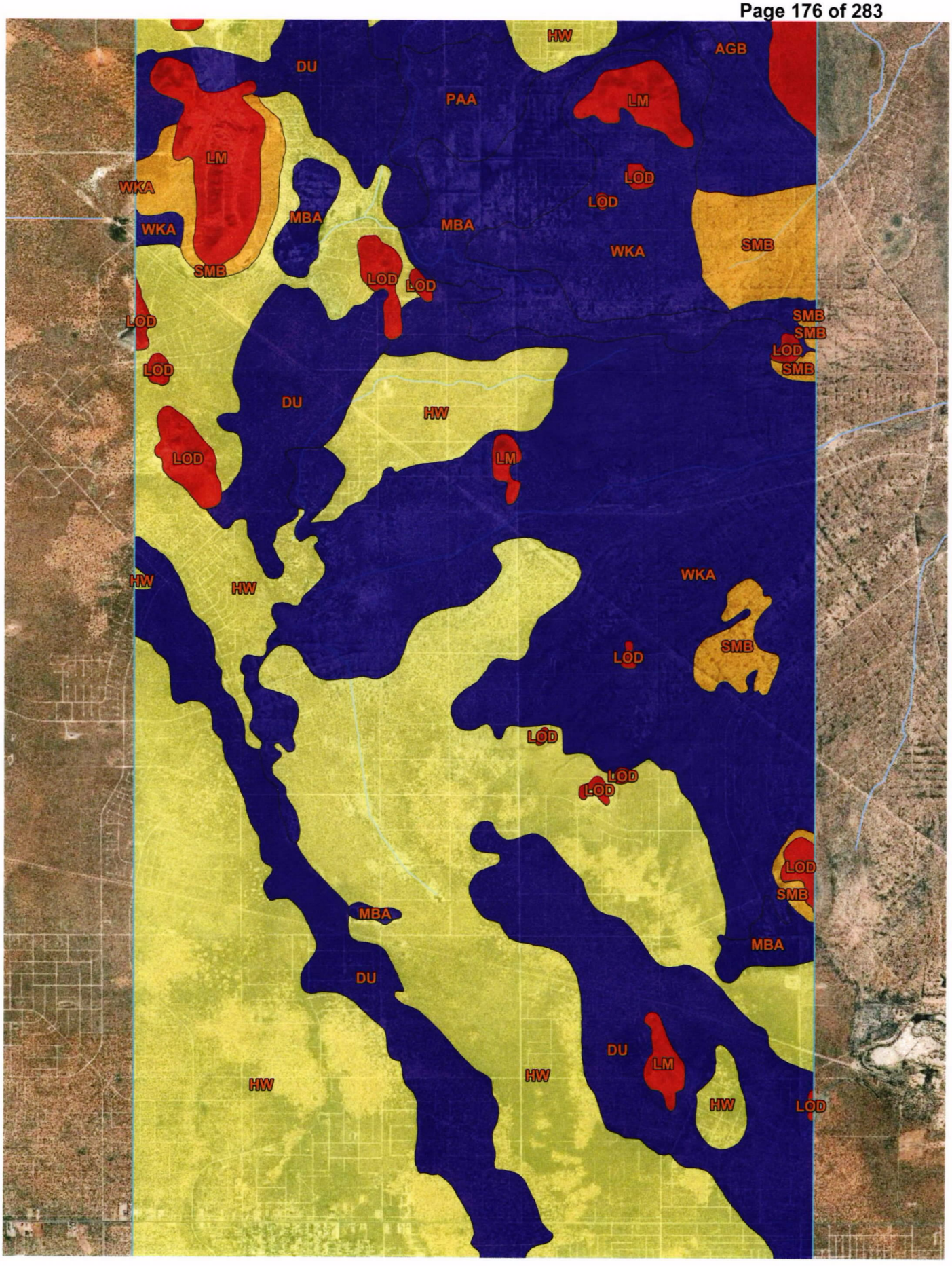
HW
AGB
DU
PAA
LM
LM
WKA
LOD
LOD
WKA
MBA
MBA
WKA
SMB
SMB
LOD
LOD
LOD
SMB
SMB
LOD
SMB
DU
HW
LOD
LM
HW
HW
WKA
SMB
LOD
LOD
LOD
LOD
SMB
MBA
MBA
DU
DU
LM
HW
HW
HW
LOD

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Lines
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Points
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1 31,700

Please rely on the bar scale on each map sheet for map measurements

Source of Map Natural Resources Conservation Service
Web Soil Survey URL
Coordinate System Web Mercator (EPSG 3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below

Soil Survey Area El Paso County, Texas (Main Part)
Survey Area Data Version 16, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1 50,000 or larger

Date(s) aerial images were photographed Dec 30, 2013—Dec 12, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps As a result, some minor shifting of map unit boundaries may be evident

Table—Depth to Any Soil Restrictive Layer

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
AGB	Agustin association, undulating	>200	840 0	2 7%
DU	Dune land	>200	5,026 2	16 1%
HW	Hueco-Wink association, hummocky	66	13,251 6	42 5%
LM	Rock outcrop-Lozier association	0	1,184 0	3 8%
LOD	Lozier association, hilly	13	484 3	1 6%
MBA	Mimbres association, level	>200	1,343 3	4 3%
PAA	Pajarito association, level	>200	435 3	1 4%
SMB	Simona association, undulating	41	1,003 2	3 2%
WKA	Wink association, level	>200	7,616 0	24 4%
Totals for Area of Interest			**31,183.8**	**100.0%**

Rating Options—Depth to Any Soil Restrictive Layer

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule Lower

Interpret Nulls as Zero No

References

American Association of State Highway and Transportation Officials (AASHTO). 2004 Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

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United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. http://www nrcs usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084

United States Department of Agriculture, Natural Resources Conservation Service National soil survey handbook, title 430-VI http://www.nrcs.usda gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http //www nrcs usda gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

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United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for El Paso County, Texas (Main Part)

Phase II Study Area

April 5, 2019

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD) USDA is an equal opportunity provider and employer.

Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses Soil scientists observed the steepness, length, and shape of the slopes, the general pattern of drainage; the kinds of crops and native plants, and the kinds of bedrock They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately

Soil Information for All Uses

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

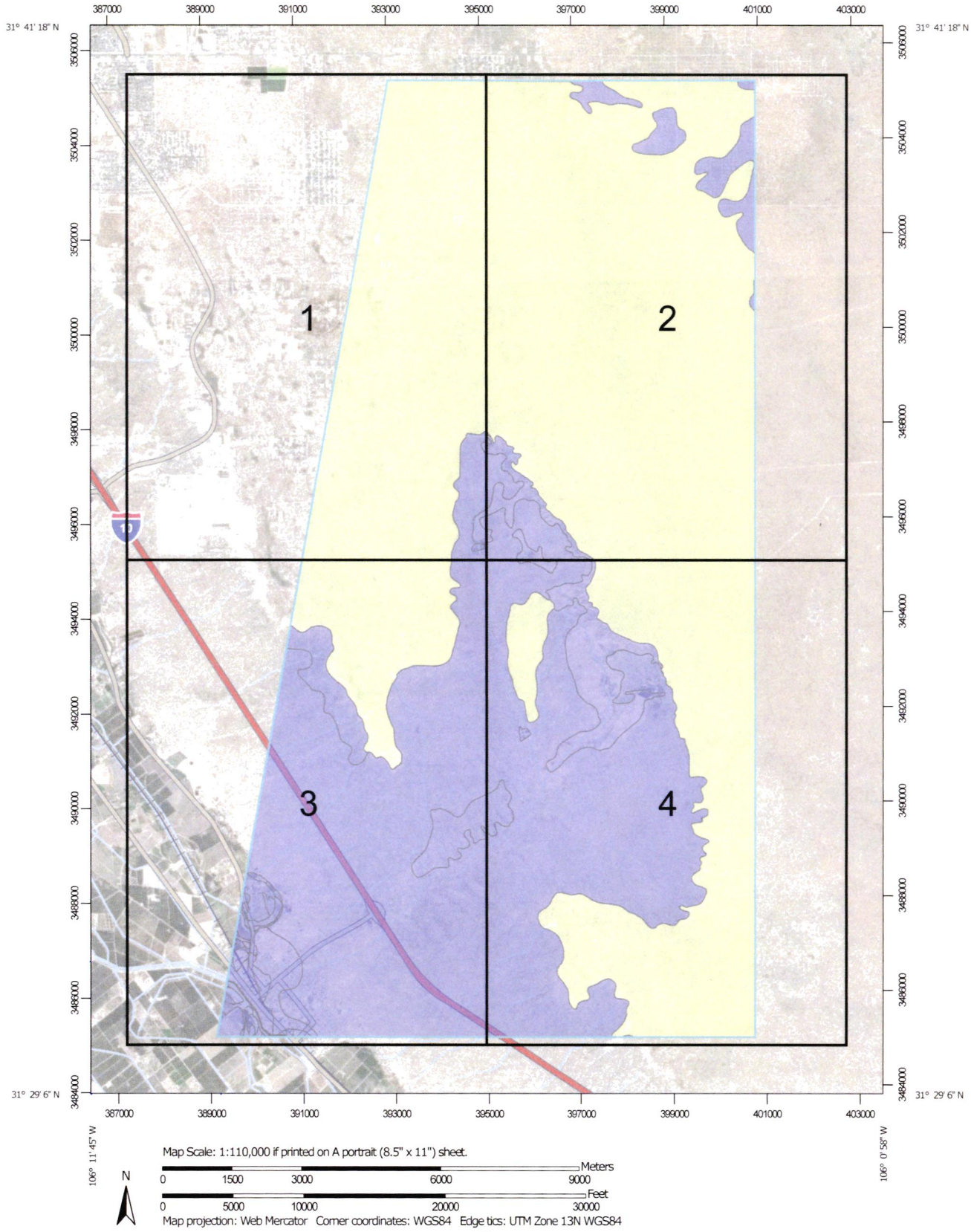
Depth to Any Soil Restrictive Layer

A "restrictive layer" is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers.

This theme presents the depth to any type of restrictive layer that is described for each map unit If more than one type of restrictive layer is described for an individual soil type, the depth to the shallowest one is presented If no restrictive layer is described in a map unit, it is represented by the "> 200" depth class

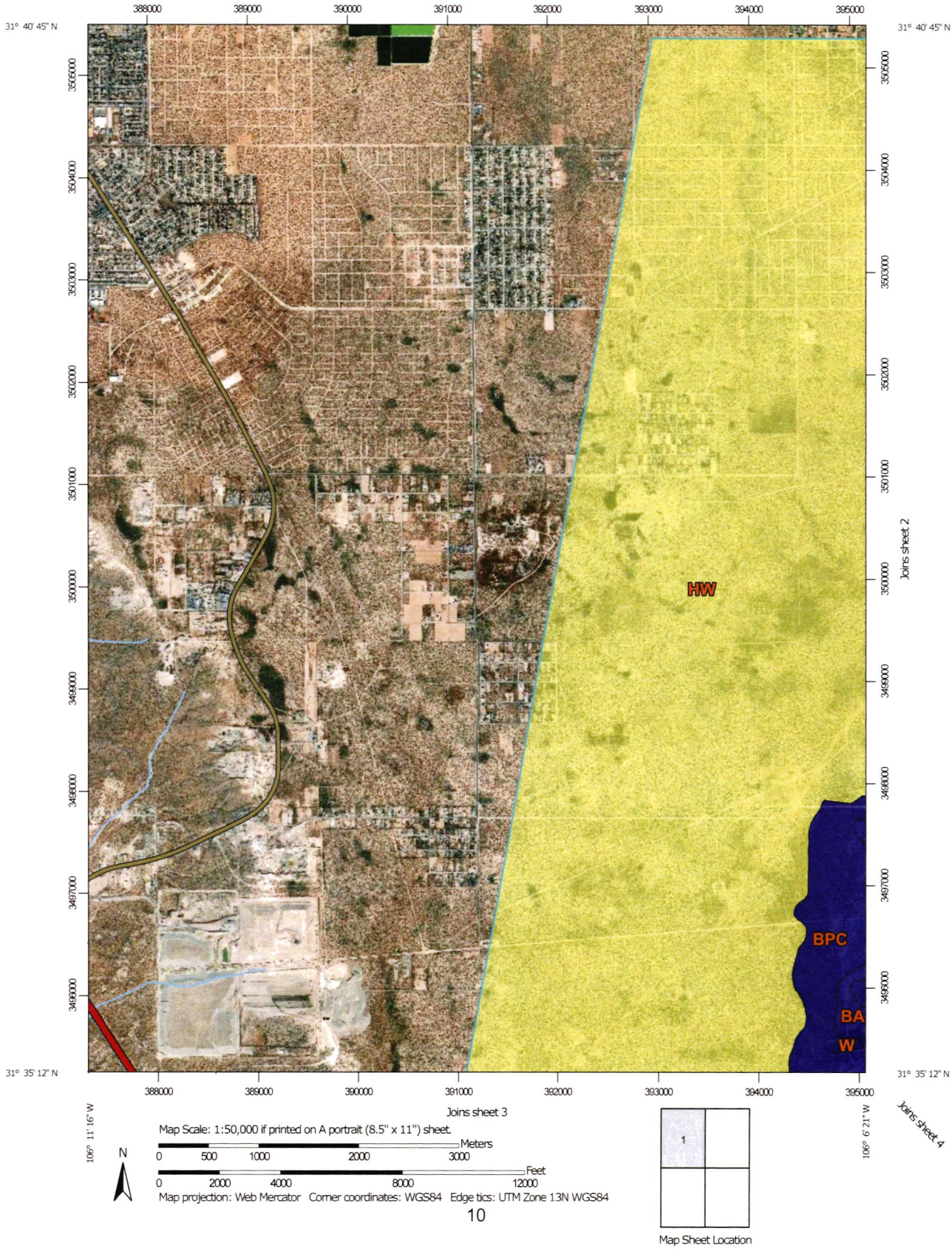
This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Custom Soil Resource Report
Map—Depth to Any Soil Restrictive Layer
Index Sheet



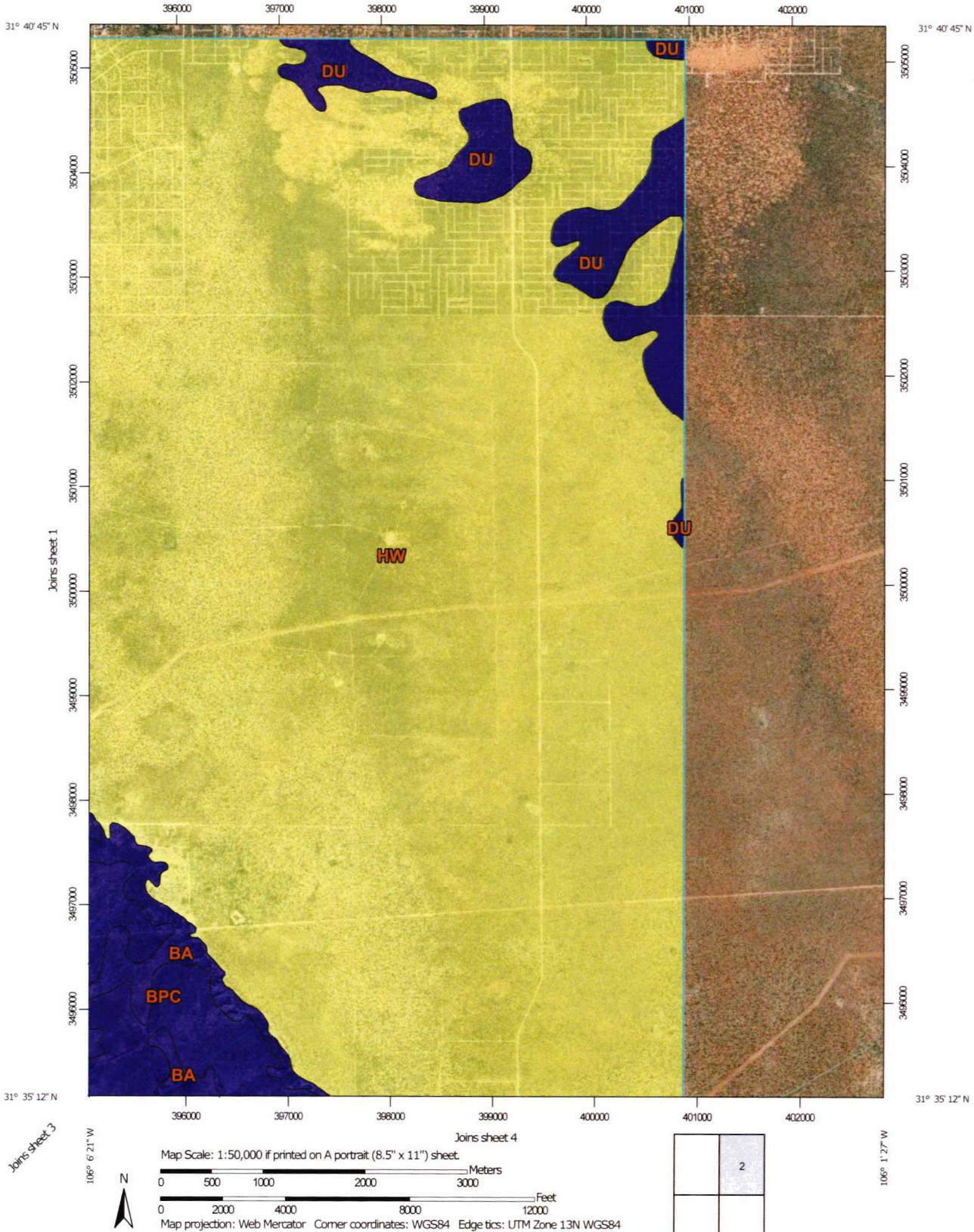
9

Custom Soil Resource Report
Map—Depth to Any Soil Restrictive Layer
Map sheet 1 of 4



10

Custom Soil Resource Report
Map—Depth to Any Soil Restrictive Layer
Map sheet 2 of 4



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N

Meters
0 500 1000 2000 3000

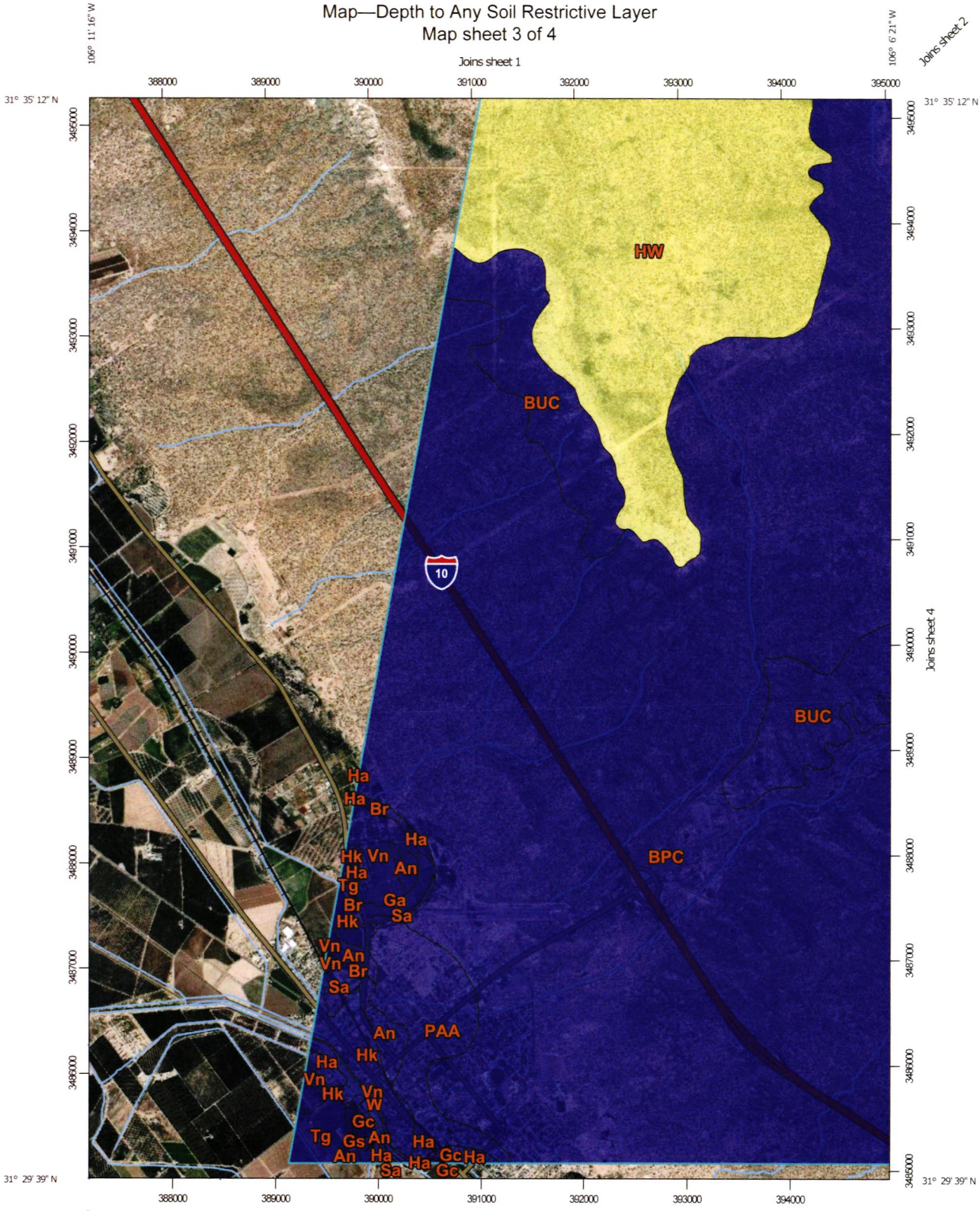
Feet
0 2000 4000 8000 12000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

Map Sheet Location

11

Custom Soil Resource Report
Map—Depth to Any Soil Restrictive Layer
Map sheet 3 of 4



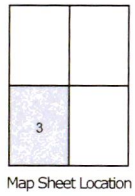
Map Scale: 1:50,000 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 500 1000 2000 3000

Feet
0 2000 4000 8000 12000

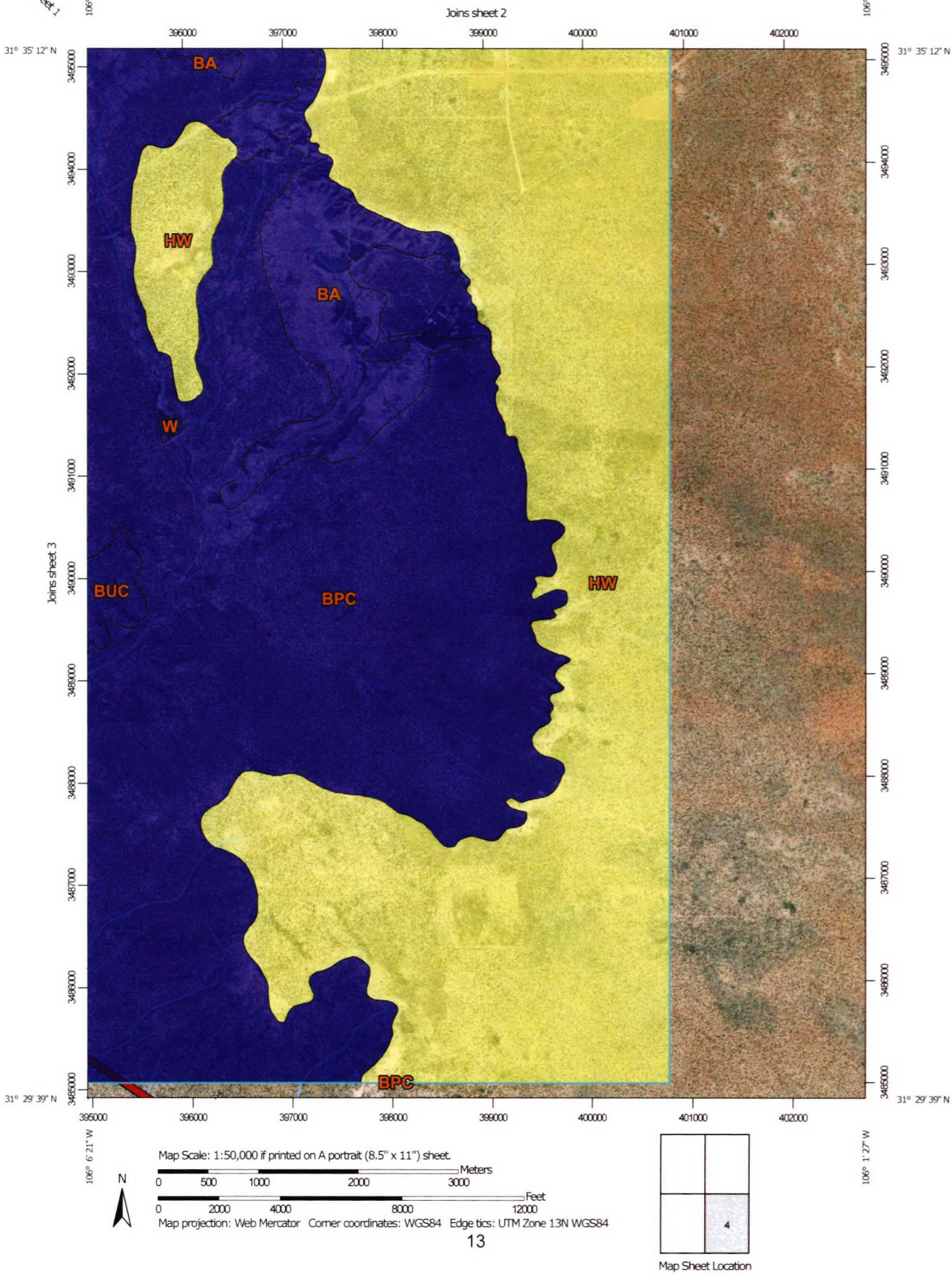
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84



Map Sheet Location

12

Custom Soil Resource Report
Map—Depth to Any Soil Restrictive Layer
Map sheet 4 of 4



Map Scale: 1:50,000 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 500 1000 2000 3000

Feet
0 2000 4000 8000 12000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

13

Map Sheet Location

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Lines
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Points
- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1 31,700

Please rely on the bar scale on each map sheet for map measurements

Source of Map Natural Resources Conservation Service
Web Soil Survey URL
Coordinate System Web Mercator (EPSG 3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area. El Paso County, Texas (Main Part)
Survey Area Data Version 16, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1 50,000 or larger

Date(s) aerial images were photographed Dec 30, 2013—Dec 12, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident

Table—Depth to Any Soil Restrictive Layer

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
An	Anapra silty clay loam	>200	80 7	0 2%
BA	Badlands	>200	1,254 7	2 6%
BPC	Bluepoint association, rolling	>200	16,146.9	33 0%
Br	Brazito loamy fine sand	>200	18 5	0 0%
BUC	Bluepoint gravelly association, rolling	>200	860 5	1 8%
DU	Dune land	>200	661.0	1 4%
Ga	Gila fine sandy loam	>200	44 8	0 1%
Gc	Gila loam	>200	32 2	0 1%
Gs	Glendale silty clay	>200	6.7	0 0%
Ha	Harkey loam	>200	51 0	0 1%
Hk	Harkey silty clay loam	>200	212.3	0 4%
HW	Hueco-Wink association, hummocky	66	28,968 5	59 2%
PAA	Pajarito association, level	>200	336 9	0 7%
Sa	Saneli silty clay loam	>200	38 5	0 1%
Tg	Tigua silty clay	>200	79 3	0 2%
Vn	Vinton fine sandy loam	>200	122 4	0 2%
W	Water	>200	30 1	0 1%
Totals for Area of Interest			**48,945.1**	**100.0%**

Rating Options—Depth to Any Soil Restrictive Layer

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule. Lower

Interpret Nulls as Zero: No

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

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United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http //www.nrcs usda.gov/wps/portal/ nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

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United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S Department of Agriculture Handbook 210 http // www nrcs usda gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290 pdf

TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

April 5, 2019

John Wooten
HDR Inc.
17111 Preston Road, Suite 300
Dallas, TX 75248-1232

Re: El Paso Electric's Proposed Eastside Loop Expansion Project in El Paso County, Texas

Dear Mr. Wooten:

On behalf of Commissioner Bush, I would like to thank you for your letter concerning the above-referenced project.

Using your map depicting the project's study area, it does not appear that the General Land Office will have any environmental issues or land use constraints at this time.

When a final route for this proposed project has been determined, please contact me and we can assess the route to determine if the project will cross any streambeds or Permanent School Fund (PSF) land that would require an easement from our agency.

In the interim, if you would like to speak to me further about this project, I can be reached by email at glenn.rosenbaum@glo.texas.gov or by phone at (512) 463-8180.

Again, thank you for your inquiry.

Sincerely,

Glenn Rosenbaum

Glenn Rosenbaum
Manager, Right-of-Way Department
Leasing Operations

1700 North Congress Avenue, Austin, Texas 78701-1495
P O Box 12873, Austin, Texas 78711-2873
512-463-5001 glo texas gov

TEXAS HISTORICAL COMMISSION
real places telling real stories

April 25, 2019

John Wooten
Project Manager
HDR, Inc.
17111 Preston Road, Suite 300
Dallas, Texas 75248

Re: Project review under the National Historic Preservation Act: *El Paso Electric's Proposed Eastside Loop Expansion Project in El Paso County, Texas.* (PUCT; THC Tracking No. 201906827)

Dear Mr. Wooten:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed project from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Drew Sitters, has examined our records and identified multiple, previously recorded archeological sites within, or in the immediate vicinity of, the proposed Phase I and II study areas, as well as the proposed E1, E2, and San Felipe Substations. However, much of the area has never been surveyed by a professional archeologist and is likely to contain additional (pre)historic archeological resources. Moreover, there exists a high potential for undocumented cultural resources due to the numerous draws, including Four Mile Draw, and relic playas within the confines of the study areas.

The proposed **Eastside Loop Expansion Project** will need to be surveyed by a professional archeologist prior to initiating any ground disturbance to demonstrate a good faith effort to identify historic properties that may be adversely affected by these activities, as defined in 36 CFR 800. We recommend consulting with a professional archeologist in the early stages of project planning to perform a records search and to identify high probability areas for archeological resources. By consulting with a professional archeologist, previously recorded archeological resources may be avoided. Please submit these results, recommend survey areas, and a scope of work to our office for concurrence.

The work should meet the minimum archeological survey standards posted on-line at www.thc.state.tx.us. A report of investigations should be produced in conformance with the Secretary of the Interior's Guidelines for Archaeology and Historic Preservation, and submitted to this office for review. In addition, any buildings 45 years old or older that are located within the Eastside Loop Expansion Project should be documented with photographs and included in the report. You may obtain a list of archeologists in Texas on-line at: www.counciloftexasarcheologists.org or www.rpanet.org. Please note that other potentially qualified archeologists not included on these lists may be used.

If any of the work will be performed on public land or within a public easement your archeological principal investigator must obtain an Antiquities Permit from our office before any investigations are undertaken. An Antiquities Permit can be issued as soon as we have received a completed permit application.

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning this review, please contact Drew Sitters at (512) 463-6252 or Drew.Sitters@THC.Texas.Gov.**

Sincerely,

for
Mark Wolfe, State Historic Preservation Officer
MW/ds

GREG ABBOTT, GOVERNOR • JOHN L. NAU, III, CHAIR • MARK WOLFE, EXECUTIVE DIRECTOR
P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • thc.texas.gov

May 9, 2019

Mr. John Wooten
Project Manager
HDR Engineering, Inc.
17111 Preston Road, Suite 300
Dallas, TX 75248

RE: El Paso Electric's Proposed Eastside Loop Expansion 115-kilovolt Transmission Line Project; El Paso County, Texas

Dear Mr. Wooten:

Texas Parks and Wildlife Department (TPWD) received the preliminary information request regarding the above-referenced proposed transmission line project. TPWD staff has reviewed the information provided and offers the following comments concerning this project.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency may be required by state law. For further guidance, see the Texas Parks and Wildlife (TPW) Code, Section 12.0011. For tracking purposes, please refer to TPWD project number 41701 in any return correspondence regarding this project.

Project Description

El Paso Electric Company (EPE) proposes to construct two new 115-kilovolt (kV) electric transmission lines (Phases I and II of the Eastside Loop Expansion Project) in eastern El Paso County, Texas. Phase I will connect two new substations. The northern most substation (E1 Substation) will be located from the intersection of US Highway 62/180 (Montana Avenue) and Desert Storm Road, approximately 1.2 miles south along Desert Storm Road then east, approximately 0.94 mile to the substation on the south side of Desert Storm Road. The line will traverse south and terminate at the proposed E2 Substation located on the northeast side of Farm-to-Market 1281/Horizon Boulevard (FM 1281) and Seabeck Street, approximately four miles east of the intersection of Ascencion Street and FM 1281. From the terminus of Phase I (E2 Substation), Phase II will traverse south and terminate at the proposed San Felipe Substation located just west of Interstate Highway (IH) 10 approximately 0.4 mile south of the intersection of IH 10 and Fabens Road.

For each phase of the project, HDR Engineering, Inc. (HDR) is preparing an Environmental Assessment (EA) and Alternative Route Analysis to support an application for a Certificate of Convenience and Necessity (CCN) from the Public Utility Commission of Texas (PUC). HDR is currently in the process of gathering pertinent data and identifying environmental and land use constraints within the

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www.tpwd.texas.gov

project study areas that will be used in the creation of an environmental and land use constraints map. Eventually, HDR will identify potential alternative routes that consider environmental and land use constraints.

Recommendation: TPWD recommends using existing facilities whenever possible. Where new construction is the only feasible option, TPWD recommends routing new transmission lines along existing roads, pipelines, transmission lines, or other utility rights-of-way (ROW) and easements to reduce habitat fragmentation. By utilizing previously disturbed, existing utility corridors, county roads, and highway ROW, adverse impacts to fish and wildlife resources would be mitigated by avoiding and/or minimizing the impacts to undisturbed habitats. Please see the attached *TPWD Recommendations for Electrical Transmission/Distribution Line Design and Construction*. Please review the recommendations and incorporate these measures into design and construction plans.

General Construction Recommendations

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

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

Recommendation: For soil stabilization and/or revegetation of disturbed areas within the proposed project area, TPWD recommends erosion and seed/mulch stabilization materials that avoid entanglement hazards to snakes and other wildlife species. Because the mesh found in many erosion control

blankets or mats pose an entanglement hazard to wildlife, TPWD recommends the use of no-till drilling, hydromulching and/or hydroseeding due to a reduced risk to wildlife. If erosion control blankets or mats will be used, the product should not contain netting, but if it must contain netting it should contain loosely woven, natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. TPWD recommends avoiding the use of plastic mesh matting.

Conservation Easements

There are no conservation easements (known to TPWD) within the study area. A conservation easement is a legal agreement between a landowner and a land trust or governmental agency that permanently limits uses of the land (including future fragmentation) to protect and conserve the land's natural values such as fertile soils, mature trees, and wildlife habitat. Lands with conservation easements protect existing wildlife habitat from future fragmentation and therefore have greater environmental integrity than comparable lands without conservation easements. Potential fragmentation of wildlife habitat from transmission line construction on properties where conservation agreements serve to protect the state's natural resources now and in the future is of concern to TPWD. TPWD notes that although there are no conservation easements known to TPWD within the study area, there still may be conservation easements located within the study area.

Recommendation: TPWD recommends properties protected by conservation easements be identified in the constraints analysis and avoided during development of alternative routes. Data sources for the location of these properties include online databases such as the Protected Areas Data Portal and the National Conservation Easement Database, as well as available county records. If properties protected by conservation easements would be affected, TPWD recommends the length of routes through these properties be included in any accounting of alternative route impacts presented in the EA.

Water Resources

Federal Law: Clean Water Act

Section 404 of the Clean Water Act establishes a federal program to regulate the discharge of dredged and fill material into the waters of the U.S., including wetlands. The U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency are responsible for regulating water resources under this act. Although the regulation of isolated wetlands has been removed from the USACE

permitting process, both isolated and jurisdictional wetlands provide habitat for wildlife and help protect water quality.

According to publically available topographic maps, it appears there are several streams and some open water (lakes, ponds, etc.) located within the study area.

Recommendation: If the proposed project would impact waterways or associated wetlands, TPWD recommends consulting with the USACE for potential impacts to waters of the U.S. including jurisdictional determinations, delineations, and mitigation. All waterways and associated floodplains, riparian corridors, springs, and wetlands, regardless of their jurisdictional status, provide valuable wildlife habitat and should be protected to the maximum extent possible. Natural buffers contiguous to any wetlands or aquatic systems should remain undisturbed to preserve wildlife cover, food sources, and travel corridors. During construction, trucks and equipment should use existing bridge or culvert structures to cross creeks, and equipment staging areas should be located in previously disturbed areas outside of riparian corridors.

Destruction of inert microhabitats in waterways such as snags, brush piles, fallen logs, creek banks, pools, and gravel stream bottoms should be avoided, as these provide habitat for a variety of fish and wildlife species and their food sources. Erosion controls and sediment runoff control measures should be installed prior to construction and maintained until disturbed areas are permanently revegetated using site-specific native vegetation. Measures should be properly installed in order to effectively minimize the amount of sediment and other debris entering the waterway.

Migratory Birds

Federal Law: Migratory Bird Treaty Act

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

As discussed above, several water features are located within the study area. Please note that birds typically establish flight corridors along and within river and

creek drainages. There is potential for electrocution and collision of large-bodied waterfowl and avian predators with electrical wires near these water features.

Recommendation: TPWD recommends routing the transmission line to avoid crossing or disturbing water resources in the project area to the extent feasible. Lines that cross or are located near rivers, creeks, springs, drainages, and wetlands should have line markers installed at the crossings or closest points to the drainages to reduce potential collisions by birds flying along or near the drainages.

For additional information, please see the guidelines published by the USFWS and the Avian Power Lines Interaction Committee (APLIC) in the updated guidance document *Reducing Avian Collisions with Power Lines: State of the Art in 2012*. This manual, released on December 20, 2012, identifies best practices and provides specific guidance to help electric utilities and cooperatives reduce bird collisions with power lines. A companion document, *Suggested Practices for Avian Protection on Power Lines*, was published by APLIC and the USFWS in 2006. For more information on both documents, please visit the APLIC website.

Recommendation: If migratory bird species are found nesting on or adjacent to the project area, they must be dealt with in a manner consistent with the MBTA. TPWD recommends excluding vegetation clearing activities during the general bird nesting season, March 15 through September 15, to avoid adverse impacts to breeding birds. If clearing vegetation during the migratory bird nesting season is unavoidable, TPWD recommends surveying the area proposed for disturbance, as close to the date of construction as possible, to ensure that no nests with eggs or young will be disturbed by operations. TPWD recommends that a minimum 150-foot buffer of vegetation remain around any nests that are observed prior to disturbance. Any vegetation (such as trees, shrubs, and grasses) or other open areas where occupied nests are located should not be disturbed until the eggs have hatched and the young have fledged.

State-listed Species

Parks and Wildlife Code – Chapter 64, Birds

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

bird, or wild fowl. TPW Code Chapter 64 does not allow for incidental take and therefore is more restrictive than the MBTA.

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

Parks and Wildlife Code, Section 68.015

Section 68.015 of the TPW Code regulates state-listed species. Please note that there is no provision for the capture, trap, take, or kill (incidental or otherwise) of state-listed species. A copy of *TPWD Guidelines for Protection of State-Listed Species*, which includes a list of penalties for take of species, is attached for your reference. State-listed species may only be handled by persons with authorization obtained through TPWD. For more information, please contact the Wildlife Permits Office at (512) 389-4647.

Texas horned lizard (*Phrynosoma cornutum*)

The study area may provide suitable habitat for the state-listed Texas horned lizard. TPWD notes that there is one Texas Natural Diversity Database (TXNDD) record for the Texas horned lizard located within the study area and two additional records for this species located just outside of the study area. If present in the project area, the Texas horned lizard could be impacted by ground disturbing activities from construction. A useful indication that the Texas horned lizard may occupy the site is the presence of harvester ant (*Pogonomyrmex barbatus*) nests since harvester ants are the primary food source of Texas horned lizards. Texas horned lizards may hibernate on-site in loose soils a few inches below ground during the cool months from September/October to March/April. Construction in these areas could harm hibernating lizards. Horned lizards are active above ground when temperatures exceed 75 degrees Fahrenheit. If horned lizards (nesting, gravid females, newborn young, lethargic from cool temperatures or hibernation) cannot move away from noise and approaching construction equipment in time, they could be affected by construction activities.

Recommendation: TPWD recommends having a qualified biologist survey the proposed project site for any Texas horned lizards that may be in the area that is proposed for disturbance. As previously mentioned, a useful indication that the Texas horned lizard may occupy the site is the presence of harvester ant nests. The survey should be performed during the warm months of the year when the horned lizards are active. If horned lizards are found on-site, TPWD recommends relocating them off-site to an area that is close-by and contains similar habitat. TPWD recommends that any translocations of reptiles be the

minimum distance possible no greater than one mile, preferably within 100 to 200 yards from the initial encounter location. After horned lizard removal, the area that will be disturbed during active construction and project specific locations should be fenced off to exclude horned lizards and other reptiles.

The exclusion fence should be constructed and maintained as follows:

a. The exclusion fence should be constructed with metal flashing or drift fence material.
b. Rolled erosion control mesh material should not be used.
c. The exclusion fence should be buried at least 6 inches deep and be at least 24 inches high.
d. The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated.
e. Any open trenches or excavation areas should be covered overnight and/or inspected every morning to ensure no Texas horned lizards or other wildlife have been trapped. For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Also, inspect excavation areas for trapped wildlife prior to refilling.

Recommendation: If the site is found to contain unavoidable habitat of the Texas horned lizard, then TPWD recommends a permitted biological monitor be present during clearing and construction activities to relocate Texas horned lizards encountered during construction. TPWD also recommends providing contractor training where feasible. Because the biological monitor cannot oversee all construction activity at the same time, it's important for the contractor to be able to identify protected species and to be on the lookout for them during construction. TPWD also recommends avoiding impacts to harvester ant mounds where feasible. TPWD understands that ant mounds in the direct path of construction would be difficult to avoid, but contractors should be mindful of these areas when deciding where to place project specific locations and other disturbances associated with construction. If the presence of a biological monitor during construction is not feasible, state-listed species observed during construction should be allowed to safely leave the site.

Rare Species

In addition to state- and federally-protected species, TPWD tracks special features, natural communities, and rare species that are not listed as threatened or endangered. These species and communities are tracked in the TXNDD, and

TPWD actively promotes their conservation. TPWD considers it important to evaluate and, if necessary, minimize impacts to rare species and their habitat to reduce the likelihood of endangerment and preclude the need to list as threatened or endangered in the future.

Sand prickly-pear (*Opuntia arenaria*)

There are two TXNDD records for sand prickly-pear located within the study area. This species is found in deep, loose or semi-stabilized sands in sparsely vegetated dune or sandhill areas or sandy floodplains in arroyos. The sand prickly-pear flowers from May through June.

Wheeler's spurge (*Chamaesyce geyeri var wheeleriana*)

There are two TXNDD records for Wheeler's spurge located within the study area. This species is found on sparingly vegetated, loose eolian quartz sand on reddish sand dunes or coppice mounds. The Wheeler's spurge flowers and fruits at least August through September, but probably earlier and later as well.

> **Recommendation:** TPWD recommends surveying the project area for the above-listed plant species where suitable habitat may be present, prior to construction. The survey should be performed by a qualified biologist at the time of year when these species are most likely to be found, usually during their respective flowering period. If any of these species are present, plans should be made to avoid adverse impacts to the greatest extent possible. If plants are found in the path of construction, including the placement of staging areas and other project related sites, this office should be contacted for further coordination and possible salvage of plants and/or seeds for seed banking. Plants not in the direct path of construction should be protected by markers or fencing and by instructing construction crews to avoid any harm.

Black-tailed prairie dog (*Cynomys ludovicianus*)

Black-tailed prairie dogs inhabit dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle. The black-tailed prairie dog is a keystone species that provides food and/or shelter for rare species tracked by TPWD such as the ferruginous hawk and the western burrowing owl, as well as many other wildlife species. Suitable habitat for this species may be present within the study area.

> **Recommendation:** TPWD recommends surveying the project area for prairie dog towns or burrows and species that depend on them. If prairie dog towns or burrows are found in the study area, TPWD recommends avoiding these

areas during construction and installing exclusion fence to keep prairie dogs from entering the project area. If prairie dog burrows will be disturbed as a result of the proposed project, TPWD recommends non-harmful exclusion methods be used to encourage the animals to vacate the area prior to disturbance and discourage them from returning to the area during construction. If prairie dogs are encountered on the project site, TPWD recommends contacting a prairie dog relocation specialist. If impacting a portion of a larger colony, time relocation efforts and/or humane removal immediately before construction to discourage recolonization of the project area. Prairie dogs can be encouraged to move away from a project area by mowing overgrown adjacent areas. Conversely, prairie dogs can be discouraged from utilizing areas by not mowing and allowing grass or other tall vegetation to grow or by scraping all vegetation off the project site and leaving soil exposed.

Western burrowing owl (*Athene cunicularia hypugaea*)

TPWD notes that there is one eBird observation for the western burrowing owl located approximately 1,000 feet from the study area boundary and several additional observations for this species outside of the study area (www.ebird.org). The western burrowing owl is a ground-dwelling owl that uses the burrows of prairie dogs and other fossorial animals for nesting and roosting. When natural burrows are limited, this species will breed in urban habitats which may lead to problems for the owls or their young. The owls opportunistically live and nest in road and railway ROWs, parking lots, baseball fields, school yards, golf courses, and airports. They have also been found nesting on campuses, in storm drains, drainage pipes, and cement culverts, on banks, along irrigation canals, under asphalt or wood debris piles, or openings under concrete pilings or asphalt. The western burrowing owl is protected under the MBTA, and take of these birds, their nests, and eggs is prohibited. Potential impacts to the western burrowing owl could include habitat removal as well as displacement and/or destruction of nests and eggs if ground disturbance occurs during the breeding season. Suitable habitat for this species may be present within the study area.

Recommendation: TPWD recommends that the project area be surveyed for mammal burrows or any urban structures that may provide suitable habitat for burrowing owls. If mammal burrows or any urban structures that may provide suitable habitat would be disturbed as a result of the proposed project, TPWD recommends the burrows or structures be surveyed for burrowing owls. If nesting owls are found, disturbance should be avoided until the eggs have hatched and the young have fledged.

Western box turtle (*Terrapene ornata*)

The western box turtle occurs throughout Texas, typically in open habitats such as prairie grasslands, pastures, fields, sandhills, and open woodlands. Adults have a home-range size of approximately 6 to 14 acres. The western box turtle is omnivorous although the bulk of the diet consists of insects. This species is active spring through fall with courtship and mating occurring primarily in the spring. For shelter, they burrow into soil (e.g., under plants such as yucca) or enter burrows made by other species. Eggs are laid in nests dug in soft well-drained soil in open areas. Western box turtles are threatened by habitat loss and fragmentation, vehicle strikes on roads, and collection for the pet trade and food markets. The study area may provide suitable habitat for this species.

Recommendation: TPWD recommends implementing the following best management practices (BMPs) to assist in minimizing potential impacts to the western box turtle. TPWD notes that implementing the following BMPs could also help minimize impacts to a variety of native wildlife species that may inhabit the project area.

- TPWD recommends reducing the amount of roads, both temporary and permanent, planned to be constructed for the proposed project. TPWD also recommends reducing speed limits in the project area to at least 15 mph (or slower) to help prevent vehicle-induced mortality of this species.
- The western box turtle utilizes burrows for shelter. TPWD recommends identifying locations of burrows on the project site and avoiding impacts to burrows if feasible.
- TPWD recommends providing contractor training for the identification, behavior, and habitat requirements of the western box turtle. It is important for construction personnel to be able to identify this species and to be on the lookout for them during construction and to avoid impacting them if encountered on-site.

Recommendation: TPWD also recommends referring to the recommendations listed above for the Texas horned lizard as those recommendations are applicable to the western box turtle as well.

Western rattlesnake (*Crotalus viridis*)

The western rattlesnake inhabits grasslands, both desert and prairie, as well as shrub desert rocky hillsides. This species can also be found at the edges of arid and semi-arid river breaks. The study area may provide suitable habitat for this species.

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

Kit fox (*Vulpes macrotis*)

There is a TXNDD record for the kit fox located within the study area. This species primarily inhabits open desert, shrubby or shrub-grass habitat. The project area may provide suitable habitat for the kit fox.

Pecos River muskrat (*Ondatra zibethicus ripensis*)

There is a TXNDD record for the Pecos River muskrat located within the study area. This species is found near creeks, rivers, lakes, drainage ditches, and canals and prefers shallow, fresh water with clumps of marshy vegetation, such as cattails, bulrushes, and sedges. The project area may provide suitable habitat for the Pecos River muskrat.

Recommendation: If any of the above-listed rare mammal species are encountered during construction, TPWD recommends that precautions be taken to avoid impacts to them.

Recommendation: Please review the TPWD county list of rare and protected species for El Paso County because species in addition to those discussed in this letter could be present within the project area depending upon habitat availability. **Please note that the TPWD county list was updated in April 2019. Please review the updated county list for the preparation of the EA and Alternative Route Analysis for this project.** The USFWS should be

contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally-listed species.

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

Vegetation

Based on a review of the Ecological Mapping Systems of Texas (also known as the Texas Ecological Systems Classification Project), the following ecological systems are found within the study area:

- Barren
- Native Invasive: Mesquite Shrubland
- Open Water
- Orchard
- Row Crops
- Trans-Pecos: Cliff and Outcrop
- Trans-Pecos: Creosotebush Scrub
- Trans-Pecos: Desert Badland
- Trans-Pecos: Desert Deep Sand and Dune Grassland
- Trans-Pecos: Desert Deep Sand and Dune Shrubland
- Trans-Pecos: Desert Pavement
- Trans-Pecos: Desert Wash Grassland
- Trans-Pecos: Desert Wash Barren
- Trans-Pecos: Desert Wash Shrubland
- Trans-Pecos: Hill and Foothill Grassland
- Trans-Pecos: Lower Montane Riparian Shrubland
- Trans-Pecos: Mixed Desert Shrubland
- Trans-Pecos: Riparian Barren
- Trans-Pecos: Riparian Shrubland
- Trans-Pecos: Riparian Woodland
- Trans-Pecos: Sand Dune
- Trans-Pecos: Sandy Desert Grassland
- Trans-Pecos: Sparse Creosotebush Scrub

- Trans-Pecos: Succulent Desert Scrub
- Urban High Intensity
- Urban Low Intensity

Additional information about the Ecological Mapping Systems of Texas, including a link to download digital data, can be found at on TPWD's website.

Recommendation: TPWD recommends minimizing impacts to native vegetation to the extent feasible during project design and construction. Unavoidable loss of native vegetation should be mitigated by revegetating areas disturbed by project activities with site-specific native species. A list of native plant species suitable for use in the project area can be developed to fit your specific site needs using the Lady Bird Johnson Wildflower Center Native Plant Database.

Texas Natural Diversity Database

The TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Absence of information in the database does not imply that a species is absent from that area. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presence, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and **cannot be used as presence/absence data**. They represent species that could potentially be in your project area. This information cannot be substituted for field surveys. The TXNDD is updated continuously based on new, updated and undigitized records; therefore, TPWD recommends requesting the most recent TXNDD data on a regular basis. For questions regarding a record or to request the most recent data, please contact TexasNatural.DiversityDatabase@tpwd.texas.gov.

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

I appreciate the opportunity to provide preliminary input on potential impacts related to this project, and I look forward to reviewing the EA. Please contact me

at (512) 389-8054 or Jessica.Schmerler@tpwd.texas.gov if you have any questions.

Sincerely,

Jessica E. Schmerler
Wildlife Habitat Assessment Program
Wildlife Division

JES:41701

Attachments (2)

cc: Ms. Karen Hubbard, PUC (w/out attachments)

TPWD Recommendations for Electrical Transmission/Distribution Line Design and Construction

Construction of the line should be performed to avoid adverse impacts not only to the environment but the local bird populations and to restore or enhance environmental quality to the greatest extent practical. In order to minimize the possible project effects upon wildlife, the following measures are recommended.

TPWD recommends that each electrical company develop an Avian Protection Plan to minimize the risks to avian species that are protected by the Migratory Bird Treaty Act.

Avian Electrocution Risks

Birds can be electrocuted by simultaneously contacting energized and/or grounded structures, conductors, hardware, or equipment. Electrocutions may occur because of a combination of biological and electrical design. Biological factors are those that influence avian use of poles, such as habitat, prey and avian species. The electrical design factor is most crucial to avian electrocutions is the physical separation between energized and/or grounded structures, conductors, hardware, or equipment that can be bridges by birds to complete a circuit. As a general rule, electrocution can occur on structures with the following:

- Phase conductors separated by less than the wrist-to-wrist or head-to-foot (flesh-to-flesh) distance of a bird;
- Distance between grounded hardware (e.g. grounded wires, metal braces) and any energized phase conductor that is less than the wrist-to-wrist or head-to-foot (flesh-to-flesh) distance of a bird (Avian Power Line Interaction Committee 2006).

To protect raptors and eagles, procedures should be followed as outlined in:

> Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006. by Avian Power Line Interaction Committee (APLIC). 2006. Distributed by the Avian Power Line Interaction Committee (APLIC).
>
> Mitigating Bird Collisions with Power Lines: the State of the Art in 1994.
> Avian Power Line Interaction Committee (APLIC). 1994. Edison Electric Institute. Washington D.C.

Line alterations to prevent bird electrocutions should not necessarily be implemented after such events occur, as all electrocutions may not be known or documented. Incorporation of preventative measures along portions of the routes that are most attractive to birds (as indicated by frequent sightings) prior to any electrocutions is much preferred.

Preventative measures include: phase covers, bushing cover, arrester covers, cutout covers, jumper wire hoses, and covered conductors. In addition, perch discouragers may be used to deter birds from landing on hazardous (to birds) pole locations where isolate, covers, or other insulating techniques cannot be used (Avian Power Line Interaction Committee 2006).

Use wood or non-conducting cross arms, for distribution lines, to minimize the possibility of electrical contact with perching birds.

When possible, for distribution lines, install electrical equipment on the bottom cross arm to allow top cross arm for perching.

TPWD recommends using nest management strategies which include installing nesting platforms on or near power structures to provide nesting sites for several protected species while minimizing the risks of electrocution, equipment damage, or outages (Avian Power Line Interaction Committee 2006).

Avian Collision Risks

Birds typically establish flight corridors along and within river and creek drainages. Transmission lines that cross or are located very near these drainages should have line markers installed at the crossings or closest points to the drainages to reduce the potential of collisions by birds flying along or near the drainage corridors.

If transmission lines are located in an area with tall trees, the height of the transmission line should not be taller than the trees to reduce collision risks.

Transmission lines should be located to avoid separating feeding and nesting areas. If this cannot be avoided lines should be clearly marked to minimize avian collisions with the lines (Avian Power Line Interaction Committee 1994).

Transmission lines should be buried, when practical, to reduce the risks of avian collisions.

Habitat Impacts

Construction should avoid identified wetland areas. Coordination with appropriate agencies should be accomplished to ensure regulatory compliance. Construction should occur during dry periods.

Construction should attempt to minimize the amount of flora and fauna disturbed. Reclamation of construction sites should emphasize replanting with native grasses and leguminous forbs.

Existing rights-of-way should be used to upgrade facilities, where possible, in order to avoid additional clearing and prevent adverse impacts associated with habitat loss and fragmentation of existing blocks of wooded habitat.

Forest and woody areas provide food and cover for wildlife, these cover types should be preserved. Mature trees, particularly those which produce nuts or acorns, should be retained. Shrubs and trees should be trimmed rather than cleared.

Transmission lines should be designed to cross streams at right angles, at points of narrowest width, and/or at the lowest banks whenever feasible to provide the least disturbance to stream corridor habitat.

Implementation of wildlife management plans along rights-of-way should be considered whenever feasible.

All pole design should be single phase (without arms), where possible, to preserve the aesthetics of the area.

Protection of State-Listed Species
Texas Parks and Wildlife Department Guidelines

Protection of State-Listed Species

State law prohibits any take (incidental or otherwise) of state-listed species. State-listed species may only be handled by persons possessing a **Scientific Collecting Permit** or a **Letter of Authorization** issued to relocate a species.

- **Section 68.002 of the Texas Parks and Wildlife (TPW) Code** states that species of fish or wildlife indigenous to Texas are endangered if listed on the United States List of Endangered Native Fish and Wildlife or the list of fish or wildlife threatened with statewide extinction as filed by the director of Texas Park and Wildlife Department. Species listed as Endangered or Threatened by the Endangered Species Act are protected by both Federal and State Law. The State of Texas also lists and protects additional species considered to be threatened with extinction within Texas.

- **Animals** - Laws and regulations pertaining to state-listed endangered or threatened animal species are contained in **Chapters 67 and 68 of the Texas Parks and Wildlife (TPW) Code** and **Sections 65.171 - 65.176 of Title 31 of the Texas Administrative Code (TAC).** State-listed animals may be found at **31 TAC §65.175 & 176**

- **Plants** - Laws and regulations pertaining to endangered or threatened plant species are contained in **Chapter 88 of the TPW Code and Sections 69.01 - 69.9 of the TAC**. State-listed plants may be found at **31 TAC §69.8(a) & (b).**

Prohibitions on Take of State Listed Species

Section 68.015 of the TPW Code states that no person may capture, trap, take, or kill, or attempt to capture, trap, take, or kill, endangered fish or wildlife.

Section 65.171 of the Texas Administrative Code states that except as otherwise provided in this subchapter or **Parks and Wildlife Code, Chapters 67 or 68**, no person may take, possess, propagate, transport, export, sell or offer for sale, or ship any species of fish or wildlife listed by the department as endangered or threatened.

"Take" is defined in **Section 1.101(5) of the Texas Parks and Wildlife Code** as:

> *"Take," except as otherwise provided by this code, means collect, hook, hunt, net, shoot, or snare, by any means or device, and includes an attempt to take or to pursue in order to take.*

Penalties

The penalties for take of state-listed species (**TPW Code, Chapter 67 or 68**) are:

- 1ST Offense = Class C Misdemeanor:
  $25-$500 fine

- One or more prior convictions = Class B Misdemeanor
  $200-$2,000 fine and/or up to 180 days in jail.

- Two or more prior convictions = Class A Misdemeanor
  $500-$4,000 fine and/or up to 1 year in jail.

Restitution values apply and vary by species. Specific values and a list of species may be obtained from the TPWD Wildlife Habitat Assessment Program.

From: Taylor, Michael
To: Wooten, John
Cc: McEachern, Drew
Subject: RE: CBP Shooting Range on University Lands
Date: Wednesday, April 24, 2019 3:30:30 PM
Attachments: Fabens Road.pptx

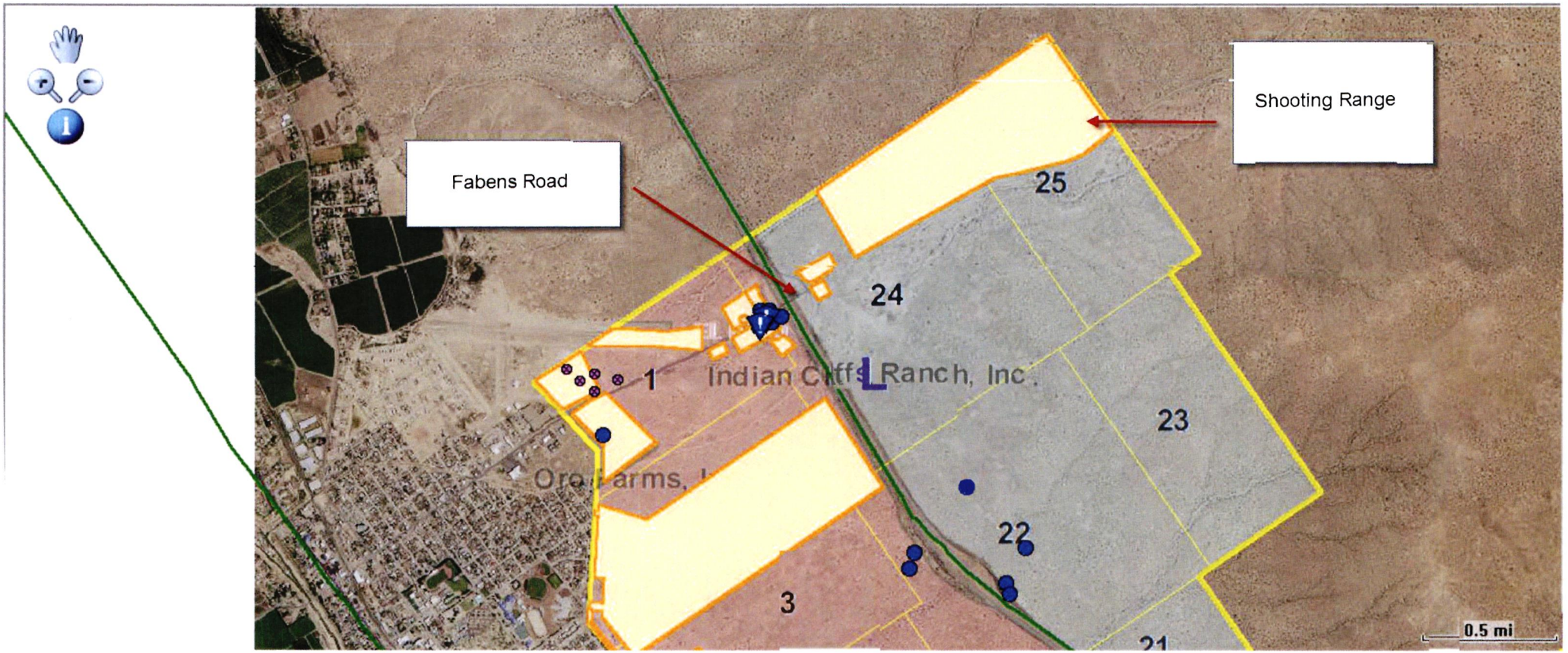
John,
Yes I think it would be best to avoid this area. I have attached a map of the surface location. Let me know if you need anything else. Thanks

From: Wooten, John
Sent: Wednesday, April 24, 2019 3:22 PM
To: Taylor, Michael
Cc: Madrid, Edward ; Tate, Brandon
Subject: CBP Shooting Range on University Lands
External Mail
Mike,
Thanks for the information from our phone call. Please see the attached kmz for the location I mentioned. This appears to be a CBP Shooting Range, and if I understood you correctly, they lease the land from University Lands. It is also my understanding that El Paso Electric should avoid routing through this area. If you could provide an outline of the CBP Shooting Range to avoid, it would be greatly appreciated.
Please let me know if you have any questions or need additional information.
Thanks,

John Wooten
Environmental Project Manager

HDR
17111 Preston Road, Suite 300
Dallas, Texas 75248
D 972 960 4450 **M** 214 402 2483
john.wooten@hdrinc.com

hdrinc.com/follow-us


Fabens Road
Shooting Range
25
24
1
Indian Cliffs Ranch, Inc.
23
22
3
21
0.5 mi

Ysleta del Sur Pueblo

Tribal Council – Javier Loera (War Captain/Tribal Historic and Preservation Officer) E-mail jloera@ydsp-nsn.gov

117 South Old Pueblo Road * P.O. Box 17579 * El Paso, Texas 79917 * (915) 859-8053 * Cell (915) 497-3853

April 2, 2019

Mr. John Wooten
El Paso Electric Project Manager
HDR
17111 Preston Road
Suite 300
Dallas, Texas 75249

Dear Mr. Wooten:

This letter is in response to the correspondence received in our office in which you provide the Ysleta del Sur Pueblo the opportunity to comment on **El Paso Electric's Proposed Eastside Project in El Paso County, Texas.**

While we do not have any comments on the proposed undertakings and believe that these projects will not adversely affect traditional, religious or culturally significant sites of our Pueblo and have no opposition to it; we would like to request consultation should any human remains or artifacts unearthed during these projects be determined to fall under the Native American Graves Protection and Repatriation Act (NAGPRA) guidelines. Copies of our Pueblo's **Cultural Affiliation Position Paper** and **Consultation Policy** are available upon request.

Thank you for allowing us the opportunity to comment on these proposed projects.

Sincerely,

Javier Loera

Javier Loera
Tribal Council/Tribal Historic Office
for
Cacique Jose Sierra Sr.
Department of Tribal Operations
Ysleta del Sur Pueblo

March 27, 2019
(via mail)

RECEIVED
APR 01 2019
BY: Fred J Rivera

Cacique Jose Sierra Sr.
Department of Tribal Operations
Ysleta del Sur Pueblo
119 S. Old Pueblo Dr.
El Paso, Texas 79907

Re: El Paso Electric's Proposed Eastside Loop Expansion Project in El Paso County, Texas

Dear Cacique Sierra Sr.,

El Paso Electric Company (EPE) proposes to construct two new 115 kV electric transmission lines (i.e., Phases I and II of the Eastside Loop Expansion Project) in eastern El Paso County, Texas. The attached figure provides an overview of the project study areas for Phases I and II of the Project.

Phase I will connect two new substations. The northern most substation (i.e., E1 Substation) will be located from the intersection of US Highway 62/180 (Montana Ave) and Desert Storm Road, approximately 1.2 miles south along Desert Storm Road then east, approximately 0.94 mile to the substation on the south side of Desert Storm Road. The line will traverse south and terminate at the proposed E2 Substation located on the northeast side of Farm to Market 1281/Horizon Blvd. (FM 1281) and Seabeck St., approximately four miles east of the intersection of Ascencion Street and FM 1281 (31.684195/-106.078534).

From the terminus of Phase I (i.e., E2 Substation), Phase II will traverse south and terminate at the proposed San Felipe substation located just west of Interstate Highway 10 approximately 0.4 mile south of the intersection of Interstate Highway 10 and Fabens Road (31.51326/-106.12924).

For each phase of the Project, HDR Engineering, Inc. (HDR) is preparing an Environmental Assessment (EA) and Alternative Route Analysis to support an application for a Certificate of Convenience and Necessity (CCN) from the Public Utility Commission of Texas (PUCT). HDR is currently in the process of gathering pertinent data and identifying environmental and land use constraints within the project study areas that will be used in the creation of an environmental and land use constraints map. Eventually, HDR will identify potential alternative routes that consider environmental and land use constraints.

We are requesting that your office provide information concerning environmental and land use constraints regarding land issues or other areas of interest to the Ysleta del Sur Pueblo. Your comments will be an important consideration in the evaluation of alternative routes and in the assessment of impacts. Upon approval of a final route for each of the proposed projects by the PUCT, EPE will determine the need for other approvals and/or permits. If your jurisdiction has approvals and/or permits that would apply to these projects, please identify them in response to this inquiry. If permits are required from your office, EPE will contact your office following approval of the final route for each phase of the Project.

Thank you for your assistance with this electric transmission line project. Please contact me at 972-960-4450 or by email, John.Wooten@hdrinc.com, or El Paso Electric Project Manager Eddie Madrid at eddie.madrid@epelectric.com, if you have any questions or require additional information. We would appreciate receiving your reply by April 10, 2019.

Sincerely,

John Wooten
Project Manager

Attachment

hdrinc.com
17111 Preston Road, Suite 300, Dallas, Texas 75248
T 972 960 4400 F 972 960 4471

Appendix B

Public Involvement

El Paso Electric

June 27, 2019

Dear Landowner/Property Owner.

El Paso Electric Company (EPE) proposes to construct two new 115 kV electric transmission lines that will connect to three new substations (i.e., Phases I and II of the Eastside Loop Expansion Project) in eastern El Paso County, Texas. EPE plans to file applications to Amend its Certificate of Convenience and Necessity (CCN) for the proposed transmission lines with the Public Utility Commission of Texas (PUCT) later this year The PUCT requires that the applicant – EPE – conduct a routing study that identifies potential transmission routing options and requires an opportunity for the public to provide input into the proposed projects and routing options.

You are invited to a public meeting hosted by EPE on Thursday, July 11, 2019, at the Clint Independent School District (ISD) Central Office, located at 14521 Horizon Boulevard, El Paso, TX 79928, from 5:00 p.m. to 8:00 p m. At the public meeting, EPE will display information and gather input on potential routes for the proposed electric transmission lines

The proposed transmission lines are required to maintain the electric reliability of the transmission system in the area and serve projected and future load growth. The proposed construction for both Phase I and Phase II includes new 115 kV electric transmission lines, located along yet-to-be-determined routes

You have received this invitation because tax records indicate that you own property either along one of the preliminary line segments that may be directly impacted by the proposed transmission line, or property that has a habitable structure on it that is within 1,000 feet of the proposed line The preliminary transmission line segment alternatives are shown on the enclosed maps The segments shown on the map are potential route segment alternatives, not all of the segment alternatives will be constructed The PUCT will determine the final routes in the CCN application proceedings for approval of the proposed lines that will be filed by EPE later this year

The public meeting gives area landowners and other interested parties the opportunity to provide input regarding the preliminary transmission line segment alternatives that are under consideration You may arrive anytime in the 5 00 p m. to 8:00 p.m timeframe and walk around the information stations at your own pace. You will be given a questionnaire about the project and will have the opportunity to make comments on the project, ask questions, and express any concerns you might have about the proposed preliminary transmission line segment alternatives

Information stations with representatives from EPE and technical specialists from HDR Engineering, Inc. will be available to share information about the need for the transmission project, the type of structures proposed for the new transmission line, construction methods to be used, and transmission right-of-way requirements. Maps will also be available for review.

The Clint ISD Central Office is located at 14521 Horizon Boulevard, El Paso, TX 79928 The meeting will be held in the Board Room Please use the main entrance adjacent to the parking area. For more information about the public meeting, please contact Eddie Madrid with El Paso Electric at (915) 543-5853 or email at eddie.madrid@epelectric.com or John Wooten with HDR Engineering, Inc at (972) 960-4450 or email at john.wooten@hdrinc.com.

Sincerely,

Eddie Madrid
Project Manager

Enclosures

El Paso Electric

27 de junio de 2019

Estimado terrateniente/propietario.

El Paso Electric Company (EPE) propone construir dos nuevas líneas de transmisión eléctrica de 115 kV para conectar atres nuevas subestaciones (es decir, las Fases I y II del Proyecto de Ampliación del Bucle Este) en el este del Condado de El Paso, Texas. EPE planifica presentar solicitudes para modificar su Certificado de Conveniencia y Necesidad (CCN por *Certificate of Convenience and* Necessity) para las líneas de transmisión propuestas ante la Comisión de Servicios Públicos de Texas (la "PUCT" por sus siglas en inglés) este año. La PUCT exige que el solicitante –EPE – conduzca un estudio de enrutamiento que identifique posible opciones de enrutamiento para las líneas de transmisión y exige se brinde una oportunidad para que el público se pronuncie en relación con los proyectos propuestos y las opciones de enrutamiento.

Por este medio lo invitamos a una reunión pública organizada por EPE el jueves 11 de julio de 2019, en la oficina central de Clint Independent School District (ISD), localizada en 14521 Horizon Boulevard, El Paso, TX 79928, de 5:00 p.m a 8 00 p.m. En la reunión pública, EPE presentará información y recabará opiniones sobre las rutas potenciales para las líneas de transmisión eléctrica propuestas.

Las líneas de transmisión propuestas son necesarias para mantener la confiabilidad eléctrica del sistema de transmisión en el área y servir el futuro crecimiento de carga proyectado. La construcción propuesta para ambas Fases, la I y la II, incluye nuevas líneas de transmisión eléctrica de 115 Kv, localizadas en rutas aún no determinadas.

Usted ha recibido esta invitación ya que los registros tributarios indican que usted posee una propiedad, ya sea a lo largo de uno de los segmentos preliminares para las líneas que podría ser directamente impactada por la línea de transmisión propuesta, o alguna propiedad con estructura habitable ubicada a 1,000 pies de distancia de la línea propuesta. Las alternativas de segmento de línea de transmisión preliminares se muestran en los mapas adjuntos. Los segmentos mostrados en el mapa son alternativas de segmento de rutas posibles, no todas las alternativas de segmento serán construidas. La PUCT determinará las rutas finales en los procedimientos de solicitud del CCN para la aprobación de las líneas propuestas que serán presentados por EPE este año.

La reunión pública otorga a los terratenientes y otras partes interesadas la oportunidad de pronunciarse en relación con las alternativas preliminares de segmento de línea de transmisión que están siendo consideradas. Tendrá la oportunidad de visitar las estaciones de información entre las 5:00 p.m. y 8:00 p.m.Recibirá un cuestionario sobre el proyecto y tendrá la oportunidad de hacer comentarios sobre el proyecto, hacer preguntas y expresar cualquier inquietud que tenga sobre las alternativas preliminares de segmento de línea de transmisión propuestas

Representantes de EPE y especialistas técnicos de HDR Engineering, Inc. estarán disponibles para compartir información sobre la necesidad de este proyecto de transmisión, el tipo de estructuras propuestas para la nueva línea de transmisión, los métodos de construcción a ser usados, y los requisitos del derecho de paso de transmisión. También tendrá la oportunidad de revisar mapas sobre el proyecto.

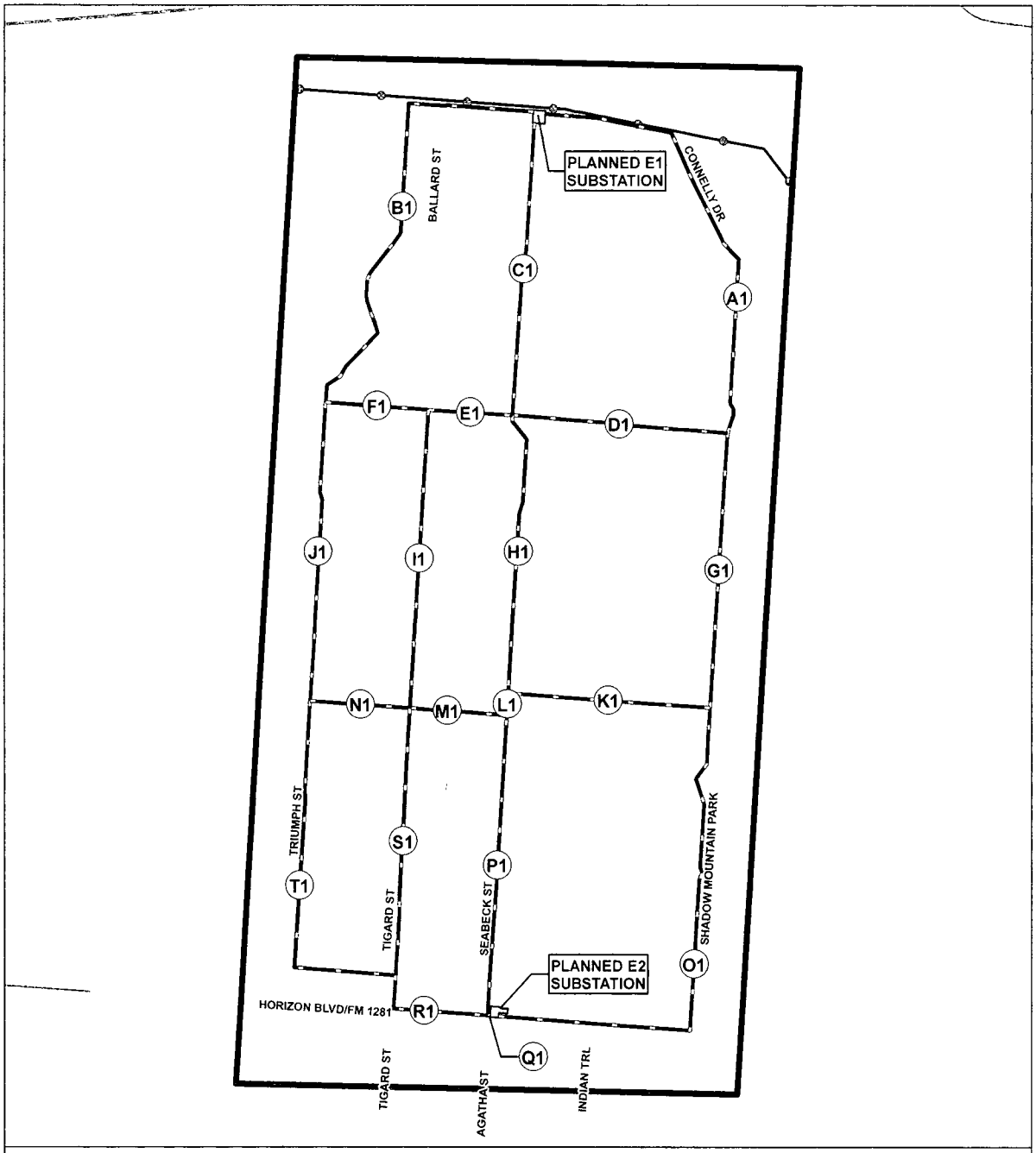
La oficina central Clint ISD está ubicada en 14521 Horizon Boulevard, El Paso, TX 79928. La reunión se llevará a cabo en la Sala de Juntas (Board Room). Por favor use la entrada principal adyacente al área de estacionamiento Para más información sobre la reunión pública, por favor comuníquese con Eddie Madrid de El Paso Electric llamando al teléfono (915) 543-5853 o por correo electrónico a la dirección eddie.madrid@epelectric.com, o con John Wooten de HDR Engineering, Inc. llamando al (972) 960-4450 o por correo electrónico a la dirección john.wooten@hdrinc.com.

Atentamente,

E D. Madrid

Eddie Madrid
Gerente de Proyecto

Adjuntos



EL PASO ELECTRIC EASTSIDE LOOP EXPANSION PHASE I

PRELIMINARY TRANSMISSION LINE SEGMENTS

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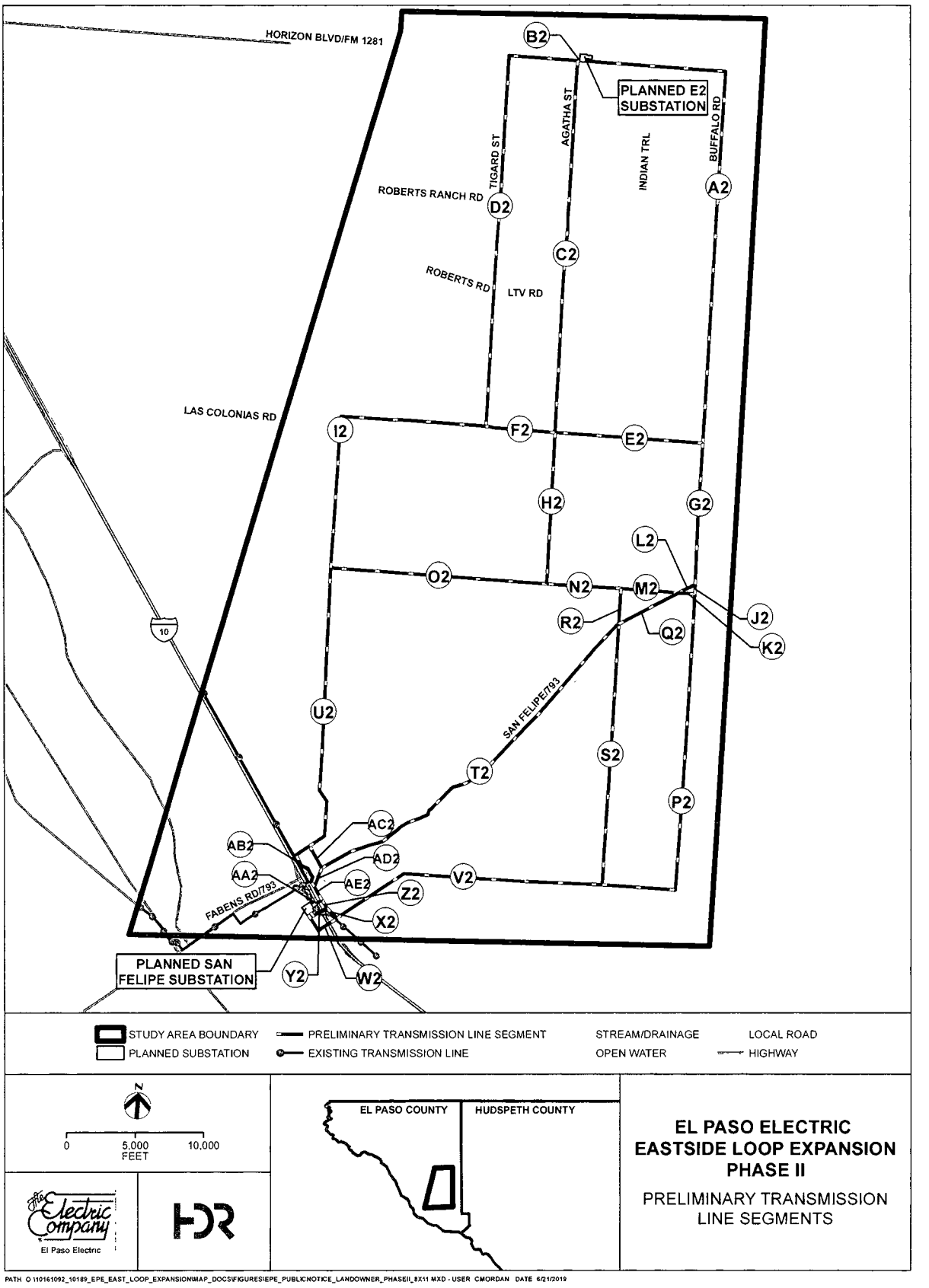
HORIZON BLVD/FM 1281
B2
PLANNED E2 SUBSTATION
TIGARD ST
AGATHA ST
INDIAN TRL
BUFFALO RD
A2
ROBERTS RANCH RD
D2
C2
ROBERTS RD
LTV RD
LAS COLONIAS RD
I2
F2
E2
H2
G2
L2
O2
N2
M2
R2
Q2
J2
K2
10
U2
SAN FELIPE/793
S2
T2
P2
AC2
AB2
AD2
AA2
AE2
V2
Z2
FABENS RD/793
X2
PLANNED SAN FELIPE SUBSTATION
Y2
W2
STUDY AREA BOUNDARY
PLANNED SUBSTATION
PRELIMINARY TRANSMISSION LINE SEGMENT
EXISTING TRANSMISSION LINE
STREAM/DRAINAGE
OPEN WATER
LOCAL ROAD
HIGHWAY
N
0
5,000
10,000
FEET
EL PASO COUNTY
HUDSPETH COUNTY
EL PASO ELECTRIC
EASTSIDE LOOP EXPANSION
PHASE II
PRELIMINARY TRANSMISSION
LINE SEGMENTS
El Paso Electric
HDR
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Open House Questionnaire
El Paso Electric Company Eastside Loop Expansion
115 kV Transmission Line Projects—Phase I and Phase II

This questionnaire will help El Paso Electric Company (EPE) understand public interests and concerns about the proposed projects. The proposed projects described as Phase I and Phase II would include two new 115 kV electric transmission lines, located along yet-to-be-determined routes. The information provided by you and other interested citizens is one element carefully considered in the transmission line route selection process. Once you have viewed the exhibits, please complete this questionnaire and leave it at the front greeting table box labeled Questionnaire, or send it to our routing consultant, HDR, via mail or email by July 26, 2019.

John Wooten
HDR Project Manager
17111 Preston Road, Suite 300
Dallas, Texas 75248
Email: John.Wooten@hdrinc.com

1. **How did you learn of this public meeting?**
   - ☐ Invitation Letter
   - ☐ Other (please specify) _____

2. **Which Project (Phase I or Phase II) most interests you?**
   - ☐ Phase I
   - ☐ Phase II
   - ☐ Both (If both, please specify why) _____

3. **In your opinion, has the need for the projects been adequately explained to you?**
   Yes ☐ No ☐

   If no, Please explain _____

4. **Please rank from 1 to 11 the following land uses that you believe should be considered of greatest concern (avoided if possible) to least concern in routing the transmission line. Please use each number only once. (1 =greatest concern; 11 =least concern)**

_____Agricultural land
_____Floodplains or wetlands
_____Recreational or park areas
_____Residential areas or subdivisions
_____Commercial areas
_____Schools
_____Churches
_____Cemeteries
_____Historic Sites
_____Wildlife
_____Other (please specify) _____

5. **Please rank from 1 to 7 the following linear facilities that you believe should be considered of greatest importance to least importance for the transmission line route to follow. Please use each number only once. (1 =most important; 6 =least important)**

_____Roads
_____Railroads
_____Ditches
_____Electrical lines
_____Property lines
_____Other (please specify) _____

6. **In your opinion, are there any other factors or features that should be considered in determining the routing of the proposed transmission lines?**

Yes ☐ No ☐

If yes, please list them below and briefly explain why they are important to you.

7. **The following features are noted on the Constraints Map at the Routing/Environmental station, if applicable:**

- Churches, schools, nursing homes, hospitals, and cemeteries
- Commercial AM and FM radio transmitters, microwave relay stations, or other similar electronic installations
- Airports and landing strips
- Parks and recreational areas
- Historical and archaeological sites
- Environmentally sensitive areas

Are any of these features incorrectly shown on the maps, or are you aware of any additional features that were not included?

Yes ☐ No ☐

If yes, did you speak with a representative and indicate the corrections needed to the map?

Yes ☐ No ☐

If you were not able to speak to a representative, please identify the approximate location of any missing or incorrectly located features on the Constraints Maps by describing the feature and location below.

8. **If you have a concern with a particular preliminary transmission line segment(s) shown on the exhibits or the attached maps, please indicate the project phase and segment letter and describe your concern.**

9. **Do you have a preference on the type of transmission structures being proposed?**
Yes ☐ No ☐

If so, please explain the type of transmission structures you prefer and why?

_____
_____
_____
_____
_____

10. **Which of the following applies to you? Please include the project phase and segment(s) letters. (See attached maps.)**

☐ A preliminary transmission line segment is near my home.
Project Phase_____
Applicable Segment(s) _____

☐ A preliminary transmission line segment is near my business.
Project Phase_____
Applicable Segment(s) _____

☐ A preliminary transmission line segment is on my land.
Project Phase_____
Applicable Segment(s) _____

☐ None of the above

Other (please specify)_____
_____
_____

11. **Did the information provided and exhibits displayed at the public meeting meet your needs?**
Yes ☐ No ☐
If no, please explain: _____
_____
_____
_____

12. **Your name and contact information are optional, <u>unless</u> you have a question that you would like for us to answer.**
Name _____

☐ Do Not Contact Me ☐ Contact me regarding the following question (please specify)
_____
_____

I prefer to be contacted by: (choose all that apply)

☐ U.S. Mail Address_____

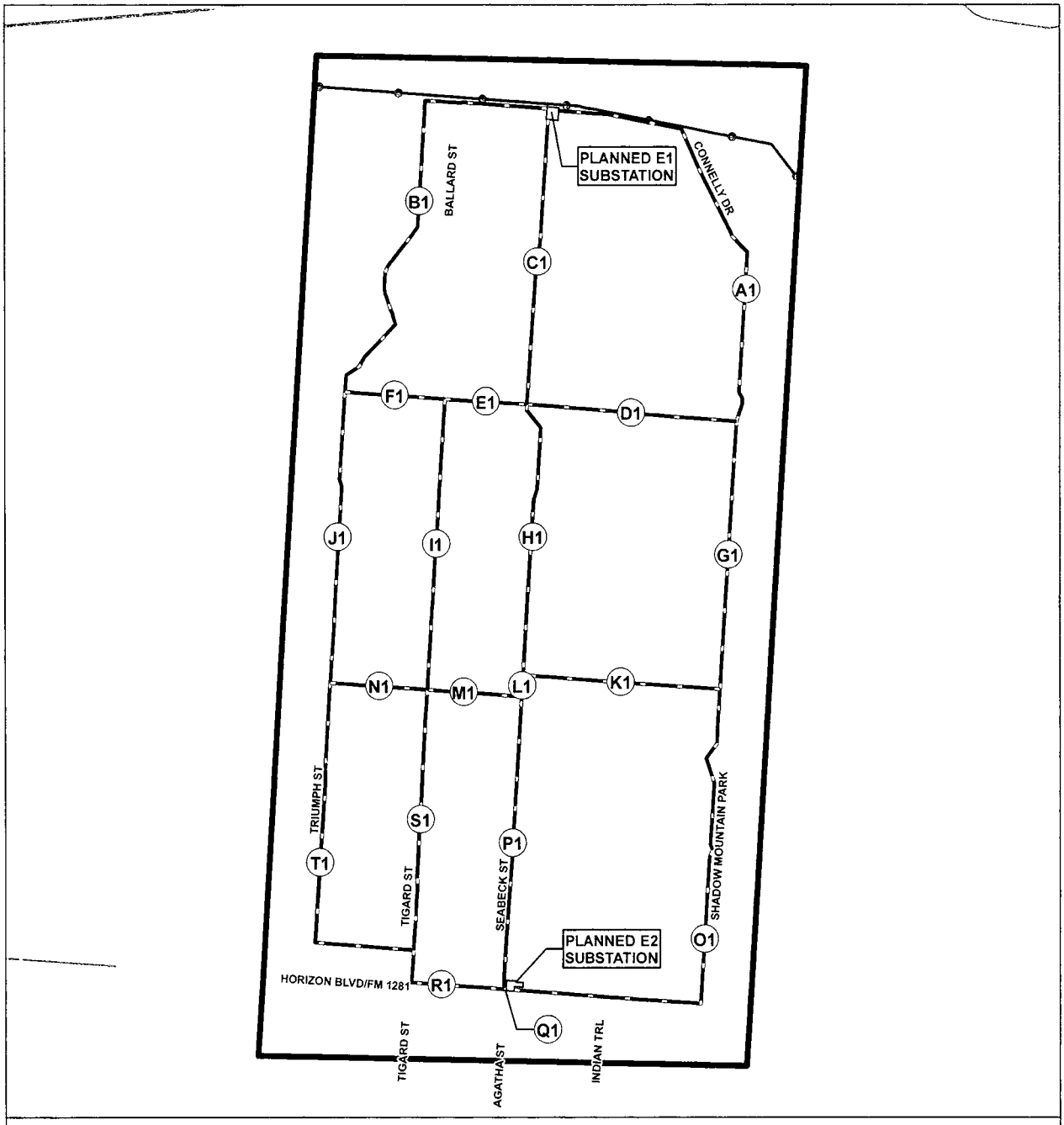
City_____State_____ Zip _____

☐ Telephone (home)_____(work)_____(cell)_____

☐ Email Address _____

13. Additional comments (please specify):

THANK YOU FOR COMPLETING THE QUESTIONNAIRE. WE APPRECIATE YOUR INPUT.



EL PASO ELECTRIC
EASTSIDE LOOP EXPANSION
PHASE I

PRELIMINARY TRANSMISSION LINE SEGMENTS

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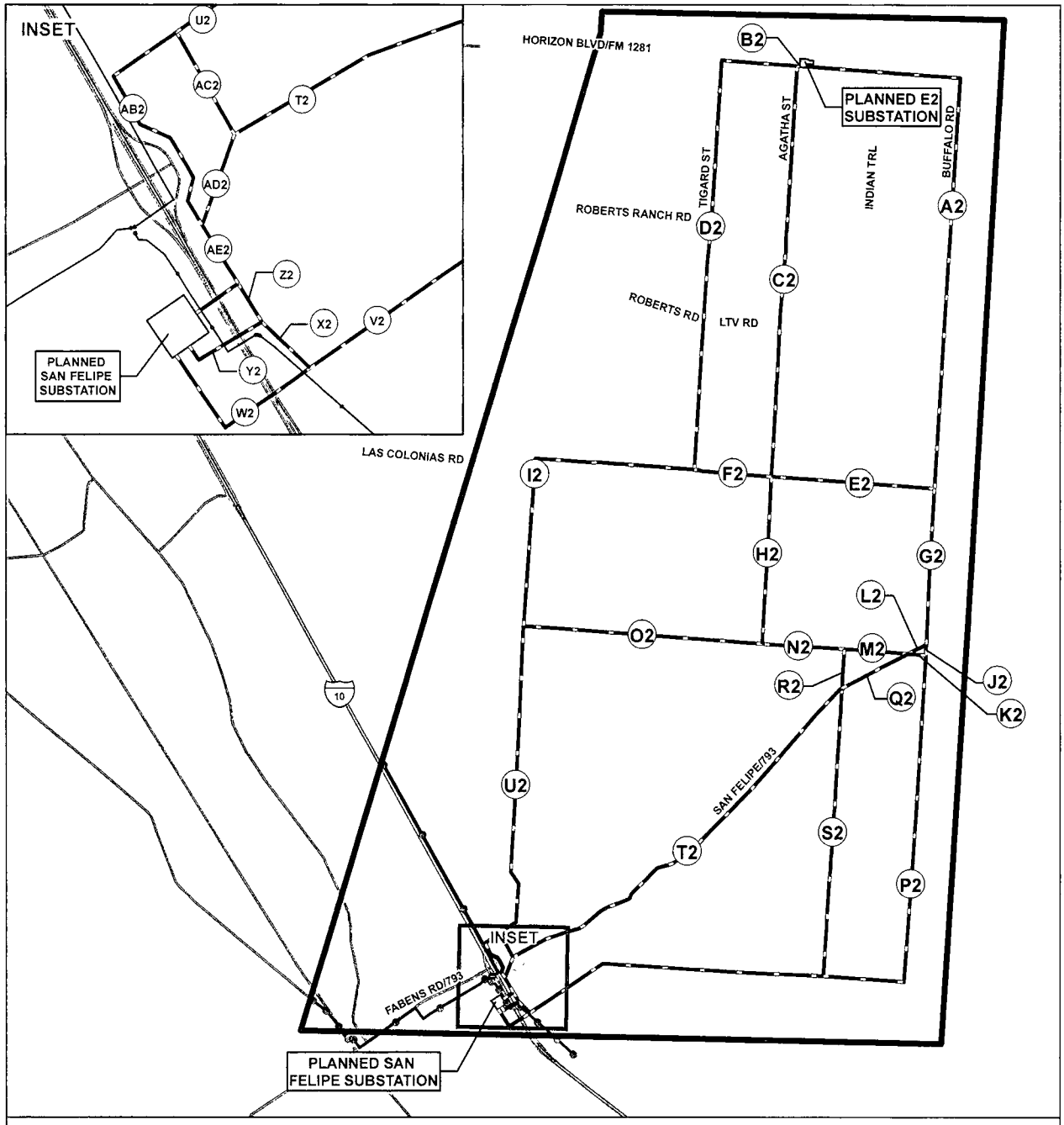

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THE STATE OF TEXAS

LANDOWNER'S BILL OF RIGHTS

PREPARED BY THE

OFFICE OF THE
ATTORNEY GENERAL OF TEXAS

STATE OF TEXAS LANDOWNER'S BILL OF RIGHTS

This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you that it wants to take your property.
5. The entity proposing to take your property must provide you with a written appraisal from a certified appraiser detailing the adequate compensation you are owed for your property.
6. The entity proposing to take your property must make a bona fide offer to buy the property before it files a lawsuit to condemn the property – which means the condemning entity must make a good faith offer that conforms with Chapter 21 of the Texas Property Code.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent domain is the legal authority that certain entities are granted that allows those entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity that is authorized by law to do so. Your property may be taken only for a public purpose. That means it can only be taken for a purpose or use that serves the general public. Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages if your remaining property's market value is diminished by the acquisition itself or by the way the condemning entity will use the property.

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before - or at the same time - the entity first represents to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person who is listed as the property owner on the most recent tax roll. This requirement stipulates that the Landowner's Bill of Rights must be provided to the property owner at least seven days before the entity makes a final offer to acquire the property.

Third, the condemning entity must make a bona fide offer to purchase the property. The requirements for a bona fide offer are contained in Chapter 21 of the Texas Property Code. At the time a purchase offer is made, the condemning entity must disclose any appraisal reports it produced or acquired that relate specifically to the property and were prepared in the ten years preceding the date of the purchase offer. You have the right to discuss the offer with others and to either accept or reject the offer made by the condemning entity.

CONDEMNATION PROCEEDINGS

If you and the condemning entity do not agree on the value of your property, the entity may begin condemnation proceedings. Condemnation is the legal process that eligible entities utilize to take private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the condemnation claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, state with specificity the public use, state the name of the landowner, state that the landowner and the condemning entity were unable to agree on the value of the property, state that the condemning entity provided the landowner with the Landowner's Bill of Rights, and state that the condemning entity made a bona fide offer to acquire the property from the property owner voluntarily.

SPECIAL COMMISSIONERS' HEARING

After the condemning entity files a condemnation claim in court, the judge will appoint three local landowners to serve as special commissioners. The judge will give you a reasonable period to strike one of the special commissioners. If a commissioner is struck, the judge will appoint a replacement. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not legally authorized to decide whether the condemnation is necessary or if the public use is proper. Their role is limited to assessing adequate compensation for you. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place. The special commissioners are also required to give you written notice of the condemnation hearing.

You are required to provide the condemning entity any appraisal reports that were used to determine your claim about adequate compensation for the condemned property. Under a new law enacted in 2011, landowners' appraisal reports must be provided to the condemning entity either ten days after the landowner receives the report or three business days before the special commissioners' hearing - whichever is earlier. You may hire an appraiser or real estate professional to help you determine the value of your private property. Additionally, you can hire an attorney to represent you during condemnation proceedings.

At the condemnation hearing, the special commissioners will consider your evidence on the value of your condemned property, the damages to remaining property, any value added to the remaining property as a result of the condemnation, and the condemning entity's proposed use of your condemned property.

SPECIAL COMMISSIONERS' AWARD

After hearing evidence from all interested parties, the special commissioners will determine the amount of money that you should be awarded to adequately compensate you for your property. The special commissioners' decision is significant to you not only because it determines the amount that qualifies as adequate compensation, but also because it impacts who pays for the cost of the condemnation proceedings. Under the Texas Property Code, if the special commissioners' award is less than or equal to the amount the condemning entity offered to pay before the proceedings began, then you may be financially responsible for the cost of the condemnation proceedings. However, if the special commissioners' award is more than the condemning entity offered to pay before the proceedings began, then the condemning entity will be responsible for the costs associated with the proceedings.

The special commissioners are required to provide the court that appointed them a written decision. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties. After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay the amount of the Award or deposit the amount of the Award into the court's registry. You have the right to withdraw funds that are deposited into the registry of the court.

OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD

If either the landowner or the condemning entity is dissatisfied with the amount of the Award, either party can formally object to the Award. In order to successfully make this valuation objection, it must be filed in writing with the court. If neither party timely objects to the special commissioners' Award, the court will adopt the Award as the final judgment of the court.

If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner that other civil cases are heard. Landowners who object to the Award and ask the court to hear the matter have the right to a trial and can elect whether to have the case decided by a judge or jury. The allocation of any trial costs is decided in the same manner that costs are allocated with the special commissioners' Award. After trial, either party may appeal any judgment entered by the court.

DISMISSAL OF THE CONDEMNATION ACTION

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your condemned property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

If you wish to challenge the condemning entity's authority to take your property, you can lodge that challenge by filing a motion to dismiss the condemnation proceeding. Such a motion to dismiss would allege that the condemning entity did not have the right to condemn your property. For example, a landowner could challenge the condemning entity's claim that it seeks to take the property for a public use. If the court grants the landowner's motion, the court may award the landowner reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.

RELOCATION COSTS

If you are displaced from your residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. However, during condemnation proceedings, reimbursement for relocation costs may not be available if those costs are separately recoverable under another law. Texas law limits the total amount of available relocation costs to the market value of the property being moved. Further, the law provides that moving costs are limited to the amount that a move would cost if it were within 50 miles.

RECLAMATION OPTIONS

If private property was condemned by a governmental entity, and the public use for which the property was acquired is canceled before that property is used for that public purpose, no actual progress is made toward the public use within ten years or the property becomes unnecessary for public use within ten years, landowners may have the right to repurchase the property for the price paid to the owner by the entity at the time the entity acquired the property through eminent domain.

DISCLAIMER

The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

ADDITIONAL RESOURCES

Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.

THE STATE OF TEXAS

LANDOWNER'S BILL OF RIGHTS

PREPARED BY THE

OFFICE OF THE
ATTORNEY GENERAL OF TEXAS

STATE OF TEXAS LANDOWNER'S BILL OF RIGHTS

This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you that it wants to take your property.
5. The entity proposing to take your property must provide you with a written appraisal from a certified appraiser detailing the adequate compensation you are owed for your property.
6. The entity proposing to take your property must make a bona fide offer to buy the property before it files a lawsuit to condemn the property – which means the condemning entity must make a good faith offer that conforms with Chapter 21 of the Texas Property Code.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent domain is the legal authority that certain entities are granted that allows those entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity that is authorized by law to do so. Your property may be taken only for a public purpose. That means it can only be taken for a purpose or use that serves the general public. Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages if your remaining property's market value is diminished by the acquisition itself or by the way the condemning entity will use the property.

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before - or at the same time - the entity first represents to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person who is listed as the property owner on the most recent tax roll. This requirement stipulates that the Landowner's Bill of Rights must be provided to the property owner at least seven days before the entity makes a final offer to acquire the property.

Third, the condemning entity must make a bona fide offer to purchase the property. The requirements for a bona fide offer are contained in Chapter 21 of the Texas Property Code. At the time a purchase offer is made, the condemning entity must disclose any appraisal reports it produced or acquired that relate specifically to the property and were prepared in the ten years preceding the date of the purchase offer. You have the right to discuss the offer with others and to either accept or reject the offer made by the condemning entity.

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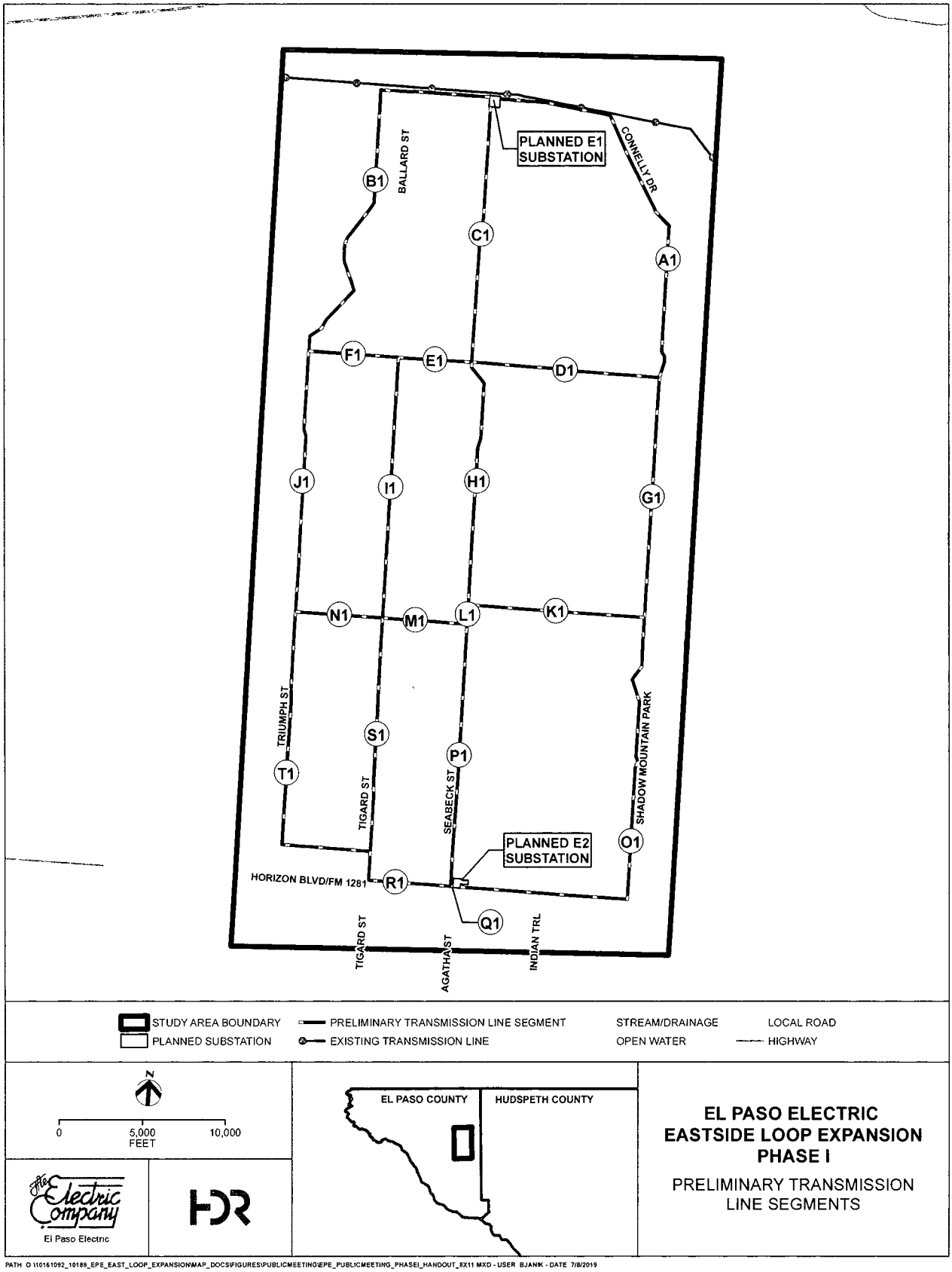

EL PASO ELECTRIC
EASTSIDE LOOP EXPANSION
PHASE I

PRELIMINARY TRANSMISSION LINE SEGMENTS

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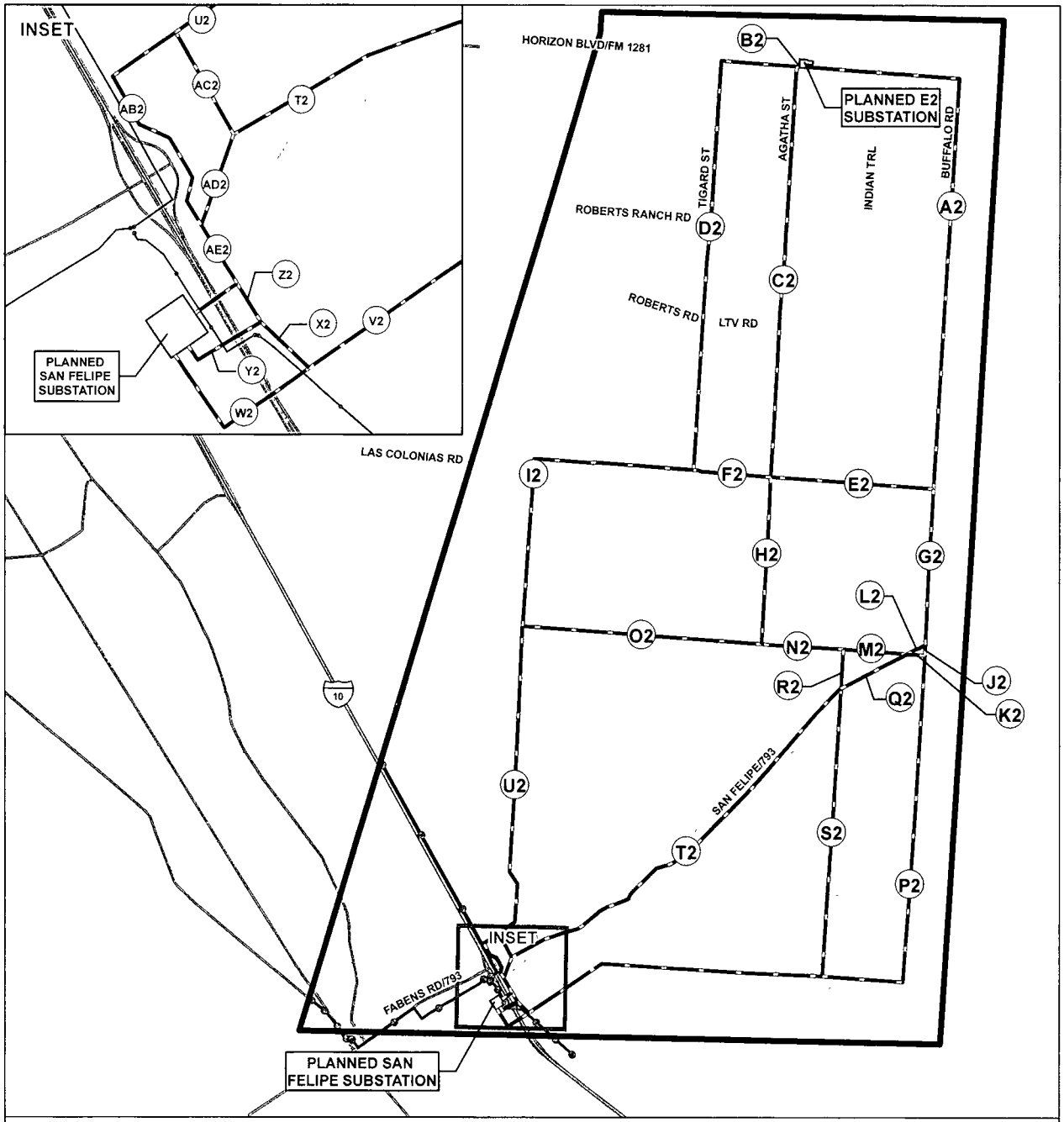

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Cuestionario de la Junta Publica
Expansión del Asa del Este de El Paso Electric Company
Proyectos de Línea de Transmisión de 115 kV — Fase I y Fase II

Este cuestionario le ayudará a El Paso Electric Company (EPE) a entender los intereses y preguntas del público acerca de los proyectos propuestos. Los proyectos propuestos descritos como Fase I y Fase II incluirían dos nuevas líneas de transmisión eléctrica de 115 kV ubicadas a lo largo de rutas que aún no han sido determinadas. La información proporcionada por usted y por otros ciudadanos interesados es un elemento que se toma en cuenta cuidadosamente en el proceso de seleccionar la ruta de las líneas de transmisión. Después de que haya revisado las exhibiciones, favor de completar este cuestionario y entregarlo en la caja en la mesa de bienvenida marcada "Cuestionarios", o envíelo a nuestro consultor de rutas, HDR, ya sea por correo o por correo electrónico, antes del 26 de julio del 2019.

John Wooten
HDR Project Manager
17111 Preston Road, Suite 300
Dallas, Texas 75248
Email: John.Wooten@hdrinc.com

1. **¿Cómo se enteró usted de esta junta pública?**
   - ☐ Carta de invitación
   - ☐ Otro (favor de especificar) _____

2. **¿Cuál de las Fases del Proyecto (Fase I o Fase II) le interesa más a usted?**
   - ☐ Fase I
   - ☐ Fase II
   - ☐ Ambas (En caso de ser ambas, favor de especificar por qué) _____

3. **En su opinión, ¿se le han explicado las necesidades para el proyecto de manera adecuada?**
   Sí ☐ No ☐

   En caso de que no, favor de especificar por qué _____

4. **Favor de calificar del 1 al 11 los siguientes usos del terreno que usted piense deben considerarse de la mayor preocupación (evitados si fuera posible) a la menor preocupación al momento de elegir la ruta de la línea de transmisión. Favor de usar cada número una sola vez. (1 = mayor preocupación; 11 = menor preocupación)**

_____ Terreno agrícola
_____ Tierras de inundación o pantanos
_____ Parques de diversión o áreas de parque
_____ Áreas residenciales o urbanizaciones
_____ Áreas comerciales
_____ Escuelas
_____ Iglesias
_____ Cementerios
_____ Sitios históricos
_____ Vida silvestre
_____ Otro (favor de especificar) _____

5. **Favor de calificar del 1 al 7 los siguientes establecimientos lineales para que los siga la línea de transmisión que usted cree deben considerarse de mayor importancia a menor importancia. Favor de usar cada número una sola vez. (1 = más importante; 6 = menos importante)**

_____ Carreteras
_____ Vías del tren
_____ Zanjas
_____ Líneas eléctricas
_____ Líneas de propiedad
_____ Otro (favor de especificar) _____

6. **¿En su opinión, existen otros factores o características que deberían ser tomadas en cuenta al momento de determinar la ruta de las líneas de transmisión propuestas?**
Sí ☐ No ☐

En caso de que sí, favor de listarlos a continuación y brevemente describa la razón por la cual son importantes para usted.

_____

_____

7. **Las siguientes características se indican en el Mapa de Restricciones en la estación de Ruta/Ambiental, en caso de ser aplicable:**
   - Iglesias, escuelas, asilos para ancianos, hospitales y cementerios
   - Transmisiones de radio comerciales de AM y FM, estaciones de relevo de microondas, u otras instalaciones similares
   - Aeropuertos y pistas de aterrizaje
   - Parques y áreas de recreación
   - Sitios históricos y arqueológicos
   - Sitios ambientalmente sensibles

¿Algunas de estas características se muestran de manera incorrecta en el mapa? o ¿conoce usted alguna característica adicional que no fue incluida?
Sí ☐ No ☐

En caso de que sí, ¿habló usted con un representante y le indicó las correcciones que deben hacerse en el mapa?
Sí ☐ No ☐

Si no pudo hablar con un representante, favor de identificar la ubicación aproximada de cualquier característica faltante o ubicada incorrectamente en el Mapa de Restricciones describiendo la característica y su ubicación a continuación.

8. **Si usted tiene algún problema con un segmento preliminar de la línea de transmisión que se muestra en las exhibiciones o en los mapas adjuntos, favor de indicar la fase del proyecto y la letra del segmento y describa su preocupación.**

9. **¿Tiene usted alguna preferencia sobre el tipo de estructuras de transmisión que se están proponiendo?**
Sí ☐ No ☐

En caso de que sí, favor de explicar el tipo de estructuras de transmisión que usted prefiere y por qué.

_____
_____
_____
_____
_____

10. **¿Cuál de las siguientes es aplicable a usted? Favor de incluir la fase del proyecto y la(s) letra(s) del segmento. (Favor de ver los mapas adjuntos)**

☐ Un segmento preliminar de la línea de transmisión se encuentra cerca de mi casa.
Fase del Proyecto _____
Segmento(s) aplicable(s) _____

☐ Un segmento preliminar de la línea de transmisión se encuentra cerca de mi negocio.
Fase del Proyecto _____
Segmento(s) aplicable(s) _____

☐ Un segmento preliminar de la línea de transmisión se encuentra en mi propiedad.
Fase del Proyecto _____
Segmento(s) aplicable(s) _____

☐ Ninguno de los anteriores

Otro (favor de especificar***)***_____
_____
_____

11. **¿La información incluida y las exhibiciones mostradas en la junta pública cumplió con sus necesidades?**
Sí ☐ No ☐
En caso de que no, favor de explicar: _____
_____
_____
_____

12. **Su nombre y sus datos de contacto son opcionales, a menos que usted tenga una pregunta que desea que contestemos.**

Nombre: _____

☐ No me contacten ☐ Favor de contactarme con respecto a la siguiente pregunta (favor de especificar)

_____
_____
_____
_____

Yo prefiero que me contacten por: (seleccione todas las que aplican)

☐ Correo de EE.UU. Domicilio _____
Ciudad _____ Estado _____ Código Postal _____

☐ Teléfono (casa) _____ (trabajo) _____ (celular) _____

☐ Correo electrónico _____

13. Comentarios adicionales (favor de especificar):

_____
_____
_____
_____
_____
_____
_____
_____

GRACIAS POR COMPLETAR ESTE CUESTIONARIO. AGRADECEMOS SUS COMENTARIOS.

DECLARACIÓN DE DERECHOS DE LOS PROPIETARIOS EN TEXAS

PREPARADO POR

LA PROCURADURÍA GENERAL
DE TEXAS

DECLARACIÓN DE DERECHOS DE LOS PROPIETARIOS EN TEXAS

Esta Declaración de Derechos de los Propietarios se aplica a cualquier intento del gobierno o una entidad privada de expropiar su propiedad. El contenido de esta Declaración de Derechos fue establecido por la Legislatura de Texas en la Sección 402.031 del Código Gubernamental de Texas (Texas Government Code) y en el Capítulo 21 del Código de Propiedad de Texas (Texas Property Code).

1. Usted tiene derecho de recibir compensación adecuada si su propiedad es expropiada para uso público.
2. Su propiedad solamente puede ser expropiada para uso público.
3. Su propiedad solo puede ser expropiada por una entidad gubernamental o una entidad privada autorizada por la ley para hacerlo.
4. La entidad que quiere expropiar su propiedad debe informarle a usted de que quiere tomar su propiedad.
5. La entidad que propone la expropiación de su propiedad debe darle a usted una evaluación escrita por un tasador certificado detallando la compensación adecuada que se le debe a usted por su propiedad.
6. La entidad que propone la expropiación de su propiedad debe hacer una oferta de buena fe para comprar la propiedad antes de presentar una acción legal para expropiarla - esto significa que la entidad expropiatoria debe hacer una oferta de buena fe que se conforme al Capítulo 21 del Código de Propiedad de Texas.
7. Usted puede contratar a un tasador u otro profesional para determinar el valor de la propiedad o para que le ayude en cualquier proceso de expropiación.
8. Usted puede contratar a un abogado para que negocie con la entidad expropiatoria y para que lo represente en los procesos legales relacionados con la expropiación.
9. Antes de que la propiedad sea expropiada, usted tiene derecho a una audiencia ante un panel asignado por la corte que incluye a tres comisionados especiales. Los comisionados especiales deben establecer cuánto tiene que pagarle a usted la entidad expropiatoria como compensación por expropiar su propiedad. Los comisionados también deben determinar la compensación, si es necesaria, a la que tiene derecho usted por una disminución en el valor de su propiedad restante.
10. Si usted no está satisfecho con la compensación establecida por los comisionados especiales, o si tiene dudas sobre si la expropiación se llevó a cabo correctamente, tiene derecho a un juicio ante un juez o jurado. Si no está satisfecho con el dictamen del juez o jurado, puede apelar la decisión.

EL PROCESO DE EXPROPIACIÓN

Dominio eminente es la autoridad legal concedida a ciertas entidades que le permite a dichas entidades tomar propiedad privada para uso público. La propiedad privada puede incluir el terreno y ciertas mejoras que existan en la propiedad.

La propiedad privada solo puede ser expropiada por una entidad gubernamental o una entidad privada que es autorizada por la ley para hacerlo. Su propiedad solamente puede ser expropiada para propósito público. Esto significa que solo puede ser expropiada para un propósito o uso que sirva al público en general. La ley de Texas prohíbe a las autoridades expropiar su propiedad para aumentar ingresos tributarios o fomentar desarrollo económico.

Su propiedad no puede ser expropiada sin la compensación adecuada. La compensación adecuada incluye el valor de mercado de la propiedad. También puede incluir ciertos daños si el valor de mercado de la propiedad restante es disminuido por la adquisición misma o por la forma en que la entidad expropiatoria utilizará la propiedad.

CÓMO EMPIEZA EL PROCESO DE EXPROPIACIÓN

La expropiación de propiedad privada por dominio eminente debe apegarse a ciertos procedimientos. Primero, la entidad que desea expropiar su propiedad debe darle a usted una copia de esta Declaración de Derechos de los Propietarios antes, o a la misma vez, que la entidad le informe que tiene autoridad de dominio eminente.

Segundo, si no ha sido entregada antes, la entidad expropiatoria debe enviar esta Declaración de Derechos de los Propietarios a la última dirección conocida de la persona que está registrada como dueño de la propiedad en el más reciente archivo de impuestos. Este requisito estipula que la Declaración de Derechos de los Propietarios debe ser proporcionado al propietario por lo menos siete días antes de que la entidad haga una oferta final para adquirir su propiedad.

Tercero, la entidad expropiatoria debe hacer una oferta de buena fe para comprar la propiedad. Los requisitos para una oferta de buena fe están en el Capítulo 21 del Código de Propiedad de Texas. Al presentar una oferta, la entidad expropiatoria debe revelar todo informe de tasación que produjo o adquirió específicamente relacionados a la propiedad y que fueron preparados durante los diez años que precedieron la fecha de la oferta. Usted tiene derecho de hablar sobre la oferta con otros y de aceptar o rechazar la oferta presentada por la entidad.

EL PROCESO DE EXPROPIACIÓN

Si usted y la entidad expropiatoria no pueden llegar a un acuerdo sobre el valor de su propiedad, la entidad puede iniciar el proceso de expropiación. La expropiación es el proceso legal que utilizan entidades elegibles para tomar propiedad privada. Este proceso comienza cuando la entidad expropiatoria reclama su propiedad ante la corte. Si usted vive en un condado en el que se encuentra parte de la propiedad sujeta al proceso de expropiación, la acción legal se debe presentar en ese condado. De lo contrario, la acción legal de expropiación se puede presentar en cualquier condado en el que se encuentra por lo menos una parte de la propiedad. La acción legal tiene que describir la propiedad que se propone expropiar, declarar con precisión el uso público, declarar el nombre del propietario y que el propietario y la entidad expropiatoria no pudieron llegar a un acuerdo sobre el valor de la propiedad, declarar que la entidad le proporcionó al propietario la Declaración de Derechos de los Propietarios y que la entidad expropiatoria extendió una oferta auténtica para adquirir la propiedad voluntariamente del dueño de la propiedad.

AUDIENCIA DE LOS COMISIONADOS ESPECIALES

Después de que la entidad presenta la acción legal de expropiación ante la corte, el juez nombra a tres propietarios locales como comisionados especiales. El juez le proporcionará a usted un periodo razonable para eliminar a uno de los comisionados especiales. Si un comisionado es eliminado, el juez nombrará a un reemplazo. Estos comisionados especiales deben vivir en el condado donde se presentó el proceso de expropiación y jurar calcular la compensación adecuada con justicia, imparcialidad y en conformidad con la ley. Los comisionados especiales no tienen la autoridad legal para decidir si la expropiación es necesaria o si el uso público es adecuado. Su función es

limitada a calcular la compensación adecuada para usted. Después de ser nombrados, los comisionados especiales tienen que programar una audiencia a la hora y en el lugar más oportuno. Los comisionados especiales también tienen que proporcionarle a usted un aviso escrito de la audiencia de expropiación.

Se requiere que usted le proporcione a la entidad expropiatoria cualquier informe de tasación usado para determinar su reclamo sobre la compensación adecuada por la propiedad expropiada. Bajo una nueva ley promulgada en 2011, los informes de tasación de propietarios deben ser proporcionados a la entidad expropiatoria ya sea diez días después de que el propietario recibe el informe o tres días laborales antes de la audiencia de los comisionados especiales, lo que suceda primero. Usted puede contratar a un tasador o profesional de bienes raíces para que le ayude a establecer el valor de su propiedad privada. Además, usted puede contratar a un abogado para que lo represente durante el proceso de expropiación.

En la audiencia de expropiación, los comisionados especiales considerarán su evidencia sobre el valor de la propiedad, los daños al resto de la propiedad, cualquier valor añadido al resto de la propiedad como resultado de la expropiación y el uso propuesto por la entidad expropiatoria que se dará a su propiedad expropiada.

CONCESIÓN DE LOS COMISIONADOS ESPECIALES

Después de escuchar la evidencia presentada por las partes interesadas, los comisionados especiales establecerán la cantidad que se debe conceder a usted como compensación adecuada por su propiedad. La decisión de los comisionados especiales es importante para usted no solo porque establece la cantidad que califica como compensación adecuada, sino también porque afecta quién paga por el costo del proceso de expropiación. Bajo el Código de Propiedad de Texas, si la concesión de los comisionados especiales es menos o igual a la cantidad que ofreció pagar la entidad expropiatoria antes de que empezara el proceso de expropiación, entonces usted podría ser económicamente responsable por el costo del proceso de expropiación. Sin embargo, si la concesión de los comisionados especiales es más de lo que ofreció pagar la entidad expropiatoria antes de que comenzara el proceso de expropiación, entonces la entidad expropiatoria será responsable de los costos asociados con el proceso.

Los comisionados especiales tienen que presentar una decisión escrita ante la corte que los nombró. Esta decisión es llamada la "Concesión". La Concesión se tiene que presentar ante la corte y la corte tiene que avisar por escrito de la Concesión a todas las partes involucradas. Después de que se presenta la Concesión ante la corte, la entidad expropiatoria puede tomar posesión de la propiedad expropiada, aunque cualquiera de las partes apele la Concesión de los comisionados especiales. Para tomar posesión de la propiedad, la entidad debe pagarle a usted la Concesión o depositarla en el registro de la corte. Usted tiene derecho de retirar fondos depositados en el registro de la corte.

OBJECIÓN A LA CONCESIÓN DE LOS COMISIONADOS ESPECIALES

Si el propietario o la entidad expropiatoria no están satisfechos con la cantidad de la Concesión, cualquiera de las partes puede formalmente presentar una objeción. Para satisfactoriamente hacer esta objeción de tasación, tiene que ser presentada por escrito ante la corte. Si ninguna de las partes presenta a tiempo su objeción a la Concesión de los comisionados especiales, la corte adoptará la Concesión como el dictamen final de la corte. Si una de las partes presenta a tiempo su objeción a la Concesión otorgada por los comisionados especiales, la corte manejará el caso igual que otros casos civiles.

Los propietarios que presentan una objeción a la Concesión y solicitan a la corte una audiencia sobre el asunto tienen derecho a un juicio y pueden elegir si tener el caso decidido por un juez o jurado. La asignación de cualquier gasto se determina de la misma forma como son asignados los gastos bajo la Concesión de los comisionados especiales. Al concluir ese juicio, cualquiera de las partes puede apelar cualquier dictamen de la corte.

RETIRO DE LA ACCIÓN DE EXPROPIACIÓN

La entidad puede presentar una petición para desestimar el proceso de expropiación si decide que ya no necesita la propiedad expropiada de usted. Si la corte concede la petición, termina el caso y usted tiene derecho de recuperar los gastos razonables y necesarios por abogados, tasadores, fotógrafos y demás gastos incurridos hasta la fecha de la audiencia de dicha petición.

Si usted desea desafiar la autoridad de la entidad expropiatoria para tomar su propiedad, usted puede presentar una petición para desestimar el proceso de expropiación. Una petición para desestimar afirmaría que la entidad expropiatoria no tenía el derecho de expropiar su propiedad. Por ejemplo, un propietario puede desafiar la afirmación de la entidad expropiatoria que busca tomar la propiedad para uso público. Si la corte concede la petición del propietario, la corte puede concederle al propietario gastos razonables y necesarios por abogados, tasadores, fotógrafos y demás gastos incurridos hasta la fecha de la audiencia o el dictamen.

GASTOS DE MUDANZA

Si usted es desalojado de su residencia o lugar de negocios, usted quizás tenga derecho a recibir un reembolso por gastos razonables incurridos al mudar sus bienes personales de su residencia o reubicar su negocio a otro lugar. Sin embargo, durante el proceso de expropiación el reembolso de gastos de traslado quizás no esté disponible si esos gastos pueden ser recuperados por separado bajo otra ley. La ley de Texas limita la cantidad total disponible para gastos de traslado al valor del mercado de la propiedad trasladada. Además, la ley dispone que los gastos de mudanza sean limitados a la cantidad que costaría una mudanza si fuere dentro de 50 millas.

OPCIONES PARA UNA RECUPERACIÓN

Si una entidad gubernamental expropió propiedad privada y el propósito por el cual la propiedad fue adquirida se cancela antes de que dicha propiedad es utilizada para ese propósito público, ningún progreso real se logró para el uso público dentro de diez años o la propiedad se hace innecesaria para uso público dentro de diez años, los propietarios quizás tengan derecho de comprar nuevamente la propiedad por el precio que le pagó la entidad al propietario cuando la entidad adquirió la propiedad por expropiación.

EXENCIÓN DE RESPONSABILIDAD

La información en este documento es solo un resumen de las partes de la ley estatal de Texas pertinentes, según lo requiere la ley HB 1495, ratificada por la 80 Legislatura de Texas, Sesión Regular. Este documento no representa asesoría legal ni reemplaza a un asesor legal.

RECURSOS ADICIONALES

Se puede obtener más información sobre el procedimiento, la secuencia de eventos y los requisitos que se resumen en este documento en el Capítulo 21 del Código de Propiedad de Texas (Texas Property Code).

REV 03/12

DECLARACIÓN DE DERECHOS DE LOS PROPIETARIOS EN TEXAS

PREPARADO POR

LA PROCURADURÍA GENERAL
DE TEXAS

DECLARACIÓN DE DERECHOS DE LOS PROPIETARIOS EN TEXAS

Esta Declaración de Derechos de los Propietarios se aplica a cualquier intento del gobierno o una entidad privada de expropiar su propiedad. El contenido de esta Declaración de Derechos fue establecido por la Legislatura de Texas en la Sección 402.031 del Código Gubernamental de Texas (Texas Government Code) y en el Capítulo 21 del Código de Propiedad de Texas (Texas Property Code).

1. Usted tiene derecho de recibir compensación adecuada si su propiedad es expropiada para uso público.
2. Su propiedad solamente puede ser expropiada para uso público.
3. Su propiedad solo puede ser expropiada por una entidad gubernamental o una entidad privada autorizada por la ley para hacerlo.
4. La entidad que quiere expropiar su propiedad debe informarle a usted de que quiere tomar su propiedad.
5. La entidad que propone la expropiación de su propiedad debe darle a usted una evaluación escrita por un tasador certificado detallando la compensación adecuada que se le debe a usted por su propiedad.
6. La entidad que propone la expropiación de su propiedad debe hacer una oferta de buena fe para comprar la propiedad antes de presentar una acción legal para expropiarla - esto significa que la entidad expropiatoria debe hacer una oferta de buena fe que se conforme al Capítulo 21 del Código de Propiedad de Texas.
7. Usted puede contratar a un tasador u otro profesional para determinar el valor de la propiedad o para que le ayude en cualquier proceso de expropiación.
8. Usted puede contratar a un abogado para que negocie con la entidad expropiatoria y para que lo represente en los procesos legales relacionados con la expropiación.
9. Antes de que la propiedad sea expropiada, usted tiene derecho a una audiencia ante un panel asignado por la corte que incluye a tres comisionados especiales. Los comisionados especiales deben establecer cuánto tiene que pagarle a usted la entidad expropiatoria como compensación por expropiar su propiedad. Los comisionados también deben determinar la compensación, si es necesaria, a la que tiene derecho usted por una disminución en el valor de su propiedad restante.
10. Si usted no está satisfecho con la compensación establecida por los comisionados especiales, o si tiene dudas sobre si la expropiación se llevó a cabo correctamente, tiene derecho a un juicio ante un juez o jurado. Si no está satisfecho con el dictamen del juez o jurado, puede apelar la decisión.

EL PROCESO DE EXPROPIACIÓN

Dominio eminente es la autoridad legal concedida a ciertas entidades que le permite a dichas entidades tomar propiedad privada para uso público. La propiedad privada puede incluir el terreno y ciertas mejoras que existan en la propiedad.

La propiedad privada solo puede ser expropiada por una entidad gubernamental o una entidad privada que es autorizada por la ley para hacerlo. Su propiedad solamente puede ser expropiada para propósito público. Esto significa que solo puede ser expropiada para un propósito o uso que sirva al público en general. La ley de Texas prohíbe a las autoridades expropiar su propiedad para aumentar ingresos tributarios o fomentar desarrollo económico.

Su propiedad no puede ser expropiada sin la compensación adecuada. La compensación adecuada incluye el valor de mercado de la propiedad. También puede incluir ciertos daños si el valor de mercado de la propiedad restante es disminuido por la adquisición misma o por la forma en que la entidad expropiatoria utilizará la propiedad.

CÓMO EMPIEZA EL PROCESO DE EXPROPIACIÓN

La expropiación de propiedad privada por dominio eminente debe apegarse a ciertos procedimientos. Primero, la entidad que desea expropiar su propiedad debe darle a usted una copia de esta Declaración de Derechos de los Propietarios antes, o a la misma vez, que la entidad le informe que tiene autoridad de dominio eminente.

Segundo, si no ha sido entregada antes, la entidad expropiatoria debe enviar esta Declaración de Derechos de los Propietarios a la última dirección conocida de la persona que está registrada como dueño de la propiedad en el más reciente archivo de impuestos. Este requisito estipula que la Declaración de Derechos de los Propietarios debe ser proporcionado al propietario por lo menos siete días antes de que la entidad haga una oferta final para adquirir su propiedad.

Tercero, la entidad expropiatoria debe hacer una oferta de buena fe para comprar la propiedad. Los requisitos para una oferta de buena fe están en el Capítulo 21 del Código de Propiedad de Texas. Al presentar una oferta, la entidad expropiatoria debe revelar todo informe de tasación que produjo o adquirió específicamente relacionados a la propiedad y que fueron preparados durante los diez años que precedieron la fecha de la oferta. Usted tiene derecho de hablar sobre la oferta con otros y de aceptar o rechazar la oferta presentada por la entidad.

EL PROCESO DE EXPROPIACIÓN

Si usted y la entidad expropiatoria no pueden llegar a un acuerdo sobre el valor de su propiedad, la entidad puede iniciar el proceso de expropiación. La expropiación es el proceso legal que utilizan entidades elegibles para tomar propiedad privada. Este proceso comienza cuando la entidad expropiatoria reclama su propiedad ante la corte. Si usted vive en un condado en el que se encuentra parte de la propiedad sujeta al proceso de expropiación, la acción legal se debe presentar en ese condado. De lo contrario, la acción legal de expropiación se puede presentar en cualquier condado en el que se encuentra por lo menos una parte de la propiedad. La acción legal tiene que describir la propiedad que se propone expropiar, declarar con precisión el uso público, declarar el nombre del propietario y que el propietario y la entidad expropiatoria no pudieron llegar a un acuerdo sobre el valor de la propiedad, declarar que la entidad le proporcionó al propietario la Declaración de Derechos de los Propietarios y que la entidad expropiatoria extendió una oferta auténtica para adquirir la propiedad voluntariamente del dueño de la propiedad.

AUDIENCIA DE LOS COMISIONADOS ESPECIALES

Después de que la entidad presenta la acción legal de expropiación ante la corte, el juez nombra a tres propietarios locales como comisionados especiales. El juez le proporcionará a usted un periodo razonable para eliminar a uno de los comisionados especiales. Si un comisionado es eliminado, el juez nombrará a un reemplazo. Estos comisionados especiales deben vivir en el condado donde se presentó el proceso de expropiación y jurar calcular la compensación adecuada con justicia, imparcialidad y en conformidad con la ley. Los comisionados especiales no tienen la autoridad legal para decidir si la expropiación es necesaria o si el uso público es adecuado. Su función es

limitada a calcular la compensación adecuada para usted. Después de ser nombrados, los comisionados especiales tienen que programar una audiencia a la hora y en el lugar más oportuno. Los comisionados especiales también tienen que proporcionarle a usted un aviso escrito de la audiencia de expropiación.

Se requiere que usted le proporcione a la entidad expropiatoria cualquier informe de tasación usado para determinar su reclamo sobre la compensación adecuada por la propiedad expropiada. Bajo una nueva ley promulgada en 2011, los informes de tasación de propietarios deben ser proporcionados a la entidad expropiatoria ya sea diez días después de que el propietario recibe el informe o tres días laborales antes de la audiencia de los comisionados especiales, lo que suceda primero. Usted puede contratar a un tasador o profesional de bienes raíces para que le ayude a establecer el valor de su propiedad privada. Además, usted puede contratar a un abogado para que lo represente durante el proceso de expropiación.

En la audiencia de expropiación, los comisionados especiales considerarán su evidencia sobre el valor de la propiedad, los daños al resto de la propiedad, cualquier valor añadido al resto de la propiedad como resultado de la expropiación y el uso propuesto por la entidad expropiatoria que se dará a su propiedad expropiada.

CONCESIÓN DE LOS COMISIONADOS ESPECIALES

Después de escuchar la evidencia presentada por las partes interesadas, los comisionados especiales establecerán la cantidad que se debe conceder a usted como compensación adecuada por su propiedad. La decisión de los comisionados especiales es importante para usted no solo porque establece la cantidad que califica como compensación adecuada, sino también porque afecta quién paga por el costo del proceso de expropiación. Bajo el Código de Propiedad de Texas, si la concesión de los comisionados especiales es menos o igual a la cantidad que ofreció pagar la entidad expropiatoria antes de que empezara el proceso de expropiación, entonces usted podría ser económicamente responsable por el costo del proceso de expropiación. Sin embargo, si la concesión de los comisionados especiales es más de lo que ofreció pagar la entidad expropiatoria antes de que comenzara el proceso de expropiación, entonces la entidad expropiatoria será responsable de los costos asociados con el proceso.

Los comisionados especiales tienen que presentar una decisión escrita ante la corte que los nombró. Esta decisión es llamada la "Concesión". La Concesión se tiene que presentar ante la corte y la corte tiene que avisar por escrito de la Concesión a todas las partes involucradas. Después de que se presenta la Concesión ante la corte, la entidad expropiatoria puede tomar posesión de la propiedad expropiada, aunque cualquiera de las partes apele la Concesión de los comisionados especiales. Para tomar posesión de la propiedad, la entidad debe pagarle a usted la Concesión o depositarla en el registro de la corte. Usted tiene derecho de retirar fondos depositados en el registro de la corte.

OBJECIÓN A LA CONCESIÓN DE LOS COMISIONADOS ESPECIALES

Si el propietario o la entidad expropiatoria no están satisfechos con la cantidad de la Concesión, cualquiera de las partes puede formalmente presentar una objeción. Para satisfactoriamente hacer esta objeción de tasación, tiene que ser presentada por escrito ante la corte. Si ninguna de las partes presenta a tiempo su objeción a la Concesión de los comisionados especiales, la corte adoptará la Concesión como el dictamen final de la corte. Si una de las partes presenta a tiempo su objeción a la Concesión otorgada por los comisionados especiales, la corte manejará el caso igual que otros casos civiles.

Los propietarios que presentan una objeción a la Concesión y solicitan a la corte una audiencia sobre el asunto tienen derecho a un juicio y pueden elegir si tener el caso decidido por un juez o jurado. La asignación de cualquier gasto se determina de la misma forma como son asignados los gastos bajo la Concesión de los comisionados especiales. Al concluir ese juicio, cualquiera de las partes puede apelar cualquier dictamen de la corte.

RETIRO DE LA ACCIÓN DE EXPROPIACIÓN

La entidad puede presentar una petición para desestimar el proceso de expropiación si decide que ya no necesita la propiedad expropiada de usted. Si la corte concede la petición, termina el caso y usted tiene derecho de recuperar los gastos razonables y necesarios por abogados, tasadores, fotógrafos y demás gastos incurridos hasta la fecha de la audiencia de dicha petición.

Si usted desea desafiar la autoridad de la entidad expropiatoria para tomar su propiedad, usted puede presentar una petición para desestimar el proceso de expropiación. Una petición para desestimar afirmaría que la entidad expropiatoria no tenía el derecho de expropiar su propiedad. Por ejemplo, un propietario puede desafiar la afirmación de la entidad expropiatoria que busca tomar la propiedad para uso público. Si la corte concede la petición del propietario, la corte puede concederle al propietario gastos razonables y necesarios por abogados, tasadores, fotógrafos y demás gastos incurridos hasta la fecha de la audiencia o el dictamen.

GASTOS DE MUDANZA

Si usted es desalojado de su residencia o lugar de negocios, usted quizás tenga derecho a recibir un reembolso por gastos razonables incurridos al mudar sus bienes personales de su residencia o reubicar su negocio a otro lugar. Sin embargo, durante el proceso de expropiación el reembolso de gastos de traslado quizás no esté disponible si esos gastos pueden ser recuperados por separado bajo otra ley. La ley de Texas limita la cantidad total disponible para gastos de traslado al valor del mercado de la propiedad trasladada. Además, la ley dispone que los gastos de mudanza sean limitados a la cantidad que costaría una mudanza si fuere dentro de 50 millas.

OPCIONES PARA UNA RECUPERACIÓN

Si una entidad gubernamental expropió propiedad privada y el propósito por el cual la propiedad fue adquirida se cancela antes de que dicha propiedad es utilizada para ese propósito público, ningún progreso real se logró para el uso público dentro de diez años o la propiedad se hace innecesaria para uso público dentro de diez años, los propietarios quizás tengan derecho de comprar nuevamente la propiedad por el precio que le pagó la entidad al propietario cuando la entidad adquirió la propiedad por expropiación.

EXENCIÓN DE RESPONSABILIDAD

La información en este documento es solo un resumen de las partes de la ley estatal de Texas pertinentes, según lo requiere la ley HB 1495, ratificada por la 80 Legislatura de Texas, Sesión Regular. Este documento no representa asesoría legal ni reemplaza a un asesor legal.

RECURSOS ADICIONALES

Se puede obtener más información sobre el procedimiento, la secuencia de eventos y los requisitos que se resumen en este documento en el Capítulo 21 del Código de Propiedad de Texas (Texas Property Code).

Appendix C

Environmental Data for Segment Evaluation (Table 4-1) and Environmental Data for Route Evaluation (Table 4-2) and Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes (Table 4-3)

TABLE 4-1
ENVIRONMENTAL DATA FOR SEGMENT EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	SEGMENT								
	LAND USE	**A2**	**B2**	**C2**	**D2**	**E2A**	**E2B**	**F2**	**G2**	**H2**
1.	Length of alternative segment (feet)	36,733	10,733	16,050	20,965	4,550	6,158	5,090	10,805	10,842
2.	Length of alternative segment (miles)	6.96	2.03	3.04	3.97	0.86	1.17	0.96	2.05	2.05
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	0	0	0	0	0	0
4.	Number of parcels crossed by alternative segment	148	144	9	68	20	3	8	18	4
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	10,101	140	0	0	0	0	0	0	0
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	10,653	5,089	0	5,124	0	0	4,526	0	0
8.	Length of ROW parallel to apparent property lines in feet	15,978	5,098	16,050	13,525	4,550	6,158	0	10,805	10,842
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	100%	96%	100%	89%	100%	100%	89%	100%	100%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	15,950	0	10,649	6,632	2,269	3,306	0	2,316	0
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	1	0	1	1	0	0	0	2	2
17.	Number of transmission line crossings	1	1	0	0	0	0	0	0	0
18.	Number of US and state highway crossings	0	0	0	0	0	0	0	0	0
19.	Number of farm-to-market road crossings	1	1	0	0	0	0	0	0	0
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**A2**	**B2**	**C2**	**D2**	**E2A**	**E2B**	**F2**	**G2**	**H2**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	0	0	0	0	0	0	0	0	0
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	12,996	3,049	0	0	0	0	0	0	0
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
	ENVIRONMENTAL INTEGRITY	**A2**	**B2**	**C2**	**D2**	**E2A**	**E2B**	**F2**	**G2**	**H2**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	0	0	0	63	0	0	0	0	0
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	0	0	0	0	0	0	0	0
37.	Number of stream crossings	0	0	0	0	0	0	0	0	0
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	0	0	0	0	0	0	0
39.	Length of ROW across 100-year floodplains in feet	0	0	0	0	0	0	0	0	0
	CULTURAL RESOURCES AND HISTORIC VALUES	**A2**	**B2**	**C2**	**D2**	**E2A**	**E2B**	**F2**	**G2**	**H2**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	1	0	0	2	0	0	0	0	0
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	0	0	0	0	0	0	0	0	0

[1]Single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, schools, or other structures normally inhabited by humans or intended to be inhabited by humans on a regular basis(as of August 10, 2020).

[2]One-half mile, unobstructed

TABLE 4-1
ENVIRONMENTAL DATA FOR SEGMENT EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	SEGMENT								
	LAND USE	**I2**	**K2**	**M2**	**N2**	**O2**	**P2A**	**P2B**	**P2C**	**Q2**
1.	Length of alternative segment (feet)	21,437	1,189	4,175	5,383	15,808	10,682	10,643	5,235	4,864
2.	Length of alternative segment (miles)	4.06	0.23	0.79	1.02	2.99	2.02	2.02	0.99	0.92
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	0	0	0	0	0	0
4.	Number of parcels crossed by alternative segment	16	5	2	13	6	14	3	2	1
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	6,759	0	0	0	0	0	5,324	5,235	4,368
8.	Length of ROW parallel to apparent property lines in feet	14,679	946	4,175	5,383	15,808	10,682	5,319	0	0
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	100%	80%	100%	100%	100%	100%	100%	100%	90%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	0	0	0	0	0	0	0	0	0
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	4	0	0	0	0	0	0	0	0
17.	Number of transmission line crossings	0	0	0	0	0	0	0	0	0
18.	Number of US and state highway crossings	0	0	0	0	0	0	0	0	0
19.	Number of farm-to-market road crossings	0	0	0	0	0	0	0	0	0
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**I2**	**K2**	**M2**	**N2**	**O2**	**P2A**	**P2B**	**P2C**	**Q2**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	0	0	0	0	0	0	0	0	0
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	0	0	0	0	0	0	0	0	0
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
	ENVIRONMENTAL INTEGRITY	**I2**	**K2**	**M2**	**N2**	**O2**	**P2A**	**P2B**	**P2C**	**Q2**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	0	0	0	0	0	0	0	0	0
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	0	0	0	0	0	0	0	0
37.	Number of stream crossings	0	0	0	0	4	0	0	0	0
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	0	0	988	0	0	0	0
39.	Length of ROW across 100-year floodplains in feet	0	0	0	0	642	0	0	0	0
	CULTURAL RESOURCES AND HISTORIC VALUES	**I2**	**K2**	**M2**	**N2**	**O2**	**P2A**	**P2B**	**P2C**	**Q2**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	1	0	0	0	0	1	0	1	0
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	310	0	0	0	4,443	0	776	0	0

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[2]One-half mile, unobstructed

TABLE 4-1
ENVIRONMENTAL DATA FOR SEGMENT EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	SEGMENT								
	LAND USE	**R2**	**S2A**	**S2B**	**S2C**	**T2A**	**T2B**	**T2C**	**T2D**	**U2**
1.	Length of alternative segment (feet)	2,533	8,161	5,324	5,219	10,329	7,372	4,868	5,759	23,282
2.	Length of alternative segment (miles)	0.48	1.55	1.01	0.99	1.96	1.40	0.92	1.09	4.41
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	0	3	0	0	0	0
4.	Number of parcels crossed by alternative segment	1	7	7	3	41	22	3	2	26
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	172	2,337	0	5,219	9,900	5,674	0	0	0
8.	Length of ROW parallel to apparent property lines in feet	2,361	5,824	5,324	0	0	0	0	0	19,796
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	100%	100%	100%	100%	96%	77%	0%	0%	85%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	0	0	1	1	0	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	0	0	0	0	0	0	0	0	0
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	0	0	0	0	0	0	0	0	0
17.	Number of transmission line crossings	0	0	0	0	0	0	0	0	0
18.	Number of US and state highway crossings	0	0	0	0	0	0	0	0	0
19.	Number of farm-to-market road crossings	0	0	0	0	0	0	0	0	0
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	0	0	0	0	0	1	1	1	1
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	0	2	0	0	2	0	0	0	3
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	0	0	0	1	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**R2**	**S2A**	**S2B**	**S2C**	**T2A**	**T2B**	**T2C**	**T2D**	**U2**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	0	0	0	0	0	0	0	1,165	2,079
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	0	0	0	0	0	0	0	0	3,117
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	0	0	2,742	6,374	0	0	0
	ENVIRONMENTAL INTEGRITY	**R2**	**S2A**	**S2B**	**S2C**	**T2A**	**T2B**	**T2C**	**T2D**	**U2**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	0	0	0	0	20	57	10	12	20
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	0	0	0	0	0	0	1,825	91
37.	Number of stream crossings	0	0	0	0	1	1	2	3	1
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	0	0	0	0	4,868	5,759	0
39.	Length of ROW across 100-year floodplains in feet	0	0	0	0	1,283	577	4,135	3,740	428
	CULTURAL RESOURCES AND HISTORIC VALUES	**R2**	**S2A**	**S2B**	**S2C**	**T2A**	**T2B**	**T2C**	**T2D**	**U2**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	0	1	0	0	0	0	0	0	2
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	0	476	31	421	1,304	820	4,938	5,561	2,724

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[2]One-half mile, unobstructed

TABLE 4-1
ENVIRONMENTAL DATA FOR SEGMENT EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	SEGMENT								
	LAND USE	**V2A**	**V2B**	**V2C**	**Y2**	**Z2**	**AA2**	**AD2**	**AF2**	**AG2**
1.	Length of alternative segment (feet)	13,334	6,854	1,166	1,404	700	802	2,316	10,947	5,359
2.	Length of alternative segment (miles)	2.53	1.30	0.22	0.27	0.13	0.15	0.44	2.07	1.01
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	0	0	0	0	1	0
4.	Number of parcels crossed by alternative segment	5	3	2	5	1	3	1	10	5
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	0	1,033	0	538	0	0	0	0	0
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	0	0	0	0	0	0	0	10,947	0
8.	Length of ROW parallel to apparent property lines in feet	10,565	5,821	0	0	0	0	0	0	5,359
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	79%	100%	0%	39%	0%	0%	0%	100%	100%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	0	0	0	0	0	0	0	2,569	0
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	0	0	0	0	0	0	0	2	0
17.	Number of transmission line crossings	0	0	0	1	0	1	0	0	0
18.	Number of US and state highway crossings	0	0	0	1	0	1	0	0	0
19.	Number of farm-to-market road crossings	0	0	0	0	0	0	0	0	0
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	1	1	1	1	1	1	1	0	0
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	0	0	0	1	4	4	4	0	0
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**V2A**	**V2B**	**V2C**	**Y2**	**Z2**	**AA2**	**AD2**	**AF2**	**AG2**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	0	2,996	0	1,404	700	802	2,316	0	0
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	0	0	0	86	499	802	2,316	0	0
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
	ENVIRONMENTAL INTEGRITY	**V2A**	**V2B**	**V2C**	**Y2**	**Z2**	**AA2**	**AD2**	**AF2**	**AG2**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	0	21	0	0	0	0	98	0	0
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	0	0	0	0	0	396	0	0
37.	Number of stream crossings	0	1	0	0	0	0	3	0	0
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	0	0	0	0	0	0	0
39.	Length of ROW across 100-year floodplains in feet	0	0	0	0	0	0	1,317	0	0
	CULTURAL RESOURCES AND HISTORIC VALUES	**V2A**	**V2B**	**V2C**	**Y2**	**Z2**	**AA2**	**AD2**	**AF2**	**AG2**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	1,037	650	0	0	0	0	1,896	0	577

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[2]One-half mile, unobstructed

TABLE 4-1
ENVIRONMENTAL DATA FOR SEGMENT EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	SEGMENT							
	LAND USE	**AH2**	**AI2**	**AJ2A**	**AJ2B**	**AK2**	**AL2**	**AM2**	**AN2**
1.	Length of alternative segment (feet)	7,300	4,144	8,140	936	5,360	6,234	712	2,629
2.	Length of alternative segment (miles)	1.38	0.78	1.54	0.18	1.02	1.18	0.13	0.50
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	0	0	0	0	0
4.	Number of parcels crossed by alternative segment	4	7	3	3	2	3	1	3
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	0	0	0	0	0	0	0	0
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	0	0	0	0	0	0	0	0
8.	Length of ROW parallel to apparent property lines in feet	7,300	4,144	0	936	5,360	6,234	0	2,629
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	100%	100%	0%	100%	100%	100%	0%	100%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	0	0	0	1	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	0	0	0	0	0	0	0	0
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	0	0	0	0	0	0	0	0
17.	Number of transmission line crossings	0	0	0	0	0	0	0	0
18.	Number of US and state highway crossings	0	0	0	0	0	0	0	0
19.	Number of farm-to-market road crossings	0	0	0	0	0	0	0	0
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	1	1	1	1	0	0	1	1
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	0	0	0	0	0	0	0	0
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**AH2**	**AI2**	**AJ2A**	**AJ2B**	**AK2**	**AL2**	**AM2**	**AN2**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	0	0	0	0	0	0	0	0
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	0	0	0	0	0	0	0	0
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	0	0	0	2,457	0	0
	ENVIRONMENTAL INTEGRITY	**AH2**	**AI2**	**AJ2A**	**AJ2B**	**AK2**	**AL2**	**AM2**	**AN2**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	0	11	67	0	0	0	0	47
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	0	171	0	0	0	0	0
37.	Number of stream crossings	0	1	2	0	0	0	0	1
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	0	0	0	0	0	0
39.	Length of ROW across 100-year floodplains in feet	0	515	348	0	0	0	0	589
	CULTURAL RESOURCES AND HISTORIC VALUES	**AH2**	**AI2**	**AJ2A**	**AJ2B**	**AK2**	**AL2**	**AM2**	**AN2**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	0	0	0	0	1	0	0	0
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	0	636	1,500	0	339	50	0	0

[1]Single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, schools, or other structures normally inhabited by humans or intended to be inhabited by humans on a regular basis(as of August 10, 2020).

[2]One-half mile, unobstructed

TABLE 4-2
ENVIRONMENTAL DATA FOR ROUTE EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	ROUTE								
	LAND USE	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
1.	Length of alternative route (feet)	96,856	93,448	90,931	85,037	99,411	86,316	82,664	96,210	96,524
2.	Length of alternative route (miles)	18.34	17.70	17.22	16.11	18.83	16.35	15.66	18.49	18.28
3.	Number of habitable structures[1] within 300 feet of ROW centerline	0	0	0	3	0	0	1	0	0
4.	Number of parcels crossed by alternative segment	188	192	206	236	200	187	188	211	199
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	11,672	11,672	10,101	10,101	10,101	10,101	1,711	1,711	1,711
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	21,212	15,888	16,327	30,595	15,977	21,212	18,545	15,648	15,648
8.	Length of ROW parallel to apparent property lines in feet	59,170	56,881	49,059	27,729	59,587	45,413	57,201	75,048	74,881
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	95%	90%	83%	80%	86%	89%	94%	96%	96%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	0	0	1	1	0	0	0	0	0
13.	Length of ROW through cropland in feet	0	0	0	0	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	18,266	18,266	18,266	18,266	18,266	18,266	16,524	18,540	10,649
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0	0	0	0	0
16.	Number of transmission pipeline crossings	3	3	3	3	3	3	3	3	3
17.	Number of transmission line crossings	2	2	2	2	2	2	2	2	2
18.	Number of US and state highway crossings	1	1	1	1	1	1	1	1	1
19.	Number of farm-to-market road crossings	1	1	1	1	1	1	1	1	1
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	1	1	1	1	1	1	1	1	1
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	1	1	4	6	4	4	3	1	1
27.	Number of recorded water wells within 200 feet of the ROW centerline	0	0	1	1	0	0	0	0	0
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0	0	0	0	0
	AESTHETIC VALUES	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	4,400	4,400	4,283	4,283	4,283	4,283	4,400	4,400	4,400
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	13,082	13,082	16,114	16,114	16,114	16,114	3,134	3,134	3,134
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	0	0	8,831	9,116	0	0	0	0	0
	ENVIRONMENTAL INTEGRITY	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	21	88	177	197	131	157	21	21	21
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	0	171	2,221	2,221	2,221	2,221	0	0	0
37.	Number of stream crossings	1	3	7	8	7	7	1	1	1
38.	Length of ROW parallel (within 100 feet) to streams in feet	0	0	10,627	10,627	10,627	5,759	0	0	0
39.	Length of ROW across 100-year floodplains in feet	0	348	9,769	11,052	9,707	5,646	0	0	0
	CULTURAL RESOURCES AND HISTORIC VALUES	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	3	3	2	1	3	3	1	2	2
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	2,463	2,727	13,604	14,519	14,384	8,233	2,194	2,463	2,463

[1]Single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, schools, or other structures normally inhabited by humans or intended to be inhabited by humans on a regular basis (as of August 10, 2020).

[2]One-half mile, unobstructed

TABLE 4-2
ENVIRONMENTAL DATA FOR ROUTE EVALUATION
EL PASO ELECTRIC EASTSIDE LOOP EXPANSION – PHASE II

	EVALUATION CRITERIA	ROUTE				
	LAND USE	**10**	**11**	**12**	**13**	**14**
1.	Length of alternative route (feet)	76,987	81,135	79,710	79,535	91,689
2.	Length of alternative route (miles)	14.58	15.37	15.10	15.06	17.37
3.	Number of habitable structures[1] within 300 feet of ROW centerline	3	0	0	0	0
4.	Number of parcels crossed by alternative segment	233	187	199	249	230
5.	Length of ROW using existing transmission line ROW in feet	0	0	0	0	0
6.	Length of ROW parallel to existing transmission line ROW in feet	140	678	140	140	140
7.	Length of ROW parallel to other compatible existing ROW (highways, public roadways, railways, etc. - excluding pipelines) in feet	20,835	5,089	16,374	16,972	10,763
8.	Length of ROW parallel to apparent property lines in feet	39,734	67,594	55,623	53,098	64,937
9.	Percentage of ROW parallel to existing compatible corridors and apparent property boundaries (excluding pipelines)	79%	90%	90%	88%	83%
10.	Length of ROW through parks/recreational areas in feet	0	0	0	0	0
11.	Number of parks/recreational areas crossed by ROW centerline	0	0	0	0	0
12.	Number of additional parks/recreational areas within 1,000 feet of ROW centerline	1	0	0	0	1
13.	Length of ROW through cropland in feet	0	0	0	0	0
14.	Length of ROW through pasture/rangeland in feet	10,649	10,649	10,649	6,632	18,540
15.	Length of ROW through land irrigated by traveling systems (rolling or pivot type) in feet	0	0	0	0	0
16.	Number of transmission pipeline crossings	3	3	5	5	3
17.	Number of transmission line crossings	2	2	2	2	2
18.	Number of US and state highway crossings	1	1	1	1	1
19.	Number of farm-to-market road crossings	1	1	1	1	1
20.	Number of cemeteries within 1,000 feet of the ROW centerline	0	0	0	0	0
21.	Number of FAA registered airports with at least one runway more than 3,200 feet in length located within 20,000 feet of the ROW centerline	1	1	1	1	1
22.	Number of FAA registered airports having no runway more than 3,200 feet in length located within 10,000 feet of the ROW centerline	0	0	0	0	0
23.	Number of private airstrips within 10,000 feet of the ROW centerline	0	0	0	0	0
24.	Number of heliports within 5,000 feet of the ROW centerline	0	0	0	0	0
25.	Number of commercial AM radio transmitters within 10,000 feet of the ROW centerline	0	0	0	0	0
26.	Number of FM radio transmitters, microwave towers, and other electronic installations within 2,000 feet of the ROW centerline	6	4	4	4	4
27.	Number of recorded water wells within 200 feet of the ROW centerline	1	0	0	0	1
28.	Number of recorded oil and gas wells within 200 feet of the ROW centerline	0	0	0	0	0
	AESTHETIC VALUES	**10**	**11**	**12**	**13**	**14**
29.	Estimated length of ROW within the foreground visual zone[2] of US and state highways in feet	4,283	6,498	5,196	5,196	4,283
30.	Estimated length of ROW within the foreground visual zone[2] of farm-to-market roads in feet	6,166	9,066	9,283	9,283	6,166
31.	Estimated length of ROW within the foreground visual zone[2] of parks/recreational areas in feet	9,116	0	0	0	8,831
	ENVIRONMENTAL INTEGRITY	**10**	**11**	**12**	**13**	**14**
32.	Length of ROW through upland woodlands in feet	0	0	0	0	0
33.	Length of ROW through bottomland/riparian woodlands in feet	0	0	0	0	0
34.	Length of ROW across mapped NWI wetlands and playa lakes	197	118	118	181	177
35.	Length of ROW across known habitat of federally listed endangered or threatened species in feet	0	0	0	0	0
36.	Length of ROW across open water (lakes, ponds) in feet	2,221	487	487	487	2,221
37.	Number of stream crossings	8	8	4	4	7
38.	Length of ROW parallel (within 100 feet) to streams in feet	10,627	988	0	0	10,627
39.	Length of ROW across 100-year floodplains in feet	11,052	2,387	1,745	1,745	9,769
	CULTURAL RESOURCES AND HISTORIC VALUES	**10**	**11**	**12**	**13**	**14**
40.	Number of archeological or historical sites crossed by ROW	0	0	0	0	0
41.	Number of additional archeological or historical sites within 1,000 feet of ROW centerline	0	2	3	5	1
42.	Number of national register of historic places listed properties crossed by ROW	0	0	0	0	0
43.	Number of additional national register of historic places listed properties within 1,000 feet of ROW centerline	0	0	0	0	0
44.	Length of ROW across areas of high archeological site potential in feet	14,519	9,063	4,930	4,930	13,604

[1]Single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, schools, or other structures normally inhabited by humans or intended to be inhabited by humans on a regular basis (as of August 10, 2020).

[2]One-half mile, unobstructed

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.1 Alternative Route 1				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	1,946	Microwave	NW	Y2
-	3,890	Fabens Airport	NW	Y2
-	890	41EP7133	E	A2
-	225	41EP331	W	P2C
-	254	41EP332	W	P2C

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020).

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.2 Alternative Route 2				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	1,946	Microwave	NW	Y2
-	3,890	Fabens Airport	NW	Y2
-	890	41EP7133	E	A2
-	225	41EP331	W	P2C
-	254	41EP332	W	P2C

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.3 Alternative Route 3				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	978	Microwave	W	AD2
-	978	Microwave	W	AD2
-	1,044	Microwave	W	AD2
-	978	ASRTower	W	AD2
-	3,534	Fabens Airport	W	AD2
-	890	41EP7133	E	A2
-	128	41EP331	S	AK2
-	242	San Felipe Park	W	T2B

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020).

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.4 Alternative Route 4				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
1	264	Commercial	SE	T2A
2	259	Commercial	SE	T2A
3	271	Commercial	SE	T2A
-	1,740	CellularTower	SE	T2A
-	1,740	CellularTower	SE	T2A
-	978	Microwave	W	AD2
-	978	Microwave	W	AD2
-	1,044	Microwave	W	AD2
-	978	ASRTower	W	AD2
-	3,534	Fabens Airport	W	AD2
-	890	41EP7133	E	A2
-	188	San Felipe Park	W	T2A

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.5 Alternative Route 5				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	978	Microwave	W	AD2
-	978	Microwave	W	AD2
-	1,044	Microwave	W	AD2
-	978	ASRTower	W	AD2
-	3,534	Fabens Airport	W	AD2
-	890	41EP7133	E	A2
-	225	41EP331	W	P2C
-	254	41EP332	W	P2C

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.6 Alternative Route 6				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	978	Microwave	W	AD2
-	978	Microwave	W	AD2
-	1,044	Microwave	W	AD2
-	978	ASRTower	W	AD2
-	3,534	Fabens Airport	W	AD2
-	890	41EP7133	E	A2
-	225	41EP331	W	P2C
-	254	41EP332	W	P2C

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.7 Alternative Route 7				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	1,946	Microwave	NW	Y2
-	947	CellularTower	W	S2A
-	947	CellularTower	W	S2A
-	3,890	Fabens Airport	NW	Y2
-	673	41EP328	E	S2A
4	0	Single Family Residential	E	AF2

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)

Habitable Structures and Other Land Use Features in the Vicinity of the Alternative Transmission Line Routes

Table 4-3.8 Alternative Route 8				
Map Number	**Approximate Distance from Route Centerline (feet)**	**Structure* or Feature**	**Direction from Route Centerline**	**Nearest Alternative Route Segment**
-	1,946	Microwave	NW	Y2
-	3,890	Fabens Airport	NW	Y2
-	225	41EP331	W	P2C
-	254	41EP332	W	P2C

* Due to the +/- 10' horizontal accuracy of the aerial photography all habitable structures within 310' have been identified (as of August 10, 2020)