

FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT
FOR THE
PROPOSED DEMOLITION OF
U.S. CUSTOMS AND BORDER PROTECTION-OWNED HOUSING
AT FALCON VILLAGE, STARR COUNTY, TEXAS

NAME OF PROPOSED ACTION

Proposed Demolition of U.S. Customs and Border Protection (CBP)-Owned Housing at Falcon Village, Starr County, Texas

PURPOSE AND NEED

The purpose of the Proposed Action is to eliminate the need for CBP-ongoing maintenance and upkeep of housing units that are no longer needed in support of operations at the Falcon Dam Land Port of Entry (LPOE).

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

PROPOSED ACTION

The Proposed Action consists of demolishing the eight (8) CBP-owned housing units that are no longer needed in support of operations at the Falcon Dam LPOE. The overall goal of the project is to demolish and completely remove all housing units and related infrastructure (fences, aboveground and known or discovered underground storage tanks [ASTs and USTs], septic tanks, cisterns, walkways to the houses, steps or entries, fallen trees or vegetation, trees less than 2 inches in diameter, bushes, stumps, etc.) at each of the eight (8) properties. The concrete slabs, driveways, and footing of the units would be protected and left in place to minimize soil erosion. All water and sewer penetrations would be capped below the finish grade of the concrete slabs. All trees larger than 2 inches in diameter would also be protected and left in place. After the demolition activities are completed, all properties would then be restored by filling any holes, trenches, and/or depressions and grading the disturbed areas to match the surrounding areas.

ALTERNATIVES CONSIDERED

Alternative 1 consists of donating up to four (4) of the CBP-owned housing units that are identified as contributing resources within the National Register of Historic Places (NRHP)-recommended Falcon Dam and Falcon Village Historic District and demolishing the remaining four (4) CBP-owned units. Under the No Action Alternative, CBP would retain the eight (8) housing units and continue to provide upkeep and maintenance. Only the Proposed Action was deemed to fulfill the purpose and need for action. As a result, Alternative 1 was eliminated from detailed study in the EA. The reasoning for elimination is discussed briefly below. The No Action Alternative does not satisfy the purpose and need for action; however, pursuant to the National Environmental Policy Act (NEPA), the No Action Alternative has been carried forward as the baseline to which potential impacts of the Proposed Action can be measured. The No Action Alternative is also discussed briefly below.

- **Alternative 1 – Donate up to Four (4) of the CBP-Owned Housing Units Identified as Contributing Resources within the NRHP-Eligible Falcon Dam and Falcon Village Historic District and Demolish the Four (4) Remaining CBP-Owned Units.** Under this alternative, CBP would donate or transfer ownership of up to four (4) of the housing units identified as contributing resources within the NRHP-recommended Falcon Dam and Falcon Village Historic District. This would include housing units C-102, C-104, C-106 (all built in 1962), and L-101 (built in 1965). The remaining four (4) housing units, I-401, I-403, I-405, and I-407 would be demolished. Under this alternative, CBP would no longer be responsible

for on-going maintenance and upkeep of the units. CBP officials contacted the International Boundary and Water Commission (IBWC) (U.S. Section), the Texas Historical Commission (THC), and the Starr County Historical Commission regarding the desire to dispose of the four (units) identified as contributing resources within the NRHP-recommended Falcon Dam and Falcon Village Historic District. Although the Starr County Historical Commission expressed an interest in the use of one (1) or more of the units, the existing infrastructure cannot currently support occupancy (IBWC 2013). As a result, this alternative was eliminated from any further consideration.

- **No Action Alternative – Continued CBP-Ownership of the Eight (8) Housing Units No Longer Needed in Support of Falcon Dam LPOE Operations.** Under the No Action alternative, CBP would retain ownership of the eight (8) housing units that are no longer needed to support operations at the Falcon Dam LPOE. Retaining ownership would require CBP to continue to provide on-going maintenance and upkeep on the units. Expenditures would continue for as long as CBP retains ownership of the housing units.

PUBLIC INVOLVEMENT

Coordination was conducted with the Texas Parks and Wildlife Department (TPWD) and the U.S. Fish and Wildlife Service (USFWS) as it relates to implementation of measures to ensure no impact to protected species. Under Section 106 of the National Historic Preservation Act (NHPA), consultation was conducted with the Texas State Historical Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) regarding adverse impacts to the NRHP-recommended Falcon Dam and Falcon Village Historic District. As part of the process, the Alabama-Coushatta Tribe, the Comanche Nation, and the Tonkawa Tribe of Oklahoma were contacted regarding the Proposed Action.

The Draft EA was made available for public review for 30 days after a Notice of Availability (NOA) was published in the Starr County Town Crier on November 25, 2013. A copy of the NOA is included in the Final EA. An affidavit of publication is also included in the Final EA. The Draft EA was also made available for review at the Starr County-Roma Public Library, 1705 North Athens Street, Roma, Texas, 78584, (956) 849-0072 and online at http://www.cbp.gov/xp/cgov/about/ec/nepa_pr/. A public informational meeting was conducted December 9, 2013 at the Recreational Hall at Falcon Village. A copy of the newspaper notice and affidavit of publication are included in the Final EA. There were no attendees at the meeting and no comments were received on the Draft EA. All correspondence sent or received during the preparation of this EA is included in the Final EA (including elected officials and agencies that might have an interest in the proposed action). CBP provided a copy of the Draft EA to the THC and the IBWC for review and comment. The Final EA and signed Finding of No Significant Impact (FONSI) will be made available to the public after an additional NOA is published in the Starr County Town Crier. The Final EA and signed FONSI will also be made available for review at the Starr County-Roma Public Library and online (see addresses above).

ENVIRONMENTAL CONSEQUENCES

Best Management Practices (BMPs) designed to reduce or minimize potential impacts on a given resource are described in Section 5.0 of the EA and are incorporated by reference to this FONSI. Implementing the Proposed Action would be expected to result in:

- No significant air quality impacts; however, minor, short-term negative impacts could be expected on a local level, throughout the duration of the demolition activities. Conditions would be expected to return to normal once activities were completed. The temporary impacts would primarily be the result of soil disturbances, razing of the homes, and exhaust emissions from heavy equipment and on-road worker and material/equipment delivery vehicles.
- No significant noise impacts; however, a minor, short-term increase in noise could be expected throughout the duration of the demolition activities. Conditions would be expected to return to normal once activities were completed. The temporary impacts would be the result of heavy equipment operation.

- No significant impact as a result of the use of hazardous materials or chemicals as part of demolition activities or from encountering hazardous materials and/or sites during demolition activities. There appear to be no known hazardous materials sites in the vicinity, and all hazardous materials either used, generated, or disposed of as part of the demolition activities would be done so in accordance with all pertinent Federal, State, and local regulations.
- No significant impact as a result of existing asbestos-containing material (ACM) or lead-based paint (LBP). Prior to demolition activities, all ACM and LBP would be removed and disposed of in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and other pertinent Federal, State, and/or local regulations.
- No significant impacts to wildlife or protected species. As stated in the Final EA, all cave swallow and oriole nests have been removed by personnel qualified to do such removal. On-site maintenance personnel have been directed to inspect the structures on a bi-weekly basis to ensure that no additional nests become established. All demolition personnel would be instructed on the significance and potential habitat/presence of the Texas horned lizard and Texas indigo snake in the area. Immediately before demolition commences at each property, a biologist (or other personnel trained/instructed, and/or qualified) would do a walking survey in an effort to make sure neither species is present. If either species is seen or uncovered either prior to, or during demolition, activities would cease and the species would be removed safely from the property. If any species are seen/encountered, additional care would be taken as demolition activities continue, and based on on-site conditions (presence or absence of either species), activities may be modified in a manner that best allows for the identification and safe removal of either species.
- No significant socioeconomic impacts. There would be no expected effect on the existing population, housing, or the existing racial or ethnic composition of the area, as there would be no new influx or outflow of people. Implementing the Proposed Action would result in no new long-term employment opportunities. As a result, existing income and employment in the area would not be expected to change. However, short-term employment gains could be realized as a result of the contracted demolition activities. A limited short-term economic gain to local/nearby communities could also be realized as a result of construction worker food and beverage sales, hotel accommodations, construction materials purchasing, equipment/vehicle rental, etc. Implementing the Proposed Action could result in a minor reduction in the overall number of available houses in the area (eight housing units). However, because the housing units (and lots) are owned by the Federal Government (and were occupied by Federal employees at one time), it is not clear as to whether or not the units were included in the 2010 U.S. Census Bureau (USCB) counts. Either way, a loss of eight (8) units would not noticeably affect the housing characteristics of the area.
- No significant impacts to minority or low-income populations, or to children. As demonstrated in the Final EA, because no significant impacts to the natural and/or man-made or human environments would be anticipated, no significant impacts (disproportionate or otherwise) would therefore be anticipated to minority and low-income populations or children in the area.
- No significant impact to archaeological or historic architectural resources (including Native American resources). However, because four (4) of the eight (8) houses proposed for demolition are considered to be contributing elements of the NRHP-recommended Falcon Dam and Falcon Village Historic District, implementing the Proposed Action would result in an adverse impact to the District. Because of this, CBP entered into Section 106 consultation with the Texas SHPO regarding the likely impacts and mitigation strategies to be implemented in an effort to minimize the impact. The mitigation measures have been documented in a Memorandum of Agreement (MOA) included in the Final EA. The mitigation measures outlined in the MOA are currently being implemented, and CBP is committed to ensuring the successful completion of all measures stipulated in the MOA. Upon completion of the mitigation measures, there would be no significant impact to the NRHP-recommended Falcon Dam and Falcon Village Historic District.

- No significant impacts to the aesthetics or visual resources of the area. However, although not considered significant, implementing the Proposed Action would be expected to result in an adverse impact to the visual character of the NRHP-recommended Falcon Dam and Falcon Village Historic District. Implementing the Proposed Action would result in the demolition of four (4) houses that are considered to be contributing elements of the NRHP-recommended Falcon Dam and Falcon Village Historic District. The overall visual character of the District would be permanently altered. Because of this, CBP entered into Section 106 consultation with the Texas SHPO regarding the likely impacts and mitigation strategies to be implemented in an effort to minimize the impact. The mitigation measures have been documented in a MOA included in the Final EA. The mitigation measures outlined in the MOA are currently being implemented, and CBP is committed to ensuring the successful completion of all measures stipulated in the MOA. Upon completion of the mitigation measures, there would be no significant impact to the NRHP-recommended Falcon Dam and Falcon Village Historic District.

FINDING

The referenced EA has been conducted in accordance with NEPA, the Council on Environmental Quality (CEQ) regulations, and U.S. Department of Homeland Security Management Directive 023-01. After careful review of the EA and the potential environmental impacts of implementing the Proposed Action, we find there would be no significant impact on the quality of the human or natural environment, either individually or cumulatively. As a result, there is no requirement to prepare an Environmental Impact Statement (EIS). We commit to implementing the BMPs, environmental design and/or mitigation measures identified in the EA and supporting documents.



Signature

3/11/14

Date

Project Proponent
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Signature

3/27/2014

Date

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