

LEGAL NOTICE

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD DESIGNATED FLOODPLAIN

September 28, 2026

To: All interested Agencies including all Federal, State, and Local, Groups and Individuals

This is to give notice that Housing New Mexico | New Mexico Mortgage and Finance Authority, Responsible Entity (RE) under 24 CFR Part 58, has determined that the following proposed action is in a Federal Flood Risk Management Standard (FFRMS) floodplain. The RE identified and evaluated practicable alternatives to locating this development in the FFRMS floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, and in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

Uptown Connect, a proposed multi-family development to be located at 2121 Indiana Street Northeast and 6501 Indian School Road Northeast, Albuquerque, Bernalillo County, New Mexico 87110 (subject property), consists of approximately 1.9 acres of a parking lot and bus stop facility. It should be noted that the Uptown Connect project will consist of the entirety of Bernalillo County Parcel ID #101805945505040410, which is owned by the City of Albuquerque, encompasses 1.4507 acres, and is associated with the 2121 Indiana Street Northeast address, as well as a northern portion of Parcel ID #101805945502140406, which is owned by the New Mexico Educators Federal Credit Union, encompasses 1.4802 acres (only 0.4493 acres included in Uptown Connect project), and is associated with the 6501 Indian School Road Northeast address. The Sponsor is submitting this project to the City of Albuquerque for HUD Project-Based Vouchers and Community Development Block Grant (CDBG) funds, in addition to Housing New Mexico for HOME and National Housing Trust Funds (NHTF), for the development of three (3) residential structures and one (1) non-residential structure and a parking garage, containing a proposed 198 residential units. Due to HUD aggregation requirements, the environmental review also includes adjacent areas associated with demolition, ingress and egress, frontage and roadway improvements, and utility connections on the northern, eastern, southern, and western sides of the project area.

According to FEMA Flood Insurance Rate Map (FIRM) #35001C-0352H, dated August 16, 2012, and as confirmed by the Bernalillo County FEMA Flood Zones Map accessed at <https://www.bernco.gov/public-works/public-works-services/water-wastewater-stormwater/stormwater/flood-zone-information/>, the majority of the subject property is located in Unshaded Zone X, designated as an area outside the 100 and 500-year floodplain. A small southern portion of the project area within Indian School Road Northeast (and public walkways), included within this reporting due to HUD's aggregation requirements, is located in Zone AO, designated as an area within the 100-year floodplain associated with shallow

sheet flow from the Uptown Storm Drain. According to the FEMA Flood Map Service Center accessed at <https://msc.fema.gov/portal/home>, there are no preliminary or pending FIRMs for the subject property.

Based on a review of the final approved civil plan set prepared by Isaacson and Arfman, Inc. dated August 14, 2026, in relation to the FEMA floodplain boundaries, proposed work within the FEMA-mapped Zone AO/100-year floodplain is limited to minor asphalt roadway restriping within Indian School Road. No residential, nonresidential, or parking-garage structures will be located within the FEMA-mapped Zone AO/100-year floodplain.

In order to determine the Federal Flood Risk Management Standard (FFRMS) floodplain for this project, the on-site flooding source was evaluated to identify whether the associated 500-year floodplain has been mapped/defined by FEMA, thus allowing the project to utilize the 0.2% Annual Chance Flood Approach (0.2PFA). The on-site flooding source, the Uptown Storm Drain, is denoted as an area of Zone AO/100-year floodplain, with a depth of 1 foot, and as such, the 500-year floodplain has not been mapped/defined. Therefore, the FFRMS floodplain should be determined by the Freeboard Value Approach (FVA) by adding 2 feet of freeboard to the 100-year floodplain elevations.

As outlined in the supplemental Overall Grading and Drainage Plan prepared by Isaacson and Arfman, Inc. dated September 1, 2026, the range of FFRMS floodplain elevations was defined for the various non-residential and residential spaces throughout the project, based on the Freeboard Value Approach (FVA) by referencing the Zone AO/100-year floodplain elevations and adding one (1) foot of flood depth (Zone AO + 1 ft) and an additional two (2) feet of freeboard.

As outlined within, the FEMA-mapped Zone AO/100-year floodplain encompasses Indian School Road to the south, which slopes from east-to-west with an overall vertical transition of five (5) feet between its intersection with Indiana Street to its intersection with Americas Parkway. The existing surface ground survey was referenced to verify the existing elevations along the FEMA-mapped floodplain. Given the east to west slop of Indian School Road, the FFRMS floodplain elevations are in turn based on the existing ground elevations directly perpendicular to the proposed residential and non-residential finished flood elevations (FFE) with the resulting FFRMS floodplain elevations adjusting in elevation from east to west.

For a more detailed example, Isaacson and Arfman, Inc. additionally highlighted a proposed non-residential space, where according to the existing ground survey has an existing elevation of 5,266.9 feet. In order to define the FFRMS floodplain elevation for this space, one (1) foot of flood depth (Zone AO + 1 ft) and an additional two (2) feet of freeboard were added to the elevation, resulting in an FFRMS floodplain elevation for that space of 5,269.9 feet. All FFRMS floodplain elevations are provided in the Grading and Drainage Plan sheets CG101 and CG102. As outlined within, the FFRMS floodplain elevations range from 5,270.8

feet on the eastern portions of the subject property to 5,268.73 feet on the western portions of the subject property.

According to the elevation contours provided on the Grading and Drainage Plans, the FFRMS floodplain elevations extend across the majority of the subject property with the exception of the northeastern portions.

Since the project involves new construction in the FFRMS floodplain, it is subject to the 8-Step Process outlined in 24 CFR 55.20, including elevation requirements outlined in 24 CFR 55.20(e)(1), which requires residential spaces to be elevated to or above the associated FFRMS floodplain elevation and non-residential spaces either elevated to or floodproofed to the associated FFRMS floodplain elevation.

Floodplains provide natural and beneficial values by acting as natural filters, providing water storage, and recharging groundwater aquifers. They can also provide habitat for a variety of biologically unique flora and fauna.

Housing New Mexico | New Mexico Mortgage Finance Authority has considered the following factors, alternatives, and mitigation measures to be taken to minimize adverse impacts and to restore and preserve beneficial values of the FFRMS floodplain:

- (i) Sufficient demand exists in the market area to support the proposed development. The purpose of the action is to provide Low-Income Housing Tax Credit (LIHTC) housing in the primary market area (PMA). The units will be set at 30, 50, and 80 percent of the area median income (AMI). The LIHTC rental rates are in line with the maximum allowable LIHTC rents. Additionally, the 30 units restricted at 30 percent of the area median income will benefit from Section 8 subsidy, where tenants pay 30 percent of their income towards rent. According to the Market Study prepared by Gill Group, the PMA shows a total demand of 14,800 units with subsidy, and 10,831 units without subsidy. Based on the demand analysis, there is sufficient demand for the proposed units. The subject property fronts Americas Parkway, Uptown Boulevard Northeast, and Indiana Street Northeast with ready access to the market area provided by the nearby Interstate 40 approximately 0.4 miles south. This provides residents access to shopping, recreation, emergency services, healthcare facilities, and employment areas. There is suitable demand and supporting uses for the subject property, making it desirable for multifamily development.
- (ii) The option to approve the project with modifications to further reduce floodplain impacts was rejected based upon the results of the following analysis. Modifications that could result in avoidance or minimization include eliminating the proposed improvements in the FFRMS floodplain altogether, or further reconfiguring the siting of the improvements to avoid impacts to the FFRMS floodplain. However, the proposed development cannot be practicably modified to avoid floodplain areas without jeopardizing the feasibility of the entire development as the FFRMS

floodplain area is irregularly shaped and occupies portions of the site necessary for the proposed activities.

The proposed action, as currently designed, would result in impacts to onsite FFRMS floodplain due to grading and construction related to proposed construction, with only temporary impacts to the 100-year floodplain related to roadway restriping of a small southern portion of Indian School Road Northeast (and public walkways), included within this reporting due to HUD's aggregation requirements. The main project area was specifically designed wholly outside of the 100-year floodplain or any FEMA-defined floodplain areas. In addition to elevating all residential and non-residential spaces to or above the associated FFRMS floodplain elevation, alternative stormwater materials were implemented in the project design, focusing on minimizing and mitigating impacts to the FFRMS floodplain by integrating low-impact development into site plan where the floodplain overlaps the property.

Therefore, the option to approve the project with modifications to further reduce floodplain impacts was rejected.

The "No-Action" Alternative was rejected based upon the results of the following analysis: If the selected alternative was to not approve the proposed action, it would not satisfy the current need for new and modernized LIHTC housing as outlined in the Market Study prepared by Gill Group. The proposed development would provide a safe and decent housing community for residents and would increase the real estate tax base. Therefore, the no-action alternative would not achieve any of the benefits attributed to the proposed activities.

- (iii) Although portions of the site are within the FFRMS floodplain, the project design minimizes floodplain impacts to the maximum extent practicable. The following mitigation measures will be implemented:
- All residential spaces will be elevated to or above the applicable FFRMS floodplain elevation.
 - All non-residential spaces will be elevated to or floodproofed to the applicable FFRMS floodplain elevation, as required by 24 CFR 55.20(e)(1).
 - Existing and proposed stormwater-management facilities and low-impact-development measures will be incorporated to minimize runoff and floodplain impacts, consistent with applicable local, State, and Federal requirements.
 - A resident floodplain-notification process, evacuation procedures, and flood-hazard awareness measures will be developed and implemented.

The project will comply with all applicable Federal, State, and local floodplain-management requirements.

Environmental files that document compliance with Steps 3 through 6 of the decision-making process under 24 CFR 55.20 are available for public inspection, review, and copying upon request at the times and location identified below.

There are three primary purposes for this notice:

1. People who may be affected by activities in floodplains and wetlands, 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.
2. An adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas.
3. As a matter of fairness, when the Federal government determines it will consider actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

Written comments regarding the proposed activity must be received by Housing New Mexico | New Mexico Mortgage and Finance Authority on or before **October 5, 2026**. The seven-calendar-day public comment period begins on **September 29, 2026**, the day after publication of this notice on September 28, 2026. Comments may be mailed to Housing New Mexico | New Mexico Mortgage and Finance Authority, 7425 Jefferson Street NE, Albuquerque, New Mexico 87109, Attention: Michelle Werley, Regulatory Compliance Specialist II; submitted by email to mwerley@housingnm.org; or delivered to the address above. The project description and environmental review records are available for public inspection, review, and copying from 9:00 a.m. to noon and 1:00 p.m. to 4:00 p.m. at that address, and online at [Housing New Mexico's legal notices page](#).

Date: September 28, 2026