

DRAFT

FINDING OF NO SIGNIFICANT IMPACT

FOR THE

**SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT FOR INTEGRATED
FIXED TOWERS – PROPOSED HIGH-WATER CROSSING**

IN THE CASA GRANDE STATION’S AREAS OF RESPONSIBILITY

TUCSON SECTOR, ARIZONA

NAME OF PROPOSED ACTION

Integrated Fixed Towers (IFT) – Proposed High-Water-Crossing in the Casa Grande Station’s Area of Responsibility (AOR), Tucson Sector, Arizona.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

U.S. Customs and Border Protection (CBP) proposes to construct and maintain a High-Water Crossing at the Vamori Wash in Pima County, Arizona in the lands of the Tohono O’odham Nation, Casa Grande Stations' AOR. The purpose of the project is to provide sustained surveillance, enhance USBP operations, and support capabilities along the Traditional Northern Road by providing an all-weather road crossing through Vamori Wash.

CBP analyzed the following alternatives in the *Draft Supplemental Environmental Assessment* Integrated Fixed Towers (IFT) – Proposed High-Water-Crossing in the Casa Grande Station’s Area of Responsibility (AOR), Tucson Sector, Arizona, (hereinafter the Draft SEA). This Finding of No Significant Impact (FONSI) incorporates the descriptions, evaluations, and analyses in the Draft SEA.

Alternative 1: Alternative 1 is the No Action Alternative. The No Action Alternative for this Draft SEA is described as the Preferred Alternative of the Environmental Assessment for Integrated Fixed Tower on the Tohono O’odham Nation in the Ajo and Casa Grande Stations Area of Responsibility 2017 FEA (2017 FEA). Under the 2017 FEA Preferred Alternative, the Vamori Wash crossing would not be improved, but would be continued to be maintained and repaired. However, CBP’s ability to use the Traditional Northern Road through this area would be significantly hampered during Arizona's monsoon season.

Alternative 2: Alternative 2 is the Proposed Action. The Proposed Action is for the construction, maintenance, and repair of a High-Water Crossing through Vamori Wash, a multi-channel system. The Proposed Action includes construction of a one-lane High-Water Crossing (approximately 182 feet long and 13 feet wide) with 36-inch box culverts that would either be segmented pre-cast, or cast in place, through the main channel of Vamori Wash. All cast in place box culverts would follow the Arizona Department of Transportation standards and requirements for box culverts; construction of a one-lane High-Water Crossing (approximately 47 feet long and 13 feet wide) with box culverts

1 through the east channel of Vamori Wash; construction of two-lane unpaved approach
2 roads (16 feet wide with 2-foot shoulders); installation of box culverts in the east channel
3 of Vamori Wash; installation of a concrete swale in west channel of Vamori Wash;
4 installation of box culverts in southwest channel of Vamori Wash; and installation and
5 replacement of riprap on upstream and downstream sides of fills. In summary, the
6 Proposed Action would include approximately 1,700 feet of road improvements. It is
7 anticipated that the Proposed Action would permanently impact up to 4.8 acres associated
8 with the new concrete and roadway structures, and approximately 1.3 acres would be
9 temporarily impacted. Of the 4.8 acres, 2.4 acres are on Tohono O’odham Nation lands,
10 and 2.4 acres are within the Roosevelt Easement. The action will also include relocation
11 of the existing vehicle/border fence south of its current location but within the Roosevelt
12 Easement.

13 The existing low water crossing will be abandoned and allowed to naturally seed in
14 following decompaction and scarification following construction and barriers installed
15 outside the floodplain to prevent vehicle access. The project will reroute the existing road
16 and build up road elevations; and perform post-construction maintenance and repair of the
17 new crossing (Draft SEA Section 2.4.2). The Proposed Action will require obtaining Right-
18 of-Way (ROW) from Bureau of Indian Affairs and the Tohono O'odham Nation (Draft SEA
19 Section 2.4.3)

20 Best Management Practices (BMPs) to avoid, reduce, or minimize potential environmental
21 impacts as described in Section 5.0 of the Draft SEA are incorporated by reference to this
22 Finding of NoSignificant Impact as part of the Proposed Action. The Proposed Action
23 meets the purpose of and need for this project

24 **Alternatives Considered but Eliminated from Further Consideration**

25 Six alternatives were considered but eliminated from further consideration. Alternatives
26 were eliminated if after initial considerations it was found that they didn’t meet the Purpose
27 and Need of the project and or failed to meet the Selection Factors for Alternatives that
28 included:

- 29 • To maintain access to Integrated Fixed Tower (IFT) sites and their approach and
30 access roads;
- 31 • To perform maintenance and repair of the existing vehicle barrier fence along the
32 U.S.-Mexico border;
- 33 • To improve law enforcement operations along the Traditional Northern Road and
34 at San Miguel Gate;
- 35 • To improve the safety of USBP agents and the public who traverse the Traditional
36 Northern Road; and
- 37 • To facilitate access of Tribal members along the Traditional Northern Road.

38

1 PUBLIC INVOLVEMENT

2 Consultation and coordination with Federal, state, and local agencies and Federally
3 recognized tribes was initiated as part of the environmental assessment that was completed
4 in 2017. As part of that process, CBP invited the Tohono O'odham Nation and the BIA to
5 participate with cooperating agencies in the development of the original EA because of
6 their jurisdiction by law and expertise. Under the Proposed Action, BIA would issue a
7 ROW to CBP for proposed activities on Tohono O'odham Nation lands after the Tohono
8 O'odham Nation has consented to the ROW.

9 A Draft SEA was available for public review from April 17 to May 17, 2021, at
10 [http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review)
11 [review](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review) at the Tohono O'odham Community College Library and the Venito Garcia Library
12 and Archives in Sells and the Pima County Public Library in Tucson, Arizona. In addition,
13 cooperating agencies and coordinating agencies received hard copies of the Draft SEA
14 during this period. Notices of Availability for the Draft SEA were published in the Tohono
15 O'odham Nation's *The Runner*, *Ajo Copper News*, and *Arizona Daily Star* newspapers.

16 The Draft SEA will be available on the CBP website at
17 <https://www.cbp.gov/about/environmental-cultural-stewardship/current-ongoing-projects>.
18 The Draft SEA will also be available at the Tohono O'odham Community College Library,
19 the Venito Garcia Library and Archives, and the Pima County Public Library for a period
20 of thirty days. Notices of Availability for the Draft SEA will be published in the Tohono
21 O'odham Nation's *The Runner*, *Ajo Copper News*, and *Arizona DailyStar* newspapers.

22 ENVIRONMENTAL CONSEQUENCES

23 CBP has identified Alternative 2 (the Proposed Action) as the Preferred Alternative and
24 incorporates the descriptions, evaluations, and analyses in the attached EA. No mitigation
25 measures beyond the routine BMPs described in Section 5.0 in the EA are needed to prevent
26 significant direct, indirect, or cumulative impacts from implementation of the Preferred
27 Alternative.

28 **Physical Environment:** The Preferred Alternative would permanently affect up to 4.8
29 acres and temporarily alter up to 1.3 acres. Of this impact, 3.85 acres are already disturbed.
30 A total of approximately 0.95 acres of Sonoran desertscrub xeroriparian habitat would be
31 permanently removed. The plant community associated with the high-water crossing is
32 regionally common, and the permanent loss of vegetation would not adversely affect the
33 population viability of any plant species in the region. Temporary impact areas would be
34 allowed to revegetate naturally. BMPs would be implemented to prevent the spread of
35 invasive species.

36 The Preferred Alternative would have a direct, minor impact on soils in the project area.
37 All impacted soils are locally and regionally common. The Preferred Alternative would
38 not result in the loss of any soils classified as unique.

39 The Preferred Alternative would have a temporary, minor adverse impact on groundwater
40 resources during construction. Water needed for construction activities would be
41 purchased and delivered from nearby towns.

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1 The Preferred Alternative may potentially have temporary, minor impacts on surface water
2 as a result of increases in erosion and sedimentation associated with project construction.
3 However, a SWPPP will be prepared, and roadwork would be authorized under a non-
4 notifying Nationwide 14 Permit. Standard erosion control and soil stabilization BMPs
5 would be implemented during and following construction.

6 The Preferred Alternative would have minor effects on floodplains. The main channels of
7 Vamori Wash are designed for a 100-year storm event, with overtopping of the box culverts
8 expected during events that exceed the 5-year storm level. Hydraulic analyses predict that
9 water surface elevations at the U.S.-Mexico border could increase about 9 inches during
10 the 10-year flood as the result of water flow being impeded by the guard rails (USACE
11 2016a). Additionally, hydraulic models predict that debris blockage could result in the 5-
12 year storm event overtopping the structure, and predict an approximately 2.1-foot increase
13 in surface water elevation at the U.S.-Mexico border for a debris blocked structure.
14 However, because water surface elevation is spread out more laterally in larger events, a
15 debris blockage structure would result in an approximately 0.40 feet increase in water
16 surface elevation for the 100-year storm event (USACE 2016a). It is anticipated that any
17 debris buildup will be removed during the anticipated annual maintenance.

18 The Preferred Alternative would cause minor, temporary increases in air pollution that
19 would occur from the use of construction equipment (combustion emissions) and the
20 disturbance of soils (fugitive dust) during construction of the high-water crossing and
21 adjacent roads. Temporary increases in air emissions, fugitive dust, and noise levels are
22 anticipated during the construction of the high-water crossing and related roadwork.
23 However, air emissions associated with the construction of the high-water crossing and
24 associated roads would not exceed Federal and state criteria. Intermittent, negligible
25 impacts would result from post-construction activities associated with the Preferred
26 Alternative. Post-construction air emissions refer to air emissions that may occur after
27 construction is complete, such as maintenance and repair of the high-water crossing and
28 adjacent roads.

29 There are no sensitive noise receptors (e.g., schools, residences) adjacent to the project area
30 that would be impacted by construction noise. Construction noise associated with the
31 Vamori Wash High-Water Crossing would result in temporary, minor impacts on wildlife,
32 including protected species. However, local users and USBP agents would be able to utilize
33 the high-water crossing during the monsoon season, thus increasing vehicle trips and noise.
34 These increased vehicle trips and elevated noise levels would be intermittent and minor.
35 Wildlife inhabiting the project area and the surrounding habitat are habituated to traffic
36 noise on the Traditional Northern Road. Thus, noise levels associated with increased traffic
37 would have a long-term, minor impact on wildlife. The Preferred Alternative may
38 potentially have temporary, minor impacts on surface water as a result of increases in
39 erosion and sedimentation associated with project construction. However, a SWPPP would
40 be prepared, and roadwork would be authorized under Non-notifying Nationwide 14
41 Permit. BMPs would be implemented to ensure minimum degradation of water quality.

42 **Natural Environment:** The Preferred Alternative would have a long-term, minor impact
43 on wildlife resources. A total of approximately 0.95 acres of Sonoran desert scrub
44 xeroriparian vegetation would be permanently removed. The permanent loss of vegetation
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1 would not adversely affect the population viability or fecundity of any wildlife species in
2 the region.

3 CBP determined that the Preferred Alternative may affect, but is not likely to adversely
4 affect, the following Federally listed species: jaguar (*Panthera onca*), and yellow-billed
5 cuckoo (*Coccyzus americanus*). CBP has also determined that the Preferred Alternative
6 would not adversely modify designated critical habitat for the jaguar or the yellow-billed
7 cuckoo. The CBP has requested U.S. Fish and Wildlife Service's concurrence with its
8 determinations of may affect, but is not likely to adversely affect in accordance with Section
9 7 of the Endangered Species Act.

10 **Historic Properties:** CBP determined that the Preferred Alternative would not adversely
11 affect any National Register of Historic Places (NRHP) listed or eligible architectural or
12 aboveground resource, NRHP listed or eligible archaeological resource, traditional cultural
13 property, or sacred site. To minimize potential effects, AZ DD:5:28 (ASM) should be
14 avoided. Avoidance measures would include staking and flagging the site boundary, as
15 well as having an archaeological and tribal monitor present during construction activities.
16 Construction activities would be restricted to outside of the marked site boundary. The
17 Tohono O'odham Nation Tribal Historic Preservation Officer concurred with this
18 determination in accordance with Section 106 of the National Historic Preservation Act.

19 In the event that unanticipated archaeological resources are discovered during
20 construction or any other project-related activities, or should known archaeological
21 resources be inadvertently affected in a manner that was not anticipated, CBP would
22 implement the procedures detailed in the BMPs located at measures 6 - 14 under Section
23 2b of the Draft SEA. This procedure was developed in coordination with BIA and the
24 Tohono O'odham Nation Tribal Historic Preservation Officer to handle sensitive
25 archaeological resources.

26 **Human Environment:** The Preferred Alternative would have no impact on utilities.
27 During construction, the Preferred Alternative would have a temporary minor impact on
28 roadways and traffic within the project area. Impacts associated with road maintenance
29 would be long-term and negligible. There would be no exposure of the environment or
30 public to any hazardous materials. Further, any adverse effects on human health would be
31 negligible due to the minimal exposure risk and the elevated locations in which the
32 communications equipment would be positioned on the towers.

33 **FINDING**

34 On the basis of the analysis in the Draft SEA, which is incorporated by reference, and which
35 has been conducted in accordance with the National Environmental Policy Act, the Council
36 on Environmental Quality regulations, and Department of Homeland Security Directive
37 023-01 (October 2014) and Instruction 023-01-001-01, Rev. 01 (November 2014) both
38 "Implementation of the National Environmental Policy Act", and after careful review of
39 the potential environmental impacts, we find the Preferred Alternative would not have a
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1 significant impact on the quality of the human or natural environment, either individually or
2 cumulatively and an Environmental Impact Statement is not required. Further, in
3 implementing the Preferred Alternative, we are committed to incorporating the BMPs and
4 environmental design measures identified in the Draft SEA and supporting documents.

5 _____
6 Executive Director, Program Management Office Date
7 U.S. Border Patrol Headquarters
8 U.S. Customs and Border Protection

9 _____
10 Facilities Management and Engineering Director Date
11 U.S. Border Patrol Headquarters
12 U.S. Customs and Border Protection