FINAL

ENVIRONMENTAL ASSESSMENT

FOR THE PROPOSED NEW FREER BORDER PATROL STATION

U.S. BORDER PATROL, LAREDO SECTOR, TEXAS

Department of Homeland Security
U.S. Customs and Border Protection
U.S. Border Patrol

NOVEMBER 2012

FINDING OF NO SIGNIFICANT IMPACT
FOR THE PROPOSED NEW FREER BORDER PATROL STATION, U.S. BORDER PATROL, LAREDO SECTOR, TEXAS

Project History: U.S. Border Patrol (USBP) is a law enforcement entity of U.S. Customs and Border Protection (CBP) within the Department of Homeland Security. USBP's priority mission is to prevent the entry of terrorists and their weapons of terrorism and to enforce the laws that protect the U.S. homeland. This is accomplished by the detection, interdiction, and apprehension of those who attempt to illegally enter or smuggle any person or contraband across the sovereign borders of the U.S. between the land ports of entry. The addition of new agents and personnel will facilitate the primary goals and objectives of USBP's national strategy. Increasing trends in illegal border activity require additional USBP agents and other resources to enhance the operational capabilities of USBP.

An increased USBP agent force is anticipated for the Freer Station. An Environmental Assessment (EA) was prepared in accordance with the National Environmental Policy Act and analyzes the project alternatives and potential impacts on the human and natural environment from three selected alternative sites.

Purpose and Need: The purpose of the Proposed Action is to accommodate the addition of new agents and personnel to increase border security within the Duval County area and USBP Laredo Sector, with an ultimate objective of reducing illegal cross-border activity. The need for the Proposed Action is to provide adequate space and facilities for the USBP agents and staff currently operating out of the existing station; additional space and facilities for expansion to approximately 260 personnel including agents and staff; facilities necessary for an increased effectiveness of USBP agents in the performance of their duties; opportunity for future expansion as necessary; and a more safe, effective, and efficient work environment for agents.

Proposed Action: The Proposed Action includes the construction, operation, and maintenance of a new station located approximately 1 mile east of Freer, Texas, on the north side of State Highway 44, near the existing Freer Border Patrol Station. Access to the new station would be located off State Highway 44. The site is composed of an approximately 35-acre parcel with a collocated residence and business, which would be demolished and removed prior to USBP Station construction. The new station would be constructed to qualify for Leadership in Energy and Environmental Design Silver certification by the U.S. Green Building Council. The new Freer Station would include an administration building with a muster room, patrol command, alien processing and detention space, field support and communications room, a vehicle service and maintenance shop, impound lot, fuel islands and parking, an indoor firing range, a technology support area, perimeter security lighting, an 8-foot-high chain-link security fencing, a 160-foot-tall communications tower and communications building, a 100-foot tall wind turbine with 15-foot blades, kennels for canines, stables, round pen, turn-out and training pavilion for horses, helicopter pad, and helicopter refueling station. It is anticipated that an average of five helicopter landings would occur daily at the new station.

The Proposed Action would also include the continued maintenance of the new station. Such activities could include, but are not limited to, minor renovations and additions to buildings such as realigning interior spaces of an existing building, adding a small storage shed to an existing building, or installing a small antenna on an already existing communications tower that does not cause the total height to exceed 200 feet, kennels, security systems, lighting, parking areas, and stormwater detention basins. Other maintenance activities could include routine upgrade, repair, and maintenance of the new station buildings, roofs, parking area, grounds, or other facilities that would not result in a change to its functional use (e.g., replacing door locks or windows, painting interior or exterior walls, resurfacing a road or parking lot, culvert maintenance, grounds maintenance, or replacing essential station components such as an air conditioning unit).

Closure of the existing station would include ending the current lease agreement and relocation of existing staff, equipment, and materials to the new station.

Alternative Sites Considered: Five alternative sites were considered during the planning stages of the proposed project: the Walker Site, which is the Preferred Alternative Site, the Coggeshall Site, the Bhaga Site, the Pena Complex, and the Old Auction Barn Site. The Coggeshall and Bhaga sites were eliminated from further analysis. The Bhaga site was eliminated due to the presence of a high pressure gas pipeline that crosses the parcel. The Coggeshall site was eliminated due to its proximity to an airport, presence of sensitive cultural and biological resources, and accessibility from nearby roadways. The Preferred Alternative Site, Pena Complex, and Old Auction Barn Site were determined to all be viable alternative sites for the location of the new Freer Border Patrol Station. All three alternative sites would require the construction of a water/sewer pipeline from the City of Freer within the existing Texas Highway 44 right of way. The alternative sites are located within 1 mile of each other.

Affected Environment and Consequences: The construction and operation of the new station would potentially result in minimal to moderate impacts, including temporary impacts on noise and transportation during construction activities. Following construction, 13 acres would be developed and consist of primarily impermeable surfaces, increasing surface runoff during rain events and potentially impacting surface water quality. An additional 22 acres would be landscaped and maintained behind a security fence. With the implementation of environmental design measures, these impacts on water quality would be minimal. Moderate impacts on residences within 0.7 mile of the new station would occur due to noise emissions from helicopter operations. There would be a permanent loss of biological productivity of soils and vegetation with the implementation of the Proposed Action. However, the vegetation on the Preferred Alternative Site is maintained and is relatively common locally and regionally, and the majority of the site is used for residential and commercial purposes. Although ocelots (*Leopardus pardalis*) occur in Duval County and there was a recent sighting near the site, there is no suitable travel or hunting habitat on the Preferred Alternative Site. The State Historic Preservation Officer concurred that no historic properties would be affected by the Proposed Action. Due to the rural nature of Duval County, the lack of suitable habitat for wildlife and listed species at the Preferred Alternative Site, and the limited development anticipated in the area, no cumulative impacts are anticipated.

Best Management Practices: Best management practices that will be implemented during construction, operation, and maintenance of the new station are described in Section 5 of the EA and are incorporated by reference into this Finding of No Significant Impact. Some of the more pertinent measures include, but are not limited to, the following:

1. Prepare and implement a Spill Prevention, Control, and Countermeasures Plan (SPCCP) to prevent and manage accidental spills that might occur during construction of the station. Operation of the station will also require an SPCCP due to the presence of hazardous materials associated with the vehicle maintenance shop and fueling station.
2. Prepare and implement a Stormwater Pollution Prevention Plan to control stormwater erosion and sedimentation during construction.
3. Conduct bird surveys, in accordance with the Migratory Bird Treaty Act, in the event that clearing and grubbing activities occur during the normal migratory bird breeding and nesting season.
4. Prepare an Avian and Bat Protection Plan and coordinate its development with the U.S. Fish and Wildlife Service prior to the construction of a wind turbine.
5. Provide immediate notification to the State Historic Preservation Officer in the event that any subsurface cultural resources are uncovered during construction.

Findings and Conclusions: No significant adverse impacts are anticipated for any resource analyzed within this document. Therefore, no further analysis or documentation (i.e., Environmental Impact Statement) is warranted. CBP, in implementing this decision, would employ all practical means to minimize the potential adverse impacts on the human and biological environment.

Project Proponent: Efren V. M. Garcia 7 NOV 2012

Efren V. M. Garcia
Director
Facilities Branch
Office of Border Patrol

Date

Approved: Karl H. Calvo 16 NOV 2012

Karl H. Calvo
Executive Director
Facilities Management and Engineering
U.S. Customs and Border Protection

Date

FINAL

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November 2012

Lead Agency: Department of Homeland Security
U.S. Customs and Border Protection
1300 Pennsylvania Ave NW
Washington, DC 20229

Point of Contact: Mr. Roger Empie
U.S. Customs and Border Protection
Facilities Management and Engineering
Border Patrol Facilities – TI PMO
150 Westpark Way
Euless, TX 76040-3962

EXECUTIVE SUMMARY

INTRODUCTION:	U.S. Border Patrol (USBP) is a law enforcement entity of U.S. Customs and Border Protection (CBP) within the Department of Homeland Security. USBP's priority mission is to prevent the entry of terrorists and their weapons of terrorism and to enforce the laws that protect the U.S. homeland. This is accomplished by the detection, interdiction, and apprehension of those who attempt to illegally enter or smuggle any person or contraband across the sovereign borders of the U.S. During recent years, illegal aliens have cost U.S. citizens billions of dollars annually due directly to criminal activities, as well as the cost of apprehension, detention, and incarceration of criminals; and indirectly in loss of property, illegal participation in government programs, and increased insurance costs. An increase of agents assigned to the Freer USBP Station is anticipated, and a larger USBP station is needed to accommodate the increasing agent force. This Environmental Assessment was prepared in accordance with the National Environmental Policy Act and analyzes the project alternatives and potential impacts on the human and natural environment from three selected alternative sites.
PURPOSE AND NEED:	The purpose of the Proposed Action is to accommodate the addition of new agents and personnel to increase border security within the Duval County area and USBP Laredo Sector, with an ultimate objective of reducing illegal cross-border activity. The need for the Proposed Action is to provide adequate space and facilities for the USBP agents and staff currently operating out of the existing station; additional space and facilities for expansion to approximately 260 personnel, including agents and staff; facilities necessary for an increased effectiveness of USBP agents in the performance of their duties; opportunity for future expansion as necessary; and a more safe, effective, and efficient work environment for agents.
DESCRIPTION OF PROPOSED ACTION:	The Preferred Alternative includes the construction, operation, and maintenance of a new station located approximately 1 mile east of Freer, Texas, on the north side of State Highway 44, near the existing Freer Border Patrol Station. Access to the new station would be located off State Highway 44. The site is composed of a 35-acre parcel containing a collocated residence and business, which would be demolished prior to the USBP Station construction. Closure of the existing station would include ending the current lease agreement and relocation of existing staff, equipment, and materials to the new station.

PROPOSED ACTION AND ALTERNATIVES CONSIDERED:	Five alternative sites were considered during the planning stages of the proposed project: the Walker Site, which is the Preferred Alternative Site, the Coggeshall Site, the Bhaga Site, the Pena Complex, and the Old Auction Barn Site. The Coggeshall and Bhaga sites were eliminated from further analysis. The Preferred Alternative Site, Pena Complex, and Old Auction Barn Site were all determined to be viable alternative sites for the location of the new Freer Border Patrol Station. All three alternative sites would require the construction of a water/sewer pipeline from the City of Freer. The alternative sites are located within 1 mile of each other.
AFFECTED ENVIRONMENT AND CONSEQUENCES:	The construction and operation of the new station would potentially result in minimal to moderate impacts, including temporary impacts on noise and transportation during construction activities. Following construction, 13 acres would be developed and consist of primarily impermeable surfaces, increasing surface runoff during rain events and potentially impacting surface water quality. An additional 22 acres would be landscaped and maintained behind a security fence. With the implementation of environmental design measures, these impacts on water quality would be minimal. Moderate impacts on residences within 0.7 mile of the new station would occur due to increased noise emissions from helicopter operations. There would be a permanent loss of biological productivity of soils and vegetation with the implementation of the Proposed Action. The vegetation on the Preferred Alternative Site is highly disturbed, regionally common, and is maintained by the landowner and commercial tenant through mowing activities. Although ocelots (*Leopardus pardalis*) occur in Duval County and there was a recent sighting near the Preferred Alternative Site, the Preferred Alternative Site is not suitable travel habitat for the ocelot because most of the property is developed. Due to the rural nature of Duval County, the lack of suitable habitat for wildlife at the Preferred Alternative Site, and the limited development anticipated in the area, no cumulative impacts are anticipated.
FINDINGS AND CONCLUSIONS:	No significant adverse impacts are anticipated for any resource analyzed within this document. Therefore, no further analysis or documentation (i.e., Environmental Impact Statement) is warranted. CBP, in implementing this decision, would employ all practical means to minimize potential adverse impacts on the human and biological environment.

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SECTION 1.0
INTRODUCTION

1.0 INTRODUCTION

In 1924, Congress created the U.S. Border Patrol (USBP) to serve as the law enforcement entity of Immigration and Naturalization Service (INS), and it did so until November 25, 2002, when Congress transferred all INS responsibilities to the newly created Department of Homeland Security (DHS) with the passage of the Homeland Security Act of 2002 (Public Law [PL] 107-296). USBP was officially transferred into the Office of Border Patrol, under DHS and U.S. Customs and Border Protection (CBP), on March 1, 2003.

CBP prepared an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new USBP station near Freer, Texas, within the USBP Freer Station's Area of Responsibility (AOR). The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agents.

The Freer Station is responsible for approximately 6,157 square miles within Duval, Jim Wells, Live Oak, McMullan, and Webb counties, Texas. The Freer AOR has four vital North American Free Trade Agreement (NAFTA) corridors intersecting its boundaries. They are U.S. Highway 281, U.S. Highway 59, State Highway 16, and State Highway 44 (Figure 1-1).

The Freer Station plays an integral part in the overall National Border Patrol Strategy as a secondary line of defense between the border with Mexico and the interior of the United States. Current operations at the Freer Station ensure that resources, manpower, and technology are deployed to maximize a deterrent posture at the Freer Checkpoint on U.S. Highway 59, which is the Freer Station's primary responsibility.

The station's secondary responsibility is to conduct ranch and brush patrol operations. These two operations work simultaneously to deter the illegal entry of aliens, narcotics, and possible terrorists who may attempt to circumvent the station's oversight.

The existing Freer USBP station, located on 4 acres of leased land at 5087 State Highway 44 in Freer, Texas, is composed of a cinder-block building, two modular buildings, a vehicle maintenance area, a gravel and paved parking area, and two canine kennels for short-term housing of canines from other units. USBP anticipates an increase to approximately 260 agents and support staff. Therefore, the existing station's limited size does not provide adequate space for the planned increase. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the Freer Station's AOR.

1.1 STUDY LOCATION

The proposed new station would be constructed near the City of Freer, Texas, within the Freer Station's AOR (see Figure 1-1). Freer is located in Duval County, Texas, approximately 70 miles east of Laredo. The Freer Station is one of eight stations composing the Laredo Sector, along with Laredo North, Laredo South, Hebbronville, Cotulla, Zapata, Dallas, and San Antonio.

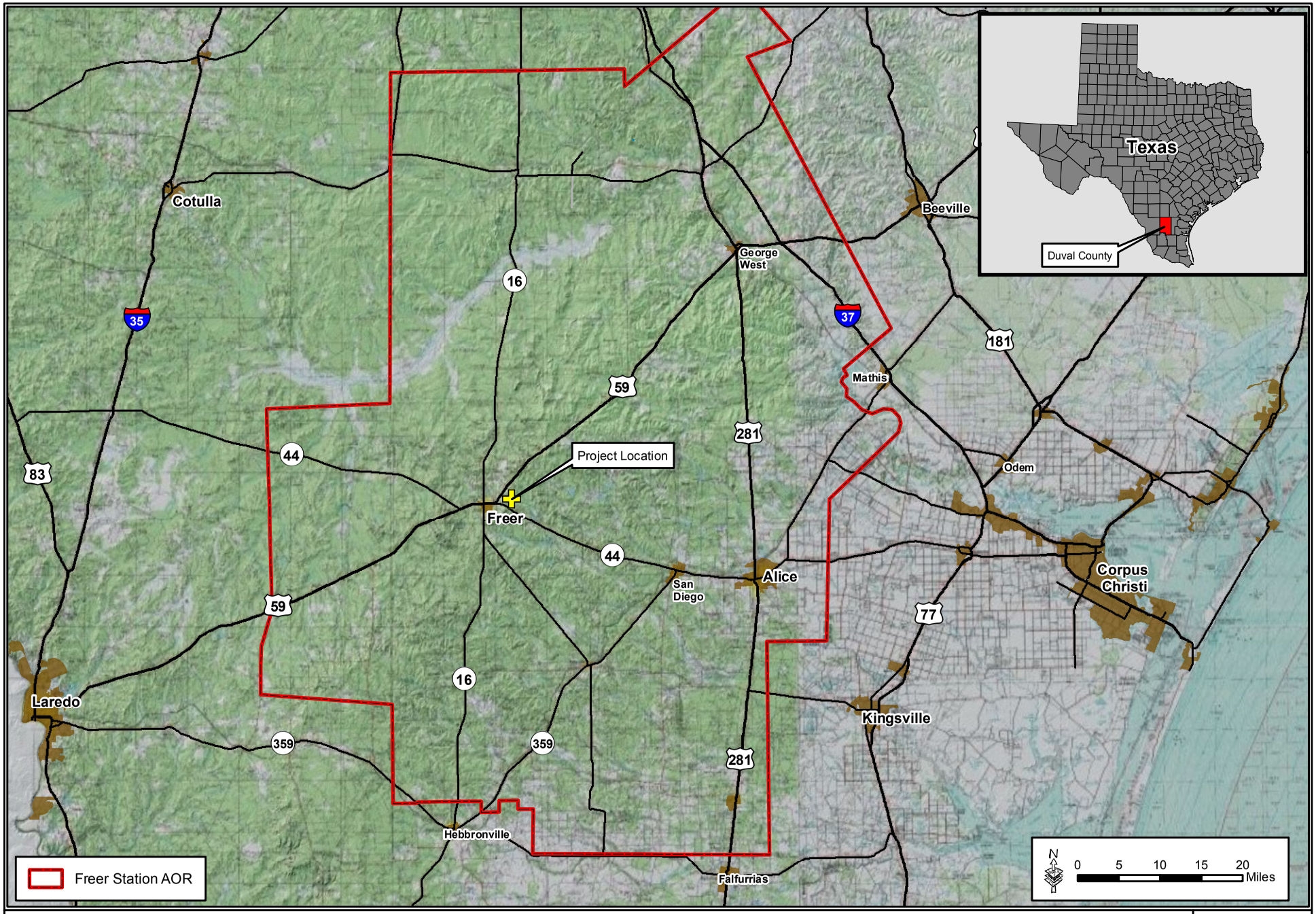

Figure 1-1: Vicinity Map

GSRC

May 2010

1.2 REGULATORY AUTHORITY

The primary sources of authority granted to USBP agents are the Immigration and Nationality Act (INA) of 1959 (PL 82-414) contained in Title 8 of the U.S. Code (U.S.C.) "Aliens and Nationality" and other statutes relating to the immigration and naturalization of aliens. The secondary sources of authority are administrative regulations implementing those statutes, judicial decisions, and administrative decisions of the Board of Immigration Appeals. In addition, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (PL 104-208) and, subsequently, the Homeland Security Act of 2002 (PL 107-296) mandate DHS to acquire and improve equipment and technology along the border, hire and train new agents for the border region, and develop effective border enforcement strategies.

Subject to constitutional limitations, USBP agents may exercise the authority granted to them in the INA. The statutory provisions related to enforcement authority are found in 8 U.S.C. 1357(a, b, c, e), 1225, 1324(b, c), 1324(a); 1324(c). Other statutory sources of authority are found in 18 U.S.C. "Crimes and Criminal Procedure," which has several provisions that specifically relate to enforcement of the immigration and nationality laws; 19 U.S.C. 1401(i) "officer of the customs, customs officer" relating to U.S. Customs Service cross-designation of immigration officers; and 21 U.S.C. 878 "powers of enforcement personnel" relating to Drug Enforcement Agency cross-designation of immigration officers.

Through the development and implementation of a National Strategy (CBP 2012), USBP has reduced illegal entries and gained greater levels of control along the international boundary. An increase of agent force is a component of this strategy. Consequently, many of the USBP facilities require improvements, expansion, or construction of new facilities to provide the necessary support for the additional agent force. USBP sectors identified the stations where additional agents would be assigned, including the Freer Station.

1.3 PURPOSE AND NEED

CBP and USBP propose the construction, operation, and maintenance of a new USBP Station in the Freer Station AOR for the purpose of facilitating the primary goals and objectives of USBP's strategy, which includes the addition of new agents and personnel. Based upon the increasing trends in illegal border activity, additional USBP agents and other resources are required to enhance the operational capabilities of USBP. The need for the Proposed Action Alternative is to provide the following:

- adequate space and facilities (e.g., administrative, special operations, and patrol command offices, muster room, and staff showers and lockers) for the agents and staff currently operating out of the existing station
- additional space and facilities for expansion of the station to support approximately 260 agents and support staff
- facilities necessary for an increased effectiveness of USBP agents in the performance of their duties (e.g., vehicle maintenance shop, fuel storage, vehicle parking, detention and processing space, secure vehicle seizure lot, dog kennels, stables and associated equestrian facilities, helicopter pad, and communications tower)

- opportunity for future expansion as necessary
- a more safe, effective, and efficient work environment

1.4 SCOPE OF THE ANALYSIS

The scope of this EA includes the analysis of effects resulting from the construction, operation, and maintenance of a new station. This analysis does not include an assessment of operations conducted in the field and away from the station. These operations would continue regardless of station location or condition. Construction of a new station would include development of lands within the Freer Station's AOR in the vicinity of the City of Freer. Closure of the existing station would include ending the current lease agreement and relocation of existing staff, equipment, and materials to the new station. The potentially affected natural and human environment would be limited to resources associated with the City of Freer and Duval County, Texas; however, most potential effects would be limited to the construction site and immediately adjacent resources.

1.5 APPLICABLE ENVIRONMENTAL GUIDANCE, STATUTES, AND REGULATIONS

This EA was prepared by CBP in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321-4347) and the Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), as well as the DHS "Environmental Planning Directive" Directive 023-01, and other pertinent environmental statutes, regulations, and compliance requirements, as summarized in Table 1-1.

1.6 PUBLIC INVOLVEMENT

Consultation and coordination with Federal, state, and local agencies occurred during preparation of the EA (Appendix A). Included are contacts that were made during the development of the action alternatives and writing of the EA. Formal and informal coordination was conducted with the following agencies:

- U.S. Fish and Wildlife Service (USFWS)
- Texas Parks and Wildlife Department (TPWD)
- Texas Commission on Environmental Quality (TCEQ)
- U.S. Environmental Protection Agency (USEPA)
- Texas Historical Commission (THC)
- Native American Tribes
- Duval County
- City of Freer

Table 1-1. Relevant Policy Documents, Invoking Action, Regulatory Requirements, and Status of Compliance *

Policy Document	Administrative Authority	Invoking Action	Requirements for Compliance	Status of Compliance
Archaeological Resources Protection Act of 1979 16 U.S.C. § 470 et seq.	Department of the Interior	Excavation, removal, damage, or other alteration or defacing; or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource 43 CFR 7.4	Because activities are exclusively for purposes other than the excavation and/or removal of archaeological resources, even though those activities might incidentally result in the disturbance of archaeological resources, no permit shall be required	Cultural resources surveys conducted and Section 106 consultation completed (Appendix A)
Native American Graves & Repatriation Act as amended	National Park Service (NPS)	Excavation, removal, damage, or other alteration of Native American human remains	Coordination directly with tribes claiming cultural affinity to project areas.	Will be invoked if remains are discovered
Native American Religious Freedom Act	NPS	Federal actions that affect current or historically used cultural properties	Coordination directly with tribes claiming cultural affinity to project areas.	Full compliance
Clean Air Act (CAA) of 1963 16 U.S.C. § 470 et seq.	USEPA	Any action where the total of direct and indirect emissions in a non-attainment area would equal or exceed the provided rates 40 CFR 51	Project emission levels were determined to be less than *de minimis* thresholds; therefore, a conformity analysis with applicable implementation plan is not required	Air emissions from construction and operation of the new USBP Station would not exceed *de minimis* thresholds
Comprehensive, Environmental Response, Compensation, Liability Act of 1980 42 U.S.C. § 9601 et seq.	USEPA	Release or threatened release of a hazardous substance 40 CFR 302	Development of emergency response plans, notification, and cleanup	Phase I Environmental Site Assessment completed; abandoned and capped oil wells present on Preferred Alternative Site
Energy Independence and Security Act of 2007 PL 110-140	U.S. Department of Energy (DOE)	Federal projects with a footprint exceeding 5,000 square feet to use site planning, design, construction, and maintenance strategies to control stormwater runoff	Design and construct stormwater retention basin as required.	Full compliance
Endangered Species Act (ESA) of 1973 16 U.S.C. § 1531 et seq.	USFWS	All actions that could impact protected species 50 CFR 402.03	Determination of effect on listed species and critical habitat through consultation with the USFWS	No effects on any listed species. Section 7 consultation completed

Table 1-1, continued

Policy Document	Administrative Authority	Invoking Action	Requirements for Compliance	Status of Compliance
Farmland Protection Policy Act of 1981 7 U.S.C. § 9601 et seq.	Natural Resources Conservation Service (NRCS)	Any action that could impact prime farmlands 7 CFR 658	Consultation with NRCS and submittal of NRCS Form AD 1001	No prime farmland soils are present
Federal Water Pollution Control Act of 1977 (also known as Clean Water Act or CWA) 33 U.S.C. § 1251 et seq.	USEPA	Storage, use, or consumption of oil and oil products, which could discharge oil in quantities that could affect water quality standards, into or upon navigable waters of the U.S. 40 CFR 112	Preparation of a Spill Prevention, Control, and Countermeasures Plan (SPCCP)	To be completed by USBP or contractor during design and construction, and a second plan prepared for operation and maintenance
CWA (Section 404/401)	USEPA	Discharge of pollutants 40 CFR 122	Obtain a general National Pollutant Discharge Elimination System (NPDES) permit	No waters of the U.S. are present and no Section 404/401 permits needed
Migratory Bird Treaty Act of 1918 16 U.S.C. § 703	USFWS	Any action resulting in the take of any migratory bird, or the parts, nests, or eggs of such bird 50 CFR 21.11	Avoidance of take or application for relocation permit	Surveys will be conducted prior to construction activities if they occur during the migratory bird nesting season
National Historic Preservation Act of 1966 (NHPA) 16 U.S.C. § 470 et seq.	Advisory Council on Historic Preservation, State Historic Preservation Officer (SHPO)	Any action that could impact cultural resources 36 CFR 800.3	Assessment of effects through consultation with the Advisory Council on Historic Preservation and SHPO	Section 106 consultation completed
Occupational Health and Safety Act of 1970 29 U.S.C. § 651 et seq.	Occupational Safety and Health Administration (OSHA), Department of Labor	Job duties performed as a result of an action 29 CFR 1910.5 (a)	Adherence to occupational health and safety standards	To be completed by USBP during design and operation

Table 1-1, continued

Policy Document	Administrative Authority	Invoking Action	Requirements for Compliance	Status of Compliance
Resource Conservation Recovery Act of 1976 42 U.S.C. § 6901 et seq.	USEPA	Collection of residential, commercial, and institutional solid wastes and street wastes 40 CFR 243	Adherence to guidelines for waste storage and safety and collection equipment, frequency, and management	To be completed by USBP during design and operation
		Procurement of more than $10,000 annually of products containing recovered materials 40 CFR 247	Procure designated items composed of the highest percentage of recovered materials practicable	To be completed by USBP during design and operation
		Recovery of resources from solid waste through source separation 40 CFR 246	Recovery of high-grade paper, residential materials, and corrugated containers	To be completed by USBP during design and operation
		Treatment, storage, or disposal of hazardous waste on-site 40 CFR 262.10(c)	Determination of hazardous or non-hazardous nature of solid waste, obtain a USEPA identification number if necessary, properly accumulate hazardous waste, and maintain a record	To be completed by USBP during design and operation
Executive Order (EO) 11988: Floodplain Management 42 Federal Register (FR) 26,951 (May 24, 1997)	Water Resources Council, Federal Emergency Management Agency, CEQ	Any action that impacts floodplains	Prepare a finding of no practicable alternative for actions within a floodplain	The Preferred Alternative Site is not located in the 100-year floodplain.
EO 11990: Protection of Wetlands 42 FR 26,691 (May 24, 1977)	U.S. Army Corps of Engineers (USACE), USFWS	Any action that impacts wetlands	Take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands	No wetlands are present on the Preferred Alternative Site.

Table 1-1, continued

Policy Document	Administrative Authority	Invoking Action	Requirements for Compliance	Status of Compliance
EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations 59 FR 7629 (February 11, 1994)	USEPA	All programs or activities receiving Federal financial assistance that affect human health or the environment	Analyze the environmental effects, including human health, economic and social effects, of CBP actions, including effects on minority communities and low-income communities	No adverse effects on minority or low-income communities would occur.
EO 13045: Protection of Children From Environmental Health Risks and Safety Risks 62 FR 19883 (April 23, 1997)	USEPA	Any action that affects the welfare of children	Identify and assess environmental health risks and safety risks that may disproportionately affect children	No adverse effects on children would occur.
EO 13423: Strengthening Federal Environmental, Energy, and Transportation Management 63 FR 49648	Heads of Federal Agencies; CEQ	Any action involving environmental, transportation, and energy-related activities	Improve energy efficiency and reduce greenhouse gas (GHG) emissions, use renewable energy sources, reduce water consumption, use of sustainable environmental practices; reduce the quantity of toxic and hazardous chemicals and materials acquired, used, or disposed of, and reduce petroleum products use	To be completed by CBP during design and operation
EO 13514: Federal Leadership in Environmental, Energy, and Economic Performance 74 FR 52117 (October 8, 2009)	USEPA, DOE	Construction, operation, and maintenance of a Federal facility; helicopter operations and worker commutes	Increase energy efficiency; measure, report, and reduce GHG emissions from direct and indirect activities; conserve and protect water resources through efficiency, reuse, and stormwater management; eliminate waste, recycle, and prevent pollution; design, construct, maintain, and operate high-performance sustainable buildings in sustainable locations.	To be completed by CBP during design and operation. Anticipated that design will conform with Leadership in Energy and Environmental Design (LEED) Silver Certification.

Table 1-1, continued

Policy Document	Administrative Authority	Invoking Action	Requirements for Compliance	Status of Compliance
EO 13175 (Consultation and Coordination with Indian Tribal Governments)	Bureau of Indian Affairs	Federal actions that affect current or historically used cultural properties.	Coordinate directly with Tribes claiming cultural affinity to project areas.	Full compliance.

*Not All-Inclusive

1.7 PUBLIC REVIEW

The draft version of the EA and Finding of No Significant Impact (FONSI) were made available for public review in January 2011 for 30 days and the Notice of Availability was published in the *Laredo Morning Times* and the *Corpus Christi Caller-Times*. Copies of the Notices of Availability are in Appendix B. The draft EA and FONSI were also made available electronically at http://www.swg.usace.army.mil/pao/HotTopic.asp and for review at the Freer Public Library, 608 Carolyn Street, Freer, Texas. All correspondence sent or received during the preparation of the EA is included in Appendix B.

Only one comment letter was received during the 30-day public review period. The comment letter from the USFWS prompted a change in the decision-making process and the selection of the Preferred Alternative Site. Based on the concerns expressed by USFWS with the development of the Pena Complex for the USBP Freer Station, CBP evaluated other possible parcels in the Freer area for development. CBP also revisited the potential for development of the Walker and Old Auction Barn alternative sites that were fully evaluated in the draft EA and FONSI. CBP determined that a change in the Preferred Alternative Site from the Pena Complex to the Walker Site would fully address the USFWS concerns with the loss of ocelot (*Leopardus pardalis*) travel habitat from development at the Pena Complex.

1.8 REPORT ORGANIZATION

This EA is organized into eight major sections, including this introduction. Section 2.0 describes all alternatives considered for the project. Section 3.0 discusses the environmental resources potentially affected by the project and the environmental consequences for each of the viable alternatives, and Section 4.0 discusses cumulative impacts. Environmental design measures are discussed in Section 5.0. Sections 6.0, 7.0, and 8.0 present a list of the references cited in the document, a list of acronyms and abbreviations used in the document, and a list of the persons involved in the preparation of this document, respectively.

SECTION 2.0
PROPOSED ACTION AND ALTERNATIVES

2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 PROPOSED STATION DESIGN

Based upon preliminary site designs, a 30- to 50-acre project site is required to accommodate facilities supporting approximately 250 agents plus support staff; it is anticipated that the total personnel assigned to the station would be approximately 260. The new station would be designed to qualify for LEED Silver certification by the U.S. Green Building Council. Figure 2-1 is the conceptual plan for the station layout. The proposed new station would include some or all of the following components (Table 2-1):

- Administration building
- Security borders
- Support building area
- Technology support area
- Special operations
- Sensor shop
- Patrol command
- Muster room
- Fuel islands
- Field support and communications
- All-terrain vehicle (ATV) storage shed
- Alien processing and detention space
- Physical plant support
- Vehicle impound lot
- 160-foot-tall communications tower with antennas and receivers
- Vehicle service and maintenance shop
- Indoor firing range
- Vehicle washing stations with mud trap
- Security lighting
- 8-foot-high chain-link security fencing
- Stormwater retention system
- Communication building
- Windmill (100 feet tall with 15-foot blades)
- Kennels for canines
- Stables, round pen, turnout, and training pavilion for horses
- Helicopter pad and refueling station
- Parking, including a sally port and covered parking
- Training facility

The vehicle service and maintenance facility would have space for parts storage, a grease and oil station, and a tire changing station, including wheel balance and alignment. A fuel bay island with three aboveground storage tanks (AST), two 10,000-gallon tanks for unleaded gasoline and one 6,000-gallon tank for diesel fuel would be included. The car wash would include an oil-water separator and mud trap; a sensor shop would be used for the repair of electronics; a vehicle impound lot would be used for temporary storage of vehicles; and a pre- and post-vehicle inspection booth would be part of the facility. There would also be an area for ATV storage.

The station would accommodate parking for privately owned vehicles (POV) and Government-owned vehicles (GOV; see Figure 2-1). Approximately 50 percent of the parking spaces would be covered for the GOV and specialized vehicles, including heavy equipment. Ten horses would be stabled at the station, and equestrian support facilities would include a hay barn, round pen, turnout, and a training pavilion. The station would have long-term canine kennels for 10 dogs.

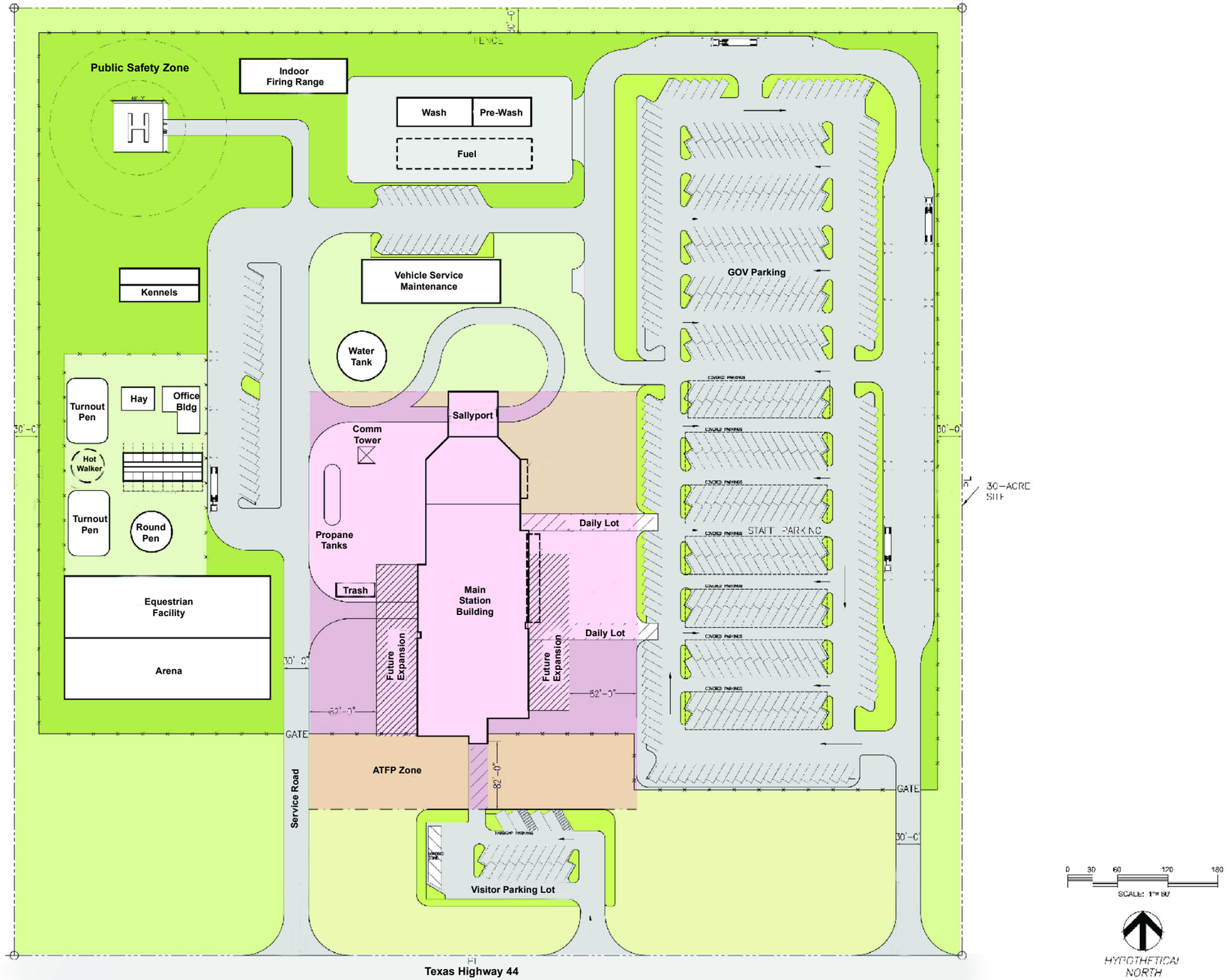

Figure 2-1: Conceptual Station Layout

June 2010

Table 2-1. Minimum Area Requirements for Currently Planned Elements of New Station

Facility		Required Area*	
		Square Feet	**Acres**
Main Building	Administrative Spaces	4,007	
	Special Operations	1,826	
	Patrol Command	6,200	
	Muster Room	2,793	
	SBI*net* and Field Support	3,550	
	Training	2,691	
	Exercise and Lockers	4,886	
	Alien Processing Detention Space	5,636	
	Physical Plant Support	3,946	
	Main Circulation (Corridor)	4,688	
	Station Building Subtotal	***47,076***	***1.1***
Support Space	Vehicle Maintenance	8,895	
	Electronics Shop	8,040	
	Fitness/Locker Area	4,886	
	Miscellaneous Vehicle Storage	966	
	Miscellaneous Storage	4,600	
	Canine Facility	3,860	
	Facility Support	4,148	
	Equestrian Facility	62,928	
	Support Space Subtotal	***98,323***	***2.3***
Other	GOV Parking Spaces (188 General, 164 Covered)	113,040	
	POV Surface Parking Spaces (100)	39,600	
	Visitor Parking Spaces (19)	7,524	
	Handicap Parking Spaces (7)	3,220	
	Service Vehicle Spaces (24)	15,840	
	Impound Lot Parking Spaces (10)	5,750	
	Helipad and Landing Zone	15,625	
	Vehicle Maintenance Parking Spaces (20)	7,920	
	Fuel Island	7,600	
	Electronics Shop Parking	1,840	
	Sallyport	2,400	
	Site Support Functions	61,673	
	Vehicle Wash Area	1,840	
	Oversize Vehicle Parking Spaces (18)	29,376	
	Roads and Walkways	63,840	
	Indoor Firing Range	50,000	
	Additional Exterior Space**	1,400,000	
	Other Subtotal	***1,827,088***	***41.9***
	Total	***1,972,487***	***45.3***

*Space is estimated based on conceptual station designs

**Exterior space (32.1 acres) represents the maximum additional space beyond developed areas that would be used for a Freer USBP Station.

Also included in the proposed new station design is a helicopter pad and helicopter refueling station. An additional AST would contain aviation fuel and be located at the refueling station. It is anticipated that an average of five landing/takeoff events would occur daily.

A prefabricated self-contained indoor firing range would be part of the new station design and would replace the use of the current firing range located on State Highway 16, 3 miles north of Freer, which is currently leased by CBP. The new indoor firing range would continue to be available to Department of Public Safety officers, officers from nearby local police departments, and USBP agents from the Kingsville, Corpus Christi, and Cotulla stations. The lease of the existing range would be terminated by CBP.

Other site elements include a self-supporting communications tower with antennas, receivers, and communications building or space in the main building (the height of the tower is not known at this time, but is anticipated to be up to 160 feet tall), a 100-foot-tall windmill with 15-foot blades, and standby/backup power generator(s) as required. The facilities would be able to support a three-shift operating schedule, training and public information officer functions, and bike patrol for 16 personnel.

Five alternatives for siting the station were developed. These are the Walker Site, which is the Preferred Alternative Site, the Coggeshall Site, the Bhaga Site, the Pena Complex, and the Old Auction Barn Site (Figure 2-2). The Coggeshall and Bhaga sites were eliminated from further analysis; the Coggeshall Site is located near residential development and the airport, and the Bhaga Site has a high-pressure petroleum pipeline on the property. Additionally, biological and cultural resources surveys were conducted at the Coggeshall Site in June 2012. Surveys of the Coggeshall Site determined that there is suitable travel and hunting habitat present for the ocelot, there are potentially jurisdictional wetlands present, two cultural resources sites of undetermined eligibility are present, a gas pipeline crosses the site, and a portion of the city of Freer drains onto the western half of the site. These constraints further limited the potential use of the Coggeshall Site for the USBP Freer Station.

The Preferred Alternative Site, Pena Complex, and Old Auction Barn Site were determined to all be viable alternative sites for the location of the Freer Station, but all three alternative sites would require the construction of water and sanitary sewer pipelines from the City of Freer, approximately 0.5 mile to the site along the north side of State Highway 44 (Figure 2-3).

Additionally, continued maintenance, as well as potential renovations of or minor additions to the new station, would be expected. Such activities could include, but are not limited to, minor renovations and additions to buildings such as realigning interior spaces of an existing building, adding a small storage shed to an existing building, or installing a small antenna on an already existing communications tower that does not cause the total height to exceed 200 feet, kennels, security systems, lighting, parking areas, and stormwater detention basins. Other maintenance activities could include routine upgrade, repair, and maintenance of the new station buildings, roofs, parking area, grounds, or other facilities that would not result in a change to its functional use (e.g., replacing door locks or windows, painting interior or exterior walls, resurfacing a road or parking lot, culvert maintenance, grounds maintenance, or replacing station components such as an air conditioning unit).

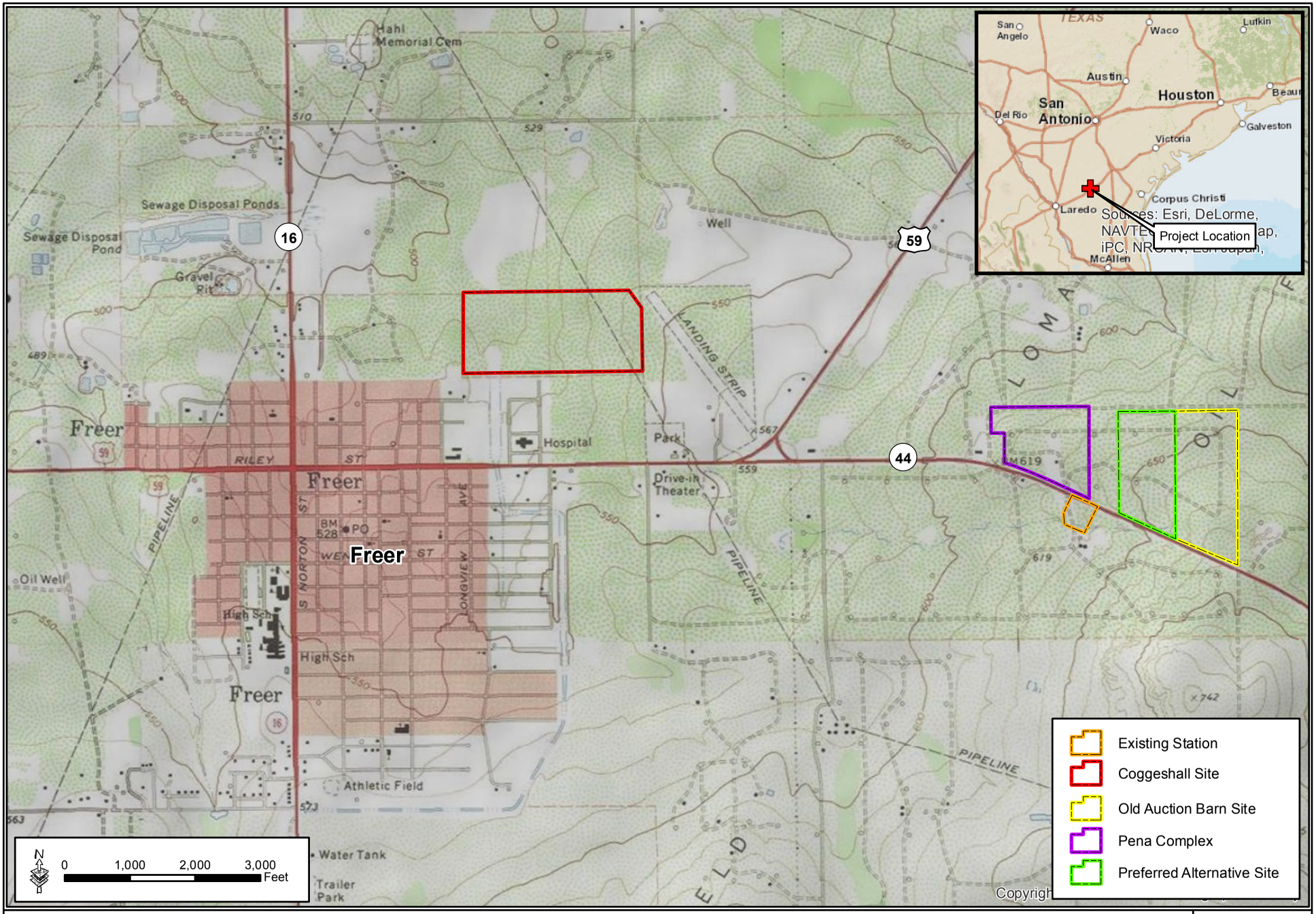

Figure 2-2: Location of Alternative Sites

GSRC

May 2010

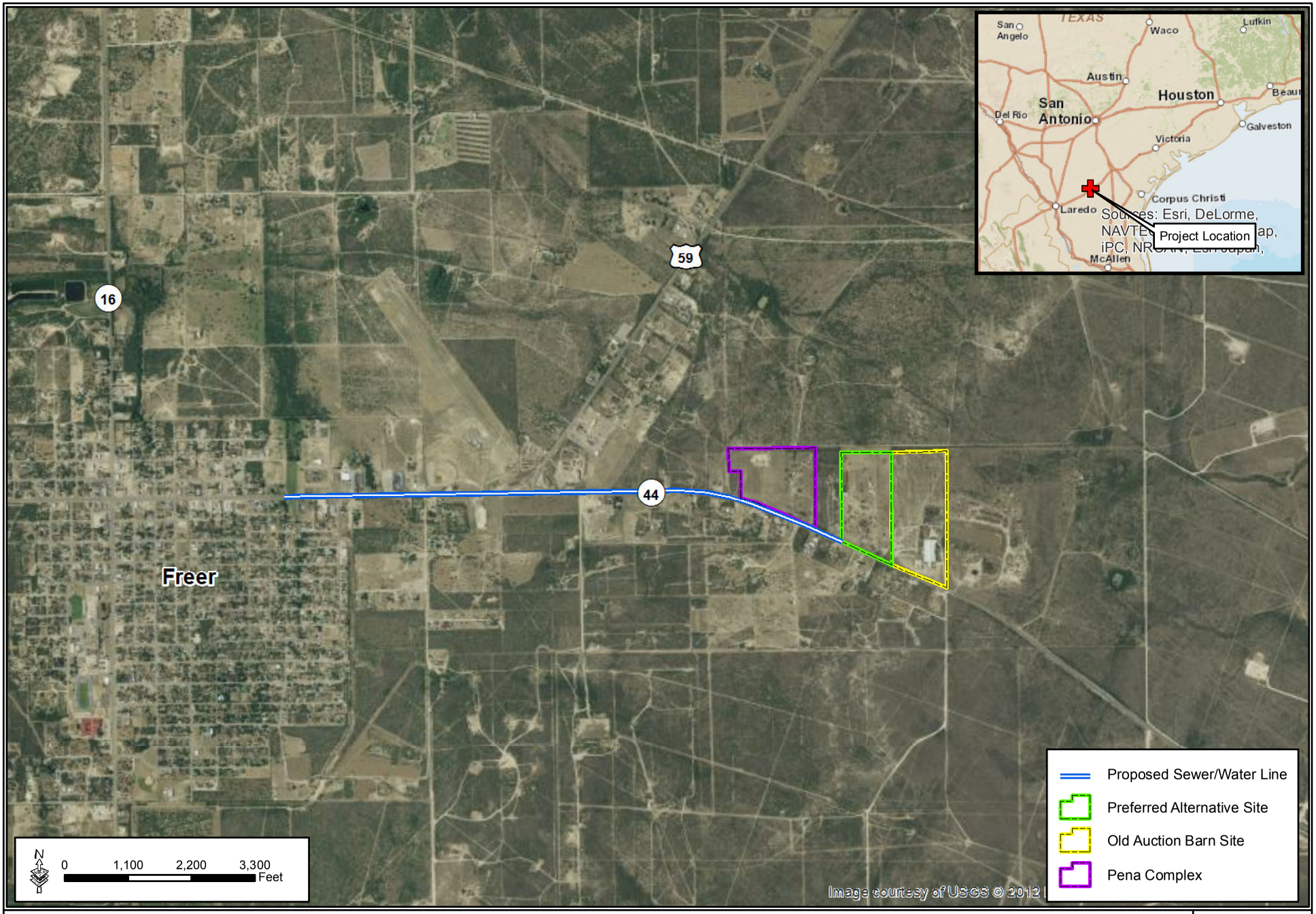

Figure 2-3: Proposed Sewer/Water Line

GSRC

May 2010

The Proposed Action would be implemented at the Preferred Alternative Site. The Preferred Alternative Site, the Pena Complex, and Old Auction Barn Site fully meet the purpose and need and are carried forward for analysis. Additionally, a No Action Alternative, in which no new station would be built, is carried forward for analysis and will form the basis for comparison with the three action alternatives.

2.2 NO ACTION ALTERNATIVE

The No Action Alternative would preclude the construction, operation, and maintenance of a new station. The existing station would continue to be inadequate for the support of operations within the Freer Station AOR, and would have to accommodate the projected increase in USBP agents, but would not be able to do so and continue to operate effectively. Consequently, this alternative would hinder USBP's ability to respond to high levels of illegal border activity. The No Action Alternative does not meet the purpose and need for the proposed project but will be carried forward for analysis, as required by the CEQ regulations. The No Action Alternative describes the existing conditions in the absence of the Preferred Alternative.

2.3 PREFERRED ALTERNATIVE

The Preferred Alternative includes the land acquisition, construction, operation, and maintenance of a new station, as previously described, on a site located approximately 1 mile east of the City of Freer, on the north side of State Highway 44, near the existing Freer Station (see Figure 2-2). Primary and secondary access to the new station would be located off State Highway 44. The Preferred Alternative is an approximately 35-acre parcel that contains a collocated occupied residence and business (Photograph 2-1). The collocated residence and business would be demolished prior to the construction of the new USBP Station. The majority of the parcel is maintained as residential property and a commercial trucking business. The surrounding area is primarily undeveloped or rural residential properties.

Photograph 2-1. Commercial development on the Preferred Alternative Site

2.4 PENA COMPLEX ALTERNATIVE

The Pena Complex Alternative includes the land acquisition, construction, operation, and maintenance of a new station, as previously described, on a site located approximately 1 mile east of the City of Freer and immediately adjacent to the east side of the Preferred Alternative location (see Figure 2-2). The approximately 35-acre site (Photograph 2-2) is composed of two separate parcels of unmaintained land and one that contains

Photograph 2-2. Pena Complex Site; photograph taken from north of the property looking southeast

two occupied residences and outbuildings. The buildings would be demolished prior to USBP Station construction. The surrounding area consists of similar land uses.

2.5 OLD AUCTION BARN SITE ALTERNATIVE

The Old Auction Barn Site Alternative includes the land acquisition, construction, operation, and maintenance of a new station, as previously described, on a site located approximately 1 mile east of the City of Freer and immediately adjacent to the east side of the Walker Site Alternative location (see Figure 2-2). The Old Auction Barn Site is an approximately 50-acre parcel that contains several structures in disrepair that were used for public auctions and events (Photograph 2-3). The structures would be demolished before construction of the USBP Station. The majority of the parcel is disturbed or has had some development in the past. Primary access to the new station would be located off State Highway 44. The 50-acre site is currently occupied and disturbed (see Figure 2-2). The surrounding area is primarily undeveloped.

Photograph 2-3. Buildings on the Old Auction Barn Site

2.6 OTHER ACTION ALTERNATIVES CONSIDERED

The expansion of the existing station to accommodate additional agents was considered as an action alternative. The existing station currently houses agents and support staff on a 4-acre site and does not provide facilities needed to improve agent efficiency and effectiveness, or the ability to adequately accommodate additional agents and personnel. Expansion of the existing station at the current site is prohibited by conditions of the current lease and surrounding development. This action alternative was excluded from further consideration because it does not meet the purpose and need. As previously described, two other alternative locations, the Bhaga and Coggeshall sites, were evaluated but were eliminated from further analysis due to infrastructure relocation requirements, environmental constraints, or proximity to residential development and the Freer Airport.

2.7 SUMMARY

The No Action Alternative, Preferred Alternative, Pena Complex Alternative, and Old Auction Barn Site Alternative have been carried forward for analysis. As shown in Table 2-2, the action alternatives fully support the purpose and need as described in Section 1.3. Table 2-3 presents a summary matrix of the potential impacts from the four alternatives analyzed and how each affects the environmental resources in the project area.

Table 2-2. Alternatives Matrix

Purpose and Need	No Action Alternative	Preferred Alternative	Pena Complex Alternative	Old Auction Barn Alternative
Will the alternative provide adequate facilities for existing agents operating within the Freer Station AOR?	Partially	Yes	Yes	Yes
Will the alternative provide additional facilities for expansion of the Freer agent force plus support staff?	No	Yes	Yes	Yes
Will the alternative provide facilities necessary to enhance USBP operations in the Freer Station AOR?	No	Yes	Yes	Yes
Will the alternative provide the opportunity for future expansion of facilities?	No	Yes	Yes	Yes
Will the alternative provide increased effectiveness for USBP agents in the performance of their duties?	No	Yes	Yes	Yes
Will the alternative provide a safer working environment for USBP agents?	No	Yes	Yes	Yes

Table 2-3. Summary Matrix of Potential Impacts

Affected Environment	No Action Alternative	Preferred Alternative	Pena Complex Alternative	Old Auction Barn Alternative
Land Use	No impacts would occur on land use.	An approximately 35-acre parcel with a collocated occupied residence and business would be permanently converted to USBP station facilities.	An approximately 35-acre site that consists of two separate parcels would be permanently converted from rural residential to USBP station facilities.	An approximately 50-acre parcel that contains abandoned structures would be permanently converted from developed commercial lands to USBP station facilities.
Soils	No impacts on soils would occur.	Negligible impacts on soils would occur. No prime farmlands would be impacted.	Impacts on soils would be similar to those described for the Preferred Alternative.	Impacts on soils would be similar to those described for the Preferred Alternative.
Water Resources	No impacts on surface waters or groundwater quality or quantity would occur.	Temporary short-term impacts on surface waters may occur during construction. A Stormwater Pollution Prevention Plan (SWPPP) is required as part of National Pollutant Discharge Elimination System permit process and would reduce temporary impacts on water quality from stormwater runoff. No waters of the U.S. are present on the Preferred Alternative Site.	Impacts on water resources would be similar to those described for the Preferred Alternative.	Impacts on water resources would be similar to those described for the Preferred Alternative.
Vegetative Habitat	No impacts on vegetation would occur.	Approximately 20 acres of maintained and mowed vegetation would be replaced with development and landscaped areas.	Approximately 35 acres of periodically mowed brush and herbaceous vegetation would be removed. Removal of 2 acres of undisturbed native shrub-scrub vegetation would also occur.	The majority of the 50-acre Old Auction Barn Site is developed or covered with trash and debris. Very little vegetation would be replaced with development.
Wildlife Resources	No impacts on wildlife would occur.	Minimal adverse effects on wildlife populations would occur due to the loss of landscaped residential areas, demolition of residential and commercial structures, and maintained scrub-shrub habitat.	Moderate adverse impacts on wildlife would occur from the removal of shrub-scrub habitat.	Impacts on wildlife would be similar to those described for the Preferred Alternative.

Table 2-3, continued

Affected Environment	No Action Alternative	Preferred Alternative	Pena Complex Alternative	Old Auction Barn Alternative
Threatened and Endangered Species	No impacts on protected species would occur.	The potential for the occurrence of special status species is very low. Habitat is maintained for a collocated residence and business, and approximately 15 acres of the site is developed and landscaped. No effects on listed species would occur.	The potential for special status species to occur is limited by the periodic disturbance of wildlife habitat on the site through mowing activities. Conservation measures including maintaining a travel corridor for ocelots and jaguarundis on the west side of the Preferred Alternative Site would reduce adverse effects. The loss of travel habitat for the ocelot and jaguarundi may affect, but would not adversely affect, the ocelot. No effects on other listed species would occur.	Impacts would be similar to those described for the Preferred Alternative.
Cultural Resources	No impacts would occur.	No eligible sites are present at the Preferred Alternative Site and no impacts on cultural resources would be anticipated.	No eligible sites are present at the Pena Complex and no impacts on cultural resources would be anticipated.	No eligible sites are present at the Old Auction Barn Site and no impacts on cultural resources would be anticipated.
Air Quality	No direct impacts would occur, but additional agent vehicle use would increase air emissions.	Minor and temporary increases in air pollution would occur from the use of construction equipment during construction. Increased air emissions would occur from additional USBP agent vehicles and helicopter flights.	Impacts on air quality would be similar to those described for the Preferred Alternative.	Impacts on air quality would be similar to those described for the Preferred Alternative.
Noise	No direct impacts would occur. Increased USBP agent force would increase the number of agent and government vehicles using State Highway 44 and would increase noise emissions.	Minor temporary increases in noise would occur during demolition of existing structures and construction; to minimize these impacts, construction activities should be limited to daylight hours. Increased USBP agent force and helicopter flights would increase noise emissions and have a moderate impact on residences located within 0.7 mile of the new station.	Impacts would be similar to those described for the Preferred Alternative.	Impacts would be similar to those described for the Preferred Alternative.

Table 2-3, continued

Affected Environment	No Action Alternative	Preferred Alternative	Pena Complex Alternative	Old Auction Barn Alternative
Utilities and Infrastructure	No direct impacts on energy use and water and sewer use would occur. An increase in USBP agent force would have a greater energy requirement.	Greater use of energy and water and sewer capacity would occur under the Preferred Alternative. However, the new USBP Station would be substantially more energy efficient than the existing station. Water and sewer services would be extended from the City of Freer.	Impacts on utilities would be similar to those described for the Preferred Alternative.	Impacts on utilities would be similar to those described for the Preferred Alternative.
Transportation	An increased USBP agent force would increase the number of POV and GOV on State Highway 44. However, there is adequate capacity for additional vehicles at the current station.	Impacts on transportation would be similar to the No Action Alternative since the number of agents and staff would be the same regardless of building a new station. However, ingress and egress from the new station to State Highway 44 would be greatly improved.	Impacts on transportation would be similar to those described for the Preferred Alternative.	Impacts on transportation would be similar to those described for the Preferred Alternative.
Aesthetics and Visual Resources	No direct impacts on aesthetic and visual resources in the vicinity of the alternative sites because no construction would occur.	No adverse impacts on aesthetic and visual resources would be expected.	No adverse impacts on aesthetic and visual resources would be expected.	No adverse impacts on aesthetic and visual resources would be expected.
Hazardous Materials	No impacts from hazardous materials would be expected.	All materials created from existing structure demolition would be disposed of properly. The potential exists for leaks from new ASTs and refueling facilities. However, containment berms would be designed to contain any spill. Abandoned and capped oil wells would need to be located prior to any excavation.	Impacts from hazardous materials would be similar to those described for the Preferred Alternative.	Impacts from hazardous materials would be similar to those described for the Preferred Alternative.

Table 2-3, continued

Affected Environment	No Action Alternative	Preferred Alternative	Pena Complex Alternative	Old Auction Barn Alternative
Socioeconomics	An increased USBP agent force would increase demand for housing in the Freer area, as well as create additional economic stimulus through local spending for goods and supplies.	The regional socioeconomic benefit from the increased USBP agent force would be similar to the No Action Alternative. Construction of a new station would increase local spending on supplies and labor in the short-term during construction activities.	Impacts on socioeconomics would be similar to those described for the Preferred Alternative.	Impacts on socioeconomics would be similar to those described for the Preferred Alternative.
Environmental Justice and Protection of Children	No disproportional impacts on minorities, low-income families, or children are anticipated.	No disproportional impacts on minorities, low-income families or children would be anticipated. Improved law enforcement response benefits all people regardless of race, income, or age.	Impacts would be similar to those described for the Preferred Alternative.	Impacts would be similar to those described for the Preferred Alternative.
Sustainability and Greening	No impacts would occur.	CBP would follow all Federal regulations for sustainable building and maintenance activities. The new USBP Station would be LEED certifiable.	Impacts would be similar to those described for the Preferred Alternative.	Impacts would be similar to those described for the Preferred Alternative.
Human Health and Safety	USBP agents would be subjected to a greater safety risk working in smaller and older facilities.	All OSHA regulations would be followed during construction activities. A new USBP Station would improve safety conditions for USBP agents assigned to the Freer Station.	Impacts would be similar to those described for the Preferred Alternative.	Impacts would be similar to those described for the Preferred Alternative.
Climate	No additional emissions of GHGs would occur.	Demolition and construction activities would increase GHG emissions temporarily; these emissions would be below the thresholds established by CEQ for further evaluation of impacts on climate change.	Impacts would be the same as those described for the Preferred Alternative.	Impacts would be the same as those described for the Preferred Alternative.

SECTION 3.0
AFFECTED ENVIRONMENT AND CONSEQUENCES

3.0 AFFECTED ENVIRONMENT AND CONSEQUENCES

3.1 PRELIMINARY IMPACT SCOPING

This section of the EA describes the natural and human environment that exists within the alternative sites and region of influence (ROI; defined as the City of Freer and Duval County), and the potential impacts of the No Action Alternative and the three alternatives outlined in Section 2.0. Only those parameters that have the potential to be affected by any of the alternatives are described, as per CEQ guidance (40 CFR 1501.7 [3]). Some topics are limited in scope due to the lack of direct effect from the proposed project on the resource, or because that particular resource is not located within the project area. Resources dismissed from further discussion are:

Geologic Resources
Geological resources include physical surface and subsurface features of the earth such as geological formations and the seismic activity of the area. The proposed construction of the new Freer Station would not disturb the underlying geologic resources of the area, since only surface modifications would be implemented. None of the proposed alternative sites are located in an area subject to seismic activity, landslides, or flooding, so there would be no impacts on geological resources.

Wild and Scenic Rivers
The proposed construction of the new Freer Station would not affect any stretch of river designated as Wild and Scenic.

Unique and Sensitive Areas
The proposed construction of the new Freer Station would not affect any unique and sensitive areas, because no areas designated as such are located within or near the project area.

Wetlands and Waters of the U.S.
No wetlands or other waters of the U.S. were found on any of the three alternative sites during field surveys conducted on 28 July 2010.

Floodplains
The three alternative sites are not located in the 100-year floodplain.

Impacts (consequence or effect) can be either beneficial or adverse, and can be either directly related to the action or indirectly caused by the action. Direct impacts are those effects that are caused by the action and occur at the same time and place (40 CFR 1508.8[a]). Indirect impacts are those effects that are caused by the action and are later in time or further removed in distance, but are still reasonably foreseeable (40 CFR 1508.8[b]). As discussed in this section, the alternatives may create temporary (lasting the duration of the project construction), short-term (up to 3 years), long-term (3 to 10 years following construction), or permanent impacts or effects. Whether an impact is significant depends on the context in which the impact occurs and the intensity of the impact.

Impacts can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. Significant impacts are those effects that would result in substantial changes to the environment (40 CFR 1508.27) and should receive the greatest attention in the decision-making process. Insignificant impacts are those that would result in minimal changes to the environment. The following discussions describe and, where possible, quantify the potential effects of each alternative on the resources within or near the project sites. All impacts described below are considered to be adverse unless stated otherwise.

The analysis of environmental consequences assumes that under all alternatives, including the No Action Alternative, there would be an increase of approximately 100 USBP agents and support staff at the Freer Station compared to current staffing levels. Further, the three action alternatives would develop approximately 13 acres for infrastructure associated with a new USBP station and leave the remainder of the site as landscaped exterior space bounded by a security fence. Additionally, all three action alternatives assume that power is available, but water and sanitary sewer lines would be extended along State Highway 44 approximately 0.5 mile from the City of Freer to the chosen site. The water and sanitary sewer line extension would occur only within the previously disturbed corridor along the State Highway 44 right of way. Ingress and egress to the new Freer Station would occur from State Highway 44 regardless of the alternative site chosen.

3.2 LAND USE

3.2.1 Affected Environment

All three sites are located approximately 1 mile east of the City of Freer on the north side of State Highway 44, proximate to the existing Freer Station. General land use in the vicinity of all three alternative sites is predominantly shrub and brush rangeland and rural residential. The only nearby developments not located on one of the three alternative parcels are the Veterans of Foreign Wars (VFW) Hall, located west of the Preferred Alternative Site, and the existing Freer Station.

3.2.1.1 Preferred Alternative

The Preferred Alternative Site is an approximately 35-acre parcel containing a collocated residence and commercial storage yard and trucking company, and along with associated landscaping and maintained area occupies approximately 15 acres of the parcel. Approximately 20 acres of the parcel is maintained as rural residential property, and was previously used for cattle grazing.

3.2.1.2 Pena Complex Alternative

The Pena Complex is immediately adjacent to the Preferred Alternative Site and is an approximately 35-acre site, composed of two separate parcels of mostly undeveloped land with two occupied residences and outbuildings on one of the parcels. The surrounding area consists of similar land uses.

3.2.1.3 Old Auction Barn Site Alternative

The Old Auction Barn Site Alternative is immediately adjacent to and east of the Preferred Alternative Site. The approximately 50-acre parcel contains several structures in disrepair that were used for public livestock auctions and events. The majority of the parcel is disturbed or has

had some development in the past. The undeveloped portion of the parcel is highly disturbed brushland with bare ground covered in gravel-sized caliche. The auction buildings are in disrepair and trash litters the site. The surrounding area is primarily undeveloped unmaintained brushland.

3.2.2 Environmental Consequences

3.2.2.1 No Action Alternative

The No Action Alternative would preclude the construction, operation, and maintenance of a new station, and land use would remain unchanged.

3.2.2.2 Preferred Alternative

The Preferred Alternative would change approximately 35 acres of residential/commercial property into public law enforcement use with facilities to support approximately 260 personnel including USBP agents and support staff. No agricultural or commercial land use would be affected, but the change from residential use into developed land use would be long-term and permanent. The site is unzoned, so the Preferred Alternative is consistent with land use in the immediate area and would result in negligible effects on land use.

3.2.2.3 Pena Complex Alternative

The Pena Complex Alternative would change approximately 35 acres of mostly undeveloped land into public law enforcement facilities. A USBP station would be consistent with land use in the immediate area and would result in negligible effects on land use.

3.2.2.4 Old Auction Barn Site Alternative

There would be no change in land use at the Old Auction Barn Site because it is already developed as a commercial property.

3.3 SOILS

3.3.1 Affected Environment

The NRCS Soil Survey geographic database for Duval County, Texas, was reviewed to determine soil types present within Freer and the proposed alternative sites (NRCS 2009). There are three soil map units found at all three alternative sites (Figure 3-1): Houla clay loam, 0 to 3 percent slopes, wet; Lomart loam, 1 to 5 percent slopes, wet; and Salco sandy clay loam, 1 to 5 percent slopes. In addition to these three soil map units, Olmedo very gravelly sandy loam, 1 to 8 percent slopes, is found at the Old Auction Barn Site and the Walker site. The soils which compose these map units are very similar and are used primarily for livestock grazing and wildlife habitat. They are derived from interfluves or high stream terraces. There are restrictions to root growth. The natural drainage class is moderately well drained and water movement in the most restrictive layer is generally moderately low. None of the soils are flooded or ponded, and water availability is low with annual precipitation ranging from 22 to 31 inches.

Prime farmlands are those farmlands that have the best combinations of physical and chemical properties to be able to produce fiber, livestock feed, or food, and are available for these uses. The Farmland Protection Policy Act (7 U.S.C. 4201 et seq.) requires Federal agencies to consider the adverse effects of their projects on farmlands (including the extent to which prime, unique,

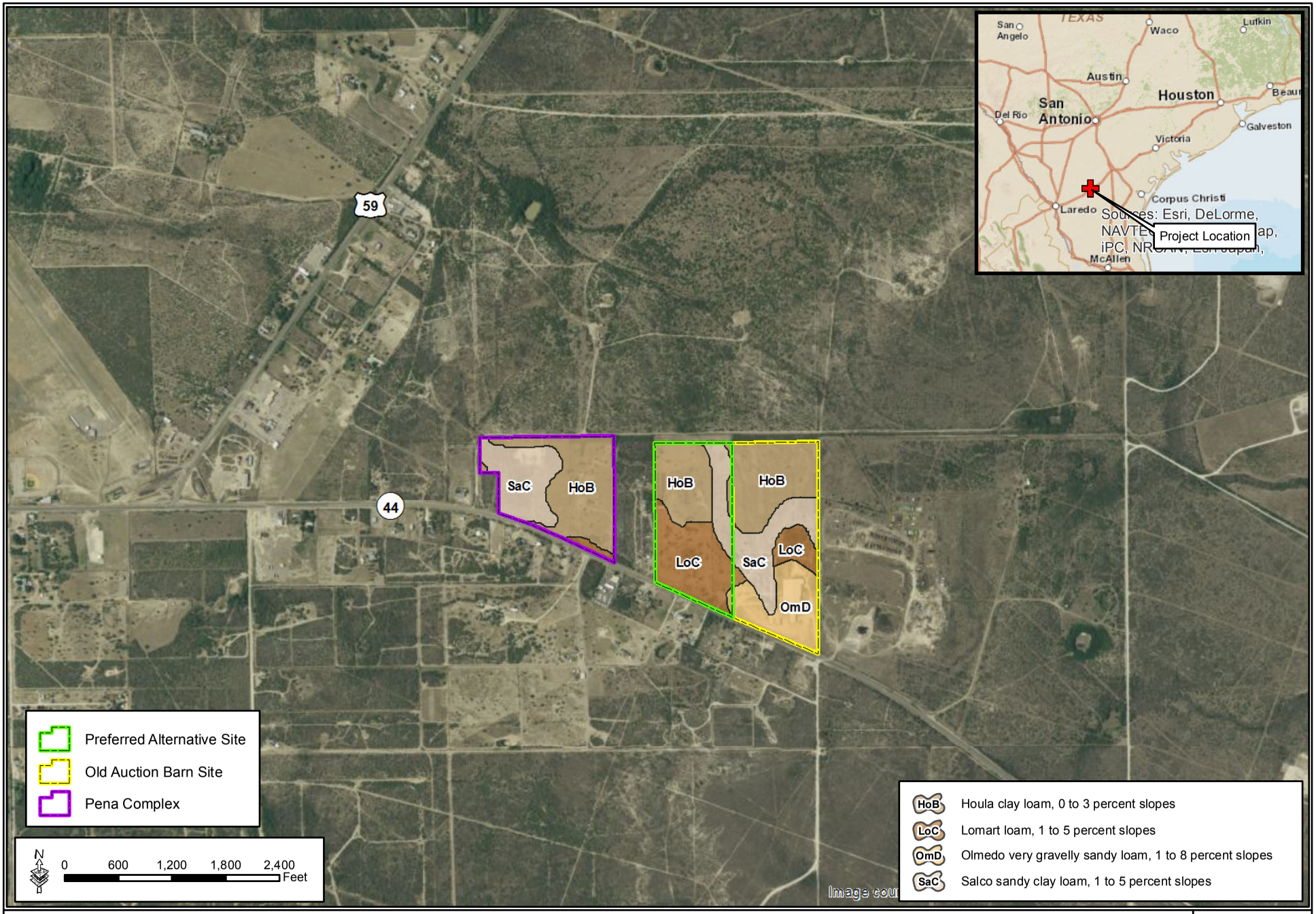

Figure 3-1: Soils Map

GSRC

September 2010

and other farmland [of Statewide or local importance] would be affected). None of the three alternative sites contain prime farmland soils.

3.3.2 Environmental Consequences

3.3.2.1 No Action Alternative

Under the No Action Alternative, there would be no modification of soils, since no new structures or roads associated with a USBP Station would be constructed.

3.3.2.2 Preferred Alternative

Impacts at the Preferred Alternative Site from construction of the new Freer Station would consist of the removal of as much as 13 acres of soils from biological production, and alteration of 22 acres of soils during demolition, grading, and landscaping activities. Another 2 acres of previously disturbed soils in the Highway 44 right of way would be temporarily impacted during the water and sanitary sewer construction. Due to the vast amount of similar soils in the immediate area supporting the same vegetation communities, impacts on soils would be less than significant. No soils on the Preferred Alternative Site are inappropriate for supporting buildings and parking areas. The implementation of Best Management Practices (BMP) for erosion and dust control would reduce soil erosion impacts during construction to less than significant levels.

3.3.2.3 Pena Complex Alternative

Impacts on soils at the Pena Complex would be similar to those described for the Preferred Alternative.

3.3.2.4 Old Auction Barn Site Alternative

Impacts on soils at the Old Auction Barn Site would be similar to those described for the Preferred Alternative.

3.4 WATER RESOURCES

3.4.1 Affected Environment

3.4.1.1 Surface Water

The closest major water bodies near the study area, located within 5 to 10 miles north and east of the alternative sites, consist of Choke Canyon Reservoir, San Fernando Creek, Nueces River, and Lake Corpus Christi. The open waters of the Choke Canyon Reservoir and Lake Corpus Christi have good water quality. The project area is located in TCEQ Service Region 14 (Corpus Christi). No surface water bodies are located on or near any of the sites.

3.4.1.2 Groundwater

Groundwater resources consist of subsurface hydrology in which one or more aquifers may be present. The Gulf Coast aquifer system is the primary source of groundwater along the coastal plains of Texas, extending about 62 miles inland from the Gulf of Mexico. To the south the aquifer system extends across the Rio Grande and into Mexico, and to the north it extends along the Gulf Coast into Louisiana.

Groundwater quality within an aquifer is dependent upon its reactions with bulk-mineral composition. Total dissolved solids increase along the flow path (north to south) as the groundwater reacts with the bulk rock that composes the aquifer (Texas Water Commission

1989); therefore, higher amounts of total dissolved solids correlate with discharge areas of aquifers, such as river basins.

3.4.2 Environmental Consequences

3.4.2.1 No Action Alternative

Under the No Action Alternative, the conditions at the alternative sites would not change. No temporary or permanent impacts on surface water or groundwater quality, or stormwater runoff, would occur.

3.4.2.2 Preferred Alternative

Temporary short-term impacts on downstream surface waters may occur during the demolition and construction period due to soil erosion; a SWPPP as part of the NPDES permit process would be implemented to reduce the short-term impacts. The station site would include a stormwater retention system to capture stormwater runoff. During construction activities, protection from sediments and pollutants in stormwater runoff would be achieved through the implementation of BMPs, such as silt fences and minimal alteration to vegetative buffers, as specified in the SWPPP. A site-specific SPCCP would also be in place prior to the start of construction. BMPs outlined in this plan would reduce potential migration of soils, oil and grease, and construction debris into local watersheds. Impacts on surface water resources would be less than significant.

Water would be required to suppress fugitive dust during demolition and construction activities, and this water would be provided from municipal water supplies. Water not lost to evaporation during watering of construction area surfaces during construction would potentially contribute to aquifer recharge through downward seepage. No water wells would be drilled as part of the new Freer Station construction, and no impacts on groundwater quality would occur. All potable water used during demolition and construction (i.e., drinking water for construction workers) and for future station activities would come from municipal sources (see Section 3.11 for a discussion of impacts on municipal water use).

3.4.2.3 Pena Complex Alternative

Similar to those described in the Preferred Alternative, the impacts on water resources would be less than significant.

3.4.2.4 Old Auction Barn Site Alternative

Impacts on surface water and groundwater resources would be similar to those described in the Preferred Alternative, and would be less than significant.

3.5 VEGETATIVE HABITAT

3.5.1 Affected Environment

Texas is divided into natural ecoregions, and the project area is located within South Texas Plains or “brush country” (TPWD 2006). The South Texas Plains ecoregion is characterized by dense, small thorny trees and shrubs, and thorny herbaceous plants.

Gulf South Research Corporation (GSRC) surveyed all alternative sites on 28 July 2010 for biological resources. There are no undisturbed vegetation communities within the proposed USBP Station footprint of the three alternative sites. The construction footprint and surrounding areas consist of maintained and unmaintained scrub-shrub and residential areas (Photographs 3-1 and 3-2).

Photograph 3-1. Vegetation on the Pena Complex

Photograph 3-2. Maintained vegetation adjacent to rural residential development

3.5.1.1 Preferred Alternative

The dominant plant species found during the biological survey included Texas sage (*Leucophyllum fructescens*), *Croton* spp., Texas kidneywood (*Eysenhardtia texana*), Jerusalem thorn (*Parkinsonia aculeate*), honey mesquite (*Prosopis glandulosa*), *Clematis* spp., mariola (*Parthenium incanum*), acacia (*Acacia* spp.), and common sunflower (*Helianthus annuus*). Other plants identified on the project site only occurring as individual plants or in small colonies were pricklyleaf (*Thymophylla* spp.), Texas ebony (*Ebenopsis ebano*), broomweed (*Amphiachyris dracunculoides*), Texas lantana (*Lantana horrida*), Mexican hat (*Ratibida columnaris*), and Texas flax (*Linum hudsonioides*).

Approximately 15 acres of the parcel is developed, and most of the 35-acre site is maintained as a collocated residence and business and is surrounded by mowed turf grass. Along the fence lines, prickly pear cactus (*Opuntia* spp.) and yucca (*Yucca* spp.) are common.

3.5.1.2 Pena Complex Alternative

The dominant plant species at the Pena Complex are similar to those noted for the Preferred Alternative Site. However, the level of development and disturbance to vegetation at the Pena Complex was less than at the Preferred Alternative Site, and includes approximately 2 acres of relatively undisturbed vegetation that is located beyond the proposed USBP Station construction footprint.

3.5.1.3 Old Auction Barn Site Alternative

Much of the Old Auction Barn Site is disturbed or developed. However, the vegetation composition in undeveloped areas of the site is similar to that noted for the Preferred Alternative

Site. Pigweed (*Amaranthus* spp.) and purple night shade (*Solanum* spp.), both of which are invasive, non-native species, were also observed at the Old Auction Barn Site.

3.5.2 Environmental Consequences

3.5.2.1 No Action Alternative

The No Action Alternative would preclude the construction, operation, and maintenance of a new station, and vegetation would not be disturbed or removed.

3.5.2.2 Preferred Alternative

The Preferred Alternative would change approximately 35 acres of maintained native vegetation and turf grass associated with residential and commercial development into developed and landscaped areas. The removal of approximately 35 acres of highly disturbed vegetation would not significantly affect the diversity of plant communities in the area.

3.5.2.3 Pena Complex Alternative

Development of the Pena Complex would remove more scrub-shrub vegetation than development of the Preferred Alternative Site. However, all of the vegetation has been previously disturbed and is locally and regionally common. The approximately 2-acre ocelot and jaguarundi travel corridor on the west side of the Pena Complex would remain undeveloped.

3.5.2.4 Old Auction Barn Site Alternative

The Old Auction Barn Site is highly disturbed and mostly developed; therefore, no plant communities would be affected by construction and operation of a new USBP Station at this location.

3.6 WILDLIFE RESOURCES

3.6.1 Affected Environment

The native rangelands of south Texas have long been noted for their cattle industry and abundant wildlife, especially white-tailed deer (*Odocoileus virginianus*). TPWD actively manages for several game bird species in the South Texas Plains District, including Rio Grande turkey (*Meleagris gallopavo intermedia*), white-winged dove (*Zenaida asiatica*), bobwhite quail (*Colinus virginianus*), and plain chachalaca (*Ortalis vetula).*

This region typically supports an abundant and diverse wildlife population. However, there are no mature, undisturbed vegetation communities on the sites. This greatly reduces the suitability of habitat for a diverse suite of wildlife species. However, the disturbed scrub/shrub habitat provides loafing and foraging habitat for some common wildlife species.

Common predatory mammals of the South Texas Plains region include coyotes (*Canis latrans*) and bobcats (*Lynx rufus*). Both of these species live in a variety of habitats, are highly adaptable, and in most places have been able to thrive in spite of increasing habitat loss due to human settlement. Other small mammals that may occur near the project area include raccoon (*Procyon lotor*), striped skunk (*Mephitus mephitis*), Eastern gray squirrel (*Sciurus carolinensis*), and a variety of rats (Genera *Rattus, Sigmodon, Orozomys*) and mice (Genera *Mus* and *Peromyscus*). Common birds include mourning dove (*Zenaida macroura*), white-winged dove, bobwhite quail, red-tailed hawk (*Buteo jamacaiensis*), American crow (*Corvus corax*), and common grackle

(*Quiscalus quiscula*). There is also a diverse assemblage of hummingbirds (*Archilochus* spp.) found in the South Texas Plains ecoregion.

Reptiles that occur in the South Texas Plains region include a variety of snakes, lizards, turtles, and the American alligator (*Alligator mississippiensis).* Snakes in the area may include the following: diamond-backed watersnake (*Nerodia rhombifer*), garter and ribbon snakes (*Thamnophis* spp.), Eastern hognose snake (*Heterodon platyrhinos*), Texas rat snake (*Elaphe obsoleta lindhiemeri*), Texas coral snake (*Micrurus fulvus tener*), rattlesnakes (*Croatalus* spp.*),* western cottonmouth (*Agkistrodon piscivorus leucostoma*), and broad-banded copperhead (*Agkistrodon contortrix laticinctus*) (Collins and Conant 1991). Lizards occurring in the South Texas Plains include Texas horned lizard (*Phrynosoma cornutum*), keeled earless lizard (*Holbrookia propinqua*), and southern prairie lizard (*Sceloporus undulatus consobrinus*). There are several species of skinks (*Eumeces* spp. and *Scincella* spp.) and whiptails or racerunners (*Aspidoscelis* spp.) occurring in this region (Collins and Conant 1991). Terrestrial turtle species include the eastern box turtle (*Terrepene carolina)* and ornate box turtle (*Terrepene ornata*) on land (Collins and Conant 1991).

Amphibian wildlife in the project area includes many frogs, toads, and salamanders, including bullfrogs (*Rana catesbiena*), southern leopard frogs (*R. utricularia*), green frogs (*R. clamitans*), green toads (*Bufo debilis*), Texas toads (*B. speciosus*), Gulf Coast toads (*R. valliceps*), treefrogs (*Hyla* spp.*),* and chorus frogs (*Psuedacris* spp.) (Collins and Conant 1991). For a discussion on rare, threatened, and endangered species, see Section 3.7.

3.6.1.1 Preferred Alternative

White-winged doves were the only wildlife observed during the biological survey conducted on 28 July 2010 at the Preferred Alternative Site.

3.6.1.2 Pena Complex Alternative

During the 28 July 2010 site survey, turkey vultures (*Cathartes aura*) and mockingbirds (*Mimus polyglottos*) were observed at the Pena Complex. White-winged doves were heard from adjacent parcels. No other wildlife was observed during the biological survey.

3.6.1.3 Old Auction Barn Site Alternative

No wildlife was observed during the biological survey conducted on 28 July 2010 at the Old Auction Barn Site.

3.6.2 Environmental Consequences

3.6.2.1 No Action Alternative

The No Action Alternative would preclude the construction, operation, and maintenance of a new USBP Station, and wildlife habitat on the alternative sites would not be altered.

3.6.2.2 Preferred Alternative

Minimal adverse effects on wildlife populations would occur as a result of the demolition of existing structures and construction, operation, and maintenance of a USBP Station under the Preferred Alternative, because there is very little undisturbed vegetation on the site. Most of the land in the area is used for cattle grazing and oil and gas production, so habitat in the

surrounding area has been removed or disturbed. Some individual specimens could be disturbed, injured, or killed during the demolition and construction; this is particularly true of burrowing mammals, reptiles, and amphibians. Further, some bird mortality is possible from wind turbine operation, because some birds fly into the path of blades. However, any such individual would likely be of a common species, and with the development of an Avian and Bat Protection Plan in coordination with the USFWS, the turbine operation would not adversely affect the population viability or fecundity of any wildlife species in the region. The implementation of environmental design measures outlined in Section 5.0 would further reduce impacts on wildlife from the construction and operation of a new USBP Station. The Preferred Alternative would not result in a significant impact on wildlife.

3.6.2.3 Pena Complex Alternative

Minimal adverse effects on wildlife populations would occur as a result of the demolition of existing structures and construction, operation, and maintenance of the USBP station at the Pena Complex due to the relatively common habitat present at the site that is maintained through periodic mowing of the vegetation. Impacts on wildlife would be similar to those described for the Preferred Alternative.

3.6.2.4 Old Auction Barn Site Alternative

No adverse effects on wildlife populations would occur as a result of the demolition of existing structures and construction, operation, and maintenance of the USBP station at the Old Auction Barn Site due to the disturbed habitats present at the site. Impacts on wildlife would be similar to those described for the Preferred Alternative.

3.7 THREATENED AND ENDANGERED SPECIES

3.7.1 Affected Environment

The USFWS responsibilities under the ESA include: (1) the identification of threatened and endangered species; (2) the identification of critical habitats for listed species; (3) implementation of research on, and recovery efforts for, these species; and (4) consultation with other Federal agencies concerning measures to avoid harm to listed species.

An endangered species is a species in danger of extinction throughout all or a significant portion of its range. A threatened species is a species likely to become endangered within the foreseeable future throughout all or a significant portion of its range. Proposed species are those that have been formally submitted to Congress for official listing as threatened or endangered. Species may be considered for listing as endangered or threatened when any of the five following criteria occurs: (1) current/imminent destruction, modification, or curtailment of their habitat or range; (2) overuse of the species for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; and (5) other natural or human-induced factors affecting continued existence. In addition, the USFWS has identified species that are candidates for listing as a result of identified threats to their continued existence. The candidate designation includes those species for which the USFWS has sufficient information to support proposals to list as endangered or threatened under the ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.

3.7.1.1 Federal

Three Federally listed endangered species are identified in Duval County: Gulf Coast jaguarundi (*Herpailurus yagouaroundi cacomitli)*, ocelot *(Leopardus pardalis)*, and Walker's manioc (*Manihot walkerae)* (USFWS 2010) (Table 3-1). No Federally listed threatened species occur within Duval County.

Table 3-1. Federally Listed Species Potentially Occurring within Duval County, Texas

Species	Federal Status	Preferred Habitat
Mammals		
Gulf Coast jaguarundi *Herpailurus yagouaroundi cacomitli*	Endangered	Dense thorny scrublands; may be tolerant of grasslands and pasture habitats (TPWD 2006)
Ocelot *Leopardus pardalis*	Endangered	Dense chaparral thickets, mesquite scrub/shrub, riparian corridors and wetlands. Avoids open areas
Plants		
Walker's manioc *Manihot walkerae*	Endangered	Periphery of native brush in sandy loam, also on caliche cuestas

Source: TPWD 2011. Annotated County Lists of Rare Species: Duval County. Accessed August 2012.

The ocelot and jagaurundi are associated with dense thorny scrublands and chaparral thickets, and tend to avoid open areas. Substantial dense scrublands are present in the vicinity of the City of Freer and throughout Duval County. All three alternative sites are highly disturbed, with no dense thorny scrub-shrub habitat, and provide little hunting or denning habitat to either the ocelot or the jaguarundi. However, ocelots are known to occur in Duval County, and a recent sighting along State Highway 44 between Freer and San Diego, Texas (see USFWS correspondence in Appendix A) indicates that the alternative sites could provide suitable travel habitat. The jagaurundi is not known to occur in the vicinity of the alternative sites; however, its range extends across much of south Texas.

Similarly, the Walker's manioc is found on the periphery of native brush in sandy loam soils. Walker's manioc has been found in Hidalgo, Starr, and Duval counties, but has only been observed in two locations (observations in 2002 and 2009) in Duval County outside of Benavides, Texas, approximately 20 to 25 miles from Freer (USFWS 2009). Because the area surrounding the alternative sites is also disturbed and Walker's manioc was not observed during biological surveys, it is not likely that this species would occur at any of the sites.

3.7.1.2 Critical Habitat

The ESA also calls for the conservation of what is termed critical habitat - the areas of land, water, and air space that an endangered species needs for survival. Critical habitat also includes such things as food and water, breeding sites, cover or shelter, and sufficient habitat area to provide for normal population growth and behavior. One of the primary threats to many species is the destruction or modification of essential habitat by uncontrolled land and water development. The USFWS has not designated any critical habitat for the three endangered species found in Duval County.

3.7.1.3 State

The State of Texas has listed two endangered, 13 threatened, and nine rare species potentially occurring in Duval County (TPWD 2011). The alternative sites are highly disturbed and somewhat developed, and, therefore, have limited value as wildlife habitat. Riparian, wetland, or moist communities that would provide suitable habitat for amphibians and certain bird species were not observed at any of the alternative sites. Disturbance and low species diversity limit the alternative sites' suitability for all but the most common lizards and small mammals. Many of the listed species are associated with moist habitats or other ecological communities that are not found within or near the alternative sites.

Three state-listed birds potentially occurring in Duval County are known to be found in disturbed scrub/shrub habitats or urbanized areas: Arctic peregrine falcon (*Falco peregrinus tundrius*), Texas Botteri's sparrow (*Aimophila botterii texana),* and western burrowing owl (*Athene cunicularia hypugea*) (TPWD 2011).

The Arctic peregrine falcon is a migrant through the area and occupies a wide range of habitats during migration, including urban areas. However, occurrences are concentrated along the coast and barrier islands where stopovers most frequently occur at landscape edges. The Texas Botteri's sparrow lives on grassland and short-grass plains with scrub/shrub, sagebrush, mesquite or yucca. They nest on the ground in low clumps of grass. The western burrowing owl is a resident species in the area and occupies open grasslands and sometimes open areas such as vacant lots near urban areas, and nests and roosts in abandoned burrows. Western burrowing owl burrows can be found along agricultural margins excavated into irrigation or drainage canals and berms.

The plains spotted skunk (*Spilogale putorius interrupta*) occupies a wide variety of habitats including open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands, but prefers wooded, brushy areas and tallgrass prairies (TPWD 2011). There is suitable habitat consisting of shrubland near all the project sites, but habitat quality for the plains spotted skunk on the three alternative sites is poor. Because nearby areas provide habitat for the plains spotted skunk, the species could travel through any of the alternative sites.

3.7.2 Environmental Consequences

3.7.2.1 No Action Alternative

The No Action Alternative would preclude the construction, operation, and maintenance of a new station, and no special status species or their potential habitats would be affected.

3.7.2.2 Preferred Alternative

No Federally protected species would be expected to be present on the Preferred Alternative Site, and none were observed during biological surveys. The potential for special status species to occur on the Preferred Alternative Site is limited by the low quality of habitats on and surrounding the site, the use of much of the property for residential and commercial purposes, and frequent mowing activities. The demolition of existing structures and construction of the USBP Station at the Preferred Alternative Site would have no effect on Federally listed species.

The Arctic peregrine falcon could use the Preferred Alternative Site as a stopover during migration; however, these birds would likely avoid any construction-related activity. These species are not susceptible to harm related to disturbance, regularly encounter human activity during migration, and would likely relocate to nearby areas of similar suitability. Western burrowing owls and Texas Botteri's sparrow could nest and forage in or near the Preferred Alternative Site. Although none of these species were observed at the site during recent surveys, a pre-construction survey would be required to avoid impacts on these species if construction occurs during the breeding season (see Section 5). If the species is observed within or near the site, the USFWS and TPWD would be contacted and measures to avoid, and mitigate if necessary, any adverse impacts would be implemented. It is highly unlikely that the plains spotted skunk would use this site for foraging or breeding. Further, if the skunk were present during the start of demolition and grading activities, noise and human activities would cause it to flee the area; therefore, this species would not likely be adversely affected.

3.7.2.3 Pena Complex Alternative

Ocelots could be present on the Pena Complex as they travel to more suitable hunting and denning habitat. Because the Pena Complex is periodically mowed, there is no dense shrub-scrub habitat that could provide suitable foraging habitat, and the site provides little cover for ocelots during travel. The construction of a USBP station at the Pena Complex may affect, but is not likely to adversely affect, the ocelot since only low-quality travel habitat is present at the site, more suitable travel and hunting habitat is available on adjacent parcels to the north, and cats would avoid the site due to increased human activity upon the start of demolition activities. Further, a conservation measure that would leave the western portion of the Pena Complex undeveloped (Figure 3-2) would provide additional cover for ocelots during north-south travel. This area would not be maintained and perimeter fencing would be limited to barbed wire. Impacts on state-listed species would be similar to those described for the Preferred Alternative.

3.7.2.4 Old Auction Barn Site Alternative

The impacts on special status species under this alternative would be similar to those described for the Preferred Alternative.

3.8 CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL RESOURCES

The NHPA establishes the Federal government's policy to provide leadership in the preservation of historic properties and to administer Federally owned or controlled historic properties in a spirit of stewardship. NHPA established the Advisory Council on Historic Preservation (ACHP) to advocate full consideration of historic values in Federal decision making; review Federal programs and policies to promote effectiveness, coordination, and consistency with National preservation policies; and recommend administrative and legislative improvements for protecting our Nation's heritage with due recognition of other National needs and priorities. In addition, the NHPA also established the SHPO to administer National historic preservation programs on the state level and Tribal Historic Preservation Officers on tribal lands, where appropriate. The NHPA also establishes the National Register of Historic Places (NRHP). The NRHP is the Nation's official list of cultural resources worthy of preservation and protection. Properties listed in the NRHP include districts, sites, buildings, structures, and objects that are significant in U.S. history, architecture, archaeology, engineering, and culture. The NPS administers the NRHP.

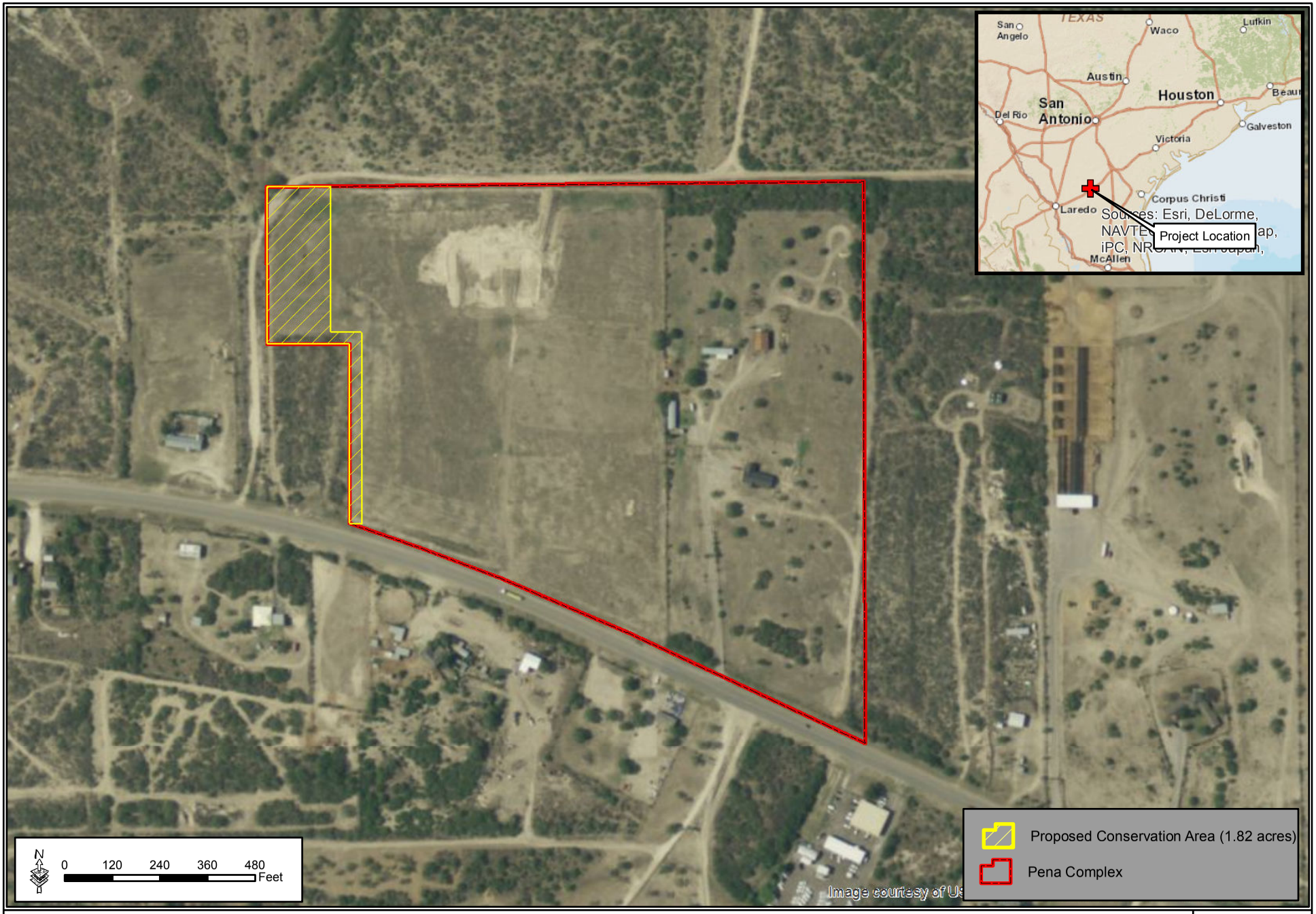

Figure 3-2: Location of Proposed Conservation Area of the Pena Complex

GSRC

November 2010

3.8.1 Affected Environment

3.8.1.1 Cultural History

The project area lies within the South Texas Plains (Black 1998). The paleoenvironment of the area during the Wisconsin glacial period (22,500 to 14,000 years Before Present [B.P.]) was considerably cooler and more humid than today. A change to the current Holocene environmental conditions began around 10,000 B.P., though there is some debate over timing and nature of the change, with some suggesting a gradual trend toward warmer and drier conditions over time, and others suggesting that the climate fluctuated throughout the Holocene between drier and wetter conditions (Black 1998).

Initial human occupation of the South Texas Plains is thought to have occurred during the Paleo-Indian period dating from 9200 B.C. to 6000 B.C. It is generally thought that the Paleo-Indian inhabitants were big game hunters with large herbivores, including extinct Pleistocene species such as the mammoth and bison, as the preferred prey. Paleo-Indian subsistence and settlement patterns suggest a very low population density in the area, with small highly mobile bands operating in larger territorial ranges (Black 1998).

The subsequent Archaic Period is divided into the Early Archaic (ca. 6000 B.C. to 2500 B.C.), the Middle Archaic (ca. 2500 B.C. to 400 B.C.), and the Late Archaic (ca. 400 B.C. to A.D. 800), based on artifact types, particularly projectile points, as well as other cultural traits (Black 1998b). In terms of lifestyle, the transition to Archaic periods encompassed a shift from a focus on big game hunting to a more generalized hunting and gathering adaptation beginning during the later part of the Paleo-Indian period.

Subsistence data from the Early Archaic Period indicated a shift to the use of littoral resources such as freshwater mussels, land snails, turtle bones, and freshwater drum. Middle Archaic sites are more common in South Texas as compared to sites from previous periods. Evidence of increased plant utilization for subsistence is also seen during the Middle Archaic, including the increase in the use of groundstones, as well as an increase in roasting/baking hearths. Evidence from the Late Prehistoric Period (ca. A.D. 800/1200 to A.D. 1600) indicated an emphasis on faunal exploitation, including a diverse range of species such as bison, deer, and pronghorn.

By the early nineteenth century the native peoples of the area were either culturally or biologically extinct or displaced. As a result, the information on the historic Native American populations of the area is derived predominantly from historic documents from Spanish expeditions, missionaries, and the earliest Anglo-European explorers and settlers.

Although the rolling countryside of Duval County, thick with brush, mesquite trees, and white limestone outcroppings, seems an unlikely setting for agricultural production, the local economy depended entirely on farming and ranching until 1928 (Drouet 1907; Kohout 2010a). In 1928, one of the nation's largest oil reserves was discovered just southwest of Freer. A second discovery made the Freer oil field the second largest in the country by 1933 (Kohout 2010a). Freer and its surrounds were speckled with oil wells, and by 1938, Duval County was ranked third in the state for production, with almost 20.8 million barrels of oil being produced that year (Kohout 2010b; Texas State Highway Department 1936/1940). In the 1950s, numerous large

petrochemical companies were operating plants in and near Freer (Kohout 2010a). Production declined, but continued into the second half of the twentieth century.

3.8.1.2 Previous Investigations

In August and September 2010, Prewitt and Associates, Inc., conducted archaeological and historical resources surveys for three alternative sites located in Duval County, Texas. Archaeological and historical resources studies were performed in accordance with provisions of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716–42) and take into consideration the NHPA; NEPA; the Archaeological and Historical Preservation Act of 1974 (PL 93-291); and EO 11593 (Protection and Enhancement of the Cultural Environment). These studies were prepared to meet documentation standards in accordance with 36 CFR 60 and for informing Section 106 of the NHPA in consultation with the THC and SHPO.

Prior to fieldwork, the project archaeologist searched the THC's Texas Archaeological Sites Atlas to determine if any previously recorded sites were present in the project area. The search revealed that no previously recorded sites are in or near the project area. Two archaeological surveys have been conducted immediately south of the project area along State Highway 44. One was a small survey conducted for the existing USBP Station. The other was a 2003 survey by Prewitt and Associates, Inc. of 550 acres along State Highway 44 (Griffith 2003). No sites were recorded during these surveys.

3.8.1.2.1 Preferred Alternative

A total of 16 shovel tests were excavated, none of which yielded any cultural materials. Most revealed disturbed and mixed gravelly silts and sands with caliche gravels. One prehistoric site, 41DV164, was recorded. Based on the disturbances, the scarcity of artifacts, and the low contextual integrity (i.e., restricted to the surface), it is unlikely that interpretable samples of cultural materials isolable into reasonably discrete components could be recovered. Hence, site 41DV164 lacks important information and was determined ineligible for listing in the NRHP. THC concurred that no historic properties would be affected by the Proposed Action (see Appendix A).

3.8.1.2.2 Pena Complex Alternative

Fourteen shovel tests were excavated throughout the tract. One historic site, 41DV165, was recorded, but no cultural materials were recovered from shovel tests. Site 41DV165 is a house site or small farmstead dating to the middle to late twentieth century. Its recent age and disturbed condition indicate that it is a poor candidate for containing important archaeological information about the history of the area. Lacking the capacity to contain important information, 41DV165 does not meet Criterion D for eligibility for listing in the NRHP. THC concurred that no historic properties would be affected by the Proposed Action (see Appendix A).

3.8.1.2.3 Old Auction Barn Site Alternative

A total of 11 shovel tests were excavated on the Old Auction Barn Site. One prehistoric archaeological site, 41DV163, was recorded. Shovel tests exposed gravelly silty sand with abundant caliche gravels. No cultural materials were recovered from any of the shovel tests for site delineation. Artifacts associated with 41DV163 are so scarce and of such questionable

contextual integrity (i.e., restricted to the surface) that it is doubtful that interpretable samples of cultural materials isolable into reasonably discrete components could be recovered. Hence, this site lacks important information and is ineligible for listing in the NRHP. THC concurred that no historic properties would be affected by the Proposed Action (see Appendix A).

3.8.2 Environmental Consequences

3.8.2.1 No Action Alternative

Under the No Action Alternative, construction of the new USBP station would not occur at any of the alternative sites. No potentially occurring cultural resources would be disturbed at any of the alternative sites.

3.8.2.2 Preferred Alternative

The demolition of existing structures and construction and operation of a new USBP Station at the Preferred Alternative Site would not affect cultural resources, as no eligible NRHP cultural resources sites were identified.

3.8.2.3 Pena Complex Alternative

The demolition of existing structures and construction and operation of a new USBP Station at the Pena Complex would not affect cultural resources, as no eligible NRHP cultural resources sites were identified.

3.8.2.4 Old Auction Barn Site Alternative

The demolition of existing structures, and construction and operation of a new USBP Station at the Old Auction Barn Site would not affect cultural resources, as no eligible NRHP cultural resources were identified.

3.9 AIR QUALITY

3.9.1 Affected Environment

USEPA established National Ambient Air Quality Standards (NAAQS) for specific pollutants determined to be of concern with respect to the health and welfare of the general public. Ambient air quality standards are classified as either "primary" or "secondary." The major pollutants of concern, or criteria pollutants, are carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), ozone (O_3), particulate matter less than 10 microns (PM-10), particulate matter less than 2.5 microns (PM-2.5), and lead. NAAQS represent the maximum levels of background pollution that are considered safe, with an adequate margin of safety, to protect the public health and welfare. The NAAQS are included in Table 3-2.

Areas that do not meet these NAAQS are called non-attainment areas; areas that meet both primary and secondary standards are known as attainment areas. The Federal Conformity Final Rule (40 CFR Parts 51 and 93) specifies criteria or requirements for conformity determinations for Federal projects. The Federal Conformity Rule was first promulgated in 1993 by USEPA, following the passage of Amendments to the CAA in 1990. The rule mandates that a conformity analysis must be performed when a Federal action generates air pollutants in a region that has been designated a non-attainment or maintenance area for one or more NAAQS.

Table 3-2. National Ambient Air Quality Standards

Pollutant	Primary Standards		Secondary Standards	
	Level	Averaging Time	Level	Averaging Times
CO	9 ppm (10 mg/m^3)	8-hour [1]	None	
	35 ppm (40 mg/m^3)	1-hour [1]		
Lead	0.15 µg/m^3 [2]	Rolling 3-Month Average	Same as Primary	
	1.5 µg/m^3	Quarterly Average	Same as Primary	
NO_s	53 ppb [3]	Annual (Arithmetic Average)	Same as Primary	
	100 ppb	1-hour [4]	None	
PM-10	150 µg/m^3	24-hour [5]	Same as Primary	
PM-2.5	15.0 µg/m^3	Annual [6] (Arithmetic Average)	Same as Primary	
	35 µg/m^3	24-hour [7]	Same as Primary	
O_3	0.075 ppm (2008 std)	8-hour [8]	Same as Primary	
	0.08 ppm (1997 std)	8-hour [9]	Same as Primary	
	0.12 ppm	1-hour [10]	Same as Primary	
SO_2	0.03 ppm	Annual (Arithmetic Average)	0.5 ppm	3-hour [1]
	0.14 ppm	24-hour [1]		
	75 ppb [11]	1-hour	None	

Source: USEPA 2012a at http://www.epa.gov/air/criteria.html
Units of measure for the standards are parts per million (ppm) by volume, parts per billion (ppb - 1 part in 1,000,000,000) by volume, milligrams per cubic meter of air (mg/m^3), and micrograms per cubic meter of air (µg/m^3).
[1] Not to be exceeded more than once per year.
[2] Final rule signed October 15, 2008.
[3] The official level of the annual NO_2 standard is 0.053 ppm, equal to 53 ppb, which is shown here for the purpose of clearer comparison to the 1-hour standard.
[4] To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb (effective January 22, 2010).
[5] Not to be exceeded more than once per year on average over 3 years.
[6] To attain this standard, the 3-year average of the weighted annual mean PM-2.5 concentrations from single or multiple community-oriented monitors must not exceed 15.0 µg/m3.
[7] To attain this standard, the 3-year average of the 98th percentile of 24-hour concentrations at each population-oriented monitor within an area must not exceed 35 µg/m3 (effective December 17, 2006).
[8] To attain this standard, the 3-year average of the fourth-highest daily maximum 8-hour average O_3 concentrations measured at each monitor within an area over each year must not exceed 0.075 ppm (effective May 27, 2008).
[9] (a) To attain this standard, the 3-year average of the fourth-highest daily maximum 8-hour average O_3 concentrations measured at each monitor within an area over each year must not exceed 0.08 ppm.
(b) The 1997 standard—and the implementation rules for that standard—will remain in place for implementation purposes as USEPA undertakes rulemaking to address the transition from the 1997 O_3 standard to the 2008 ozone standard.
(c)USEPA is in the process of reconsidering these standards (set in March 2008).
[10] (a)USEPA revoked the 1-hour O_3 standard in all areas, although some areas have continuing obligations under that standard ("anti-backsliding").
(b) The standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above 0.12 ppm is $\leq$ 1.
[11] (a) Final rule signed June 2, 2010. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

A conformity analysis is the process used to determine whether a Federal action meets the requirements of the General Conformity Rule. It requires the responsible Federal agency to evaluate the nature of a proposed action and associated air pollutant emissions and calculate emissions as a result of that proposed action. If the emissions exceed established limits, known as *de minimis* thresholds, the proponent is required to implement appropriate mitigation measures.

TCEQ has adopted USEPA's NAAQS as Texas' criteria pollutants. Areas that fail to meet Federal standards for ambient air quality are considered in non-attainment. TCEQ has classified Duval County as in attainment for all NAAQS. USEPA also considers Duval County as in attainment for all NAAQS (USEPA 2012b).

3.9.2 Environmental Consequences

3.9.2.1 No Action Alternative

Implementation of the No Action Alternative would not create additional air emissions in the Duval County airshed.

3.9.2.2 Preferred Alternative

Temporary and minor increases in air pollution would occur from the use of construction equipment (combustion emissions) and the disturbance of soils (fugitive dust) during demolition of existing structures and construction of the new Freer Station.

Fugitive dust emissions were calculated using the emission factor of 0.19 ton per acre per month (Midwest Research Institute 1996), which is a more current standard than the 1985 PM-10 emission factor of 1.2 tons per acre-month presented in AP-42 Section 13 Miscellaneous Sources 13.2.3.3 (USEPA 2001).

USEPA's NONROAD Model (USEPA 2009a) was used, as recommended by USEPA's *Procedures Document for National Emission Inventory, Criteria Air Pollutants, 1985-1999* (USEPA 2001), to calculate emissions from construction equipment. Combustion emission calculations were made for standard construction equipment, such as front-end loaders, backhoes, bulldozers, and cement trucks. Assumptions were made regarding the total number of days each piece of equipment would be used and the number of hours per day each type of equipment would be used.

Construction workers would temporarily increase the combustion emissions in the airshed during their commute to and from the project area. Emissions from delivery trucks would also contribute to the overall air emission budget. Emissions from delivery trucks and construction worker commuters traveling to the job site were calculated using USEPA's preferred on-road vehicle emission model MOVES2010a (USEPA 2009b).

The total air quality emissions were calculated for the demolition and construction activities to compare to the General Conformity Rule. Summaries of the total emissions for the Preferred Alternative are presented in Table 3-3. Details of the analyses are presented in Appendix C.

Table 3-3. Total Air Emissions (tons/year) from the Proposed Action Demolition and Construction Versus the *de minimis* Threshold Levels

Pollutant	Total (tons/year)	*de minimis* Thresholds (tons/year) [1]
Carbon Monoxide (CO)	11.26	100
Volatile Organic Compounds (VOC)	6.13	100
Nitrous Oxides (NOx)	18.40	100
PM-10	47.45	100
PM-2.5	6.20	100
SO_2	2.24	100

Source: 40 CFR 51.853 and GSRC model projections.
[1] Note that Duval County is in attainment for all NAAQS (USEPA 2012b).

Several sources of air pollutants would contribute to the overall air impacts of the construction project. The air results in Table 3-3 included emissions from:

1. Combustion engines of construction equipment;
2. Construction workers commuting to and from work;
3. Supply trucks delivering materials to construction site; and
4. Fugitive dust from job site ground disturbances.

As described in Table 3-3, the emissions from construction activities do not exceed Federal *de minimis* thresholds and thus, do not require a Conformity Determination. As there are no violations of air quality standards and no conflicts with the state implementation plans, the impacts on air quality from the implementation of the Preferred Alternative would be less than significant. During the construction of the new USBP station, proper and routine maintenance of all vehicles and other construction equipment would be implemented to ensure that emissions are within the design standards of all construction equipment. Dust suppression methods should be implemented to minimize fugitive dust. In particular, wetting solutions would be applied to construction areas to minimize the emissions of fugitive dust.

Ongoing Air Emissions

The Preferred Alternative would increase the number of USBP agents commuting to work in Duval County and increase helicopter operations, with an average of five daily landings and takeoffs at the new station. New commuters would most likely be from areas outside of Duval County; therefore, the commuter air emissions from 58 new staff automobiles and lightweight trucks during each of three shifts were calculated in this analysis. The Emissions and Dispersion Modeling System 5.1 was used to assess aircraft emissions. Table 3-4 presents estimated air emissions from automobiles of new agents and support staff and helicopter flights. Details of the analyses are presented in Appendix C.

The emissions from ongoing operations would not exceed Federal *de minimis* thresholds and thus, do not require a Conformity Determination. As there are no violations of air quality standards and no conflicts with the state implementation plans, the impacts on air quality resulting from the implementation of the Preferred Alternative would be less than significant.

Table 3-4. Total Air Emissions (tons/year) from Daily Auto Activities Versus the *de minimis* Levels

Pollutant	Total (tons/year)	*de minimis* Thresholds (tons/year) [1]
CO	28.78	100
Volatile Organic Compounds (VOC)	13.64	100
Nitrous Oxides (NOx)	2072	100
PM-10	0.05	100
PM-2.5	0.05	100
SO_2	0.62	100

Source: 40 CFR 51.853 and GSRC model projections.
[1] Note that Duval County is in attainment for all NAAQS (USEPA 2012b).

3.9.2.3 Pena Complex Alternative

With the demolition of existing structures and construction, operation, and maintenance of a new USBP station at the Pena Complex, the impacts on air quality in the region would be similar to those described for the Preferred Alternative and would be less than significant.

3.9.2.4 Old Auction Barn Site Alternative

With the demolition of existing structures and construction, operation, and maintenance of a new USBP station at the Old Auction Barn Site, the impacts on air quality in the region would be similar to those described for the Preferred Alternative and would be less than significant.

3.10 NOISE

3.10.1 Affected Environment

Noise is generally described as unwanted sound, which can be based either on objective effects (i.e., hearing loss, damage to structures) or subjective judgments (e.g., community annoyance). Sound is usually represented on a logarithmic scale with a unit called the decibel (dB). Sound on the decibel scale is referred to as sound level. The threshold of human hearing is approximately 3 dB, and the threshold of discomfort or pain is around 120 dB.

Noise levels occurring at night generally produce a greater annoyance than do the same levels occurring during the day. An A-weighted decibel (dBA) is a measure of noise at a given, maximum level or constant state level louder than the same level of intrusive noise during the day, at least in terms of its potential for causing community annoyance. It is generally agreed that people perceive intrusive noise at night as being 10 dBA. This perception is largely because background environmental sound levels at night in most areas are also approximately 10 dBA lower than those during the day.

Long-term noise levels are computed over a 24-hour period and adjusted for nighttime annoyances to produce the day-night average sound level (DNL). DNL is not a typical average, but is a cumulative measure of noise over a 24-hour period. DNL is the community noise metric recommended by USEPA and has been adopted by most Federal agencies (USEPA 1974). A DNL of 65 dBA is the level most commonly used for noise planning purposes and represents a compromise between community impact and the need for activities like construction.

Acceptable DNL noise levels have been established by the U.S. Department of Housing and Urban Development (HUD) for construction activities in residential areas (HUD 1984):

> **Acceptable** (not exceeding 65 dBA) – The noise exposure may be of some concern, but common building construction will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.
>
> **Normally Unacceptable** (above 65 but not greater than 75 dBA) – The noise exposure is significantly more severe. Barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable. Special building construction may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.
>
> **Unacceptable** (greater than 75 dBA) – The noise exposure at the site is so severe that the construction costs to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

As a general rule, noise generated by a stationary noise source, or "point source," will decrease by approximately 6 dBA over hard surfaces and 9 dBA over soft surfaces for each doubling of the distance. For example, if a noise source produces a noise level of 85 dBA at a reference distance of 50 feet over a hard surface, then the noise level would be 79 dBA at a distance of 100 feet from the noise source, 73 dBA at a distance of 200 feet, and so on. To estimate the attenuation of the noise over a given distance the following relationship is utilized:

Equation 1: $dBA_2 = dBA_1 - 20 \log (d_2/d_1)$
Where:

dBA_2 = dBA at distance 2 from source (predicted)
dBA_1 = dBA at distance 1 from source (measured)
d_2 = Distance to location 2 from the source
d_1 = Distance to location 1 from the source
Source: California Department of Transportation 1998

Noise from a single event can be estimated by using the Sound Exposure Level (SEL) metric. The SEL includes both the loudness and duration of a single event, and is a cumulative measure, meaning that a higher SEL can be caused by a louder noise event, a longer noise event, or a combination of a louder and longer event.

The three alternative sites are located in a semi-rural area, and there are eight residential homes on the south side of State Highway 44, immediately across from the alternative sites. Additionally, two residences are located on the Pena Complex, and a collocated business and residence are located on the Preferred Alternative Site. The VFW meeting hall is located immediately to the west of the Pena Complex.

3.10.2 Environmental Consequences

3.10.2.1 No Action Alternative

Implementation of the No Action Alternative would not impact ambient noise quality in the region; however, residences near the existing station would continue to experience traffic noise produced by cars and trucks, including USBP POV and GOV, traveling on State Highway 44.

3.10.2.2 Preferred Alternative

The demolition of existing structures and construction of the new Freer station would require the use of common construction equipment. Table 3-5 describes noise emission levels for construction equipment, which range from 76 dBA to 82 dBA at a distance of 50 feet (Federal Highway Administration 2007 [FHWA] 2007).

Table 3-5. A-Weighted (dBA) Sound Levels of Construction Equipment and Modeled Attenuation at Various Distances[1]

Noise Source	50 feet	100 feet	200 feet	500 feet	1,000 feet
Backhoe	78	72	66	58	52
Crane	81	75	69	61	55
Dump truck	76	70	64	56	50
Excavator	81	75	69	61	55
Front-end loader	79	73	67	59	53
Concrete mixer truck	79	73	67	59	53
Pneumatic tools	81	75	69	61	55
Bulldozer	82	76	70	62	56
Generator	81	75	69	61	55

Source: FHWA 2007 and GSRC

[1] The dBA at 50 feet is a measured noise emission (FHWA 2007). The 100 to 1,000 foot results are GSRC modeled estimates. A worst case scenario of noise attenuation is assumed for the project area, and the attenuation modeled assumes hard surface attenuation.

Assuming the worst case scenario of 82 dBA, the noise model projected that noise levels of 82 dBA from a point source (i.e., bulldozer) would have to travel 370 feet before the noise would be attenuated to an acceptable level of 65 dBA. To achieve an attenuation of 82 dBA to a normally unacceptable level of 75 dBA, the distance from the noise source to the receptor would have to be 110 feet.

Assuming the demolition and construction activities are contained within the delineated construction area, six residential properties are located within 370 feet of the edge of the project site boundary. These sensitive noise receptors may be exposed to normally unacceptable (65 dBA to 75 dBA) noise emissions. To minimize the impact potential, construction activities should be limited to daylight hours during the workweek, between 8:00 a.m. to 5:00 p.m. on Monday through Friday. Noise impacts should be less than significant if these timing restrictions are implemented during construction activities. Noise generated by the construction activities would be intermittent and last for 2 years, after which noise levels would return to ambient levels. Therefore, noise impacts from construction activities would be considered less than significant.

For noise analysis of helicopter flights, it is anticipated that CBP would utilize a Sikorski 76 helicopter frame, although CBP utilizes a wide variety of helicopter types. The Sikorski 76 is a mid-sized commercial helicopter used to transport passengers and cargo. The SELCAL noise model was used to predict DNL and SEL. During approach, the SECAL noise model predicted that the SEL noise emissions from the Sikorski 76 would have to travel 3,753 feet before they would attenuate to 65 dBA. There are approximately 10 residential homes within 3,753 feet of the new Freer Station and they could experience intermittent helicopter SEL noise emissions greater than 65 dBA.

With five helicopter takeoffs and landings at the USBP Freer Station daily, the SECAL model predicts that the 65 DNL dBA would not be reached at the helipad. The SECAL model produces a 47 DNL dBA noise contour encompassing an area of approximately 1 acre around the helipad. All helicopter takeoffs and landings at the new station would be from the northeast in order to avoid power lines, and State Highway 44. Noise impacts on the 10 residential homes proximate to the new Freer Station from helicopter approaches to the helipad would be moderate and long-term.

Modern small wind turbines are insulated and have lower rotation speeds, reducing their noise emissions relative to older models. The proposed wind turbine would be on a 100-foot-tall tower, and distance from the noise source further reduces sound level reaching receptors. Further there are no sensitive receptors proximate to the Preferred Alternative Site. Therefore, the operation of a wind turbine would have no significant impact on noise emissions in the project area.

3.10.2.3 Pena Complex Alternative

Impacts from increased noise emissions would be similar to those described for the Preferred Alternative.

3.10.2.4 Old Auction Barn Site Alternative

Impacts from increased noise emissions would be similar to those described for the Preferred Alternative.

3.11 UTILITIES AND INFRASTRUCTURE

3.11.1 Affected Environment

The Freer Water Control Improvement District (WCID) serves a population of 4,038 and contains 1,394 connections. The water source for the Freer WCID comes from six wells completed to depths ranging from 620 feet to 680 feet deep in the Catahoula Formation which underlies the Jasper Aquifer. Freer WCID also has three wells that are inactive. The Freer WCID is located within an area containing high arsenic groundwater along the up-dip edge of the Gulf Coast aquifer system. Arsenic is commonly found in area wells at concentrations greater than the maximum contaminant level of 0.01 ppm. No wells with acceptable water quality were identified within 6.2 miles of Freer WCID. TCEQ implements a variety of programs that address groundwater protection and focus on both prevention of contamination and remediation of existing problems.

The City of Freer provides sewer and solid waste services for residences and businesses in the area. Water and sanitary sewer service is not presently available at any of the three alternative sites. Electricity can be purchased from a number of vendors in the area, including Nueces Electric Cooperative, Ambit Energy, Reliant Energy, and CPL Retail Energy, although the power poles servicing the three alternate sites are owned by American Electric Power.

3.11.2 Environmental Consequences

3.11.2.1 No Action Alternative

The City of Freer and other utilities providers in the area are currently able to meet demands for potable water, electric power, wastewater treatment, and solid waste disposal. The increased demand for utilities resulting from an increase in USBP agents and staff up to a total of approximately 260 people at the existing station would be minimal in relation to anticipated population growth for Freer, and would not exceed the capacity of providers. Therefore, the No Action Alternative would not significantly affect the availability of utilities or require construction of additional facilities.

3.11.2.2 Preferred Alternative

Demolition and construction activities would utilize potable water for dust suppression and concrete mixing. This would be a temporary impact on the local water supply; however, according to WCID, there is adequate water availability to meet these needs. Utilities would be extended to the Preferred Alternative Site to provide water and sanitary sewer. This would require the trenching of a water line and sanitary sewer line from the City of Freer approximately 0.7 mile to the Preferred Alternative Site along the north side of State Highway 44.

Assuming that the sewer use and average daily consumptive use of potable water per person is 50 gallons per day while at work, the addition of approximately 260 agents and staff (since the existing Freer USBP Station is not connected to water and sewer services) would increase daily demand of potable water and sewerage from the City of Freer system by 12,900 gallons per day and approximately 4.7 million gallons per year. The WCID water system has adequate capacity to accommodate this increased use of potable water (WCID personal communication).

Construction crews would bring water to the site for personal use and fugitive dust control; portable latrines would collect sanitary waste. Because there is adequate water and sewer capacity and WCID has indicated that the proposed connections would not cause any strain on their system, no significant impacts would be anticipated.

The existing high capacity water well would be properly closed following the requirements of state and local regulations for water well closure.

3.11.2.3 Pena Complex Alternative

Impacts on utilities and infrastructure at the Pena Complex would be similar to those described for the Preferred Alternative.

3.11.2.4 Old Auction Barn Site Alternative

Impacts on utilities and infrastructure at the Old Auction Barn Site would be similar to those described for the Preferred Alternative.

3.12 TRANSPORTATION

3.12.1 Affected Environment

Primary and secondary access to a new station constructed at any of the three alternative sites would be located on the north side of State Highway 44, approximately 1 mile east of Freer and across State Highway 44 from the existing USBP Freer Station. The primary transportation routes associated with the Freer Station are U.S. Highway 281, U.S. Highway 59, State Highway 16 and State Highway 44 (Figure 3-3). State Highway 44 travels east to meet U.S. Highway 59 just west of Freer. Continuing through Freer, State Highway 44 turns southeast to San Diego. In 2008, the annual average daily traffic (AADT) count on State Highway 44 at the intersection of U.S. Highway 59 (located just west of the project area) was 4,000 vehicles; AADT count on State Highway 44 at the intersection of Farm to Market Road 3196, east of the project area, was 3,100 vehicles (Texas Department of Transportation 2010). This 24-hour traffic volume is within the lowest traffic volume class (less than 20,187 AADT).

Within 20 miles of Freer, there are five operational airports: Douglass Ranch Airport, Duval County Airport, Duval-Freer Airport, Seven C's Airport, and Temple Ranch Airport. All are privately owned and offer privately chartered airplanes except for the Duval-Freer Airport, which is publicly owned.

The Duval-Freer Airport is the closest airport to the three alternative sites and is located approximately 1 mile to the northwest. The Duval-Freer Airport is an unattended airport with a 3,200-foot-long, northwest – southeast runway, and a left traffic pattern approach.

3.12.2 Environmental Consequences

3.12.2.1 No Action Alternative

Under the No Action Alternative, there would be no effect on vehicle traffic at or around any of the alternative sites. The number of USBP agents and staff at the existing Freer Station would increase to approximately 260, and it would be likely that no substantial improvements to the ingress and egress of the existing station would occur, which could affect traffic safety since the current station is not designed to support a greater number of vehicles entering and exiting the station at shift changes. Regional air service would also be maintained at status quo.

3.12.2.2 Preferred Alternative

Vehicle traffic along State Highway 44 would be increased by approximately 44 vehicles per day during the demolition and construction period. This increase in daily traffic volume would consist of four heavy-duty delivery trucks and approximately 40 construction personnel passenger vehicles. During demolition and project construction, the delivery of materials and equipment could cause minor delays along the affected segment of State Highway 44. Although additional construction traffic would impair traffic flow on State Highway 44, these impacts would be temporary and minor.

Operation of the proposed new station would also create occasional moderate increases on State Highway 44. Based on the maximum number of potential vehicles per day, approximately 100 additional vehicles (as a result of the additional staff and agents commuting to and from the new

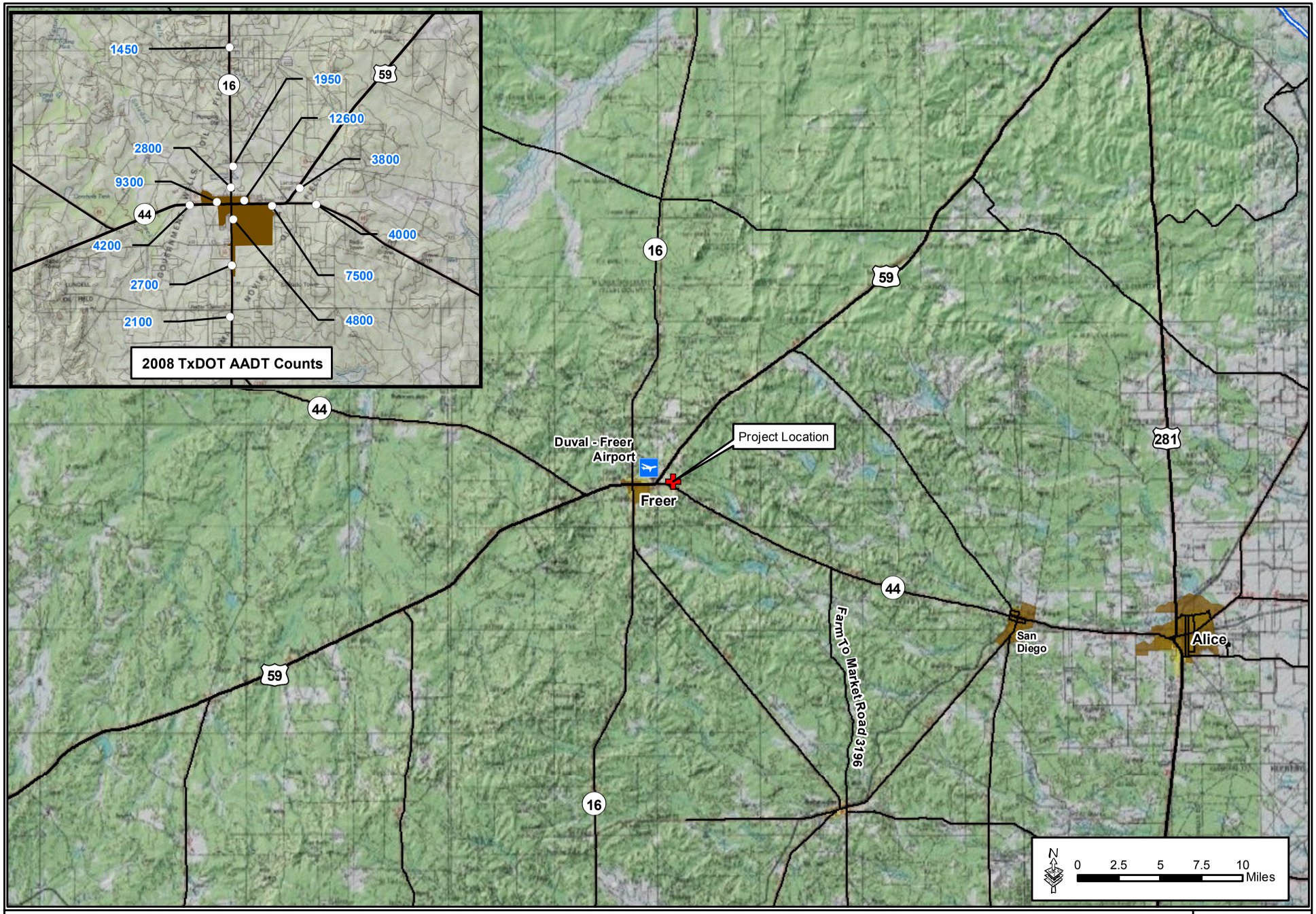

Figure 3-3: Transportation Map

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station) would be expected. It was assumed that the existing USBP agent force would already be using State Highway 44 to access the existing station and, therefore, only an additional 100 agents would be analyzed for impacts on traffic. However, in the long term, this change would be similar to the No Action Alternative, since an agent force increase would occur regardless of whether a new station was constructed.

Based on these assumptions, peak hour volumes would increase by up to 35 vehicles as a result of one muster (or one-third of the additional 100 agents) arriving at the station simultaneously.

This relatively low number of additional vehicles represents a 1.1 percent addition to the traffic volume on State Highway 44 in this area. Therefore, the addition of 35 vehicles per shift would have less than significant impacts and would not differ substantially from the No Action Alternative.

The Duval-Freer Airport is located at a distance where helicopter operations and the location of a communications tower with a height as great as 160 feet would not impact aircraft approach patterns. The orientation of the runway along with a left approach pattern ensures that aircraft landing at the Duval-Freer Airport from the north would approach at a higher elevation to the west of the Preferred Alternative Site before turning left north of the runway. Therefore, there would be no impacts on aircraft operations at the Duval-Freer Airport from the construction of a communications tower or from helicopter operations.

3.12.2.3 Pena Complex Alternative

Impacts on traffic and transportation would be similar to those described for the Preferred Alternative.

3.12.2.4 Old Auction Barn Site Alternative

Impacts on traffic and transportation would be similar to those described for the Preferred Alternative.

3.13 AESTHETICS AND VISUAL RESOURCES

3.13.1 Affected Environment

Aesthetics is essentially based on an individual or group of individuals' judgment as to whether or not an object is pleasing or would influence the quality of life. The three alternative sites are located on a low, broad hill and have only limited development on and near the parcels. The undeveloped areas surrounding the three alternative sites consist of flat terrain that gently slopes downward to the north.

All three alternative sites have some development, which reduces the aesthetics of the rural nature of the area. Former and active oil field equipment, residences and associated out-buildings, abandoned buildings used for commercial purposes, some trash, debris, concrete rubble, 55-gallon drums, and dug pits are present on the parcels. This reduces the aesthetic quality of the three alternative sites.

3.13.2 Environmental Consequences

3.13.2.1 No Action Alternative

Under the No Action Alternative, the new USBP Station would not be built on any of the three alternative sites. These sites would remain in their current state and no impacts on visual resources would occur.

3.13.2.2 Preferred Alternative

Demolition and construction at the Preferred Alternative Site would convert approximately 13 acres of rural residential and commercial land into buildings and associated facilities, and would landscape an additional 22 acres. In the immediate vicinity of this site there are few existing aesthetic and visual resources. The conversion of the site from unmaintained land and rural residential to a USBP Station would have a minimal impact on aesthetic resources, but would not substantially degrade the existing visual character of the region; thus, the impacts would be considered less than significant.

3.13.2.3 Pena Complex Alternative

Impacts on aesthetics from demolition of existing structures and construction of a new USBP Station on the Pena Complex would be similar to those described for the Preferred Alternative.

3.13.2.4 Old Auction Barn Site Alternative

The development of the Old Auction Barn Site would have no impacts on aesthetic resources. The majority of the parcel is developed and contains several abandoned structures and trash that would be removed during construction of a new USBP Station.

3.14 HAZARDOUS MATERIALS

3.14.1 Affected Environment

The USEPA's mission is to protect humans and the environment and to work to develop and enforce regulations that implement environmental laws enacted by Congress (e.g., the Resource Conservation and Recovery Act of 1976 and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980). The USEPA maintains a list of hazardous waste sites, particularly waste storage/treatment facilities or former industrial manufacturing sites in the U.S. The chemical contaminants released into the environment (air, soil, or groundwater) from hazardous waste sites may include heavy metals, organic compounds (including solvents) and other chemicals. The potential adverse human health impact of hazardous waste sites is a considerable source of concern to the general public, as well as to government agencies and health professionals.

Solid and hazardous wastes are regulated in Texas by a combination of mandated laws promulgated by the USEPA, the TCEQ, and regional Councils of Government. A search was conducted on USEPA's Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). CERCLIS contains information on hazardous waste sites, potential hazardous waste sites, and remedial activities, including sites that are on the National Priorities List (NPL) or being considered for the NPL. A Phase I Environmental Site Assessment was conducted and there were no recognized environmental conditions at the Preferred Alternative Site. Some 55-gallon drums of diesel fuel were observed on the Pena

Complex, but the landowner indicated that they would soon be disposed of according to state requirements. All three alternative sites are located in an oil field and contain abandoned and capped wells (Figure 3-4).

3.14.2 Environmental Consequences

3.14.2.1 No Action Alternative

Under the No Action Alternative, a minimal increase in the potential for impacts regarding hazardous waste could occur as the current station's staffing level increases. However, the same BMPs used presently would continue to be implemented, and therefore, no significant impacts would be expected.

3.14.2.2 Preferred Alternative

All hazardous and regulated wastes and substances generated by operation of the new USBP Station would be collected, characterized, labeled, stored, transported, and disposed of in accordance with all Federal, state, and local regulations, including proper waste manifesting procedures. All other hazardous and regulated materials or substances would be handled according to material safety data sheet (MSDS) instructions and would not affect water, soils, vegetation, wildlife, or the safety of USBP agents and staff.

ASTs installed at the new USBP Station would include containment berms or would be double-walled to prevent the release of any tank spills into the environment. The vehicle maintenance facility would be equipped with oil/water separators to collect any petroleum or other automotive fluids spilled, and waste automotive fluids would be collected and disposed of in accordance with state regulations. Therefore, hazardous and regulated materials and substances would not impact the public or the environment. The potential impacts of the handling and disposal of hazardous and regulated materials and substances during the demolition of the collocated residence and business and construction would be less than significant.

Six capped oil wells are located on the Preferred Alternative Site (see Figure 3-4). Although the location of the oil wells is known, the depth of the capped wells is not, and any excavation could potentially damage those capped wells. All excavation activities would be monitored to ensure that the capped oil wells would not be impacted.

3.14.2.3 Pena Complex Alternative

Impacts on hazardous materials from the demolition of existing structures, and construction and operation of a USBP Station would be similar to those described for the Preferred Alternative. Capped and abandoned oil wells (five wells; see Figure 3-4) would be monitored during excavation to ensure that they are not damaged during construction activities. Diesel fuel stored in 55-gallon drums located on the Pena Complex, and any fuel-contaminated soils beneath those drums, would be disposed of according to state and Federal regulations, if not properly disposed of by the landowner.

3.14.2.4 Old Auction Barn Site Alternative

Impacts on hazardous materials from the demolition of existing structures and construction and operation of a USBP Station at the Old Auction Barn Site would be similar to those described for the Preferred Alternative. Trash, debris, and any oil field waste would be removed and disposed

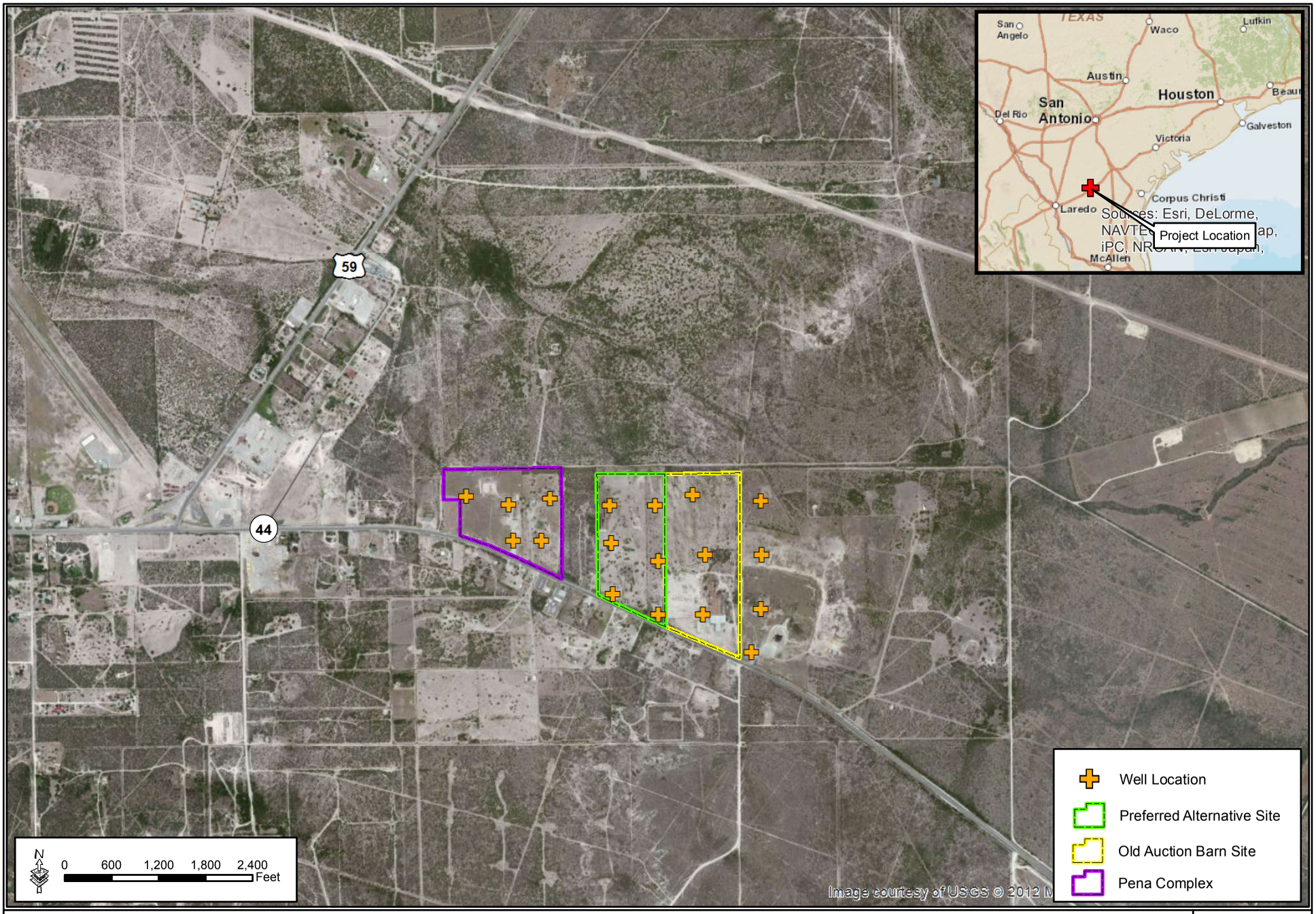

Figure 3-4: Oil and Gas Well Locations

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of according to Federal and state regulations. Capped and abandoned oil wells (three wells; see Figure 3-4) would be monitored during excavation to ensure that they are not damaged during construction activities.

3.15 SOCIOECONOMICS

3.15.1 Affected Environment

3.15.1.1 Population and Demographics

According to the 2010 U.S. Census Bureau estimate, 11,782 people live in Duval County, which represents a 10 percent decrease from the 2000 population of 13,114 (U.S. Census Bureau 2010a). The population of the City of Freer decreased by about 13 percent to 2,818 over the same time period and the population of the State of Texas increased more than 20 percent, while the population of the Nation experienced growth of almost 10 percent (U.S. Census Bureau 2010a).

Table 3-6. Population

	Duval County	Freer	Texas
2010 Population	11,782	2,818	25,145,561
2000 Population	13,120	3,241	20,851,820
Percent Change	-10.2	-13.1	20.6

Source: U.S. Census Bureau 2000 and 2010a

The population in the area is primarily Hispanic, with 88.5 percent of the population of Duval County and 82.0 percent of the population of Freer reporting that they are “Hispanic or Latino.” Duval County is 10.2 percent “white, not Hispanic,” and Freer is 16.9 percent “white, not Hispanic” (U.S. Census Bureau 2010a). It is estimated that 70.7 percent of the Duval County population speaks a language other than English at home, which is substantially greater than the estimate of 34.2 percent for the State of Texas (U.S. Census Bureau 2010b). The population density in Duval County is 6.6 persons per square mile, which is substantially less dense than the 96.3 persons per square mile for the State of Texas (U.S. Census Bureau 2010a).

Educational attainment in the region is relatively low, as shown in Table 3-7, with about 65 percent of the population of Duval County and 62 percent of the population of Freer reporting that they have a high school credential, compared to 80 percent for the State of Texas and 85 percent for the Nation. The percentage with a Bachelor’s degree or higher is also relatively low. According to the 2010 Census, Duval County and Freer have 8.5 and 4 percent of the population, respectively, holding a Bachelor’s degree or higher, compared to almost 26 percent in Texas and 28 percent for the Nation (U.S. Census Bureau 2010b).

Table 3-7. Educational Attainment

Persons Age 25+	Duval County	Freer	Texas	U.S.
High school graduate*	64.9%	61.7%	80.0%	85.0%
Bachelor's degree or higher	8.5%	4.0%	25.8%	27.9%

Source: U.S. Census Bureau 2010b
*Includes equivalency

3.15.1.2 Housing

Table 3-8 presents housing data for Duval County and Freer. The homeowner vacancy rates for Duval County and Freer are very low compared to the State of Texas and the Nation. While the rental vacancy rate for Freer is not lower than Texas and the Nation, the rental inventory is low, resulting in only 34 units listed as "vacant units for rent" in Freer and only 76 in the entire county.

Table 3-8. Housing Units

Geographic Area	Total Housing Units	Occupied			Homeowner Vacancy Rate*	Rental Vacancy Rate**	Vacant Units for Rent
		Units	Percent Owner Occupied	Percent Renter Occupied			
Duval County	5,523	4,090	77.6%	22.4%	0.1%	7.6%	76
Freer	1,241	980	75.0%	25.0	0.7%	12.1%	34
State of Texas	9,977,436	8,922,933	63.7%	36.3%	2.1%	10.8%	394,310
U.S.	131,704,730	116,716,292	65.1%	34.9%	2.4%	9.2%	4,137,567

Source: U.S. Census Bureau 2010a
*Homeowner vacancy rate is the proportion of the homeowner inventory that is vacant "for sale."
** Rental vacancy rate is the proportion of the rental inventory that is vacant "for rent."

3.15.1.3 Income and Poverty

In addition to being sparsely populated with low educational attainment, median household income in the area is low and the poverty rate is high, as shown in Table 3-9. Median household income in Duval County and Freer is 58.7 and 56.1 percent of the National average, respectively. The estimated poverty rate in Freer is 30.8 percent and in Duval County is 22.9 percent. These poverty rates are substantially higher than the estimated 16.8 percent for the State of Texas and 13.8 percent for the Nation (U.S. Census Bureau 2010a).

Table 3-9. Income and Poverty

	Duval County	Freer	Texas	U.S.
Per capita personal income (Dollars), 2010	$31,102	NA	$37,747	$39,937
Median Household Income (2006-2010)	$30,493	$29,107	$49,646	$51,914
Median Household Income (Percent of U.S.)	58.7	56.1	95.6	100
Persons of all ages below poverty level, 2006-2010 (Percent)	22.9	30.8	16.8	13.8

Sources: U.S. Census Bureau 2010b and U.S. Bureau of Economic Analysis 2010.

In 2010, Duval County had a total personal income (TPI) of approximately $365 million, which accounted for only about 0.04 percent of the state total TPI (Bureau of Economic Analysis 2010). The 2010 Duval County TPI reflected an increase of 8.3 percent from 2009, which was higher than the 2009-2010 State of Texas increase of 5.3 percent and the National increase of 3.7 percent (U.S. Bureau of Economic Analysis 2010).

3.15.1.4 Labor Force and Employment

The U.S. Bureau of Labor Statistics (2011) reports that in 2011, the average number of people in the labor force in Duval County was 5,623. The average unemployment rate for that year was 9.1 percent, which was above the average unemployment rate for the State of Texas (7.9 percent) and slightly above the U.S. average unemployment rate (8.9 percent).

American Community Survey (2006 to 2010) estimates show that employment in Duval County is heavily concentrated in the "agriculture, forestry, fishing and hunting, and mining" and "educational services and healthcare and social assistance" sectors. Duval County has 19.2 percent of employment in the "agriculture, forestry, fishing and hunting, and mining" sectors, compared to 2.9 percent for the State of Texas and 1.9 percent for the Nation. The County has 31.7 percent of employment in the "educational services and healthcare and social assistance" sectors compared to 20.8 percent for Texas and 22.1 percent for the Nation (U.S. Bureau of Labor Statistics 2011).

3.15.2 Environmental Consequences

3.15.2.1 No Action Alternative

Under the No Action Alternative, no construction of a new USBP Station would occur; however, there would still be an increase in agents assigned to the USBP Freer Station, which would result in an increase in the local TPI in Duval County, as well as additional housing needs.

3.15.2.2 Preferred Alternative

The increase in agents and staff would be the same as that described for the No Action Alternative; therefore, there would be no additional impact on local income levels or housing in the City of Freer and Duval County. One collocated residence and business would be removed and the owner would be relocated.

When possible, materials and other project expenditures would predominantly be obtained through merchants in the local community, resulting in minor, temporary, direct economic benefits. A single collocated residence and business would be removed and the residents would be relocated; therefore, there would be only minor impacts on housing or employment in the area during construction. Minor changes to local employment rates, poverty levels, or local incomes would occur as a result of this project, as the agents and family members enter the work force, children of agents would attend local schools, and agents and their families would spend their income locally.

3.15.2.3 Pena Complex Alternative

The impacts would be the same as those described for the Preferred Alternative. Two residences would be removed and the residents would be relocated.

3.15.2.4 Old Auction Barn Site Alternative

The impacts would be similar to those described for the Preferred Alternative, with the exception of impacts on local residences. No residential homes would be removed as a result of the construction of a new USBP Station at the Old Auction Barn Site. There is an existing lease on a portion of the property, and the tenant would potentially be relocated if the site were selected for a new USBP station.

3.16 ENVIRONMENTAL JUSTICE AND PROTECTION OF CHILDREN

EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was issued by President Clinton on February 11, 1994. It is intended to ensure that proposed Federal actions do not have disproportionately high and adverse human health and environmental effects on minority and low-income populations and to ensure greater public participation by minority and low-income populations. It requires each agency to develop an agency-wide environmental justice strategy. A Presidential Transmittal Memorandum issued with the EO states that "each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the NEPA 42 U.S.C. section 4321, et. seq."

EO 12898 does not provide guidelines as to how to determine concentrations of minority or low-income populations. However, analysis of demographic data on race and ethnicity and poverty provides information on minority and low-income populations that could be affected by proposed actions. The 2010 Census reports numbers of minority individuals and the American Community Survey provides the most recent poverty estimates available. Minority populations are those persons who identify themselves as Black, Hispanic, Asian American, American Indian/Alaskan Native, Pacific Islander, or Other. Poverty status is used to define low-income. Poverty is defined as the number of people with income below poverty level, which was $22,314 for a family of four in 2010, according to the U.S. Census Bureau. A potential disproportionate impact may occur when the percent minority in the study area exceeds 50 percent and/or the percent low-income exceeds 20 percent of the population. Additionally, a disproportionate impact may occur when the percent minority and/or low-income in the study area are meaningfully greater than those in the region. In Duval County, 89.8 percent of the population is composed of minority persons, and 22.9 percent of all people have an income below the poverty level.

3.16.1 Affected Environment

All three of the alternative sites occur in an area that is rural with a low density of homes and businesses. No residential developments or active commercial properties occur in proximity to the alternative sites, and the largest business in the immediate area is the existing USBP Freer Station.

3.16.2 Environmental Consequences

3.16.2.1 No Action Alternative

Under the No Action Alternative, the Freer USBP agents would continue to work out of the current station. There would be no impact on minorities or children since the current station is located in a sparsely populated area of Duval County with very few nearby residential or commercial properties. The increased agent force would mean a greater law enforcement presence in Freer and Duval County, which would be beneficial to people regardless of race, income level, or age.

3.16.2.2 Preferred Alternative

The impact from the demolition of existing structures and construction and operation of a new Freer Station at the Preferred Alternative Site would have noise impacts on nearby residences during construction activities; however, the proposed location is not near any large residential or commercial developments, and the increased agent force would benefit all people in the region equally. A collocated residence and business would be removed from the site and the owner would be relocated.

3.16.2.3 Pena Complex Alternative

The impacts would be similar to those described for the Preferred Alternative. Two residences would be removed and relocation of the residents would be required.

3.16.2.4 Old Auction Barn Site Alternative

The impacts would be similar to those described for the Preferred Alternative, except that no residences would be removed as a result of building a new Freer Station at the Old Auction Barn Site.

3.17 SUSTAINABILITY AND GREENING

3.17.1 Affected Environment

In accordance with EO 13423 (Strengthening Federal Environmental, Energy, and Transportation Management) (72 FR 3919), CBP would incorporate practices in an environmentally, economically, and fiscally sound, integrated, continuously improving, efficient and sustainable manner in support of their mission. CBP implements practices throughout the agency to 1) improve energy efficiency and reduce greenhouse emissions; 2) implement renewable energy projects; 3) reduce water consumption; 4) incorporate sustainable environmental practices such as recycling and the purchase of recycled-content products; and 5) reduce the quantity of toxic and hazardous materials used and disposed of by the agency. Additionally, new facility construction would comply with the *Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings* set forth in *Federal Leadership in High Performance and Sustainable Memorandum of Understanding*. DHS would also reduce total consumption of petroleum products, as set forth in the EO, and use environmentally sound practices with respect to the purchase and disposition of electronic equipment.

3.17.2 Environmental Consequences

3.17.2.1 No Action Alternative

The No Action Alternative would not result in any direct or indirect impacts on sustainability and greening, as no construction activities would take place.

3.17.2.2 Preferred Alternative

Under the Preferred Alternative, CBP would continue to improve its environmental, transportation, and energy-related activities in support of its mission through sustainability and greening practices, to the greatest extent practicable. CBP also intends to obtain the goal of reducing petroleum-based product use with a Fleet Management Plan facilitated through CBP's Asset Management Division. This project would adhere to this management plan. The new station would comply with the Border Patrol Facilities and Tactical Infrastructure New

Construction/Major Renovations Sustainability Scorecard and be LEED certifiable, would provide energy from renewable resources, and would improve water use efficiencies relative to the continued use of the existing Freer USBP Station. Therefore, no significant impacts would be expected to occur as a result of the Preferred Alternative.

3.17.2.3 Pena Complex Alternative

Impacts similar to those discussed for the Preferred Alternative would occur if this alternative were implemented.

3.17.2.4 Old Auction Barn Site Alternative

Similar impacts as those discussed for the Preferred Alternative would occur if this alternative were implemented.

3.18 HUMAN HEALTH AND SAFETY

3.18.1 Affected Environment

Human health effects occur in a variety of forms, such as exposure to chemicals, extreme temperatures, weather, and physical security and safety. Generally, human health factors are driven by factors that differ substantially by geographic area. In the Freer area, factors that could impact human health include automobile accidents, extreme weather such as thunderstorms with lightning, high temperatures, and physical security on the site, as well as the chance that non-site workers could venture onto the project site and be harmed.

The general area surrounding the alternative sites consists of rangeland and rural residential development. Each of the sites contains abandoned and closed oil wells (see Figure 3-4). The Old Auction Barn Site contains buildings and materials that could prove dangerous to trespassers and has some minor human health and safety risk.

3.18.2 Environmental Consequences

3.18.2.1 No Action Alternative

Under the No Action Alternative, no construction would occur; therefore, there would be no impacts, either beneficial or adverse, on human health and safety.

3.18.2.2 Preferred Alternative

The construction of the proposed station has the potential to create human health hazards. All construction activities, regardless of the area, would be limited to daylight hours only. Safety buffer zones would be designated around all construction sites to ensure public health and safety. Through BMPs developed for general construction practices (see Section 5.1), and because of the rural nature of the project area, no significant, long-term, adverse impacts would be expected. The firing range is indoor and secure, and would not provide a safety issue or health hazard to range users or nearby residences.

In compliance with OSHA regulations, there would be a Right-to-Know station located in a high-visibility area, where chemical data are accessible by construction and CBP personnel. MSDS information would be readily accessible at this station. As mentioned previously, an SPCCP would also be implemented that describes planning, prevention, and control measures to

minimize impacts resulting from a spill of any hazardous materials or petroleum, oils, and lubricants (POL). Furthermore, an on-site emergency plan would be prepared to protect the public health, safety, and environment on and off the proposed site in the case of a dangerous natural phenomenon or industrial accident relating to or affecting the project. CBP would prepare the plan and be responsible for implementing the plan with its operations team in coordination with the local emergency response support functions. The plan would describe the emergency response procedures to be implemented during various situations that might affect the surrounding community or environment. The emergency plan would cover a number of events that may occur at or near the project site by natural causes, equipment failure, or human mistake, including the following:

- Personnel injury
- Construction emergencies
- Project evacuation
- Fire or explosion
- Extreme weather

The project contractors and operations personnel would receive regular emergency response and safety training to ensure that effective and safe action would be taken to reduce and limit the impact of an emergency at the project site. The following actions would be taken for personnel injuries:

- The Site Construction Manager(s), Supervisor(s), or designee, would be notified of the injury(s).
- A qualified first aid attendant would administer first aid until medical assistance arrives.
- The Site Construction Manager(s), Supervisor(s), or designee, would notify CBP and the county-wide emergency response (911) system.
- All key supervisors would be paged or called and advised of the injury.

An increase in automobile traffic associated with construction and operation would occur on State Highway 44. However, current average daily traffic levels on State Highway 44 are low, and the potential increase (1 percent) of traffic associated with the new USBP Station is well below the capacity of local roads (see Section 3.12). Therefore, the impacts on human health and safety would be less than significant.

3.18.2.3 Pena Complex Alternative

This alternative would have impacts similar to those described for the Preferred Alternative. All OSHA standards would be adhered to; therefore, no significant or long-term impacts would be expected.

3.18.2.4 Old Auction Barn Site Alternative

This alternative would have impacts similar to those described for the Preferred Alternative. All OSHA standards would be adhered to; therefore, no significant or long-term impacts would be expected.

3.19 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Global climate change refers to a change in the average weather on the earth. GHG are gases that trap heat in the atmosphere. They include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), fluorinated gases including chlorofluorocarbons and hydrochlorofluorocarbons (HFC), and halons, as well as ground-level O_3 (California Energy Commission 2007).

3.19.1 GHG Threshold of Significance

The CEQ drafted guidelines for determining meaningful GHG decision-making analysis. The CEQ guidance states that if the proposed action would be reasonably anticipated to cause direct emissions of 25,000 metric tons (27,557 U.S. tons) or more of CO_2 GHG emissions on an annual basis, agencies should consider this a threshold for decision makers and the public. CEQ does not propose this as an indicator of a threshold of significant effects, but rather as an indicator of a minimum level of GHG emissions that may warrant some description in the appropriate NEPA analysis for agency actions involving direct emissions of GHG (CEQ 2010).

The GHG covered by EO 13514 are CO_2, CH_4, N_2O, HFC, perfluorocarbons, and sulfur hexafluoride. These GHG have varying heat-trapping abilities and atmospheric lifetimes. CO_2 equivalency (CO_2e) is a measuring methodology used to compare the heat-trapping impact from various GHG relative to CO_2. Some gases have a greater global warming potential than others. NO_x, for instance, have a global warming potential that is 310 times greater than an equivalent amount of CO_2, and CH_4 is 21 times greater than an equivalent amount of CO_2.

3.19.2 Environmental Consequences

3.19.2.1 No Action Alternative

Under the No Action Alternative no construction would occur; therefore, there would be no increased emissions of GHG.

3.19.2.2 Preferred Alternative

The total estimated emissions of CO_2 and CO_2e from the proposed USBP Station construction activities at the Preferred Alternative site would be 7,379 tons/year (Appendix C). Although operational emissions would not change, the total operational emissions, which include automobile emissions of personal and government-owned vehicles commuting to and from the USBP Station, is estimated to be 693 tons/year (Appendix C). Therefore, the estimated emissions of GHG from the construction and operation of the USBP Station would be well below the Federal *de minimis* threshold and the threshold recommended by CEQ for additional evaluation.

3.19.2.3 Pena Complex Alternative

This alternative would have GHG emissions similar to those described for the Preferred Alternative.

3.19.2.4 Old Auction Barn Site Alternative

This alternative would have similar GHG emissions similar to those described for the Preferred Alternative.

SECTION 4.0
CUMULATIVE IMPACTS

4.0 CUMULATIVE IMPACTS

This section of the EA addresses the potential cumulative impacts associated with the implementation of the alternatives and other projects/programs that are planned for the region. The CEQ defines cumulative impacts as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions (40 CFR 1508.7)." This section continues, "Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."

USBP has been conducting law enforcement actions along the border since its inception in 1924, and has continuously transformed its methods as new missions, illegal cross-border violator modes of operations, agent needs, and National enforcement strategies have evolved. Development and maintenance of training ranges, station and sector facilities, detention facilities, and roads and fences have impacted thousands of acres with synergistic and cumulative impacts on soil, wildlife habitats, water quality, and noise. Beneficial effects, too, have resulted from the construction and use of these roads and fences, including, but not limited to, increased employment and income for border regions and surrounding communities; protection and enhancement of sensitive resources north of the U.S./Mexico border; reduction in crime within urban areas near the border; increased land value in areas where border security has increased; and increased knowledge of the biological communities and pre-history of the region through numerous biological and cultural resources surveys and studies.

With continued funding and implementation of USBP's environmental conservation measures, including environmental education and training of its agents, use of biological and archaeological monitors and restoration activities, adverse impacts of future and ongoing projects would be prevented or minimized. However, recent, ongoing, and reasonably foreseeable proposed projects would result in cumulative impacts. In particular, within the next 5 to 10 years, 135 miles of Carrizo cane (*Arundo donax*) removal and control, as well as patrol road construction, is anticipated to be completed in the Laredo Sector. Furthermore, extensive tactical infrastructure development in the Riverbend area of Laredo, in the Laredo Sector's AOR, is proposed. This includes additional construction of all-weather access and patrol roads and construction of ATV trails, a new boat ramp, and a boat maintenance facility.

In addition to the proposed tactical infrastructure, USBP might be required to implement other activities and operations that are currently not foreseen or mentioned in this document. These actions could be in response to National emergencies or security events like the terrorist attacks on September 11, 2001, or to changes in the mode of operations of cross-border violators.

CBP recently implemented Carrizo cane removal along 1.1 miles of the Rio Grande, just upstream of the railroad bridge near downtown Laredo. As part of the cane removal, CBP replanted 27 acres with native vegetation. The cane removal is part of a 16.1-mile-long pilot project to evaluate various methods of cane removal. All of the proposed removal areas under the pilot project are located along the Rio Grande in the City of Laredo. Additional cane removal activities would occur as CBP funding permits. Further, CBP has initiated planning efforts for cane removal activities along the Rio Grande for all of Laredo Sector, which

comprises approximately 135 river miles. No definitive plans have been prepared, but large-scale cane removal activities are likely to occur in the Laredo Sector in the future.

Research is being conducted by U.S. Department of Agriculture (USDA) Agricultural Research Service (with support funding from DHS Science and Technology) on four biological control agents that prey on Carrizo cane. Two biological control agents are under study, and two have been approved for release. The first biological control agent that has been approved for release, the Arundo wasp (*Tetramesa romana*), is established in the Laredo area and could heavily impact the Carrizo cane if distributed on a larger scale. The Arundo wasp was discovered in the Laredo area prior to being released by the USDA Agricultural Research Service. The extent of its distribution in the area is not known. The second biological control agent, the Arundo scale (*Rhizaspidiotus donacis*), has also been approved for release in the U.S. and is approved for release in Mexico. The use of biological control agents would not cause further damage to non-target native plants or animals.

CBP is planning for the construction of new USBP stations in Corpus Christi and Kingsville, Texas. These stations are located in the Rio Grande Valley Sector's AOR, but are located less than 60 miles from the proposed Freer Station. CBP is modernizing their tactical communications system and proposes to collocate antennas and receivers on existing communications towers and construct new communications towers along the southwest border.

Currently there are no major road construction projects in Duval County, with the exception of repair/resurface of roadway and bridge replacement for US 59 and State Highways 44 and 16. The traffic signal at the intersection of Main Avenue and US 59 is being evaluated for removal.

A summary of the anticipated cumulative impacts relative to the Preferred Alternative is presented below. These discussions are presented for each of the resources described previously.

4.1 LAND USE

A significant impact would occur if any action is inconsistent with adopted land use plans or if an action would substantially alter those resources required for, supporting, or benefiting the current use. No significant cumulative impacts on land use would occur, since regional development remains consistent with local land use plans, and the proposed USBP Station is consistent with land uses in the vicinity of the Preferred Alternative Site.

4.2 SOILS

A significant impact would occur if the action exacerbates or promotes long-term erosion, if the soils are inappropriate for the proposed construction and would create a risk to life or property, or if there would be a substantial reduction in agricultural production or loss of prime farmland soils. Although the Proposed Action would remove approximately 35 acres of soils from biological production, none of these soils are under agricultural production. CBP's plan to construct other USBP Stations in Corpus Christi and Kingsville, and tactical infrastructure such as roads in Laredo Sector, could remove another 120 acres of soils from agricultural production. However, very little development is anticipated in Freer and Duval County beyond oil and gas

activity, and no prime farmland soils would be removed as part of the Preferred Alternative. Construction plans would include SWPPPs, which implement soil erosion measures. The impact from construction of the new station, when combined with past and proposed projects in the region, would not be considered a significant cumulative adverse effect relative to soil erosion and sedimentation.

4.3 WATER RESOURCES

The significance threshold for surface water includes any action that substantially depletes surface water supplies, substantially alters drainage patterns, or results in the loss of waters of the U.S. that cannot be compensated. No surface or groundwater resources would be impacted from the new USBP Station or from other CBP projects proposed regionally; therefore, there would not be any cumulative impacts on water resources.

4.4 VEGETATIVE HABITAT

The significance threshold for vegetation would include a substantial reduction in ecological process, communities, or populations that would threaten the long-term viability of a species or result in the substantial loss of a sensitive community that could not be offset or otherwise compensated. Very few new projects are proposed in Duval County or regionally, and past, present, and future CBP projects in the Laredo and Rio Grande Valley sectors have avoided impacting native vegetation communities and have removed invasive plant species. No identified projects would threaten the viability of any plant species or community, and the vegetation lost during the development of the new USBP Station is locally and regionally common. Therefore, there would be no significant cumulative impacts on vegetation.

4.5 WILDLIFE RESOURCES

The significance threshold for wildlife resources would include a substantial reduction in ecological processes, communities, or populations that would threaten the long-term viability of a species or result in the substantial loss of a sensitive community that could not be offset or otherwise compensated. No rare or sensitive habitats would be impacted from projects proposed locally or regionally, and the majority of CBP projects in the Rio Grande Valley and Laredo sectors would occur in developed and urban areas. The development of an Avian and Bat Protection Plan would ensure that wind energy generation at the USBP Station would not cumulative impact migratory birds and bats. Therefore, no significant cumulative impacts on wildlife would occur as a result of constructing a new USBP Station.

4.6 THREATENED AND ENDANGERED SPECIES

A significant impact on threatened and endangered species would occur if any action resulted in a jeopardy opinion for any endangered, threatened, or rare species. No state-listed or Federally listed species or breeding habitat for these species has been identified at the Preferred Alternative Site or in adjacent areas. The removal of highly disturbed vegetation and conversion of the Preferred Alternative Site from collocated residential and business use to a USBP Station, in combination with other development projects in south Texas, would have no adverse effects on

state-listed or Federally listed species. Therefore, no cumulative impacts on threatened and endangered species are anticipated.

4.7 CULTURAL RESOURCES

The Proposed Action at the Preferred Alternative Site would have no effect on cultural resources because no eligible sites would be impacted from the development of the new USBP Station, and all CBP projects include Section 106 consultation with an outcome of reducing impacts on cultural resources.

4.8 AIR QUALITY

Impacts on air quality would be considered significant if the action results in a violation of air quality standards, obstructs implementation of an air quality plan, or exposes sensitive receptors to substantial pollutant concentrations. The emissions generated during construction of the new USBP Station would be short-term and minor. An increase in vehicular traffic to the new station would result in cumulative impacts on the region's airshed; however, these impacts would not be considered significant, even when combined with the other proposed developments in Duval County, because the rural location of the new station and wind patterns would allow for vehicle emissions to dissipate.

4.9 NOISE

Actions would be considered to cause significant impacts if they permanently increase ambient noise levels over 65 dBA. Most of the noise generated by the Preferred Alternative would occur during construction and, thus, would not contribute to cumulative impacts on ambient noise levels. Operation activities at the new USBP Station, especially helicopter takeoff and landing, in combination with existing road noise along State Highway 44 and from the Duval-Freer Airport, would create a moderate increase in cumulative ambient noise levels; however, potential sources of noise from daily operations in combination with other emissions are not enough (temporally or spatially) to increase ambient noise levels above the 65 dBA range at any sensitive noise receptors. Thus, the noise generated by the construction and operation of the new station, when considered with the other existing and proposed projects in the region, would not contribute to a significant cumulative adverse effect.

4.10 UTILITIES AND INFRASTRUCTURE

Actions would be considered to cause significant impacts if they require greater utilities or infrastructure use than can be provided. The parcels along State Highway 44 near the Preferred Alternative Site have the potential for future public or private development, have been zoned for this development and, with extension of water and sewer to the Preferred Alternative Site, are within the service area of the public utilities. The Freer area has adequate capacity in the utilities infrastructure for increased demand and growth. Operation of the new station, in conjunction with other potential development as a result of utility extension along State Highway 44, would not exceed any local or regional infrastructure limits; therefore, this action would not contribute to a significant cumulative adverse effect on utilities and infrastructure.

4.11 TRANSPORTATION

Impacts on traffic or roadways would be considered to cause significant impacts if the increase of average daily traffic exceeded the ability for the surface streets to offer a suitable level of service for the area. No other projects in the City of Freer or Duval County are proposed that would increase vehicular traffic on State Highway 44; therefore, there would be no cumulative impacts on transportation.

4.12 AESTHETICS AND VISUAL RESOURCES

Actions that cause the permanent loss of the characteristics that make an area visually unique or sensitive would be considered to cause a significant impact. No past, present, or future project has been identified that would impact any sensitive visual resource. The development of the Preferred Alternative Site would not cause a substantial change in aesthetics as viewed from State Highway 44 or from developed areas in Freer. Therefore, there would not be a significant cumulative impact on aesthetics or visual resources.

4.13 HAZARDOUS MATERIALS

Significant impacts would occur if an action creates a public hazard, the site is considered a hazardous waste site that poses health risks, or if the action would impair the implementation of an adopted emergency response or evacuation plan. Only minor increases in the use of hazardous substances (e.g., POL) would occur as a result of the construction and maintenance of the USBP station. BMPs would be implemented to minimize the risk from hazardous materials during construction and daily operations at the new station. No health or safety risks would be created by the Proposed Action. The effects of this Proposed Action, when combined with other ongoing and proposed projects in the region, would not be considered a significant cumulative effect.

4.14 SOCIOECONOMICS

Significance threshold for socioeconomic conditions includes displacement or relocation of residences or commercial buildings and increases in long-term demands for public services in excess of existing and projected capacities. Construction of the new station would result in temporary cumulative beneficial impacts on the region's economy from an increase in the hiring of local workers for construction projects and other related activities. The addition of USBP agents would also be a cumulative beneficial effect on the overall economic stability of the Duval County and the Freer area, as agents and their families may purchase houses and other goods and services locally. Secondary expenditures for goods and services associated with additional agents, and service of USBP facilities and equipment would also be a beneficial effect for the community with an increase in jobs and services to the area. Even with the loss of a collocated business and residence, no adverse cumulative impacts on the socioeconomics of the region would occur. These effects, when combined with the other currently proposed or ongoing projects within the region, would not be considered as significant cumulative impacts.

4.15 ENVIRONMENTAL JUSTICE AND PROTECTION OF CHILDREN

Most of CBP's proposed projects occur in areas that are not residential. The cumulative effect on minority populations and children from USBP activities would be beneficial to minority populations and children. The increasing agent force in the Laredo Sector would reduce illegal activities, such as smuggling of drugs and contraband, and increase the security of the local communities.

4.16 SUSTAINABILITY AND GREENING

CBP would implement the Federal sustainability and greening practices to the greatest extent practicable as part of the Preferred Alternative. Cost-effective waste reduction and recycling of reusable materials would be implemented as part of the project. Implementation of the Federal sustainability and greening practices, including LEED certifiable building practices at the new Freer Station and other new USBP stations, would have a cumulative beneficial impact on the environment.

4.17 HUMAN HEALTH AND SAFETY

Most of CBP's proposed projects occur in areas that are not residential, often in rugged and rough terrain. Typically, CBP construction activities are completed by National Guard Units, USBP agents, or private contractors, who are all well-trained and cognizant of all required safety measures. The proposed construction of the new USBP Station would be provided by private contractors, who would be required to comply with all appropriate OSHA and other safety laws and regulations. The land at the Preferred Alternative Site is generally flat, and no physical features are present that would make the site more prone to health and safety issues. The overall increase in vehicular traffic to the area from the operation of the new USBP Station, in conjunction with normal traffic, would not create a significant cumulative effect on health and human safety.

4.18 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Impacts on climate change would be considered significant if the action results in long-term GHG emissions that could contribute to global changes in climatic conditions. All of the CO_2e emissions associated with the demolition of existing structures and USBP Station construction would be short-term, and no regional projects are proposed by CBP or others that would substantially increase CO_2e emissions. Further, the new USBP Station would be more energy-efficient than the current facilities, reducing energy consumption in the long term.

SECTION 5.0
ENVIRONMENTAL DESIGN MEASURES

5.0 ENVIRONMENTAL DESIGN MEASURES

This chapter describes those measures that will be implemented to reduce or eliminate potential adverse impacts on the human and natural environment. Many of these measures have been incorporated as standard operating procedures by CBP on past projects. Environmental design measures will be presented for each resource category that would be potentially affected. It should be emphasized that these are general mitigation measures; development of specific mitigation measures will be required for certain activities implemented under the action alternatives. The proposed mitigation measures will be coordinated through the appropriate agencies and land managers/administrators, as required.

It is Federal policy to mitigate adverse impacts through the sequence of avoidance, minimization, and finally, compensation. Compensation varies, and includes activities such as restoration of habitat in other areas, acquisition of lands, etc., and is typically coordinated with the USFWS and other appropriate Federal and state resource agencies.

5.1 GENERAL CONSTRUCTION ACTIVITIES

BMPs such as proper handling, storage, and/or disposal of hazardous and/or regulated materials will be implemented as standard operating procedures during all construction activities. To minimize potential impacts from hazardous and regulated materials, all fuels, waste oils, and solvents will be collected and stored in tanks or drums within a secondary containment system that consist of an impervious floor and bermed sidewalls capable of containing the volume of the largest container stored therein. The refueling of machinery will be completed following accepted guidelines, and all vehicles will have drip pans during storage to contain minor spills and drips. Although it would be unlikely for a major spill to occur, any spill of a reportable quantity will be contained immediately within an earthen dike, and an absorbent (e.g., granular, pillow, sock.) applied to absorb and contain the spill. Any major reportable spill of a hazardous or regulated substance will be reported immediately to on-site environmental personnel, who would notify appropriate Federal and state agencies. In addition to the SWPPP, an SPCCP will be in place prior to the start of construction, and all personnel will be briefed on the implementation and responsibilities of this plan.

All waste oil and solvents will be recycled. All non-recyclable hazardous and regulated wastes will be collected, characterized, labeled, stored, transported, and disposed of in accordance with all Federal, state, and local regulations, including proper waste manifesting procedures.

Non-hazardous solid waste (trash and waste construction materials) will be collected and deposited in the on-site receptacles. Solid waste receptacles will be maintained and solid waste will be collected and disposed of by a local waste disposal contractor.

5.2 SOILS

Suitable fencing will be installed around the perimeter of the facility to contain vehicles and people and prevent accidental soil impacts on adjacent properties. Vehicular traffic associated with the construction activities and operational support activities will remain on established

roads to the maximum extent practicable. Areas with highly erodible soils will be given special consideration when designing the proposed project to ensure incorporation of various BMPs, such as the use of straw bales, aggregate materials, and wetting compounds, to decrease erosion. A SWPPP will be prepared prior to construction activities, and BMPs described in the SWPPP shall be implemented to reduce erosion. Furthermore, all areas not immediately developed will be landscaped with native plant species, where appropriate, in order to minimize erosion.

5.3 VEGETATIVE HABITAT

Construction equipment will be cleaned prior to entering and departing the project corridor to minimize the spread and establishment of non-native invasive plant species. Soil disturbances in temporarily impacted areas will be revegetated. To minimize vegetation impacts, designated travel corridors will be marked with easily observed removable or biodegradable markers, and travel will be restricted to the corridor under most circumstances.

5.4 WILDLIFE RESOURCES

The Migratory Bird Treaty Act requires that Federal agencies coordinate with the USFWS if a construction activity would result in the "take" of a migratory bird. If construction or clearing activities for the new USBP Station are scheduled during the nesting season (typically March 1-September 1), preconstruction surveys for migratory bird species will occur immediately prior to the start of any construction activity to identify active nests. If construction activities would result in the "take" of a migratory bird, then coordination with the USFWS and TPWD will occur, and applicable permits would be obtained for relocation of eggs and chicks prior to construction or clearing activities. Another mitigation measure that will be considered is to schedule clearing and grubbing activities outside the nesting season, negating the requirement for nesting bird surveys. To lessen noise impacts on wildlife communities, construction will only occur during daylight hours whenever possible.

Shields will be installed on outdoor lights to prevent background lighting. Lights will also be installed such that the direction of illumination is downward toward the station facilities. Perimeter fencing will be limited to the smallest area necessary for the new station facilities, and any areas outside the perimeter of the fence and security clear zone will be planted with dense, native thorny shrub-scrub vegetation.

CBP will develop an Avian and Bat Protection Plan and coordinate the development of the Plan with the USFWS prior to the construction and operation of a wind turbine.

5.5 CULTURAL RESOURCES

Although no cultural resources are known to be present within the project area, unanticipated subsurface deposits are possible at any undertaking that disturbs the ground surface. Evidence of subsurface deposits may be in the form of subsurface artifacts (lithics, ceramics, ground stone, bone, metal, and glass), charcoal, stained soil, or burned rocks. If previously unknown cultural resources are exposed by construction activities associated with the proposed development, work will stop in the immediate vicinity, the resources will be protected, and the SHPO will be

notified within 24 hours of discovery. If, in consultation with the SHPO, it is determined that the resource is significant and if a significant resource cannot be avoided by construction, then an archaeological data recovery plan will be prepared in consultation with the SHPO and will be implemented.

If unmarked human burials are discovered during construction, work will stop in the immediate vicinity, the remains will be protected, and the local law enforcement agency and the SHPO will be notified as soon as possible. The location of the unmarked human burial will be documented, and the provisions of the Native American Graves Protection and Repatriation Act will be implemented, including consultation with Native American tribes.

5.6 AIR QUALITY

Mitigation measures will include suitable fencing to restrict traffic within the project area to reduce soil disturbance. Soil watering will be utilized to minimize airborne particulate matter created during construction activities. Bare ground will be covered with hay or straw to lessen wind erosion between the time of initial construction and landscaping. After the construction is completed, all areas with vehicle traffic will be paved or stabilized to reduce the potential for fugitive dust, and landscaping will be designed to prevent or lessen wind fugitive dust creation. Additionally, all construction equipment and vehicles will be kept in good operating condition to minimize exhaust emissions.

5.7 WATER RESOURCES

Standard construction procedures will be implemented to minimize the potential for erosion and sedimentation during construction. All work will cease during heavy rains and will not resume until conditions are suitable for the movement of equipment and material. Because the impact area is greater than 1 acre, as part of the NPDES permit process, a SWPPP and Notice of Intent will be submitted to the USEPA/TCEQ prior to the start of construction. Sedimentation and pollution of surface waters by POL will be minimized through the implementation of the SWPPP. The construction of the new USBP Station would alter natural drainage patterns; however, proper stormwater retention measures will be incorporated into the station design. All fuel tanks will be double-walled to prevent leaks from entering the groundwater.

5.8 NOISE

During the construction phase, short-term noise impacts are anticipated. All OSHA requirements will be followed. To lessen noise impacts on the local residents and wildlife communities, construction will only occur during daylight hours, whenever possible. All motor vehicles will be maintained to reduce the potential for vehicle-related noise.

To minimize disturbances from helicopter use, the USBP will review landing and takeoff routes to determine what actions could be taken, such as alternating or rotating routes and timing the use of different routes, to reduce noise effects on wildlife or conflicts with operations at Duval-Freer Airport. The helipad would be constructed as far away from dwellings and potential

wildlife habitat as possible, and all helicopters will be maintained to reduce the potential for engine-related noise.

5.9 SOLID AND HAZARDOUS WASTES

Care will be taken to avoid impacting the project area with hazardous substances (i.e., anti-freeze, POL) used during construction. Although catch pans will be used when refueling, accidental spills could occur as a result of maintenance procedures to construction equipment. A spill could result in potentially adverse impacts on soils and water, as well as threaten the health of wildlife and vegetation. However, the amount of POL is limited, and equipment necessary to quickly contain any spills will be present when refueling.

Although it would be unlikely for a major spill to occur, any spill of a reportable quantity will be contained immediately within an earthen dike, and an absorbent (e.g., granular, pillow, sock) applied to absorb and contain the spill. Any reportable spill of a hazardous or regulated substance will be reported immediately to on-site environmental personnel who will notify appropriate Federal and state agencies. A construction SPCCP will be in place prior to the start of construction and all personnel will be briefed on the implementation and responsibilities of this plan. Additionally, an operational SPCCP will be prepared and complied with for the life of the station.

All waste oil and solvents will be recycled. All non-recyclable hazardous and regulated wastes will be collected, characterized, labeled, stored, transported, and disposed of in accordance with all Federal, state, and local regulations, including proper waste manifesting procedures.

5.10 TRANSPORTATION

During the design phase of the new station, measures to ensure that impacts on traffic flow are minimized will be considered. Additional vehicular entrances, speed zones, and traffic signals, or signs would be reviewed as measures to ease the impacts of traffic. CBP will coordinate with the Texas Department of Transportation and Duval County to address any traffic or safety impacts associated with the Proposed Action.

5.11 SOCIOECONOMICS

When possible, materials and other project expenditures will predominantly be obtained through merchants in the local community. All construction activities, regardless of the area, will be limited to daylight hours whenever possible. Safety buffer zones will be designated around all construction sites to ensure public health and safety.

SECTION 6.0
REFERENCES

6.0 REFERENCES

Black, Stephen L. 1998. South Texas Plains. In From the Gulf to the Rio Grande: Human Adaptation in Central, South, and Lower Pecos Texas by Thomas Hester, Stephen L. Black, D. Gentry Steele, Ben W. Olive, Anne A. Fox, Karl J. Reinhard, and Leland C. Bement. Arkansas Archeological Survey Research Series No. 33. Prepared by the Center for Archeological Research at the University for Texas, San Antonio, Texas A&M University, and the Arkansas Archeological Survey, Fayetteville.

California Department of Transportation. 1998. *Technical Noise Supplement* by the California Department of Transportation Environmental Program Environmental Engineering-Noise, Air Quality, and Hazardous Waste Management Office. October 1998 Page 24-28

California Energy Commission. 2007. 2007 Integrated Energy Policy Report, CEC-100-2007-008-CMF.

Collins, Joseph and Roger Conant. 1991. *A Field Guide to Reptiles and Amphibians Eastern and Central North America.* Boston: Houghton Mifflin Company.

Council on Environmental Quality (CEQ). 2010. Memorandum for Heads of Federal Departments and Agencies. Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions. Nancy H. Sutley., February 18, 2010.

Drouet, A. 1907. *San Diego Quadrangle*. U.S. Army Corps of Engineers for the U.S. War Department, n.p. On file at the Center for American History, The University of Texas at Austin.

Federal Highway Administration (FHWA). 2007. Special Report: Highway construction Noise: Measurement, Prediction, and Mitigation, Appendix A Construction Equipment Noise Levels and Ranges. Available online at: www.fhwa.dot.gov/environment/noise/highway/hcn06.htm.

Griffith, Timothy B. 2003. *Archeological Survey for Widening State Highway 44 in Duval County, Texas.* Letter Report No. 644. Prewitt and Associates, Inc., Austin, Texas.

Kohout, Martin Donell. 2010a. Handbook of Texas Online, s.v. Freer, Texas. Available online at: http://www.tshaonline.org/handbook/online/articles/FF/hgf6.html. Last accessed: September 2, 2010.

Kohout, Martin Donell. 2010b. Handbook of Texas Online, s.v. Duval County. Available online at: http://www.tshaonline.org/handbook/online/articles/DD/hcd11.html Last accessed: September 2, 2010.

Midwest Research Institute. 1996. *Improvement of Specific Emission Factors* (BACM Project No. 1). Prepared for South Coast Air Quality Management District. SCAQMD Contract 95040, Diamond Bar, CA. March 1996.

Texas Commission on Environmental Quality (TCEQ). 2010. Water Quality Inventory Integrated Report (Section 305(b) and 303(d). Available online at: http://www.tceq.state.tx.us/assets/public/compliance/monops/water/10twqi/2010_303d.pdf.

Texas Department of Transportation. 2010. Traffic Maps. Available online at: http://www.txdot.gov/travel/traffic_maps/default.htm. Last accessed: September 2, 2010.

Texas Parks and Wildlife Department (TPWD). 2006. Natural Regions of Texas. Available online at: http://beta-www.tpwd.state.tx.us/publications/tpwd-publications/land-water/gis-map-downloads/natural-regions-with-county-outlines-map-08. March 1, 2006.

TPWD. 2011. Rare, Threatened, and Endangered Species of Texas. Available online at: http://gis.tpwd.state.tx.us/TpwEndangeredSpecies/DesktopDefault.aspx.

Texas State Highway Department. 1936/1940. *General Highway Map, Duval County*. Texas State Highway Department, in cooperation with the U.S. Department of Agriculture, Bureau of Public Roads, 1936, partially revised to February 1, 1940. Available online at: http://www.tsl.state.tx.us/arc/maps/images/map4848.jpg Last accessed: September 2, 2010.

Texas Water Commission. 1989. *Groundwater Quality of Texas - An Overview of Natural and Man-affected Conditions.* Report 89-01.

U.S. Bureau of Economic Analysis. 2010. Local Area Personal Income. Internet website: http://www.bea.gov/iTable/iTable.cfm?ReqID=70&step=1&isuri=1&acrdn=5.

U.S. Bureau of Labor Statistics (BLS), Local Area Unemployment Statistics. 2011. Internet website: http://www.bls.gov/lau/#tables in 2012.

U.S. Census Bureau. 2000. 2000 Decennial Census. Internet website: http://factfinder2.census.gov/.

U.S. Census Bureau. 2010a. 2010 Decennial Census. Internet website: http://factfinder2.census.gov/.

U.S. Census Bureau. 2010b. American Community Survey, 5-Year Estimates, 2006-2010. Internet website: http://factfinder2.census.gov/.

U.S. Customs and Border Protection (CBP). 2012. National Border Patrol Strategic Plan 2012 - 1016. Office of Border Patrol. 14 August 2012. Available online: www.cbp.gov/xp/cgov/border_security/border_patrol/.

U.S. Department of Agriculture, Natural Resources Conservation Service. 2009. Soil Survey Program. Available online at: http://soils.usda.gov/survey/online_surveys/texas/.

U.S. Environmental Protection Agency (USEPA). 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. Report 550/9-74-004.

USEPA. 2001. Procedures Document for National Emission Inventory, Criteria Air Pollutants 1985-1999. EPA-454/R-01-006. Office of Air Quality Planning and Standards Research Triangle Park NC 27711.

USEPA. 2009a. Frequently Asked Questions About NONROAD 2008. Office of Transportation and Air Quality. USEPA-420-F-09-21, April 2009.

USEPA. 2009b. Policy Guidance on the Use of MOVES2010 for State Implementation Plan Development, Transportation Conformity and Other Purposes. Office of Transportation and Air Quality. USEPA-420-B-09-046.

USEPA. 2012a. National Ambient Air Quality Satandards (NAAQS). Available online: http://www.epa.gov/air/criteria.html.

USEPA. 2012b. Welcome to the Green Book Nonattainment Areas for Criteria Pollutants www.epa.gov/oar/oaqps/greenbk.

U.S. Fish and Wildlife Service (USFWS). 2009. Walker's Manioc (*Manihot walkerae*) 5-Year Review and Evaluation. Available online at: http://www.fws.gov/ecos/ajax/docs/five_year_review/doc2415.pdf.

USFWS. 2010. USFWS Ecological Services Threatened and Endangered Species List. Available online at: http://www.fws.gov/southwest/es/EndangeredSpecies/lists/.

U.S. Housing and Urban Development (HUD). 1984. 24 CFR Part 51 - Environmental Criteria and Standards Sec. 51.103 Criteria and standards 44 FR 40861, July 12, 1979, as amended at 49 FR 12214, Mar. 29, 1984.

23 CFR 722. Code of Federal Regulations Title 23 Part 722 Table 1 "Noise Abatement Criteria."

SECTION 7.0
ACRONYMS AND ABBREVIATIONS

7.0 ACRONYMS AND ABBREVIATIONS

AADT	Annual Average Daily Traffic
AOR	Area of Responsibility
AST	Above-ground Storage Tanks
ATV	All-Terrain Vehicle
BMP	Best Management Practice
B.P.	Before Present
CAA	Clean Air Act
CBP	U.S. Customs and Border Protection
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CH_4	Methane
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	CO_2 equivalency
CWA	Clean Water Act
dB	Decibel
dBA	A-weighted Decibel
DHS	Department of Homeland Security
DNL	Day-Night Sound Level
DOE	Department of Energy
EA	Environmental Assessment
EO	Executive Order
ESA	Endangered Species Act
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FR	Federal Register
GHG	Greenhouse gases
GOV	Government-owned Vehicles
GSRC	Gulf South Research Corporation
HFC	Hydrochlorofluorocarbons
HUD	U.S. Department of Housing and Urban Development
INA	Immigration and Nationality Act
INS	Immigration and Naturalization Service
LEED	Leadership in Energy and Environmental Design
mg/m^3	Milligrams per Cubic Meter of Air
MSDS	Material Safety Data Sheet
NAAQS	National Ambient Air Quality Standards
NAFTA	North American Free Trade Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
N_2O	Nitrous Oxide
NOx	Nitrous Oxides

NO_2	Nitrogen Dioxide
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O_3	Ozone
OSHA	Occupational, Safety and Health Administration
PL	Public Law
PM-2.5	Particulate Matter Less than 2.5 Microns
PM-10	Particulate Matter Less than 10 Microns
POL	Petroleum, Oils and Lubricants
POV	Privately Owned Vehicles
ppb	Parts Per Billion
ppm	Parts Per Million
SEL	Sound Exposure Level
SHPO	State Historic Preservation Officer
SO_2	Sulfur Dioxide
SPCCP	Spill Prevention, Control, and Countermeasures Plan
SWPPP	Stormwater Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
THC	Texas Historical Commission
TPI	Total Personal Income
TPWD	Texas Parks and Wildlife Department
U.S.	United States
USACE	U.S. Army Corps of Engineers
USBP	U.S. Border Patrol
U.S.C.	U.S. Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
VFW	Veterans of Foreign Wars
VOC	Volatile Organic Compounds
WCID	Water Control Improvement District
$\mu g/m^3$	Micrograms per Cubic Meter of Air

SECTION 8.0
LIST OF PREPARERS

8.0 LIST OF PREPARERS

The following people were primarily responsible for preparing this EA.

Name	Agency/Organization	Discipline/Expertise	Experience	Role in Preparing EA
Mark Gable	CBP	NEPA/DHS PM and Regional Environmental Officer	25 years; Environmental Management and Review	EA Review
Roger Empie	CBP	PM, Dallas Facility Center	27 years; Project Management	CBP Project Manager
Richard Bowles	USACE, Galveston District	PM, USACE, Galveston District	15 years; Project Management	USACE Project Manager
Mark Garza	USACE, Galveston District	Environmental Resources	7 years; Natural Resources and Environmental Planning	EA Review
Eric Webb, Ph.D.	GSRC	Ecology/Wetlands	17 years; Natural Resources and NEPA studies	GSRC Project Manager; DOPAA and Technical Review
Chris Ingram	GSRC	Biology/Ecology	33 years; EA/EIS studies	Technical Review
Shanna McCarty	GSRC	Biology Ecology	4 years; EA/EIS studies	Technical Review
Steve Oivanki	GSRC	Geology	20 years; EA and Remediation	Phase I ESA, Soils, and Hazardous Materials
Steve Kolian	GSRC	Environmental Science	12 years; Natural Resources	Utilities, Noise, Air Quality; Human Health and Safety
Nicole Forsyth	GSRC	Environmental Engineering	6 years; Environmental and NEPA studies	Transportation
Greg Lacy	GSRC	Natural Resources	12 years; Natural Resources and Environmental Studies	Wildlife and Floodplains
Michael Hodson	GSRC	Ecology/Wetlands	5 years; Natural Resources	T&E Species and Vegetation
Shalise Hadden	GSRC	Biology	1 year; Biological Resources	Section Organization and Reference List
Rob Meyers	GSRC	Biology	7 years; Biological Resources	Technical Review
John Lindemuth	GSRC	Archaeology	18 years; Professional Archaeologist/Cultural Resources	Cultural Resources and Socioeconomics
Sharon Newman	GSRC	GIS/Graphics	15 years; GIS/Graphics	GIS and Graphics

APPENDIX A
CORRESPONDENCE

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
c/o TAMU-CC, Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

September 16, 2010

Mark Gable
U.S. Department of Homeland Security
U.S. Customs and Border Protection
Dallas Facility Center
7701 North Stemmons Freeway,
Dallas, Texas 7524-4232

Consultation Number 21410-2008-TA-0145

Dear Mr. Gable:

This responds to your September 13, 2010, letter (received February 14, 2010) requesting the U.S. Fish and Wildlife Service (Service) provide information concerning federally-listed species with regard to the proposed construction of a new U.S. Border Patrol (USBP) station in Freer, Duval County, Texas. Attached is the current list of federally–listed species in Duval County. The endangered ocelot and jaguarundi should be included in your assessments and determinations of effects. In Texas, the federally-listed cats occur in lomas, drainages, shrubland, riparian areas and wetlands and use these habitats for hunting, travel and the denser habitats for denning. The Service has a report of an ocelot sighting on Highway 44 between Freer and San Diego, Duval County, Texas. Because your proposed alternative sites appear to be endangered cat habitat, the Service recommends that you provide the Service with your biological resource report for the 3 sites for review, and that you consider an alternative that would not impact ocelot and jaguarundi habitats. Once a project description is available, the Service can make recommendations on how best to proceed with section 7 consultation.

Under section 7(a)(2) of the Endangered Species Act (ESA), the federal action agency, the USBP, is responsible for determining the effects of their actions on listed species or critical habitat (50 CFR § 402.14 [a]) and is ultimately responsible for section 7 obligations. Non-federal representatives (i.e. consultants, state agencies, county or local officials) may request and receive species lists, prepare environmental documents, biological assessments, and provide information for formal consultations. However, the Service requires the action agency to designate the non-federal representative in writing. If not designated, non-federal representatives should provide supporting information to the federal action agency for their evaluation. After evaluating the potential for effect, one of the following determinations is made by the federal action agency or their non-federal representative.

No effect – the action agency determines its proposed action will not affect federally listed species or critical habitat. No section 7 consultation is necessary and the Service believes the agency has complied with section 7(a)(2) of the ESA by making a determination. However, if the project changes or additional information on the distribution of listed or proposed species becomes available the project should be reanalyzed for effects not previously considered.

May Affect, but is not likely to adversely effect – the action agency determines their project may affect listed species and or critical habitat, however; the effects are expected to be discountable, or insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The action agency should seek written concurrence from the Service that adverse effects have been eliminated. If agreement cannot be reached the agency is advised to initiate formal consultation.

Is likely to adversely affect – the action agency determines adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires formal section 7 consultation.

The Service recommends the action agency maintain a complete record of evaluation for all determinations, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service's Consultation Handbook is available online http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm) for further information on definitions and process.

The Service is responsible for federally listed species. We recommend you contact the Texas Parks and Wildlife Department (Endangered Resources Branch), Fountain Park Plaza Building, Suite 100, 3000 South IH-35, Austin, Texas 78704 (telephone 512/912-7011) for information concerning fish, wildlife, and plants of State concern.

Migratory Birds

The Migratory Bird Treaty Act implements various treaties and conventions for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to commencing work. If a nest is found, and if possible, the Service recommends a buffer of vegetation ($\geq$ 50m for songbirds, $\geq$ 100m for wading birds, and $\geq$ 180m for terns, skimmers and birds of prey) remain around the nest until young have fledged or the nest is abandoned. A list of migratory birds may be viewed at http://migratorybirds.fws.gov/intrnltr/mbta/proposedbirdlist.pdf.

Wetlands

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to flood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provide food and cover for wildlife, stabilize banks and decrease soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-

establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation,.and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the floodplain and/or wetland area during construction to prevent possible contamination of water and soils. No permanent structures should be placed in the 100-year floodplain.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs and herbaceous species that are adaptable, drought tolerant and conserve water.

The Service requests of copy of the Draft EA when it becomes available for review and comment. If you have any further questions please contact Dr. Larisa Ford at (361) 994-9005 or by email at larisa_ford@fws.gov.

Sincerely,

E. Dawn Whitehead

for Allan M. Strand
Field Supervisor

Enclosure

Federally Listed as Threatened and Endangered Species of Texas
February 21, 2008

County-by-County lists containing species information is available at the U.S. Fish and Wildlife Service's (Service), Southwest Region, web site
http://www.fws.gov/southwest/es/EndangeredSpecies/lists.
This list represents species that may be found in counties throughout the state. It is recommended that the field station responsible for a project area be contacted if additional information is needed.

DISCLAIMER

This County by County list is based on information available to the U.S. Fish and Wildlife Service at the time of preparation, date on page 1. This list is subject to change, without notice, as new biological information is gathered and should not be used as the sole source for identifying species that may be impacted by a project.

(Duval County)

Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Ocelot	(E)	*Leopardus pardalis*

INDEX

Statewide or areawide migrants are not included by county, except where they breed or occur in concentrations.

E = Species in danger of extinction throughout all or a significant portion of its range.

TEXAS PARKS & WILDLIFE

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Dan Allen Hughes, Jr.
Beeville

Margaret Martin
Boerne

S. Reed Morian
Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

October 14, 2010

Loren Flossman
U.S. Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, DC 20229

RE: Proposed construction of U.S. Border Patrol Station near Freer, Duval County, Texas.

Dear Mr. Flossman:

This letter is in response to your request for information to assist U.S. Customs and Border Protection (CBP) prepare an Environmental Assessment for the proposed project referenced above.

Project description

The CBP propose to construct, operate and maintain a U.S. Border Patrol (USBP) station along the north side of State Highway (SH) 44 east of Freer, Duval County, Texas. CBP has identified three alternative sites, each ranging from 30 to 50 acres in size. The preferred alternative site would be approximately directly across from the existing border patrol station; Alternative Sites 2 and 3 are located approximately 500 and 2000 feet east of the preferred location, respectively. All three location consist of land that has been cleared for agricultural/light residential development.

You have requested information regarding state listed species, the presence of threatened and endangered species or other sensitive resources that could potentially occur on the proposed construction sites or be affected by the project. Texas Parks and Wildlife Department (TPWD) has reviewed the information provided and offers the following comments.

RARE SPECIES REVIEW

Based on the project as presented, the TPWD annotated county list of rare species for Duval County, and presently known Texas Natural Diversity Database (TXNDD) records for the general project areas, the following listed species could be impacted by proposed project activities if suitable habitat is present:

Federal Proposed for Listing

Mountain Plover (*Charadrius montanus*)

State Listed Threatened

Texas Botteri's Sparrow (*Aimophila botterii texana*)
Western Burrowing Owl (*Athene cunicularia hypugaea*)
Reticulate collared lizard (*Crotaphytus reticulatus*)
Texas horned lizard (*Phrynosoma cornutum*)
Texas indigo snake (*Drymarchon melanurus erebennus*)

4200 SMITH SCHOOL ROAD
AUSTIN, TEXAS 78744-3291
512.389.4800
www.tpwd.state.tx.us

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

Texas tortoise (*Gopherus berlandieri*)

Species of Concern

Spot-tailed earless lizard (*Holbrookia lacerata*)

No occurrences of rare species have been documented within 1.5 miles of the project site. However, please be aware that the TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. Absence of information in an area does not imply that a species is absent from that area. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presences, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and **cannot be used as presence/absence data**. They represent species that could potentially be in your project area. This information cannot be substituted for on-the-ground surveys.

Please review the most current TPWD county list for Duval County, as other rare species could be present depending upon habitat availability. These lists are available online at http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered_species/index.phtml.

For the USFWS rare species lists please visit: http://eco.fws.gov/tess_public/serviet/gov.doi.tess_public.serviets.EntryPage.

Federal and State Regulations

Endangered Species Act

Federally-listed animal species and their habitat are protected from "take" on any property by the ESA. Take of a federally-listed species can be allowed if it is "incidental" to an otherwise lawful activity and must be permitted in accordance with Section 7 or 10 of the ESA. Federally-listed plants are not protected from take except on lands under federal/state jurisdiction or for which a federal/state nexus (i.e., permits or funding) exists. Any take of a federally listed species or its habitat without the required take permit (or allowance) from the U.S. Fish and Wildlife Service (USFWS) is a violation of the ESA.

Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act (MBTA) implicitly prohibits intentional *and unintentional* take of migratory birds, including their nests and eggs, except as permitted by the USFWS. Although not documented in the TXNDD, many bird

species that are protected by the MBTA are known to reside in or migrate through the potential project areas.

> **Recommendation:** Although all three alternative sites have been previously disturbed and have had most of the woody vegetation removed, grasslands (*i.e.*, pastures) and patches of brush may provide suitable nesting, feeding or loafing habitat for resident and migratory birds. TPWD recommends scheduling any vegetation clearing or trampling outside of the April 1-July 15 migratory bird nesting season in order to fully comply with the MBTA. Contractors should be made aware of the potential of encountering migratory birds (either nesting or wintering) on the proposed project sites and be instructed to avoid negatively impacting them. Please contact the U.S. Fish and Wildlife Service Southwest Regional Office (Region 2) at (505) 248-6879 for further information regarding the MBTA.

State regulations

Parks and Wildlife Code

State law prohibits any take (incidental or otherwise) of state-listed species. Laws and regulations pertaining to state-listed endangered or threatened animals are contained in Chapters 67 and 68 of the Texas Parks and Wildlife (TPW) Code; laws pertaining to endangered or threatened plants are contained in Chapters 88 of the TPW Code.

All three alternative sites are located adjacent to large contiguous tracts of medium to high quality habitat that provides food, browse, and cover for many species of wildlife, including state listed species. The availability of vegetated cover composed of leguminous species could support many bird species as well as state listed reptiles adapted to arid environments (*e.g.*, reticulate collared lizard, Texas tortoise) and prey species (*e.g.*, lizards, mice) for raptors common in the area.

> **Recommendation:** TPWD recommends that if encountered, wildlife including state listed species, should be avoided and permitted to leave the project area on their own.
>
> Texas tortoises could be encountered at the proposed project sites. TPWD recommends that if encountered, Texas tortoises should be avoided and permitted to leave the project area on their own. Attempting to relocate them by picking them up can cause them to evacuate their bladders. Evacuation of their bladder, along with the stress of being moved, could cause the tortoises to become dehydrated and die.
>
> Please note that relocating any species of wildlife (including listed species) requires a scientific collection permit, as referenced above. This can be obtained from TPWD Wildlife Permits Program. For more information

regarding this permit, please visit TPWD's wildlife permit website at: http://www.tpwd.state.tx.us/business/permits/land/wildlife/

If during construction the project area is found to contain rare species, natural plant communities or special features, TPWD recommends that precautions be taken to avoid, minimize, and compensate for impacts to them.

ALTERNATIVES

The CBP is evaluating three sites to construct a new USBP station near Freer in Duval County, Texas. All three sites are located along SH 44 adjacent to large contiguous tracts of undeveloped mesquite-blackbrush brush habitat that can support a diversity of wildlife species.

Recommendation: TPWD concurs with the development of the site the CBP has identified as the Preferred Alternative site as it is located at a previously disturbed area. Overall, potential impacts to vegetation and wildlife would be similar among all of the alternative sites.

Please contact me at (361) 825-3240 if you have any questions regarding our comments.

Sincerely,

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh 15435

cc: Mark Gable, USCBP-Dallas Regional Center

TEXAS PARKS & WILDLIFE

Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744-3291

CORPUS CHRISTI
TX 784 1 T
14 OCT 2010 PM

USA44

RECEIVED
2010 OCT 18 AM 12:30
DHS
CRO/CIS

Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

75247-4232

1300 Pennsylvania Avenue NW
Washington, DC 20229

RECEIVED
SEP 14 2010
TEXAS HISTORICAL COMMISSION

U.S. Customs and Border Protection

Mr. Mark Wolfe
State Historic Preservation Officer
1511 Colorado Street
Austin, TX 78701

SEP 13 2010

Dear Mr. Wolfe:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, located near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. CBP respectfully requests that you provide information on any cultural resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

[redacted]
NO SURVEY REQUIRED
PROJECT MAY PROCEED
by SEE BELOW
for Mark Wolfe
Executive Director, THC
Date 10/13/2010
Track# 201100845

NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED
by William A. Martin
for Mark Wolfe
State Historic Preservation Officer
Date 10/13/2010
Track# 201100845

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

FOR

Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Texas Parks and Wildlife Department
Wildlife Diversity Program
ATTN: Ms. Kathy Boydson
4200 Smith School Road
Austin, TX 78744

SEP 13 2010

Dear Ms. Boydson:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, located near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act, the Endangered Species Act, and other applicable environmental laws and regulations. CBP respectfully requests that you provide information regarding any resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

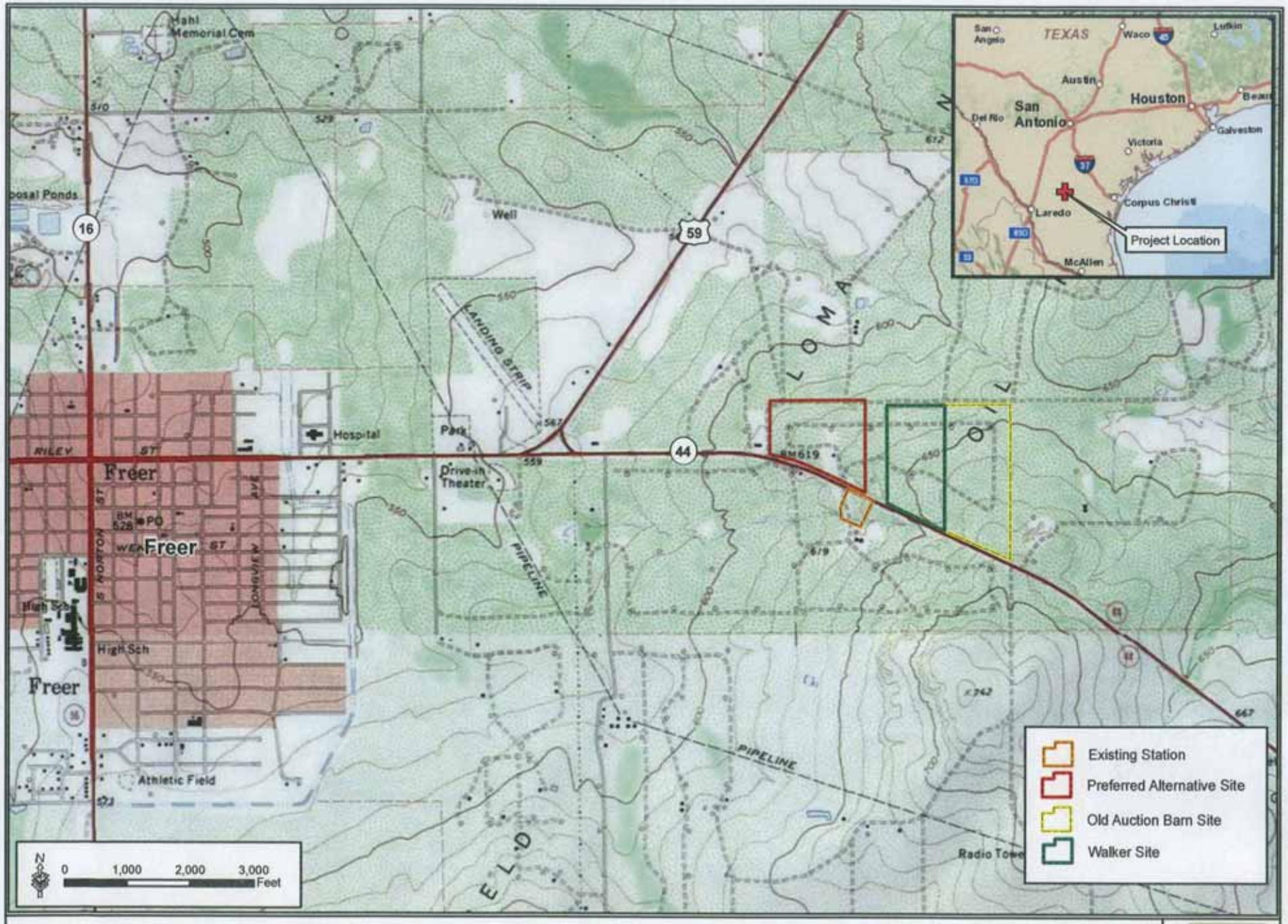
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

For Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and
Border Protection

Honorable Wallace Coffey
Comanche Nation
ATTN: Ms. Ruth Toahty
584 NW Bingo Road
Lawton, OK 73507

SEP 13 2010

Dear Ms. Toahty:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800. CBP respectfully requests that your agency provide information on any cultural resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

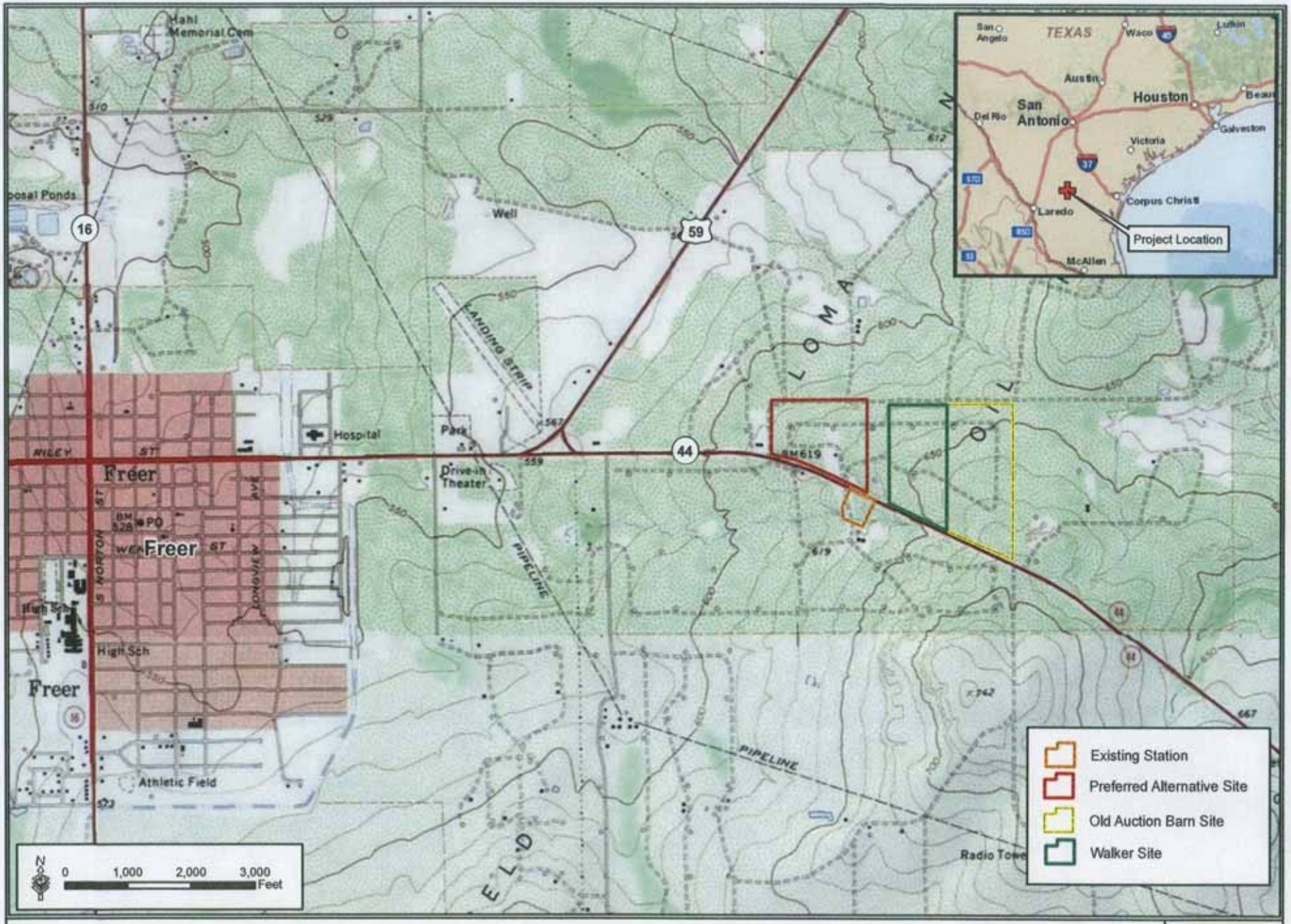
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Dr. Larisa Ford
U.S. Fish and Wildlife Service
c/o TAMU-CC
6300 Ocean Drive, Campus Box 338
Corpus Christi, TX 78412

SEP 13 2010

Dear Dr. Ford:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act and Section 7 of the Endangered Species Act. CBP respectfully requests that you provide information on any biological resources or threatened and endangered species that you believe may be affected by the proposed USBP activities in Duval County, Texas. A biological resources survey is being conducted for the proposed alternative sites, and we will provide you with a copy of the biological resources report for your comment once it is prepared, if requested.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

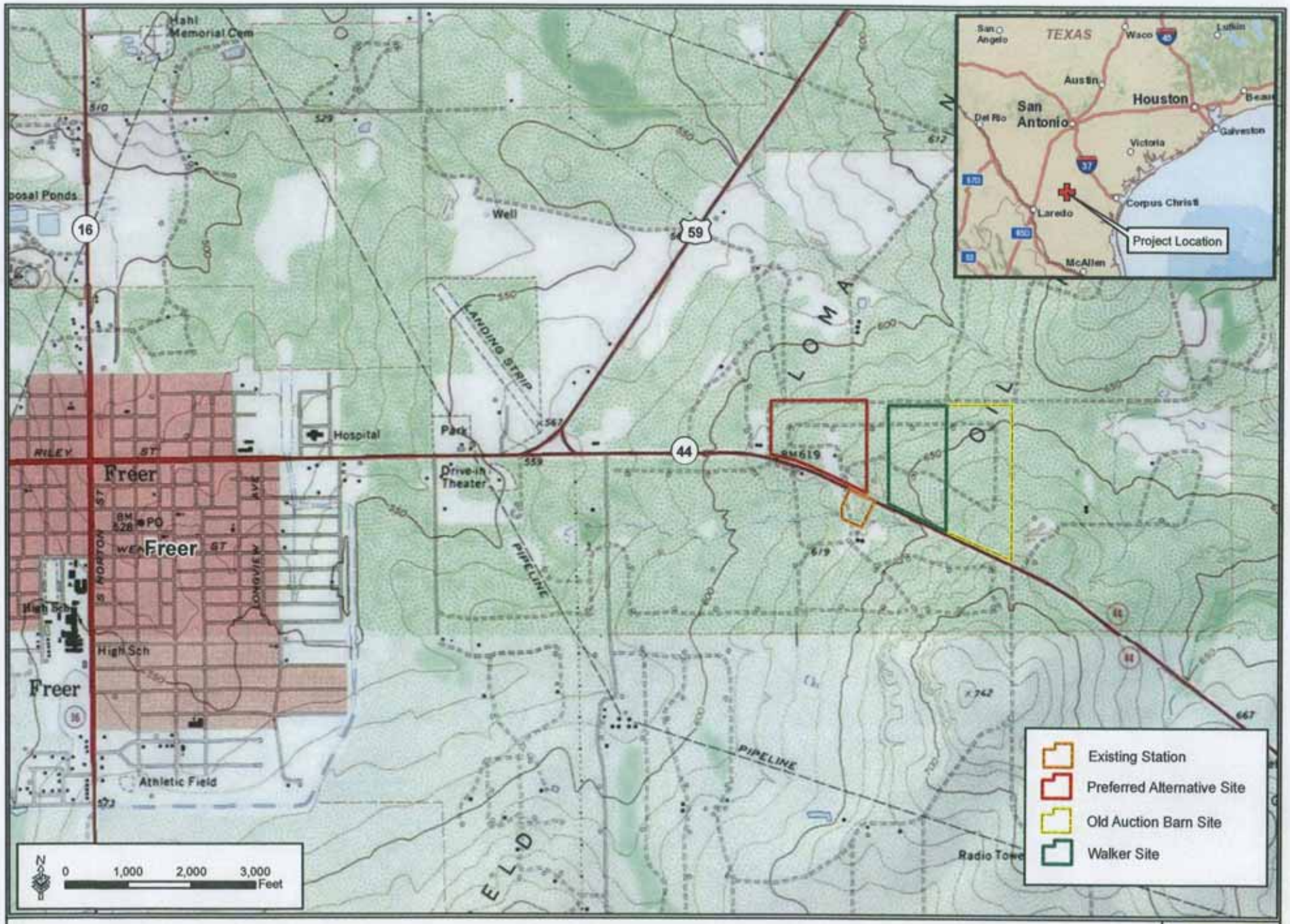
Mr. Roger Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by: mark.gable@dhs.gov.

Sincerely,

For Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Mr. Richard Greene
Regional Administrator, Region 6
Environmental Protection Agency
Fountain Place 12th Floor, Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733

SEP 13 2010

Dear Mr. Greene:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act, the Clean Water Act, and other applicable environmental laws and regulations. CBP respectfully requests that you provide information on any resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

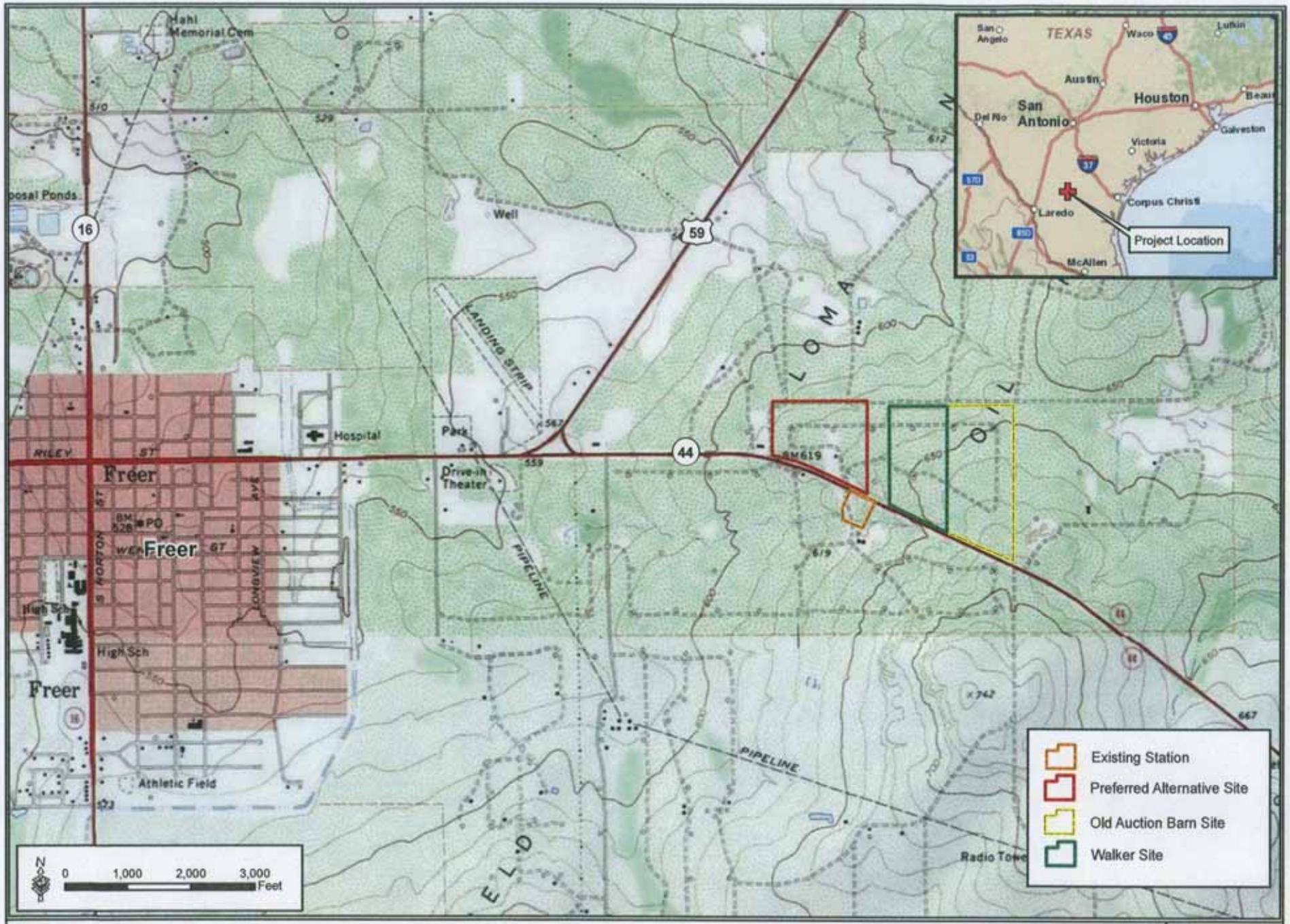
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

For Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Kiowa Tribal Chairman's Office
Kiowa Tribe of Oklahoma
Business Committee
100 Kiowa Way
Carnegie, OK 73015

SEP 13 2010

Dear Sir or Madam:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800. CBP respectfully requests that your agency provide information on any cultural resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

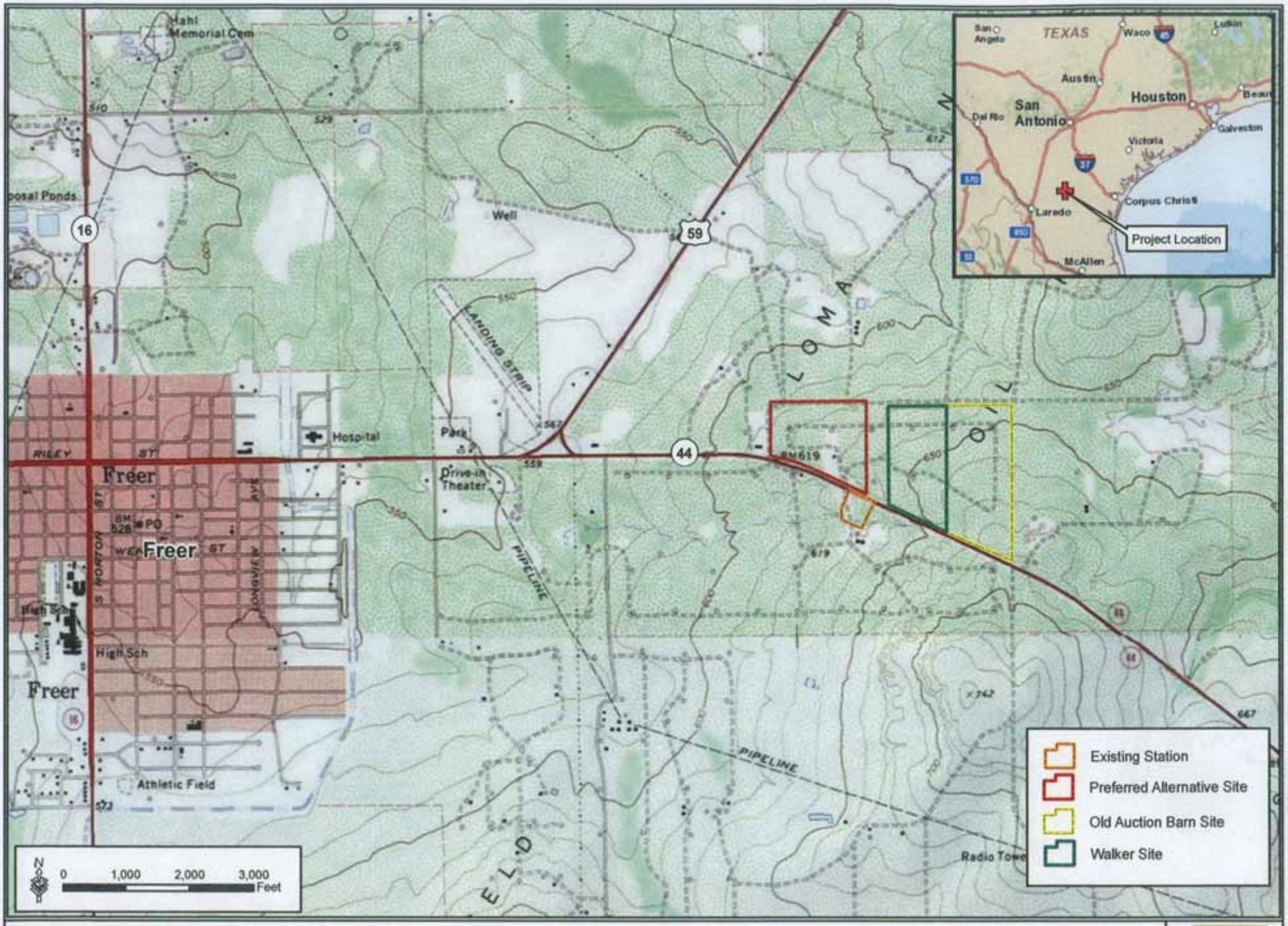
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and
Border Protection

Mescalero Apache Reservation
Mescalero Apache Tribal Council
Ms. Holly Houghen
101 Central Avenue
Mescalero, NM 88340

SEP 13 2010

Dear Ms. Houghen:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800. CBP respectfully requests that your agency provide information on any cultural resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

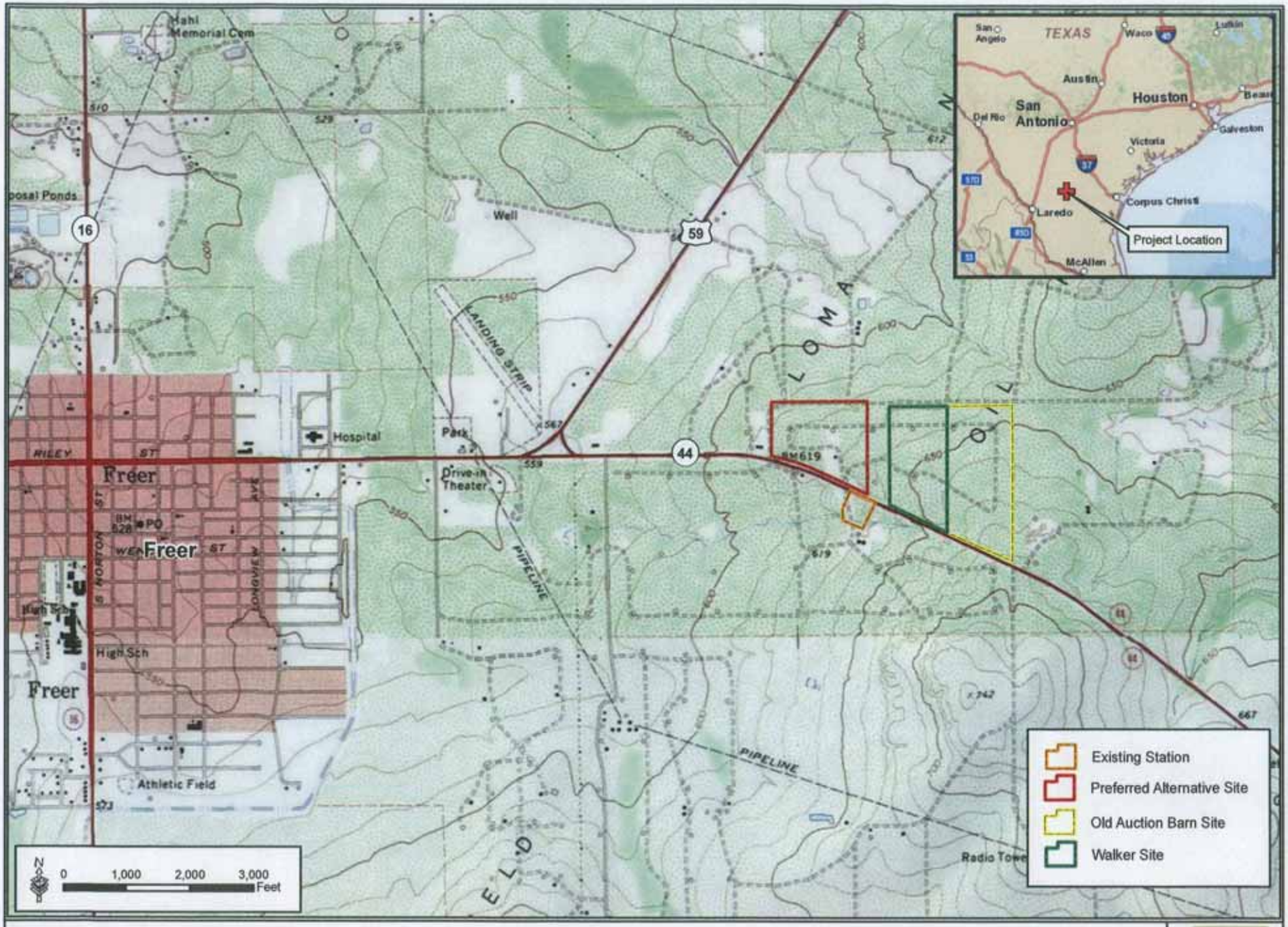
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

For Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and
Border Protection

Ms. Patty Reeh
Texas Commission on Environmental Quality
1921 Cedar Bend Drive, Suite 150
Austin, TX 78758

SEP 13 2010

Dear Reeh:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

The existing station does not provide adequate space for the planned increase in staff. USBP anticipates an increase to approximately 250 USBP agents and support staff. By providing additional space and facilities, the proposed new station would substantially enhance the overall safety and efficiency of current and future operations within the USBP Freer Area of Responsibility. CBP has identified the Area of Potential Effect (APE) as three alternative sites, each approximately 30 to 50 acres, near the City of Freer, Texas, as shown on Attachment A.

We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act, the Clean Water Act, and other applicable environmental laws and regulations. CBP respectfully requests that you provide information regarding any resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

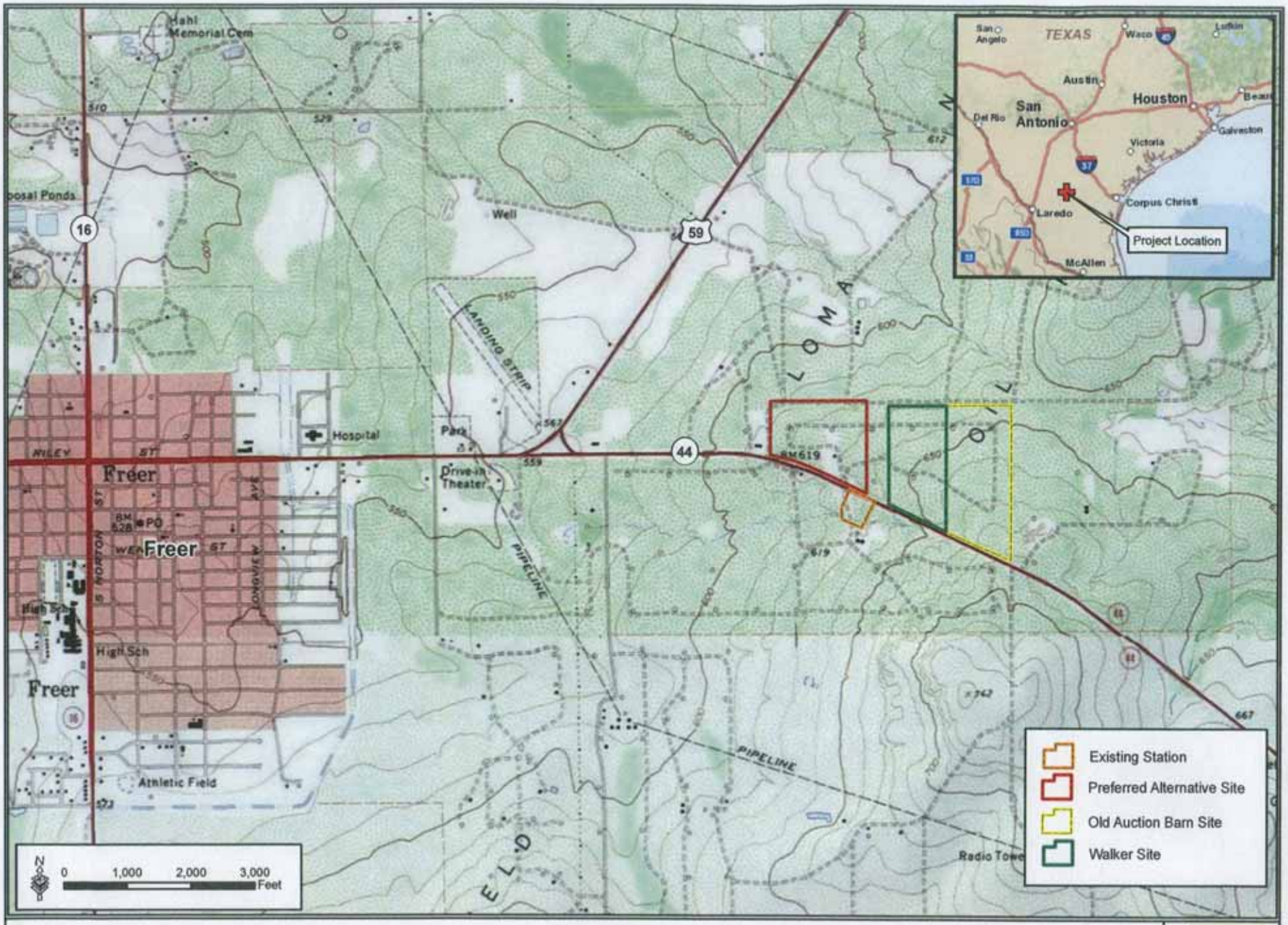
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Mr. Mark Wolfe
State Historic Preservation Officer
1511 Colorado Street
Austin, TX 78701

SEP 13 2010

Dear Mr. Wolfe:

U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Duval County, Texas. The proposed new station would be constructed to accommodate existing staff, as well as an anticipated increase in agent force in support of the National Border Patrol Strategy to gain and maintain effective control of the U.S. borders.

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We are currently in the process of gathering the most current information available, in accordance with the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. CBP respectfully requests that you provide information on any cultural resources that you believe may be affected by the proposed USBP activities in Duval County, Texas.

We intend to provide your agency with a copy of the Draft EA once the document is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. For additional information, please contact:

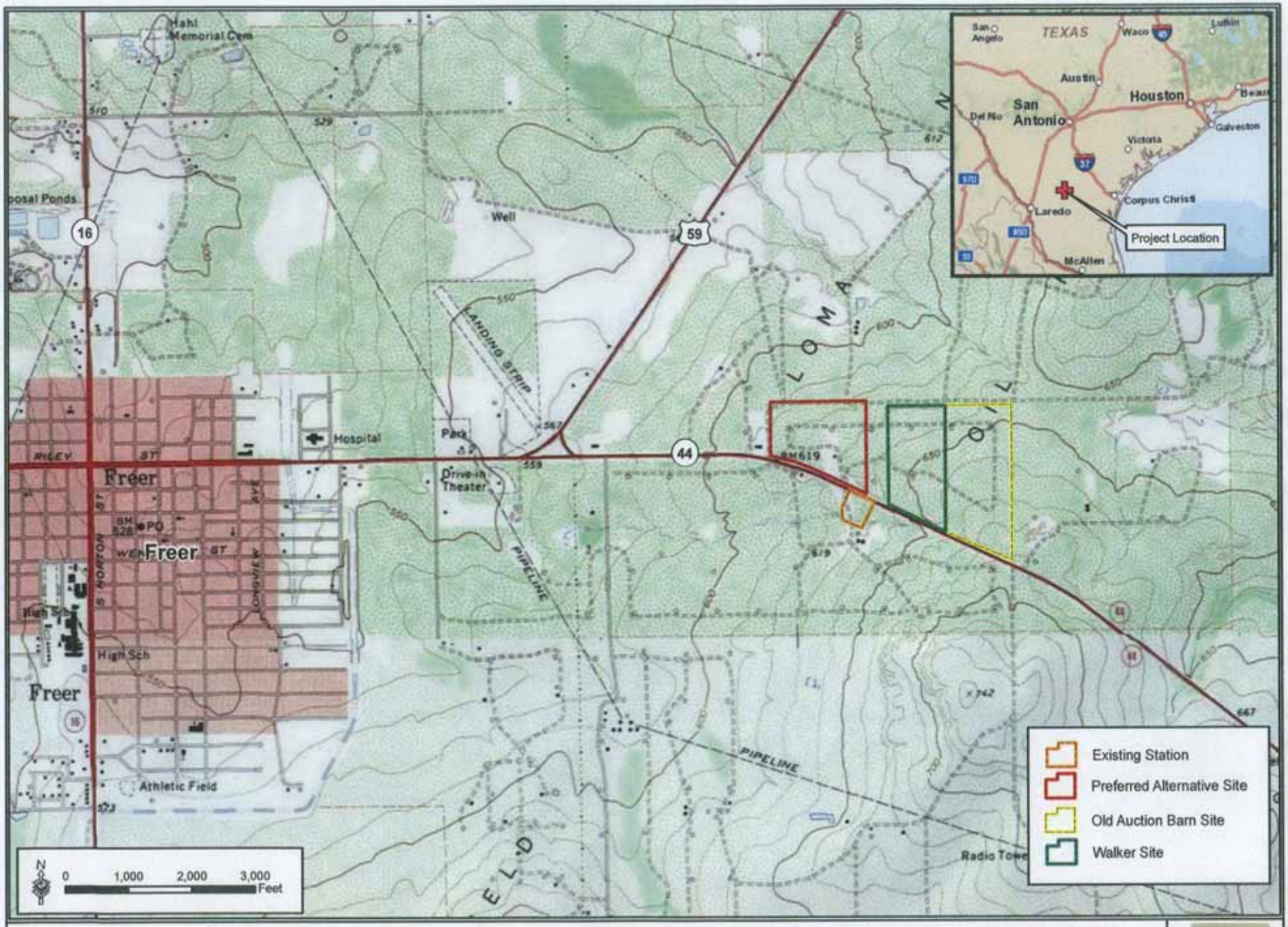
Mr. Mark Gable
U.S. Customs and Border Protection
Dallas Regional Center
7701 North Stemmons Freeway
Dallas, TX 75247-4232

If you require additional information or have any questions, please contact Mr. Gable at (214) 905-5509 or by email at: mark.gable@dhs.gov.

Sincerely,

Loren Flossman
Director
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosure



Attachment A

GSRC

June 2010

APPENDIX B
PUBLIC COMMENTS

PUBLISHER'S AFFIDAVIT

State of Texas }
County of Nueces }

GULF SOUTH RESEEARCH CORP
Ad # 5957606
PO #

Before me, the undersigned, a Notary Public, this day personally came GEORGIA LAWSON, who being first duly sworn, according to law, says that she is LEGAL SALES REPRESENTITIVE AND EMPLOYEE OF THE PUBLISHER, namely, the *Corpus Christi Caller-Times*, a daily newspaper published at Corpus Christi in said City and State, generally circulated in Aransas, Bee, Brooks, Duval, Jim Hogg, Jim Wells, Kleberg, Live Oak, Nueces, Refugio, and San Patricio, Counties, and that the publication of, NOTICE OF AVAILABILITY DRAFT ENVIRON MEN which the annexed is a true copy, was inserted in the *Corpus Christi Caller-Times* on the 12/28/2010, 12/28/2010.

$ 442.33

LEGAL SALES REPRESENTIVE

1Time(s)

On this 3 day of January, 2011 I certify that the attached document is a true and an exact copy made by publisher.

Notary Public, State of Texas

MICHELLE JOYCE CABRERA
MY COMMISSION EXPIRES
March 18, 2012

NOTICE OF AVAILABILITY DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR CONSTRUCTION OF THE NEW U.S. BORDER PATROL (USBP) STATION, FREER, TEXAS

The public is hereby notified of the availability of the draft Environmental Assessment (EA) and proposed Finding of No Significant Impact (FONSI) prepared by U.S. Customs and Border Protection (CBP) for the construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Texas. The proposed station is being considered to be located at one of three sites, all of which are located north of Highway 44 east of Freer. The draft EA and proposed FONSI will be available for review at the Freer Public Library, located at 608 Carolyn, Freer, Texas from December 28, 2010 to February 4, 2011. It is also available for review and downloading from the U.S. Army Corps of Engineers, Galveston District's Internet web page at the following URL address: http://www.swg.usace.army.mil/pao/HotTopic.asp.

Correspondence regarding the draft EA and FONSI should be sent to: Mr. Mark Gable, U.S. Customs and Border Protection, Dallas Regional Office, 150 Westpark Way, Euless, TX 76040-3962, Fax: 817-545-1231 or via e-mail: mark.gable@dhs.gov.

LAREDO MORNING TIMES
P.O. BOX 2129
LAREDO, TEXAS 78041

STATE OF TEXAS
COUNTY OF WEBB

Before me, the undersigned authority, on this day personally appeared Lynette Nelson who on his/her oath states.

I am the BOOKKEEPING CLERK of the LAREDO MORNING TIMES, a newspaper published in Webb County, Texas, and knows the facts stated in this affidavit.

Advertisement for:
Acct #: 052300006 GULF SOUTH RESEARCH COR.
Inv #: 837019001 L-50

Appeared in the LAREDO MORNING TIMES on the following date/s:
12/28/2010

The charge for such publication being $ 162.90

Lynette Nelson

Lynette Nelson

Subscribed and sworn to before me on December 28, 2010

Olivia D Chaverria

Notary public in and for the State of Texas
Notary: Olivia D. Chaverria

OLIVIA D. CHAVERRIA
MY COMMISSION EXPIRES
July 17, 2014

NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL ASSESSMENT
AND
FINDING OF NO SIGNFICANT IMPACT
For Construction of the
New U.S. Border Patrol (USBP) Station,
FREER, texas

The public is hereby notified of the availability of the draft Environmental Assessment (EA) and proposed Finding of No Significant Impact (FONSI) prepared by U.S. Customs and Border Protection (CBP) for the construction, operation, and maintenance of a new U.S. Border Patrol (USBP) station near Freer, Texas. The proposed station is being considered to be located at one of three sites, all of which are located north of Highway 44 east of Freer. The draft EA and proposed FONSI will be available for review at the Freer Public Library, located at 608 Carolyn, Freer, Texas from December 28, 2010 to February 4, 2011. It is also available for review and downloading from the U.S. Army Corps of Engineers, Galveston District's Internet web page at the following URL address: http://www.swg.usace.army.mil/pao/HotTopic.asp.

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L-50

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
c/o TAMU-CC, Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

February 1, 2011

Mark Gable
U.S. Customs and Border Protection
150 Westpark Way
Euless, TX 76040-3962

Consultation Number: 21410-2008-I-0145

Dear Mr. Gable:

This responds to your December 22, 2010, letter requesting the U.S. Fish and Wildlife Service's (Service) comments on the U.S. Border Patrol (USBP) Freer Station Draft Environmental Assessment (EA). The proposed project includes the construction, operation, and maintenance of a new station located approximately 1 mile east of Freer, on the north side of State Highway 44, Duval County, Texas. Questions were forwarded to you on December 29, 2010, via email, to clarify some components of the project proposed but a response has not been received to date. Those questions and additional comments follow:

Section 1.4 Scope of the Analysis
The EA states that the analysis does not include an assessment of operations conducted in the field and away from the station. Although it is appropriate to not include these federal actions in this limited EA, the Service continues to recommend that all CBP operations throughout the Sector be coordinated with the Service and consultations be completed on any appropriate operations. To date we are aware that a consultation was completed on the Laredo Sector Horse Patrol operations.

Table 1-1 Row 5, Column 5
Replace "No adverse effects" with "May affect, not likely to adversely affect the endangered ocelot and jaguarundi."

Table 1-1 Row 8, Column 4
Insert "Relocation" between "for" and "permit". The Migratory Bird Treaty Act (MBTA) only allows permits for depredation, hunting, and scientific study.

2.1 Proposed Station Design
Please clarify the need for a SBI*net* area as the Department of Homeland Security announced the cancellation of the "virtual fence" project earlier this month. Is this space still necessary or can the size of the project footprint be reduced? Should the decision to change the communication tower to a non-self supported design, further coordination with this office would be recommended. Impacts to habitat have not been assessed for the installation of water and sewer lines and should be addressed in the final EA.

Table 2-3 Row 6, Column 3
Insert "and jaguarundi" after "ocelot(s)" in sentences 2 and 3.

Section 3.5.2.2. Preferred Alternative
How large is the undisturbed area in the northeast corner of the project?

Section 3.6.2.2 Preferred Alternative
The EA states that "Further some bird mortality is possible from the wind turbine operation". Bird mortality from the wind turbine could subject USBP to liabilities and legal actions covered by MBTA. The Service recommends that the USBP develop an Avian and Bat Protection Plan that is coordinated and reviewed by the Service, prior to the beginning of construction so that potential impacts can be minimized.

Table 3-1, Row 1, Column 3
Remove "in Rio Grande Valley". Jaguarundi are known as far north as Maverick County.

3.7.1.1. Federal
Correct the last sentence on line 17 and 18, to reflect that jaguarundi are known to occur throughout south Texas.

4.6 Threatened and Endangered Species
Remove sentences on line 43-46 as they are misleading. In fact, some CBP consultations have resulted in a may affect, likely to adversely affect federally-listed species and formal consultation and issuance of an incidental take permit have been required.

5.4 Wildlife Resources
How will the undeveloped corridor be maintained and what is it size? Will it be posted as a conservation area so that it will not be accidently used for staging or storage? The Service recommends that it not be fenced. Can the undisturbed area be extended to State Highway 44 to help offset impacts from construction and operation noise and reduce connectivity to areas north of the proposed facility? The Service appreciates the inclusion of the conservation measure to reduce lighting as described in the draft EA.

The Service cannot concur with your determination at this time and recommends that you continue informal consultation. Please contact Dr. Larisa Ford, at 361-994-9005 or by email larisa_ford@fws.gov for further coordination.

Sincerely,

E. Dawn Whitehead

for Allan M. Strand
Field Supervisor

Responses to U.S. Fish and Wildlife Service's Comments (February 1, 2011) on the December 2010 Draft EA for the U.S. Border Patrol Freer Station:

1. The operations conducted by the USBP Freer Station would not change as a result of the Proposed Action. Thank you for your comment.
2. Based on these comments provided by USFWS, and additional coordination with USFWS concerning the development of the Pena Complex for the new USBP Station, CBP has made the decision to locate, construct, and operate the USBP Station on the Walker Site. The Walker Site, which was fully evaluated in the Draft EA as an alternative site for the USBP Station is now the Preferred Alternative Site. Because the Walker Site is developed as a collocated residence and business and there is no suitable travel or hunting habitat for the ocelot on the Walker Site, CBP has determined that there would be no effect on any listed species from the Proposed Action.
3. "relocation" was inserted between "for" and "permit" in Table 1-1, Row 8, Column 4, as recommended.
4. The design concept for the station still includes space for a technology support area, and no changes to the station design or project footprint have been made.
5. "and jaguarondi" was inserted after "ocelot" in sentences 2 and 3 of Table 2-3, Row 6, Column 4.
6. The Pena Complex is no longer being proposed for development of the USBP Freer Station.
7. CBP concurs with the USFWS recommendation and will prepare an Avian and Bat Protection Plan, and coordinate the development of that Plan with USFWS prior to the construction of any wind turbine at the USBP Freer Station.
8. "in Rio Grande Valley" was removed as recommended.
9. The change was made to reflect the fact that jaguarundis are known to occur throughout south Texas.
10. Lines 43 through 46 in Section 4.6 were removed as recommended.
11. The Pena Complex is no longer being proposed for the development of the USBP Freer Station.

APPENDIX C
AIR QUALITY ANALYSIS

CALCULATION SHEET-COMBUSTION EMISSIONS-CONSTRUCTION

Assumptions for Combustion Emissions					
Type of Construction Equipment	Num. of Units	HP Rated	Hrs/day	Days/yr	Total hp-hrs
Water Truck	1	300	8	240	576000
Diesel Road Compactors	1	100	8	15	12000
Diesel Dump Truck	1	300	8	240	576000
Diesel Excavator	1	300	8	15	36000
Diesel Hole Trenchers	1	175	8	60	84000
Diesel Bore/Drill Rigs	1	300	8	60	144000
Diesel Cement & Mortar Mixers	1	300	8	60	144000
Diesel Cranes	1	175	8	130	182000
Diesel Graders	1	300	8	15	36000
Diesel Tractors/Loaders/Backhoes	1	100	8	240	192000
Diesel Bulldozers	1	300	8	15	36000
Diesel Front-End Loaders	1	300	8	130	312000
Diesel Forklifts	2	100	8	130	208000
Diesel Generator Set	2	40	8	130	83200

Emission Factors[1]							
Type of Construction Equipment	VOC g/hp-hr	CO g/hp-hr	NOx g/hp-hr	PM-10 g/hp-hr	PM-2.5 g/hp-hr	SO2 g/hp-hr	CO2 g/hp-hr
Water Truck	0.440	2.070	5.490	0.410	0.400	0.740	536.000
Diesel Road Compactors	0.370	1.480	4.900	0.340	0.330	0.740	536.200
Diesel Dump Truck	0.440	2.070	5.490	0.410	0.400	0.740	536.000
Diesel Excavator	0.340	1.300	4.600	0.320	0.310	0.740	536.300
Diesel Trenchers	0.510	2.440	5.810	0.460	0.440	0.740	535.800
Diesel Bore/Drill Rigs	0.600	2.290	7.150	0.500	0.490	0.730	529.700
Diesel Cement & Mortar Mixers	0.610	2.320	7.280	0.480	0.470	0.730	529.700
Diesel Cranes	0.440	1.300	5.720	0.340	0.330	0.730	530.200
Diesel Graders	0.350	1.360	4.730	0.330	0.320	0.740	536.300
Diesel Tractors/Loaders/Backhoes	1.850	8.210	7.220	1.370	1.330	0.950	691.100
Diesel Bulldozers	0.360	1.380	4.760	0.330	0.320	0.740	536.300
Diesel Front-end Loaders	0.380	1.550	5.000	0.350	0.340	0.740	536.200
Diesel Forklifts	1.980	7.760	8.560	1.390	1.350	0.950	690.800
Diesel Generator Set	1.210	3.760	5.970	0.730	0.710	0.810	587.300

CALCULATION SHEET-COMBUSTION EMISSIONS-CONSTRUCTION

1. Emission factors (EF) were generated using USEPA's preferred model for nonroad sources, the NONROAD2008 model. Emmisions were modeled for the 2007 calendar year. The VOC EFs includes exhaust and evaporative emissions. The VOC evaporative components included in the NONROAD2008 model are diurnal, hotsoak, running loss, tank permeation, hose permeation, displacement, and spillage. The construction equipment age distribution in the NONROAD2008 model is based on the population in U.S. for the 2007 calendar year.

Emission Calculations							
Type of Construction Equipment	VOC tons/yr	CO tons/yr	NOx tons/yr	PM-10 tons/yr	PM-2.5 tons/yr	SO2 tons/yr	CO2 tons/yr
Water Truck	0.279	1.314	3.485	0.260	0.254	0.470	340.227
Diesel Road Paver	0.005	0.020	0.065	0.004	0.004	0.010	7.091
Diesel Dump Truck	0.279	1.314	3.485	0.260	0.254	0.470	340.227
Diesel Excavator	0.013	0.052	0.182	0.013	0.012	0.029	21.276
Diesel Hole Cleaners\Trenchers	0.047	0.226	0.538	0.043	0.041	0.069	49.598
Diesel Bore/Drill Rigs	0.095	0.363	1.135	0.079	0.078	0.116	84.057
Diesel Cement & Mortar Mixers	0.097	0.368	1.155	0.076	0.075	0.116	84.057
Diesel Cranes	0.088	0.261	1.147	0.068	0.066	0.146	106.339
Diesel Graders	0.014	0.054	0.188	0.013	0.013	0.029	21.276
Diesel Tractors/Loaders/Backhoes	0.391	1.737	1.528	0.290	0.281	0.201	146.226
Diesel Bulldozers	0.014	0.055	0.189	0.013	0.013	0.029	21.276
Diesel Front-end Loaders	0.131	0.533	1.719	0.120	0.117	0.254	184.358
Diesel Forklift	0.454	1.779	1.962	0.319	0.309	0.218	158.342
Diesel Generator Set	0.111	0.345	0.547	0.067	0.065	0.074	53.847
Total Emissions	**2.019**	**8.419**	**17.324**	**1.626**	**1.582**	**2.231**	**1618.198**

Conversion factors	
Grams to tons	1.102E-06

MOVES2010a MODEL ON-ROAD TRANSPORTATION AIR EMISSIONS-
DELIVERY MATERIALS AND COMMUTING DURING CONSTRUCTION ACTIVITIES

MOVES 2010a					
Source	**Fuel type**	**Number of vehicles**	**Miles traveled per day**	**Days of travel per year**	**Miles traveled per year**
Passenger cars	Gasoline	20	60	240	288,000
Passenger truck	Gasoline	20	60	240	288,000
Light commercial truck	Diesel	2	60	240	28,800
Short-haul truck	Diesel	2	60	240	28,800
Long-haul truck	Diesel	1	60	240	14,400

Emission Factors (MOVES 2010a Emission Rates)[1]							
Source	**VOC (g/mile)**	**CO (g/mile)**	**NOx (g/mile)**	**PM-10 (g/mile)**	**PM-2.5 (g/mile)**	**SO_2 (g/mile)**	**CO2 and CO2 Equivalents (g/mile)**
Passenger cars	8.497	2.892	0.576	0.019	0.018	0.005	320
Passenger truck	3.645	5.449	1.168	0.027	0.025	0.007	439
Light commercial truck	4.460	2.158	2.986	0.164	0.190	0.005	609
Short-haul truck	2.438	2.273	6.095	0.270	0.313	0.007	929
Long-haul truck	2.519	3.610	14.776	0.625	0.726	0.016	2,020

Total Emission for On-Road Construction Activities (tons/year)							
Source	**VOC**	**CO**	**NOx**	**PM-10**	**PM-2.5**	**SO_2**	**CO2 and CO2 Equivalents**
Passenger cars	2.697	0.918	0.183	0.006	0.006	0.002	102
Passenger truck	1.157	1.729	0.371	0.009	0.008	0.002	139
Light commercial truck	0.142	0.068	0.095	0.005	0.006	0.000	19
Short-haul truck	0.077	0.072	0.193	0.009	0.010	0.000	29
Long-haul truck	0.040	0.057	0.234	0.010	0.012	0.000	32
Total	**4.112**	**2.845**	**1.076**	**0.038**	**0.041**	**0.005**	**322**

Key:

Short-haul trucks category include trucks such as dump trucks and cement trucks.
Long-haul trucks category includes trucks such as semi-trailer (18 wheeler).

1. Emission factors were generated by USEPA preferred model MOVES2010a. MOVES simulates daily motor vehicle operations and produces emission rates. MOVES emission rates include sources from engine combustion, tire wear, brake wear, evaporative fuel permeation, vapor venting and leaking (running and parking), and crankcase loss. Emission rates are daily averages for each of the criteria pollutants. The averages are derived from a combination of vehicle operations, such as stop and go, highway travel, acceleration at on-ramps, parking, start-up, extended idle, etc.

MOVES2010a MODEL ON-ROAD TRANSPORTATION AIR EMISSIONS- ONGOING OPERATIONS

MOVES 2010a					
Source	**Fuel type**	**Number of vehicles**	**Miles traveled per day**	**Days of travel per year**	**Miles traveled per year**
Passenger cars	Gasoline	30	40	365	438,000
Passenger truck	Gasoline	30	40	365	438,000
Light commercial truck	Diesel	2	40	365	29,200
Short-haul truck	Diesel	2	40	365	29,200
Long-haul truck	Diesel	1	40	365	14,600

Emission Factors (MOVES 2010a Emission Rates)[1]							
Source	**VOC (g/mile)**	**CO (g/mile)**	**NOx (g/mile)**	**PM-10 (g/mile)**	**PM-2.5 (g/mile)**	**SO_2 (g/mile)**	**CO2 and CO2 Equivalents (g/mile)**
Passenger cars	8.497	2.892	0.576	0.019	0.018	0.005	320
Passenger truck	3.645	5.449	1.168	0.027	0.025	0.007	439
Light commercial truck	4.460	2.158	2.986	0.164	0.190	0.005	609
Short-haul truck	2.438	2.273	6.095	0.270	0.313	0.007	929
Long-haul truck	2.519	3.610	14.776	0.625	0.726	0.016	2,020

Total Emission for On-Road Commuter Activities (tons/year)							
Source	**VOC**	**CO**	**NOx**	**PM-10**	**PM-2.5**	**SO_2**	**CO2 and CO2 Equivalents**
Passenger cars	4.10	1.40	0.28	0.01	0.01	0.00	155
Passenger truck	1.76	2.63	0.56	0.01	0.01	0.00	212
Light commercial truck	0.14	0.07	0.10	0.01	0.01	0.00	20
Short-haul truck	0.08	0.07	0.20	0.01	0.01	0.00	30
Long-haul truck	0.04	0.06	0.24	0.01	0.01	0.00	33
Total	6.12	4.23	1.37	0.05	0.05	0.01	449

Key:
Short-haul trucks category include trucks such as dump trucks and cement trucks.
Long-haul trucks category includes trucks such as semi-trailer (18 wheeler).

1. Emission factors were generated by USEPA preferred model MOVES2010a. MOVES simulates daily motor vehicle operations and produces emission rates. MOVES emission rates include sources from engine combustion, tire wear, brake wear, evaporative fuel permeation, vapor venting and leaking (running and parking), and crankcase loss. Emission rates are daily averages for each of the criteria pollutants. The averages are derived from a combination of vehicle operations, such as stop and go, highway travel, acceleration at on-ramps, parking, start-up, extended idle, etc.

CALCULATION SHEET-FUGITIVE DUST-CONSTRUCTION

Assumptions for Combustion Emissions

Construction Fugitive Dust Emission Factors

	Emission Factor	Units	Source
General Construction Activities	0.19	ton PM10/acre-month	MRI 1996; EPA 2001; EPA 2006
New Road Construction	0.42	ton PM10/acre-month	MRI 1996; EPA 2001; EPA 2006

PM2.5 Emissions

PM2.5 Multiplier	0.10	(10% of PM10 emissions assumed to be PM2.5)	EPA 2001; EPA 2006
Control Efficiency	0.50	(assume 50% control efficiency for PM10 and PM2.5 emissions)	EPA 2001; EPA 2006

Project Assumptions

Construction Area (0.19 ton PM10/acre-month)

Duration of Soil Disturbance in Proje	12	months
Length	0	miles
Length (converted)	0	feet
Width	0	feet
Area	40.00	acres

Conversion Factors

0.000022957	acres per feet
5280	feet per mile

Staging Areas

Duration of Construction Project	6	months
Length		miles
Length (converted)		feet
Width		feet
Area	2.00	acres

Project Emissions (tons/year)

	PM10 uncontrolled	PM10 controlled	PM2.5 uncontrolled	PM2.5 controlled
Construction Area (0.19 ton PM10/ac	91.20	45.60	9.12	4.56
Staging Areas	0.38	0.19	0.04	0.02
Total	**91.58**	**45.79**	**9.16**	**4.58**

References:

USEPA 2001. *Procedures Document for National Emissions Inventory, Criteria Air Pollutants, 1985-1999.* EPA-454/R-01-006. Office of Air Quality Planning and Standards, United States Environmental Protection Agency. March 2001.

USEPA 2006. *Documentation for the Final 2002 Nonpoint Sector (Feb 06 version) National Emission Inventory for Criteria and Hazardous Air Pollutants.* Prepared for: Emissions Inventory and Analysis Group (C339-02) Air Quality Assessment Division Office of Air Quality Planning and Standards, United States Environmental Protection Agency. July 2006.

MRI 1996. *Improvement of Specific Emission Factors (BACM Project No. 1).* Midwest Research Institute (MRI). Prepared for the California South Coast Air Quality Management District, March 29, 1996.

Assumptions for Fugitive Emissions

General Construction Activities Emission Factor

0.19 ton PM10/acre-month Source: MRI 1996; EPA 2001; EPA 2006

The area-based emission factor for construction activities is based on a study completed by the Midwest Research Institute (MRI) Improvement of Specific Emission Factors (BACM Project No. 1), March 29, 1996. The MRI study evaluated seven construction projects in Nevada and California (Las Vegas, Coachella Valley, South Coast Air Basin, and the San Joaquin Valley). The study determined an average emission factor of 0.11 ton PM10/acre-month for sites without large-scale cut/fill operations. A worst-case emission factor of 0.42 ton PM10/acre-month was calculated for sites with active large-scale earth moving operations. The monthly emission factors are based on 168 work-hours per month (MRI 1996). A subsequent MRI Report in 1999, Estimating Particulate Matter Emissions from Construction Operations, calculated the 0.19 ton PM10/acre-month emission factor by applying 25% of the large-scale earthmoving emission factor (0.42 ton PM10/acre-month) and 75% of the average emission factor (0.11 ton PM10/acre-month).

The 0.19 ton PM10/acre-month emission factor is referenced by the EPA for non-residential construction activities in recent procedures documents for the National Emission Inventory (EPA 2001; EPA 2006). The 0.19 ton PM10/acre-month emission factor represents a refinement of EPA's original AP-42 area-based total suspended particle (TSP) emission factor in Section 13.2.3 Heavy Construction Operations. In addition to the EPA, this methodology is also supported by the South Coast Air Quality Management District and the Western Regional Air Partnership (WRAP) which is funded by the EPA and is administered jointly by the Western Governor's Association and the National Tribal Environmental Council. The emission factor is assumed to encompass a variety of non-residential construction activities including building construction (commercial, industrial, institutional, governmental), public works, and travel on unpaved roads. The EPA National Emission Inventory documentation assumes that the emission factors are uncontrolled and recommends a control efficiency of 50% for PM10 and PM2.5 in PM nonattainment areas.

New Road Construction Emission Factor

0.42 ton PM10/acre-month Source: MRI 1996; EPA 2001; EPA 2006

The emission factor for new road construction is based on the worst-case conditions emission factor from the MRI 1996 study described above (0.42 tons PM10/acre-month). It is assumed that road construction involves extensive earthmoving and heavy construction vehicle travel resulting in emissions that are higher than other general construction projects. The 0.42 ton PM10/acre-month emission factor for road construction is referenced in recent procedures documents for the EPA National Emission Inventory (EPA 2001; EPA 2006).

PM2.5 Multiplier **0.10**

PM2.5 emissions are estimated by applying a particle size multiplier of 0.10 to PM10 emissions. This methodology is consistent with the procedures documents for the National Emission Inventory (EPA 2006).

Control Efficiency for PM10 and PM2.5 **0.50**

The EPA National Emission Inventory documentation recommends a control efficiency of 50% for PM10 and PM2.5 in PM nonattainment areas. Wetting controls will be applied during project construction (EPA 2006).

References:

EPA 2001. *Procedures Document for National Emissions Inventory, Criteria Air Pollutants, 1985-1999.* EPA-454/R-01-006. Office of Air Quality Planning and Standards, United States Environmental Protection Agency. March 2001.

EPA 2006. *Documentation for the Final 2002 Nonpoint Sector (Feb 06 version) National Emission Inventory for Criteria and Hazardous Air Pollutants.* Prepared for: Emissions Inventory and Analysis Group (C339-02) Air Quality Assessment Division Office of Air Quality Planning and Standards, United States Environmental Protection Agency. July 2006.

MRI 1996. *Improvement of Specific Emission Factors (BACM Project No. 1).* Midwest Research Institute (MRI). Prepared for the California South Coast Air Quality Management District, March 29, 1996.

CALCULATION SHEET-SUMMARY OF EMISSIONS

Assumptions for Combustion Emissions									
Emission Source	VOC	CO	NOx	PM-10	PM-2.5	SO2	CO2	CO2 Equivalents	Total CO2
Combustion Emissions	2.02	8.42	17.32	1.63	1.58	2.23	1618.20	5,438	7,057
Construction Site-Fugitive PM-10	NA	NA	NA	45.79	4.58	NA	NA	NA	NA
Construction Workers Commuter & Trucking	4.11	2.85	1.08	0.04	0.04	0.00	NA	322	322
Total Emissions-CONSTRUCTION	**6.13**	**11.26**	**18.40**	**47.45**	**6.20**	**2.24**	**1618**	**5,760**	**7,379**
Operational emissions: commuter traffic	6.12	4.23	1.37	0.05	0.05	0.01	0.00	449	449
Operational emissions: helicopter traffic	7.52	24.55	1.35	0.00	0.00	0.67	1634.16	608	2,242
Total Operational Emissions	**13.64**	**28.78**	**2.72**	**0.05**	**0.05**	**0.68**	**1634.16**	**1056.41**	**2690.56**
De minimis Threshold (1)	100	100	100	70	100	100	NA	NA	25,000

1. Note that Duval County is in attainment for all NAAQS (USEPA 2012b).

Carbon Equivalents	Conversion Factor
N2O or NOx	311
Methane or VOCs	25

Source: EPA 2010 Reference, Tables and Conversions, Inventory of U.S. Greenhouse Gas Emissions and Sinks; http://www.epa.gov/climatechange/emissions/usinventoryreport.html

Emissions Inventory Summary

(Short Tons per Year)

Baseline - Duval-Freer 2012

Category	CO2	CO	THC	NMHC	VOC	TOG	NOx	SOx	PM-10	PM-2.5
Aircraft	1,634.157	24.555	6.538	7.560	7.520	7.560	1.355	0.669	N/A	N/A
GSE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
APUs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Parking Facilities	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Roadways	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stationary Sources	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Training Fires	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grand Total	1,634.157	24.555	6.538	7.560	7.520	7.560	1.355	0.669	N/A	N/A

EDMS 5.1 Model Inputs for Freer_Helicopters Study

Study Created:	Tue Sep 25 16:47:35 2012
Report Date:	Wed Sep 26 08:16:52 2012
Study Pathname:	C:\EDMS 5.1\Freer_Helicopters\Freer_Helicopters.edm

Study Setup

Unit System:	English
Dispersion Modeling:	Dispersion is not enabled for this study
Speciated Hydrocarbon Modeling:	Speciated Hydrocarbon Modeling is not enabled for this study
Analysis Years:	2012

Scenarios

Scenario Name:	Description:	Add a description.
Baseline	Aircraft Times in Mode Basis:	Performance-Based
	Taxi Time Modeling:	User-specified Taxi Times
	FOA3 Sulfur-to-Sulfate Conversion Rate:	2.400000 %

Airports

Airport Name:	Duval-Freer
IATA Code:	T19
ICAO Code:	KT19
FAA Code:	
Country:	US
State:	Texas
City:	Freer
Airport Description:	Duval-Freer
Latitude:	27.884°
Longitude:	-98.600°
Northing:	3084375.76
Easting:	539342.62
UTM Zone:	14
Elevation:	564.00 feet
PM Modeling Methodology:	FOA3a (Sulfur-to-Sulfate Conversion Rate = 5.0%, Fuel Sulfur Content = 0.068%)

Scenario-Airport: Baseline, Duval-Freer

Weather

Baseline, Duval-Freer

Mixing Height:	3000.00 feet
Temperature:	71.00 °F
Daily High Temperature:	81.35 °F
Daily Low Temperature:	60.65 °F
Pressure:	29.92 inches of Hg
Sea Level Pressure:	29.99 inches of Hg
Relative Humidity:	70.80
Wind Speed:	8.62 knots
Wind Direction:	0.00 °
Ceiling:	99999.99 feet
Visibility:	50.00 miles

The user has used annual averages.

Base Elevation:	564.00 feet
Date Range:	Thursday, January 01, 2004 to Friday, December 31, 2004
Source Data File Location:	
Upper Air Data File Location:	

Quarter-Hourly Operational Profiles

Baseline, Duval-Freer

Name: DEFAULT

Quarter-Hour	Weight	Quarter-Hour	Weight	Quarter-Hour	Weight	Quarter-Hour	Weight
12:00am to 12:14 am	1.000000	6:00am to 6:14am	1.000000	12:00pm to 12:14 pm	1.000000	6:00pm to 6:14pm	1.000000
12:15am to 12:29 am	1.000000	6:15am to 6:29am	1.000000	12:15pm to 12:29 pm	1.000000	6:15pm to 6:29pm	1.000000
12:30am to 12:44 am	1.000000	6:30am to 6:44am	1.000000	12:30pm to 12:44 pm	1.000000	6:30pm to 6:44pm	1.000000
12:45am to 12:59 am	1.000000	6:45am to 6:59am	1.000000	12:45pm to 12:59 pm	1.000000	6:45pm to 6:59pm	1.000000
1:00am to 1:14am	1.000000	7:00am to 7:14am	1.000000	1:00pm to 1:14pm	1.000000	7:00pm to 7:14pm	1.000000
1:15am to 1:29am	1.000000	7:15am to 7:29am	1.000000	1:15pm to 1:29pm	1.000000	7:15pm to 7:29pm	1.000000
1:30am to 1:44am	1.000000	7:30am to 7:44am	1.000000	1:30pm to 1:44pm	1.000000	7:30pm to 7:44pm	1.000000
1:45am to 1:59am	1.000000	7:45am to 7:59am	1.000000	1:45pm to 1:59pm	1.000000	7:45pm to 7:59pm	1.000000
2:00am to 2:14am	1.000000	8:00am to 8:14am	1.000000	2:00pm to 2:14pm	1.000000	8:00pm to 8:14pm	1.000000
2:15am to 2:29am	1.000000	8:15am to 8:29am	1.000000	2:15pm to 2:29pm	1.000000	8:15pm to 8:29pm	1.000000
2:30am to 2:44am	1.000000	8:30am to 8:44am	1.000000	2:30pm to 2:44pm	1.000000	8:30pm to 8:44pm	1.000000
2:45am to 2:59am	1.000000	8:45am to 8:59am	1.000000	2:45pm to 2:59pm	1.000000	8:45pm to 8:59pm	1.000000
3:00am to 3:14am	1.000000	9:00am to 9:14am	1.000000	3:00pm to 3:14pm	1.000000	9:00pm to 9:14pm	1.000000
3:15am to 3:29am	1.000000	9:15am to 9:29am	1.000000	3:15pm to 3:29pm	1.000000	9:15pm to 9:29pm	1.000000
3:30am to 3:44am	1.000000	9:30am to 9:44am	1.000000	3:30pm to 3:44pm	1.000000	9:30pm to 9:44pm	1.000000
3:45am to 3:59am	1.000000	9:45am to 9:59am	1.000000	3:45pm to 3:59pm	1.000000	9:45pm to 9:59pm	1.000000
4:00am to 4:14am	1.000000	10:00am to 10:14am	1.000000	4:00pm to 4:14pm	1.000000	10:00pm to 10:14pm	1.000000
4:15am to 4:29am	1.000000	10:15am to 10:29am	1.000000	4:15pm to 4:29pm	1.000000	10:15pm to 10:29pm	1.000000
4:30am to 4:44am	1.000000	10:30am to 10:44am	1.000000	4:30pm to 4:44pm	1.000000	10:30pm to 10:44pm	1.000000
4:45am to 4:59am	1.000000	10:45am to 10:59am	1.000000	4:45pm to 4:59pm	1.000000	10:45pm to 10:59pm	1.000000
5:00am to 5:14am	1.000000	11:00am to 11:14am	1.000000	5:00pm to 5:14pm	1.000000	11:00pm to 11:14pm	1.000000
5:15am to 5:29am	1.000000	11:15am to 11:29am	1.000000	5:15pm to 5:29pm	1.000000	11:15pm to 11:29pm	1.000000
5:30am to 5:44am	1.000000	11:30am to 11:44am	1.000000	5:30pm to 5:44pm	1.000000	11:30pm to 11:44pm	1.000000
5:45am to 5:59am	1.000000	11:45am to 11:59am	1.000000	5:45pm to 5:59pm	1.000000	11:45pm to 11:59pm	1.000000

Daily Operational Profiles

Baseline, Duval-Freer

Name: DEFAULT

Day	Weight	Day	Weight
Monday	1.000000	Friday	1.000000
Tuesday	1.000000	Saturday	1.000000
Wednesday	1.000000	Sunday	1.000000
Thursday	1.000000		

Monthly Operational Profiles

Baseline, Duval-Freer

Name: DEFAULT

Month	Weight	Month	Weight
January	1.000000	July	1.000000
February	1.000000	August	1.000000
March	1.000000	September	1.000000
April	1.000000	October	1.000000
May	1.000000	November	1.000000
June	1.000000	December	1.000000

Aircraft

Baseline, Duval-Freer

Default Taxi Out Time: 19.000000 min

Default Taxi In Time:	7.000000 min	
Year:	Uses Schedule?	Schedule Filename:
2012	No	(None)

Aircraft Name:
Boeing CH-46 Sea Knight
Engine Type:
T58-GE-16
Identification:
#1
Category:
SMTH

Take Off weight:	21999.00 Kgs
Approach Weight:	21999.00 Kgs
Glide Slope:	3.00°
APU Assignment:	None
APU Departure OP Time:	13.00 min
APU Arrival OP Time:	13.00 min
Gate Assignment:	None

Assigned GSE/AGE:	FUEL	Arrival Op Time (mins)	Departure Op Time (mins)	Horsepower (hp)	Load Factor (%)	Manufactured Year

Year:
2012

Annual Departures:	1825
Annual Arrivals:	1825
Annual TGOs:	0
Taxi Out Time:	Determined by Sequencing model
Taxi In Time:	Determined by Sequencing model

Departure Quarter-Hourly Operational profile:	DEFAULT
Departure Daily Operational Profile:	DEFAULT
Departure Monthly Operational Profile:	DEFAULT
Arrival Quarter-Hourly Operational profile:	DEFAULT
Arrival Daily Operational Profile:	DEFAULT
Arrival Monthly Operational Profile:	DEFAULT
Touch & Go Quarter-Hourly Operational profile:	DEFAULT
Touch & Go Daily Operational Profile:	DEFAULT
Touch & Go Monthly Operational Profile:	DEFAULT

GSE Population
Baseline, Duval-Freer

None.

Parking Facilities
Baseline, Duval-Freer

None.

Roadways
Baseline, Duval-Freer

None.

Stationary Sources
Baseline, Duval-Freer

None.

Training Fires
Baseline, Duval-Freer

None.

Gates
Baseline, Duval-Freer

None.

Taxiways
Baseline, Duval-Freer

None.

Runways
Baseline, Duval-Freer

None.

Taxipaths
Baseline, Duval-Freer

None.

Configurations
Baseline, Duval-Freer

None.

Buildings	Baseline, Duval-Freer
None.	
Discrete Cartesian Receptors	Baseline, Duval-Freer
None.	
Discrete Polar Receptors	Baseline, Duval-Freer
None.	
Cartesian Receptor Networks	Baseline, Duval-Freer
None.	
Polar Receptor Networks	Baseline, Duval-Freer
None.	
User-Created Aircraft	Baseline, Duval-Freer
None.	
User-Created GSE	Baseline, Duval-Freer
None.	
User-Created APU	Baseline, Duval-Freer
None.	