

1 **DRAFT**

2 **Finding of No Significant Impact**  
3 **Construction, Operation, and Maintenance of a Border Patrol Station**  
4 **Champlain, Clinton County, New York**

5 Pursuant to the Council on Environmental Quality (CEQ) regulations (Title 40 of the *Code of Federal*  
6 *Regulations* Parts 1500–1508) for implementing the procedural provisions of the National Environmental  
7 Policy Act (Title 42 of the *United States Code* 4321 *et seq.*), DHS Directive 023.1, and U.S. Border  
8 Protection (USBP) policies and procedures for land acquisition, the U.S. Department of Homeland  
9 Security, USBP, conducted an environmental assessment (EA) of the potential environmental and  
10 socioeconomic effects associated with constructing and operating a Border Patrol Station (BPS) in  
11 Champlain, Clinton County, New York.

12 **Proposed Action**

13 The proposed federal action is to relocate from the existing BPS and to construct and operate a new BPS  
14 at a site in the vicinity of the current Champlain, New York, location. The new Champlain BPS would  
15 accommodate approximately 50 USBP agents and support staff who will be assigned to the station. The  
16 new BPS would provide USBP with a larger, more modern facility that would alleviate constrained  
17 working conditions and accommodate more staff and equipment.

18 **Purpose and Need**

19 The purpose of the proposed action is to comply with the presidential mandate to increase the total  
20 strength of the USBP to 18,000 Border Patrol agents. A new BPS in Champlain, New York, is needed to  
21 accommodate the increase in Border Patrol agents and support staff who will be assigned to the station.  
22 The need for the proposed action is to address the shortage of adequate facility capacity and reduce the  
23 adverse effects of that shortage on USBP mission, goals, and capability.

24 **Alternatives Considered**

25 USBP conducted a survey of a defined area for the proposed new Champlain BPS to identify parcels that  
26 meet the general site criteria for a BPS established by USBP. From the survey results, eight parcels,  
27 including the existing BPS location parcel, were identified for evaluation as potential sites for the  
28 proposed new Champlain BPS. Of those eight parcels, five were eliminated from consideration for  
29 failing to meet all the USBP site requirements, and three were selected for further evaluation. The EA  
30 evaluates the three parcels—referred to as Site 1, Site 2, and Site 8—and the No Action Alternative. CEQ  
31 regulations require the evaluation of the No Action Alternative, under which a new BPS would not be  
32 constructed and USBP would operate from the existing Champlain BPS with an expanded staff.

33 **Factors Considered in Determining that No Environmental Impact Statement is Required**

34 The EA, which is attached and incorporated by reference into this finding of no significant impact  
35 (FONSI), examines the potential effects of the alternatives—Preferred Alternative (Site 1), Alternative 2  
36 (Site 2), Alternative 3 (Site 8), and the No Action Alternative—on resource areas of environmental and  
37 socioeconomic concern. Those resource areas of concern are land use, geology and soils, vegetation,  
38 wildlife and aquatic resources, threatened and endangered species, hydrology and groundwater, surface  
39 waters and waters of the United States, floodplains, air quality, noise, cultural resources, utilities and  
40 infrastructure, roadways and traffic, aesthetic and visual resources, hazardous and toxic materials,  
41 socioeconomics, environmental justice and protection of children, human health and safety, and  
42 sustainability and greening.

43 Implementing any of the alternatives would be expected to result in a combination of short- and long-term  
44 minor adverse and beneficial effects. None of the adverse effects would be expected to be significant.

1 No significant adverse cumulative effects were identified in association with implementing any of the  
2 alternatives. The EA does not identify the need for any mitigation measures; however, wetlands were  
3 identified on Site 1 and wetlands could exist on Sites 2 and 8. If it is determined that jurisdictional  
4 wetlands are present on the selected parcel, effects on wetlands would be avoided or minimized during  
5 construction of the Champlain BPS. Any impacts resulting in the loss of wetlands would be regulated by  
6 the USACE under sections 401 and 404 of the Clean Water Act. A section 404 permit would be issued  
7 by USACE under the guidelines established for regulating effects on wetlands. As part of the section 404  
8 permitting process, attempts would be made to avoid, minimize, rectify, reduce, and/or compensate for  
9 effects on wetlands. If wetlands losses could not be avoided, a mitigation plan would be prepared and  
10 implemented in accordance with USACE requirements.

11 BMPs that would minimize or avoid adverse impacts during construction and operation of the BPS are  
12 identified for resource areas on which adverse impacts would be expected.

### 13 **Public Review**

14 The draft EA and draft FONSI are available for review and comment for 30 days, beginning on  
15 publication of a notice of availability in the *Press Republican* and the *Islander*. Electronic versions of the  
16 EA and FONSI are available at <http://ecso.swf.usace.army.mil/Pages/Publicreview.cfm>. The notice of  
17 availability lists public libraries where paper copies of the EA and FONSI can be reviewed. A limited  
18 number of review copies of the draft EA/FONSI were mailed to potentially interested agencies,  
19 organizations, and individuals. Written comments on the EA and FONSI should be submitted to Sarah  
20 Hamilton, US Army Corps of Engineers, 1776 Niagara Street, Buffalo, NY 14207, or via email at  
21 [sarah.m.hamilton@usace.army.mil](mailto:sarah.m.hamilton@usace.army.mil). Information on the status and progress of the proposed action and the  
22 EA can be obtained by contacting Ms. Hamilton.

### 23 **Conclusions**

24 Implementing any of the alternatives would not be expected to result in significant environmental or  
25 socioeconomic effects. The expected effects of each of the alternatives analyzed in the EA are  
26 summarized below.

27 **No Action Alternative.** The No Action Alternative would be expected to have long-term minor adverse  
28 effects on the following resource areas:

- 29 • Air quality from the additional vehicle trips generated by 30 additional Border Patrol agents.
- 30 • The noise environment from additional activity near the existing BPS.
- 31 • Utilities and infrastructure from the demand on utilities that would result from an additional 30  
32 agents stationed at the existing BPS.
- 33 • Roadways and traffic and land use from trips generated by the additional agents and overflow  
34 parking on local streets.
- 35 • Human health and safety from the inadequacy of the existing BPS to accommodate more agents  
36 and additional equipment, which would inhibit effective and efficient operational control.
- 37 • The region's economy from the creation of 30 new CBP agent jobs.

38 The No Action Alternative would be expected to have long-term beneficial effects on public safety from  
39 the 30 additional armed Border Patrol agents. The No Action Alternative would be expected to have no  
40 effect on other resource areas (geology and soils, vegetation, wildlife and aquatic resources, threatened  
41 and endangered species, hydrology and groundwater, surface waters and wetlands, cultural resources,  
42 aesthetics and visual resources, hazardous materials, environmental justice, and sustainability and  
43 greening).

44 **Alternative 1 (Site 1 - Preferred Alternative).** Alternative 1 would be expected to have short-term  
45 minor adverse effects on wildlife from a small loss of local habitat, and on the protection of children from

1 the presence of a construction site, which can be enticing to children and could be an increased safety  
2 risk. Alternative 1 would be expected to have short- and long-term short- and long-term minor adverse  
3 effects on the following resource areas:

- 4 • Soils from erosion during construction and the conversion of farmland to non-farmland use.
- 5 • Groundwater from an increase in impervious surface area and stormwater runoff.
- 6 • Air quality from pollutant emissions associated with construction, operation of the BPS, and  
7 vehicle trips associated with the additional 30 agents.
- 8 • The noise environment associated with construction activities and operation of the BPS.
- 9 • Roadways and traffic from trips generated during construction and from operation of the BPS.
- 10 • Hazardous materials from the potential for spills of such materials during construction and BPS  
11 operations.

12 Alternative 1 would be expected to have long-term minor adverse effects on vegetation from the  
13 conversion of vegetated land to impervious ground, on surface waters and wetlands from stormwater  
14 runoff, on utilities and infrastructure from the demand on utilities that would result from the new BPS,  
15 and on aesthetics and visual resources from construction site operation.

16 Alternative 1 would also be expected to have long-term minor beneficial effects on aesthetics and visual  
17 resources from the presence of a modern BPS with attractive landscaping, and on public safety from the  
18 30 additional Border Patrol agents; long-term minor adverse effects on sustainability and greening from  
19 the environmental footprint created by the new BPS; and short- and long-term minor beneficial effects on  
20 the regional economy from employment, wages, sales, and expenditures for services, materials, and  
21 supplies generated during construction and over the life of the BPS. Implementation of Alternative 1  
22 would not be expected to affect other resource areas (threatened and endangered species, floodplains, and  
23 cultural resources).

24 **Alternative 2 (Site 2).** The effects of implementing Alternative 2 would be expected to be much the  
25 same as those discussed above for Alternative 1. Implementation of Alternative 2 could have a greater  
26 impact on surface waters than Alternative 1 because Site 2 has a stream running along its eastern border.

27 **Alternative 3 (Site 8).** The effects of implementing Alternative 3 would be expected to be much the  
28 same as those discussed above for Alternative 2. Site 8 also has an unnamed tributary of the Great Chazy  
29 River running through the center of the parcel.

30 On the basis of the EA, it has been determined that implementing any of the alternatives evaluated in the  
31 EA would have no significant adverse effects or impacts on the quality of human life or the natural  
32 environment. Preparation of an environmental impact statement is not required before proceeding with  
33 the proposed action. Issuance of a FONSI would be appropriate.

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38 Robert F. Janson Date  
39 Acting Executive Director  
40 Facilities Management and Engineering  
US Customs and Border Patrol

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38 Jason T. Schad Date  
39 Associate Chief (A)  
40 Facilities Branch  
United States Border Patrol