1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and Border Protection

USDA Forest Service
U.S. DEPARTMENT OF AGRICULTURE

File Code: 1950

Date: September 22, 2023

Dear Friends and Neighbors of the Coronado National Forest,

The Coronado National Forest, Nogales Ranger District, in cooperation with U.S. Customs and Border Protection (CBP) invites your participation in the scoping process to understand your concerns, questions, and suggestions regarding the Holden Canyon Connector Road Project, which proposes to improve, repair, and construct approximately 12.62 miles of unpaved road as well as decommission approximately 3.94 miles of unpaved roads in Pima and Santa Cruz counties, Arizona. The purpose of this letter is to inform interested and affected parties of the proposed actions and to announce an opportunity to comment during a 30-day scoping period.

The proposed project will undergo environmental review in accordance with the National Environmental Policy Act (40 Code of Federal Regulations [CFR] 1501.7). The Nogales Ranger District in cooperation with CBP is currently preparing an environmental analysis of the proposal. Maps and other project-related information can be accessed on the agency project webpages at: https://www.fs.usda.gov/project/?project=64326 or https://www.cbp.gov/about/environmental-management under “Documents Ready for Comment”.

Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed project and to identify alternatives to the proposed project that meet the purpose and need for the project. The proposed project is an activity implementing a land management plan and is subject to the pre-decisional objection process at 36 CFR 218 Subparts A and B. Information on how you can comment on this proposal or obtain further information is provided below.

PROJECT LOCATION:

The proposed project area is located within the Tumacacori Ecosystem Management Area of the Nogales Ranger District in Santa Cruz and Pima counties, Arizona. The proposed Holden Canyon Connector Road is approximately 12.62 miles located within Township 23S Range 10E: Sections 03, 04, 05, 07 ,08, 09, 10, 15, 16, 22, 23, 24, and 25, and Township 23S Range 11E: Section 30, Gila-Salt River Meridian. The proposed decommissioned road segments are located within Township 23S Range 10E: Sections 08, 09, 15, 16, 17, 12, 22, 23, 25, and 26, and Township 23S Range 11E: Sections 30 and 32, Gila-Salt River Meridian.

PURPOSE AND NEED:

In 2006, the U.S. Department of Agriculture (USDA), including the U.S. Forest Service (USFS), signed a memorandum of understanding (MOU; available on the agency project webpages referenced above) with the Department of Homeland Security (DHS), including the CBP.

DHS, through its constituent bureaus (including CBP), is statutorily mandated to control and guard the nation's borders and boundaries, including the entirety of the northern and southern land and water borders of the United States. The USDA, through its constituent bureaus (including USFS), is statutorily charged as a manager of Federal lands throughout the United States, including USDA lands in the vicinity of international borders that are administered as wilderness areas, conservation areas, national forests, or wildlife refuges.

In the 2006 MOU, the USDA recognizes that, pursuant to applicable law, CBP is authorized to access the Federal lands under USDA administrative jurisdiction and will do so in accordance with existing authorities. CBP may request, in writing, that the land management agency authorize installation or construction of tactical infrastructure for detection of cross-border violators (CBVs), including roads, on USDA-administered land in order to interdict CBVs as close to the United States' international borders, in accordance with the Border Patrol Strategic Plan. The 2006 MOU states that CBP will cooperate with USDA to identify routes and coordinate the placement of tactical infrastructure in order to limit resource damages while maintaining operational efficiency.

The Holden Canyon Connector Road project would connect the area between Holden Canyon and Warsaw Canyon, near the United States-Mexico International Border. This area is approximately 10 miles southeast of the town of Arivaca, Arizona, and is only accessible from the north by two main access National Forest System (NFS) roads. Currently, there are no available east/west roads that connect the two canyon areas. The limited east/west road access north of the border in the Holden Canyon area has constrained agents' abilities to safely and efficiently respond to this area. In order to access the eastern portion of the Holden Canyon area from the west, CBP agents must drive north on Tres Bellotas Road (FR216), south on Ruby Road, and south on California Gulch Road (FR217), a distance of approximately 24 miles that typically takes approximately 60 minutes to complete. From California Gulch Road, agents may need to continue on foot in order to patrol the area. This extended response time requires additional resources, additional manpower hours, and hampers agent effectiveness as they are delayed.

The few uneven, difficult-to-maintain, unpaved, ranch roads in the area have made CBV detection, response, and resolution extremely difficult. The purpose of this project is to improve mobility and accessibility for CBP agents responding to and seeking to prevent illegal cross-border traffic, address emergencies involving human health and safety, and prevent or minimize environmental damage arising from occurrence of and response to CBV illegal entry on public lands.

The improvement, construction, and repair of these 12.62 miles of road that would connect Holden Canyon and Warsaw Canyon east-to-west also addresses objectives, standards, guidelines, and desired conditions within the 2018 Coronado National Forest Land and Resource Management Plan (Forest Plan) related to international border security, recreation and emergency access, and resource protections. Recreational uses that are likely to occur in the

proposed project area include hunting, all-terrain vehicle use, and wildlife viewing. The proposed road would also provide USFS with improved access and response times when called upon to respond to fire and rescue events in the rugged canyon terrain of this roaded backcountry area. The proposed road would help to improve rancher relations as it would limit the CBP's need to traverse areas further north and allow them to dedicate their efforts to the border area. The decommissioning of 3.94 miles of road would offset the 3.72 miles of new road construction and reduce CBP and public access into areas with sensitive resources.

PROPOSED PROJECT:

Under the proposed project, the CBP Tucson Sector, in cooperation with the USFS Coronado National Forest, proposes to improve, repair, and construct approximately 12.62 miles of road to provide enhanced access for U.S. Border Patrol activities in the Holden Canyon area (see map on agency project webpages referenced above). The proposed project also includes decommissioning of approximately 3.94 miles of road segments no longer needed for patrol and access in the vicinity of the Holden Canyon area and the international border.

Holden Canyon Access Road

The 12.62-mile road would consist of the following:

- Improvement and repair of approximately 8.90 miles of Mojonera Canyon Road (FR 216A), Saucito Tank Road (FR 4167), and currently decommissioned road and trail segments (closed road and trail segments would require significant improvement).
- New road construction of approximately 3.72 miles of an undeveloped area.

The proposed road would be native surfaced (constructed of on-site soil materials), engineered to conform to the USFS Maintenance Level 2 Standard, and be suitable for high-clearance vehicles. The road would be approximately 10 to 12 feet wide in most areas. In areas requiring road switchbacks, a wider road area may be needed, and slopes may require reinforcement. Potential ground disturbance for the proposed road improvement areas (within existing or closed roads) would be approximately 6.21 acres and ground disturbance for new road construction areas would total approximately 33.45 acres (calculations assumed a 14-foot-wide road). Final design of the road would determine road widths and shoulder reinforcements needed. The new road through Holden Canyon would be designated as open to public motor vehicle access. The proposed road would generally have low patrol traffic volume (two or three patrol agents per day) with low-speed use and low public use volume (hunters and all-terrain vehicle use primarily) with low-speed use.

Road dips and cross drains would be the preferred drainage treatments. Within low water crossings, drainage features such as concrete mats or corrugated metal pipes may be required. Final road design would determine locations of low water crossings and drainage features needed.

Equipment staging areas would be located within existing road or disturbed areas. Equipment needed to improve and construct the proposed road would include trackhoes, bulldozers, dump trucks, graders, compactors, loaders, and similar heavy equipment. A water tender would also be used for compaction of the road surface and dust abatement during construction.

Access to the area would be via existing roads and no temporary roads would be necessary for project implementation. Maintenance of the proposed road would be on an "as-needed" basis or in the event of emergency situations that require repair. CBP would fund the road improvements, construction, and maintenance. The USFS would be responsible for final design and construction.

Proposed Road Decommissioning

CBP proposes to decommission 20 existing unimproved road segments within Coronado National Forest, totaling 3.94 miles to offset the proposed approximately 3.72 miles of new road construction for access to Holden Canyon. The USFS requirement for the proposed road decommissioning would include barricading the roadway to prevent motorized vehicle travel onto the roadway. Barricades would include either fencing or boulders across the roadway and several feet beyond the road edge to prevent access around the barrier. The roadway surface would be tilled and seeded along areas visible from decommissioned road end points.

Decommissioning of these roads would contribute to the reduction of vehicle noise and impacts to sensitive resources, and increase the opportunities for quiet recreation, as emphasized in the Forest Plan.

IMPLEMENTATION TIMELINE:

The timeline for proposed Holden Canyon Connector Road improvement, repair and construction, as well as road decommissioning, would be approximately five months over the winter season (October 1 through March 30).

RESOURCES IDENTIFIED FOR ANALYSIS:

Issues identified for analysis in the Environmental Assessment include the following:

- Air Quality
- Climate Change/Greenhouse Gases
- Cultural Resources
- Fire and Fuels
- Range Resources
- Recreation
- Scenery
- Soils
- Vegetation/Botanical Resources
- Watershed
- Wildlife

DECISION TO BE MADE:

The Nogales District Ranger is the Responsible Official for the USFS decision. The Executive Director of the Program Management Office Directorate, U.S. Border Patrol (USBP) and the Deputy Director, Facilities Management and Engineering, Office of Facilities and Asset Management, U.S. Customs and Border Patrol (CBP) are the Responsible Officials for this CBP decision. Based on the results of the environmental analysis, the USFS Nogales District Ranger and CBP would issue decision documents that include a determination of the significance of the environmental effects and whether an Environmental Impact Statement would be prepared. The decisions would also include a determination of consistency with the Forest Plan, National Forest Management Act, National Environmental Policy Act and applicable laws, regulations and executive orders.

If the Nogales District Ranger determines it is not necessary to prepare an Environmental Impact Statement, the Nogales District Ranger would decide whether or not to authorize the proposed Holden Canyon Connector Road project. If the Nogales District Ranger authorizes the proposed Holden Canyon Connector Road project, the Ranger would determine which management actions, mitigation measures, and monitoring requirements would be prescribed. Draft Avoidance and Minimization Measures are included in the attachments.

HOW TO COMMENT:

The Coronado National Forest and CBP value public input on the proposed project and the scope of this environmental review. We are now inviting you to submit comments during the scoping period. This scoping period is intended to provide interested and affected parties with an opportunity to provide input to inform the decision being made by the Responsible Officials. Specifically, we would like to invite your comments regarding issues, opportunities, concerns, and/or suggestions for the proposed project.

Please make your comments as specific as possible. If you provide recommendations for changes to the Proposed Action, please include the reasons for your recommendations. This information will help us identify the need for alternatives. Comments should be within the scope of the Proposed Action, have a direct relationship to the Proposed Action, and must include supporting reasons for the Responsible Officials to consider (36 CFR 218.2).

Specific written comments on the proposed project will be accepted for **30 calendar days** following publication of the legal notice in the *Nogales International*, the newspaper of record. If the comment period ends on a Saturday, Sunday, or Federal holiday, comments will be accepted until the end of the next Federal working day. The publication date in the newspaper of record is the exclusive means for calculating the comment period. Those wishing to comment should not rely upon dates or timeframe information provided by any other source.

Specific written comments or requests for additional information must be submitted via mail, in person (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays), by U.S. mail:

Proposed Holden Canyon Connector Road c/o Michelle Barnes,
U.S. Customs and Border Protection, U.S. Border Patrol Headquarters,
1300 Pennsylvania Avenue, 6.5E Mailstop 1039
Washington, DC 20229-1100

Electronic comments including attachments should be submitted using the USFS Public Comment Form at https://cara.fs2c.usda.gov/Public//CommentInput?Project=64326 or submitted to CBP at holdencanyonconnectorroad@cbp.dhs.gov .

Only individuals or entities (as defined by 36 CFR 218.2) who submit timely and specific written comments (as defined by 36 CFR 218.2) about this proposed project or activity during this or another public comment period established by the Responsible Official will be eligible to file an objection. Other requirements to be eligible to submit an objection are defined by 36 CFR 218.25(a)(3) and include name, postal address, title of the project, signature, or other verification of identity upon request, and the identity of the individual or entity who authored the comments. Individual members of an entity must submit their own individual comments in order to have eligibility to object as an individual. A timely submission will be determined as outlined in 36 CFR 218.25(a)(4). It is the responsibility of the sender to ensure timely receipt of any comments submitted. Names and contact information submitted with comments will become part of the public record and may be released under the Freedom of Information Act.

Thank you for your interest in this project.

Sincerely,

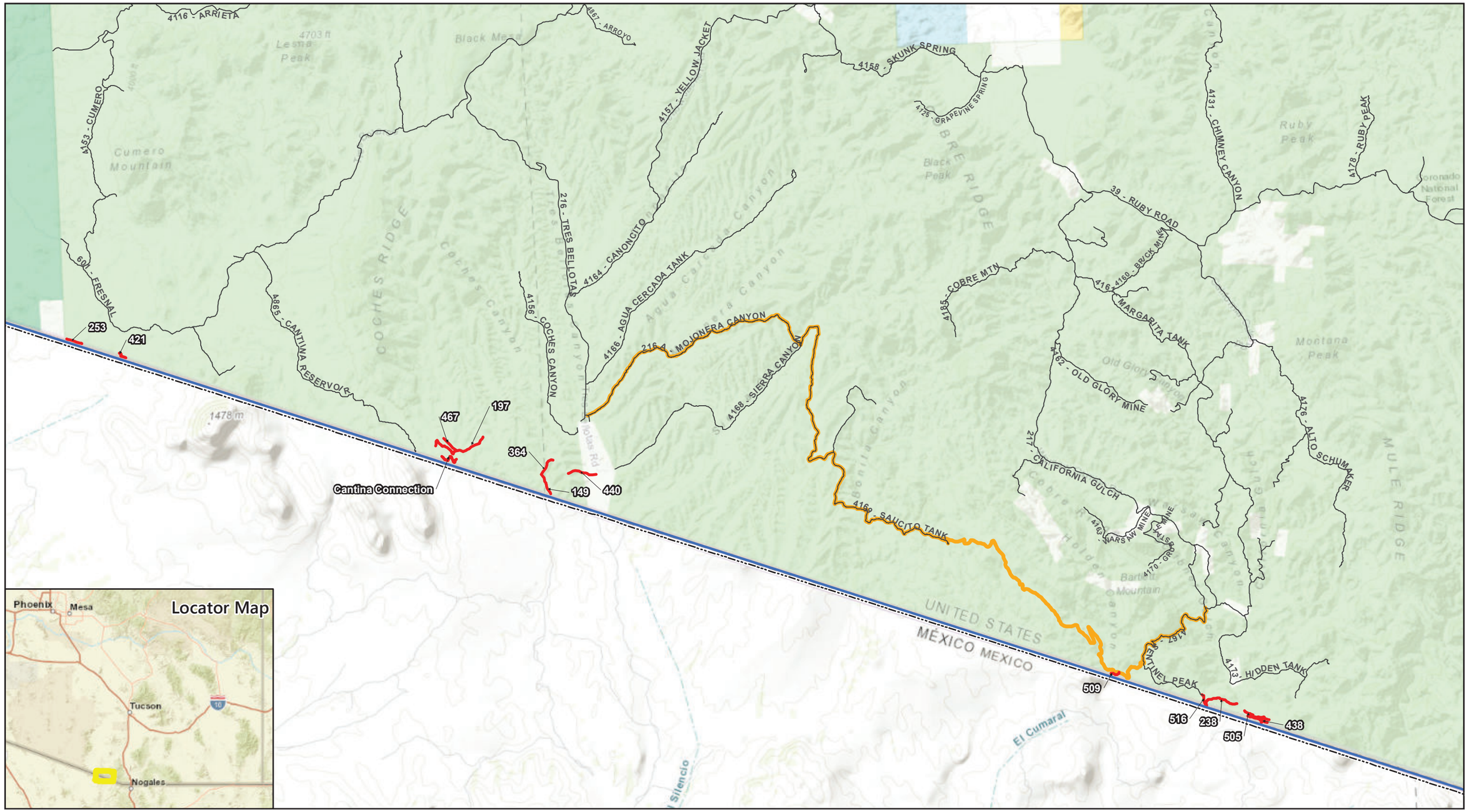
MARLON AVANTYR
Digitally signed by MARLON AVANTYR
Date: 2023.09.07 14:56:45 -07'00'

MICHELLE L BARNES
Digitally signed by MICHELLE L BARNES
Date: 2023.09.18 10:41:43 -07'00'

MARLON AVANTYR
DISTRICT RANGER
Nogales Ranger District
Coronado National Forest

MICHELLE BARNES
ENVIRONMENTAL PLANNING LEAD
Infrastructure Program
Program Management Office Directorate
United States Border Patrol

cc: Lea Schram von Haupt, Marlon Avantyr, Ed Monin, Michelle Barnes, Jeff Coron, Susy Morales



Proposed Holden Canyon Connector Road Project Area

Proposed Decommissioned Roads

Existing Forest Service Roads

Border Road

U.S./Mexico International Border

US Forest Service (USFS)

US Fish and Wildlife (USFW)

Bureau of Land Management (BLM)

State

Private or Unknown

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FIGURE 1

Proposed Holden Canyon Connector Road Project Area – Western Extent

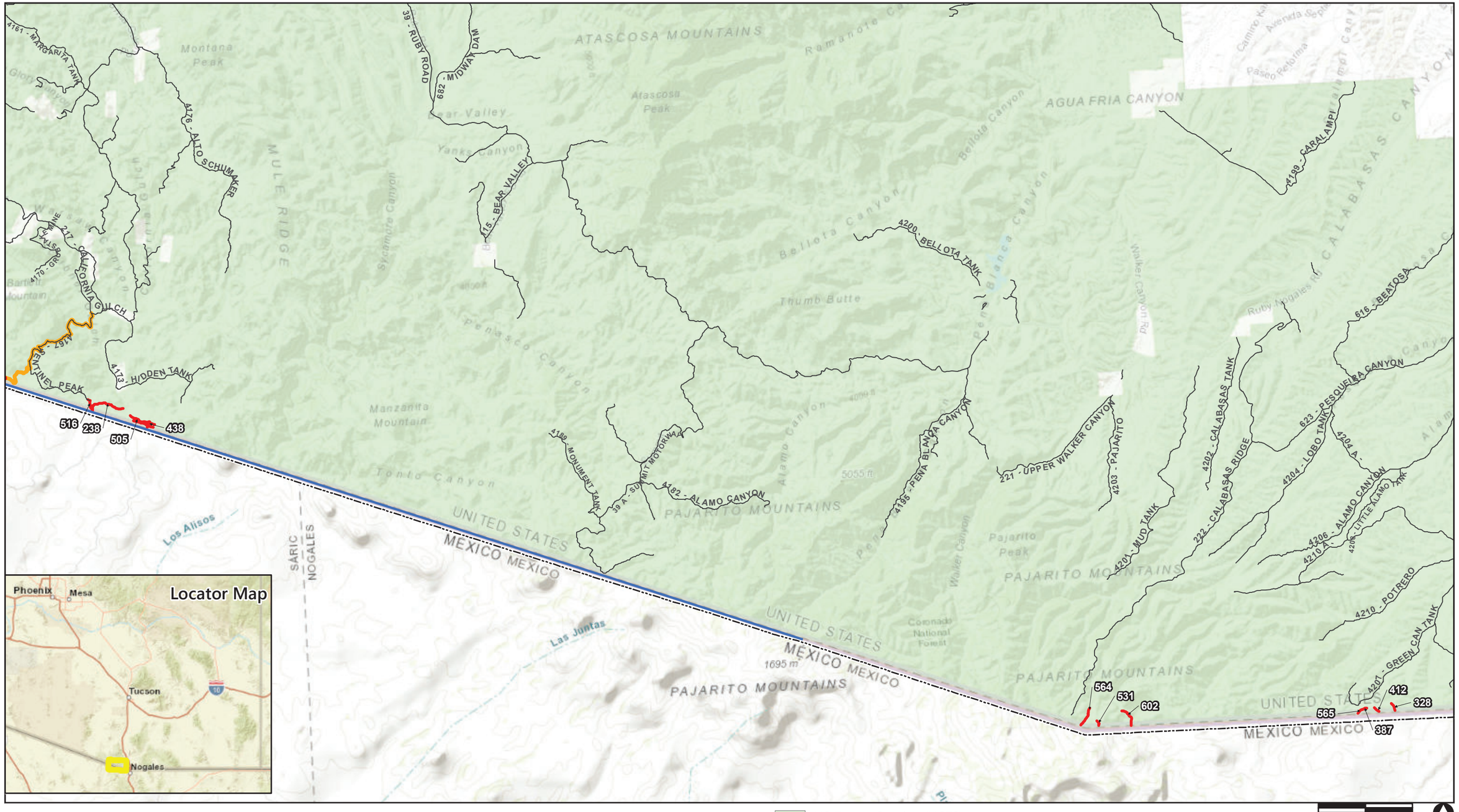

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FIGURE 2

Proposed Holden Canyon Connector Road Project Area – Eastern Extent

PROPOSED HOLDEN CANYON CONNECTOR ROAD PROJECT AVOIDANCE AND MINIMIZATION MEASURES

The following avoidance and minimization measures would be implemented as part of the proposed project.

General

- Road shall be aligned and constructed to visually blend into the surrounding landscape.
- All surface disturbances, including road construction and associated travel, would be kept to the minimum necessary to accomplish construction of the road.
- Construction activities shall comply with all appropriate regulations, including Arizona Administrative Code R18-2-604 through 607, and R18-2-804; and Pima County Code 17.1 and 17.16, which require mitigation measures for the control of dust from open areas, roadways, and material handling; control of emissions from the operation of mobile equipment; fugitive dust permits for activities such as building roads; and limits on visible emissions.
- Road surfaces would be composed of native material, and no additional surface materials would be required or brought into the project area.
- During construction, designated areas would be established for equipment staging and parking to minimize the area of ground disturbance.
- The natural drainage pattern of the area would be maintained wherever practicable.
- Steep excavated slopes would be stabilized.
- Construction work would cease during heavy rains and would not resume until conditions are suitable for the movement of equipment and materials.
- All surface disturbances, including road construction and associated travel, would be kept to the minimum necessary to accomplish construction of the road.
- Vehicle refueling and maintenance will be limited to upland areas with established spill prevention equipment in place (e.g., straw wattles, lined or paved areas, areas with no direct drainage).
- To the maximum extent practicable, confine vehicular traffic to designated open routes of travel to and from the project site. Prohibit, within project boundaries, cross-country vehicle and equipment use outside of approved designated work areas to prevent unnecessary ground and vegetation disturbance. Ensure all parking is in designated disturbed areas. For longer-term projects, mark designated travel corridors with easily observed removable or biodegradable markers.
- No improvement, repair, construction, or decommissioning activities will occur at night.

Vegetation and Invasive Species

- Suitable species and establishment techniques would be used to cover or revegetate disturbed areas in compliance with local direction and requirements in accordance with

USFS Manual (FSM) 2070 and FSM 2080 for vegetation ecology and prevention and control of invasive species.

- During construction, vehicles would be required to stay on designated driving routes to avoid excessive soil and vegetation disturbance, to minimize the introduction and spread of noxious weeds.
- Disturbed areas would be revegetated with native species.
- Fill material, sandbags, hay bales, and mulch brought in from outside the project area would be identified by its source location. Contractors would use sources that are sterile or weed-free.
- The perimeter of all new areas to be disturbed would be clearly demarcated using flagging or temporary construction fencing. No disturbance would be allowed outside that perimeter.
- Removal of live and dead trees over 8-inch diameter at breast height would be restricted during the period April 1 through August 15 unless approved by the District Biologist in writing to avoid potential nest and roost destruction and loss of immature cavity nesters, migratory birds, and roosting bats.
- If vegetation must be removed, allow natural regeneration of native plants by cutting vegetation with hand tools, mowing, trimming, or other removal methods that allow root systems to remain intact.
- Vegetation targeted for retention would be flagged to reduce the likelihood of being treated.
- Trees that are 6 inches in diameter at breast height (breast height defined as 4.5 feet) would be left on-site with no more than one-third of each individual tree pruned from the ground up to a maximum of 8 feet. For example, a 24-foot tree could be pruned 8 feet up from the ground.
- Reclamation of all surface disturbances must be initiated immediately upon completion of activities. Reclamation of disturbed areas shall, to the extent practicable, include contouring disturbances to blend with the surrounding terrain, replacing topsoil, smoothing, and blending the original surface colors to minimize impacts to visual resources, and seeding the disturbed areas with native seeds.
- Revegetation efforts must establish a stable biological ground cover equal to that which occurred prior to disturbance. Mulching may be appropriate for conserving moisture and holding seed onsite, thus improving the chances for successful establishment.
- If mechanical methods are used to remove invasive plants, the entire plant should be removed and placed in a disposal area. If herbicides are used, the plants would be left in place. All chemical applications on federally managed land must be used in coordination with the federal land manager. Training to identify non-native invasive plants will be provided for CBP personnel or contractors, as necessary.
- To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment would be washed at the contractor’s storage facility prior to entering the construction site.

- To prevent invasive species seeds from leaving the site, all construction equipment would be inspected and all attached plant/vegetation and soil/mud debris would be removed prior to leaving the construction site.
- To prevent the spread of invasive plant species, guidance from the following resources will be implemented: Inspection and Cleaning Manual for Equipment and Vehicles to Prevent the Spread of Invasive Species (DiVittorio et al. 2012); Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers (California Invasive Plant Council 2012); and Invasive Plant Prevention Guidelines (Clark 2003).

Special Status Species

Yellow-billed Cuckoo

- If the improvement, repair, construction or decommissioning activities may disturb breeding yellow-billed cuckoo, the breeding season will be avoided (June 1 through September 30).

Chiricahua Leopard Frog

- A site-specific Stormwater Pollution Prevention Plan (SWPPP) and a spill protection plan will be prepared and regulatory approval sought, as required by regulations, for activities that could result in sedimentation and that occur within 0.3 mile of potentially occupied Chiricahua leopard frog habitat. This will include, but is not limited to, placing straw bale type sediment traps at the inlet of ponds or stock tanks and upstream of drainages known to be occupied by the species or within critical habitat of the species.
- Any use or storage of fuels will be kept 0.3 mile away from locations where this species may occur.
- Erosion control measures would be constructed on steep hillsides. Erosion control measures within Chiricahua leopard frog occupied or potential habitat would exclude any woven mesh materials (such as wattles) that can entrap these animals.

Bartram's Stonecrop and Beardless Chinchweed

- Prior to beginning ground-disturbing activities, surveys for Bartram's stonecrop and beardless chinchweed would be completed within areas deemed as suitable habitat, and if individuals are found, a plan would be developed to transplant individuals and/or collect seeds, propagate, and outplant the species to locations outside of the proposed project area, if feasible.

Migratory Birds

- Initial mechanical vegetation clearing should be timed to avoid the migration, breeding, and nesting time frame of migratory birds (February 1 through August 31). When initial mechanical vegetation clearing must be implemented during February 1 through August 31, a survey for nesting migratory birds would be conducted immediately prior to the start of activities. If an active nest is found, a buffer zone would be established around the nest and no activities would occur within that zone until nestlings have fledged and abandoned the nest.
- If improvement, repair, construction, or decommissioning activities are scheduled to occur during the bird-nesting season (April 1 through July 30), a survey for migratory birds will

be conducted prior to all other maintenance and repair activities to be implemented during the nesting period in areas where birds might be nesting.

- If improvement, repair, construction, or decommissioning activities are scheduled to occur during the bird-nesting season (April 1 through July 30), take steps to prevent birds from establishing nests in the potential impact area. These steps could include covering equipment and structures, trimming vegetation to reduce suitability for nesting, and use of various excluders (e.g., noise). Once a nest is established, it must be protected until all young have fledged and left the nest site. If nesting birds are found during the supplemental survey, defer construction or intrusive maintenance activities until the birds have left the nest.
- To protect individuals of listed species within the project area, suspend work in the immediate vicinity of the individual until it moves out of harm's way on its own, or enlist a qualified specialist (individuals or agency personnel with a permit to handle the species) to relocate the animal to a nearby safe location in accordance with accepted species-handling protocols.
- A training program would be developed and implemented to inform construction personnel of the listed species that occur within the project area, penalties for violation of state or federal laws, implementation of included conservation actions/best management practices, and reporting requirements.
- Animal collisions would be minimized during construction activities by limiting speeds on the proposed road to no more than 25 miles per hour and employing the use of wildlife crossings.
- The visible space shall be checked underneath all vehicles and heavy equipment for listed species and other wildlife prior to moving vehicles and equipment at the beginning of each workday and after vehicles have idled for more than 15 minutes.
- To prevent entrapment of wildlife species, ensure excavated, steep-walled holes or trenches are either completely covered by plywood or metal caps at the close of each workday or provided with one or more escape ramps (at no greater than 1,000-foot intervals and sloped less than 45 degrees) constructed of earth fill or wooden planks.

Soil and Water Erosion Control

- Preparation of a SWPPP would identify erosion control methods and comply with the Arizona Pollutant Discharge Elimination System Construction General Permit conditions.
- The SWPPP would be prepared and implemented prior to construction activities.
- Mitigation measures described in the SWPPP to reduce erosion would be implemented.
- Areas with highly erodible soils would be considered when planning activities and measures, such as wattles, aggregate materials, and wetting compounds in the erosion-control mitigation would be incorporated.
- Construction would adhere to mitigation measures for erosion control and sediment runoff to surface waters (USFS 2012).
- Stream crossings shall be oriented perpendicular to the channel to the extent practicable.

- Approaches to stream crossings shall be kept to as gentle a slope as practicable.
- At stream crossings, consider natural channel adjustments and possible channel location changes over the design life of the structure.
- Design the stream crossing structure to have sufficient capacity to convey the design flow without appreciably altering streamflow characteristics.
- Stream crossings shall be installed to sustain bankfull dimensions of width, depth, and slope and maintain streambed and bank resiliency and continuity through the structure.
- In floodplains, suitable measures shall be used to protect fill from erosion and to avoid or minimize failure of the stream crossing at flood flows.
- Suitable measures shall be used to provide floodplain connectivity to the extent practicable.
- At stream crossings, suitable measures shall be used to avoid or minimize scour and erosion of the channel, crossing structure, and foundation to maintain the stability of the channel and banks.
- For stream crossings, select and design low-water crossing structures to maintain the function and bedload movement of the natural stream channel. Construct the low-water crossing to conform to the site, channel shape, and original streambed elevation and to minimize flow restriction, site disturbance, and channel blockage to the extent practicable.
- Riprap shall be placed in locations where erosion would be likely to occur without some form of energy dissipation due to concentrated runoff from road drainage pipes, grade dips, or leadout ditches.
- During construction, silt fencing and floating silt curtains would be installed and maintained in areas susceptible to erosion to prevent movement of soil and sediment and to minimize turbidity increases in water.
- During construction, disturbed areas would be routinely inspected to verify that erosion and stormwater controls are implemented and functioning as designed and are suitably maintained. Erosion and stormwater controls would be maintained as necessary to ensure proper and effective functioning.
- Refueling and maintenance of project motorized equipment would occur at least 200 feet from any channel.
- Best management practices as outlined in the 2012 USDA reference “National Best Management Practices for Water Quality Management on National Forest System Lands” would be implemented to ensure detrimental impacts are kept to a minimum for soil, water, and air resources.

Noise

- All Occupational Safety and Health Administration requirements would be followed with respect to improvement, repair, construction, and decommissioning activity noise impacts. Ensure that all motorized equipment possesses properly working mufflers and are kept properly tuned to reduce backfires. Ensure all motorized generators will be in baffle boxes

(a sound-resistant box that is placed over or around a generator), have an attached muffler, or use other noise-abatement methods in accordance with industry standards.

- For activities involving heavy equipment, seasonal restrictions might be required to avoid impacts on threatened or endangered species in areas where these species or their potential habitat occur.