



U.S. Department of Housing and Urban Development
Community Planning and Development – Region IX
Office of Environment and Energy
One Sansome Street, Suite 1200
San Francisco, CA 94104

Final Notice & Public Explanation of a Proposed Activity in a Federal Flood Risk Management Standard Floodplain

To: All interested Agencies, Groups, and Individuals

This is to give notice that the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 50 – Protection and Enhancement of Environmental Quality has conducted an evaluation as required by Executive Order 11988, Floodplain Management, in accordance with HUD regulations at 24 CFR Part 55 – Floodplain Management and Protection of Wetlands, specifically Subpart C – Procedures for Making Determinations on Floodplain Management and Protection of Wetlands and 24 CFR §55.20 Decision making process, to determine the potential affect that its activity in the Federal Flood Risk Management Standard floodplain (FFRMS) will have on the human environment for the proposed project Bienestar Estates 12 under HUD’s Self-Help Homeownership Opportunity Program (SHOP) as authorized by the Housing Opportunity Program Extension Act of 1996, Section 11, subject to other federal crosscutting requirements. Additional funding will be provided by the Rural Community Assistance Corporation (RCAC), a 501(c)(3) nonprofit that provides financial resources to rural communities.

SHOP awards grant funds to eligible national and regional nonprofit organizations and consortia. Funds must be used for eligible expenses to develop decent, safe, and sanitary non-luxury housing for low-income persons and families who otherwise would not become homeowners. Tierra del Sol Housing Corporation is the lead agency representing the Western States Housing Consortium (WSHC) which includes Comite de Bien Estar as a member of WSHC. SHOP funds will be used to purchase land and make necessary infrastructure improvements that support the new construction of single-family residences.

Since about 2019, Comite de Bien Estar and its client have been developing a new housing community with residential homes, roads, parks, and supporting infrastructure (i.e., installing water lines, sewer lines, underground utilities, streetlights, sidewalks, curbs, and retention basins). Comite de Bien Estar is seeking land acquisition and infrastructure funding through HUD’s SHOP which is being granted by program years. A full description, mapping, etc. of the on-going project may be reviewed by contacting Lizeth Servin Chief Operations Office Deputy Directory BCCCRC by email at lizeth@comiteaz.org.

HUD is preparing a re-evaluation of its Environmental Assessment for a project by non-profit subgrantee Comite de Bien Estar to utilize HUD’s SHOP funds involving an approximate 153.58-acre parcel, which is a portion of the NW1/4 of Section 15, T11S, R24W, G&S.R.B.&M, Yuma Co, AZ. In all, Parcel A conceptually includes 162 residential lots, a multifamily housing tract, and a retention basin. Parcel B has a potential build-out of 500 residential lots based on the zoning R-1-6 and past development trends.

The proposed activity that has triggered HUD’s re-evaluation, Bienestar Estates 12 – Phase 2 Subdivision, is a subdivision of parcel “B2” of Bienestar Estates 12 – Lot Split, as recorded in BK. 34, of Plats, PG. 07, Yuma County Recorder’s Office, Yuma County, AZ., also being a portion of S1/2 of the NW1/4 of Section 15, T11S, R24W, G.&S.R.B.&M., Yuma County Arizona. Acreage: 39.21 AC (Gross). The proposed

project would develop 40 single-family residences for income eligible homebuyers through acquisition of identified lots within the subdivision and construction of necessary infrastructure.

The full 39.21-acre gross property is within the 0.2-percent-annual-chance floodplain (0.2% floodplain) as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No.: 04027C2155E Effective 08/28/08. The 0.2% floodplain is defined as the “0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile”. There are no ascertainable elevations of the 0.2% floodplain in the FIS, FEMA’s NFHL Viewer, and FIRMS including any Base Level Engineering Data.

HUD has considered the following alternatives to building in the FFRMS floodplain.

- Locate the project within the FFRMS floodplain.
- Find an alternative site in the same geographical area outside the FFRMS floodplain,
- No Action Alternative
- Eliminate the FFRMS floodplain.

It is HUD’s determination that there is no practicable alternative for the purchase of the residential lots and infrastructure to implement the construction of the single-family residences, due to: 1) the need to provide housing and services to income eligible program participants; 2) the funding and program requirement to purchase a residential lot and construction of necessary infrastructure for single-family residences within the city limits, where approximately the entire City is in some type of flood zone; 3) the desire to not displace residents; 4) the need to construct and complete an economically feasible project; and 5) the ability to mitigate and minimize impacts on human health, public and private property, and floodplain values through construction measures and the recommendation of flood insurance.

Additionally, 1) The proposed 153.58-acre Bienestar Estate project site of which the subject is the Bienestar Estates 12 – Phase 2 Subdivision, is located within the City of San Luis’ eastern growth area where the entire area and beyond is within the 0.2% floodplain. 2) The proposed project is in a large, planned development consisting of a variety of subdivisions with homes for sale in both resale and new construction and supporting commercial and community facilities. All subdivisions are within the FFRMS floodplain. 3) Storm water control systems were installed concurrently with these subdivisions and are maintained as part of the overall storm water system of the City. 4) The City requires onsite retention of stormwater for all new development. Yuma County standards for retention basins require runoff volumes calculated for the 100-year 2-hour runoff as the design volume for onsite retention. 5) No additional elevation of the first floor above the Base Flood Elevation is required other than the elevation specified in the local ordinance / code of the City of San Luis.

This activity will have no significant impact on the environment for the following reason mitigation measures that will be required by HUD for this project:

- The City requires onsite retention of stormwater for all new development. Yuma County standards for retention basins require runoff volumes calculated for the 100-year 2-hour runoff as the design volume for onsite retention. Further, no additional elevation of the first floor above the Base Flood Elevation is required other than the elevation specified in the local ordinance / code of the City of San Luis.
- HUD’s FFRMS Final Rule encourages but does not require flood insurance beyond the minimums established in the Flood Disaster Protection Act (FDPA) when necessary to minimize financial risk. It will be encouraged that flood insurance be obtained and maintained for all structures within the FFRMS floodplain to mitigate financial losses.
- HUD will require Comite de Bien Estar, the project sponsor, to comply with 24 CFR §55.4 Notification of floodplain hazard.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Environmental files that document compliance with Steps 3 through 6 of Executive Order 11988 for floodplain management are available for public review upon request by contacting the HUD San Francisco Regional Office at One Sansome Street, Suite 1200, San Francisco, CA 94104 to the Attention of Stanley W. Toal Office of Environment and Energy or via email to Stanley.W.Toal@HUD.gov. Further, any individual, group, or agency may submit written comments on the proposed activity or request further information at the same address or email. All comments received by December 30th, 2024 will be considered.

Stanley W. Toal, Field Environmental Officer, Office of Environment and Energy, San Francisco Regional Office, HUD.