

DRAFT

FINDING OF NO SIGNIFICANT IMPACT

Supporting the Eagle Pass South Checkpoint Renovation and Expansion

Introduction

Pursuant to the National Environmental Policy Act (NEPA), U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security (DHS), has prepared an Environmental Assessment (EA), which is attached hereto and incorporated herein by reference, to document its consideration of the potential environmental impacts of supporting the proposed Eagle Pass South Traffic Checkpoint renovation and expansion along U.S. Highway (Hwy) 57 in Maverick County, Texas. The infrastructure proposed to be constructed and renovated will include one to three acceleration/deceleration lanes, new signage, booths, canopy, lighting, and structure updates. Renovation and expansion of the checkpoint will include acquiring 5 acres of land adjacent to the existing checkpoint in order to construct the proper acceleration and deceleration lanes. During construction and renovation activities, 2 acres of land will be temporarily acquired to provide construction staging and access areas.

CBP is charged with the dual mission of securing the United States' borders while facilitating legitimate trade and travel. In supporting CBP's mission the U.S. Border Patrol (USBP) has multiple missions; to apprehend terrorists and terrorist weapons illegally entering the United States, deter illegal entries through improved enforcement and to detect, apprehend and deter smugglers of humans, drugs, and other contraband.

Purpose and Need

The purpose of the Proposed Action is to renovate the Eagle Pass South Checkpoint to ensure that it is able to safely accommodate CBP agents, the public, and the increasing traffic so that the checkpoint can continue to function as intended. USBP checkpoints are a critical enforcement tool for securing the nation's borders against threats by restricting the ability of criminal organizations to exploit roadways traveling away from the border. USBP is committed to ensuring that these checkpoints stay as safe, efficient, and in accordance with existing design guide standards as possible.

The Proposed Action is needed in order to maintain the level of border security provided by the existing checkpoint that could become compromised if the increasing traffic demand is not accommodated. The renovation and construction activities will ensure USBP agent and public safety by securing the nation's borders while minimizing potential vehicular accidents and reducing wait times.

Description of the Proposed Action

CBP intends to renovate and expand the existing Eagle Pass South Checkpoint in Maverick County, Texas. The checkpoint is currently out-of-date and is not able to fully handle the volume of traffic using Hwy 57 related to the Eagle Ford Shale oil/natural gas boom as efficiently as possible.

Expansion activities will consist of acquiring 5 acres of private land southeast of Hwy 57 which will be used to construct proper acceleration and deceleration lanes. Along with the 5 acres of land being permanently acquired by CBP, an additional 2 acres of land will be temporarily acquired as construction staging areas and access. The Proposed Action area, including construction of a new checkpoint building and associated infrastructure, is approximately 1 acre within the land to be acquired by CBP. The new checkpoint building will be approximately 2,260 square feet and contain an expanded observation space, weapons storage, four holding rooms, an interview room, evidence and equipment storage, and a metal detection vestibule. Security cameras will be placed strategically on the interior and exterior of the structure. In order to renovate the existing checkpoint new signage, booths, canopy, lighting, and structure will also be required. In addition to new signage, booths, canopy, and lighting; supplemental, portable light stands may also be deployed at the checkpoint as necessary. Land site improvements will include approximately 1 acre of impervious surface.

Additionally, operation and ongoing maintenance and repair activities are included under the Proposed Action. Day-to-day operations of the updated checkpoint will be similar to current operations and include providing shelter for USBP personnel, surveillance monitoring, and checkpoint vehicle inspections. Maintenance and repair activities will occur as needed at the checkpoint and will include updates to any fencing, building infrastructure, electrical equipment, road repair, and vegetation clearing.

Alternatives

Two alternatives were considered: Alternative 1: Proposed Action and Alternative 2: No Action Alternative.

Alternative 1: Proposed Action. As described above.

Alternative 2: No Action Alternative. The No Action Alternative would maintain the status quo. Under the No Action Alternative, CBP would continue to operate the Eagle Pass South Checkpoint along Hwy 57. No expansion or renovation would occur under the No Action Alternative. The checkpoint would continue to be exposed to heavy volumes of traffic that could leave CBP agents and the public vulnerable.

The Proposed Action and No Action Alternative have been reviewed in accordance with NEPA as implemented by the regulations of the Council on Environmental Quality (CEQ). No significant impacts on any environmental resources will be expected from the implementation of the Proposed Action. Any potential adverse impacts will be expected to be negligible to minor. Details of the environmental consequences can be found in the EA, which is hereby incorporated by reference.

Public Involvement

CBP notified relevant federal, state, and local agencies of the Proposed Action and requested input regarding environmental concerns they might have. As part of the NEPA process, CBP coordinated with the U.S. Environmental Protection Agency Region 6, U.S. Fish and Wildlife Service, Texas Commission on Environmental Quality, Texas Department of Transportation, Texas Historical Commission, Texas General Land Office, Texas Parks and Wildlife

Department, appropriate Native American Tribes and Nations, and local agencies. Agency responses will be incorporated into the analysis of potential environmental impacts.

A Notice of Availability for the Draft EA and FONSI was published in *The News Gram* (in Eagle Pass) and the *San Antonio Express News*. This was done to solicit comments on the Proposed Action and alternatives and involve the local community in the decisionmaking process. Comments that are received by tribal, state, and federal agencies will be incorporated into the Final EA.

During the 30-day public review and comment period for the Draft EA, CBP will accept comment submissions by email, through the project-specific website, and by mail from the public; federal and state agencies; federal, state, and local elected officials; stakeholder organizations; and businesses.

Environmental Consequences

Impacts on the previously listed resources under the Proposed Action and No Action Alternative are listed below in **Table 1**.

Table 1. Summary of Anticipated Environmental Impacts by Alternative

Resource Area	Alternative 1: Proposed Action	Alternative 2: No Action Alternative
Land Use	No effects.	No effects.
Geology and Soils	Short- and long-term, negligible to minor, adverse effects.	No effects.
Vegetation	Short- and long-term, negligible to minor, adverse effects.	No effects.
Terrestrial and Aquatic Wildlife Resources	Short- and long-term, negligible to minor, direct and indirect, adverse effects.	No effects.
Threatened and Endangered Species	No effects.	No effects.
Hydrology and Groundwater	Long-term, negligible, adverse effects.	No effects.
Surface Waters and Waters of the United States	Short-term, negligible, adverse effects.	No effects.
Floodplains	No effects.	No effects.
Air Quality	Short-term, negligible, adverse effects and long-term, negligible, beneficial effects.	No effects.
Noise	Short-term, negligible, adverse effects.	No effects.

Resource Area	Alternative 1: Proposed Action	Alternative 2: No Action Alternative
Cultural Resources	No effects.	No effects.
Roadways and Traffic	Short-term, minor and adverse and long-term, minor, and beneficial effects.	Long-term, minor, and adverse.
Hazardous Materials and Waste Management	Short-term, negligible, adverse and long-term, minor, beneficial effects.	No effects.
Socioeconomic Resources	Short-term, negligible and beneficial effects.	No effects.
Environmental Justice and Protection of Children	No effects.	No effects.
Sustainability and Greening	No effects.	No effects.
Aesthetics and Visual Resources	No effects.	No effects.
Climate Change	No effects.	No effects.
Human Health and Safety	Short-term, negligible, adverse and long-term, minor, and beneficial effects.	Long-term, minor, adverse effects.
Utilities and Infrastructure	Short- and long-term, negligible to minor, and adverse and long-term, minor and beneficial effects.	No effects.

Finding

Based upon the results of the EA and the environmental design measures to be implemented, the Preferred Alternative is not expected to have a significant effect on the environment. Once any public comments have been addressed, and it is still the determination that the Proposed Action will have no significant impact, the FONSI will be signed and the action will be implemented. No additional environmental documentation under NEPA will be warranted, and the preparation of an Environmental Impact Statement will not required.

Date

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