

Finding of No Significant Impact

Construction, Operation, and Maintenance of a Border Patrol Station Champlain, Clinton County, New York

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

Proposed Action

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

Purpose and Need

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

Alternatives Considered

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

Factors Considered in Determining that No Environmental Impact Statement is Required

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

Implementing any of the alternatives would be expected to result in a combination of short- and long-term minor adverse and beneficial effects. None of the adverse effects would be expected to be significant. No significant adverse cumulative effects were identified in association with implementing any of the alternatives. The EA does not identify the need for any mitigation measures; however, wetlands were

identified on Site 1 and wetlands could exist on Sites 2 and 8. If it is determined that jurisdictional wetlands are present on the selected parcel, effects on wetlands would be avoided or minimized during construction of the Champlain BPS. Any impacts resulting in the loss of wetlands would be regulated by the USACE under sections 401 and 404 of the Clean Water Act. A section 404 permit would be issued by USACE under the guidelines established for regulating effects on wetlands. As part of the section 404 permitting process, attempts would be made to avoid, minimize, rectify, reduce, and/or compensate for effects on wetlands. If wetlands losses could not be avoided, a mitigation plan would be prepared and implemented in accordance with USACE requirements.

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

Public Review

The draft EA and draft FONSI were available for review and comment from December 14, 2010, through January 21, 2011. A notice of availability was published in the *Press Republican* and the *Champlain Islander*. Electronic versions of the EA and FONSI were available at <http://ecso.swf.usace.army.mil/Pages/Publicreview.cfm>. Copies of the draft EA/FONSI were mailed to potentially interested agencies, organizations, and individuals, and to local libraries. No comments on the EA and FONSI were received.

Conclusions

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

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

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

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

Alternative 1 (Site 1 - Preferred Alternative). Alternative 1 would be expected to have short-term minor adverse effects on wildlife from a small loss of local habitat, and on the protection of children from the presence of a construction site, which can be enticing to children and could be an increased safety risk. Alternative 1 would be expected to have short- and long-term short- and long-term minor adverse effects on the following resource areas:

- Soils from erosion during construction and the conversion of farmland to non-farmland use.
- Groundwater from an increase in impervious surface area and stormwater runoff.

- Air quality from pollutant emissions associated with construction, operation of the BPS, and vehicle trips associated with the additional 30 agents.
- The noise environment associated with construction activities and operation of the BPS.
- Roadways and traffic from trips generated during construction and from operation of the BPS.
- Hazardous materials from the potential for spills of such materials during construction and BPS operations.

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

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

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

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

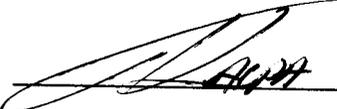
On the basis of the EA, it has been determined that implementing any of the alternatives evaluated in the EA would have no significant adverse effects or impacts on the quality of human life or the natural environment. Preparation of an environmental impact statement is not required before proceeding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



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3/9/11

 Date



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 Date