3.1 Preferred Alternative

Construction of the Driving Track

Construction of the driving track under the Preferred Alternative would slightly alter viewsheds in the ROI by developing previously undisturbed land and removing existing scrub vegetation. Views of construction of the driving track may be visible from nearby roadways but would be consistent with other views of construction sites that motorists typically experience. Personnel located at the STC would have the clearest views of ongoing construction, but construction activities would still be removed from most buildings present on-site. No receptors are present around the site that may be affected by construction views. Construction of the driving track would have *no impact* on visual resources.

Installation of PV Array

Impacts to visual resources would be similar to those for constructing the driving track. Installation of the PV array would occur on a previously developed parcel, so minimal vegetation removal would be required. One residence adjacent to the northwest corner of the FLETC Main Campus may have a view of the northern edge of the installation site, but views of construction would be obscured by the FLETC security fence. Views of construction would otherwise be limited to personnel on site. Installation of the PV array would have *short-term, negligible adverse impacts* on visual resources.

Operation

Operation of the driving track would introduce low-lying development that would generally not be visible from public roadways or residences. The driving track may be visible from other areas of the STC, but this feature would be consistent with other driving tracks also present at the STC and would not represent an incongruous addition. Views of the driving track from the air would be similar to those of the existing driving tracks as well as surrounding roadways. Operation of the driving track would have *no impact* on visual resources.

During the public scoping process, the City of Artesia broached a concern regarding the potential for the PV array to reflect glare onto aircraft or interfere with flight operations at the Artesia Municipal Airport (see **Appendix A**). Due to the proximity of the location of the proposed PV array to the airport, this possibility does exist. However, while panels can produce glare, research has shown that glare from PV panels is lower than glare from windows and water, as the panels are designed to reduce reflection (Day & Mow, 2018). PV panels have textured glass and/or an anti-reflective coating to aid the panels with absorbing sunlight, rather than reflecting it, as reflected light cannot be converted into electricity (Day & Mow, 2018; NREL, 2016). Given that PV panels have been demonstrated to have relatively low reflectivity, they are generally considered to pose no or minimal risks to air traffic when located outside of boundaries controlled by the Federal Aviation Administration (FAA) (NREL, 2016). A response received from the FAA on March 7, 2024, confirmed that the agency has no comments or concerns with the Proposed Action (see **Appendix A**). Therefore, operation of the PV array would have *long-term, negligible adverse impacts* on visual resources as seen from the air. Operation of the PV array would have *long-term, negligible adverse impacts* on visual resources as viewed from the ground, as the panels would generally not be visible from public areas due to security fencing around the site; however, personnel on-site may occasionally see glare reflecting from the panels.

3.3.3.2 No Action Alternative

Under the No Action Alternative, the proposed driving track and PV array would not be constructed, and there would be no change to the existing visual landscape or any novel sources of glare or glint. There would be *no impact* to visual resources.

3.4 Geology and Soils

3.4.1 Definition of the Resource

Geologic resources consist of surface and subsurface materials and their properties. Principal geologic factors influencing the ability to support structural development are seismic properties (i.e., the potential for subsurface shifting, faulting, or crustal disturbance), soil stability, and topography.

Soils are the unconsolidated materials overlying bedrock or other parent material. Soils typically are described in terms of their complex type, slope, and physical characteristics. Differences among soil types in terms of their structure, elasticity, strength, shrink-swell potential, and erosion potential affect their ability to support certain applications or uses. In appropriate cases, soil properties must be examined for their compatibility with particular construction activities or types of land use.

Prime farmland soils are defined by the U.S. Department of Agriculture (USDA) as those soils that have the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and are available for agriculture (NRCS, 2024d). The Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) was enacted in response to concerns that continued conversion of prime farmland to nonagricultural use would deplete the nation's resources of productive farmland. The FPPA set guidelines that require all federal agencies to identify prime farmland proposed to be converted to nonagricultural use and evaluate the impact of the conversion.

In addition to federally designated prime farmland soils, states and localities may also designate important soils. Generally, this land includes soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Farmland of statewide importance may include tracts of land that have been designated for agriculture by state law (NRCS, 2024d). Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance (NRCS, 2024d).

The ROI for geology and soils is equivalent to the entirety of the Proposed Action area, which includes the three parcels.

3.4.2 Affected Environment

Geology and Topography

The Proposed Action area is located within the Great Plains physiographic province, which is dominated by limestone bedrock overlain with alluvial sediment (AECOM, 2023b). The Proposed Action area is characterized by broad and relatively flat terrain. The ground surface elevation of the Proposed Action area ranges from approximately 3,550 to 3,570 feet above mean sea level as depicted on the US Geological Survey 7.5-Minute Topographic Quadrangle Map Series, Artesia, NM (USGS, 2013). The parcels are situated in a flat area with a slight slope to the west in the immediate vicinity.

There is a less than 5 percent chance of a damaging earthquake occurring in the vicinity of the Proposed Action area within the next 100 years (USGS, 2023).

Soils

Eight soil types were mapped within the three parcels comprising the Proposed Action area, as listed in **Table 5**. **Figure 2** shows the location of each soil type within the Proposed Action area. Characteristics of the soil units are provided in **Table 6**. None of the soil types are hydric soils, and only one soil type, Pima silt loam, 0 to 1 percent slopes, is considered prime farmland if irrigated. This soil is located within the eastern portion of the parcel proposed for transfer by FLETC, as well as in the northwestern corner of the Main Campus parcel (NRCS, 2024c). Five of the soil types are considered farmland of statewide importance, and these soils are located in each of the three parcels and comprise the majority of the parcels. FLETC contacted the NRCS New Mexico State Office on February 8, 2024, for additional information on the Proposed Action. NRCS responded on February 12, 2024, noting that the entire Proposed Action area is considered non-farmland in an urban area, and that the requirements of the FPPA would not apply (see **Appendix A**).

Table 5: Soil Types by Parcel

Parcel	Soil Type	Acres	Percent of Parcel
To Acquire	Reagan loam, 0 to 3 percent slopes	65.4	41.7
	Reagan-Upton association, 0 to 9 percent slopes	91.5	58.3
To Transfer	Pima silt loam, 0 to 1 percent slopes	46.6	29.7
	Reagan loam, 0 to 3 percent slopes	78.0	49.8
	Upton-Reagan complex, 0 to 9 percent slopes	32.1	20.5
Main Campus	Pima silt loam, 0 to 1 percent slopes	13.0	20.8
	Reagan loam, 0 to 1 percent slopes	46.0	73.7
	Reeves loam, 1 to 3 percent slopes	2.3	3.7
	Upton gravelly loam, 0 to 9 percent slopes	1.1	1.8

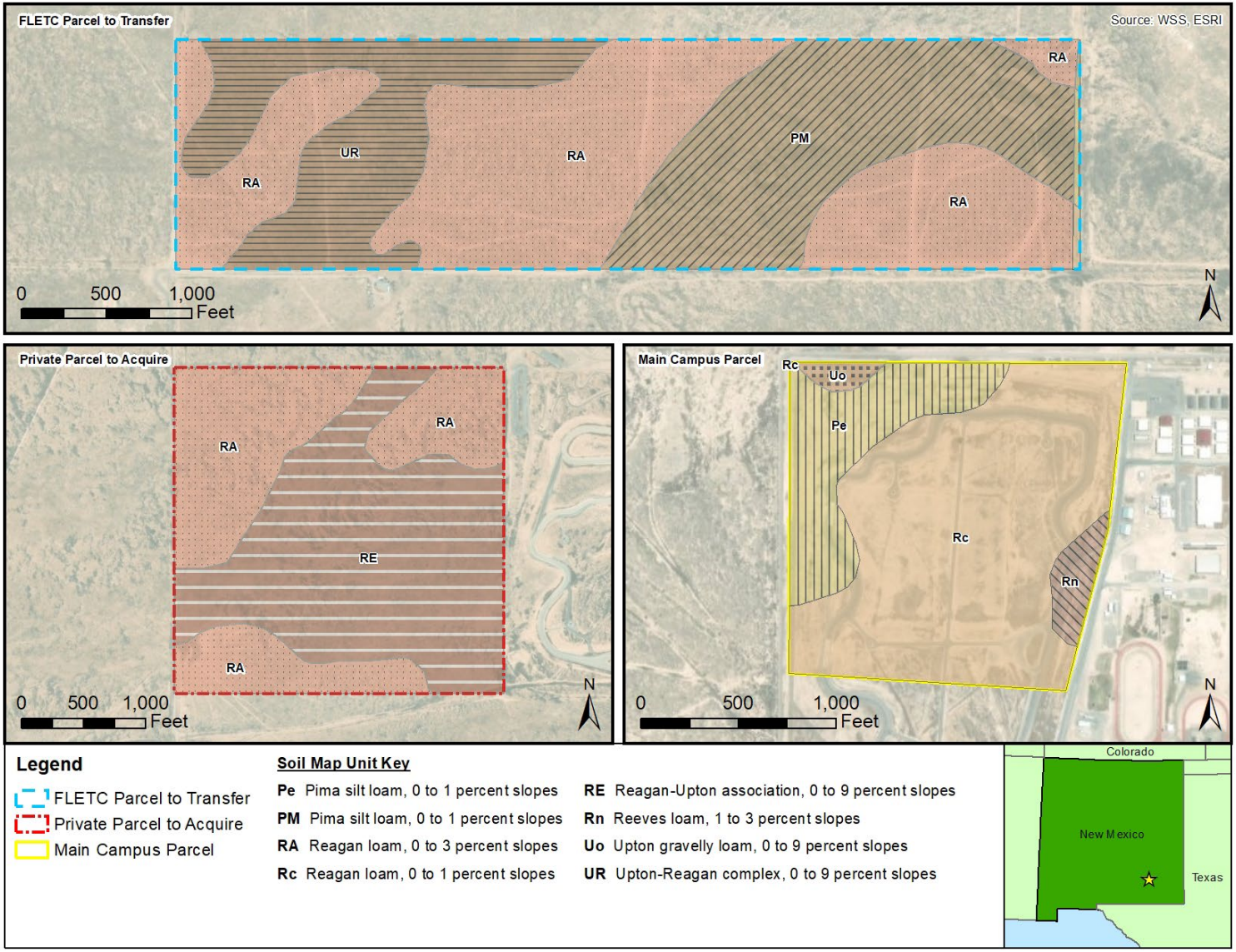
Source: (NRCS, 2024c)

Table 6: Soil Characteristics for Proposed Action Area

Soil Type	Map Unit	Prime / Unique Farmland	Farmland of Statewide Importance	Hydric
Pima silt loam, 0 to 1 percent slopes	Pe	Yes if irrigated	No	No
Pima silt loam, 0 to 1 percent slopes	PM	No	Yes	No
Reagan loam, 0 to 1 percent slopes	Rc	No	Yes	No
Reagan loam, 0 to 3 percent slopes	RA	No	Yes	No
Reagan-Upton association, 0 to 9 percent slopes	RE	No	Yes	No
Reeves loam, 1 to 3 percent slopes	Rn	No	Yes	No
Upton gravelly loam, 0 to 9 percent slopes	Uo	No	No	No
Upton-Reagan complex, 0 to 9 percent slopes	UR	No	No	No

Source: (NRCS, 2024a; NRCS, 2024b)

Figure 2. Soils in the Proposed Action Area



3.4.3 Environmental Consequences

3.4.3.1 Preferred Alternative

Construction of the Driving Track

The Preferred Alternative would have *no impact* on geology or topography within the Proposed Action area. The proposed land swap between FLETC and the private entity would not affect these resources. During construction of the driving track, some ground disturbance would be required, but no underlying bedrock is expected to be encountered. The topography of the site is relatively flat, and any minor grading that may be required to build the driving track would not be anticipated to meaningfully impact the topography of the acquired parcel.

Construction of the driving track on the acquired parcel would disturb up to 160 acres (i.e., the full size of the parcel) for pavement and other needed infrastructure to support driving track operations. No prime farmland soils are present within the acquired parcel, although both soil types are considered farmland of statewide importance. Some soils meeting the criteria for prime farmland when irrigated and farmland of statewide importance are present within the parcel to be transferred; however, this parcel would be used for agricultural purposes (e.g., grazing). Additionally, according to the letter received from NRCS on February 12, 2024, all of the soil types within these parcels are considered non-farmland, and thus no prime or important farmlands would be converted to non-agricultural uses under the Proposed Action. Therefore, construction of the driving track would have *no impact* on prime farmland or farmland of statewide importance.

Disturbed soils within the acquired parcel would be susceptible to runoff and erosion. Since total disturbance would exceed 1 acre of land, a NPDES CGP would be obtained for the project pursuant to the CWA. The NPDES program in the state of New Mexico is administered by the USEPA; New Mexico does not maintain any stormwater permitting programs at the state level (NMED, 2024). Coverage under the CGP would require development of a SWPPP, which would identify potential sources of pollutants, describe all pollution prevention activities that would be implemented on the site, and establish erosion and sediment controls to manage stormwater discharges. Construction crews would adhere to BMPs outlined in the SWPPP, and the erosion and sediment controls would be implemented prior to land-disturbing activities and maintained in good working order for the duration of construction (see **Section 3.7.3**). Given compliance with

the CGP and adherence to BMPs, constructing the driving track under the Preferred Alternative would have *short-term, less-than-significant adverse impacts* on soil from runoff and erosion during construction. Following construction of the proposed driving track, the soils in the acquired parcel would be partially paved and, to some extent, compacted from construction activities. These changes would slightly affect the soil's ability to support absorb rainwater and support vegetation growth. Therefore, the Preferred Alternative would also have *long-term, less-than-significant adverse impacts* on the natural ecological condition of the soils.

Installation of PV Array

Impacts to soils would be similar to, but to a lesser degree than, those for constructing the driving track. Installation of the PV array would disturb up to 60 acres (i.e., the full size of the parcel) for placement of the panels and other infrastructure to connect the panels to electrical tie-ins, as well as equipment staging. Soils meeting the criteria for prime farmland when irrigated and farmland of statewide importance are located within the Main Campus parcel; however, the NRCS has determined that use of this parcel for the PV array would not convert farmland to non-agricultural uses. Since total soil disturbance would exceed 1 acre, a NPDES CGP would be obtained, which would require development of a SWPPP and would establish erosion and sediment controls to manage stormwater runoff. Therefore, installation of the PV array would result in *no impacts* on farmland soils, and *short-term, less-than-significant adverse impacts* on soil from runoff and erosion. Since this parcel was previously developed into a driving track, the soils are already disturbed (i.e., partially paved and slightly compacted). Thus, any *long-term adverse impacts* from further disturbance would be *negligible*.

Operation

Operation of the driving track and PV array is not expected to involve any additional earth-moving activities, although light duty vehicles may periodically drive on the unpaved soils between the solar panel rows for maintenance activities. This could result in *long-term, negligible adverse impacts* on the soils from slight surface disturbance and compaction.

3.4.3.2 No Action Alternative

Under the No Action Alternative, no construction activities for the proposed driving track or installation of the PV array would occur that could disturb the underlying geology, topography, or soils. There would be *no impact* to these resources.

3.5 Noise

3.5.1 Definition of the Resource

Noise is defined as undesirable sound that interferes with communication, is intense enough to damage hearing, or is otherwise intrusive. Sound intensity is quantified using a logarithmic measure of sound pressure level called decibels (dB). The human ear does not hear all frequencies equally; the A-weighted decibel (dBA) is a measurement scale used to reflect the selective sensitivity of human hearing and deemphasizes the higher and lower frequencies that the human ear does not perceive well. Normal speech has a sound level of approximately 60 dBA. Sound levels above 120 dBA begin to be perceived as uncomfortable, while sound levels between 130 and 140 dBA are considered painful (Cowan, 1994; Egan, 1988).

Sensitive noise receptors could include specific locations (e.g., schools, churches, hospitals) or an expansive area (e.g., nature preserves, conservation areas, historic preservation districts) in which occasional or persistent sensitivity exists to noise above ambient levels. Noise is often generated by activities essential to a community's quality of life, such as construction or vehicular traffic.

The Noise Control Act of 1972 established a national policy to promote an environment free from noise that jeopardizes human health and welfare. It directs federal agencies to comply with applicable federal, state, and local noise control regulations. According to the Federal Aviation Administration and the U.S. Department of Housing and Urban Development (HUD), residential units and other noise-sensitive land uses are "clearly unacceptable" in areas where noise exposure exceeds 75 dBA, and "normally acceptable" in areas where noise exposure is 65 dBA or less (24 CFR Part 51).

Construction noise can cause an increase in sound that is well above ambient levels. The Occupational Safety and Health Administration (OSHA) sets legal limits on noise exposure levels. The minimum requirement states that exposure for workers must not exceed 90 dBA over an 8-

hour period. The highest allowable sound level to which workers can be exposed is 115 dBA, and exposure to this level must not exceed 15 minutes within an 8-hour period (29 CFR 1910.95). Neither the City of Artesia nor Eddy County maintains local noise restrictions.

The ROI for noise includes areas within 2,000 feet, or approximately 0.4 mile, of the Proposed Action area. At this distance, most noise emitted from construction equipment would attenuate below 60 dBA.

3.5.2 Affected Environment

Noise within the Proposed Action area and surrounding area is elevated due to the proximity of the Proposed Action area to U.S. Highway 285 and U.S. Highway 82 and the Artesia Municipal Airport. Current operations on the STC and Main Campus, including traffic to and from the sites, training on existing driving tracks, shooting ranges, and other training activities, could contribute to the existing ambient noise environment. Noise-sensitive receptors include those land uses that may be sensitive to increased noise, such as residences, schools, libraries, religious institutions, hospitals, or similar uses. One private residence is located adjacent to the northwest corner of the Main Campus parcel. No other sensitive receptors are located within 2,000 ft of the Proposed Action area, with the exception of receptors such as dormitories for FLETC personnel located within the Main Campus.

3.5.3 Environmental Consequences

3.5.3.1 Preferred Alternative

Construction of Driving Track

Construction activities associated with the Preferred Alternative would result in a temporary increase in noise levels within the vicinity of the Proposed Action area, related to the use of construction equipment such as backhoes, excavators, graders, loaders, and trucks. This equipment would be the primary source of noise during implementation of the Proposed Action. Noise impacts would be greatest at the construction site within the acquired parcel and would decrease with distance. **Table 7** provides sound levels typical of construction equipment up to a distance of 1,000 feet. These noise levels would continue to attenuate at further distances from the Proposed Action area.

Proposed construction of the driving track would be loudest during the site preparation phase to grade the acquired parcel prior to paving. No sensitive receptors are located within 2,000 feet of the project site that would be affected by construction noise. The nearest FLETC buildings are located approximately 0.6 mile from the site and no on-site receptors would be likely to be affected. Construction would occur immediately adjacent to an existing driving track at the STC; however, this area is likely to already have an elevated noise environment due to ongoing driver training activities. Noise reduction BMPs, such as the use of mufflers on construction equipment and vehicles, and turning off equipment when not in use, would minimize noise impacts during implementation of the Proposed Action. Construction noise would cease following the completion of construction activities. Therefore, construction of the proposed driving track would result in *short-term, negligible adverse impacts* to the surrounding noise environment.

Table 7: Average Noise Levels for Common Construction Equipment

Construction Category and Equipment	Predicted Noise Level at 50 feet (dBA)	Predicted Noise Level at 250 feet (dBA)	Predicted Noise Level at 500 feet (dBA)	Predicted Noise Level at 1,000 feet (dBA)
Clearing and Grading				
Grader	80 to 93	66 to 79	60 to 73	54 to 67
Truck	83 to 94	69 to 80	63 to 74	57 to 68
Backhoe	72 to 93	58 to 79	52 to 73	46 to 67
Construction				
Concrete Mixer	74 to 88	60 to 74	54 to 68	48 to 62
Crane	63 to 88	49 to 74	43 to 68	37 to 62
Paver	86 to 88	72 to 74	66 to 88	60 to 62
Dozer/Tractor	60 to 89	46 to 75	40 to 69	34 to 63
Front Loader	70 to 90	56 to 76	50 to 70	44 to 64
Compressor	63 to 84	49 to 70	43 to 64	37 to 58

Sources: (USEPA, 1971; FHWA, 2017)

Installation of PV array

Impacts to the surrounding noise environment would be similar to, but to a lesser degree than, those for constructing the driving track. Site preparation activities to install the PV array would generate noise from the construction equipment used for these activities. The parcel is directly

adjacent to FLETC buildings and facilities as well as a single off-site residence, so nearby receptors may be affected by installation noise; however, this noise would be temporary and would likely be comparable to noise currently generated from driver training activities within the same parcel. Noise reduction BMPs would minimize noise impacts, and construction noise would cease following the installation of the PV array. Therefore, installation of the PV array would result in *short-term, negligible adverse impacts* to the surrounding noise environment.

Operation

During operation, driver training activities are expected to generate vehicle noise. Any noise generated would be consistent with the existing noise environment created by the adjacent driving tracks at the STC and nearby municipal airport and highways. The relocation of the driving track from the Main Campus to the STC would reduce noise from driver training activities at the Main Campus that could affect personnel staying on-site and residents of the surrounding community, including those living at the residence adjacent to the Main Campus parcel. Operation of the PV array is not expected to generate noise beyond soft humming during the day as the PV array is powered by sunlight and converts the solar energy into electricity (Project Solar UK, 2021). Therefore, operation of the driving track at the STC and of the PV array at the Main Campus would have *long-term, beneficial impacts* for receptors near and within the Main Campus, and *long-term, negligible adverse impacts* to the overall noise environment surrounding the STC.

3.5.3.2 No Action Alternative

Under the No Action Alternative, the proposed driving track would not be constructed at the STC. The existing driving track at the Main Campus would continue to be used and driving activities could generate off-site noise in the surrounding vicinity as well as on-site noise for personnel working and staying at the Main Campus. There would be *long-term, less-than-significant adverse impacts* to the existing noise environment surrounding the Main Campus, including the adjacent residence, but *no impact* to the existing noise environment around the STC.

3.6 Biological Resources

3.6.1 Definition of the Resource

Biological resources include plants and animals and the habitats in which they occur. The ESA provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The law requires federal agencies, in consultation with the USFWS and/or the National Oceanic and Atmospheric Administration Fisheries Service, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species. Certain avian species are federally protected by the MBTA and Bald and Golden Eagle Protection Act. The NMDGF is responsible for managing state-listed threatened and endangered (T&E) species.

Sensitive habitats include those areas designated by USFWS as critical habitat protected by the ESA and sensitive ecological areas as designated by state or federal rulings. Sensitive habitats also include wetlands, plant communities that are unusual or of limited distribution, and important seasonal use areas for wildlife (e.g., migration routes, breeding areas, and crucial summer/winter habitats).

The ROI for biological resources includes vegetation and water resources present within the Proposed Action area and wildlife present on-site or within 0.4 mile of the parcel boundaries to account for noise or other disturbances extending off-site.

3.6.2 Affected Environment

This section includes a description of biological resources, including vegetation, wildlife, and special status species, occurring within the Proposed Action area.

Vegetation

The Proposed Action area is located within the Chihuahuan Basins and Playas sub-ecoregion of New Mexico, within the Chihuahuan Desert ecoregion. This sub-ecoregion historically contained flora adapted to large ranges in seasonal and daily temperatures, low moisture availability, and extreme evapotranspiration rates, as well as highly saline soil conditions (USEPA, 2024b). This sub-ecoregion is characterized by shrubland, some remnant grassland, and barren land (USEPA,

2024b). Vegetation in this ecoregion consists of plants in the desert shrub land varieties such as sagebrush (*Artemisia tridentata*), tarbush (*Flourensia cernua*), and purple sage (*Salvia leucophylla*) (USEPA, 2024b).

The two parcels proposed for transfer are undeveloped (360 acres) but have had some minor disturbance from off-road vehicles crossing the parcels. The parcel at the Main Campus is largely developed due to the presence of the driving track, but some naturalized areas that contain vegetation remain between the paved tracks. Vegetation surrounding the Proposed Action area is consistent with desert scrub typical of the Chihuahuan Desert, such as a variety of grasses and soaptree yucca (*Yucca elata*) (DHS, 2006). Vast expanses of this desert scrub surround the parcels proposed for transfer, while the Main Campus parcel is primarily surrounded by urban development.

Wildlife Resources

The Chihuahuan Desert ecoregion extends from the state of New Mexico, through the state of Texas and across the border into Mexico. This ecoregion is estimated to support over 170 amphibians and reptiles, over 130 mammals, and around 400 bird species. The Chihuahuan Desert is therefore considered one of the most diverse desert ecosystems in the country and in the world (NPS, 2022). In Eddy County alone, over 900 species of amphibians, reptiles, insects, mammals, bird, fish, and other taxa are known to occur (NMDGF, 2024). Common wildlife species in the vicinity of the Proposed Action area may include desert massasauga (*Sistrurus catenatus edwardsii*), pronghorn (*Antilocapra americana*), nine-banded armadillo (*Dasypus novemcinctus*), desert cottontail rabbit (*Sylvilagus audubonii*), big brown bat (*Eptesicus fuscus*), desert pocket mouse (*Chaetodipus penicillatus*), vesper sparrow (*Pooecetes gramineus*), common nighthawk (*Chordeiles minor*), and barking frog (*Craugastor augusti*), among many others (NMDGF, 2024).

Special Status Species

FLETC queried the USFWS Information for Planning and Consultation (IPaC) online database for federally listed plant and animal species with the potential to occur within or near the Proposed Action area. The IPaC database identified 10 federally listed species, and one candidate species, under the ESA with potential occurrence (see **Table 8**). No critical habitat for any of the identified

species has been designated at the Proposed Action area. There were no identified listed plant species at the Proposed Action area.

Table 8: Federally Listed Species and Potential to Occur at the Proposed Action Area

Common Name	Scientific Name	Federal Status	Habitat Description	Suitable Habitat in/near the Proposed Action area?
Monarch butterfly	*Danaus plexippus*	C	This species relies on milkweed or flowering plants, and may occur in fields, roadside areas, open areas, wet areas, or urban gardens. Adult monarchs feed on the nectar of many flowers during breeding and migration, but they can only lay eggs on milkweed plants (USFWS, 2024c).	Yes
Tricolored bat	*Perimyotis subflavus*	Proposed endangered[2]	This species is found in forested edge habitats in the summer, roosting among the leaves of living or dead hardwood trees. In the winter, this species occupies caves and abandoned mines, or within road culverts in the southern US. They forage for insects in partly open habitats and over waterbodies (CBD, 2023; USFWS, 2023i).	No
Mexican spotted owl	*Strix occidentalis lucida*	T	This species occurs in forested mountains and canyonlands throughout the southwestern U.S. and Mexico. It ranges from Utah, Colorado, Arizona, New Mexico, and the western portions of Texas south into several states of Mexico. Whereas this owl occupies a broad geographic area, it does not occur uniformly throughout its range. Instead, it occurs in disjointed areas that correspond with isolated mountain ranges and canyon systems (USFWS, 2023c).	No

Common Name	Scientific Name	Federal Status	Habitat Description	Suitable Habitat in/near the Proposed Action area?
Northern aplomado falcon	*Falco femoralis septentrionalis*	EXPN	This species occurs in palm and oak savannahs, various desert grassland associations, and open pine woodlands. Within these variations, the essential habitat elements appear to be open terrain with scattered trees, relatively low ground cover, an abundance of insects and small to medium-sized birds, and sufficient areas to build nests. The experimental population is distributed through the Chihuahuan Desert region in southern New Mexico and the southeast corner of Arizona (USFWS, 2023d).	Yes
Piping plover	*Charadrius melodus*	T	Wintering piping plovers use a variety of coastal habitats, including sand spits, small islands, tidal flats, shoals, and sandbars with inlets. Primary foraging habitats include sandy mud flats, ephemeral pools, and seasonally emergent seagrass beds with abundant invertebrates (USFWS, 2023g).	No
Pecos bluntnose shiner	*Notropis simus pecosensis*	T	This species is typically found in main river channels, often below obstructions, over substrate of sand, gravel, and silt (USFWS, 2023e).	No
Pecos gambusia	*Gambusia nobilis*	E	This fish species occurs in aquatic habitats supported by nearby freshwater springs (USFWS, 2023f).	No
Gypsum wild-buckwheat	*Eriogonum gypsophilum*	T	This species grows in a harsh desert climate on gypsum deposits left by an ancient sea. These deposits dissolve easily when wet and form a hard physical soil crust when they dry. This soil crust prevents erosion and preserves soil moisture but limits opportunities for seedling emergence (USFWS, 2023a).	No

Common Name	Scientific Name	Federal Status	Habitat Description	Suitable Habitat in/near the Proposed Action area?
Lee pincushion cactus	*Coryphantha sneedii var. leei*	T	This species occurs primarily in cracks of limestone outcrops, in areas of broken terrain and steep slopes in Chihuahuan desert scrub communities between 4,000 and 5,000 ft in elevation (USFWS, 2023b).	No
Sneed pincushion cactus	*Coryphantha sneedii var. sneedii*	E	Sneed's pincushion cactus occurs on exposed areas of steep, sloping limestone in the shrublands or grasslands of the Chihuahuan Desert (USFWS, 2023h).	No
Wrights marsh thistle	*Cirsium wrightii*	T	The species occurs in wet, alkaline soils in spring seeps and marshy edges of streams and ponds between 3,450 and 7,850 ft. (1,150 and 2,390 m) in elevation (USFWS, 2023j).	No

1. T = Threatened, E = Endangered, EXPN = Experimental, C = Candidate
2. The tricolored bat was proposed for listing as an endangered species by the USFWS on September 13, 2022. The proposal is still undergoing review.

Suitable habitat is only present at or in the vicinity of the Proposed Action area for the federally listed northern aplomado falcon (*Falco femoralis septentrionalis*) and the candidate monarch butterfly (*Danaus plexippus*). The northern aplomado falcon may use the desert grasslands as nesting or foraging habitat. A survey of T&E species potentially present at FLETC Artesia conducted in 2006 did not identify the presence of any federally listed species, including the northern aplomado falcon or its nests (DHS, 2006). Additionally, a habitat survey was conducted in 2018 and concluded that no suitable habitat was present for federally listed species in or around FLETC Artesia (DHS, 2019).

While suitable habitat may be present for the monarch butterfly, it is a candidate species and has no legal requirements for protection or consultation. However, beneficial actions taken now may preclude the need to list the monarch butterfly or could speed its recovery. Any measures taken to conserve this species are voluntary.

Migratory birds are protected under the MBTA, which prohibits the take of migratory bird species without prior authorization. USFWS has identified three migratory birds of conservation concern

(BCCs) with potential presence at the Proposed Action area: ferruginous hawk (*Buteo regalis*), long-billed curlew (*Numenius americanus*), and Virginia's warbler (*Vermivora virginiae*) (USFWS, 2024a). The ferruginous hawk and Virginia's warbler have been observed recently near the Proposed Action area and the City of Artesia. The long-billed curlew has been observed farther to the east near the Pecos River, which is approximately 9 miles from the Proposed Action area (The Cornell Lab of Ornithology, n.d.). No bald or golden eagles have been documented at the Proposed Action area (USFWS, 2024a).

The NMDGF manages state-listed T&E species and maintains county-level lists of species potentially present in each county on its online database, the Biota Information System of New Mexico (BISON-M). The BISON-M report generated for Eddy County identified 38 state-listed T&E species known to occur within Eddy County, most of which are birds, fish, and reptiles (NMDGF, 2024). The prior surveys at FLETC Artesia conducted in 2006 and 2018 also did not observe or identify suitable habitat for state-listed T&E species, and prior correspondence with NMDGF indicated that no additional consultation was necessary regarding state-listed species (DHS, 2006; DHS, 2019). In their letter dated February 9, 2024, NMDGF identified six state-listed T&E species potentially occurring within 0.4 mile of the Proposed Action area, based on their New Mexico Environmental Review Tool: aplomado falcon, peregrine falcon (*Falco peregrinus*), Bell's vireo (*Vireo bellii*), least shrew (*Cryptotis parva*), gray-checkered whiptail (*Aspidoscelis tesselata*), and western ribbon snake (*Thamnophis proximus*). NMDGF also identified 12 other state species of special status, including the western burrowing owl (*Athene cunicularia hypugaea*) and the black-tailed prairie dog (*Cynomys ludovicianus*), which are protected from take under New Mexico state statute (see **Appendix A**).

3.6.3 Environmental Consequences

3.6.3.1 Preferred Alternative

Vegetation

Construction of Driving Track

Proposed construction of the driving track would disturb, at a maximum, the entire 160-acre parcel acquired by FLETC and would remove vegetation present within the parcel. Vegetation in the parcel transferred to the private entity would remain intact; grazing activities that are expected to

occur may disturb the desert scrub, but would not remove the native vegetation or replace it with non-native species. No impacts to vegetation outside of the acquired parcel are anticipated. Construction vehicles would access the site via existing routes within the FLETC STC and all construction staging would be contained within the parcel. Ground disturbance would occur both while preparing the ground for paving, and while paving the driving track. The entire parcel would not be paved over, and unpaved areas within and around the track design would revegetate following construction. Native vegetation communities could be impacted by the introduction or encroachment of noxious weeds or invasive species during construction. However, contractors would minimize the introduction or spread of invasive species through the use of BMPs such as cleaning construction equipment prior to bringing it on-site. Although the entire parcel would not be developed, the majority is likely to be disturbed, and therefore, construction of the driving track would result in *short-term, less-than-significant adverse impacts* on vegetation from initial ground disturbance, and *long-term, less-than-significant adverse impacts* from permanent vegetation removal where the driving track would be placed.

Installation of PV array

Potential impacts to vegetation from installation of the PV array at the Main Campus would be similar to, but at a lesser degree than, the impacts of constructing the driving track at the STC. The Main Campus parcel is already mostly disturbed and has little scrub vegetation; however, PV panels would be placed throughout the 60-acre parcel, including in unpaved areas that may still contain vegetation. Potential impacts related to the introduction and spread of invasive species would be the same as for constructing the driving track. Following installation, the parcel would be able to revegetate naturally with grass and low scrub vegetation between the PV panels (depending on shade tolerance); native seed mixes would be used as needed. In a letter dated February 9, 2024, NMDGF recommended the use of native plant species and use of a certified weed-free seed mix designed to support pollinator habitat to revegetate and reclaim the site (see **Appendix A**). FLETC would adhere to NMDGF's recommendations for revegetation; therefore, there would be *short-term and long-term, negligible adverse impacts* on vegetation.

Operation

Operation of the Preferred Alternative would have *no impact* on vegetation, as driving activities would be confined to the driving track. Vehicles used for training would remain on the paved areas

and would not drive across restored natural areas. Further, no additional ground-disturbing activities would occur at the PV array. Vehicles may need to access the site on occasion to perform maintenance and repairs, but would use existing access roads.

Wildlife Resources

Construction of Driving Track

During construction, common wildlife species potentially present within the acquired parcel could be physically displaced, and construction noise and human activity may also disturb wildlife species in the vicinity of the parcel. Mobile wildlife, such as birds and small mammals, would likely relocate to areas of similar habitat; the parcel is surrounded by vast expanses of desert scrub. Although disturbance, displacement, or inadvertent wildlife mortality from construction impacts would constitute an adverse impact, such impacts would occur at the individual level, rather than the population or species level, and would not inhibit the continued presence of common wildlife populations. Further, wildlife present in or near the acquired parcel may be accustomed to human activity, given the existing driving track immediately east of the acquired parcel, other FLETC operations at the STC, and the proximity of Artesia Municipal Airport. No surface waters are located within the parcel, so there is no potential for impacts to aquatic species. Construction of the driving track would result in *short-term, less-than-significant adverse impacts* on terrestrial wildlife.

Installation of PV array

Potential impacts to wildlife from installation of the PV array at the Main Campus would be similar to, but at a lesser degree than, the impacts of constructing the driving track at the STC. There are no surface waters intersecting the parcel, so there is no potential for impacts to aquatic species. The Main Campus parcel is largely developed and is subject to frequent disturbances from use of the existing driving track, so it is unlikely that many terrestrial wildlife species are present within the site or surrounding vicinity. Installation of the PV array would result in *short-term, negligible adverse impacts* to terrestrial wildlife.

Operation

Following construction of the driving track at the STC, wildlife species may be unlikely to reinhabit the acquired parcel, given the frequent disturbances from driver training activities. However, over time, it is possible that some wildlife may become accustomed to these disturbances (e.g. noise, human presence) and return to reinhabit the parcel or the surrounding area. Operation would also pose a risk of mortality to common wildlife species, such as reptiles, that may cross the paved roadways while training is occurring. Operation of the driving track may therefore result in *long-term, less-than-significant adverse impacts* to terrestrial wildlife.

Given the poor habitat quality of the Main Campus parcel, it is unlikely that operation of the PV array would substantially affect its use by wildlife. While the new PV array would constitute new development on the site inhibiting natural conditions, the solar panels would also provide shade and cover, which may be attractive to small species evading the summer heat or birds of prey. Overall, the operation of the PV array would have *long-term, negligible adverse impacts* on wildlife.

Special Status Species

Construction of Driving Track

Due to the absence of suitable habitat for the federally listed tricolored bat (*Perimyotis subflavus*), Mexican spotted owl (*Strix occidentalis lucida*), piping plover (*Charadrius melodus*), Pecos bluntnose shiner (*Notropis simus pecosensis*), Pecos gambusia (*Gambusia nobilis*), gypsum wild-buckwheat (*Eriogonum gypsophilum*), Lee pincushion cactus (*Coryphantha sneedii var. leei*), Sneed pincushion cactus (*Coryphantha sneedii var. sneedii*), and Wrights marsh thistle (*Cirsium wrightii*), there would be *no effect* on these federally listed species. In addition, areas surrounding the driving track would be allowed to revegetate naturally, potentially restoring any habitat for the monarch butterfly that may have previously been present.

Potentially suitable foraging habitat may be present at the acquired parcel for the experimental population of northern aplomado falcons and migratory BCCs. Disturbance and development of the acquired parcel may result in a loss of foraging habitat for these species. However, the acquired parcel is surrounded by an abundance of desert scrub habitat that could also be used by these species. Any inadvertent takings of migratory BCCs that may occur during construction would be

reported to the USFWS. Therefore, construction of the driving track *may affect but is not likely to adversely affect* the northern aplomado falcon, and would have *short-term, negligible adverse impacts* on BCCs.

Pursuant to Section 7 of the ESA, FLETC consulted with the USFWS on February 8, 2024, regarding potential adverse impacts to federally listed species. The USFWS responded on February 22, 2024, noting that the agency has no comments. A copy of this response is included in **Appendix C**.

FLETC requested information from the NMDGF on February 8, 2024, regarding the potential presence of and impacts to state-listed species. The NMDGF responded on February 9, 2024, indicating that the Proposed Action would not result in significant adverse impacts to special status species, including state-listed T&E species, or their habitats, with implementation of recommended conservation measures:

- To minimize potential impacts to migratory birds, including falcons, avoid conducting ground disturbance and vegetation removal activities between April 15 and September 1, to the extent practicable. If work must occur within this timeframe, conduct surveys for active nest sites and establish a buffer around nest sites (distance of buffer would be dependent on the bird species type).
- To avoid impacts on burrowing owls, conduct a preliminary survey to identify burrows prior to ground disturbing activities, and notify NMDGF and USFWS should any burrows be discovered.
- Black-tailed prairie dog (*Cynomys ludovicianus*) colonies should remain undisturbed to the extent practicable. If ground-disturbing activities would occur within a colony site and cannot be moved away from the colony site, NMDGF recommends trapping and relocation of prairie dogs, and should be consulted for additional procedures.

FLETC would implement NMDGF's recommended measures; therefore, there would be *no significant adverse effects* on state special status species. A copy of this consultation is provided in **Appendix A**.

Installation of PV array

Due to the current developed condition of the Main Campus parcel, any habitat present surrounding the driving track is likely low quality and unused by federal or state-listed T&E species. However, should listed species be present, the installation of the PV array may result in a marginal loss of habitat. The installation of the PV array would not result in the loss of additional nesting or foraging habitat for migratory BCCs that may be present in the area. Installation would have *short-term, negligible adverse impacts* on special status species.

Operation

Operation of the driving track and PV array would not result in any additional habitat destruction. Ongoing disturbance would occur at the new driving track at the STC given the proposed training activities to be relocated, and limited disturbance may occur at the PV array for maintenance activities, but due to the poor habitat quality anticipated following construction, it is unlikely that special status species would be present at either site. There would be *no effect* on special status species from operation of either the driving track or PV array.

3.6.3.2 No Action Alternative

Under the No Action Alternative, the new driving track would not be constructed at the STC, the PV array would not be installed at the Main Campus, and there would be *no impact* to vegetation, wildlife, or special status species. Existing desert habitat would remain intact at the relatively undisturbed parcels around the STC and wildlife would not be disturbed. Continued operation of the existing driving track at the Main Campus would not result in novel disturbances to vegetation or wildlife, including T&E or other special status species, that may be present at or around the site.

3.7 Water Resources

3.7.1 Definition of the Resource

Water resources are natural sources of water that are available for use by, and for the benefit of, humans and the environment.

Surface waters comprise streams, lakes, rivers, or reservoirs. Wetlands are areas where water covers the soil or is present either at or near the surface of the soil at a frequency and duration

sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions (USACE, 1987). Floodplains are areas of relatively flat and normally dry land alongside a stream, river, or lake that are subject to either periodic or frequent inundation by flood water. A 100-year floodplain has a 1 percent chance of inundation in any given year. Groundwater is water that exists in the saturated zone beneath the Earth's surface that collects and flows through aquifers and is used for drinking, irrigation, and industrial purposes. Groundwater typically can be described in terms of depth from the surface, aquifer or well capacity, water quality, and recharge rates.

Stormwater generally consists of water flowing off-site and into a nearby receiving waterbody following a precipitation event. Stormwater is an important component of water systems because of its potential to introduce sediments and other contaminants that could degrade surface waters.

The ROI for surface waters and stormwater includes the boundaries of the Proposed Action area, as well as the down-gradient waterbodies receiving stormwater runoff within 0.5 mile of the Proposed Action area. The ROI for groundwater includes the portion of the groundwater basin that underlies the Proposed Action area.

3.7.2 Affected Environment

Surface Water and Stormwater

The Proposed Action area is located within the Prichard Lake-Pecos River watershed (AECOM, 2023b). No surface water features are present at either the STC or the Main Campus. The nearest surface water features to the Proposed Action area are Eagle Creek and one of its intermittent tributaries, which are about 1 mile south of the Main Campus and 2.5 miles south of the STC (USFWS, 2024b). Stormwater from the Proposed Action area generally drains to the south and southeast via sheet flow; if it does not fully infiltrate into the ground, it flows into a tributary of the Pecos River that branches from Eagle Creek (AECOM, 2023b).

Wetlands

No wetlands are located within or adjacent to the Proposed Action area, at either the STC or the Main Campus (USFWS, 2024b). No wetlands would be impacted by implementation of the Proposed Action; therefore, this resource is dismissed from detailed analysis in this EA.

Floodplains

The eastern portion of the parcel proposed for transfer by FLETC is located within the 100-year floodplain, as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 35015C0325D. No 100- or 500-year floodplains are located within the parcel that FLETC would acquire, nor within the Main Campus parcel (FEMA, 2024). Since the floodplain is located in the parcel that FLETC would transfer, no construction or development is proposed for this parcel that could affect or interfere with the function of the floodplain from the Proposed Action. Therefore, no floodplains would be impacted by implementation of the Proposed Action, and this resource is dismissed from detailed analysis in this EA.

Groundwater

The Roswell Artesian Basin Aquifer is the principal groundwater source for the Proposed Action area. The Roswell Artesian Basin Aquifer covers most of Artesia and Eddy County, New Mexico, and is a rechargeable artesian aquifer system, meaning that the aquifer is naturally replenished, and that water naturally flows to the surface (NMT, 2024). The aquifer consists of porous rock and is fed mainly by infiltration in the Sacramento Mountains to the west (USGS, 2024). The aquifer is between 240 to 260 feet thick, discharges to the Pecos River, and is the source of water for the City of Artesia (USDA, 1998). The estimated depth to groundwater at the Proposed Action area ranges between 159 to 200 feet below ground surface (AECOM, 2023b). The rate of natural recharge to the aquifers in the Roswell Basin has been estimated to range from 240,000 to 280,000 acre-feet per year on the basis of measurements made in 1926 and 1953. Annual availability from the aquifer is estimated to be just less than 400,000 acre-feet (USGS, 2024). Most of the water drawn from the aquifer in Eddy County (about 95 percent) is used for irrigation, while most of the remaining 5 percent is used industrially (USGS, 2024). There are no sole source aquifers located within Eddy County (USEPA, 2024g).

3.7.3 Environmental Consequences

3.7.3.1 Preferred Alternative

Surface Water and Stormwater

Construction of Driving Track

No surface waters are located within or near the acquired parcel that could be directly affected by construction of the driving track at the STC. A maximum of 160 acres would be disturbed by construction activities, and those disturbed soils would be susceptible to runoff and erosion. Since the Preferred Alternative would disturb more than 1 acre of land, FLETC would obtain a NPDES CGP and develop a site-specific SWPPP to identify erosion controls and BMPs to manage stormwater discharges (see **Section 3.4.3.1**). Therefore, construction of the driving track under the Preferred Alternative would have *short-term, less-than-significant adverse impacts* on stormwater.

Installation of PV array

Impacts to surface waters and stormwater would be similar to those for constructing the driving track. A maximum of 60 acres would be disturbed by installation activities, and the soils would be susceptible to runoff and erosion. FLETC would obtain a NPDES CGP, develop a SWPPP, and implement stated BMPs. Therefore, installation of the PV array would have *short-term, less-than-significant adverse impacts* on stormwater.

Operation

Operation of the driving track and PV array would not result in additional soil disturbance that could increase stormwater runoff and erosion. Stormwater would continue to flow from the Proposed Action area via sheet flow, with some stormwater controls on-site to manage runoff and encourage infiltration. The acquired parcel would remain mostly pervious, with the exception of the paved track winding throughout the parcel, and nearly all of the ground beneath the proposed solar panels at the Main Campus parcel would remain in its existing pervious state. Therefore, operation of the Preferred Alternative would have *long-term, negligible adverse impacts* on stormwater.

Groundwater

Construction of Driving Track

Construction of the driving track would not be expected to intersect groundwater resources supplied by the Roswell Artesian Basin aquifer system. Construction would not involve groundwater withdrawals, impact existing wells, or intentionally release materials into groundwater resources. Potential impacts may occur from the accidental spill of petroleum products or other liquids during construction, but with the implementation of BMPs, such as carrying out routine inspections of equipment and maintaining spill containment materials (see **Section 3.11.3.1**), the potential for impacts to groundwater would be minimized. Construction of the driving track would result in *short-term, negligible adverse impacts* on groundwater.

Installation of PV array

Impacts to groundwater would be similar to those for constructing the driving track, including the potential for spills or releases of hazardous substances into groundwater. Installation of the PV array would not require deep excavation and would not intersect groundwater resources, nor would it require the use of any groundwater. Installation of the PV array would result in *short-term, negligible adverse impacts* on groundwater.

Operation

Operation of the proposed driving track and PV array would not require groundwater withdrawals. The use of hazardous materials during operation and maintenance, such as diesel fuels or hydraulic fluid has the potential to result in accidental spills and releases to groundwater, although these would be minimized in accordance with applicable regulations and through adherence to the existing FLETC Artesia SPCCP (see **Section 3.11.3.1**). A list of the Immediate Spill Response Actions, as identified in the SPCCP, is included in **Appendix D**. Operation of the Preferred Alternative would have *long-term, negligible adverse impacts* on groundwater.

3.7.3.2 No Action Alternative

Under the No Action Alternative, the new driving track would not be constructed, the PV array would not be installed, and there would be *no impacts* to water resources. Stormwater would

continue to flow from the STC and Main Campus parcels via sheet flow and no disturbance would occur that could result in the degradation or depletion of groundwater resources.

3.8 Infrastructure and Facilities

3.8.1 Definition of the Resource

Infrastructure consists of the interrelated systems and physical structures that enable a population in a specified area to function. The infrastructure components to be discussed in this section include non-electrical utilities, solid waste management, and hardened public infrastructure. Utilities generally include natural gas or propane supply, water supply, sanitary sewer and wastewater, communications systems, and stormwater drainage infrastructure. Electrical utilities and energy resources are discussed separately in **Section 3.9**. Solid waste management primarily relates to the availability of landfills to support a population's residential, commercial, and industrial needs. Public infrastructure relates to built features that are publicly accessible, such as sidewalks and roadways.

The ROI for infrastructure and facilities is the Proposed Action area and all areas and end users that use the same non-electric utility providers.

3.8.2 Affected Environment

No water, natural gas, sewer, or septic tanks are present at either the parcel to be acquired or the parcel to be transferred (AECOM, 2023a; 2023b). Utilities are likely not present at the Main Campus parcel, since operation of a driving track does not require gas, water, or sewer, but utility connections are likely readily available given its proximity to other FLETC facilities. FLETC Artesia facilities are tied into municipal utilities for water and sewer, both of which are provided by the City of Artesia's Water Department (City of Artesia, 2024b). Communication systems are also present at the FLETC STC and Main Campus. The parcel to be acquired is accessible either from the adjacent STC facilities, or from Lonesome Trail Road, a north-south gravel road leading to the southwest corner of the parcel. The parcel to be transferred is accessible via West Richey Avenue. The parcel that would host the solar array is within the already developed Main Campus. Additionally, the Artesia Municipal Airport is located immediately south of the STC. Solid waste for the Proposed Action area, including both the Main Campus and STC, is managed by the Solid Waste Department for the City of Artesia, which manages the city's transfer station and trash

collection operations (City of Artesia, 2024b). The nearest dump site is located approximately 2.3 miles south of the STC.

3.8.3 Environmental Consequences

3.8.3.1 Preferred Alternative

Construction of Driving Track

Construction of the driving track at the STC would not require the installation of any new water, sewer, natural gas, or communication utilities. The paved driving track would constitute new hardened infrastructure at the acquired parcel, but no other built features would be constructed within this parcel as part of the Proposed Action. The track would not be publicly accessible and would not change the availability of other publicly accessible infrastructure. All solid waste produced during construction activities would be hauled off-site to an appropriate facility by the construction contractors. Therefore, construction of the driving track under the Preferred Alternative would have *no impact* on infrastructure and facilities.

Installation of PV array

The proposed PV array at the Main Campus would constitute new infrastructure at that site. The existing driving track would remain in place to be used as access roads. No water, sewer, natural gas, or communication utilities would be installed. Therefore, installation of the PV array would have *no impact* on infrastructure and facilities.

Operation

Driver training activities would be limited to the designated track and would not require the use of other facilities. No solid waste would be generated during operation of either the driving track or the PV array. Operation of the Preferred Alternative would have *no impact* on infrastructure and facilities.

3.8.3.2 No Action Alternative

Under the No Action Alternative, the existing driving track would remain at the Main Campus and the PV array would not be installed. There would be *long-term, less-than-significant adverse impacts* on infrastructure and facilities, as the existing driving track would remain inadequate for

FLETC driver training activities and its condition would continue to deteriorate. There would be no change in the availability or condition of utilities or generation of solid waste.

3.9 Energy

3.9.1 Definition of the Resource

Energy is defined as the ability to do work or cause change. In society, energy is commonly known as a resource needed to power buildings, vehicles, and other infrastructure. Primary energy is derived from sources such as fossil fuels and renewable sources such as wind, solar, and hydropower. Electricity is a secondary source of energy, which is generated from the primary sources and is what flows into infrastructure (US DOE, 2024). Electrical utilities typically provide fossil-fuel-based electricity to end users, including to federal government facilities. EO 14057, *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*, intends to transform how the federal government builds, buys, and manages its assets and operations, by supporting the growth of clean energy industries and accelerating progress toward achieving a carbon pollution-free electricity sector by 2035.

The ROI for energy includes the Proposed Action area and all areas and end users that use the same electric utility provider.

3.9.2 Affected Environment

The electrical utility for FLETC Artesia is CVE. CVE's service area primarily covers the rural areas of Eddy, Chaves and parts of Lea and Otero counties. Service begins 35 miles north of Roswell and extends south of Artesia to Brantley Lake and then southwest to just north of Carlsbad Caverns. The northern- and western-most parts of Artesia and the small communities of Hope, Lakewood, and Loco Hills are served by the cooperative (CVE, 2024). FLETC Artesia is not currently obtaining electricity from any renewable energy sources.

Electrical utilities are not currently present at either the parcel to be acquired or the parcel to be transferred, but power lines are present along the perimeter of both parcels (AECOM, 2023a; 2023b). Electrical service is also not present at the existing driving track on the Main Campus, although medium voltage lines are located south of this parcel (New Mexico Gas Company, 2022).

3.9.3 Environmental Consequences

3.9.3.1 Preferred Alternative

Construction of Driving Track

Construction of the driving track at the STC would not affect energy generation or change how FLETC is obtaining electricity. The acquired parcel may be connected to electrical utilities, as site lighting may be installed for security purposes. Any required electrical utilities would likely be connected to existing lines within the STC, so no end users besides FLETC would be affected by construction (e.g., temporary power shutoffs while the connection is being made). Therefore, construction of the driving track under the Preferred Alternative would have *short-term, negligible adverse impacts* on energy.

Installation of PV array

Installation of the PV array at the Main Campus would generate electricity from a renewable source to supplement electrical power currently supplied by CVE. FLETC is proposing to install a system sized to produce 8.3MWdc/6.75Mwac and that could yield a total of 15.7 GWh/yr. The PV array would be tied into medium voltage lines south of the proposed parcel and would likely require installation of a new voltage breaker to handle the load. Temporary interruptions to electrical service at the Main Campus would occur in order to tie the PV array to the electrical service (New Mexico Gas Company, 2022). These disruptions would be minimized by providing advance notice to end users of the potential interruptions, and the installation contractor would work with FLETC to minimize impacts on building operations and access. Therefore, installation of the PV array would have *short-term, negligible adverse impacts* on energy due to potential service interruptions during installation.

Operation

Operation of the driving track may result in a slight increase in electrical demand, should security lighting be installed, but is not anticipated to generate substantially higher demand that would burden utility providers nor reduce the capacity of the utility providers to meet electric demands.

Operation of the PV array would supplement current electrical utilities at FLETC Artesia and would reduce the need for FLETC to obtain electricity from CVE. The proposed PV array at this

size would be capable of generating over 80 percent of FLETC Artesia's annual electrical needs. At times, the array would also produce more electricity than FLETC consumes, which FLETC would be able to export back to the grid electricity via a special agreement with CVE (see **Section 3.1.3.1**) (New Mexico Gas Company, 2022). This energy generation would also more than offset new electrical demand, such as security lighting at the proposed driving track. Additionally, FLETC would be able to supplement CVE's electrical supply. The electricity obtained from the PV array would be renewable and sustainable. Increasing the amount of electricity obtained from carbon pollution-free sources would also enable FLETC to make progress toward meeting the goals of EO 14057. Operation of the Preferred Alternative would have *long-term, beneficial impacts* on energy.

3.9.3.2 No Action Alternative

Under the No Action Alternative, the existing driving track would remain at the Main Campus and the PV array would not be installed. There would be *no impact* on energy resources, as the existing electrical utility would continue to provide electricity to FLETC as under current conditions. However, since there would be no new generation of renewable energy, potential benefits of contributing to CVE's renewable energy portfolio targets and federal net-zero GHG emission goals would not be realized.

3.10 Land Use

3.10.1 Definition of the Resource

Land use is the classification of either natural or human-modified activities occurring at a given location. Natural land use includes open or undeveloped areas. Human-modified land use classifications include residential, commercial, industrial, recreational, and other developed areas. Land use is regulated by management plans, policies, and regulations determining the type and extent of land use allowable in specific areas and protection specially designated for environmentally sensitive areas.

The ROI for land use is the three parcels of the Proposed Action area, and parcels that are adjacent to or may be affected by land use changes occurring within the Proposed Action area.

3.10.2 Affected Environment

The two parcels near the STC proposed for land transfer are located in northern Eddy County, New Mexico, approximately 5.5 miles northwest of the center of the City of Artesia, and approximately 3.7 miles west from the FLETC Main Campus. They are both currently undeveloped and unused, and consist of desert scrub vegetation. Surrounding land uses are predominantly public lands owned by the BLM, low-density suburban residential neighborhoods, oil and gas, agriculture, and dairy. The Artesia Municipal Airport sits just south of the Proposed Action area (City of Artesia, 2024c). Both parcels proposed for transfer are located outside of the official city limits of Artesia and do not have established zoning categories (City of Artesia, 2022a).

The parcel at the Main Campus is located within the City of Artesia and is currently used as a FLETC driving track. It is surrounded by BLM public lands, grazing lands, industrial and commercial uses, and residential neighborhoods. Since the Main Campus is federally owned, it does not need to conform to zoning categories established by the City of Artesia, although it has been marked as a "special use zone." Surrounding properties are zoned as light industrial, public use development, commercial, single -family district, and general residential district (City of Artesia, 2022a).

3.10.3 Environmental Consequences

3.10.3.1 Preferred Alternative

Construction of Driving Track

Implementation of the Preferred Alternative would change the land use of the parcel acquired by FLETC, from an undeveloped, naturally vegetated parcel to a developed parcel used for law enforcement training. The parcel transferred by FLETC to the private entity is expected to be used for agriculture (i.e., cattle grazing). Although the land use of the parcel acquired by FLETC would change, this shift would not be incompatible with surrounding land uses; the land immediately to the east of the acquired parcel is similarly developed for use as a driving track, and other parcels to the southeast also contain driving tracks. Moreover, the development of this parcel is not expected to meaningfully reduce the availability of land suitable for agriculture in the surrounding vicinity. Due to the change in land use, but given that this change would still be compatible with

other adjacent land uses, the Proposed Action would have *long-term, negligible adverse impacts* on land use.

Installation of PV array

The land use of the parcel at the Main Campus would change from training purposes to being used for the PV array. The installation of the proposed array would not change the types of activities performed at the Main Campus; the driver training activities would already be relocated to the STC prior to installation of the solar array, and this parcel would otherwise be vacant and unused. Installation would also not change or affect off-site land uses, and would not be incompatible with the zoning of nearby parcels. Although the actual utilization of the parcel would change, the ownership and land use of the parcel for federal facilities would not change under the Preferred Alternative. Installation of the PV array would have *no impact* on land use.

Operation

Operation of the driving track and PV array under the Preferred Alternative would not require any additional changes in land use. There would be *no impact* on land use.

3.10.3.2 No Action Alternative

Under the No Action Alternative, the land swap between FLETC and the private entity would not occur and the existing driving track would remain at the Main Campus, rather than that parcel being repurposed for the PV array. The current land uses of the parcels to be transferred and at the Main Campus would remain the same and there would be *no impact* to land use.

3.11 Hazardous Materials and Waste

3.11.1 Definition of the Resource

Hazardous materials are defined by 49 CFR Part 171.8 as hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (49 CFR Part 172.101), and materials that meet the defining criteria for hazard classes and divisions in 49 CFR Part 173. Hazardous wastes are defined in the Resource Conservation and Recovery Act at 42 U.S.C. 6903(5), as amended by the Hazardous and Solid Waste Amendments.

Certain types of hazardous wastes are subject to special management provisions intended to ease management burden and facilitate the recycling of such materials. These materials are called universal wastes and requirements for managing them are established in 40 CFR Part 273, Standards for Universal Waste Management. Wastes covered under the universal waste regulations include batteries, pesticides, mercury-containing equipment, lamps, and aerosol cans.

Petroleum products include crude oil or any derivative thereof, such as gasoline, diesel, or propane. They are considered hazardous materials because they present health hazards to users in the event of incidental releases or extended exposure to their vapors. Other hazardous substances that can pose a risk to human health include asbestos-containing materials (ACM), lead-based paint (LBP), and polychlorinated biphenyls (PCBs), which are sometimes found in building materials and infrastructure. The presence of hazardous substances or petroleum products at a certain location is identified as a recognized environmental condition (REC). RECs can occur when these substances have been released on a site, are likely to be released to a site, or are present at a site and have a threat of future release.

Radon is a naturally occurring odorless and colorless radioactive gas found in soils and rocks that can lead to the development of lung cancer. Radon tends to accumulate in enclosed spaces, usually those that are below ground and poorly ventilated (e.g., basements). The USEPA established a guidance radon level of 4 picocuries per liter (pCi/L) in indoor air for residences, and radon levels above this amount are considered a health risk to occupants (USEPA, 1993).

Evaluation of hazardous materials and wastes focuses on the storage, transportation, handling, and use of hazardous materials, as well as the generation, storage, transportation, handling, and disposal of hazardous wastes. Environmental contamination sites are also considered during the evaluation of hazardous materials and wastes.

The ROI for hazardous materials and waste is the Proposed Action area.

3.11.2 Affected Environment

An Environmental Baseline Survey (EBS) was conducted at both parcels proposed for transfer in November 2023 to identify and document any environmental contamination and any potential liabilities associated with the parcels. The EBS included a review of various records and documents related to the parcels, a visual site inspection, and interviews with on-site personnel.

Adjacent properties were also inspected and a regulatory database search was performed to identify activities on or near the parcels that could cause environmental concerns. Lastly, a vapor encroachment screening was conducted (AECOM, 2023a; 2023b).

The EBS did not identify the presence or storage of any hazardous substances or wastes within the two subject parcels and did not identify any areas of concern. No storage tanks or other hazardous material or waste structures were identified during the visual survey. The EBS did not identify any RECs, controlled RECs, historical RECs, data gaps, de minimis conditions, or vapor encroachment conditions within the Proposed Action area. Additionally, no environmental concerns were identified at adjacent properties (AECOM, 2023a; 2023b).

No ACM, LBP, or PCB concerns were Identified within the two subject parcels, as no buildings or structures have been constructed and no objects containing PCBs were observed. Based on the results of the EBS, no hazardous substances or wastes have been identified within the two parcels proposed for transfer and surrounding properties, and no additional investigation is recommended (AECOM, 2023a; 2023b).

An EBS was not completed for the Main Campus parcel. No hazardous materials are generated or disposed of at the site, and no buildings or objects are present which could contain ACM, LBP, or PCBs. Given its use as a driving track, however, hazardous materials such as gasoline, diesel, and other fluids and lubricants needed for vehicle operation are used daily. These fluids are stored and used within the FLETC Main Campus in accordance with applicable regulations to minimize the potential for release and inadvertent exposure.

Eddy County is located in an area containing radon at levels greater than or equal to 2 pCi/L and less than or equal to 4 pCi/L; therefore, the presence of radon does not exceed the USEPA's guidance level for radon, and is not a concern for the Proposed Action area (AECOM, 2023a; 2023b).

3.11.3 Environmental Consequences

3.11.3.1 Preferred Alternative

Construction of Driving Track

No hazardous materials or RECs have been identified within the Proposed Action area that could pose a concern during implementation of the Preferred Alternative. The operation of construction equipment and vehicles under the Preferred Alternative would create the potential for discharge, spills, and contamination from commonly used products such as diesel fuel, gasoline, oil, antifreeze, and lubricants at the acquired parcel. Any inadvertent releases would be addressed via implementation of and adherence to the existing FLETC Artesia SPCCP and by maintaining spill containment and clean-up materials on-site. A list of the Immediate Spill Response Actions, as identified in the SPCCP, is provided in **Appendix D**. All hazardous materials or waste discovered, generated, or used during construction would be handled, containerized, and disposed of in accordance with applicable local, state, and federal regulations. Therefore, construction of the proposed driving track would have the potential for *short-term, less-than-significant adverse impacts* from releases of hazardous materials.

Installation of PV array

Installation of the PV array may involve the use of hazardous materials to operate construction equipment, which may pose the risk of an inadvertent release. Any inadvertent releases would be addressed in the same manner as for construction of the driving track at the STC. Individual PV panels may contain hazardous materials, such as lead and cadmium, which if damaged, could result in environmental contamination (USEPA, 2023b). These metals may not be present in all PV panels, as different varieties and manufacturers use different metals in the panel construction. Regardless, contractors installing the PV panels would be required to carefully handle the PV panels during transit and installation to ensure that the panels are not broken or damaged. They would inspect each panel for damage or breakage, as well as inspect the wiring components, prior to installation to confirm that there are no issues that could result in inadvertent release. If a panel is damaged, any hazardous materials that may be present would be handled, containerized, and disposed of in accordance with applicable regulations and the FLETC Artesia SPCCP. The final design plans and contracts would provide additional information to contractors on requirements

for preventing and addressing any damages to the PV panels. Therefore, installation of the PV array would have the potential for *short-term, less-than-significant adverse impacts* from releases of hazardous materials.

Operation

Operation of the proposed driving track would involve the use of hazardous materials such as diesel fuel, gasoline, oil, antifreeze, and other substances needed to ensure vehicle operation and maintenance. The quantities of these materials used would be consistent with the amount currently used at the existing driving track at the Main Campus, and would not represent a net increase in the use of these substances across FLETC Artesia. Any hazardous materials required for use would be stored and disposed of in accordance with applicable regulations. There is the potential for inadvertent spills during driving activities and vehicle maintenance; any accidental releases would be handled in accordance with FLETC procedures for spill clean-up and containment (see **Appendix D**). The implementation of BMPs, such as regular vehicle checks and maintenance, and only replenishing necessary fluids at proper locations, would minimize the potential for accidental releases. No hazardous materials would be required to operate the PV array. Operation of the Preferred Alternative would have *long-term, less-than-significant adverse impacts* from hazardous materials.

3.11.3.2 No Action Alternative

Under the No Action Alternative, the driving track would not be constructed at the STC, and there would be *no impact* to hazardous materials and waste. The potential for inadvertent releases and spills of fuel and other vehicle fluids on the existing driving track at the Main Campus would remain the same.

3.12 Socioeconomics and Environmental Justice

3.12.1 Definition of the Resource

Socioeconomics

Socioeconomics is defined as the basic attributes and resources associated with the human environment, particularly characteristics of population and economic activity. Regional birth and death rates and immigration and emigration affect population levels. Economic activity typically

encompasses employment, personal income, and industrial or commercial growth. Changes in these fundamental socioeconomic indicators typically result in changes to additional socioeconomic indicators, such as housing availability and the provision of public services. Socioeconomic data at local, county, regional, and state levels permit characterization of baseline conditions in the context of regional and state trends.

Environmental Justice

Environmental justice is based on the principle that all people have a right to be protected from environmental pollution, and to live in and enjoy a clean and healthful environment. This means equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies and the equitable distribution of environmental benefits. Environmental justice considerations are guided by EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, which directs federal agencies to identify and address the environmental effects of their actions on minority and low-income populations. Additional guidance published by the CEQ and USEPA Federal Interagency Working Group on Environmental Justice (now the White House Environmental Justice Interagency Work Group or IAC) provides practical definitions of environmental justice communities and establishes a framework on how to appropriately identify such communities and assess potential impacts.

Minority populations are those persons who identify themselves as Black, Hispanic, Asian American, American Indian/Alaskan Native, Pacific Islander, or Other. Poverty status is used to define low-income. According to the CEQ's guidance, minority populations exist if "(a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis" (CEQ, 1997b). Guidance from the IAC recommends conducting analysis of minority populations, including the "Fifty Percent and Meaningfully Greater" analysis. The "Fifty Percent" analysis considers whether the percentage of minorities residing in the affected environment (i.e., the ROI) exceeds 50 percent. Following this determination, the "Meaningfully Greater" analysis compares the minority population of the AOI to a reference community to determine if the percent of minorities in the ROI is meaningfully greater than that within the reference community (EJ IWG, 2016).

The CEQ recommends the identification of low-income populations where there is a substantial discrepancy between a community and the surrounding communities by using annual statistical poverty thresholds, and the IAC suggests assessing "the proportion of individuals below the poverty level, households below the poverty level, and families with children below the poverty level" (USEPA, 2024c; EJ IWG, 2016). Poverty status is determined based on the U.S. Census Bureau's annual poverty measure, which was $30,000 for a family of four in 2023 (USEPA, 2023a; HHS, 2023).

EO 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All*, was issued in April 2023. This EO affirms that environmental justice is central to the implementation of civil rights and environmental laws. The EO provides a federal definition of environmental justice as "the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment." The EO directs agencies to consider measures to address and prevent disproportionate and adverse environmental and health impacts on communities with environmental justice concerns in comparison to the general population, and whether these effects occur in communities also affected by the cumulative impacts of pollution and other burdens like climate change.

3.12.2 Affected Environment

The ROI for socioeconomics includes the two census tracts that contain the Proposed Action area, tract 9 and tract 10.02; as well as one census tract that is adjacent to both the STC and the Main Campus, tract 10.01. The ROI is limited to the geographic areas where work under the Proposed Action would occur and the surrounding areas where socioeconomic impacts may occur. No changes in the number of personnel at FLETC Artesia would occur under the Proposed Action that would have the potential to affect socioeconomic conditions in a larger geographic area (i.e., in areas where personnel live).

The ROI for environmental justice considerations consists of census tract 9, block groups 1 and 3, which contain the two parcels proposed for transfer; census tract 10.02, block group 1, which contains the parcel proposed for the PV array; and census tract 10.01, block group 1, which is adjacent to both the Main Campus and the STC to the south (see **Figure 3**). These block groups

are the area where impacts from the Proposed Action would be most directly felt and where the potential for disproportionate impacts should be evaluated.

Socioeconomics

Demographic data, including population and economic data, are shown in **Table 9**, which provides an overview of the socioeconomic environment in the ROI. In addition to data for the ROI, **Table 9** includes data for the City of Artesia and Eddy County, New Mexico for comparative purposes and to demonstrate larger trends in the region. While Eddy County and the City of Artesia have relatively comparable socioeconomic characteristics, the three census tracts are much more variable. Census tract 10.01 has the highest median household income, as well as the highest unemployment rate, with a significant disparity between the lowest income census tract, tract 10.02. The median household income of census tract 10.02 is also substantially lower than that of the City of Artesia and Eddy County, with a higher unemployment rate than both geographies. Census tract 10.02 also has the highest population of children under 18 years of age. Population growth in the region has grown at a steady rate since 2010, with the fastest growth occurring in census tract 9.

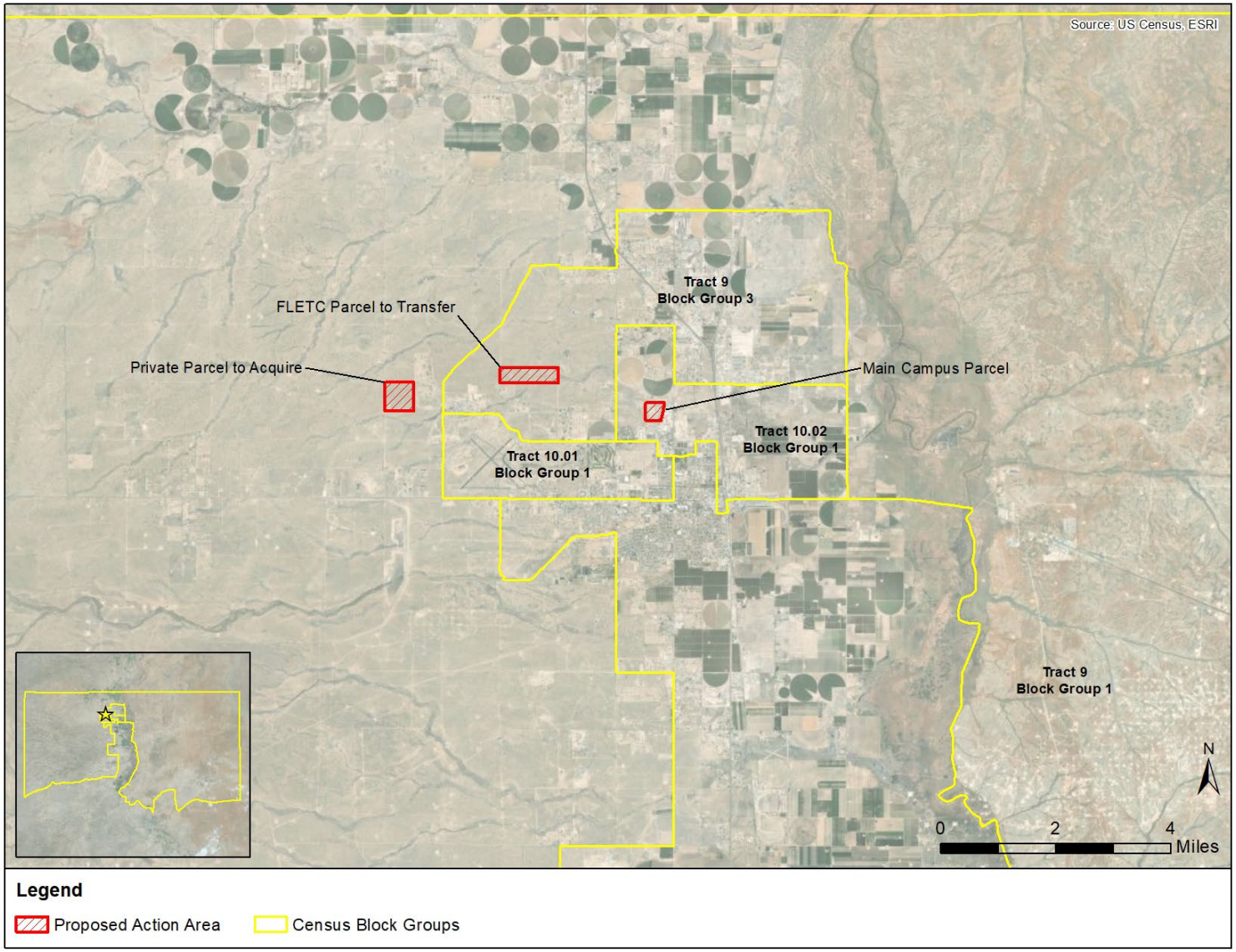
Table 9: 2022 Socioeconomic Characteristics in the ROI

Location	Total Population	Population Change, 2010-2022	Median Household Income	Unemployment Rate	Population Under 18 Years
Eddy County, NM	61,264	14.0%	$77,548	2.5%	26.2%
City of Artesia, NM	19,054	13.8%	$75,480	5.1%	28.7%
Census Tract 9	5,947	18.2%	$84,034	6.4%	25.3%
Census Tract 10.01	2,868	N/A[1]	$103,333	10.4%	33.9%
Census Tract 10.02	3,659	N/A[1]	$41,953	6.5%	36.7%

1. Census tract mapping has changed between 2010 and 2022 and there is no comparable data from 2010 for the current tracts 10.01 and 10.02.

Sources: (US Census Bureau, 2010; 2022d; 2022e)

Figure 3. Environmental Justice ROI



Public services include fire protection, emergency medical services, law enforcement, schools, libraries, and parks. The STC is located outside of the city limits of Artesia while the Main Campus is located within city limits. Although the STC is not within the city limits and the immediate vicinity is largely undeveloped and has a low population density, its overall location enables access to the numerous services offered by the City of Artesia. None of these services are located within 1,000 feet of the Proposed Action area at the STC, although hospitals and fire stations are located within 5 miles. The Main Campus is located within 1 mile of Artesia General Hospital, and within 1.3 miles of the nearest fire and police stations.

Environmental Justice

The Proposed Action area at the STC is located northwest of the City of Artesia in a largely undeveloped area, except for the Artesia Municipal Airport at the southern border. The nearest residences to the acquired parcel are more than a mile from the site and include only a small number of dispersed homes. The majority of communities are located approximately 2 miles from the site. The Proposed Action area at the Main Campus is located approximately 1.5 miles north of downtown Artesia and is surrounded by a variety of commercial, residential, industrial, and agricultural uses, including one residence located immediately north of the parcel. Minority population and income characteristics of the environmental justice ROI are presented in **Table 10**, along with data for the City of Artesia and Eddy County, for comparative purposes.

In accordance with the CEQ and IAC environmental justice guidance, the only block group with a minority population that exceeds 50 percent is census tract 10.02, block group 1, which is the block group containing the Main Campus parcel. This block group has a minority population of 73.5 percent, which may also be considered meaningfully greater than the minority populations of both Eddy County and the City of Artesia (56.5 and 55.5 percent, respectively). Census tract 10.02, block group 1, also has a low-income population (41.1 percent) that is substantially higher than all surrounding geographies. Therefore, a community with environmental justice concerns is present surrounding the Main Campus parcel.

Table 10: 2022 Minority Population and Income Characteristics of the EJ ROI

Location	Total Population	Non-Hispanic White Alone (%)	Minority Population (%)[1]	Low-Income Population (%)[2]
Eddy County, NM	61,264	43.5	56.5	11.8
City of Artesia, NM	19,054	44.5	55.5	11.8
Census Tract 9, Block Group 1	2,349	74.1	25.9	1.2
Census Tract 9, Block Group 3	1,615	53.6	46.4	11.7
Census Tract 10.01, Block Group 1	2,038	54.3	45.7	1.8
Census Tract 10.02, Block Group 1	899	26.5	73.5	41.1

1. Minority population includes the following non-white races: Black or African-American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, Some Other Race, and Two or More Races. It also incorporates the population of Hispanic or Latino ethnicity.
2. In accordance with CEQ guidance, low-income population identifies the population living below annual poverty thresholds.
Source: (US Census Bureau, 2022a; 2022b; 2022c)

The USEPA's EJScreen provides information on environmental justice indexes, which are metrics that combine existing environmental conditions with demographic data to identify communities that may be exposed to and overburdened by health or environmental risks. The environmental justice indexes are measured in percentiles, which identify the relative risk of an area in comparison to either the state or the entire U.S. Communities where an environmental justice index exceeds the 80th percentile in comparison to the state should be reviewed further for potential environmental justice concerns (USEPA, 2023d). **Table 11** identifies the environmental justice indexes for the four census block groups that comprise the ROI, using state percentile values for comparison. More detailed information on each block group is provided in the reports generated by EJScreen, which are consolidated in **Appendix E**.

Table 11: Environmental Justice Indexes of the EJ ROI, Compared to State Percentiles[1]

Indicator	Census Tract 9, Block Group 1	Census Tract 9, Block Group 3	Census Tract 10.01, Block Group 1	Census Tract 10.02, Block Group 1
Particulate Matter	79	79	77	77
Ozone	97	97	96	96
Diesel Particulate Matter	9	9	27	27
Air Toxics Cancer Risk	34	34	34	34
Air Toxics Respiratory Hazard Index	29	29	29	29
Toxic Releases to Air	53	98	97	99
Traffic Proximity	6	20	53	29
Lead Paint	72	0	69	47
Superfund Proximity	25	26	24	25
RMP Facility Proximity[2]	50	81	91	96
Hazardous Waste Proximity	35	53	61	67
Underground Storage Tanks	22	0	66	79
Wastewater Discharge	6	15	18	20

1. Red-shaded cells are those that equal or exceed the 80th state percentile, indicating that only 20 percent of communities throughout the rest of New Mexico are worse off.
2. RMP = Risk Management Plan
3. Source: (USEPA, 2023c)

As shown in **Table 11**, census tract 9, block group 1, which contains the parcel to be acquired, only exceeds the threshold for the ozone indicator. The other three block groups comprising the ROI exceed the thresholds for the ozone, toxic releases to air, and risk management plan (RMP) facility proximity indicators. Industrial land uses in Artesia, including the presence of a large oil refinery, most likely contribute to the high percentile scores for these indicators.

The CEQ has also developed a Climate and Economic Justice Screening Tool (CEJST) to identify census tracts that are considered overburdened and underserved based on a combination of burden and socioeconomic thresholds. The census tract containing the Main Campus parcel (i.e., tract

10.02) is considered disadvantaged, as it exceeds the burden thresholds for projected wildfire risk, presence of underground storage tanks (USTs) and releases, and also exceeds the low-income threshold. According to data in the CEJST, this census tract is in the 74th percentile for low-income population and in the 91st percentile for both wildfire risk and USTs (i.e., only 9 percent of census tracts have a higher risk of wildfire and a higher density of USTs) (CEQ, 2023).

3.12.3 Environmental Consequences

3.12.3.1 Preferred Alternative

Socioeconomics

Construction of Driving Track

Construction of the driving track at the acquired parcel in the STC would require construction and paving work, resulting in negligible, temporary economic benefits for local contractors who would be hired to perform this work. In the long-term, employment opportunities within the region are not anticipated to change. Public community and emergency services would not be impacted during construction. Therefore, construction of the driving track would result in *short-term, negligible beneficial impacts* on local socioeconomic conditions.

Installation of PV array

Impacts to socioeconomic conditions would be the same as those for constructing the driving track. Installation of the PV array would result in *short-term, negligible beneficial impacts* on local socioeconomic conditions.

Operation

Operation of the driving track and PV array would not result in permanent changes to the labor force, as no new personnel would be hired at FLETC Artesia as part of the Preferred Alternative. Since there would be no increase in the population of the surrounding area, the availability and capacity of community and emergency services such as libraries, fire and police departments, and hospitals, would not be diminished, and there would be no effect on housing availability. However, approximately 600 additional federal law enforcement personnel may be expected to visit the City of Artesia on an annual basis to receive training. These personnel would contribute to the local

hospitality industry and marginally improve local tax collections. Operation of the Preferred Alternative would have *negligible beneficial impacts* on local socioeconomic conditions.

Environmental Justice

Construction of the Driving Track

No communities with environmental justice concerns have been identified in the area surrounding the STC and the acquired parcel. Additionally, the area surrounding the acquired parcel has not been identified as disadvantaged. Construction of the driving track would *not result in disproportionate adverse impacts* to nearby communities.

Installation of PV array

Installation of the PV array would require some ground disturbance to construct the ground-mount, which would result primarily in the generation of particulate matter. BMPs, such as covering or stabilizing soil piles, would be implemented to limit the potential for fugitive dust to become airborne and travel offsite to surrounding receptors. Installation of the PV array would *not result in disproportionate adverse impacts to air quality* in surrounding communities with environmental justice concerns.

Communities located in residences adjacent to the Main Campus may experience some temporary noise while installation is occurring, but this noise would primarily affect receptors within the FLETC property and would be limited to daytime hours. Noise from the site would not exceed 75 dBA at a distance of 1,000 ft from the parcel, which would be within acceptable thresholds established by HUD. One off-site residence is located within 1,000 feet of the Main Campus parcel that may hear noise associated with installation activities, but these sounds would cease following installation. Installation of the PV array would *not result in disproportionate adverse impacts from noise* in surrounding communities with environmental justice concerns.

Operation

No communities are located in the vicinity of the proposed driving track that could be affected by driver training activities at the acquired parcel. Operation of the PV array may benefit communities in the long-term by reducing FLETC Artesia's reliance on traditional sources of electricity and from its capacity to provide electricity to CVE. Additionally, replacing the existing driving track

with the PV array at the Main Campus would reduce exhaust emissions and noise from training vehicles in the surrounding communities. Operation of the Preferred Alternative would *not result in disproportionate adverse impacts* to communities with environmental justice concerns, but may result in *long-term, beneficial impacts* to those communities.

3.12.3.2 No Action Alternative

Under the No Action Alternative, the driving track would not be constructed at the STC, and the PV array would not be installed at the Main Campus. Communities nearby the existing driving track on the Main Campus may continue to be exposed to exhaust emissions and noise traveling off-site, constituting a disproportionate impact to those communities, since other surrounding block groups do not contain minority or low-income populations subject to the effects of driver training. Thus, the No Action Alternative *may have disproportionate adverse impacts* to communities with environmental justice concerns.

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4. Cumulative Impacts and Irreversible and Irretrievable Commitment of Resources

4.1 Cumulative Impacts

CEQ defines cumulative impacts as the "effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (federal or non-federal) or person undertakes such other actions" (40 CFR Part 1508.1(g)(3)). Cumulative impacts can result from individually minor but collectively significant past, present, and foreseeable future actions. Informed decision-making is served by consideration of cumulative impacts resulting from projects that are proposed, under construction, recently completed, or anticipated to be implemented in the reasonably foreseeable future.

This cumulative impacts analysis summarizes expected environmental impacts from the combined impacts of past, present, and reasonably foreseeable future projects in accordance with CEQ regulations implementing NEPA and CEQ guidance on cumulative effects (CEQ, 1997a). The geographic scope of the analysis varies by resource area. For example, the geographic scope of cumulative impacts on resources such as soils are narrow and focused on the location of the resource. The geographic scope of air quality and wildlife and sensitive species is broader and considers more off-site activities. Projects that were considered for this analysis were identified by reviewing DHS documents; news releases and published media reports; and publicly available information and reports from federal, state, and local agencies. Projects that do not occur in proximity (i.e., within several miles) of the Proposed Action area would not contribute to a cumulative impact and are generally not evaluated further.

4.1.1 Past, Present, and Reasonably Foreseeable Future Actions

Past actions are those within the cumulative impacts analysis areas that have occurred prior to the development of this EA. The impacts of these past actions are generally described in the discussion of the Affected Environment in **Section 3**, which identifies current, baseline conditions. Present actions include current or funded construction projects, FLETC or other agency operations near the proposed site, and current resource management programs and land use activities within the cumulative impacts analysis areas. Reasonably foreseeable future actions consist of activities that

have been approved and can be evaluated with respect to their effects. **Table 12** identifies past and reasonably foreseeable future actions occurring near the Proposed Action area.

Table 12: Past and Reasonably Foreseeable Future Actions

No.	Project Name	Project Type	Description
1	HollyFrontier Corporation Navajo Refinery	Industrial	HollyFrontier Corporation, a petroleum refiner, recently constructed a new renewable diesel unit (RDU) at its existing Navajo Refinery off US Route 82 in Artesia. The RDU has a production capacity of 125 million gallons per year, while the rest of the refinery has a crude oil capacity of 100,000 barrels per day (Green Car Congress, 2019). The refinery has been found to be one of the nation's top emitters of benzene (Hedden, 2021).
2	EMLI Wells of Artesia Apartments	Development	Westmoreland Builders have completed construction on a 198-unit multifamily apartment complex on Richey Avenue, adjacent to the FLETC Main Campus to the west. Leasing began in the summer of 2023 and final landscaping is expected to be complete in February 2024 (Focus NM Daily, 2022).
3	Roadway Improvements on New Mexico State Route 2	Transportation	The New Mexico Department of Transportation (NMDOT) plans to conduct roadway improvements on New Mexico State Route 2 between milepost 6 and 17.9. This project would include pavement rehabilitation, shoulder widening, and drainage improvements (NMDOT, 2024).
4	Artesia Municipal Airport Runway 13/31 Rehabilitation	Aviation	Artesia Municipal Airport is planning to rehabilitate runway 13/31. This project would include pavement striping and asphalt surface treatment. Funding for this project is anticipated to be awarded in 2024 (City of Artesia, 2022b).
5	Joy 2 Subdivision	Development	The Eddy County Board of Commissioners has approved a proposed development plan for a 78.5-acre housing subdivision near the Eddy County Fairgrounds in Artesia. Wells would be installed to provide water to the homes, and septic tanks would be installed (Smith, 2023).

No.	Project Name	Project Type	Description
6	City of Artesia Comprehensive Plan Update	Development	The City of Artesia is in the process of updating their comprehensive plan to guide future development needs and capital improvements. This plan was last updated in 2012 and the updated version is expected to be adopted in 2024. The plan will likely not identify specific projects but rather will identify priority areas for investment and growth (City of Artesia, 2024a).

4.1.2 Cumulative Analysis by Resource Area

A cumulative impacts analysis must be conducted within the context of the resource areas. The magnitude and context of the impact on a resource area depends on whether the cumulative effects exceed the capacity of a resource to sustain itself and remain productive (CEQ, 1997a). **Table 13** discusses potential cumulative impacts that could occur from implementing the Proposed Action and other past, present, and reasonably foreseeable future actions. No major, adverse, cumulative impacts were identified in the cumulative impacts analysis. Similar results would be expected with the implementation of the Preferred Alternative and No Action Alternative. Impacts resulting from the implementation of the Preferred Alternative would be expected to be greater than the No Action Alternative; however, the difference would not be significant.

Table 13: Potential Cumulative Impacts by Resource Area

Resource Area	Potential for Significant Cumulative Impacts?	Rationale
Air Quality and Climate Change	No	The Proposed Action would generate short-term, local increases in criteria pollutants, such as fugitive dust and VOCs, during construction and paving. Other future projects such as new developments and NMDOT roadway improvements, would generate similar pollutants. Operation would similarly result in criteria pollutant emissions. No toxic air pollutants would be generated that could combine with benzene emissions from the new RDU. While the proposed PV array would reduce local GHG emissions, this decline may be offset by other new developments that do not incorporate renewable energy features. Cumulative impacts would be *less-than-significant*.

Resource Area	Potential for Significant Cumulative Impacts?	Rationale
Cultural Resources	No	The Proposed Action would have no adverse effect on cultural resources; therefore, there would also be no cumulative effect on cultural resources.
Visual Resources	No	The Proposed Action would have negligible impacts on visual resources. The driving track and PV array would constitute new visual features, but they would be consistent with existing infrastructure and would generally not be visible offsite. Other future projects may result in further development of the surrounding viewscape, but the location of these projects would occur in built up areas. Cumulative impacts would be *negligible.*
Geology and Soils	No	The Proposed Action would not impact the availability of farmland soils throughout the Proposed Action area. Construction would temporarily increase runoff and erosion. Other future projects, such as the Joy 2 Subdivision or projects stemming from the Artesia Comprehensive Plan may also convert farmland and result in soil erosion, if developing previously undisturbed land. Cumulative impacts would be *less-than-significant*.
Noise	No	The Proposed Action would generate noise during construction and installation and other ongoing projects such as runway rehabilitation and construction of the subdivision may generate additive noise effects. Operation of the driving track and airport operations would be the only permanent generators of noise, but there are no sensitive receptors located nearby the proposed driving track, and roadway and air operations already generate ambient noise. The PV array would not generate noise that would be obtrusive for the new apartment complex. Cumulative impacts would be *negligible*.

Resource Area	Potential for Significant Cumulative Impacts?	Rationale
Biological Resources	No	The Proposed Action would result in impacts to vegetation and wildlife and is not expected to adversely affect special status species. New developments such as the subdivision or potential projects under the Artesia Comprehensive Plan would also be likely to impact biological resources, particularly if these projects are implemented in previously undisturbed areas. Goals in the current Artesia Comprehensive Plan indicate that development should not negatively impact natural features and wildlife habitat (City of Artesia, 2012), so it would be expected that the revised Comprehensive Plan would include similar measures to reduce impacts on biological resources from development. Cumulative impacts would be *less-than-significant*.
Water Resources	No	The Proposed Action would result in increased stormwater runoff, but this runoff would be managed through adherence to applicable permits. Other future projects are likely to result in an increase in impervious surfaces and thus stormwater flows. Implementation of appropriate stormwater management controls would minimize runoff and could encourage infiltration. Cumulative impacts would be *negligible*.
Infrastructure and Facilities	No	The Proposed Action would result in the development of new hardened infrastructure within FLETC property but would not affect the availability of or access to public facilities. The new RDU added substantial infrastructure to generate low-carbon fuels. Future projects would also result in new infrastructure and additional demand on non-electric utilities. Infrastructure under the Wells of Artesia apartments and Joy 2 Subdivision projects would address housing shortages in Artesia, and the new homes would not connect to municipal utilities for wastewater and sewer. Roadway improvements by NMDOT and runway rehabilitation at the Artesia Municipal Airport would also address deficiencies in existing infrastructure without increasing utility demand. Cumulative impacts would be *beneficial*.

Resource Area	Potential for Significant Cumulative Impacts?	Rationale
Energy	No	The Proposed Action may result in electric utility interruptions during construction, but would benefit energy sources following completion due to the installation of solar PV panels to generate renewable energy. Future projects would require energy for construction and potentially operation, and may or may not include designs for incorporating renewable energy. Renewable energy generated by the FLETC PV array may offset some increased demand by exporting energy to the electric grid, but would not be able to supply energy for all proposed projects. Cumulative impacts would be *less-than-significant*.
Land Use	No	The Proposed Action would not affect current zoning established by the City of Artesia and would result in minor land use changes. Future projects within the city limits would be expected to conform to existing zoning ordinances and would not result in substantial land use changes. Cumulative impacts would be *negligible*.
Hazardous Materials and Waste	No	The Proposed Action would use hazardous materials during construction and operation, which could be inadvertently spilled. All future actions involve some degree of construction and would have the potential for similar accidental releases. It is expected that construction plans for these projects would address how to manage and clean-up spills should they occur. None of the future projects are expected to generate hazardous wastes. Cumulative impacts would be *less-than-significant*.
Socioeconomics and Environmental Justice	No	The Proposed Action is not expected to result in disproportionate adverse impacts to communities with environmental justice concerns. Units in the new apartment complex are not subsidized and are unlikely to attract low-income residents who could be affected by activities at the FLETC Main Campus. Operation of the RDU poses environmental justice concerns due to the high levels of benzene emitted and the proximity of the Navajo Refinery to neighborhoods that could be exacerbated by other projects in the vicinity that contribute to air emissions. Future actions occurring in communities with environmental justice concerns may have the potential to impact them, but the contribution of effects from the Proposed Action would not be significantly additive to the effects from other projects. Cumulative impacts *would not be disproportionate*.

4.2 Irretrievable Commitment of Resources

Implementation of the Proposed Action would result in an irreversible and irretrievable commitment of resources by FLETC. Committed resources would include building materials, supplies, and their costs; labor; planning and engineering costs; and fossil fuels for construction vehicles. Other committed resources would include approximately 160 acres of land that would be used for paving a new driving track. No previously undeveloped land would be committed for installation of the PV array.

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5. Conclusions

This EA evaluates the potential environmental effects of the Proposed Action to conduct a land swap between FLETC and a private entity, construct a new driving track at the STC within the parcel acquired by FLETC, and install a PV array at the Main Campus within the parcel containing the existing driving track. Implementation of the Proposed Action is deemed necessary in order to ensure that FLETC Artesia is able to satisfy training requirements for law enforcement and emergency response driving skills and to decrease reliance on traditional energy sources. The findings of this EA indicate that no significant adverse effects, either individual or cumulative, would result from implementation of the Proposed Action under the Preferred Alternative, assuming adherence to the BMPs specified in this EA. Therefore, an Environmental Impact Statement will not be generated for this Proposed Action.

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6. Consultation and Coordination

1

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Local Public Library

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7. List of Preparers

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James Brown, Jr.	Environmental Protection Specialist, FLETC

AECOM Preparers

Name	Role	Degree	Years of Experience
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KayLee Lavery	EA Preparation	B.S. in Environmental Science and Sustainability Studies	9
Sam Hartsfield	Preparation of Air Quality section	M.S. in Environmental Science and Management B.S. in Biology	15
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Appendix A: Stakeholder Correspondence

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SAMPLE LET'

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 8, 2024

Mike Sloane
Director
New Mexico Department of Game and Fish
SE Area Office
1615 W College Blvd.
Roswell, NM 88201

Dear Mr. Sloane:

The purpose of this letter is to solicit comments regarding the United States Department of Homeland Security (DHS) Federal Law Enforcement Training Center (FLETC) proposal to conduct a land swap with a private entity of two, 160-acre parcels near FLETC's Special Training Complex in Artesia, Eddy County, New Mexico. FLETC intends to construct and operate a new driving track on the parcel it would acquire, to replace an existing driving track at FLETC's Main Campus in Artesia. A 60-acre portion of the existing driving track would then be repurposed to install a solar photovoltaic (PV) array. Collectively, the proposed land swap, new driving track, and solar PV array comprise FLETC's Proposed Action (Attachment 1). DHS is preparing an Environmental Assessment (EA) to evaluate the potential impacts associated with the Proposed Action pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 United States Code §§ 4321 et seq.); the Council on Environmental Quality (CEQ) *Regulations Implementing the Procedural Provisions of NEPA* (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, rev. 01 *Implementation of the NEPA*; and DHS Instruction 023-01-001-01 rev. 01 *Implementation of the NEPA*.

FLETC provides training to law enforcement personnel at its main campus in Glynco, Georgia, and at a smaller facility in Artesia, New Mexico. The Office of Artesia Operation (OAO) consists of a campus location within the city of Artesia and the Special Training Complex, which is located 3 miles west of the Main Campus. The Special Training Complex is used for training law enforcement personnel in firearms and driving, and evaluating critical driving skills to include emergency response and pursuit driving, reading the roadway, multitasking and decision-making, and advanced driving skills.

One of FLETC's five driving tracks used for training at the Artesia site is located at the Main Campus location, and this existing track is in need of upgrades to the pavement design. FLETC intends to discontinue use of this track and consolidate driving training facilities at the Special Training Complex. FLETC would acquire an approximately 160-acre, undeveloped parcel directly adjacent to another existing driving track at the Special Training Complex on which to construct the new driving track. The parcel FLETC would transfer to the private entity is also currently unused, and is anticipated to be used by that entity for cattle grazing in the future. This land swap would provide FLETC with sufficient space in the vicinity of the Special Training Complex to

construct a new driving track that would meet all training and design requirements. Relocation of the driving track would enable FLETC to repurpose the existing driving track on the Main Campus for the installation of a ground-mounted solar PV array.

We are seeking input from your agency regarding any information or potential environmental concerns associated with the Proposed Action. Please provide any comments, concerns, information, studies, or other data you may have regarding the Proposed Action within **thirty (30) days** of receipt of this letter to enable us to complete this phase of the project within the scheduled timeframe. All responses will be considered for incorporation in the EA. We look forward to and welcome your participation in this analysis.

FLETC has contracted AECOM to facilitate the NEPA process. If you have comments or information relevant to the development of the EA, please direct your correspondence to Natalie Kisak at natalie.kisak@aecom.com.

Respectfully,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.02.07 12:09:12 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Enclosures

Attachment 1: Project Location Figure

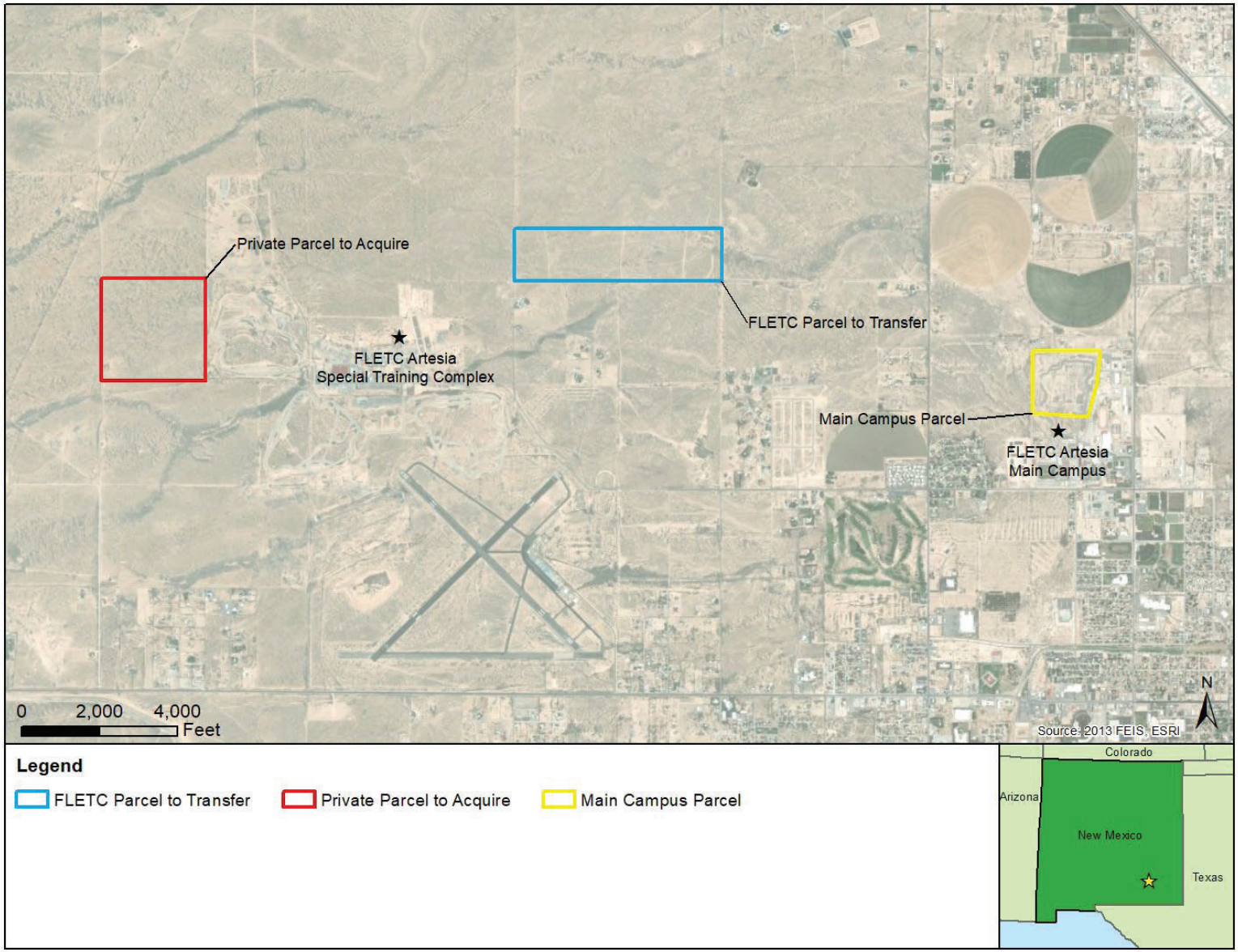

Figure 1: Project Location

Kisak, Natalie

From: Di Palma, Francesca <fdipalma@slo.state.nm.us>
Sent: Thursday, February 8, 2024 2:48 PM
To: Kisak, Natalie
Cc: james.a.brown@fletc.dhs.gov; Padilla, Erica
Subject: RE: FLETC Artesia Project Review Request -- New Mexico State Land Office

Ms. Kisak,

Thank you for your email. Staff will review this request and respond accordingly.

Regards,

Francesca Di Palma
Director of Constituent Services
505-827-5761
New Mexico State Land Office
310 Old Santa Fe Trail
P.O. Box 1148
Santa Fe, NM 87504

From: Kisak, Natalie <natalie.kisak@aecom.com>
Sent: Thursday, February 8, 2024 12:31 PM
To: SLO INFO <slo-info@slo.state.nm.us>
Cc: james.a.brown@fletc.dhs.gov
Subject: [EXTERNAL] FLETC Artesia Project Review Request -- New Mexico State Land Office

Good afternoon,

The Department of Homeland Security, Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) in support of a proposed land swap, construction of a new driving track, and installation of a solar

photovoltaic array in Artesia, Eddy County, New Mexico. On behalf of FLETC, we are seeking input from your agency regarding any information or potential environmental concerns associated with this project. Please see the attached letter for additional information. We would appreciate any comments, concerns, information, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

We look forward to and welcome your participation in this analysis.

Thank you,

Natalie A. Kisak
Environmental Planner
D +1-301-944-1516
natalie.kisak@aecom.com

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12420 Milestone Center Dr., Suite 150
Germantown, MD 20876
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Kisak, Natalie

From: Kellermueller, Ronald, DGF <Ronald.Kellermueller@dgf.nm.gov>
Sent: Friday, February 9, 2024 5:54 PM
To: Kisak, Natalie
Subject: RE: FLETC Artesia Project Review Request -- NMDGF Project No. 3228.
Attachments: NMERT-3228_project_report_new_driving_track_and_photovoltaic_array.pdf

Dear Natalie Kisak,
The New Mexico Department of Game and Fish (Department) has reviewed the Federal Law Enforcement Training Center's (FLETC) proposal to conduct a land swap with a private entity of two, 160-acre parcels near FLETC's Special Training Complex in Eddy County, New Mexico. FLETC intends to construct and operate a new driving track on the parcel it would acquire, to replace an existing driving track at FLETC's Main Campus in Artesia. A 60-acre portion of the existing driving track would then be repurposed to install a solar photovoltaic (PV) array.

The Department entered the proposed project footprint into the New Mexico Environmental Review Tool (https://nmert.org/) and generated a Project Report (see attachment). With implementation of the recommended mitigation measures provided in the Project Report, no significant adverse impacts to wildlife or important habitats are anticipated.

Thank you for the opportunity to review your proposed driving track and PV array project. Please do not hesitate to contact me if you have any questions.

RON KELLERMUELLER
MINING AND ENERGY HABITAT SPECIALIST
ECOLOGICAL AND ENVIRONMENTAL PLANNING DIVISION
NEW MEXICO DEPARTMENT OF GAME AND FISH
1 WILDLIFE WAY
SANTA FE, NM 87507
(505) 270-6612
Ronald.Kellermueller@dgf.nm.gov

Conserving New Mexico's Wildlife for Future Generations

PROJECT INFORMATION

Project Title: New Driving Track and Photovoltaic Array
Project Type: ENERGY DEVELOPMENT, SOLAR
Latitude/Longitude (DMS): 32.868368 / -104.494596
County(s): EDDY
Project Description: The purpose of this letter is to solicit comments regarding the United States Department of Homeland Security (DHS) Federal Law Enforcement Training Center (FLETC) proposal to conduct a land swap with a private entity of two, 160-acre parcels near FLETC's Special Training Complex in Artesia, Eddy County, New Mexico. FLETC intends to construct and operate a new driving track on the parcel it would acquire, to replace an existing driving track at FLETC's Main Campus in Artesia. A 60-acre portion of the existing driving track would then be repurposed to install a solar photovoltaic (PV) array. Collectively, the proposed land swap, new driving track, and solar PV array comprise FLETC's Proposed Action (Attachment 1). DHS is preparing an Environmental Assessment (EA) to evaluate the potential impacts associated with the Proposed Action pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 United States Code §§ 4321 et seq.); the Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, rev. 01 Implementation of the NEPA; and DHS Instruction 023-01-001-01 rev. 01 Implementation of the NEPA.

REQUESTOR INFORMATION

Project Organization:
Contact Name: Natalie Kisak
Email Address: natalie.kisak@aecom.com
Organization: U.S. Department of Homeland Security
Address: 1131 Chapel Crossing Road, Glynco GA 31524
Phone: 912-261-4064

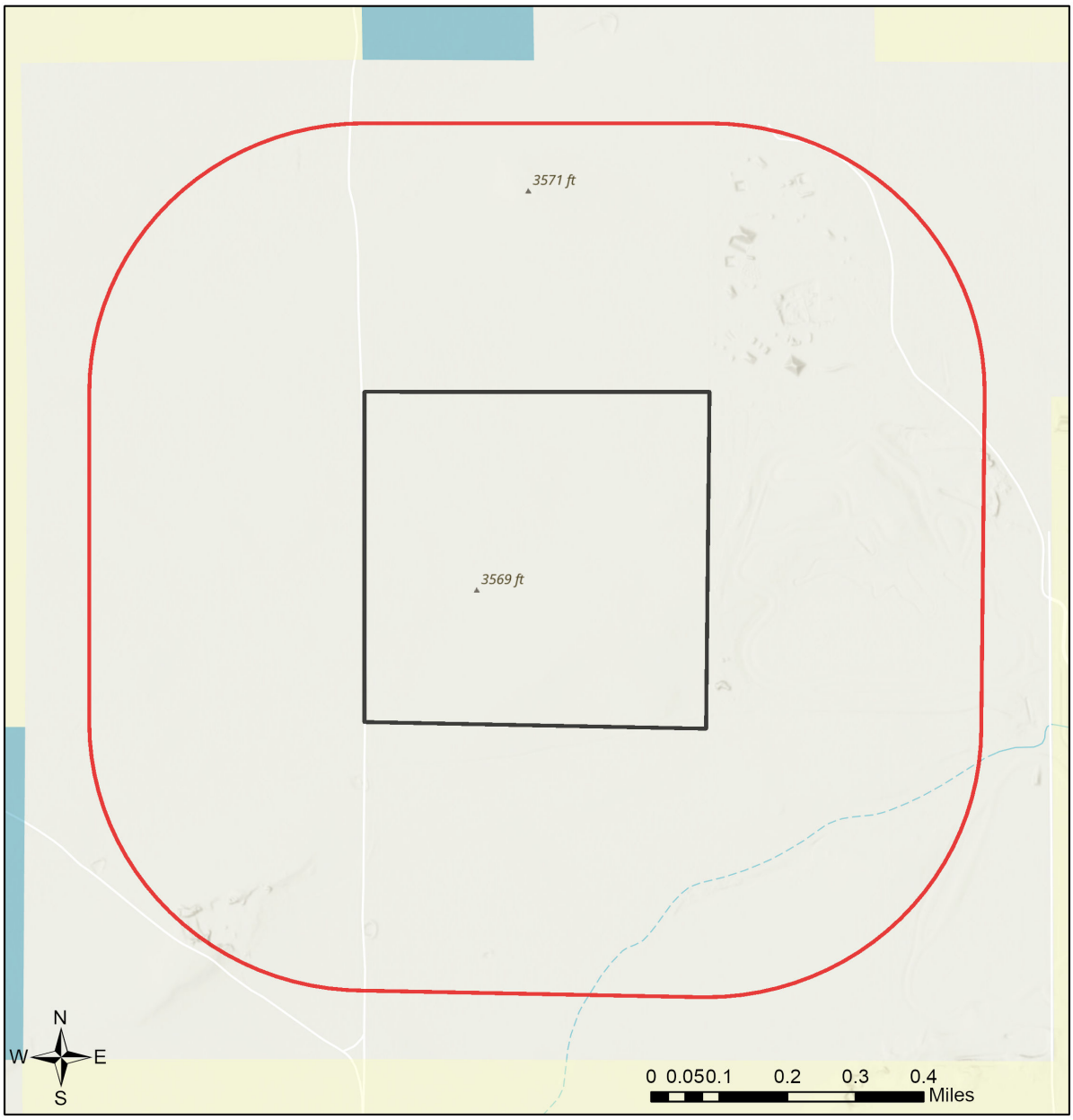
OVERALL STATUS

This report contains an initial list of recommendations regarding potential impacts to wildlife or wildlife habitats from the proposed project; see the Project Recommendations section below for further details. Your project proposal is being forwarded to a New Mexico Department of Game and Fish (Department) biologist for review to determine whether there are any additional recommendations regarding the proposed actions. A Department biologist will be in touch within 30 days if there are further recommendations regarding this project proposal.

About this report:

- This environmental review is based on the project description and location that was entered. The report must be updated if the project type, area, or operational components are modified.
- This is a preliminary environmental screening assessment and report. It is not a substitute for the potential wildlife knowledge gained by having a biologist conduct a field survey of the project area. Federal status and plant data are provided as a courtesy to users. The review is also not intended to replace consultation required under the federal Endangered Species Act (ESA), including impact analyses for federal resources from the U.S. Fish and Wildlife Service (USFWS) using their Information for Planning and Consultation tool.
- This report contains information on wildlife species protected under the ESA and the Wildlife Conservation Act (WCA), Species of Greatest Conservation Need (SGCN), and Species of Economic and Recreational Importance (SERI). Species listed under the ESA are protected from take at the federal level and under the WCA are protected from take at the state level. SGCN are identified in the State Wildlife Action Plan (SWAP) for New Mexico; all of these species are considered to be of conservation concern but not all of them are protected from take at the state or federal level. The harvest of all SERI is regulated at the state level. The Department has no authority to designate critical habitat for species listed under the WCA; only the USFWS can designate critical habitat for species listed under the ESA.
- The New Mexico Environmental Review Tool (ERT) utilizes species observation locations and species habitat suitability models, both of which are subject to ongoing change and refinement. Inclusion or omission of a species within a report cannot guarantee species presence or absence within your project area. To determine occurrence of any species listed in this report, or other wildlife that may be present within your project area, onsite surveys conducted by a qualified biologist during appropriate, species-specific survey timelines may be necessary.
- The Department encourages use of the ERT to modify proposed projects for avoidance, minimization, or mitigation of wildlife impacts. However, the ERT is not intended to be used in a repeatedly iterative fashion to adjust project attributes until a previously determined recommendation is generated. The ERT serves to assess impacts once project details are developed. The New Mexico Crucial Habitat Assessment Tool, the data layers from which are included in the ERT, is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.

New Driving Track and Photovoltaic Array



NHNM, USGS, USFS, US Census Bureau, NMDGF
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Special Status Animal Species Potentially within 650 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI	USFS	USFS SCC	BLM
Barking Frog	Craugastor augusti			SGCN			
Aplomado Falcon	Falco femoralis		E	SGCN			
Peregrine Falcon	Falco peregrinus		T	SGCN			BLM WATCH
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
Common Nighthawk	Chordeiles minor			SGCN			
Red-Headed Woodpecker	Melanerpes erythrocephalus			SGCN			
Mountain Bluebird	Sialia currucoides			SGCN			
Sprague's Pipit	Anthus spragueii			SGCN			BLM SENSITIVE
Loggerhead Shrike	Lanius ludovicianus			SGCN		USFS R3 SCC	BLM WATCH
Bell's Vireo	Vireo bellii		T	SGCN			BLM SENSITIVE
Vesper Sparrow	Pooecetes gramineus			SGCN			
Chestnut-Collared Longspur	Calcarius ornatus			SGCN			BLM SENSITIVE
Least Shrew	Cryptotis parva		T	SGCN			BLM WATCH
Black-Tailed Prairie Dog	Cynomys ludovicianus			SGCN	Sensitive Species		BLM SENSITIVE
Pronghorn	Antilocapra americana			SERI			
Gray-Checkered Whiptail	Aspidoscelis tesselata		E	SGCN			BLM SENSITIVE
Western Ribbon Snake	Thamnophis proximus		T	SGCN	Sensitive Species		
Desert Massasauga	Sistrurus catenatus edwardsii			SGCN			

Common Name hyperlink takes you to species account in bison-m.org; Scientific Name hyperlink takes you to information in NatureServe Explorer; ESA = Endangered Species Act, C = Candidate, LE = Listed Endangered, LT = Listed Threatened, XN = Non-essential Experimental Population, for other ESA codes see this website; WCA = Wildlife Conservation Act, E = Endangered, T = Threatened; SERI = Species of Economic and Recreational Importance; SGCN = Species of Greatest Conservation Need; USFS = U.S. Forest Service, Sensitive Species = A species likely to occur on USFS lands that is of concern for a potential reduction in population viability; SCC = Species of Conservation Concern; BLM = Bureau of Land Management, BLM SENSITIVE = A species that occurs on BLM lands and whose viability is at risk, BLM WATCH = Species that may be added to the sensitive species list in future pending new information regarding species status.

Project Recommendations

Your proposed project activities may require a custom review for assessment of potential effects to wildlife. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. A Department biologist will confirm whether any additional conservation measures are needed. You should expect to receive any additional project recommendations within 30 days of your project submission. If the "OVERALL STATUS" section indicates that no further consultation with the Department is required based on its location, then you will only receive additional project feedback from the Department if a biologist deems it necessary.

All migratory birds are protected against direct take under the federal Migratory Bird Treaty Act (16 U.S.C. Sections 703-712), and hawks, falcons, vultures, owls, songbirds, and other insect-eating birds are protected under New Mexico State Statutes (17-2-13 and 17-2-14 NMSA), unless permitted by the applicable regulatory agency. To minimize the likelihood of adverse impacts to migratory birds, nests, eggs, or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary migratory bird breeding season of April 15-September 1. Breeding season may begin earlier for raptors or when working in low-elevation habitats such as deserts. If ground disturbing and clearing activities must be conducted during the breeding season, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory) and avoid disturbing active nests until young have fledged. For active nests, establish adequate buffer zones to minimize disturbance to nesting birds. Buffer distances should be at least 100 feet from songbird and raven nests; 0.25 miles from most raptor nests; and 0.5 miles for ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos canadensis*), peregrine falcon (*Falco peregrinus*), and prairie falcon (*Falco mexicanus*) nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel.
The list of New Mexico SGCN (see link, page 14, table 5) and the federal list of Birds of Conservation Concern should be reviewed to fully evaluate potential effects to migratory birds from your proposed project. Federal agencies are also required under Executive Order 13186 to implement standards and practices that lessen the amount of unintentional take attributable to agency actions. These conservation measures are strongly recommended to ensure persistence of migratory bird species whose populations are small and/or declining within New Mexico.

Due to potential impacts on burrowing owls (*Athene cunicularia)* if they occur within your project area, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist, using the Department's burrowing owl survey protocol, before any ground disturbing activities occur. Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.
Your project could negatively impact prairie dog colonies if they occur within your project area. Both black-tailed prairie dogs (*Cynomys ludovicianus*) and Gunnison's prairie dogs (*Cynomys gunnisoni*) are designated as New Mexico SGCN, and their colonies provide important habitat for other grassland wildlife. Wherever possible, occupied prairie dog colonies should be left undisturbed, and all project activities should be directed off the colony. Any burrows that are located on the project site should be surveyed by a qualified biologist to determine whether prairie dog burrows are active or inactive and whether burrowing owls may also be utilizing the site. Colonies within the range of the black-tailed prairie dog can be surveyed by a qualified biologist diurnally, year-round using binoculars. Colonies within the range of the Gunnison's prairie dog can be surveyed by a qualified biologist diurnally, using binoculars during the warmer months from April through October and by searching for fairly fresh scat and lack of cobwebs or debris at the mouths of burrows during the cold months (November through March). If ground-disturbing activities cannot be relocated off the prairie dog colony, or if project activities involve control of prairie dogs, the Department recommends live-trapping and relocation of prairie dogs. The Department can provide recommendations regarding suitability of potential translocation areas and procedures.
For post-construction reclamation of the solar project area, the Department recommends that the project proponent use only native plant species and that the reclamation seed mix is designed to enhance local pollinator habitat. The Department also recommends that only certified weed-free seed be used to avoid inadvertently introducing non-native species to the reclamation site. Any alternate plant species, used to substitute for primary plant species that are unavailable at the time of reclamation, should also be native. When possible, the Department recommends using seeds that are sourced from the same region and habitat type as the reclamation site or from a region that represents potential future climatic conditions at this site.

Burrowing owl (*Athene cunicularia*) may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute. Before any ground disturbing activities occur, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist using the Department's burrowing owl survey protocol. Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.

Prairie dog colonies may occur within the vicinity of your project area. Both black-tailed prairie dogs (*Cynomys ludovicianus*) and Gunnison's prairie dogs (*Cynomys gunnisoni*) are designated as New Mexico SGCN, and their colonies provide important habitat for other grassland wildlife. Wherever possible, occupied prairie dog colonies should be left undisturbed, and all project activities should be directed off the colony. Any burrows that are located on the project site should be surveyed by a qualified biologist to determine whether burrows are active or inactive and whether burrowing owls may be utilizing the site. Colonies within the range of the black-tailed prairie dog can be surveyed by a qualified biologist diurnally, year-round using binoculars. Colonies within the range of the Gunnison's prairie dog can be surveyed by a qualified biologist diurnally, using binoculars during the warmer months from April through October and by searching for fairly fresh scat and lack of cobwebs or debris at the mouths of burrows during the cold months (November through March). If ground-disturbing activities cannot be relocated off the prairie dog colony, or if project activities involve control of prairie dogs, the Department recommends live-trapping and relocation of prairie dogs. The Department can provide recommendations regarding suitability of potential translocation areas and procedures.

Disclaimers regarding recommendations:

- The Department provides technical guidance to support the persistence of all protected species of native fish and wildlife, including game and nongame wildlife species. Species listed within this report include those that have been documented to occur within the project area, and others that may not have been documented but are projected to occur within the project vicinity.
- Recommendations are provided by the Department under the authority of § 17-1-5.1 New Mexico Statutes Annotated 1978, to provide "communication and consultation with federal and other state agencies, local governments and communities, private organizations and affected interests responsible for habitat, wilderness, recreation, water quality and environmental protection to ensure comprehensive conservation services for hunters, anglers and nonconsumptive wildlife users".
- The Department has no authority for management of plants or Important Plant Areas. The New Mexico Endangered Plant Program, under the Energy, Minerals, and Natural Resources Department's Forestry Division, identifies and develops conservation measures necessary to ensure the survival of plant species within New Mexico. Plant status information is provided within this report as a courtesy to users. Recommendations provided within the ERT may not be sufficient to preclude impacts to rare or sensitive plants, unless conservation measures are identified in coordination with the Endangered Plant Program.
- Additional coordination and/or consultation may also be necessary under the federal ESA or National Environmental Policy Act (NEPA). Further site-specific mitigation recommendations may be proposed during ESA consultation and/or NEPA analyses or through coordination with affected federal agencies.

Kisak, Natalie

From: Steve McCroskey <smccroskey@co.eddy.nm.us>
Sent: Friday, February 9, 2024 12:49 AM
To: Kisak, Natalie
Cc: james.a.brown@fletc.dhs.gov
Subject: Re: FLETC Artesia Project Review Request -- Eddy County Planning and Development
Attachments: Outlook-rntpflf4.png

Ms. Kisak,

I apologize for a slight mistake on my previous email. I referenced parcel # 4-149-096-266-460 as being within an "X" SFHA, this is incorrect as the parcel is within an "A" SFHA. While the "A" zone is unnumbered this could possibly present additional development requirements within that area.

Again, I apologize for the mistype in the previous email.

Thank you for your time and patience.

Steve McCroskey CFM, CZO

Community Services Director
Eddy County
101 W. Greene St. Carlsbad, NM 88220
Ph: 575/887-9511 x 2121
smccroskey@co.eddy.nm.us

From: Kisak, Natalie <natalie.kisak@aecom.com>
Sent: Thursday, February 8, 2024 12:31:21 PM
To: smccroskey@co.eddy.nm.us <smccroskey@co.eddy.nm.us>
Cc: james.a.brown@fletc.dhs.gov <james.a.brown@fletc.dhs.gov>
Subject: FLETC Artesia Project Review Request -- Eddy County Planning and Development

Good afternoon,

The Department of Homeland Security, Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) in support of a proposed land swap, construction of a new driving track, and installation of a solar photovoltaic array in Artesia, Eddy County, New Mexico. On behalf of FLETC, we are seeking input from your agency regarding any information or potential environmental concerns associated with this project. Please see the attached letter for additional information. We would appreciate any comments, concerns, information, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

We look forward to and welcome your participation in this analysis.

Thank you,

Natalie A. Kisak
Environmental Planner
D +1-301-944-1516
natalie.kisak@aecom.com

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Germantown, MD 20876
T +1-301-250-2934
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Delivering a better world

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From:	Busam, Michael
To:	Busam, Michael
Subject:	RE: FLETC Artesia Project Review Request -- Natural Heritage New Mexico
Date:	Wednesday, February 14, 2024 10:49:19 AM
Attachments:	image001.png

From: Richard Norwood <rjnorwood@unm.edu>
Sent: Monday, February 12, 2024 1:18 PM
To: Kisak, Natalie <natalie.kisak@aecom.com>
Subject: RE: FLETC Artesia Project Review Request -- Natural Heritage New Mexico

Hi Natalie,

Thank you for reaching out. I would like to point you to the New Mexico Environmental Review Tool (NMERT) which our organization comanages with our partners at New Mexico Department of Game and Fish (NMDGF). Once you create an account, you will be able to create a project with your project boundaries and you will be provided with a list of special status plants and animals which may potentially occur within the project boundary along with project recommendations to help minimize potential impacts on sensitive species habitat within the project area.

Please let me know if you run into any issues, I'll be happy to answer any questions you may have.

Thank You,
Richard

Richard Norwood

Information Manager

Natural Heritage New Mexico

UNM Biology Dept.
MSC03 2020
1 University of New Mexico
Albuquerque, NM 87131-0001
rjnorwood@unm.edu, (505) 277-3822 xtn. 225 (office), (501)-269-5401 (cell)

From: Kisak, Natalie <natalie.kisak@aecom.com>
Sent: Thursday, February 08, 2024 12:31 PM
To: Esteban Muldavin <muldavin@unm.edu>
Cc: james.a.brown@fletc.dhs.gov
Subject: FLETC Artesia Project Review Request -- Natural Heritage New Mexico

Good afternoon,

The Department of Homeland Security, Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) in support of a proposed land swap, construction of a new driving track, and installation of a solar photovoltaic array in Artesia, Eddy County, New Mexico. On behalf of FLETC, we are seeking input from your agency regarding any information or potential environmental concerns associated with this project. Please see the attached letter for additional information. We would appreciate any comments, concerns, information, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

We look forward to and welcome your participation in this analysis.

Thank you,

Natalie A. Kisak
Environmental Planner
D +1-301-944-1516
natalie.kisak@aecom.com

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Richard Norwood

Information Manager
Natural Heritage New Mexico
UNM Biology Dept.
MSC03 2020
1 University of New Mexico
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rjnorwood@unm.edu, (505) 277-3822 xtn. 225 (office), (501)-269-5401 (cell)

USDA

United States Department of Agriculture

February 12, 2024

Natalie Kisak
Environmental Planner
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524
natalie.kisak@aecom.com

Dear Ms. Kisak,

Thank you for providing the Natural Resources Conservation Service (NRCS) the opportunity to review the FLETC Land Swap Project, Eddy County, New Mexico.

The Farmland Protection Policy Act (FPPA) authorizes the NRCS to provide review of proposed projects that have the potential to irreversibly convert farmlands to non-farmland or irreversibly converting hydric areas to non-hydric uses as the result of programs funded by the federal government. In review of the information provided on the project, it is determined that the entire project is nonfarmlad in an urban area. The FPPA rules define farmland conversion to be "to the extent that it irreversibly converts farmland to other purposes", this project is not expected to have that effect. With this acknowledged, the proposed project will not cause Prime or Important Farmlands or hydric soils to be converted to non-agricultural or non-hydric uses, and is not subject to the Act.

If you have any questions concerning soils information, please contact Richard Strait, State Soil Scientist, at (505) 761-4433 or email at Richard.Strait@usda.gov.

Sincerely,

Juan Xavier Montoya Digitally signed by Juan Xavier Montoya
Date: 2024.02.12 11:27:41 -07'00'

J. XAVIER MONTOYA
State Conservationist

cc:
Richard Strait, State Soil Scientist, NRCS, Albuquerque, NM
Raquel Chacon, District Conservationist for Team 10, NRCS Carlsbad, NM

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 8, 2024

Xavier Montoya
State Conservationist
U.S. Department of Agriculture, Natural Resources Conservation Service
New Mexico State Office
100 Sun Avenue NE, Suite 602
Albuquerque, NM 87109

Dear Mr. Montoya:

The purpose of this letter is to solicit comments regarding the United States Department of Homeland Security (DHS) Federal Law Enforcement Training Center (FLETC) proposal to conduct a land swap with a private entity of two, 160-acre parcels near FLETC's Special Training Complex in Artesia, Eddy County, New Mexico. FLETC intends to construct and operate a new driving track on the parcel it would acquire, to replace an existing driving track at FLETC's Main Campus in Artesia. A 60-acre portion of the existing driving track would then be repurposed to install a solar photovoltaic (PV) array. Collectively, the proposed land swap, new driving track, and solar PV array comprise FLETC's Proposed Action (Attachment 1). DHS is preparing an Environmental Assessment (EA) to evaluate the potential impacts associated with the Proposed Action pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 United States Code §§ 4321 et seq.); the Council on Environmental Quality (CEQ) *Regulations Implementing the Procedural Provisions of NEPA* (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, rev. 01 *Implementation of the NEPA*; and DHS Instruction 023-01-001-01 rev. 01 *Implementation of the NEPA*.

FLETC provides training to law enforcement personnel at its main campus in Glynco, Georgia, and at a smaller facility in Artesia, New Mexico. The Office of Artesia Operation (OAO) consists of a campus location within the city of Artesia and the Special Training Complex, which is located 3 miles west of the Main Campus. The Special Training Complex is used for training law enforcement personnel in firearms and driving, and evaluating critical driving skills to include emergency response and pursuit driving, reading the roadway, multitasking and decision-making, and advanced driving skills.

One of FLETC's five driving tracks used for training at the Artesia site is located at the Main Campus location, and this existing track is in need of upgrades to the pavement design. FLETC intends to discontinue use of this track and consolidate driving training facilities at the Special Training Complex. FLETC would acquire an approximately 160-acre, undeveloped parcel directly adjacent to another existing driving track at the Special Training Complex on which to construct the new driving track. The parcel FLETC would transfer to the private entity is also currently unused, and is anticipated to be used by that entity for cattle grazing in the future. This land swap would provide FLETC with sufficient space in the vicinity of the Special Training Complex to

construct a new driving track that would meet all training and design requirements. Relocation of the driving track would enable FLETC to repurpose the existing driving track on the Main Campus for the installation of a ground-mounted solar PV array.

We are seeking input from your agency regarding any information or potential environmental concerns associated with the Proposed Action. Please provide any comments, concerns, information, studies, or other data you may have regarding the Proposed Action within **thirty (30) days** of receipt of this letter to enable us to complete this phase of the project within the scheduled timeframe. All responses will be considered for incorporation in the EA. We look forward to and welcome your participation in this analysis.

FLETC has contracted AECOM to facilitate the NEPA process. If you have comments or information relevant to the development of the EA, please direct your correspondence to Natalie Kisak at natalie.kisak@aecom.com.

Respectfully,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.02.07 12:31:54 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Enclosures

Attachment 1: Project Location Figure

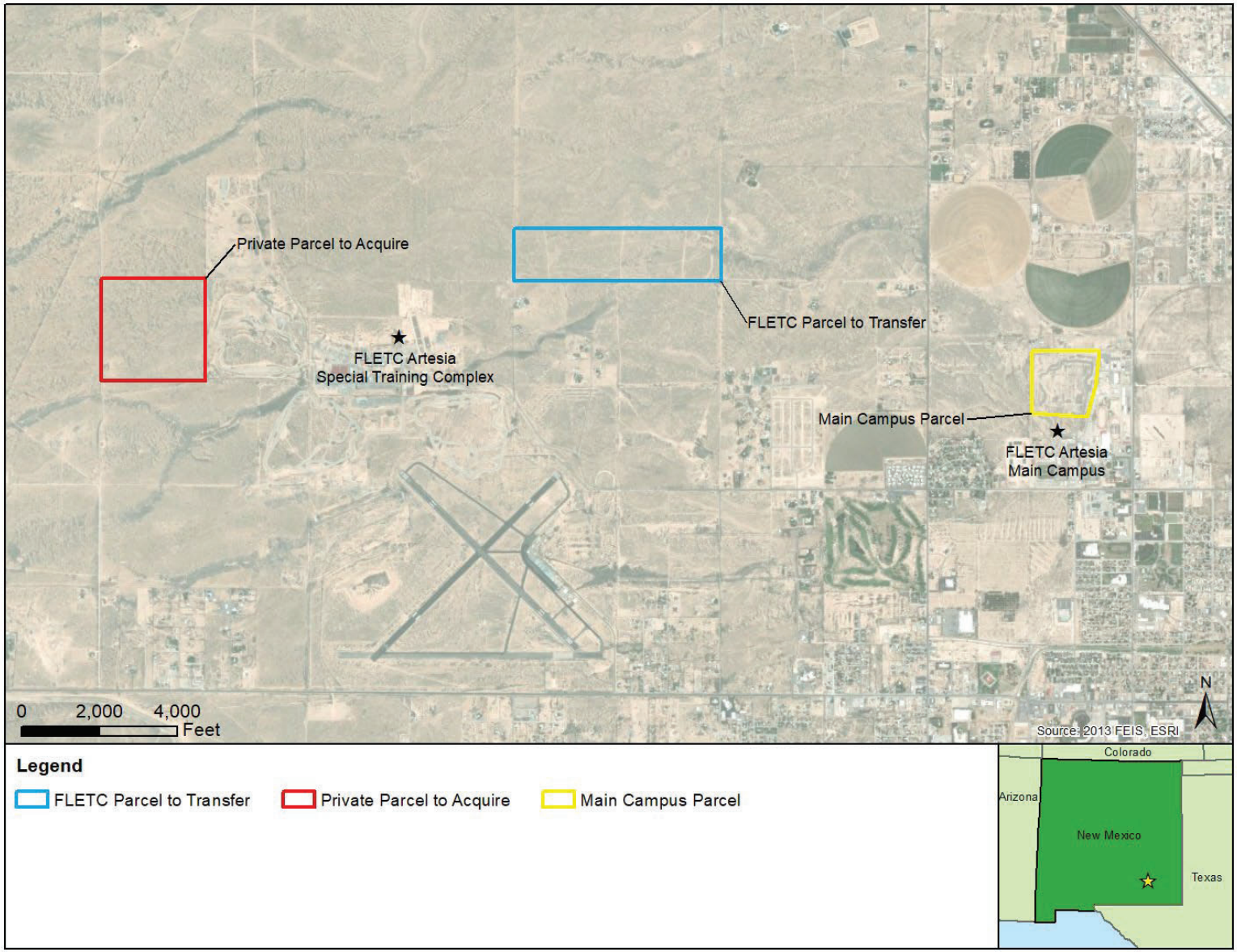

Figure 1: Project Location

Kisak, Natalie

From: Lance Goodrich <lgoodrich@Artesianm.gov>
Sent: Wednesday, February 14, 2024 5:21 PM
To: Kisak, Natalie
Cc: james.a.brown@fletc.dhs.gov; Summer M. Valverde; Young, Sarah J (FAA); Lucero, Jane, NMDOT
Subject: RE: FLETC Artesia Project Review Request -- Artesia Municipal Airport

Good afternoon,

After reviewing your documents, the City's concern is in regards to the photovoltaic panels producing glare onto aircraft.

While the possibility of glare may be remote, we would like assurances that the solar array will not cause interference to flight operations at the Artesia Airport.

Thank you,

CITY OF ARTESIA NEW MEXICO

MUNICIPAL AIRPORT

Lance Goodrich

Airport Supervisor
Finance & Administration Department

575-748-9961
lgoodrich@artesianm.gov

702 Airport Road
Artesia, NM 88210

www.artesianm.gov

Social Media | @ArtesiaGov

From: Kisak, Natalie <natalie.kisak@aecom.com>
Sent: Thursday, February 8, 2024 12:31 PM
To: Lance Goodrich <lgoodrich@Artesianm.gov>
Cc: james.a.brown@fletc.dhs.gov
Subject: [EXTERNAL] FLETC Artesia Project Review Request -- Artesia Municipal Airport

Good afternoon,

The Department of Homeland Security, Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) in support of a proposed land swap, construction of a new driving track, and installation of a solar photovoltaic array in Artesia, Eddy County, New Mexico. On behalf of FLETC, we are seeking input from your agency regarding any information or potential environmental concerns associated with this project. Please see the attached letter for additional information. We would appreciate any comments, concerns, information, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

We look forward to and welcome your participation in this analysis.

Thank you,

Natalie A. Kisak
Environmental Planner
D +1-301-944-1516
natalie.kisak@aecom.com

AECOM
12420 Milestone Center Dr., Suite 150
Germantown, MD 20876
T +1-301-250-2934
aecom.com

Delivering a better world

LinkedIn | Twitter | Facebook | Instagram

Kisak, Natalie

From: Ramos, Roberto (FAA) <Roberto.Ramos@faa.gov>
Sent: Thursday, March 7, 2024 7:52 AM
To: Kisak, Natalie
Subject: RE: FLETC Artesia Project Review Request -- FAA

Good morning Natalie,

Thank you for contacting me regarding the proposed land swap, construction of a new driving track, and installation of a solar photovoltaic array in Artesia, NM. The Federal Aviation Administration has no comment on the proposed actions.

Robb

Robb Ramos
Environmental Protection Specialist, Operations Support Group
Central Service Center (AJV-C25)
(817) 222-5359

MissionSupport

From: Kisak, Natalie <natalie.kisak@aecom.com>
Sent: Thursday, February 8, 2024 1:31 PM
To: Ramos, Roberto (FAA) <Roberto.Ramos@faa.gov>
Cc: james.a.brown@fletc.dhs.gov
Subject: FLETC Artesia Project Review Request -- FAA

Good afternoon,

The Department of Homeland Security, Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) in support of a proposed land swap, construction of a new driving track, and installation of a solar

photovoltaic array in Artesia, Eddy County, New Mexico. On behalf of FLETC, we are seeking input from your agency regarding any information or potential environmental concerns associated with this project. Please see the attached letter for additional information. We would appreciate any comments, concerns, information, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

We look forward to and welcome your participation in this analysis.

Thank you,

Natalie A. Kisak
Environmental Planner
D +1-301-944-1516
natalie.kisak@aecom.com

AECOM
12420 Milestone Center Dr., Suite 150
Germantown, MD 20876
T +1-301-250-2934
aecom.com

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Appendix B: Section 106 Coordination Letters

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Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 23, 2024

Michelle Ensey
Deputy SHPO, State Archaeologist
NM State Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501
michelle.ensey@dca.nm.gov
(505) 490-3928

RE: FLETC Land Acquisition/ Transfer and Solar Array, Artesia, Eddy County, New Mexico

Dear Ms. Ensey:

The U.S. Department of Homeland Security (DHS) plans to conduct an approximately 160-acre land swap between the Federal Law Enforcement Training Centers (FLETC) in Artesia, Eddy County, New Mexico and a private entity **(Figure 1**). FLETC intends to construct and operate a new driving track on the parcel it would acquire; the new track will be adjacent to an existing training track at the FLETC facility. It is anticipated that the parcel transferring out of federal ownership will be used for cattle grazing. In addition, a third parcel within the FLETC main campus currently used for a driving track is proposed for installation of solar panels. The Area of Potential Effects (APE) includes the 160-acre FLETC property proposed for transfer to private ownership, the 160-acre parcel that will be added to the FLETC property, and the 60-acre parcel proposed for solar panels, as well as a 500-meter-radius visual buffer (**Figure 2**). The proposed action is subject to the requirements of Section 106 of the National Historic Preservation Act (NHPA).

A review of previous investigations and recorded resources available from the Historic Preservation Division (HPD) Cultural Resources Information System (CRIS) shows that the two FLETC parcels (to be transferred and for solar arrays) have been previously surveyed, and portions of the property to be acquired have been surveyed. Two archaeological sites have been previously recorded within the APE (LA137498 and LA108387). Site LA137498 is a historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is a historic scatter within 500 meters of this parcel. Both sites have been determined not eligible for the National Register of Historic Places (NRHP). Six historic buildings have been recorded within the visual APE for the solar array parcel: 35324, 42206, 44207, 442208, 42210, and 42211. The buildings were built as part of the FLETC campus in the late 1970s. While these above-ground resources are within the potential viewshed for the solar project, the solar arrays are not likely to adversely affect the resources. Based on a review of historic aerials, all remaining above-ground buildings within the APE are less than 50 years old.

It is unlikely that any previously unrecorded or known significant archaeological or historical sites will be adversely affected. Should human remains or potentially significant archaeological

resources be encountered as a result of the undertaking, then work shall cease in the immediate area of the discovery and HPD and tribes will be notified.

FLETC seeks your comment on the proposed action. FLETC has contracted AECOM to facilitate the Section 106 process. If you have comments or information relevant to effects on cultural resources, please direct your correspondence to Heather Crowl at heather.crowl@aecom.com. This information is also being coordinated with interested tribes (**Attachment 1**).

Sincerely,

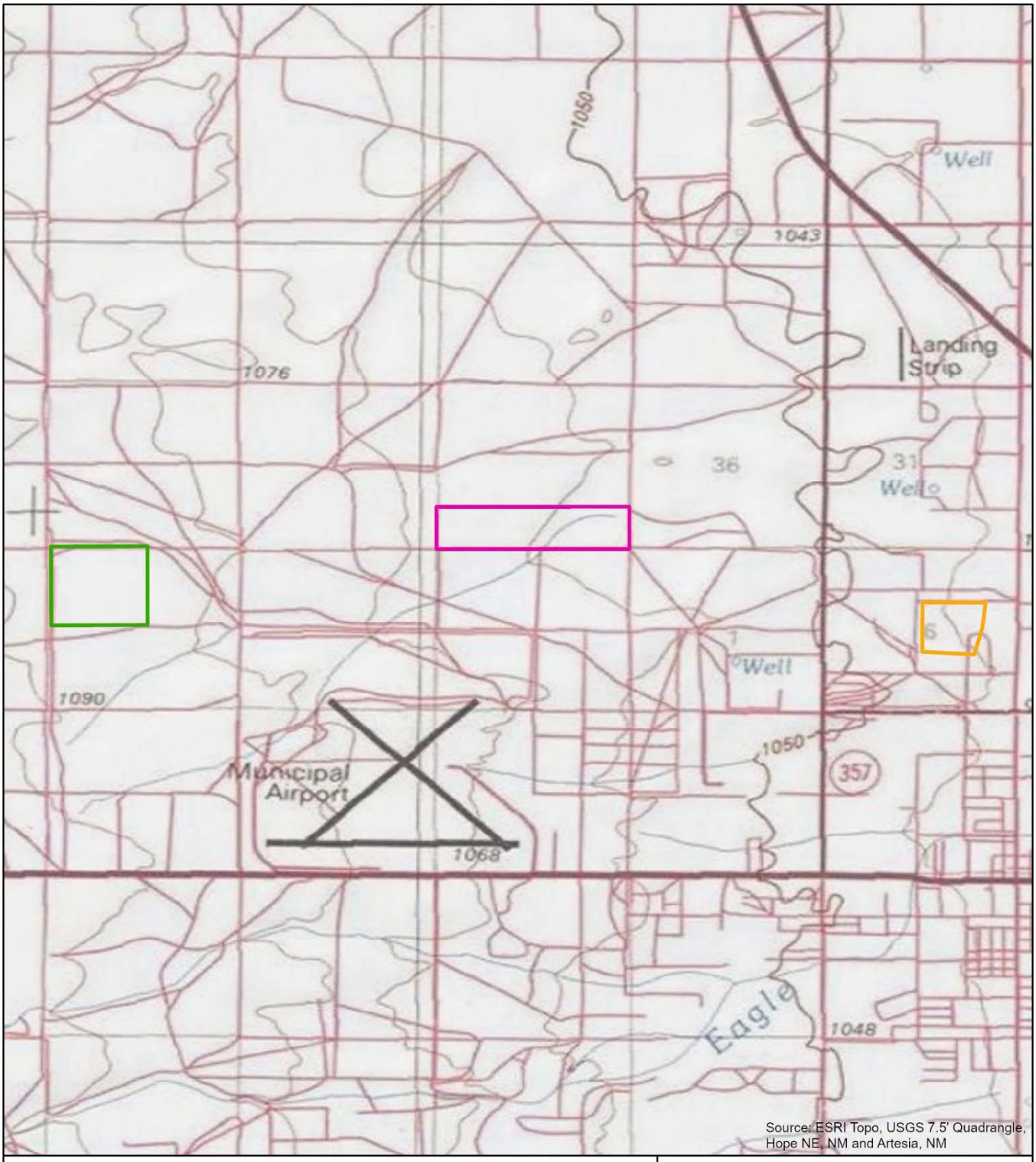
JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.02.28 15:38:46 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Attachments:
1. Tribal Consultation

Figures



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar

N

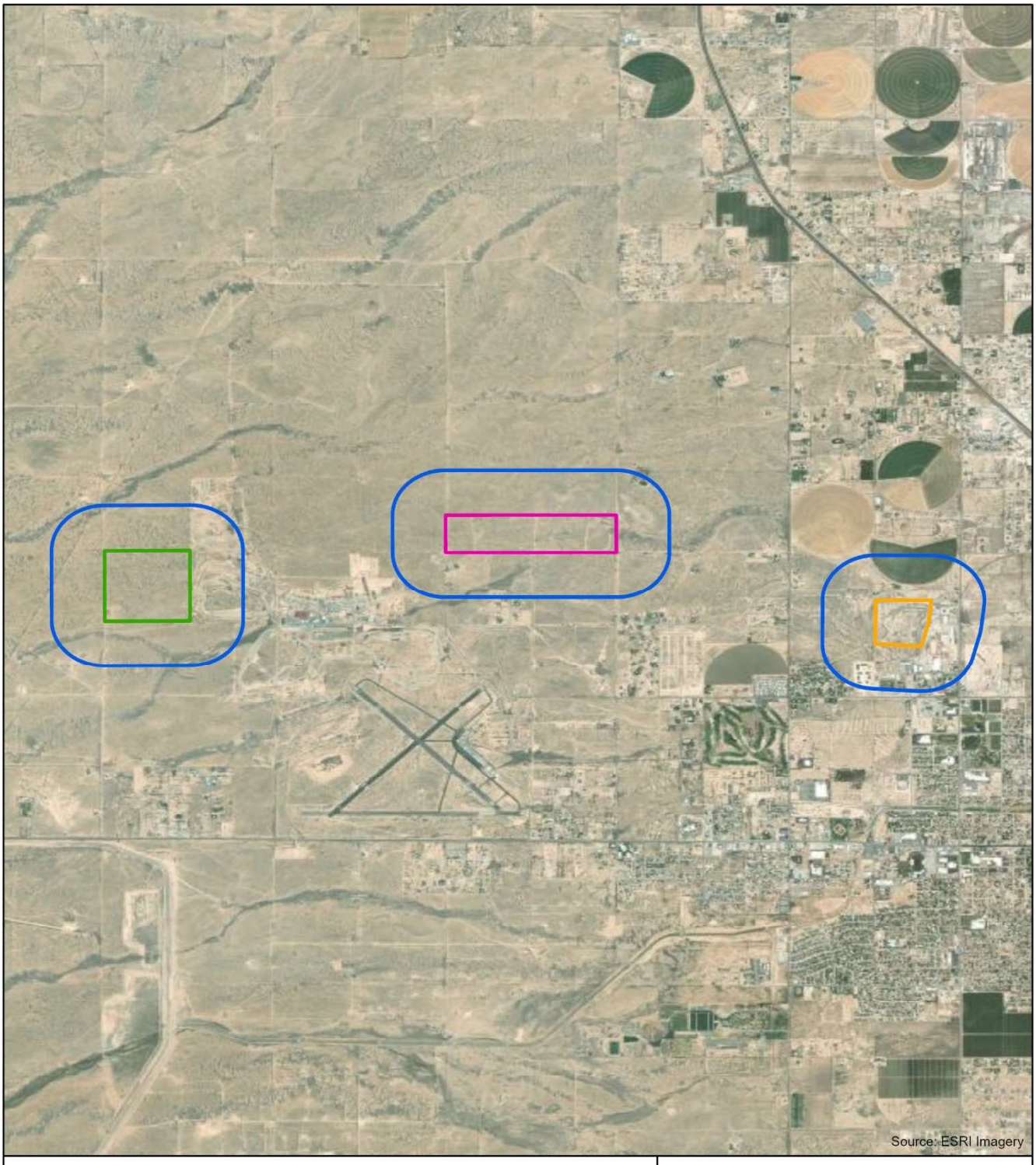
0 0.25 0.5 0.75 Miles

0 0.5 1 1.5 Kilometers

AECOM
12420 Milestone Center Dr.
Germantown, MD 20876

Project Location

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 1



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar
- APE buffer 500 meters

N

0 0.5 1 1.5 Miles

0 0.75 1.5 2.25 Kilometers

AECOM

12420 Milestone Center Dr.
Germantown, MD 20876

Area of Potential Effects

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 2

Attachment 1:

Tribal Consultation

Tribal Consultation Summary

Tribe	Date Letter Sent	Date of Response	Response
Comanche Indian Tribe	02/28/2024	02/28/2024	No Properties Identified
Kiowa Tribe	02/28/2024		
Mescalero Apache Tribe	02/28/2024		
Tesuque Pueblo	02/28/2024		
Ysleta del Sur Pueblo	02/28/2024		

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 23, 2024

Michelle Ensey
Deputy SHPO, State Archaeologist
NM State Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501
michelle.ensey@dca.nm.gov
(505) 490-3928

Received 2/29/2024
HPD Log#21959

RE: FLETC Land Acquisition/ Transfer and Solar Array, Artesia, Eddy County, New Mexico

Dear Ms. Ensey:

The U.S. Department of Homeland Security (DHS) plans to conduct an approximately 160-acre land swap between the Federal Law Enforcement Training Centers (FLETC) in Artesia, Eddy County, New Mexico and a private entity **(Figure 1**). FLETC intends to construct and operate a new driving track on the parcel it would acquire; the new track will be adjacent to an existing training track at the FLETC facility. It is anticipated that the parcel transferring out of federal ownership will be used for cattle grazing. In addition, a third parcel within the FLETC main campus currently used for a driving track is proposed for installation of solar panels. The Area of Potential Effects (APE) includes the 160-acre FLETC property proposed for transfer to private ownership, the 160-acre parcel that will be added to the FLETC property, and the 60-acre parcel proposed for solar panels, as well as a 500-meter-radius visual buffer (**Figure 2**). The proposed action is subject to the requirements of Section 106 of the National Historic Preservation Act (NHPA).

A review of previous investigations and recorded resources available from the Historic Preservation Division (HPD) Cultural Resources Information System (CRIS) shows that the two FLETC parcels (to be transferred and for solar arrays) have been previously surveyed, and portions of the property to be acquired have been surveyed. Two archaeological sites have been previously recorded within the APE (LA137498 and LA108387). Site LA137498 is a historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is a historic scatter within 500 meters of this parcel. Both sites have been determined not eligible for the National Register of Historic Places (NRHP). Six historic buildings have been recorded within the visual APE for the solar array parcel: 35324, 42206, 44207, 442208, 42210, and 42211. The buildings were built as part of the FLETC campus in the late 1970s. While these above-ground resources are within the potential viewshed for the solar project, the solar arrays are not likely to adversely affect the resources. Based on a review of historic aerials, all remaining above-ground buildings within the APE are less than 50 years old.

It is unlikely that any previously unrecorded or known significant archaeological or historical sites will be adversely affected. Should human remains or potentially significant archaeological

resources be encountered as a result of the undertaking, then work shall cease in the immediate area of the discovery and HPD and tribes will be notified.

FLETC seeks your comment on the proposed action. FLETC has contracted AECOM to facilitate the Section 106 process. If you have comments or information relevant to effects on cultural resources, please direct your correspondence to Heather Crowl at heather.crowl@aecom.com. This information is also being coordinated with interested tribes (**Attachment 1**).

Sincerely,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.02.28 15:38:46 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Attachments:

1. Tribal Consultation

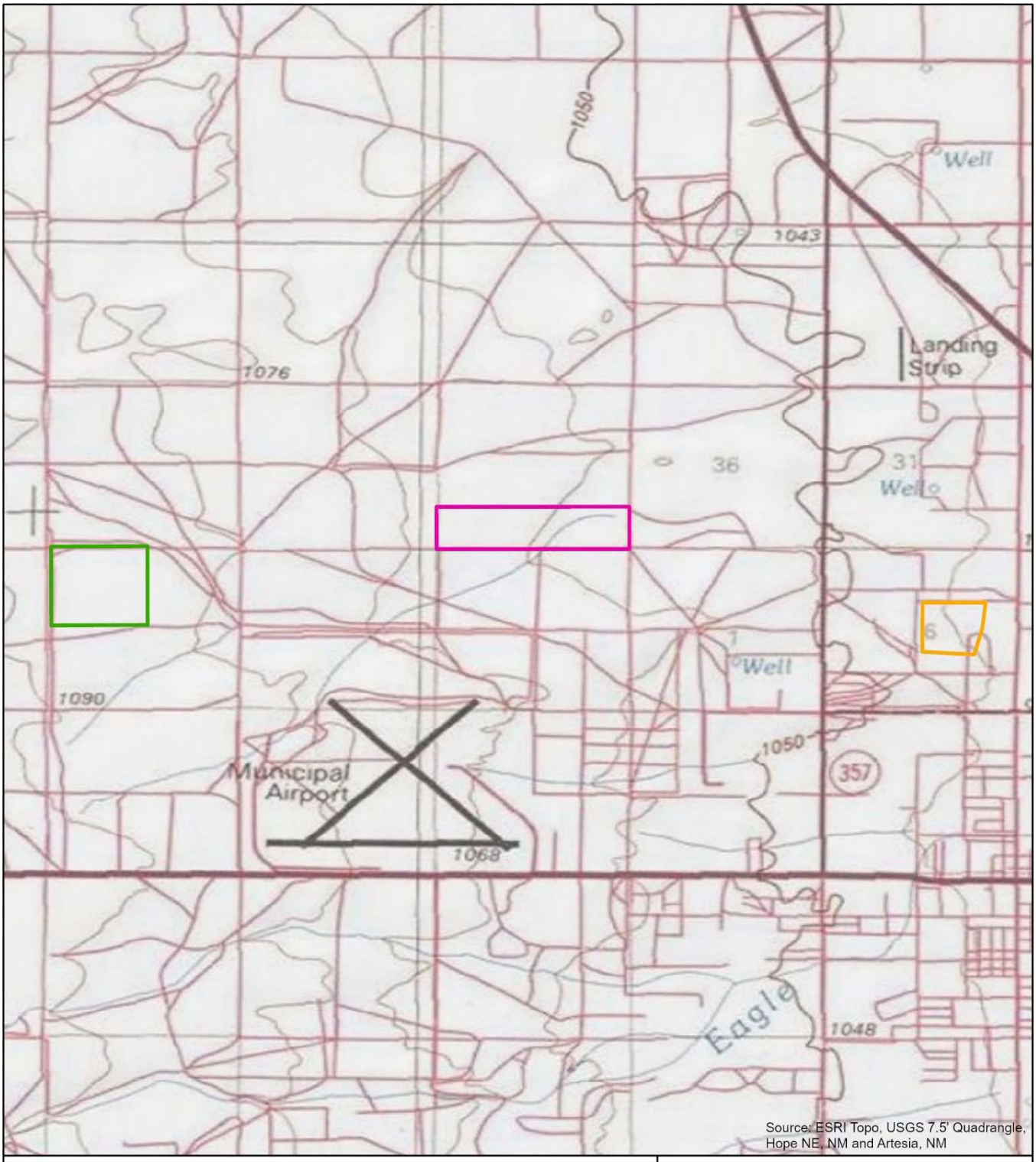
Comment: Thank you for this information. We don't have any concerns at this time and look forward to receiving FLETC's determination of effect for this undertaking.

Michelle Ensey

Digitally signed by Michelle Ensey
Date: 2024.03.15 12:50:37 -06'00'

for NM State Historic Preservation Officer

Figures



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar

N

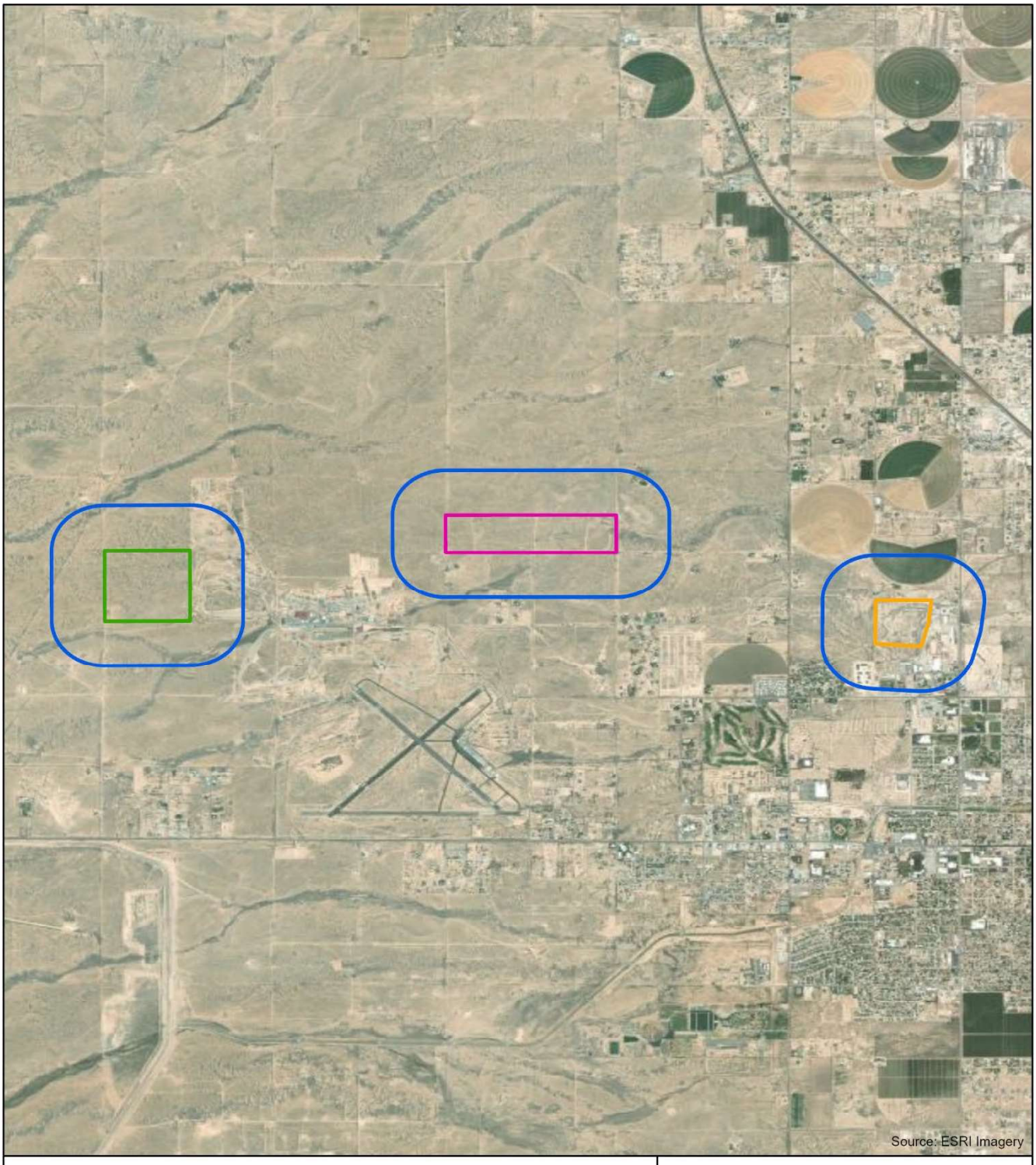
0 0.25 0.5 0.75 Miles

0 0.5 1 1.5 Kilometers

AECOM
12420 Milestone Center Dr.
Germantown, MD 20876

Project Location

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 1



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar
- APE buffer 500 meters

N

0 0.5 1 1.5 Miles

0 0.75 1.5 2.25 Kilometers

AECOM

12420 Milestone Center Dr.
Germantown, MD 20876

Area of Potential Effects

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 2

Attachment 1:

Tribal Consultation

Tribal Consultation Summary

Tribe	Date Letter Sent	Date of Response	Response
Comanche Indian Tribe	02/28/2024	02/28/2024	No Properties Identified
Kiowa Tribe	02/28/2024		
Mescalero Apache Tribe	02/28/2024		
Tesuque Pueblo	02/28/2024		
Ysleta del Sur Pueblo	02/28/2024		

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

March 18, 2024

Michelle Ensey
Deputy SHPO, State Archaeologist
NM State Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501
michelle.ensey@dca.nm.gov
(505) 490-3928

RE: HPD Log#21959. FLETC Land Acquisition/ Transfer and Solar Array, Artesia, Eddy County, New Mexico

Dear Ms. Ensey:

As previously communicated, the U.S. Department of Homeland Security (DHS) plans to conduct an approximately 160-acre land swap between the Federal Law Enforcement Training Centers (FLETC) in Artesia, Eddy County, New Mexico and a private entity (**Figure 1**). FLETC intends to construct and operate a new driving track on the parcel it would acquire; the new track will be adjacent to an existing training track at the FLETC facility. It is anticipated that the parcel transferring out of federal ownership will be used for cattle grazing. In addition, a third parcel within the FLETC main campus currently used for a driving track is proposed for installation of solar panels. The Area of Potential Effect (APE) includes the 160-acre FLETC property proposed for transfer to private ownership, the 160-acre parcel that will be added to the FLETC property, and the 60-acre parcel proposed for solar panels, as well as a 500-meter-radius visual buffer (**Figure 2**). The proposed action is subject to the requirements of Section 106 of the National Historic Preservation Act (NHPA).

A review of previous investigations and recorded resources available from the Historic Preservation Division (HPD) Cultural Resources Information System (CRIS) shows that the two FLETC parcels (to be transferred and for solar arrays) have been previously surveyed, and portions of the property to be acquired have been surveyed. Two archaeological sites have been previously recorded within the APE (LA137498 and LA108387). Site LA137498 is a historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is a historic scatter within 500 meters of this parcel. Both sites have been determined not eligible for the National Register of Historic Places (NRHP). Six historic buildings have been recorded within the visual APE for the solar array parcel: 35324, 42206, 44207, 442208, 42210, and 42211. The buildings were built as part of the FLETC campus in the late 1970s. While these above-ground resources are within the potential viewshed for the solar project, the solar arrays are not likely to adversely affect the resources. Based on a review of historic aerials, all remaining above-ground buildings within the APE are less than 50 years old.

It is unlikely that previously unrecorded significant archaeological or historical sites are present. Should human remains or potentially significant archaeological resources be encountered as a result of the undertaking, then work shall cease in the immediate area of the discovery and HPD and tribes will be notified. FLETC has determined that that the proposed project will have No Adverse Effect on cultural resources.

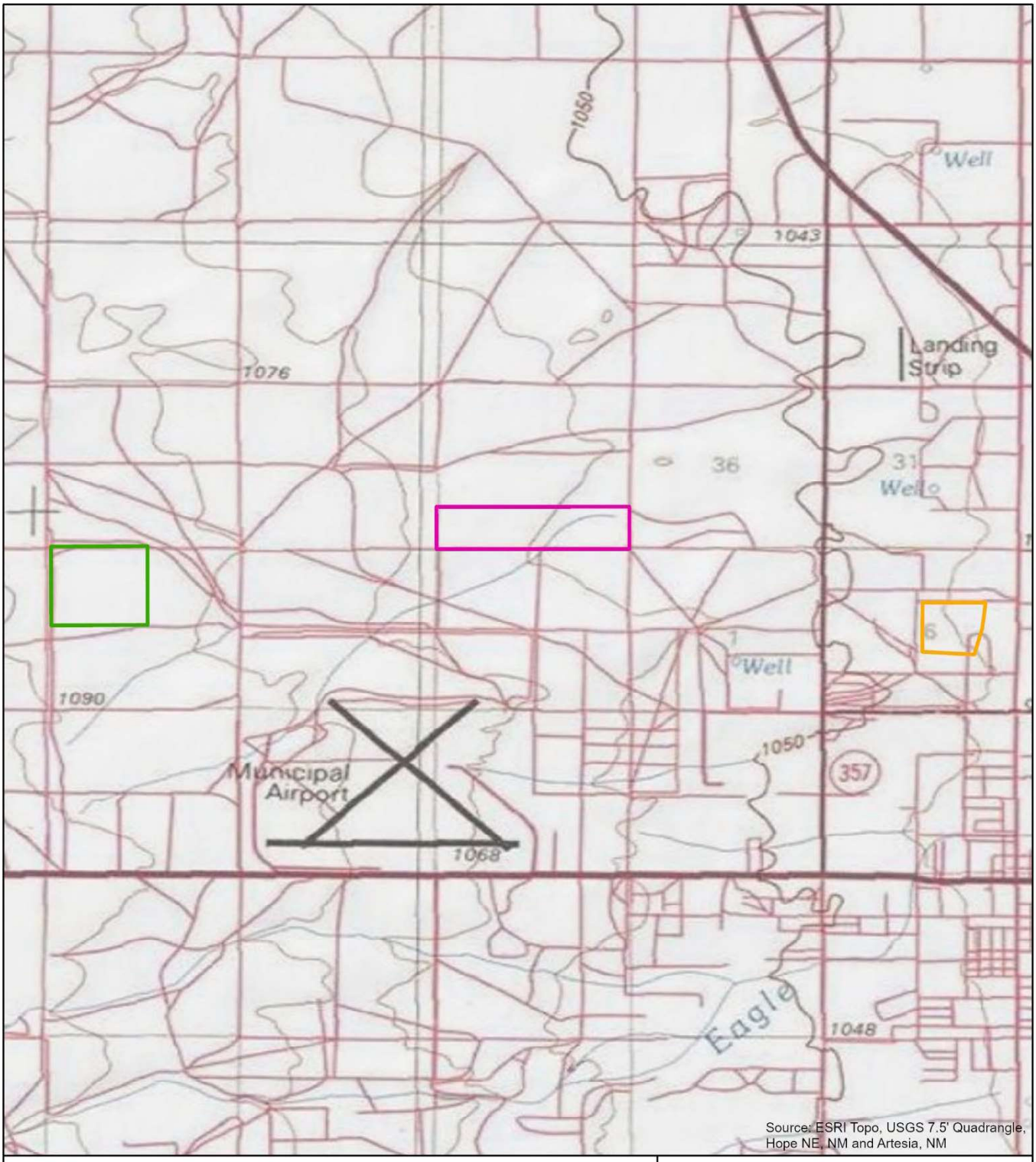
Sincerely,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.03.18 14:44:03 -04'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Figures



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar

N

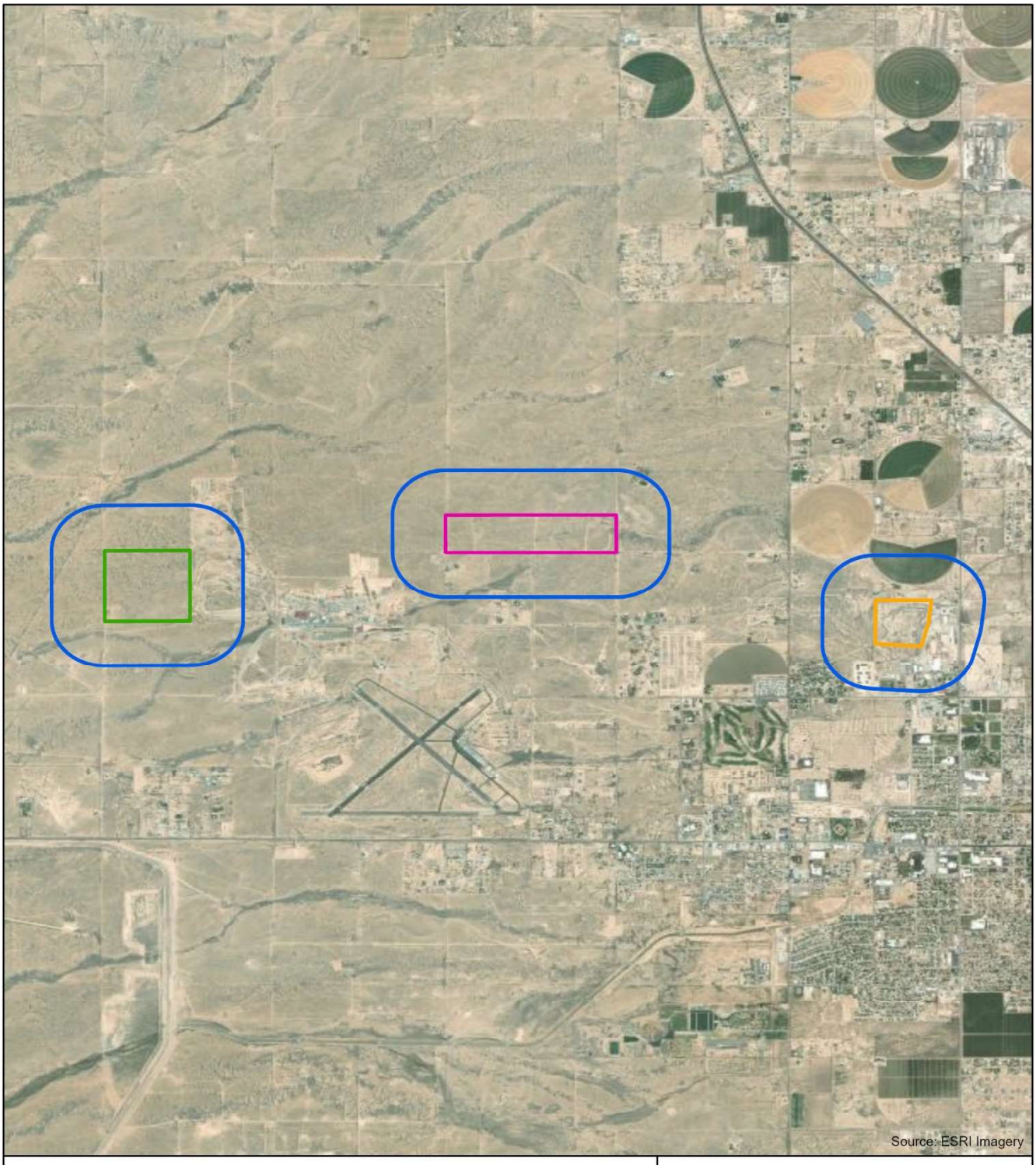
0 0.25 0.5 0.75 Miles

0 0.5 1 1.5 Kilometers

AECOM
12420 Milestone Center Dr.
Germantown, MD 20876

Project Location

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 1



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar
- APE buffer 500 meters

N

0 0.5 1 1.5 Miles

0 0.75 1.5 2.25 Kilometers

AECOM

12420 Milestone Center Dr.
Germantown, MD 20876

Area of Potential Effects

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 2

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

March 18, 2024

Michelle Ensey
Deputy SHPO, State Archaeologist
NM State Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501
michelle.ensey@dca.nm.gov
(505) 490-3928

Received 3/18/2024
HPD Log#122127

RE: HPD Log#21959. FLETC Land Acquisition/ Transfer and Solar Array, Artesia, Eddy County, New Mexico

Dear Ms. Ensey:

As previously communicated, the U.S. Department of Homeland Security (DHS) plans to conduct an approximately 160-acre land swap between the Federal Law Enforcement Training Centers (FLETC) in Artesia, Eddy County, New Mexico and a private entity (**Figure 1**). FLETC intends to construct and operate a new driving track on the parcel it would acquire; the new track will be adjacent to an existing training track at the FLETC facility. It is anticipated that the parcel transferring out of federal ownership will be used for cattle grazing. In addition, a third parcel within the FLETC main campus currently used for a driving track is proposed for installation of solar panels. The Area of Potential Effect (APE) includes the 160-acre FLETC property proposed for transfer to private ownership, the 160-acre parcel that will be added to the FLETC property, and the 60-acre parcel proposed for solar panels, as well as a 500-meter-radius visual buffer (**Figure 2**). The proposed action is subject to the requirements of Section 106 of the National Historic Preservation Act (NHPA).

A review of previous investigations and recorded resources available from the Historic Preservation Division (HPD) Cultural Resources Information System (CRIS) shows that the two FLETC parcels (to be transferred and for solar arrays) have been previously surveyed, and portions of the property to be acquired have been surveyed. Two archaeological sites have been previously recorded within the APE (LA137498 and LA108387). Site LA137498 is a historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is a historic scatter within 500 meters of this parcel. Both sites have been determined not eligible for the National Register of Historic Places (NRHP). Six historic buildings have been recorded within the visual APE for the solar array parcel: 35324, 42206, 44207, 442208, 42210, and 42211. The buildings were built as part of the FLETC campus in the late 1970s. While these above-ground resources are within the potential viewshed for the solar project, the solar arrays are not likely to adversely affect the resources. Based on a review of historic aerials, all remaining above-ground buildings within the APE are less than 50 years old.

It is unlikely that previously unrecorded significant archaeological or historical sites are present. Should human remains or potentially significant archaeological resources be encountered as a result of the undertaking, then work shall cease in the immediate area of the discovery and HPD and tribes will be notified. FLETC has determined that that the proposed project will have No Adverse Effect on cultural resources.

Sincerely,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.03.18 14:44:03 -04'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Concur, No Adverse Effect

Michelle Ensey

Digitally signed by Michelle Ensey
Date: 2024.03.28 09:16:00 -06'00'

for NM State Historic Preservation Officer

SAMPLE LET

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 23, 2024

Kiowa Indian Tribe of Oklahoma
Chairman Lawrence SpottedBird
P.O. Box 369
Carnegie, OK 73015
Phone: (580) 654-2300
Email: admin@kiowatribe.org

RE: FLETC Land Acquisition/Transfer and Solar Array, Artesia, Eddy County, New Mexico

Dear Mr. SpottedBird:

The U.S. Department of Homeland Security (DHS) plans to conduct an approximately 160-acre land swap between the Federal Law Enforcement Training Centers (FLETC) in Artesia, Eddy County, New Mexico and a private entity (**Figure 1**). FLETC intends to construct and operate a new driving track on the parcel it would acquire; the new track will be adjacent to an existing training track at the FLETC facility. It is anticipated that the parcel transferring out of federal ownership will be used for cattle grazing. In addition, a third parcel within the FLETC main campus currently used for a driving track is proposed for installation of solar panels. The Area of Potential Effects (APE) includes the 160-acre FLETC property proposed for transfer to private ownership, the 160-acre parcel that will be added to the FLETC property, and the 60-acre parcel proposed for solar panels, as well as a 500-meter-radius visual buffer (**Figure 2**).

A review of previous investigations and recorded resources available from the Historic Preservation Division (HPD) Cultural Resources Information System (CRIS) shows that two archaeological sites have been previously recorded within the APE (LA137498 and LA108387). Site LA137498 is a historic artifact scatter located within the FLETC parcel to be transferred to private ownership. Site LA108387 is a historic scatter within 500 meters of this parcel. Both sites have been determined not eligible for the National Register of Historic Places (NRHP). No cultural resources have been previously recorded within the APE for the property to be acquired or the property proposed for solar arrays.

DHS invites you to help identify historic properties within the project area that may have religious and cultural significance to your tribe. If you have questions, comments, or information relevant to effects on cultural resources, please direct your correspondence to James A. Brown at james.a.brown@fletc.dhs.gov. Should human remains or potentially significant archaeological resources be encountered as a result of the undertaking, then work shall cease in the immediate area of the discovery and HPD and Tribes will be notified.

Sincerely,

JAMES A BROWN

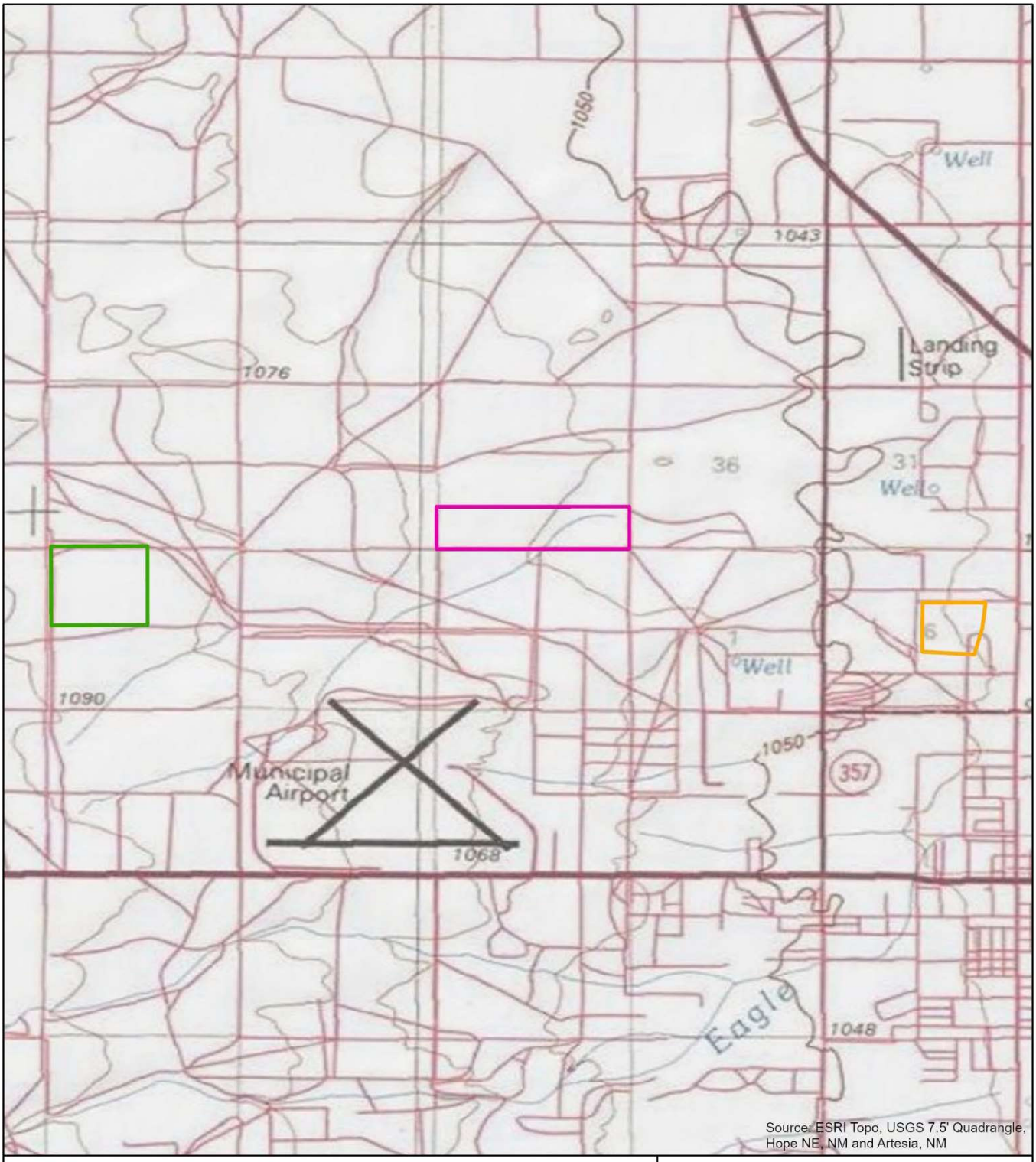
Digitally signed by JAMES A BROWN
Date: 2024.02.28 12:16:18 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Enclosures:

1. Figures

Figures



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar

N

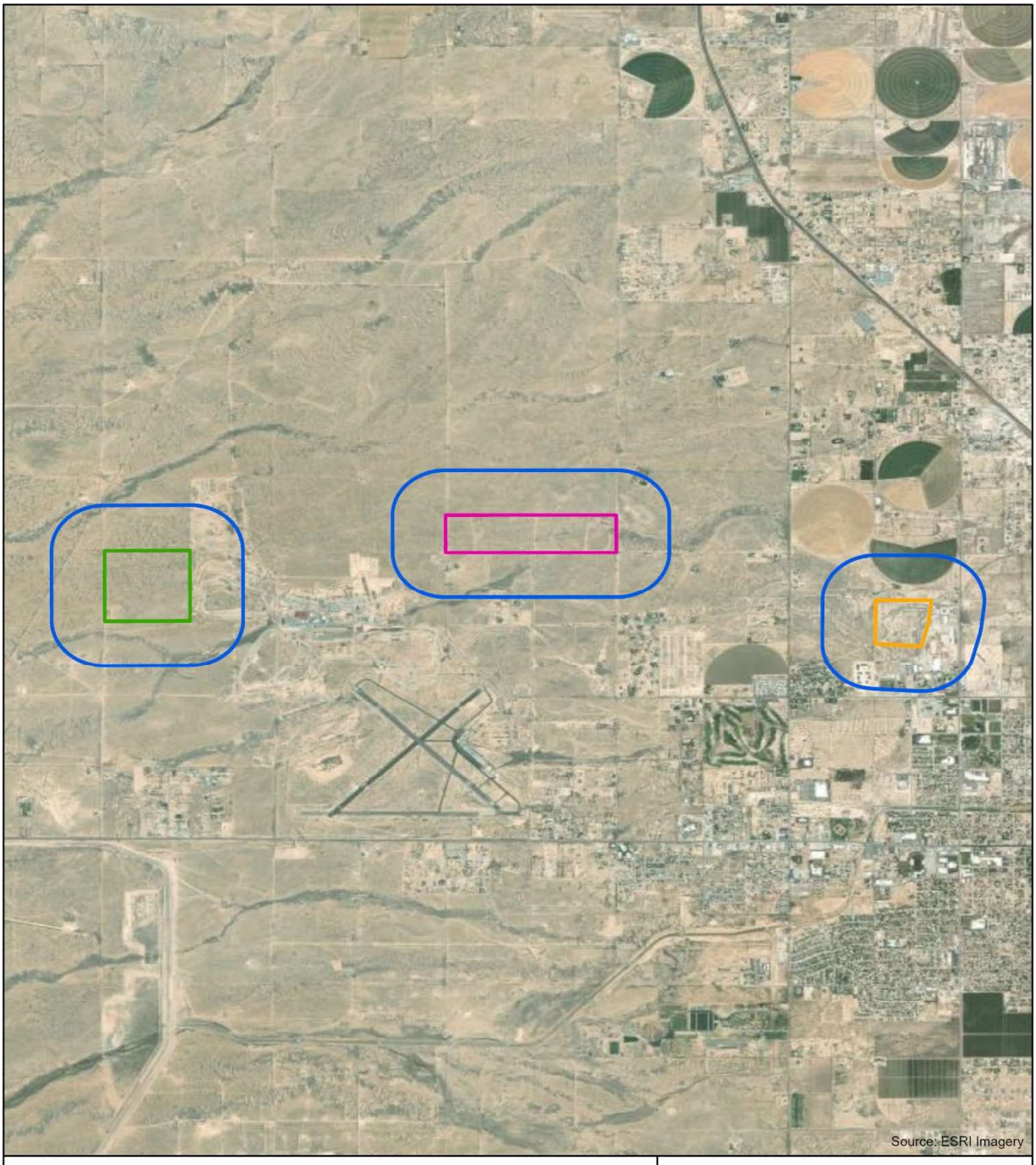
0 0.25 0.5 0.75 Miles

0 0.5 1 1.5 Kilometers

AECOM
12420 Milestone Center Dr.
Germantown, MD 20876

Project Location

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 1



Legend

- FLETC Parcel to Transfer
- Private Parcel to Purchase
- FLETC Parcel for Solar
- APE buffer 500 meters

N

0 0.5 1 1.5 Miles

0 0.75 1.5 2.25 Kilometers

AECOM

12420 Milestone Center Dr.
Germantown, MD 20876

Area of Potential Effects

Project No.	Prepared by	Date	
60718008	MAM	2/20/2024	Figure 2

Tribal Consultation Summary

Tribe	Date Letter Sent	Date of Response	Response
Comanche Indian Tribe	2/28/2024	2/28/2024	No prehistoric or historic archeological materials or properties identified on the project area.
Kiowa Tribe	2/28/2024	None received.	
Mescalero Apache Tribe	2/28/2024	3/4/2024	Requested more information on previous cultural surveys.
Tesuque Pueblo	2/28/2024	None received.	
Ysleta del Sur Pueblo	2/28/2024	None received.	

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Appendix C: Section 7 Consultation and Species Lists

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Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524

Homeland Security

February 8, 2024

Shawn Sartorius
US Fish and Wildlife Service
New Mexico Ecological Services Field Office
2105 Osuna Road NE
Albuquerque, NM 87113

Subject: Endangered Species Act Section 7 Consultation: Proposed Land Swap and Driving Track in Artesia, New Mexico
Project Code: 2024-0043289

Dear Mr. Sartorius:

The United States (US) Department of Homeland Security (DHS) Federal Law Enforcement Training Center (FLETC) is preparing an Environmental Assessment (EA) to evaluate the potential environmental impacts resulting from a proposal to conduct a land swap with a private entity of two, 160-acre, undeveloped parcels near FLETC's Special Training Complex in Artesia, Eddy County, New Mexico. FLETC intends to construct and operate a new driving track on the parcel it would acquire, to replace an existing driving track at FLETC's Main Campus in Artesia. A 60-acre portion of the existing driving track would then be repurposed to install a solar photovoltaic (PV) array. Collectively, the proposed land swap, new driving track, and solar PV array comprise FLETC's Proposed Action (see **Attachment 1**). DHS is preparing this EA is accordance with the National Environmental Policy Act of 1969 (NEPA) (42 United States Code §§ 4321 et seq.); the Council on Environmental Quality (CEQ) *Regulations Implementing the Procedural Provisions of NEPA* (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, rev. 01 *Implementation of the NEPA*; and DHS Instruction 023-01-001-01 rev. 01 *Implementation of the NEPA*.

FLETC provides training to law enforcement personnel at its main campus in Glynco, Georgia, and at a smaller facility in Artesia, New Mexico. The Office of Artesia Operation (OAO) consists of a campus location within the city of Artesia and the Special Training Complex, which is located 3 miles west of the Main Campus. The Special Training Complex is used for training law enforcement personnel in firearms and driving and evaluating critical driving skills to include emergency response and pursuit driving, reading the roadway, multitasking and decision-making, and advanced driving skills. One of FLETC's five driving tracks used for training at the Artesia site is located at the Main Campus location, and this existing track is in need of upgrades to the pavement design. FLETC intends to discontinue use of this track and consolidate driving training facilities at the Special Training Complex.

The purpose of the Proposed Action is to provide FLETC with additional space near the Special Training Complex suitable for construction of a new driving track. Construction of the driving track at the acquired parcel would consolidate training facilities and eliminate use of and need for upgrades at the existing driving track at the Main Campus. This would also allow the existing driving track at the Main Campus to be repurposed for installation of a ground-mounted solar PV array. Construction of the driving track is needed to provide FLETC with a driving track that meets all training and design requirements. It is anticipated that the transferred FLETC parcel would be used for cattle grazing in the future by the private owner. Installation of the solar PV array is needed to allow FLETC to decrease energy costs and its reliance on traditional energy sources while meeting federal directives on increasing renewable energy generation.

DHS queried the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) online database for federally listed plant and animal species with the potential to occur within or near the three parcels considered under the Proposed Action (see **Attachment 2**). The IPaC database identified 10 federally listed species under the Endangered Species Act (ESA) with potential occurrence (**Table 1**). The monarch butterfly (*Danaus plexippus*) is a candidate species that is potentially present; however, there are no legal requirements for candidate species. No critical habitat has been designated at the Proposed Action area.

Table 1: ESA-Listed Species in Eddy County, New Mexico

Common Name	Scientific Name	Federal Status[1]	Habitat Type
Tricolored bat	*Perimyotis subflavus*	Proposed endangered[2]	This species is found in forested edge habitats in the summer, roosting among the leaves of living or dead hardwood trees. In the winter, this species occupies caves and abandoned mines, or within road culverts in the southern US. They forage for insects in partly open habitats and over waterbodies (USFWS, 2023j; CBD, 2023).
Mexican spotted owl	*Strix occidentalis lucida*	T	This species occurs in forested mountains and canyonlands throughout the southwestern U.S. and Mexico. It ranges from Utah, Colorado, Arizona, New Mexico, and the western portions of Texas south into several states of Mexico. Whereas this owl occupies a broad geographic area, it does not occur uniformly throughout its range. Instead, it occurs in disjointed areas that correspond with isolated mountain ranges and canyon systems (USFWS, 2023c).

Common Name	Scientific Name	Federal Status[1]	Habitat Type
Northern aplomado falcon	*Falco femoralis septentrionalis*	EXPN	This species occurs in palm and oak savannahs, various desert grassland associations, and open pine woodlands. Within these variations, the essential habitat elements appear to be open terrain with scattered trees, relatively low ground cover, an abundance of insects and small to medium-sized birds, and sufficient areas to build nests. The experimental population is distributed through the Chihuahuan Desert region in southern New Mexico and the southeast corner of Arizona (USFWS, 2023d).
Piping plover	*Charadrius melodus*	T	Wintering piping plovers use a variety of coastal habitats, including sand spits, small islands, tidal flats, shoals, and sandbars with inlets. Primary foraging habitats include sandy mud flats, ephemeral pools, and seasonally emergent seagrass beds with abundant invertebrates (USFWS, 2023g).
Pecos bluntnose shiner	*Notropis simus pecosensis*	T	This species is typically found in main river channels, often below obstructions, over substrate of sand, gravel, and silt (USFWS, 2023e).
Pecos gambusia	*Gambusia nobilis*	E	This fish species occurs in aquatic habitats supported by nearby freshwater springs (USFWS, 2023f).
Gypsum wild-buckwheat	*Eriogonum gypsophilum*	T	This species grows in a harsh desert climate on gypsum deposits left by an ancient sea. These deposits dissolve easily when wet and form a hard physical soil crust when they dry. This soil crust prevents erosion and preserves soil moisture but limits opportunities for seedling emergence (USFWS, 2023a).
Lee pincushion cactus	*Coryphantha sneedii var. leei*	T	This species occurs primarily in cracks of limestone outcrops, in areas of broken terrain and steep slopes in Chihuahuan desert scrub communities between 4,000 and 5,000 ft in elevation (USFWS, 2023b).

Common Name	Scientific Name	Federal Status[1]	Habitat Type
Sneed pincushion cactus	*Coryphantha sneedii var. sneedii*	E	Sneed's pincushion cactus occurs on exposed areas of steep, sloping limestone in the shrublands or grasslands of the Chihuahuan Desert (USFWS, 2023h).
Wrights marsh thistle	*Cirsium wrightii*	T	The species occurs in wet, alkaline soils in spring seeps and marshy edges of streams and ponds between 3,450 and 7,850 ft. (1,150 and 2,390 m) in elevation (USFWS, 2023k).

1. T = Threatened, E = Endangered, EXPN = Experimental, C = Candidate
2. The tricolored bat was proposed for listing as an endangered species by the USFWS on September 13, 2022. The proposal is still undergoing review.

The Proposed Action area consists primarily of flat, open, grazing land and low desert scrub vegetation. It does not contain forest, riparian areas, water features, gypsum deposits, or limestone outcroppings. It does not contain suitable habitat for any of the species in the table above, with the exception of the northern aplomado falcon (*Falco femoralis septentrionalis*). Due to the absence of suitable habitat, the Proposed Action would have *no effect* on the tricolored bat (*Perimyotis subflavus*), Mexican spotted owl (*Strix occidentalis lucida*), piping plover (*Charadrius melodus*), Pecos bluntnose shiner (*Notropis simus pecosensis*), Pecos gambusia (*Gambusia nobilis*), gypsum wild-buckwheat (*Eriogonum gypsophilum*), Lee pincushion cactus (*Coryphantha sneedii var. leei*), Sneed pincushion cactus (*Coryphantha sneedii var. sneedii*), and Wrights marsh thistle (*Cirsium wrightii*).

The northern aplomado falcon has potential to be present at or within the Proposed Action area. The site and surrounding vicinity contain semidesert scrub vegetation typical of the Chihuahuan Desert grasslands, such as a variety of grasses and soaptree yucca (*Yucca elata*), which may provide either nesting or foraging habitat for this species. Although the Proposed Action area contains suitable habitat, prior surveys on FLETC Artesia property have not identified the presence of this species or its nests (DHS, 2006). Additionally, the amount of potential habitat that would be disturbed under the Proposed Action would be minimal in comparison to the abundance of adjacent desert grassland habitat that could be used by the northern aplomado falcon. Therefore, the Proposed Action *may affect but is not likely to adversely affect* the northern aplomado falcon.

Pursuant to ESA Section 7, FLETC requests USFWS review and concurrence with the effects determinations stated in this letter. FLETC also solicits input on the Proposed Action and its potential to impact other plant or animal species of concern or interest to USFWS. FLETC respectfully requests your review and concurrence within **thirty (30) days** from receipt of this correspondence so that we may complete our environmental review in a timely manner.

FLETC has contracted AECOM to facilitate the NEPA process. If you have comments or information relevant to the development of the EA, please direct your correspondence to Natalie Kisak at natalie.kisak@aecom.com.

Respectfully,

JAMES A BROWN

Digitally signed by JAMES A BROWN
Date: 2024.02.07 12:39:28 -05'00'

James A. Brown, Jr.
Lead Environmental Protection Specialist
Environmental and Safety Branch
Mission and Readiness Support Directorate
Federal Law Enforcement Training Centers
Glynco, GA 31524
(912) 261-4064

Attachments:

1. Project Location Figure
2. IPaC Official Species List

References

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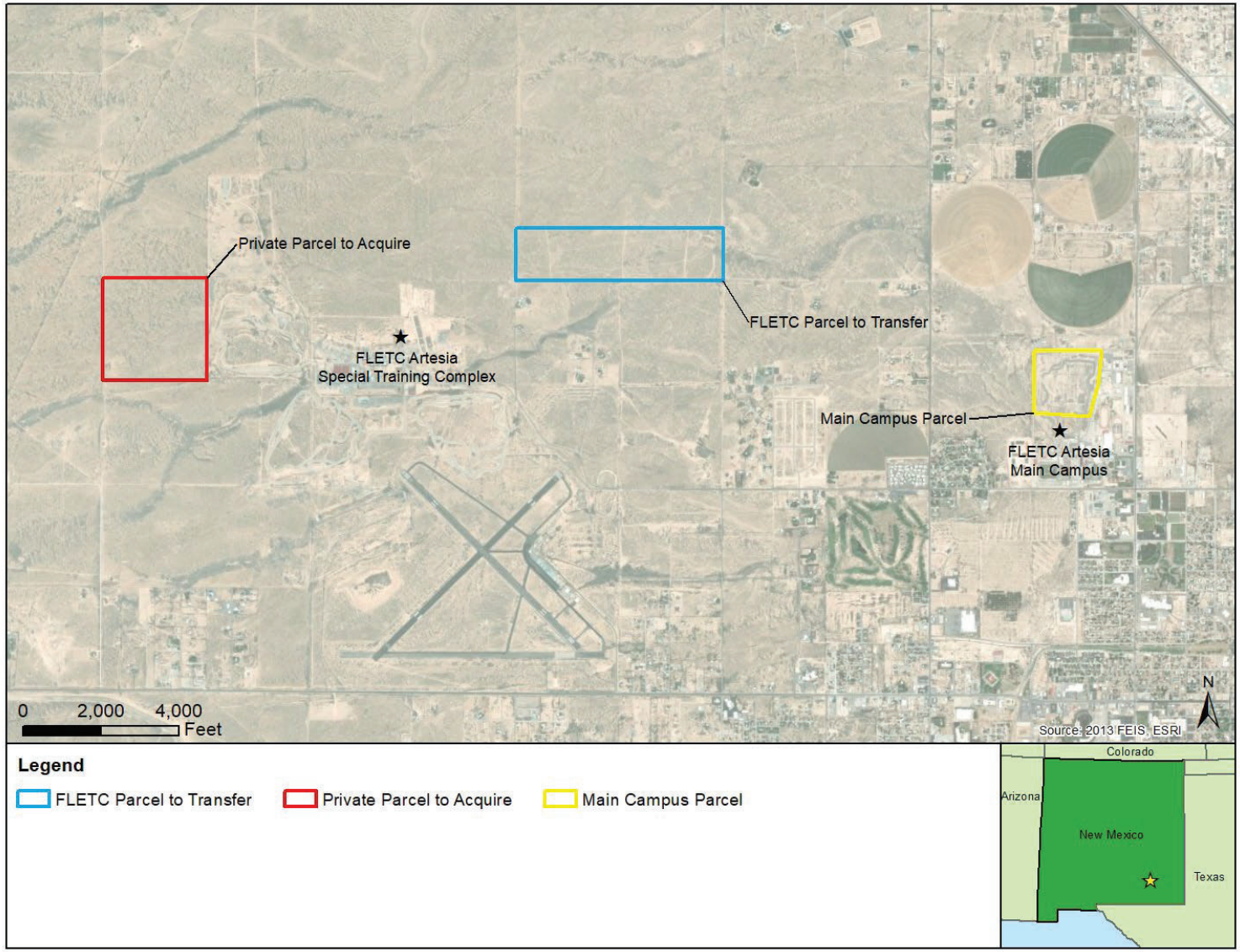
Attachment 1: Project Location Figure



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna Road Ne
Albuquerque, NM 87113-1001
Phone: (505) 346-2525 Fax: (505) 346-2542

In Reply Refer To:
Project Code: 2024-0043289
Project Name: FLETC 3 Parcels

January 31, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668(c)). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area, and to recommend some conservation measures that can be included in your project design.

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the ESA is to provide a means whereby threatened and endangered species and

the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (NEPA; 42 USC 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf.

Candidate Species and Other Sensitive Species

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico State agencies. These lists, along with species information, can be found at the following websites.

Biota Information System of New Mexico (BISON-M): www.bison-m.org

New Mexico State Forestry. The New Mexico Endangered Plant Program: https://www.emnrd.nm.gov/sfd/rare-plants/

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: nmrareplants.unm.edu

Natural Heritage New Mexico, online species database: nhnm.unm.edu

WETLANDS AND FLOODPLAINS

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, www.fws.gov/wetlands/Data/Mapper.html, integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

MIGRATORY BIRDS

In addition to responsibilities to protect threatened and endangered species under the ESA, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 CFR 10.12 and 16 USC 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a Federal nexus) or a Bird/Eagle Conservation Plan (when there is no Federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds. We also recommend review of the Birds of Conservation Concern list (https://www.fws.gov/media/birds-conservation-concern-2021) to fully evaluate the effects to the birds at your site. This list identifies migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent top conservation priorities for the Service, and are potentially threatened by disturbance, habitat impacts, or other project development activities.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 thereby provides additional protection for both migratory birds and migratory bird habitat. Please visit https://www.fws.gov/partner/council-conservation-migratory-birds for information regarding the implementation of Executive Order 13186.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State protected and at-risk species fish, wildlife, and plants.

For further consultation with the Service we recommend submitting inquiries or assessments electronically to our incoming email box at nmesfo@fws.gov, where it will be more promptly routed to the appropriate biologist for review.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New Mexico Ecological Services Field Office
2105 Osuna Road Ne
Albuquerque, NM 87113-1001
(505) 346-2525

PROJECT SUMMARY

Project Code: 2024-0043289
Project Name: FLETC 3 Parcels
Project Type: Acquisition of Lands
Project Description: EA
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@32.873614950000004,-104.4558721750193,14z

Counties: Eddy County, New Mexico

ENDANGERED SPECIES ACT SPECIES

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Mexican Spotted Owl *Strix occidentalis lucida* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8196	Threatened
Northern Aplomado Falcon *Falco femoralis septentrionalis* Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923	Experimental Population, Non-Essential
Piping Plover *Charadrius melodus* Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

FISHES

NAME	STATUS
Pecos Bluntnose Shiner *Notropis simus pecosensis* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4362	Threatened
Pecos Gambusia *Gambusia nobilis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/460	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Gypsum Wild-buckwheat *Eriogonum gypsophilum* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7770	Threatened
Lee Pincushion Cactus *Coryphantha sneedii var. leei* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2504	Threatened
Sneed Pincushion Cactus *Coryphantha sneedii var. sneedii* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4706	Endangered
Wright's Marsh Thistle *Cirsium wrightii* Population: There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8963	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: KayLee Lavery
Address: 12420 Milestone Center Dr Ste 150
City: Germantown
State: MD
Zip: 20876
Email kaylee.lavery@aecom.com
Phone: 8015542834

From: Fry, Melissa N
To: Kisak, Natalie
Cc: james.a.brown@fletc.dhs.gov
Subject: FLETC Artesia Project Review Request - USFWS
Date: Thursday, February 22, 2024 11:24:06 AM

Hi Natalie,

Thank you for letting us review the FLETC Proposed Land Swap and Driving Track Project in Artesia, NM. I have reviewed your documents and spoken with some of the lead biologists for the species you listed in your determinations. Given the project description and location, and the current status of the Northern Aplomado Falcon population in New Mexico, we have no comments on the project at this time. Thank you for your consideration of our wildlife resources.

Please let me know if you have any questions. My work phone number is 505-414-0030.

Thank you! Have a great rest of your day.

Melissa Fry
Fish and Wildlife Biologist
U. S. Fish & Wildlife Service New Mexico Ecological Services
Energy Team Member Stationed at Roswell BLM Office
Work Cell Phone: 505-414-0030
Office Phone: 575-627-0206

Appendix D: Immediate Spill Response Actions (Excerpted from FLETC Artesia Spill Prevention, Control, and Countermeasure Plan)

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Immediate Spill Response Actions

At the Federal Law Enforcement Training Center (FLETC) in Artesia, NM, the spill of oil will require certain immediate action to prevent further spillage and ensure that the containment areas are secured, if possible, to prevent a discharge to the identified receiving waters. More specifically, facility personnel should immediately notify FLETC Security who will coordinate the action to be taken. The person notifying FLETC Security should report as much of the following information as possible:

a) Location of and nature of material spilled.
b) Immediate hazards.
c) Source of spill, if known.
d) Determine if source continuing to discharge.
e) Amount of spill.
f) Total possible volume of spill if unable to stop leak.
g) Containment of spill, actual and potential.
h) Immediate steps to contain spill.
i) Direction and distance of spilled material.
j) Name of person reporting spill.

Following notification of an emergency situation, FLETC Security shall immediately coordinate and implement the following action:

a) Contact the key facility operating personnel who are to assist in the coordination of implementing the Plan.
b) Shut down pumps, close valves and otherwise isolate the source of the spill to minimize the magnitude of the spill itself.
c) Conduct a quick but thorough inspection of the containment facilities, giving special attention to drain lines and valves, to ensure that any spilled materials will be confined within the containment areas and not discharged.
d) Whenever specific conditions, including adverse weather, will result in a situation where the normal containment methods and cleanup actions will not be adequate, mobilize additional personnel and equipment. If necessary, use straw, dirt, sand, or other adsorptive materials to prevent the flow of spilled materials and ensure confinement until the appropriate spill cleanup materials are obtained.
e) Take all necessary steps to protect personnel, facility and equipment from fire hazard, including removing all sources of ignition.
f) Take necessary steps to protect personnel from direct or indirect contact with spilled materials, and utilize protective clothing, including self-contained breathing apparatus, when danger from inhalation, ingestion or exposure to the skin is imminent.
g) Initiate final cleanup and disposal procedures only after a full assessment of the situation has been made and all of the above precautions have been implemented.

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Appendix E: EJScreen Community Reports

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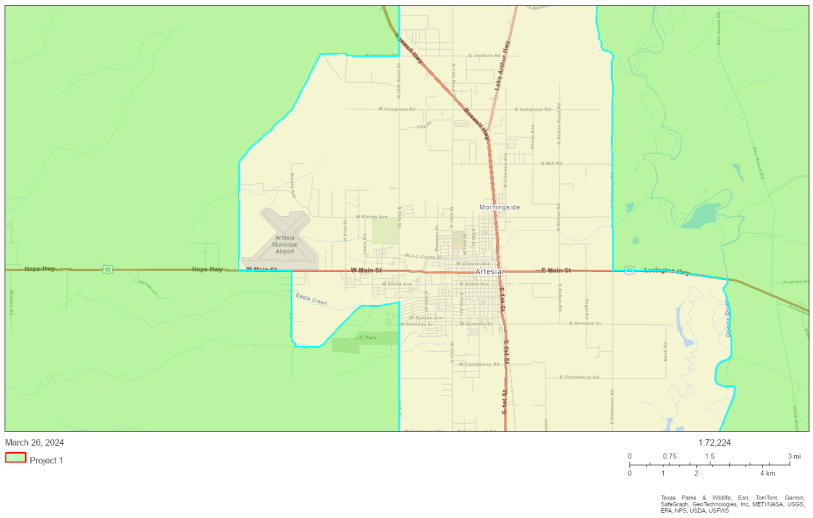
EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Eddy County, NM

Blockgroup: 350150009001
Population: 2,308
Area in square miles: 1549.41

A3 Landscape



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	63%
Spanish	36%
Total Non-English	37%

COMMUNITY INFORMATION

Low income: 22 percent
People of color: 33 percent
Less than high school education: 27 percent
Limited English households: 8 percent
Unemployment: 16 percent
Persons with disabilities: 12 percent
Male: 42 percent
Female: 58 percent
82 years
Average life expectancy
$33,417
Per capita income
Number of households: 597
Owner occupied: 84 percent

BREAKDOWN BY RACE

White: 67%
Black: 0%
American Indian: 1%
Asian: 0%
Hawaiian/Pacific Islander: 0%
Other race: 0%
Two or more races: 1%
Hispanic: 31%

BREAKDOWN BY AGE

From Ages 1 to 4	5%
From Ages 1 to 18	24%
From Ages 18 and up	76%
From Ages 65 and up	17%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, American Community Survey (ACS) 2017 -2021. Life expectancy data comes from the Centers for Disease Control.

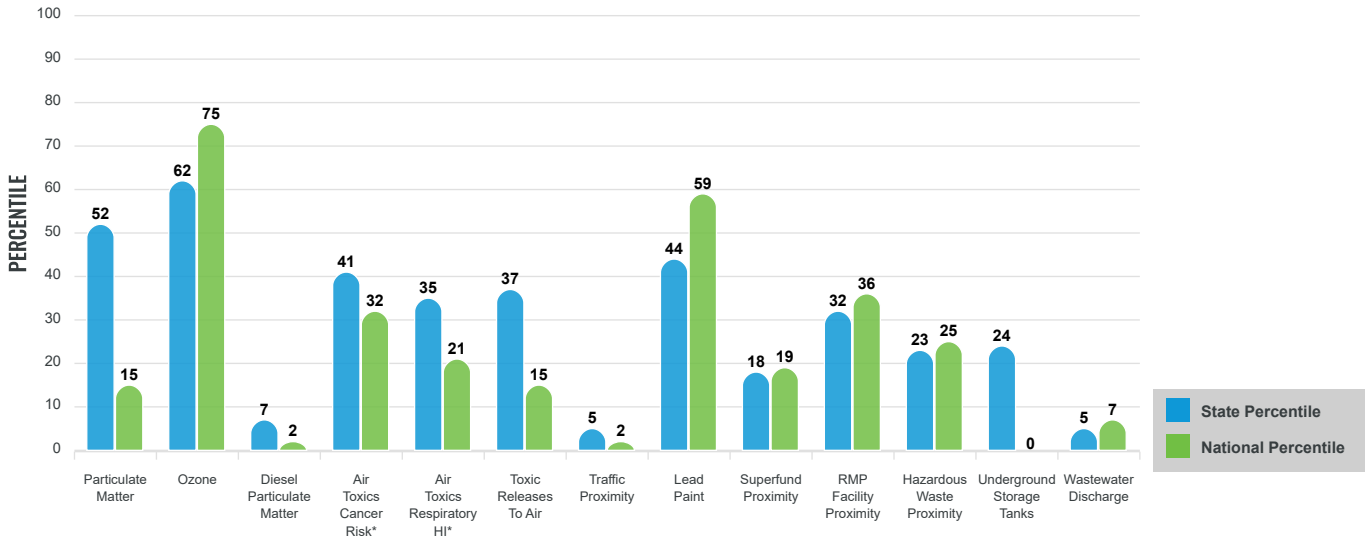
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

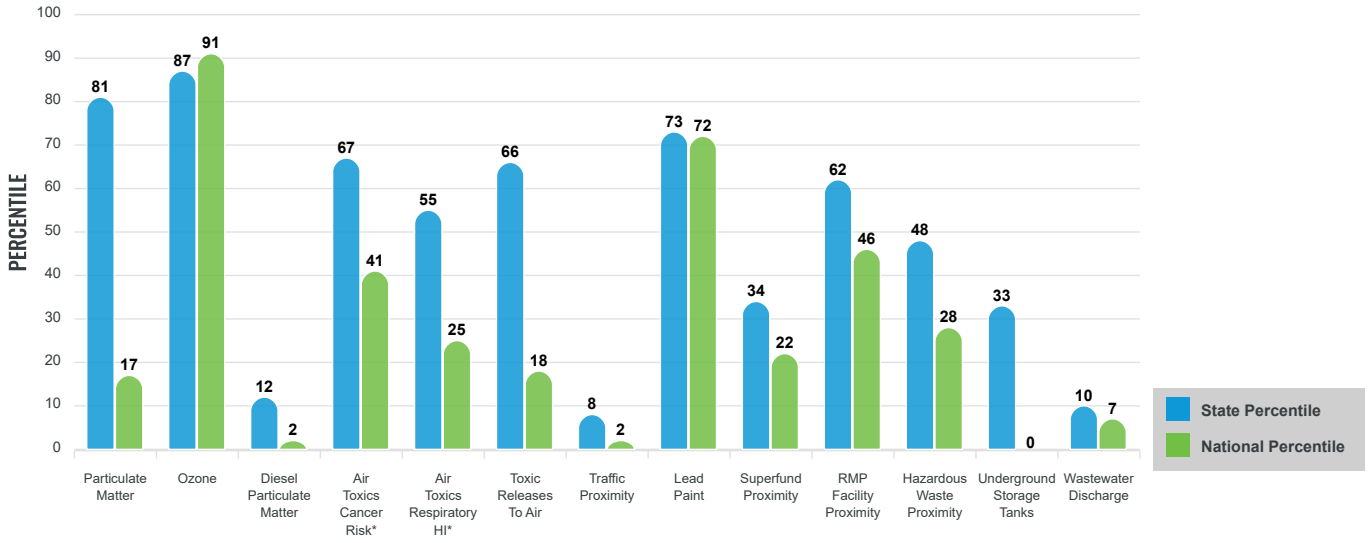
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for Blockgroup: 350150009001

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.1	5.16	79	8.08	9
Ozone (ppb)	72	64.7	97	61.6	96
Diesel Particulate Matter (µg/m^3)	0.0213	0.194	9	0.261	1
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.2	0.21	29	0.31	4
Toxic Releases to Air	13	29	53	4,600	10
Traffic Proximity (daily traffic count/distance to road)	0.33	84	6	210	1
Lead Paint (% Pre-1960 Housing)	0.28	0.19	72	0.3	56
Superfund Proximity (site count/km distance)	0.017	0.14	25	0.13	13
RMP Facility Proximity (facility count/km distance)	0.095	0.15	50	0.43	27
Hazardous Waste Proximity (facility count/km distance)	0.078	0.73	35	1.9	15
Underground Storage Tanks (count/km^2)	0.0028	3.3	22	3.9	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	1.9E-07	0.47	6	22	4
SOCIOECONOMIC INDICATORS					
Demographic Index	28%	51%	14	35%	47
Supplemental Demographic Index	18%	17%	58	14%	72
People of Color	33%	62%	13	39%	53
Low Income	22%	40%	24	31%	41
Unemployment Rate	16%	7%	89	6%	92
Limited English Speaking Households	8%	6%	76	5%	82
Less Than High School Education	27%	14%	84	12%	89
Under Age 5	5%	5%	54	6%	48
Over Age 64	17%	19%	52	17%	57
Low Life Expectancy	16%	19%	16	20%	17

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund 0
Hazardous Waste, Treatment, Storage, and Disposal Facilities 0
Water Dischargers 39
Air Pollution 198
Brownfields 0
Toxic Release Inventory 0

Other community features within defined area:

Schools 0
Hospitals 0
Places of Worship 2

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... No
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for Blockgroup: 350150009001

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	16%	19%	16	20%	17
Heart Disease	6.3	6.2	52	6.1	56
Asthma	9.8	10.3	39	10	49
Cancer	5.8	5.7	53	6.1	41
Persons with Disabilities	14.4%	16.6%	40	13.4%	62

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	13%	9%	77	12%	74
Wildfire Risk	56%	58%	40	14%	86

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	33%	22%	77	14%	91
Lack of Health Insurance	15%	9%	82	9%	85
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for Blockgroup: 350150009001

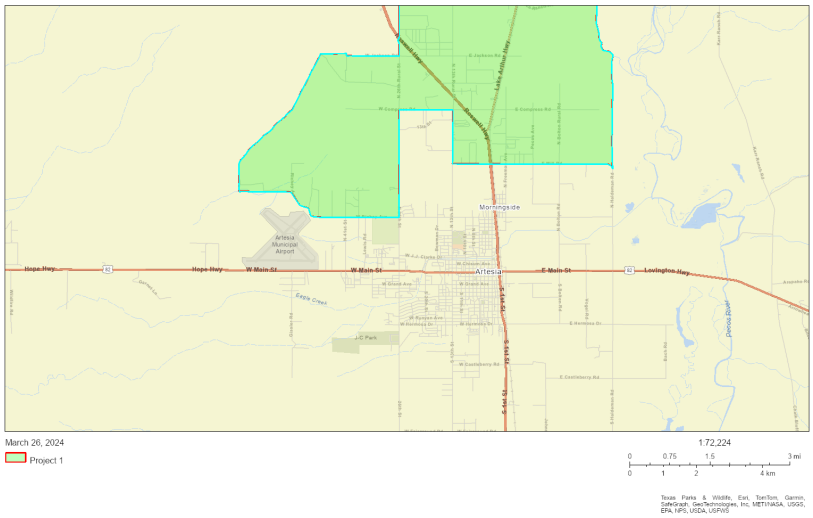
EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Eddy County, NM

Blockgroup: 350150009003
Population: 1,744
Area in square miles: 17.59

A3 Landscape



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	63%
Spanish	36%
Total Non-English	37%

COMMUNITY INFORMATION

- Low income: 49 percent
- People of color: 61 percent
- Less than high school education: 22 percent
- Limited English households: 6 percent
- Unemployment: 0 percent
- Persons with disabilities: 19 percent
- Male: 49 percent
- Female: 51 percent
- 82 years — Average life expectancy
- $40,275 — Per capita income
- Number of households: 648
- Owner occupied: 49 percent

BREAKDOWN BY RACE

- White: 39%
- Black: 0%
- American Indian: 2%
- Asian: 0%
- Hawaiian/Pacific Islander: 0%
- Other race: 0%
- Two or more races: 2%
- Hispanic: 58%

BREAKDOWN BY AGE

From Ages 1 to 4	2%
From Ages 1 to 18	26%
From Ages 18 and up	74%
From Ages 65 and up	13%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, American Community Survey (ACS) 2017 -2021. Life expectancy data comes from the Centers for Disease Control.

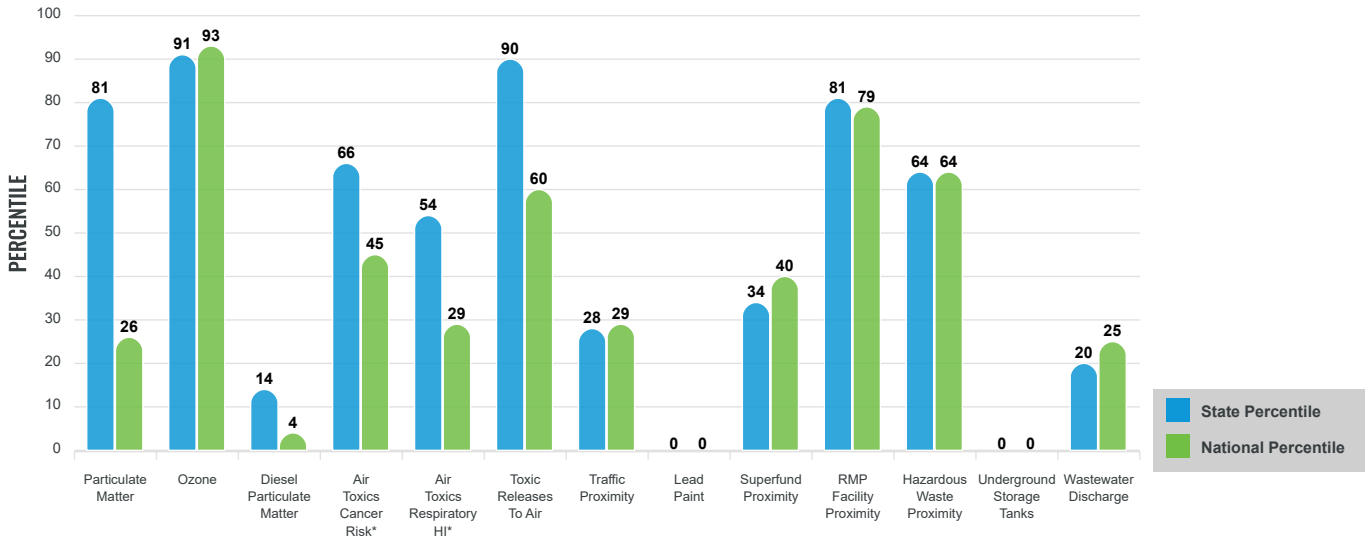
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

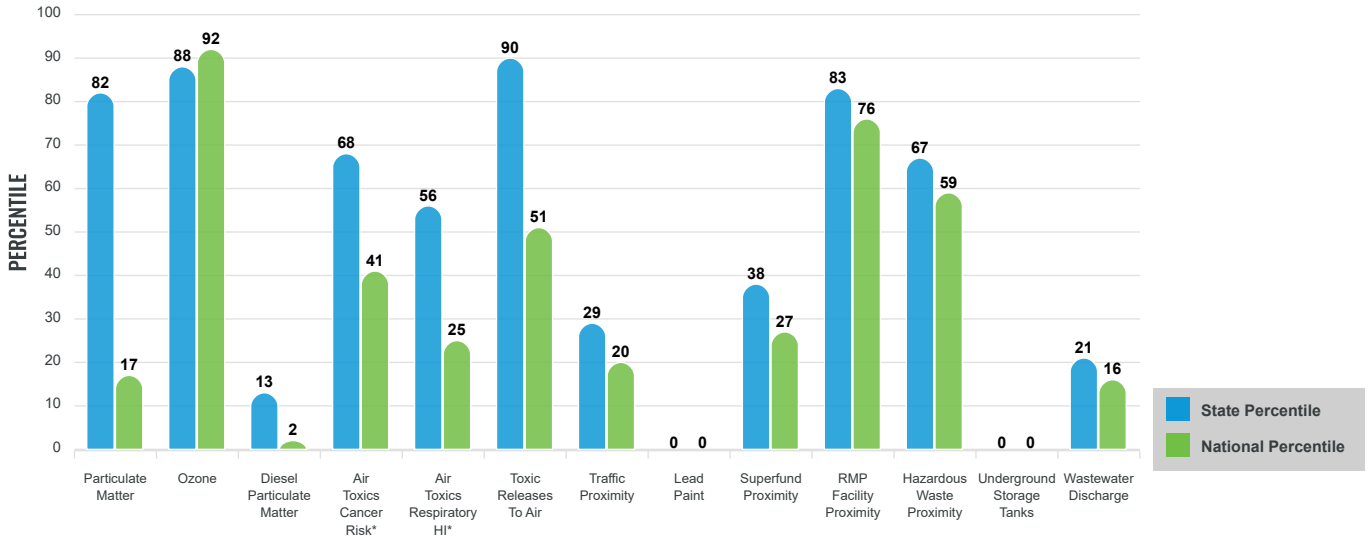
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for Blockgroup: 350150009003

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.1	5.16	79	8.08	9
Ozone (ppb)	72	64.7	97	61.6	96
Diesel Particulate Matter (µg/m^3)	0.0213	0.194	9	0.261	1
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.2	0.21	29	0.31	4
Toxic Releases to Air	170	29	98	4,600	30
Traffic Proximity (daily traffic count/distance to road)	4.1	84	20	210	10
Lead Paint (% Pre-1960 Housing)	0	0.19	0	0.3	0
Superfund Proximity (site count/km distance)	0.018	0.14	26	0.13	15
RMP Facility Proximity (facility count/km distance)	0.22	0.15	81	0.43	60
Hazardous Waste Proximity (facility count/km distance)	0.22	0.73	53	1.9	37
Underground Storage Tanks (count/km^2)	0	3.3	0	3.9	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	1.1E-06	0.47	15	22	9
SOCIOECONOMIC INDICATORS					
Demographic Index	55%	51%	56	35%	78
Supplemental Demographic Index	18%	17%	61	14%	74
People of Color	61%	62%	46	39%	73
Low Income	49%	40%	64	31%	79
Unemployment Rate	0%	7%	0	6%	0
Limited English Speaking Households	6%	6%	68	5%	77
Less Than High School Education	22%	14%	76	12%	83
Under Age 5	2%	5%	29	6%	23
Over Age 64	13%	19%	35	17%	39
Low Life Expectancy	16%	19%	16	20%	17

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund 0
Hazardous Waste, Treatment, Storage, and Disposal Facilities 0
Water Dischargers 12
Air Pollution 1
Brownfields 0
Toxic Release Inventory 0

Other community features within defined area:

Schools 0
Hospitals 0
Places of Worship 0

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... No

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... No
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for Blockgroup: 350150009003

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	16%	19%	16	20%	17
Heart Disease	6.3	6.2	52	6.1	56
Asthma	9.8	10.3	39	10	49
Cancer	5.8	5.7	53	6.1	41
Persons with Disabilities	14.4%	16.6%	40	13.4%	62

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	11%	9%	71	12%	68
Wildfire Risk	15%	58%	33	14%	82

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	22%	22%	58	14%	78
Lack of Health Insurance	15%	9%	82	9%	85
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for Blockgroup: 350150009003

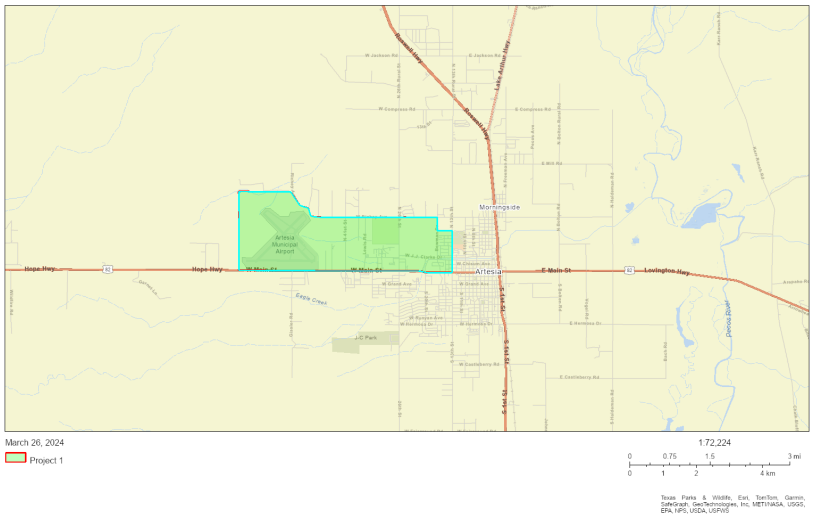
EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Artesia, NM

Blockgroup: 350150010011
Population: 2,566
Area in square miles: 4.50

A3 Landscape



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	72%
Spanish	27%
Other and Unspecified	1%
Total Non-English	28%

COMMUNITY INFORMATION

- Low income: 32 percent
- People of color: 61 percent
- Less than high school education: 12 percent
- Limited English households: 5 percent
- Unemployment: 18 percent
- Persons with disabilities: 8 percent
- Male: 53 percent
- Female: 47 percent
- 75 years — Average life expectancy
- $29,038 — Per capita income
- Number of households: 917
- Owner occupied: 71 percent

BREAKDOWN BY RACE

- White: 39%
- Black: 2%
- American Indian: 0%
- Asian: 0%
- Hawaiian/Pacific Islander: 0%
- Other race: 0%
- Two or more races: 3%
- Hispanic: 56%

BREAKDOWN BY AGE

From Ages 1 to 4	12%
From Ages 1 to 18	36%
From Ages 18 and up	64%
From Ages 65 and up	4%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, American Community Survey (ACS) 2017 -2021. Life expectancy data comes from the Centers for Disease Control.

Environmental Justice & Supplemental Indexes

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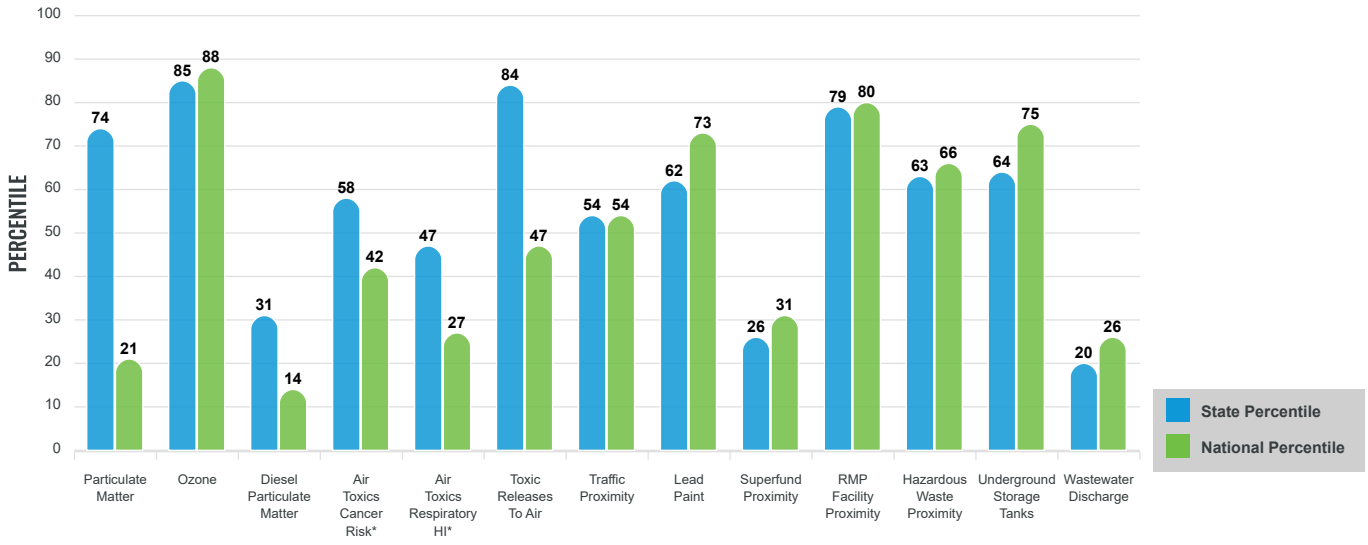
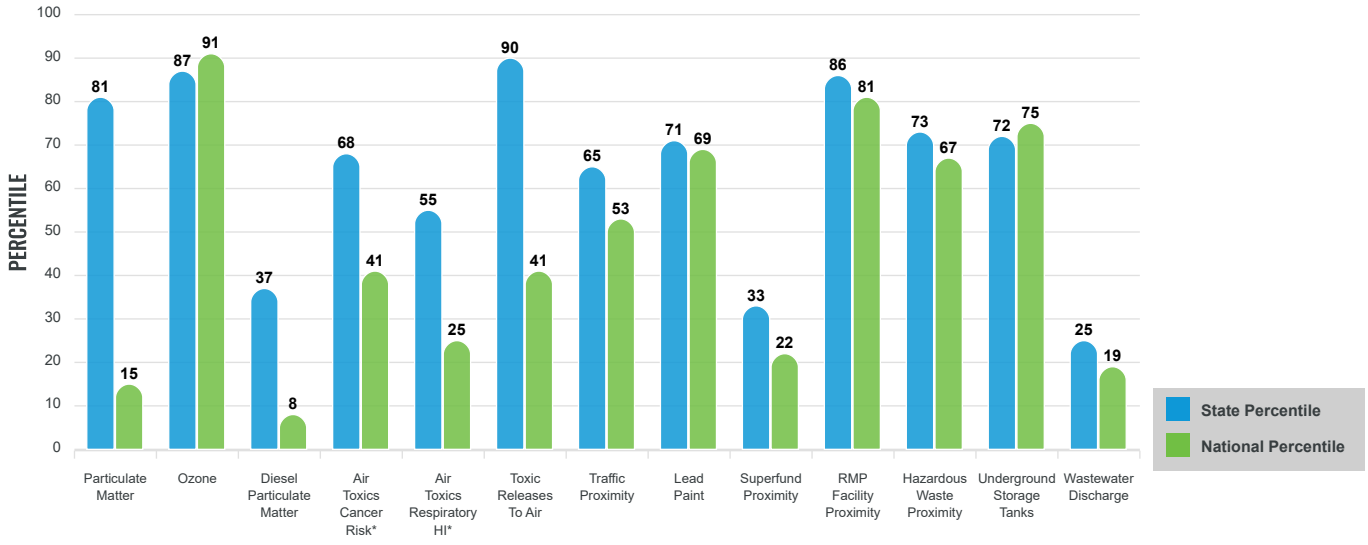
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for Blockgroup: 350150010011

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.04	5.16	77	8.08	8
Ozone (ppb)	70.5	64.7	96	61.6	94
Diesel Particulate Matter (µg/m^3)	0.058	0.194	27	0.261	5
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.2	0.21	29	0.31	4
Toxic Releases to Air	110	29	97	4,600	24
Traffic Proximity (daily traffic count/distance to road)	34	84	53	210	33
Lead Paint (% Pre-1960 Housing)	0.24	0.19	69	0.3	52
Superfund Proximity (site count/km distance)	0.017	0.14	24	0.13	13
RMP Facility Proximity (facility count/km distance)	0.41	0.15	91	0.43	73
Hazardous Waste Proximity (facility count/km distance)	0.41	0.73	61	1.9	46
Underground Storage Tanks (count/km^2)	2.2	3.3	66	3.9	61
Wastewater Discharge (toxicity-weighted concentration/m distance)	2.5E-06	0.47	18	22	11
SOCIOECONOMIC INDICATORS					
Demographic Index	46%	51%	43	35%	71
Supplemental Demographic Index	18%	17%	60	14%	73
People of Color	61%	62%	46	39%	73
Low Income	32%	40%	39	31%	58
Unemployment Rate	18%	7%	91	6%	94
Limited English Speaking Households	5%	6%	65	5%	75
Less Than High School Education	12%	14%	55	12%	66
Under Age 5	12%	5%	89	6%	91
Over Age 64	4%	19%	5	17%	6
Low Life Expectancy	23%	19%	86	20%	82

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund 0
Hazardous Waste, Treatment, Storage, and Disposal Facilities 0
Water Dischargers 12
Air Pollution 0
Brownfields 0
Toxic Release Inventory 0

Other community features within defined area:

Schools 2
Hospitals 0
Places of Worship 0

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... Yes
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for Blockgroup: 350150010011

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	23%	19%	86	20%	82
Heart Disease	6.4	6.2	56	6.1	58
Asthma	10	10.3	53	10	55
Cancer	5.2	5.7	36	6.1	29
Persons with Disabilities	10.6%	16.6%	17	13.4%	36

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	14%	9%	80	12%	76
Wildfire Risk	83%	58%	50	14%	89

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	13%	22%	39	14%	57
Lack of Health Insurance	8%	9%	48	9%	58
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for Blockgroup: 350150010011

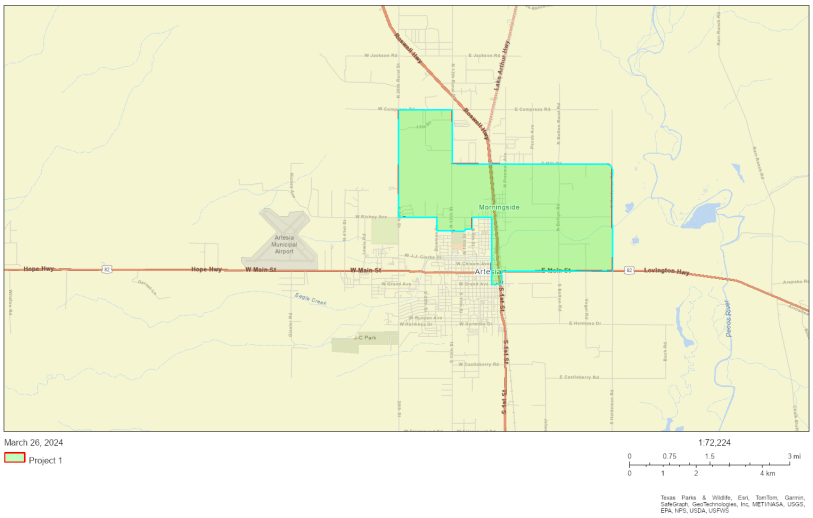
EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Eddy County, NM

Blockgroup: 350150010021
Population: 1,134
Area in square miles: 7.48

A3 Landscape



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	52%
Spanish	48%
Total Non-English	48%

COMMUNITY INFORMATION

- Low income: 66 percent
- People of color: 79 percent
- Less than high school education: 12 percent
- Limited English households: 5 percent
- Unemployment: 5 percent
- Persons with disabilities: 27 percent
- Male: 30 percent
- Female: 70 percent
- 75 years — Average life expectancy
- $20,593 — Per capita income
- Number of households: 367
- Owner occupied: 100 percent

BREAKDOWN BY RACE

- White: 21%
- Black: 0%
- American Indian: 1%
- Asian: 0%
- Hawaiian/Pacific Islander: 0%
- Other race: 0%
- Two or more races: 0%
- Hispanic: 79%

BREAKDOWN BY AGE

From Ages 1 to 4	6%
From Ages 1 to 18	39%
From Ages 18 and up	61%
From Ages 65 and up	12%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, American Community Survey (ACS) 2017 -2021. Life expectancy data comes from the Centers for Disease Control.

Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

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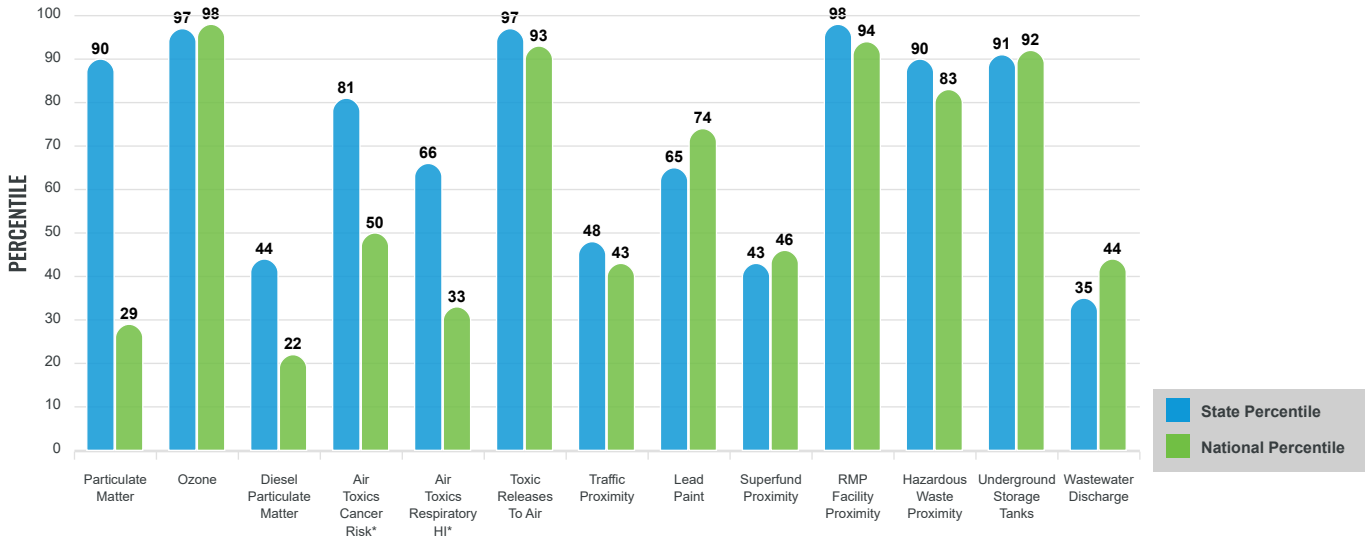
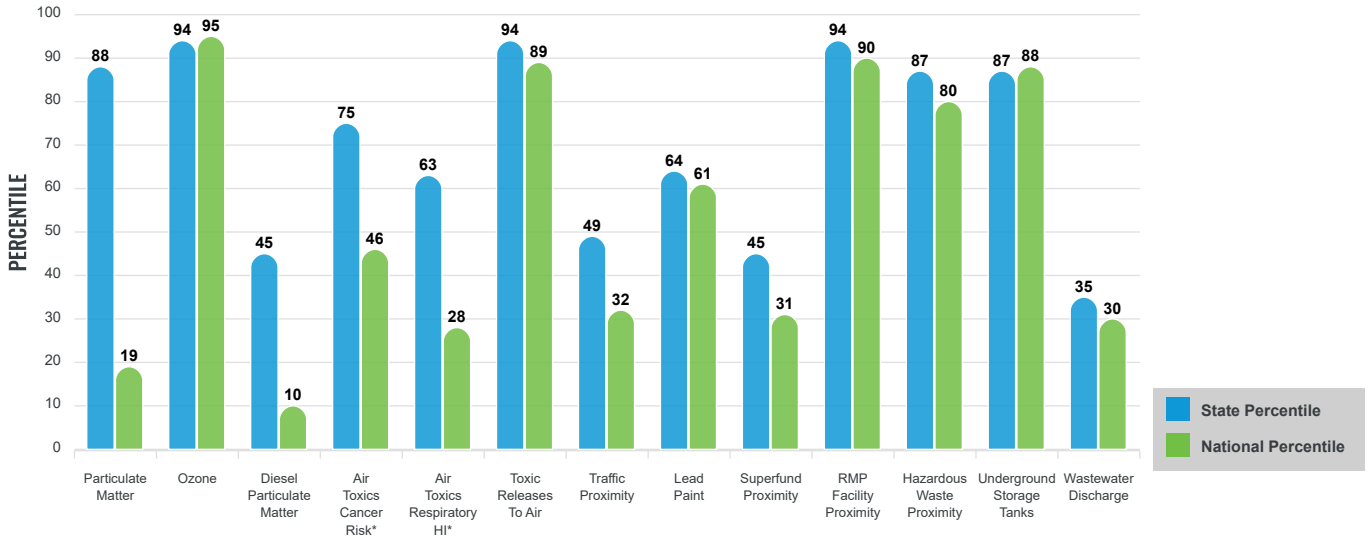
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for Blockgroup: 350150010021

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.04	5.16	77	8.08	8
Ozone (ppb)	70.5	64.7	96	61.6	94
Diesel Particulate Matter (µg/m^3)	0.058	0.194	27	0.261	5
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.2	0.21	29	0.31	4
Toxic Releases to Air	1,900	29	99	4,600	71
Traffic Proximity (daily traffic count/distance to road)	8	84	29	210	14
Lead Paint (% Pre-1960 Housing)	0.093	0.19	47	0.3	34
Superfund Proximity (site count/km distance)	0.017	0.14	25	0.13	14
RMP Facility Proximity (facility count/km distance)	0.66	0.15	96	0.43	81
Hazardous Waste Proximity (facility count/km distance)	0.66	0.73	67	1.9	54
Underground Storage Tanks (count/km^2)	4.3	3.3	79	3.9	74
Wastewater Discharge (toxicity-weighted concentration/m distance)	5.4E-06	0.47	20	22	14
SOCIOECONOMIC INDICATORS					
Demographic Index	73%	51%	84	35%	91
Supplemental Demographic Index	23%	17%	75	14%	84
People of Color	79%	62%	72	39%	83
Low Income	66%	40%	86	31%	92
Unemployment Rate	6%	7%	57	6%	63
Limited English Speaking Households	5%	6%	66	5%	76
Less Than High School Education	12%	14%	55	12%	65
Under Age 5	6%	5%	65	6%	62
Over Age 64	12%	19%	29	17%	33
Low Life Expectancy	23%	19%	86	20%	82

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund 0
Hazardous Waste, Treatment, Storage, and Disposal Facilities 1
Water Dischargers 19
Air Pollution 14
Brownfields 0
Toxic Release Inventory 6

Other community features within defined area:

Schools 0
Hospitals 0
Places of Worship 0

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... Yes
Selected location contains an EPA IRA disadvantaged community ..... Yes

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EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	23%	19%	86	20%	82
Heart Disease	6.4	6.2	56	6.1	58
Asthma	10	10.3	53	10	55
Cancer	5.2	5.7	36	6.1	29
Persons with Disabilities	25.7%	16.6%	91	13.4%	95

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	13%	9%	79	12%	75
Wildfire Risk	83%	58%	49	14%	89

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	8%	22%	24	14%	39
Lack of Health Insurance	4%	9%	22	9%	30
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

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