

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Environmental Assessment Addressing the Proposed Construction, Operation, and Maintenance of a New U.S. Border Patrol Brown Field Border Patrol Station in Dulzura, San Diego County, California**

Pursuant to the National Environmental Policy Act (NEPA) of 1969 (42 United States Code §§ 4321–4347), U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security, 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 a proposal to construct, operate, and maintain a new Brown Field Border Patrol Station (BPS) for the U.S. Border Patrol (USBP) on a 125.2-acre government-owned property in Dulzura, San Diego County, California, and to move all activities from the existing facility to the new facility (i.e., Proposed Action).

#### **Purpose and Need**

The purpose of the Proposed Action is to replace the existing, unsuitable Brown Field BPS with a new, fully functional BPS for 400 USBP agents and support staff that would allow USBP to meet its operational requirements to increase U.S./Mexico international border security within the USBP San Diego Sector, and reduce illegal cross-border activity within the Brown Field Station Area of Responsibility (AOR).

The Proposed Action is needed because the existing BPS is undersized, outside of the Brown Field Station AOR, in need of extensive repairs, and no longer meets the needs of USBP. The existing BPS is on property leased from a private owner that lacks the features and space necessary to provide an adequate work environment (e.g., sufficient infrastructure, parking, storage, and security) and is not able to be expanded or renovated. The proposed BPS in Dulzura, California, would accommodate the current level of staff, vehicles, and equipment, and all reasonably foreseeable growth. The BPS would provide modern, efficient, and safe working conditions and would allow USBP agents working in the Brown Field Station AOR to execute their mission of preventing terrorists and terrorist weapons, cross-border violators, drugs, and contraband from entering the United States.

#### **Description of the Proposed Action**

The Department of Homeland Security and CBP propose to construct, operate, and maintain a new Brown Field BPS on a 125.2-acre government-owned property at the intersection of Highway 94 and Campbell Ranch Road in Dulzura, San Diego County, California. The main BPS building would accommodate 400 USBP agents and support staff, as well as all reasonably foreseeable growth. The main BPS building would include offices and other administrative spaces, a detention area with capacity for 130 detainees, and a two-lane sally port capable of holding two buses. The BPS would also include the following ancillary support facilities and structures:

- vehicle maintenance/all-terrain vehicle storage facility
- outdoor tactical support areas
- parking

- vehicle wash rack
- fuel island
- canine kennel
- septic system and leach field
- water supply facility
- stormwater management system.

Other components of the BPS would include an approximately 100-foot-tall communications tower, a helipad, two emergency generators, and a 15,000-gallon aboveground propane tank. Support infrastructure, such as fire protection and alarm systems, information technology systems, access roads, sidewalks, and curbs, also would be constructed. Appropriate site security to meet current requirements, including fencing, gates, lighting, surveillance, and access control, would be installed at the BPS.

Road improvements would be constructed based on state and local requirements. These improvements include a primary access point to the BPS from Highway 94, an acceleration lane and a deceleration lane on westbound Highway 94, a dedicated left turn lane on eastbound Highway 94 at the BPS driveway (if right-of-way width allows), and any other improvements identified by the California Department of Transportation (Caltrans). A majority of the work along Highway 94 would occur within the Caltrans right-of-way. The final design would be coordinated with and reviewed by Caltrans. Additionally, approximately 1,500 feet of Campbell Ranch Road within the BPS site might be hardened and improved to subgrade surface but unpaved.

The proposed BPS footprint is approximately 18.2 acres, and approximately 31.7 acres would be disturbed as a result of construction. Excess soils from grading during construction would be deposited in an approximately 2.9-acre stockpile within the BPS footprint. Construction of the BPS would be expected to occur between 2020 and 2022. Maintenance to the BPS would be expected upon completion of construction. Maintenance activities could include routine upgrade, repair, and maintenance of the buildings, roofs, parking area, grounds, or other facilities that would not result in a change in their functional use. After completion of construction, all activities from the existing Brown Field BPS would be moved to the proposed BPS, and the existing BPS facility would be returned to the lessor.

## **Alternatives**

Two alternatives, including Alternative 1: Proposed Action and Alternative 2: No Action Alternative, were analyzed in the EA.

***Alternative 1: Proposed Action.*** Under this alternative, a new Brown Field BPS would be constructed, operated, and maintained in Dulzura, California, as described in the previous section. A comprehensive set of best management practices (BMPs) would be incorporated as part of implementation of the Proposed Action to minimize potential impacts.

***Alternative 2: No Action Alternative.*** Under the No Action Alternative, USBP agents would continue to use the existing Brown Field BPS. The existing BPS is undersized for the number of USBP agents assigned to it, in poor condition, and not able to be expanded or renovated. Additionally, the existing BPS is outside of the Brown Field Station AOR, which is inefficient and

results in additional personnel and vehicle costs. Continued use of the existing BPS could adversely affect the health, safety, work efficiency, and morale of USBP agents, which could impede execution of the mission and operation of the Brown Field BPS. No BPS facilities would be constructed at the Dulzura site, and the site would remain undeveloped and unused. If CBP proposes to conduct a project at the Dulzura site in the future, separate NEPA documentation would be prepared at that time.

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. No major, adverse impacts on any environmental resources are expected from implementation of the Proposed Action. Details of the environmental consequences can be found in the EA.

## **Public Involvement**

CBP initiated public scoping for the Proposed Action by providing a 30-day review period from December 27, 2016, to January 30, 2017. A letter was distributed to approximately 35 potentially interested federal, state, and local agencies; Native American tribes; and other stakeholder groups or individuals. Additionally, a Notice of Completion (for scoping) was submitted to the California State Clearinghouse (SCH Number 2016124001), which notified additional state agencies who were provided the opportunity to comment. All scoping comments received were considered during preparation of the Draft EA.

CBP notified relevant federal, state, and local agencies; appropriate Native American tribes and nations; and the public of the Draft EA and requested input regarding any environmental concerns they might have. As part of the NEPA process, CBP coordinated with agencies such as the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, California Office of Historic Preservation, California Department of Forestry and Fire Protection, Caltrans, San Diego Regional Water Quality Control Board, and other federal, state, and local agencies and with appropriate Native American tribes and nations.

A Notice of Availability for the Draft EA and draft Finding of No Significant Impact was published in the *San Diego Union Tribune* and *Alpine Sun* on October 4, 2018. The Notice of Availability is intended to solicit comments on the Proposed Action and involve the local community in the decision-making process. Additionally, a Notice of Completion (for Draft EA) was submitted to the California State Clearinghouse, which notified additional state agencies.

During the 30-day public review and comment period for the Draft EA, CBP considered comment submissions by email and mail. Substantive comments from federal, state, and local agencies; Native American tribes and nations; and the public were incorporated into the Final EA.

## **Environmental Consequences**

**Table 1** provides an overview of potential impacts anticipated under each alternative considered, broken down by resource area.

**Table 1. Summary of Potential Environmental Impacts by Alternative**

<b>Resource Area</b>	<b>Alternative 1: Proposed Action</b>	<b>Alternative 2: No Action Alternative</b>
Land Use	Short- and long-term, minor to moderate, adverse impacts on land use from construction and operation of the proposed BPS. Construction of the proposed BPS would result in short-term impacts on land use compatibility due to temporary construction disturbances. The Proposed Action would be consistent with land use plans and policies but would have long-term, moderate impacts on agriculture. The proposed roadway improvements would conflict with a Williamson Act contract; however, upon acquisition of the property by CBP (via purchase or easement) the contract for the portion of the property containing these public improvements would become null and void and be terminated. The Proposed Action would preclude use of most of the BPS site for agriculture but would not affect the viability of land uses, including agriculture, on adjacent properties.	No impacts
Geology and Soils	Short- and long-term, minor, adverse impacts on topography from earthmoving and grading activities during construction. Short-term, minor and long-term, negligible, adverse impacts on soils due to ground disturbance during construction and increase in impervious surfaces during operation, resulting in increased erosion and sedimentation potential. Short- and long-term, minor to moderate, adverse impacts on important farmland soils. Long-term, minor, adverse impacts from geological hazards. No impacts on regional geology.	No impacts
Vegetation	Short- and long-term, negligible, adverse impacts on vegetation from temporary disturbance and permanent removal of vegetation due to construction, accidental spills, and possible increased potential for spread and establishment of invasive species. Mitigation for temporary and permanent impacts on Diegan coastal sage scrub and flat-topped buckwheat vegetation communities would be accomplished through restoration of at least 14.6 acres of disturbed native and non-native vegetation. The establishment of an Onsite Conservation Area, on which CBP would implement management, maintenance, and monitoring, would act to avoid additional impacts. BMPs would also be implemented to reduce or avoid additional impacts.	Long-term, adverse impacts on vegetation from encroachment of invasive vegetation in previously disturbed areas of the BPS site if left unused and unmaintained.

<b>Resource Area</b>	<b>Alternative 1: Proposed Action</b>	<b>Alternative 2: No Action Alternative</b>
Terrestrial and Aquatic Wildlife Resources	Short- and long-term, direct and indirect, negligible, adverse impacts on terrestrial wildlife from habitat loss or degradation and potential killing/injuring of individual wildlife due to construction. Noise, fugitive dust, and increased human activity and traffic from construction, operation, and maintenance of the BPS could also result in temporary displacement of terrestrial species, prevention of migration, and increased collisions. Short-term, negligible, adverse and long-term, beneficial impacts on aquatic habitat downstream of the proposed BPS from increased and decreased sedimentation, respectively. BMPs would reduce short-term, adverse impacts.	Long-term, adverse impacts on wildlife from encroachment of invasive vegetation in previously disturbed areas of the BPS site if left unused and unmaintained, which would result in a loss of habitat and forage for wildlife.
Threatened and Endangered Species	Short- and long-term, indirect, negligible, adverse effects on Otay tarplant and San Diego thornmint and short-term, direct and/or indirect, negligible, adverse effects on the arroyo toad, California condor, southwestern willow flycatcher, least Bell's vireo, and coastal California gnatcatcher. Effects would be similar to those described for Vegetation and Terrestrial and Aquatic Wildlife Resources. Appropriate BMPs would be implemented to reduce or eliminate adverse effects. Short-term, direct and indirect, negligible, adverse effects on Quino checkerspot butterfly. The Proposed Action may affect and is likely to adversely affect Quino checkerspot butterfly; however, CBP would restore disturbed vegetation, including suitable Quino checkerspot butterfly habitat.	No impacts
Hydrology and Groundwater	Long-term, negligible to minor, adverse impacts on hydrology from the increase in impervious surfaces. Predevelopment hydrology would be maintained through installation of the proposed stormwater management system and use of low impact development standards. Short- and long-term, minor, adverse impacts on groundwater quality from increased runoff and sedimentation during construction and operation, and potential for accidental spills and contaminants from the proposed leach field to affect groundwater. Compliance with design measures, BMPs, and permitting requirements would be implemented to reduce or eliminate impacts. Long-term, minor to moderate, adverse impacts on groundwater supply from installation and use of one water well to provide potable water for the proposed BPS. The well would be adequate to serve the BPS and would not have major, adverse impacts on groundwater storage and well interference. The water would be disinfected and treated to remove excess fluoride and manganese.	No impacts

Resource Area	Alternative 1: Proposed Action	Alternative 2: No Action Alternative
Surface Waters and Waters of the United States	Short- and long-term, direct and indirect, minor, adverse impacts on surface waters, including potential waters of the United States, during construction and operation. CBP would comply with all applicable federal, state, and local regulations and requirements for work occurring within jurisdictional features. No major, adverse impacts on water quality. BMPs, including those in the Stormwater Pollution Prevention Plan, would be implemented to reduce or eliminate impacts.	No impacts
Floodplains	Short- and long-term, negligible, adverse impacts on floodplains from ground disturbance during construction and increased impervious surfaces during operation resulting in potential to increase sedimentation and reduce groundwater recharge on downstream floodplains. However, the proposed BPS site has limited to no floodplain functions; therefore, no increased risk to people or structures from flooding.	No impacts
Air Quality	Short-term, minor, adverse impacts on air quality from emission of criteria pollutants and greenhouse gases (GHGs) during construction. Criteria pollutant emissions would be below the de minimis threshold of each pollutant; therefore, the level of impacts would be minor and a General Conformity determination is not required. Long-term, minor, adverse and beneficial impacts on air quality from changes to annual emissions of criteria pollutants and GHGs from operations. Use of equipment, infrastructure, and vehicles would contribute to operational emissions; however, annual reductions in operational air emissions would result from greater transportation efficiency for USBP personnel. The Proposed Action would emit GHGs during construction but reduce annual emissions during operation. However, these increases and decreases of GHG emission rates would not meaningfully contribute to or lessen the potential effects of global climate change.	Long-term, adverse impacts on air emissions from USBP agents commuting from the existing BPS to the AOR would continue.
Noise	Short- and long-term, negligible to minor, adverse effects on the ambient noise environment from construction, operation, and maintenance of the proposed BPS. There are minimal noise-sensitive receptors (e.g., residences and California Department of Forestry and Fire Protection station) in the area, but they could be impacted by temporary noise during construction and temporary and intermittent noise during operation and maintenance.	No impacts

Resource Area	Alternative 1: Proposed Action	Alternative 2: No Action Alternative
Cultural Resources	Potential for adverse effects due to ground-disturbing activities, but these activities would not cause a substantial adverse change in the significance of any known cultural resources. No known existing cemeteries or previously recorded Native American or other human remains are within or adjacent to the proposed BPS site, and no impacts are anticipated for these resources. There is potential for the inadvertent discovery of cultural resources and human remains during construction; however, with implementation of BMPs, including CBP's established standard operating procedures for inadvertent discoveries, impacts on unknown cultural resources would be avoided. No impacts on cultural resources from operation and maintenance of the proposed BPS. The State Historic Preservation Officer concurred with the finding of 'No Historic Properties Affected' for the Proposed Action.	No impacts
Utilities and Infrastructure	Short- and long-term, negligible to minor, adverse impacts on electrical supply, water supply, wastewater systems, stormwater drainage, communications, and solid waste management. No impacts on natural gas/propane supply.	No impacts
Roadways and Traffic	Short-term, minor and long-term, negligible to moderate, adverse impacts on intersection and roadway levels of service and safety with inclusion of roadway/access improvements. The Proposed Action would not conflict with applicable congestion management program for Highway 94.	Long-term, adverse impacts on roadways and traffic from continued growth and development.
Aesthetics and Visual Resources	Short-term, negligible, adverse impacts from the temporary presence of construction equipment and ground disturbance at the proposed BPS site. Long-term, negligible, adverse impacts could result from visibility of the proposed BPS from scenic corridors and resource conservation areas, particularly along Highway 94.	No impacts
Hazardous Materials and Wastes	Short-term, minor and long-term, negligible, adverse impacts from the storage and use of hazardous materials and petroleum products, and the generation of hazardous wastes during construction and operation. No impacts from special hazards (asbestos-containing material, lead-based paint, and polychlorinated biphenyls), environmental contamination, and radon.	No impacts

Resource Area	Alternative 1: Proposed Action	Alternative 2: No Action Alternative
Socioeconomic Resources, Environmental Justice, and Protection of Children	Short-term, minor and long-term, negligible, beneficial impacts on the local economy and employment from construction expenditures and potential additional USBP personnel, respectively. No impacts on population or demographics; therefore, no impacts on housing and public services such as schools, libraries, and recreational facilities. Long-term, indirect, minor, adverse impacts on fire protection and emergency medical services. No disproportionately high and adverse human health and environmental impacts on minority and low-income populations or children.	No impacts
Human Health and Safety	Short-term, negligible, adverse impacts on contractor safety due to increased risk of accidents, but no impacts on the general public during construction. Long-term, minor, beneficial impacts on USBP personnel and public safety from improvement of law enforcement efficiency within the Brown Field Station AOR.	Long-term, minor, adverse impacts on USBP personnel and public safety from continued use of the existing BPS that is in poor condition and does not meet the needs of USBP.
Sustainability and Greening	Long-term, minor, beneficial impacts through implementation of sustainable design strategies to reduce air emissions and stormwater runoff and improve efficiency. Beneficial impacts on resource demands through water and energy conservation and reduced consumption, use of renewable energy where feasible, and reduced waste generation through repurposing and recycling. Long-term, minor, adverse impacts from disturbance of green and open spaces.	Long-term, minor to moderate, adverse impacts on resource sustainability from continued operation of existing BPS, which due to its poor condition limits the capacity to expand sustainable practices.

BMPs, design techniques, recommendations, or mitigation were developed for the following resource areas: Land Use, Geology and Soils, Vegetation, Terrestrial and Aquatic Wildlife Resources, Threatened and Endangered Species, Hydrology and Groundwater, Surface Waters and Waters of the United States, Floodplains, Air Quality, Noise, Cultural Resources, Utilities and Infrastructure, Roadways and Traffic, Aesthetics and Visual Resources, Hazardous Materials and Wastes, Socioeconomic Resources, Human Health and Safety, and Sustainability and Greening. A complete detailed description of BMPs and mitigation can be found in **Section 5** of the EA and are incorporated herein by reference.

## Finding

Based upon the results of the EA and the BMPs, environmental design measures, and mitigation to be implemented, the Proposed Action, CBP's Preferred Alternative, is not expected to have a significant effect on the environment. Therefore, no additional environmental documentation

under NEPA is warranted, and the preparation of an Environmental Impact Statement is not required.

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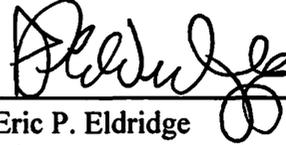
Date



Bartolome Mirabal  
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8/26/19

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