

**Final**

**ENVIRONMENTAL ASSESSMENT  
FOR  
THE PROPOSED SBInet TEXAS MOBILE PROJECT,  
YSLETA, FABENS, AND FORT HANCOCK STATIONS  
AREAS OF OPERATION, U.S. BORDER PATROL,  
EL PASO SECTOR, TEXAS**



**U.S. Department of Homeland Security  
U.S. Customs and Border Protection  
U.S. Border Patrol  
Washington, D.C.**

**June 2008**



**FINDING OF NO SIGNIFICANT IMPACT**  
**Environmental Assessment**  
**for the Proposed SBI<sup>net</sup> Texas Mobile Project**  
**Ysleta, Fabens, and Fort Hancock Stations Areas of Operation,**  
**U.S. Border Patrol, El Paso Sector, Texas**

**PROJECT HISTORY:** The Secure Border Initiative (SBI) is a comprehensive, multi-year plan established by the Department of Homeland Security (DHS) in November 2005 to secure America's borders and reduce illegal immigration. The SBI mission is to promote border security strategies that protect against and prevent terrorist attacks and other transnational crimes. In addition, the initiative will coordinate DHS efforts to ensure the legal entry and exit of people and goods moving across our borders and the enforcement of immigration, customs, and agriculture laws at our borders, within the country, and abroad.

SBI<sup>net</sup> is the component of SBI charged with developing and installing the technology and tactical infrastructure (TI) solutions to gain effective control of our nation's borders. The goal of SBI<sup>net</sup> is to field the most effective, proven technology, infrastructure, staffing, and response platforms and integrate them into a single comprehensive border security suite for DHS. SBI<sup>net</sup> will improve the tools United States (U.S.) Border Patrol (USBP) agents, Customs and Border Protection (CBP) officers, and Air and Marine interdiction agents are currently using to enable them to perform their enforcement roles in a more efficient and effective manner. Gaining effective control of our nation's borders is a critical element of national security, and CBP is the executive agent for SBI<sup>net</sup>, carrying out the program to better execute this vital mission.

CBP will deploy a mix of technology, TI, and personnel based on operational need to gain effective control of each diverse mile of the border. Effective control exists when CBP is consistently able to: (1) detect illegal entries into the U.S.; (2) identify and classify these entries to determine the level of threat involved; (3) efficiently and effectively respond to these entries; and, (4) bring each event to a satisfactory law enforcement resolution.

This Environmental Assessment (EA) was prepared in compliance with provisions of the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4332, *et seq.*), the Council on Environmental Quality's (CEQ) NEPA implementing regulations at 40 Code of Federal Regulation (CFR) Part 1500 *et seq.*, and DHS's *Environmental Planning Management Directive* 5100.1.

The EA analyzes various aspects of the SBI<sup>net</sup> proposed action. It addresses the potential direct and indirect effects, beneficial and adverse, of the proposed construction, installation, operation, and maintenance of a system of surveillance and communication towers, which complement vehicle mobile surveillance systems and unattended ground sensors within the USBP Ysleta, Fabens, and Fort Hancock stations' Areas of Operation (AO).

**PROJECT LOCATION:** With the exception of a single tower located off U.S. Highway 62/180, approximately 25 miles northeast of the Rio Grande, the proposed tower area generally lies within a corridor between Interstate 10 and the Rio Grande, in El Paso and Hudspeth counties, Texas.

**PURPOSE AND NEED:** The purpose of the proposed project is to improve CBP personnel's efficiency and probability of detection, identification, and apprehension of illegal border crossers. Achieving operational control of the border of the U.S. is a key mission objective of CBP. The objective of this *SBI<sub>net</sub>* project is to develop an effective solution to establish and maintain operational control of the U.S. border along the approximately 74 miles of border in the El Paso Sector, encompassing Ysleta, Fabens, and Fort Hancock stations' AOs that define the geographic scope of this project.

The Proposed Action is needed to:

- 1) Install and upgrade technology and infrastructure components to give USBP the ability to gain, maintain, and strengthen control of the border within proximity of the international boundary (international border to 25 miles inland);
- 2) Improve surveillance technology solutions to enhance border enforcement capabilities;
- 3) Apply surveillance technologies that would refine detection, interception, and apprehension of undocumented aliens, smugglers, and terrorists; and
- 4) Reduce crime in border communities by detecting, apprehending, and deterring smugglers of humans, drugs, and other contraband.

**ALTERNATIVES:** Two alternatives were considered: The No Action Alternative, and the Proposed Action Alternative. Other alternatives considered but rejected and not further analyzed in this EA were the use of:

- Unmanned air vehicles;
- Remote sensing satellites;
- Increased workforce alternative; and
- Increased aerial reconnaissance/operations

**No Action Alternative:** The No Action Alternative would include the continuation of current practices and procedures, with no surveillance or communication tower installation occurring. While the No Action Alternative does not satisfy the stated purpose and need, its inclusion in this EA is required by NEPA regulations (40 CFR 1502.14[c]).

In the case of the proposed project, the No Action Alternative serves as the basis of comparison of potential effects of placing surveillance and communications towers in certain locations that may have greater or lesser potential impacts on the environment.

Current adverse environmental impacts most often result from off-road vehicular use through un- or under-secured border areas, and the vehicles' consequential damage to terrain, habitat, and vegetation. Accumulations of large amounts of litter are also associated with illegal pedestrian border incursions throughout under-secured border areas.

**Proposed Action Alternative:** The Proposed Action is to construct, install, operate, and maintain a system of surveillance and communication towers, which complement vehicle mobile surveillance systems and unattended ground sensors (UGS), resulting in 12 fixed tower systems, 12 vehicle mobile surveillance systems, and the installation of UGS within the USBP Ysleta, Fabens, and Fort Hancock station's AO. The vehicle mobile surveillance system retrofits USBP vehicles with technologies to allow USBP agents to acquire/send information via the new towers. Impacts resulting from the construction of the 9 new towers and the retrofit/replacement of the 3 existing towers are fully assessed in this EA; however, upgrades to the existing towers are considered to be environmentally benign due to the fact the areas are currently disturbed and no further ground disturbance would occur. Access roads in and near the proposed towers would be constructed or improved as necessary.

In general, a typical new tower in the Texas Mobile SBI*net* tower project would:

- be 80 to 180 feet high;
- have no larger than a 80-foot X 80-foot permanent site footprint;
- have an equipment shelter with an approximately 8-foot X 12-foot footprint;
- have perimeter fencing; and would not have guy wires;
- have primary power provided from the local electric utility provider; and,
- utilize a propane-fueled backup generator for potential power outages.

**ENVIRONMENTAL CONSEQUENCES:** Implementation of the Proposed Action would permanently disturb approximately 1.5 acres for the construction of all towers and roads. Of the 1.5 acres permanently impacted, approximately 0.46 acre has been previously disturbed. Additionally, approximately 6.8 acres would be temporarily disturbed during construction activities for all proposed towers and access roads. The proposed tower sites are located predominately in rangeland and agricultural lands. The Proposed Action would have no adverse impacts on protected species or on cultural resources. One cultural resource site is known to be near one tower site, but would not be impacted. Aesthetic and visual resources would be permanently impacted, but as these resources are currently degraded due to illegal entrants (IEs) activities and some agricultural activities, the impacts would be considered insignificant. Minimal to no impacts on utilities and energy consumption would occur with implementation of the Proposed Action. Additionally, the Proposed Action would have temporary and minor impacts on air, surface waters, roadways and traffic, and ambient noise levels during construction activities. However, on-going operations could potentially cause temporary sporadic noise impacts through the occasional use of the back up generators. Long-

term benefits on socioeconomics would potentially occur. Additionally, a number of resources would gain potential benefits through the reduction of IE activities.

No significant adverse effects on the natural or human environment, as defined in 40 CFR Section 1508.27 of the CEQ's Regulations for Implementing NEPA, are expected upon implementation of the Proposed Action.

**MITIGATION:** Mitigation measures are identified for each resource category that could be potentially affected. Many of these measures have been incorporated as standard operating procedures by CBP and, USBP in particular, in similar past projects. It is the policy of CBP as well as USBP to mitigate adverse impacts through a sequence of avoidance, minimization, and compensation. These mitigation measures detailed below will be incorporated into a Project Management Plan. If any potentially adverse effects of this project are identified, the following measures will be employed:

#### General Construction Activities

Best Management Practices (BMPs) will be implemented as standard operating procedures during all construction activities, and would include proper handling, storage, and/or disposal of solid and hazardous and/or regulated materials. To minimize potential impacts from solid and hazardous and regulated materials, all fuels, waste oils and solvents would be collected and stored in tanks or drums within a secondary containment system that consists 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 in accordance with accepted industry and regulatory 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 reportable quantities will be contained immediately within an earthen dike, and the application of an absorbent (e.g., granular, pillow, sock, etc.) will be used to absorb and contain the spill. To ensure oil pollution prevention, a Spill Prevention, Control and Countermeasures Plan (SPCCP) will be in place prior to the start of construction activities and all personnel will be briefed on the implementation and responsibilities of this plan as is typical in CBP/SBI projects. All spills will be reported to the designated USBP point of contact for the project. Furthermore, a spill of any petroleum liquids (e.g., fuel) or material listed in 40 CFR 302 Table 302.4 of a reportable quantity must be cleaned up and reported to the appropriate Federal and state agencies.

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.

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

### Soils

Vehicular traffic associated with 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 constructing the proposed project towers and access roads to ensure incorporation of various erosion control techniques such as, straw bales, silt fencing, aggregate materials, wetting compounds, and rehabilitation, where possible, to decrease erosion. Rehabilitation will include re-vegetating or the distribution of organic and geological materials (*i.e.*, boulders and rocks) over the disturbed area to reduce erosion while allowing the area to naturally vegetate. Additionally, erosion control measures and appropriate BMPs, as required and promulgated through the Stormwater Pollution Prevention Plan (SWPPP) and engineering designs, will be implemented before, during, and after construction activities.

Road maintenance shall avoid, to the extent practicable, creating wind rows with the soils once grading activities are completed. Any excess soils from construction activities will be used on-site to raise and shape road surfaces.

### Vegetation

Native seeds or plants, which are compatible with the enhancement of protected species, will be used to the extent practicable, as required under Section 7(a)(1) of the Endangered Species Act, to revegetate temporarily disturbed areas. Additionally, vegetation and topsoil will be collected and stockpiled during construction to be used for erosion control after construction while the areas naturally revegetate.

Construction equipment will be cleaned at staging areas, in accordance with BMPs, prior to entering and departing the project corridor to minimize the spread and establishment of non-native invasive plant species.

### Wildlife Resources

The Migratory Bird Treaty Act requires that Federal agencies coordinate with the U.S. Fish and Wildlife Services (USFWS) if a construction or site activity would result in the take of a migratory bird. If construction or clearing activities are scheduled during nesting season (February 15 through August 31); surveys would be performed to identify active nests. If construction activities result in the take of a migratory bird; then coordination with the USFWS and Texas Parks and Wildlife Department (TPWD) and applicable permits would be obtained prior to the resumption of construction or clearing activities. The proposed towers would also comply with USFWS guidelines for reducing fatal bird strikes on communication towers to the greatest extent practicable. These guidelines recommend co-locating new antennae arrays on existing towers whenever possible and building towers as short as possible without guy wires or lighting. Additionally, white or red strobe lights will be used whenever lights are required, for aviation safety.

### Protected Species

Construction equipment will be cleaned prior to entering and departing the project corridor area to minimize the spread and establishment of non-native invasive plant species. Soil disturbances in temporary impact areas would be re-vegetated. To minimize critical habitat impacts, designated travel corridors would be marked with easily observed removable or biodegradable markers, and travel would be restricted to the established corridor under most circumstances.

Potentially suitable habitat for the Texas horned lizards, a TPWD protected species, was observed at tower sites EPT-FBN-070, EPT-FHT-064, EPT-FHT-068, and is likely to exist at EPT-YST-059 and EPT-FHT-058. Care will be taken to avoid Texas horned lizards to the greatest extent practicable; however, where avoidance is impractical, consultation with TPWD will be conducted to identify conservation measures and reasonable and prudent avoidance measures such as using qualified biologists to monitor construction progress and conduct post-project, long-term monitoring, as deemed necessary. During below-ground construction, construction personnel will avoid leaving open trenches, and will routinely check for the presence of animals within the trenches, to minimize the risk of injury or death to wildlife.

Scattered sand prickly pear, a TPWD species of concern, were observed adjacent to the existing path and within and around the area around tower site EPT-YST-059. Care would be taken to avoid this species, if encountered at tower site EPT-YST-059.

### Cultural Resources

All construction will be confined to previously surveyed areas. If any cultural material is discovered during the construction efforts, the State Historic Preservation Officer (SHPO) and Texas Historical Commission will be notified immediately and all activities halted until a qualified archeologist assesses the cultural material. As a consulting party to the Section 106 process, the Ysleta del Sur Pueblo will also be contacted if any human remains should be unearthed, per Native American Graves Protection and Repatriation Act guidelines.

Additionally, to ensure environmental compliance for all UGS during their placement, USBP will follow standard practices and procedures for management of the sensors at the time of deployment to avoid disturbing cultural resources.

SBI*net* staff submitted a letter to the Texas SHPO seeking concurrence with a determination of no adverse effect in accordance with Section 106 of the National Historic Preservation Act. The Texas SHPO has concurred with CBP's determination of no adverse effects. The Ysleta del Sur Pueblo has requested to be a consulting party per the Section 106 process and states that they concur that there would be no adverse effects on their Pueblo.



### Water Resources

Standard construction procedures will be implemented to minimize the potential for erosion and sedimentation during construction activities. All work shall cease during heavy rains and would not resume until conditions are suitable for the movement of equipment and material. All fuels, waste oils, and solvents used during construction activities will be collected and stored in tanks or drums possibly within a secondary containment area consisting of an impervious floor and bermed sidewalls capable of holding the volume of the largest container stored therein. The refueling of construction machinery will be completed following accepted guidelines, and all vehicles will have drip pans during storage to contain minor spills and drips. Refueling or storage, to the greatest extent possible, will be avoided near drainage areas. Other environmental design measures for erosion control will be implemented such as the use of straw bales, silt fencing, aggregate materials, wetting compounds, and re-vegetation with native plant species, where possible, to decrease erosion and sedimentation. Furthermore, a SWPPP and Nationwide permit procedures will be completed before construction is initiated.

### Air Quality

Mitigation measures will be incorporated to ensure that fugitive dust emission levels do not rise above the minimum threshold as required per 40 CFR 51.853(b)(1). Measures will include dust suppression methods such as access road watering to minimize airborne particulate matter that would be created during construction activities. Standard construction BMPs such as routine watering of the construction site as well as access roads to the site will be used to control fugitive dust during the construction phase of the proposed project. Additionally, all construction equipment and vehicles will be required to be maintained in good operating condition to minimize exhaust emissions.

### Noise

During the construction phase, short-term noise impacts are anticipated. All Occupational Safety and Health Administration requirements will be followed. Construction equipment will possess properly working mufflers and would be kept properly tuned to reduce backfires. Implementation of these measures will reduce the expected short-term noise impacts to an insignificant level in and around the construction site.

To minimize noise impacts, construction activities near residential neighborhoods will be limited to daylight hours during the work week when most of the residents are at school or at work. More specifically, construction activities would be limited to hours between 7:00 am and 7:00 pm on Monday through Friday at proposed tower sites EPT-FBN-071 and EPT-YST-072.

During the operational phase, backup generators, when utilized, would create noise levels up to 75 decibels – A weighted scale. To minimize noise levels, generators will be equipped with appropriate sound muffling devices.

Hazardous Materials

Disposal of used batteries from UGS will be handled, managed, maintained, stored, and disposed of in accordance with applicable Federal and state rules and regulations for the management, storage, and disposal of hazardous materials, hazardous waste and universal waste. Additionally, to the extent practicable all batteries will be recycled locally.

Aesthetic and Visual Resources

Mitigation measures to minimize potential impacts from the surveillance and communication towers would include, but are not limited to, painting the proposed towers to blend into their background and the use of decorative tower perimeter fencing in residential areas.

**FINDING:** Based upon the results of the EA and the mitigation measures to be incorporated as part of the Proposed Action, it has been concluded that the Proposed Action will not result in significant effects on the human or natural environment. Therefore, no further environmental impact analysis is warranted.

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Robert F. Janson  
Acting Executive Director  
Facilities Management and Engineering  
U.S. Customs and Border Protection

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Date

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**June 2008**

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## EXECUTIVE SUMMARY

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### INTRODUCTION:

The Secure Border Initiative (SBI) is a comprehensive, multi-year plan established by the Department of Homeland Security (DHS) in November 2005 to secure America's borders and reduce illegal immigration. The SBI mission is to promote border security strategies that protect against and prevent terrorist attacks and other transnational crimes. In addition, the initiative will coordinate DHS efforts to ensure the legal entry and exit of people and goods moving across our borders and the enforcement of immigration, customs, and agriculture laws at our borders, within the country, and abroad.

*SBI<sub>net</sub>* is the component of SBI charged with developing and installing technology and tactical infrastructure (TI) solutions to gain effective control of our nation's borders. The goal of *SBI<sub>net</sub>* is to employ the most effective, proven technology, infrastructure, staffing, and response platforms and integrate them into a single comprehensive border security suite for DHS.

United States (U.S.) Customs and Border Protection (CBP) will deploy a mix of technology, TI, and personnel; based on operational need, to gain effective control of each diverse mile of the border. Effective control exists when CBP is consistently able to: (1) detect illegal entries into the U.S.; (2) identify and classify these entries to determine the level of threat involved; (3) efficiently and effectively respond to these entries; and (4) bring each event to a satisfactory law enforcement resolution.

This Environmental Assessment (EA) addresses proposed project alternatives developed to assist CBP and U.S. Border Patrol (USBP) in their mission to control and deter cross-border violators.

### PURPOSE AND NEED:

The purpose of the Proposed Action is to improve CBP personnel's efficiency and probability of detection, identification, and apprehension of illegal border crossers. Achieving operational control of the border of the U.S is a key mission objective of CBP. The objective of this *SBI<sub>net</sub>* project is to develop an effective solution to establish and maintain operational control along approximately 74 miles of the U.S. border within El Paso and Hudspeth counties, Texas. The Proposed Action would occur within the USBP El Paso

Sector, specifically encompassing Ysleta, Fabens, and Fort Hancock stations' Areas of Operation (AO).

The Proposed Action is needed to:

- 1) Install and upgrade technology and infrastructure components to give USBP the ability to gain, maintain, and strengthen control of the border within proximity of the international boundary (international border to 25 miles inland);
- 2) Improve surveillance technology solutions to enhance border enforcement capabilities;
- 3) Apply surveillance technologies that would refine detection, interception, and apprehension of undocumented aliens, smugglers, and terrorists; and,
- 4) Reduce crime in border communities by detecting, apprehending, and deterring smugglers of humans, drugs, and other contraband.

DESCRIPTION OF PROPOSED ACTION:

The Proposed Action is to construct, install, operate, and maintain a system of surveillance and communication towers, which complement vehicle mobile surveillance systems and unattended ground sensors (UGS), resulting in 12 fixed tower systems, 12 vehicle mobile surveillance systems, and the installation of UGS within the USBP Ysleta, Fabens, and Fort Hancock stations' AOs. Vehicle mobile surveillance systems will utilize USBP vehicles retrofitted with technologies to allow USBP agents to receive or send information via the new towers. Nine of the 12 towers would be newly constructed while three of the 12 towers would be retrofits to existing towers located at USBP stations. These retrofits are fully assessed in this EA; however, the retrofits are considered to be environmentally benign due to the fact that the areas are currently disturbed and no further ground disturbance would occur. Access roads in and near the proposed towers would be constructed or improved as necessary.

With the exception of a tower located off U.S. Highway 62/180, approximately 25 miles northeast of the Rio Grande, the proposed towers generally lie within a corridor between the Interstate 10 and the Rio Grande, in the Texas counties of El Paso and Hudspeth.

OTHER  
ALTERNATIVES:

There are two alternatives under consideration: (1) the No Action Alternative; and (2) the Proposed Action Alternative, which is described above.

Under the No Action Alternative, no towers or access roads would be constructed and conditions within the Ysleta, Fabens, and Fort Hancock stations' AOs would remain the same. USBP enforcement operations and effectiveness would remain the same. The No Action Alternative will serve as a baseline against which the impacts of the Proposed Action Alternative will be evaluated.

AFFECTED  
ENVIRONMENT AND  
CONSEQUENCES:

Implementation of the Proposed Action would permanently disturb approximately 1.5 acres for the construction of all towers and roads, of which 0.46 acre has been previously disturbed. Additionally, approximately 6.8 acres would be temporarily impacted by the proposed construction activities. The tower sites are located predominately in rangeland and agricultural lands.

The Proposed Action would have no direct impacts on protected species or to cultural resources. One cultural resource site is known to be near one tower site, but would not be impacted. Aesthetic and visual resources would be permanently impacted, but since these resources are currently degraded due to illegal entrants' (IEs) activities and some agricultural activities, the project impacts would be considered insignificant. Minimal to no impacts on utilities and energy consumption would occur with implementation of the Proposed Action.

Additionally, the Proposed Action would have temporary and minor impacts on air, surface waters, roadways and traffic, and ambient noise levels during construction activities. Operations associated with the Proposed Action could potentially cause temporary noise impacts through the occasional use of the back up generators. Long term socioeconomic benefits could occur. Additionally, a number of resources would gain potential benefits through the reduction of IE activities.

**FINDINGS AND  
CONCLUSIONS:**

Based upon the results of the analyses in the EA and the mitigation measures to be implemented, the Proposed Action is not expected to have any significant adverse impacts on the environment. Therefore, no additional analyses or further National Environmental Policy Act documentation are warranted.



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***SECTION 1.0***  
***BACKGROUND AND INTRODUCTION***







## **1.0 BACKGROUND AND INTRODUCTION**

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### **1.1 BACKGROUND**

#### **1.1.1 Program Background**

The Secure Border Initiative (SBI) is a comprehensive, multi-year plan established by the United States (U.S.) Department of Homeland Security (DHS) in November 2005 to secure America's borders and reduce illegal immigration. The SBI mission is to promote border security strategies that protect against and prevent terrorist attacks and other transnational crimes. In addition, the initiative will coordinate DHS efforts to ensure the legal entry and exit of people and goods moving across our borders and the enforcement of immigration, customs, and agriculture laws at our borders, within the country, and abroad.

*SBI<sub>net</sub>* is the component of SBI charged with developing and installing the technology and tactical infrastructure (TI) solutions to gain effective control of our nation's borders. The goal of *SBI<sub>net</sub>* is to provide the most effective, proven technology, infrastructure, staffing, and response platforms and integrate them into a single comprehensive border security suite for DHS. *SBI<sub>net</sub>* will improve the tools U.S. Border Patrol (USBP) agents, Customs and Border Protection (CBP) officers, and Air and Marine interdiction agents are currently using to enable them to perform their enforcement roles in a more efficient and effective manner. Gaining effective control of our nation's borders is a critical element of national security, and CBP is the executive agent for *SBI<sub>net</sub>*, carrying out the program to better execute this vital mission.

CBP will deploy a mix of technology, TI, and personnel based on operational need to gain effective control of each diverse mile of the border. Effective control exists when CBP is consistently able to: (1) detect illegal entries into the U.S., (2) identify and classify these entries to determine the level of threat involved; (3) efficiently and effectively respond to these entries; and, (4) bring each event to a satisfactory law enforcement resolution (Self 2007).

### **1.1.2 Legislative Background**

USBP and other CBP personnel's authority to operate under this proposed project is granted in the Immigration and Nationality Act of 1952, as amended Public Law (P.L.) No. 82-414, June 27, 1952, c.477, 66 Stat. 163, 8 U.S. Code (U.S.C.) 1101 (*et seq.*), and specifically by Section 235, *Inspection by Immigration Officers; Expedited Removal of Inadmissible Arriving Aliens; Referral For Hearing* and Section 287, *Powers of Immigration Officers and Employees*.

In response to increases in illegal border crossings and related illegal activities and in an effort to curb illegal immigration, Congress passed Section 102(a) of the *Illegal Immigration Reform and Immigrant Responsibility Act of 1996* (IIRIRA), P.L. No. 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C. 1103 note). Under IIRIRA, Congress mandated the construction of barriers along U.S.-Mexico border in areas of high illegal entry. Section 102(a) of IIRIRA specifically deals with *Improvement of Barriers at the Border*, calling for the installation of physical barriers and roads in the vicinity of the U.S. border. Section 102 provides that the Attorney General shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants [IEs]) in the vicinity of the international border to deter illegal crossings in areas of high illegal entry into the U.S.

To achieve the objectives of IIRIRA, SBInet plans to design, develop and deploy technology-based solutions to decrease illegal border activities and deter and prevent illegal entry into the U.S.

## **1.2 INTRODUCTION**

This Environmental Assessment (EA) analyzes various aspects of the proposed action. It addresses the potential direct and indirect effects, beneficial and adverse, of the proposed construction, installation, operation, and maintenance of a system of surveillance and communication towers, which include mobile, surveillance,

communications, and a combination of surveillance and communication towers within the USBP Ysleta, Fabens, and Fort Hancock stations' Area of Operation (AO) (Figure 1-1).

Consistent with 40 Code of Federal Regulations (CFR) 1508.28, this EA analyzes direct and indirect site-specific and cumulative environmental impacts of the proposed action. The affected area for this EA is broadly described, tiered, and incorporated from previous National Environmental Policy Act (NEPA) documents, including the *Programmatic Environmental Assessment (PEA) for Proposed Tactical Infrastructure, Office of Border Patrol, El Paso Sector Texas Stations*, October 2006, prepared by DHS/CBP (DHS 2006); and the July 2001 Immigration and Naturalization Service (INS) and Joint Task Force Six (JTF-6) document entitled, *Supplemental Programmatic Environmental Impact Statement (PEIS), Immigration and Naturalization Service and JTF-6 Activities on the Southwest U.S./ Mexico Border* (INS 2001). This EA incorporates by reference as much information as possible from the 2006 DHS PEA and the 2001 INS PEIS. Additionally, new surveys for sensitive resources and tower site characterization have been completed and current information regarding other resources has been updated, as appropriate.

This EA was prepared in compliance with provisions of NEPA of 1969 as amended (42 U.S.C. 4332, [et seq.]), the Council on Environmental Quality's (CEQ) NEPA implementing regulations at 40 CFR Part 1500 (et seq.), and DHS's *Environmental Planning Management Directive 5100.1* (71 *Federal Register* [FR] 16790).

USBP El Paso Sector provides law enforcement support for the Texas counties of El Paso and Hudspeth, and the New Mexico counties of Hildago, Luna, and Doña Ana. The proposed action would affect three USBP stations (Ysleta, Fabens and Fort Hancock) within El Paso and Hudspeth counties.



Figure 1-1: Vicinity Map

### 1.3 PURPOSE AND NEED

The implementation of this proposed project would support USBP's mission and activities of predicting, detecting, identifying, classifying, tracking, and responding to illegal cross-border activities at and between ports of entry (POE) and within the AOs of USBP stations. The project would provide necessary decision support information to assist CBP officers and agents in the resolution of all border incursions.

The purpose of this proposed project is to improve CBP personnel's efficiency and probability of detection, identification, and apprehension of illegal border crossers. Achieving operational control of the border of the U.S. is a key mission objective of CBP. The objective of this project is to develop an effective solution to establish and maintain operational control of the U.S. border along the approximately 74 miles of border in the El Paso Sector, encompassing Ysleta, Fabens, and Fort Hancock stations' AOs.

The need to improve CBP's border control and enforcement capabilities is based on frequency and nature of illegal border activities and their associated costs in time and deployment of border control personnel. The El Paso Sector overall *SBI*net system design and deployment of technologies within the Common Operating Picture (COP) would improve CBP's operations and meet technical performance objectives for approximately 125 miles of border control and includes the 74 miles covered in this project.

This El Paso Sector *SBI*net project meets the stated purpose and need by:

- 1) Installing and upgrading technology and infrastructure components to give USBP agents ability to gain, maintain, and strengthen control of the border within proximity of the international boundary (international border to 25 miles inland);
- 2) Including improved surveillance technology solutions to enhance border enforcement capabilities;
- 3) Applying surveillance technologies that would refine detection, interception, and apprehension of IEs; and,

- 4) Reducing crime in border communities by detecting, apprehending, and deterring smugglers of humans, drugs, and other contraband.

## **1.4 PUBLIC INVOLVEMENT**

### **1.4.1 Public Review**

CBP SBInet initiated public involvement and scoping activities as directed by 40 CFR 1501.7, Section 1503, and 1506.6 to identify any significant issues related to the proposed project. This process began in June 2007 through the issuance of 45 coordination letters to interested Federal, state, and local agencies and interested Indian tribes, inviting their participation and input regarding the project. Seven responses were received. These letters and responses are included in Appendix A.

A public scoping meeting was held in July 2007 to present and discuss plans for the project and to explain how this action would be analyzed in this EA. Members of the public in attendance were invited to provide comments and questions about the proposed project after the presentation. A transcript of this public scoping meeting is included in Appendix B.

Additionally, a Notice of Availability (NOA) for the draft EA and the proposed Finding of No Significant Impact (FONSI) was published in the *El Paso Times* in English and a Spanish translated version in *El Diario* on January 4, 2008, to solicit comments on the proposed project and involve the local community in the decision-making process. A proof of publication of the NOA is also included in Appendix A. Applicable and pertinent comments from the public and other Federal, state, and local agencies and Indian tribes from the 30-day public review and comment period were addressed in the EA and included in Appendix A. CBP received a letter from the Ysleta del Sur Pueblo Tribal Historic Preservation Office (THPO) stating that they had no opposition to the proposed project and that they felt there are no adverse effects on their Pueblo. The Pueblo did request to be a consulting party in the Section 106 process and as such will also be contacted if any unknown cultural remains as determined under Native American Graves Protection and Repatriation Act (NAGPRA) guidelines should be unearthed

during implementation of the proposed action. Additionally, the Texas State Historic Preservation Office (SHPO) submitted a letter concurring with SBI<sup>net</sup>'s determination that no adverse impacts would occur on historic properties. The Texas SHPO requested changes to the cultural resources report and those revisions have been made. U.S. Fish and Wildlife Service (USFWS) also replied to CBP upon review of the draft EA and specifically noted concerns regarding the aplomado falcon. CBP has incorporated comments into a copy of the USFWS February 4, 2008 letter and it can be found in Appendix A.

A public notice will be published in the *El Paso Times* in English and a Spanish translated version in *El Diario* once the FONSI is signed and the EA becomes final.

#### **1.4.2 Agency Coordination**

Early coordination and consultation has occurred during preparation of this document. This process began in June 2007 through the issuance of coordination letters to interested Federal, State, and local agencies and interested Indian tribes, inviting their participation and input regarding this proposed project. The list below includes contacts that were made during the development of alternatives and writing of the EA. Copies of correspondence generated during the preparation of this EA are presented in Appendix A.

Formal and informal coordination has been conducted with the following agencies, among others:

- USFWS;
- U.S. Environmental Protection Agency (USEPA);
- U.S. Department of Agriculture, Natural Resources Conservation Service (USDA, NRCS);
- Texas Parks and Wildlife Department (TPWD);
- Texas Historical Commission (THC);
- Texas Commission on Environmental Quality (TCEQ);
- Texas SHPO;
- Texas Department of Transportation (TxDOT); and
- U.S. Section, International Boundary and Water Commission (USIBWC).

## 1.5 COOPERATING AGENCIES

U.S. Department of the Interior (DOI) is a cooperating agency on all SBI projects including the *SBI<sub>net</sub>* proposed project included in this EA. A Memorandum of Agreement (MOA) was established between DOI and CBP on January 18, 2008. A copy of the MOA is included in Appendix A.

## 1.6 FRAMEWORK FOR ANALYSIS

NEPA is a Federal statute requiring the identification and analysis of potential environmental impacts of proposed Federal actions before those actions are taken. CEQ regulations (40 CFR 1500) mandate that all Federal agencies use a systematic interdisciplinary approach to environmental planning and the evaluation of actions that might affect the environment. This process evaluates potential environmental consequences associated with a proposed action and considers alternative courses of action. The intent of NEPA is to protect, restore, or enhance the environment through well-informed Federal decisions.

The process for implementing NEPA is codified in 40 CFR 1500-1508, *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*, and DHS's Management Directive 5100.1, Environmental Planning Program. CEQ was established under NEPA to implement and oversee Federal policy in this process. CEQ regulations specify that the following must be accomplished when preparing an EA:

- Briefly provide evidence and analysis for determining whether to prepare an Environmental Impact Statement (EIS) or a FONSI;
- Aid in an agency's compliance with NEPA when an EIS is unnecessary; and,
- Facilitate preparation of an EIS when one is necessary.

In addition to NEPA, other authorities have been addressed during the preparation of this EA include IIRIRA, Clean Air Act (CAA), Clean Water Act (CWA) (including a National Pollutant Discharge Elimination System [NPDES] stormwater discharge



permit), Noise Control Act, Endangered Species Act (ESA), National Historic Preservation Act (NHPA), Archaeological Resources Protection Act, Resource Conservation and Recovery Act, and the Toxic Substances Control Act. Executive Orders (EO) bearing on the proposed action include EO 11988 (Floodplain Management), EO 11990 (Protection of Wetlands), EO 12088 (Federal Compliance with Pollution Control Standards, as amended by EO 13423), EO 12580 (Superfund Implementation, as amended by 13308), EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, as amended by EO 12948), EO 13045 (Protection of Children from Environmental Health Risks and Safety Risks, as amended by EO 13229), EO 13175 (Consultation and Coordination with Indian Tribal Governments), EO 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds), and EO 13423 (Strengthening Federal Environmental, Energy, and Transportation Management). According to CEQ regulations, the requirements of NEPA must be integrated “with other planning and environmental review procedures required by law or by agency so that all such procedures run concurrently rather than consecutively.”

### **1.6.1 Alternatives and Alternatives Selection**

As the proponent agency preparing this EA, CBP is required to develop a range of alternatives that could reasonably achieve the need that this proposed action intends to address. Since the need for this action is mandated in part by the above-described statutes which aim to secure U.S. borders from illegal incursions and illegal cross-border activities by installation of camera and sensor technologies, the alternatives for this proposed action are limited to *SBI<sup>net</sup>*'s discretionary selection of site locations for the operational components of the project. Within the framework of the various Congressional mandates to secure U.S. borders, as specifically described in legislation, project component site locations are the only reasonable alternatives available for evaluation under this proposed action. Consideration of alternatives was, therefore, restricted to selection of sites for project components, namely communications and surveillance tower types and locations that would achieve maximum system operability while minimizing potential environmental impacts and obstacles to constructability.

### **1.6.2 Tower Locations and the Siting Process**

The communications and surveillance tower siting process identifies potentially suitable site locations and their alternatives. Key site evaluation considerations take into account constructability, operability, and environmental factors. The siting process begins with a preliminary, conceptual laydown, where proposed tower sites are first established using mapping programs and a modeling and analysis process. These preliminary site locations are chosen by CBP personnel based on their knowledge of the terrain, environment, land ownership, and operations. This results in the production of a baseline tower laydown scheme.

The site selection team also employs a Wide Area Surveillance Sensor Placement Tool (WASSPT) which is a four-stage, integrated analysis, and visualization tool for cost-effective placement of towers across areas of interest. The WASSPT helps to determine the minimum number of towers needed for maximum coverage of a given area. These initial tower siting efforts precede environmental site evaluation that occurs during preliminary and detailed site visits and surveys.

After a preliminary, conceptual laydown of prospective tower sites is agreed to by CBP, the project's environmental, construction, and operational personnel conduct site visits and complete site visit reports. During site visits, project team personnel use site ranking criteria to establish whether sites exhibit exclusionary, restrictive, and/or selective characteristics from constructability, operability, and/or environmental criteria perspectives.

Based on the preliminary, conceptual laydown, a total of 28 tower locations were evaluated, but later rejected, due to operational, technical, constructability, or environmental constraints or issues. The preliminary, conceptual site visits occurred in June 2007, and the sites are summarized in Table 1-1. The reasons for their elimination as proposed tower sites are provided in the table below. The site visit teams completed a tower site checklist for each site location to evaluate the most suitable

tower locations. All applicable criteria identified during the site visits were incorporated to evaluate and establish preferred sites.

**Table 1-1. Alternate Sites Proposed but Rejected**

<b>Tower ID</b>	<b>Station</b>	<b>Reason for Rejection*</b>	<b>Comment</b>
EPT-YST-111	Ysleta	E	Site is in residential development
EPT-YST-103	Ysleta	O	Site too close to border
EPT-YST-102	Ysleta	O,T	Site viewshed issues
EPT-YST-101	Ysleta	O	Site too close to border
EPT-YST-054	Ysleta	O, T, E	Site viewshed issues and house near tower footprint
EPT-FBN-100	Fabens	C	Site landowner issues
EPT-FBN-099	Fabens	T,C	Site needs intensive soil preparation and property lease cost issues
EPT-FBN-098	Fabens	T,C	Site needs intensive soil preparation and property lease cost issues
EPT-FBN-097	Fabens	O	Site too close to border
EPT-FBN-096	Fabens	T,C	Site too close to Interstate 10
EPT-FBN-095	Fabens	C	Site removed due to access road and property issues
EPT-FBN-063	Fabens	T,C	Site needs intensive soil preparation and property lease cost issues
EPT-FBN-057	Fabens	C	Site removed due to access road and property issues
EPT-FBN-056	Fabens	T,C	Site needs intensive soil preparation and property lease cost issues
EPT-FHT-094	Fort Hancock	T,C	Site duplicate
EPT-FHT-093	Fort Hancock	T,C	Site not actually tower site but a property entryway
EPT-FHT-092	Fort Hancock	E	Site contained possible habitat for an endangered species
EPT-FHT-091	Fort Hancock	C	Site landowner issues
EPT-FHT-090	Fort Hancock	O, T, C, E	Site was removed due to no nearby commercial power and poor viewshed
EPT-FHT-089	Fort Hancock	O, T, C	Site was original proposed site but was actually within existing roadway
EPT-FHT-088	Fort Hancock	T,C	Site not actually tower site but a proposed tower entryway
EPT-FHT-087	Fort Hancock	O,T,C,E	Site was removed due to low elevations and poor viewshed
EPT-FHT-086	Fort Hancock	O,T	Site viewshed issues
EPT-FHT-085	Fort Hancock	O,T,	Site was removed due to viewshed issues and station geographical issues
EPT-FHT-067	Fort Hancock	T,C	Site duplicate
EPT-FHT-062	Fort Hancock	C	Existing ROE for nearby site therefore site removed
EPT-FHT-061	Fort Hancock	C	Site removed due to access road and property issues
EPT-FHT-060	Fort Hancock	C	Existing ROE for nearby site therefore site removed

\* O—operational, T—technical, C—constructability, E—environmental

Exclusionary criteria consider environmental, construction, and operational constraints that could eliminate a site from consideration as a tower location for the SBInet system

supporting each sector's operations. Sites with exclusionary criteria generally require significant mitigation (cost and time prohibitive, making mitigations "unavailable" for a site to be suitable) and are generally eliminated from further consideration as potential sites.

Restrictive criteria also consider environmental, construction, and operational constraints that could restrict but not eliminate a site from consideration. Restrictive criteria characterize sites that may require potentially extensive mitigation to offset potentially significant impacts. Such mitigations would not be cost or time prohibitive.

Selective criteria provide either positive or negative site-specific considerations that form the basis for comparison of alternative sites. These criteria require little to no mitigation to make a site suitable for use.

All applicable criteria identified during the site visits were incorporated to evaluate and establish preferred sites based on the criteria under the constructability, operability, and environmental perspectives along with evaluation of other technology implementation criteria. The teams completed a tower site checklist for each site location to better enable evaluation of the most suitable tower locations.

Alternatives were selected from the field site visit process and personnel responsible for data gathering during site visits examined various project-related criteria under the three factors that were associated with each site. Criteria under each of the tower's three factors were ranked to determine whether any site characteristics presented criteria which would exclude a tower site from further consideration as a site alternative. Some criteria were only restrictive, meaning that the site's characteristics could be problematic and require mitigations to make the site suitable, but were not egregious enough to eliminate the site from further consideration. Selective site criteria are preferable site characteristics that would make a site most suitable for tower placement. Sites with the most selective criteria would make a site most preferable for siting a tower facility.

To ensure cultural and environmental compliance and to better characterize the preferred and alternate new tower sites, a series of surveys and investigations were performed to satisfy NEPA regulations. From September to November of 2007, Ecological Communications Corporation (EComm) conducted eight Phase I Environmental Site Assessments, 13 natural resource surveys, and 22 archaeological surveys (EComm 2007 a,b,c). The natural resources survey report can be found in its entirety in Appendix E.

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***SECTION 2.0***  
***PROPOSED ACTION AND ALTERNATIVES***

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## **2.0 PROPOSED ACTION AND ALTERNATIVES**

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### **2.1 CRITERIA FOR ALTERNATIVES**

Local USBP agents assisted *SBI<sup>net</sup>* in identifying potential locations to construct and deploy the components of the proposed Texas Mobile tower project, based on known illegal traffic patterns and the tactical and operational needs of CBP and affected USBP stations. These initial recommendations were the basis for determining where towers and technology components of this project ultimately should be located. The impacts that illegal border activities have on landowners and border communities, environmental concerns, local community input, and engineering assessments (including costs to construct) were thoroughly and extensively examined when establishing the locations of the components of the proposed action.

The surveillance and communication tower siting process identified potential suitable site locations as well as alternate locations. Key site evaluation considerations included constructability, operability, and environmental factors. After identification of potential tower sites was made by WASSPT, these tower sites were then further analyzed using Geographic Information System (GIS) to map and evaluate the locations based on terrain, natural environment, land ownership, and operational needs. Site visits were then conducted to rank each site according to the site's constructability, operability, and/or environmental issues. Sites were excluded from further consideration as a tower location if the site generally required significant construction costs, potential schedule delays, limited operability, or would require substantial environmental mitigation.

Two alternatives were considered during the preparation of this EA, the No Action Alternative and the Proposed Action Alternative. A number of alternate tower locations were evaluated but were eliminated from consideration as described in Section 1.6.2. Section 2.2 below presents the No Action Alternative while Section 2.3 provides specific details of the proposed action. Other alternatives that were considered during the preparation of the EA, but not analyzed in detail, are discussed in Section 2.4.

## **2.2 NO ACTION ALTERNATIVE**

The No Action Alternative would include the continuation of current practices and procedures, with no installation of surveillance or communication tower occurring. While the No Action Alternative does not satisfy the stated purpose and need, its inclusion in this EA is required by CEQ as a basis of comparison to the anticipated effects of the proposed action.

The No Action Alternative serves as the basis of comparison of potential effects of placing sensor and communications towers in certain locations that may have greater or lesser potential impacts on the environment. Current adverse environmental impacts most often result from off-road vehicular use through un- or under-secured border areas, and the vehicles' consequential damage to terrain, habitat, and vegetation. Accumulations of large amounts of litter are also associated with illegal pedestrian border incursions throughout under-secured border areas.

Since the purpose of the proposed action is to deter and prevent IEs into the U.S., it is expected that without this project and its anticipated deterrent effects on IEs, the No Action Alternative would result in continued and potentially increased levels of IEs into the U.S. and their associated adverse impacts on the environment.

## **2.3 PROPOSED ACTION ALTERNATIVE**

The Proposed Action analyzed in this EA is a USBP sector-based project and component of the *SBI<sub>net</sub>* program known as the Texas Mobile *SBI<sub>net</sub>* project. The Texas Mobile *SBI<sub>net</sub>* project consists of the construction of surveillance and communications towers, remote video surveillance cameras, unattended ground sensors (UGS), vehicles, and upgrades to communications systems. These technologies would be an integral part of what is referred to as the COP of the border environment. The COP would provide connectivity with various CBP components, and inter-operability with other Federal, state, and local partners outside of CBP. The COP would also provide mechanisms to communicate comprehensive situational awareness,

including information to incorporate intelligence-driven capabilities at all operational levels and locations.

The approximately 74-mile section of the border area that this project covers has been established by CBP as a priority area for implementing a *SBI<sub>net</sub>* border protection solution.

The Proposed Action is to construct, operate, and maintain 12 fixed surveillance and communication towers, 12 vehicle mobile surveillance systems, UGS, and associated access roads as illustrated in Figure 2-1. Of the 12 towers, nine are new towers and three are existing towers at USBP facilities. The 12 towers would be able to communicate with each other, the station that it would functionally operate under (Ysleta, Fabens, and Fort Hancock stations), and with El Paso Sector Headquarters, providing a network of communications and surveillance along the entire 74-mile border area. The installation of 12 vehicle mobile surveillance systems and UGS are also proposed under this *SBI<sub>net</sub>* project, but are not analyzed as a part of the Proposed Action. They are an integral part of the overall COP border environment and, as such, are discussed herein.

The vehicle mobile surveillance system consists of USBP vehicles retrofitted with technologies to allow USBP agents to acquire/send information via the new fixed surveillance and communication towers. UGS detect ground surface movement through vibration and, as such, are a valuable tool for the USBP agents throughout the border region. UGS placement is typically in highly disturbed areas near IE foot trails. To ensure cultural and environmental compliance for deployment of UGS, USBP would follow standard and customary procedures and practices by placement of the UGS in previously disturbed areas, near known illegal traffic areas and avoiding impacts on sensitive species and cultural resources. Additionally, used UGS batteries would be handled, managed, maintained, stored, and disposed of in accordance with applicable Federal and state guidelines and regulations for the management, storage, and disposal of hazardous materials, hazardous waste and universal waste.

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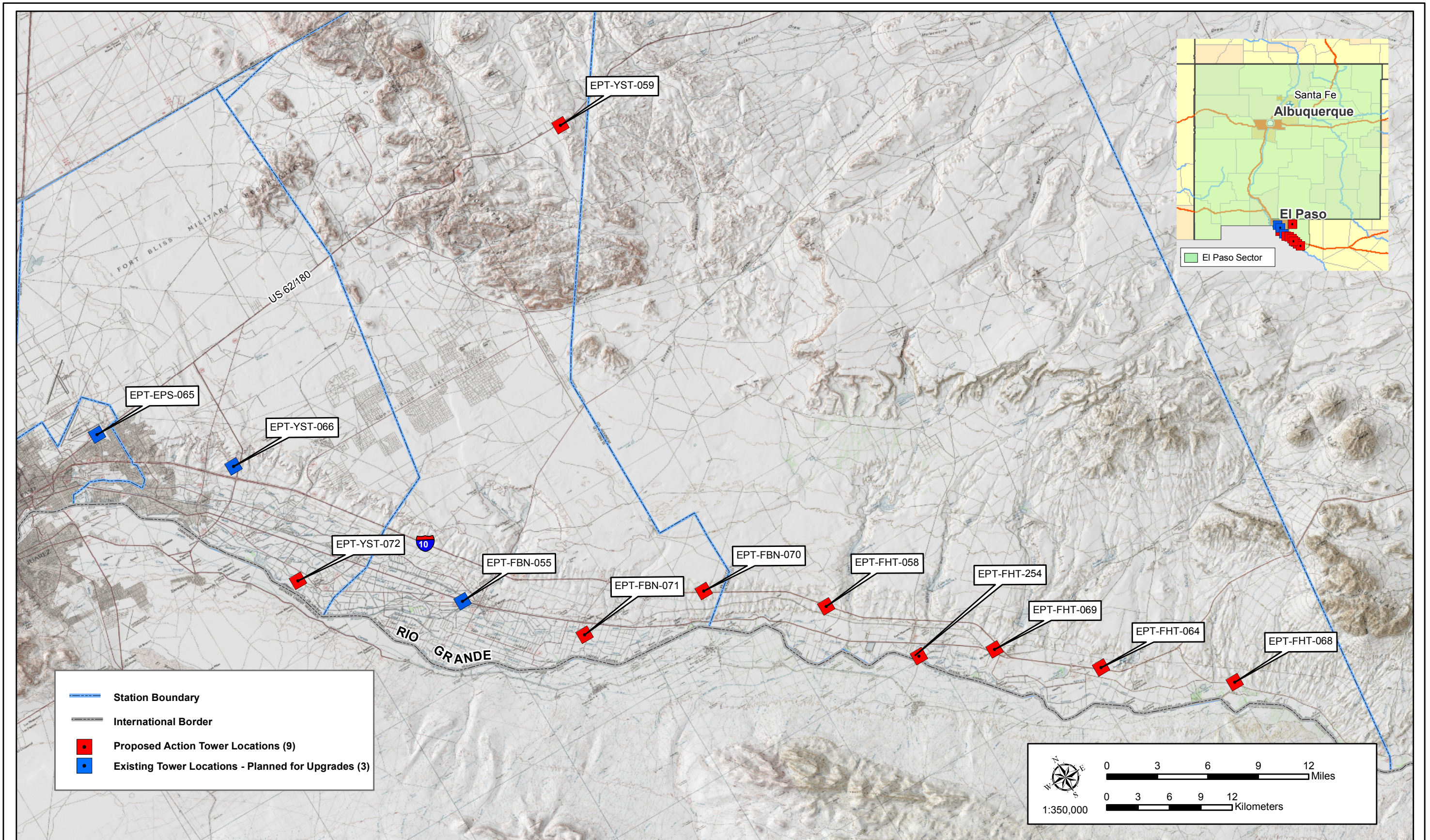


Figure 2-1: Proposed Action Map

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The 12 towers included in the Proposed Action contain upgrades to three existing towers (EPT-FBN-055, EPT-EPS-065, and EPT-YST-066). Impacts resulting from the construction of the 9 new towers and the retrofit/replacement of the 3 existing towers are fully assessed in this EA; however upgrades to the existing towers are considered to be environmentally benign due to the fact the areas are currently disturbed and no further ground disturbance would occur. Additionally, the 12 towers including all associated support facilities are discussed in the following paragraphs. In general, a typical tower in the Proposed Action would be 80 to 180 feet high; have either a 50-foot X 50-foot or 80-foot X 80-foot permanent site footprint; have perimeter fencing; not have guy wires; have primary power provided from the local utility provider; and utilize a propane-fueled backup generator for potential power outages. Table 2-1 provides a summary of the pertinent information for each tower site and configuration.

As can be seen in Figure 2-1, the proposed towers generally parallel Interstate 10 (I-10) through the easternmost boundary of El Paso and Hudspeth counties, beginning south of the City of El Paso, Texas. Proposed tower EPT-YST-066 is located at the northernmost portion of the I-10 tower corridor, while EPT-FHT-068 lies at the southernmost portion of this corridor. Tower EPT-YST-059 is the single outlier for the proposed tower corridor and is located adjacent to U.S. Highway 62/180, approximately 25 miles northeast of the Rio Grande.

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**Table 2-1. Summary of Proposed Tower Site Descriptions**

Tower Name  Tower Type  Station	EPT-YST-059	EPT-YST-072	EPT-FBN-070	EPT-FBN-071	EPT-FHT-058	EPT-FHT-064	EPT-FHT-068	EPT-FHT-069	EPT-FHT-254
	RRVS	RRVS	RRVS-CRT	RRVS	RRVS	RRVS-CRT	RRVS	RRVS-CRT	CRT
	Ysleta	Ysleta	Fabens	Fabens	Fort Hancock	Fort Hancock	Fort Hancock	Fort Hancock	Fort Hancock
<b>Basic Site Conditions</b>									
Construction staging/footprint area	150' X 150'	150' X 150'	180' X 180'	150' X 150'	150' X 150'	180' X 180'	150' X 150'	150' X 150'	180' X 180'
Site footprint (permanent)	50' X 50'	50' X 50'	80' X 80'	50' X 50'	50' X 50'	80' X 80'	50' X 50'	50' X 50'	80' X 80'
Slope or % grade	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline	fairly flat, with slight incline
Access road improvements and construction (length/width and surface treatment)	new construction; 50' X 16' gravel and gate at highway exit needed	new construction; 50' X 16' gravel	new construction; 250' X 16' gravel and gate is required off I-10	none	new construction; 475' X 16' gravel and gate is required off I-10	new construction; 430' X 16' gravel and gate is required off I-10	existing access road requires improvements for 575'	new construction; 120' X 16' gravel and 340' of existing road requires improvements	none
Drainage structure requirements	1 culvert req'd at exit from 62/180	1 culvert req'd at exit from blacktop road	1 culvert req'd at exit from blacktop road	None	1 culvert req'd at access road	1 culvert req'd at access road & I-10	3 culverts req'd on existing access road	2 culverts req'd on new access road	None
Dimension, height, and type of security fence for this site	50' X 50' X 9' chainlink	50' X 50' X 9' chainlink	80' X 80' X 9' chainlink	50' X 50' X 9' chainlink	50' X 50' X 9' chainlink	80' X 80' X 9' chainlink	50' X 50' X 9' chainlink	50' X 50' X 9' chainlink	80' X 80' X 9' chainlink
Current land use at site	Rangeland	Agriculture	Rangeland	Residential	Rangeland	Rangeland	Rangeland	Developed	Agriculture
<b>Tower Description</b>									
Tower construction type	RDT	RDT	SS, lattice	RDT	RDT	SS, lattice	RDT	RDT	SS, lattice
Tower height	80 feet	80 feet	140 feet	80 feet	80 feet	180 feet	80 feet	80 feet	120 feet
Guy wires requirements	None needed	None needed	None needed	None needed	None needed	None needed	None needed	None needed	None needed
Recommended foundation for site	stacked slabs	stacked slabs	3 concrete piers	stacked slabs	stacked slabs	3 concrete piers	stacked slabs	stacked slabs	stacked slabs
<b>Power Description</b>									
Approximate distance to commercial power	100 feet	200 feet	1.2 miles	300 feet	0.5 miles	150 feet	1000 feet	100 feet	150 feet
Back-up generator fuel type	propane	propane	propane	propane	propane	propane	propane	propane	propane
Fuel tank capacity for back-up generator	500 gallons	500 gallons	500 gallons	500 gallons	500 gallons	500 gallons	500 gallons	500 gallons	500 gallons

Note: Does not include towers with retrofits/replacements – EPT-EPS-065, EPT-YST-066, or EPT-FBN-055

Legend:

CRT – Communications Relay Tower  
RDT – Rapidly Deployed Tower

RRVS – Radar and Remote Video System (Sensor or surveillance tower)  
SS – Self Standing Tower

RRVS-CRT – Combination Radar and Remote Video System and Communications Relay Tower

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The following discussion is a detailed description of each of the proposed new or replacement towers, excluding existing towers EPT-FBN-055, EPT-EPS-065, and EPT-YST-066. Each tower would have the following design, power requirements, and site and fence enclosure footprint, unless otherwise noted:

- Primary power source – commercial grid power;
- Secondary or back-up power – each tower would typically have a propane generator with a 500-gallon propane fuel tank\*;
- Communication relay towers (CRT) would typically utilize a 17 kilowatt (kW) generator, and radar and remote video system tower (RRVS) – sometimes called a surveillance tower and a combination surveillance and communication towers (RRVS-CRT) would utilize 30 kW generators;
- All power lines would be installed overhead from the main trunk power line to the tower site shelter and then on elevated cable tray to tower;
- Site permanent footprint - approximately 50 feet X 50 feet;
- Site construction footprint – 150 feet X 150 feet;
- If culverts are needed they generally will utilize a 2 to 4 feet diameter pipe(s) approximately 36 feet in length;
- Tower site equipment shelter with an approximately 8 feet X 12 feet footprint; and
- Fence enclosure footprint – 50 feet X 50 feet X 9 feet high chainlink fence enclosure surrounding tower and its associated equipment shelter.

\* Although all new Texas Mobile project towers are currently planned to be powered by commercial grid power, there may be instances when commercial power may not be available immediately upon tower deployment. In that case, primary power would be supplied by a 30 kW generator until commercial power infrastructure is in place. If this should occur, a larger 2,000-gallon propane tank would be temporarily utilized.

Typical designs for surveillance or RRVS towers consist of the following components: multiple cameras and sensors (video camera, electro-optical/infrared sensors), radio-frequency radar, and data receiving antennas. Each communications or CRT tower is expected to be equipped with one or both of the following communications components: parabolic dishes, microwave relays, and data receiving antennas. Combination surveillance and communication or RRVS-CRT towers would have the following components: multiple cameras and sensors (video camera, electro-optical/infrared sensors), radio-frequency radar, parabolic dishes and microwave relays, and data

receiving antennas. Equipment is commonly mounted along each tower at approximately 80 to 180 feet above ground level, depending on the local terrain. The exact number and type of equipment would depend on the number and types of cameras used, the area to be monitored, and other design variables. Additionally, one or more solid parabolic antennas would be mounted on platform railings or on a separate antenna mount (not to exceed 13 feet). A typical surveillance and communication tower is shown in Photograph 2-1.



**Photograph 2-1. Typical Surveillance and Communication Tower**

Towers generally require line-of-sight (LOS) to ensure clear microwave transmission signal between towers. The typical design for towers would be a steel, 3-legged lattice tower ranging in height from 80 feet to 180 feet. The cameras would be installed at a height that would ensure satisfactory views and provide clear pathways for transmission of information to relay stations and the USBP station.

Currently, *SBI*net has tentative plans to install Federal Aviation Administration (FAA) lighting on its towers. Such lighting would be installed in accordance with FAA regulations, standards, and guidelines for the lighting of tower structures found in 47 CFR Sections 17 and 303. There are no plans to install any other lighting within or around the tower sites. In the event tower facility lighting is deemed necessary to meet FAA or CBP facility security requirements, mitigation measures would be implemented to reduce nighttime atmospheric lighting and the potential adverse effects of nighttime lighting on migratory bird and nocturnal flying species. Such measures would include those currently employed by USBP, such as light shields, which direct tower light sources downward toward the ground.

Self Standing (SS) towers are steel lattice structures which have three circular concrete piers, approximately 4 feet in diameter, utilized to anchor the SS tower legs into the ground (Figure 2-2). Depth of the concrete piers is dependent on tower height and geotechnical characteristics at each proposed tower site, but would not typically go deeper than 30 feet below ground surface (bgs).

For rapidly deployed towers (RDT), pre-cast modular stacked slabs would be utilized for the foundation and are typically 6.5 feet X 6.5 feet X 6 inches deep, and would typically be placed no greater than 5 feet bgs (Figure 2-3). The lowermost foundation slab would rest on crushed stone at the base of the excavated area. The number of stacking slabs and installation depth is dependent on tower height and geotechnical characteristics at the proposed site, although it is anticipated that most 80-foot RDT towers would typically utilize 11 modular wafers, which, in total, weigh approximately 44,000 pounds.

Access road construction and improvements would involve the installation of drainage culverts at all but two of the new tower sites. These culverts allow water to flow under new and improved access roads, and if needed, are necessary features of the associated road construction. Table 2-2 details some preliminary culvert design criteria associated with many of the proposed new towers.

**Table 2-2. Preliminary Culvert Design Criteria**

<b>Tower Name</b>	<b>Number of Culverts</b>	<b>Pipe Diameter (feet)</b>	<b>Number of Pipes Needed</b>	<b>Length (feet)</b>
EPT-EPS-065	0	0	0	0
EPT-YST-059	1	2	1	36
EPT-YST-066	0	0	0	0
EPT-YST-072	1	2	1	36
EPT-FBN-055	0	0	0	0
EPT-FBN-070	1	4	2	36
EPT-FBN-071	0	0	0	0
EPT-FHT-058	1	4	2	36
EPT-FHT-064	1	4	2	36
EPT-FHT-068	3	2	1	36
EPT-FHT-069	2	4	2	36
EPT-FHT-254	0	0	0	0

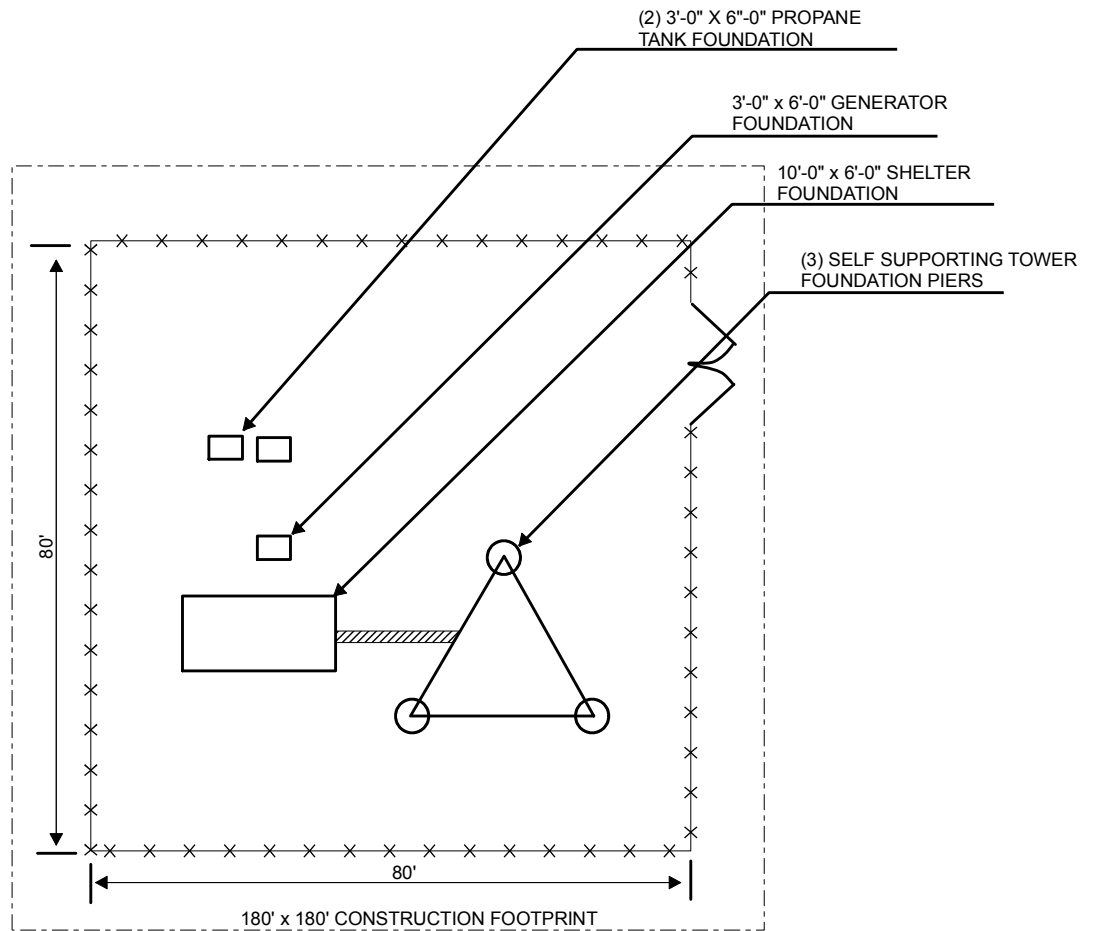
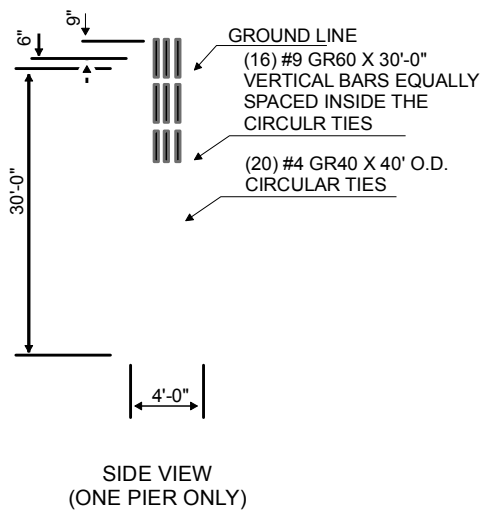
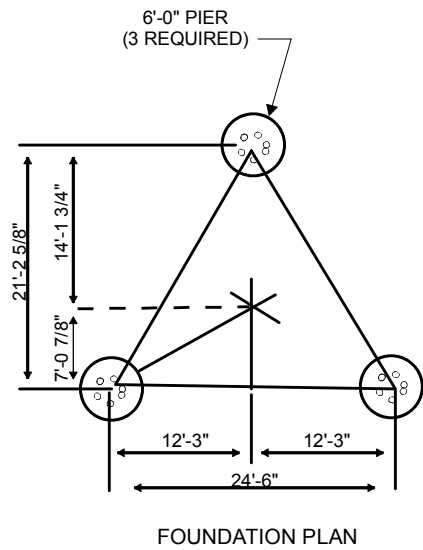


Figure 2-2: Self Standing Tower Foundation Schematic

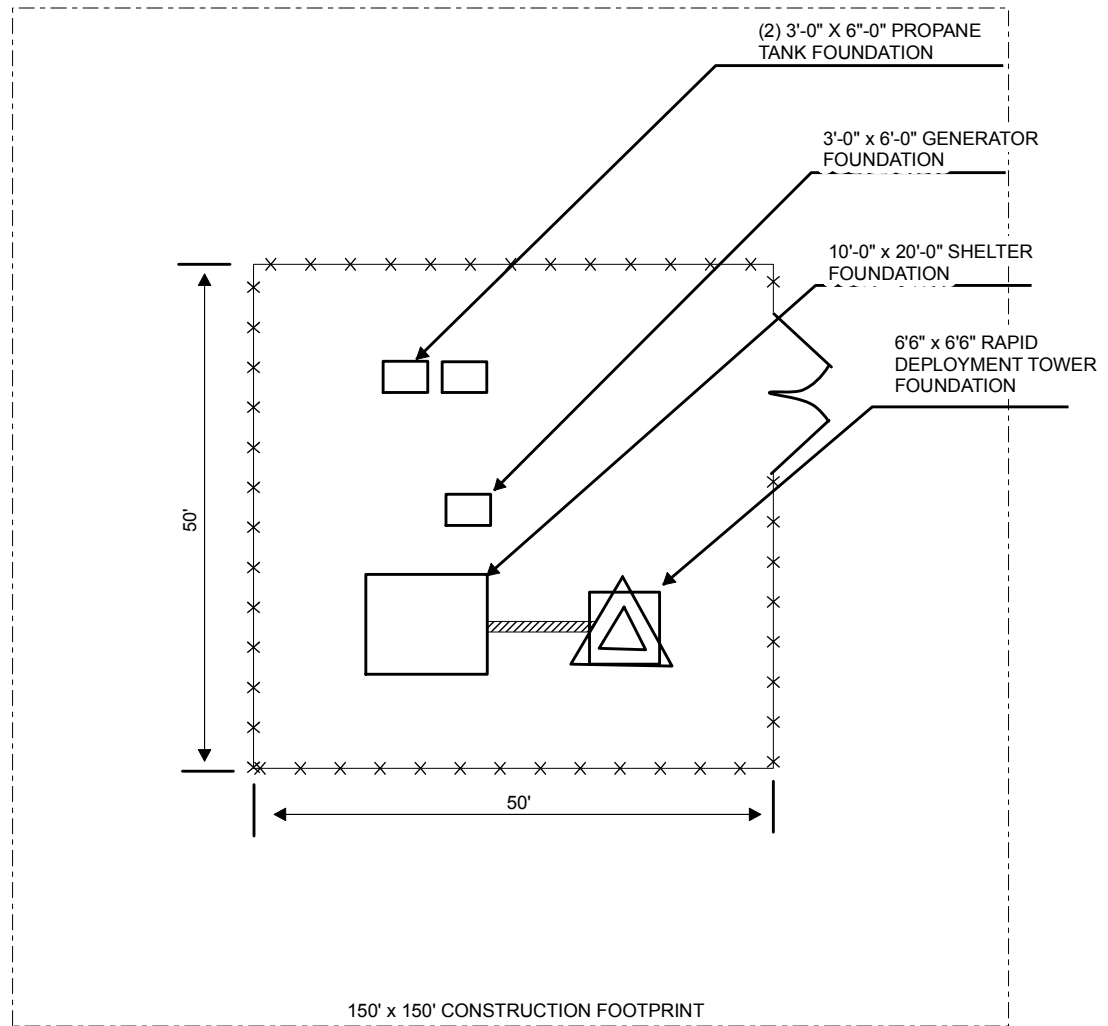
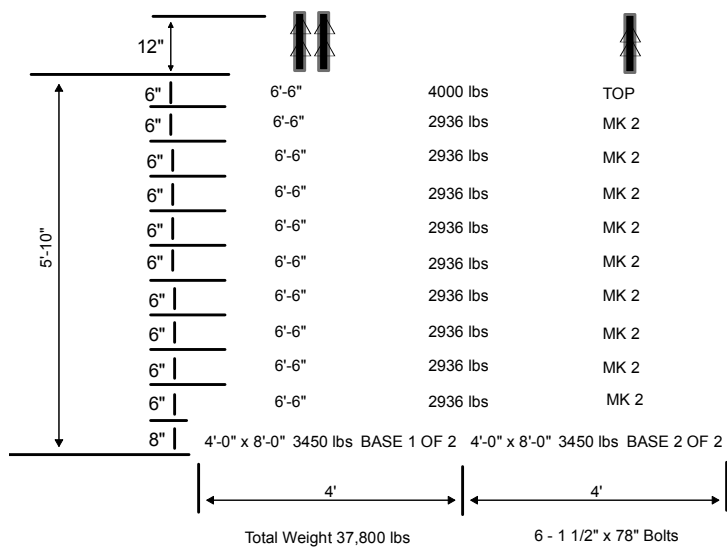


Figure 2-3: RDT Stacking Slab Tower Foundation Schematic

### **2.3.1 El Paso Headquarter Tower Description**

#### *EPT-EPS-065*

The existing tower EPT-EPS-065 is Communications Relay Tower (CRT) located at the El Paso Sector Headquarters facility. The existing tower is approximately 80 feet high. This tower is utilized in the Proposed Action to enable connectivity for El Paso Sector. No road improvements would be required for tower retrofits or upgrades.

### **2.3.2 Ysleta AO Tower Description**

#### *EPT-YST-059*

The proposed tower EPT-YST-059 is a surveillance RRVS tower and is planned to be a fixed RDT, approximately 80 feet high. Commercial power is approximately 100 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-YST-059 is located on privately-owned land that would be leased or purchased by CBP for the proposed tower site. EPT-YST-059 is located north of I-10 at U.S. Highway 62/180. The surrounding area is predominately rural. The tower foundation would utilize stacked slabs. A new access road (50 feet long X 16 feet wide) would be required for tower installation and maintenance. The existing approach road would require some improvements to enable it to be utilized in all-weather conditions. In addition, a culvert and a gate at the exit of U.S. Highway 62/180 would be required for the tower site. The proposed culvert is south of the proposed tower site.

#### *EPT-YST-066*

The existing tower EPT-YST-066 is a CRT located on the Ysleta Station facility. The existing tower is approximately 100 feet high. No road improvements would be required for tower retrofits or upgrades.

#### *EPT-YST-072*

The proposed tower, EPT-YST-072, is a surveillance or RRVS tower and is planned to be a fixed RDT, approximately 80 feet high. Commercial power is approximately 200 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-YST-072 is located on privately-owned land that would be leased or



purchased by CBP. The proposed tower site is located within an agricultural field which is currently used for alfalfa production. The surrounding area is predominately rural and has nearby cotton fields, single-family residences and undeveloped lots. There is an irrigation canal located approximately 1,000 feet north of the tower site. The tower foundation would utilize stacked slabs. A new 50 foot long X 16 foot wide access road would be needed to connect to an existing driveway. Additionally, a culvert would be required at the exit of the paved road.

### **2.3.3 Fabens AO Tower Description**

#### *EPT-FBN-055*

The existing tower EPT-FBN-055 is RRVS-CRT located at an existing CBP facility and is considered to be a fixed SS tower which is approximately 160 foot high. The tower currently utilizes commercial grid power as the tower's primary power source, with a propane generator as secondary power. Tower EPT-FBN-055 is located on privately owned land leased by CBP for use as the Fabens Border Patrol Station and the surrounding area is predominately rural. A graveled area currently on the Fabens Station will be utilized as the construction staging area. No road improvements would be required for tower retrofits.

#### *EPT-FBN-070*

The proposed tower, EPT-FBN-070 is combination surveillance and communications relay tower or RRVS-CRT tower and is planned to be a fixed, SS tower. The tower would be approximately 140 feet high. Commercial power is approximately 1.2 miles from the proposed tower site and would serve as the primary power source for this tower. EPT-FBN-070 is located within a flat area of mesquite/creosote scrub approximately 250 feet northeast of I-10 at the Tornillo exit, near mile marker 61. Tower EPT-FBN-070 is located on privately-owned land that would be leased or purchased by CBP. An ephemeral wash approximately 350 feet east of the site would be avoided during tower installation and road construction. The site footprint for this tower is approximately 80 feet X 80 feet and would have a 9 foot high chainlink fence around it and its associated equipment shelter. The tower foundation would utilize three concrete

piers. A new 250 foot long X 16 foot wide gravel access road, a culvert, and a gate at I-10 would be required for tower installation and maintenance. The proposed culvert is southwest of the proposed tower site.

#### *EPT-FBN-071*

The proposed tower, EPT-FBN-071 is a surveillance or RRVS tower and is planned to be a fixed RDT. This tower would be approximately 80 feet high. Commercial power is approximately 300 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-FBN-071 is located approximately 1,300 feet to the southwest of Telegraph Road in the community of Tornillo. This area is developed for residential use although the surrounding area is predominately rural. An abandoned single-family residence is located on the property, and is scheduled for removal prior to tower installation. Single family residences are also located adjacent to the proposed site to the east and west. A pecan grove is located south of the property. An irrigation canal running west to east is located to the north of the property. The tower foundation would utilize stacked slabs. No access road would be needed, as access would be directly off a paved road onto an existing 150 feet X 12 feet driveway.

### **2.3.4 Fort Hancock AO Tower Description**

#### *EPT-FHT-058*

The proposed tower, EPT-FHT-058 is a surveillance or RRVS tower and is planned to be a fixed RDT. This tower would be approximately 80 feet high. Commercial power is approximately 0.5 miles from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-FHT-058 is located on privately-owned land that would be leased or purchased by CBP. EPT-FHT-058 is located approximately 440 feet west of I-10, between mile markers 67 and 68. The surrounding area is predominately rural. The tower foundation would utilize stacked slabs. A new 475 feet long X 16 feet wide gravel access road and gate at I-10 would be required for tower installation and maintenance. One culvert is proposed for the access road and is east of the proposed tower site.

#### *EPT-FHT-064*

The proposed tower, EPT-FHT-064 is combination surveillance and communications relay tower (RRVS-CRT) and is planned to be a fixed SS tower. This would be the tallest of the towers at approximately 180 feet high. Commercial power is approximately 150 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-FHT-064 is located on privately-owned land that would be leased or purchased by CBP. The proposed site is approximately 370 feet northeast of I-10, east of exit 81 between mile markers 82 and 83. The proposed tower site is located in an area of undeveloped ranch land at the base of a series of hills, although the actual tower site footprint is mostly flat with a slight incline. An ephemeral wash, approximately 100 feet east of the site, would be avoided during tower installation and road construction. The site footprint for this tower is approximately 80 feet X 80 feet and would have a 9 foot high chainlink fence around it and its associated equipment shelter. The tower foundation would utilize concrete piers. A new 430 feet long X 16 feet wide gravel access road and gate at I-10 would be required for tower installation and maintenance. A drainage culvert would be installed at the junction of the access road and I-10 approximately 430 feet from the tower site. The proposed culvert is west of the proposed tower site.

#### *EPT-FHT-068*

The proposed tower, EPT-FHT-068 is a surveillance or RRVS tower and is planned to be a fixed RDT, approximately 80 feet high. Commercial power is currently within 1,000 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-FHT-068 is located approximately 450 feet northeast of State Highway (SH) 192, on privately-owned land that would be leased or purchased by CBP. Tower EPT-FHT-068 is situated on top of a rise overlooking rolling sandy hills. In addition, minor erosion is occurring in some areas on the proposed site. The tower foundation would utilize stacked slabs. No new access road would be required for tower installation and maintenance, although 575 feet of existing road would need improvement, including the addition of three culverts southeast of the proposed tower site.

### *EPT-FHT-069*

The proposed tower, EPT-FHT-069 is combination surveillance and communications relay tower or RRVS-CRT and is planned to be a fixed RDT tower. This tower would be approximately 80 feet high. Commercial power is approximately 100 feet from the proposed tower site and would serve as the primary power source for this tower. Tower EPT-FHT-069 is located on privately-owned land approximately 800 feet northeast of SH 20 and is currently leased by CBP. The land in the vicinity of the proposed tower site has been cleared and developed for use by a community water tower directly north (approximately 100 feet), a concrete manufacturing facility to the south, and residential use to the southwest. The proposed tower site is at the top of a small hill with a site elevation of 3,594 feet, but the surrounding area is mostly flat and predominately rural. The community water tower is located 100 feet north of the site. The tower foundation would utilize stacked slabs. A 120 foot long X 16 foot wide new gravel access road would be required for tower installation and maintenance. Additionally, 340 feet of existing access road would require some improvements for utilization in all-weather conditions, and the addition of two culverts would also be required. One culvert would be located at the turnoff from the approach road to the access road tower. The second culvert would be on the main portion of the access road to the west southwest of the proposed tower site.

### *EPT-FHT-254*

The proposed tower, EPT-FHT-254 is a replacement for a nearby communications tower on the current Fort Hancock Station. EPT-FHT-254 is CRT and a SS tower. The tower would be approximately 120 feet high. The site footprint for this tower is approximately 80 feet X 80 feet and would have a 9 foot high chainlink fence around it and its associated equipment shelter. The tower foundation would utilize three concrete piers. Tower EPT-FHT-254 is located on land currently owned by CBP and is being developed for the new Fort Hancock station. Commercial power will be within the proposed Fort Hancock station and would serve as the primary power source for this tower. Construction on the new Fort Hancock station began in April 2008 and is progressing according to CBP schedule. The surrounding area is predominately flat

and rural and the proposed tower site is disturbed soil with little to no vegetation. The tower foundation would utilize stacked slabs.

## **2.4 ALTERNATIVES ELIMINATED FROM ANALYSIS**

Several project elements that include other technology and infrastructure considerations, such as unmanned air vehicles (UAV), imaging satellites, fencing, walls, and other physical barriers, were considered, but eliminated from further review because of logistical restrictions and functional deficiencies that would fail to meet the purpose and need of this project. These are discussed below.

### **2.4.1 Unmanned Air Vehicles**

The use of UAVs was not further evaluated for feasibility or effect because they present an unacceptable level of reliability, and would present extraordinary design, operation, and maintenance considerations that would fail to achieve the goals of *SBI<sub>net</sub>*, and enhanced surveillance and protection of the international border.

### **2.4.2 Remote Sensing Satellites**

The use of remote sensing satellites was not further evaluated for feasibility or effect because they present an unacceptable level of reliability, and would present extraordinary design, operation, and maintenance considerations that would fail to achieve the goals of *SBI<sub>net</sub>*, and enhanced surveillance and protection of the international border.

### **2.4.3 Increased Workforce Alternative**

Another alternative considered during the preparation of this EA was to have no towers, but instead, to simply increase the number of USBP agents to patrol (via vehicles) and survey the areas that a tower surveillance and communication system would cover. The sites selected for tower installation are considered high intensity areas for illegal entries; thus, an alternative to the tower system would be to station additional USBP agents at each of these sites to observe activities and detect any potential cross border

violations. USBP agents would have to be stationed at these sites 24 hours per day, 7 days a week, and due to local topography and vegetation would not provide the same level of detection capabilities as the tower systems. Consequently, additional observation points would have to be established to provide the same coverage as the proposed tower systems, which would disturb additional areas along the border. Such efforts would require an enormous commitment of resources and would demand an increase of 72 agents per 8-hour shift (assuming it would require approximately six agents to monitor an area equal to that which one tower system can monitor) to obtain an equal level of effectiveness as the proposed communications and surveillance tower systems. Additionally, new facilities would have to be constructed to accommodate the number of additional staff needed to patrol a given tower coverage area. The human resource and vehicular maintenance, coupled with the resulting depletion of resources, represented too great an environmental impact to be further considered as a reasonable alternative.

#### **2.4.4 Increased Aerial Reconnaissance/Operations**

Under this alternative, increased aerial reconnaissance would be used for surveillance in support of the stations. USBP would use fixed-wing aircraft and helicopters to perform reconnaissance and detection operations as well as to support ground patrols.

This alternative was eliminated from further consideration because it does not satisfy the purpose and need of the project. The purpose and need calls for a 24-hour, all-weather system for detection of illegal activities. Aerial reconnaissance/operations require highly skilled pilots, cannot be used on a 24-hour per day basis, and cannot operate under all weather conditions. Aerial reconnaissance/operations also have limited detection capabilities in difficult terrain such as deep ravines, at nighttime, and in thick vegetation.

Aerial reconnaissance/operations have limited use restrictions over or near military installations, national parks and monuments, wilderness areas, and near commercial airports. The FAA and/or Department of Defense also impose flight restrictions on

USBP operations missions over or near their facilities. Aerial reconnaissance/operations also have restricted flight patterns near endangered species or other sensitive wildlife habitats, at nighttime, and over Indian reservations and other sacred cultural sites.

Aerial reconnaissance/operations have proven to be an effective border enforcement strategy in some regions of the border. For example, aerial operations are effective in areas where the open terrain, low growing vegetation, and sandy soils allow IEs and signs of other illegal border traffic to be easily recognized from aircraft. Additionally, aerial reconnaissance/operations are useful to USBP agents when performing search and rescue missions and during vehicle pursuits. Due to their effectiveness in given situations and specific areas of the border, increasing aerial reconnaissance/operations may be an effective solution in other circumstances or to meet the purpose and need of other CBP activities. However, aerial reconnaissance does not satisfy the current purpose and need as stated herein, and thus, for this assessment, it was eliminated from further consideration.

## **2.5 SUMMARY**

The two alternatives analyzed further in this EA are the No Action Alternative and the Proposed Action Alternative. An alternative matrix (Table 2-3) shows how each of these alternatives satisfies the stated purpose and need. Table 2-4 presents a summary matrix of the impacts from the two project alternatives analyzed and how they potentially affect the environmental resources in the Region of Influence (ROI).

**Table 2-3. Alternative Matrix of Purpose and Need to Alternatives**

Purpose and Need	No Action Alternative	Proposed Action Alternative
Enhance USBP agents' ability to gain, maintain, and strengthen control of the border within proximity of the international boundary (international border to 25 miles inland).	○	●
Enhance border enforcement capabilities through the use of improved surveillance technology solutions.	○	●
Refine the detection, interception, and apprehension of undocumented aliens, smugglers, and terrorists through the application of surveillance technologies.	○	●
Reduce crime in border communities by the enhanced detection, apprehension, and deterrence of smugglers of humans, drugs, and other contraband.	○	●

Legend: ○ NO ● YES



**Table 2-4. Summary Matrix**

<b>Affected Environment</b>	<b>No Action Alternative</b>	<b>Proposed Action Alternative</b>
<b>Land Use</b>	No construction of towers and roads would occur so no direct impacts would occur. Illegal traffic would continue to impact and disturb existing land uses within the stations' AOs.	The Proposed Action would permanently impact approximately 1.5 acres of shrub and brush rangeland from the construction of all proposed new towers and roads. Beneficial impacts on existing land uses would be protected and enhanced through the reduction of illegal traffic.
<b>Geology and Soils</b>	No construction of towers and roads would occur so no direct impacts would occur. Illegal traffic would continue to impact and disturb soils within the stations' AOs.	Under the Proposed Action, geology would not be impacted by the construction of towers and access roads. Approximately 1.5 acres of soils would be permanently impacted by the construction of all proposed new towers and roads. Beneficial impacts on soils would occur through the reduction of IE traffic.
<b>Hydrology and Groundwater</b>	The No Action Alternative would have no impacts on surface or groundwater availability.	The Proposed Action construction of proposed towers and access roads would not substantially alter natural drainage patterns. Groundwater usage for all proposed new towers and road would use approximately 174,000 gallons and would be an insignificant impact on this resource.
<b>Surface Waters and Waters of the U.S.</b>	No construction of towers and roads would occur so no direct impacts would occur.	Under the Proposed Action, approximately 0.08 acre of jurisdictional Waters of the U.S. (WUS) would be impacted by the installation of all culverts and addition of fill materials. One proposed new tower site would impact three potential WUS.
<b>Floodplains</b>	The No Action Alternative would have no impacts on the 100-year floodplain.	The Proposed Action would not construct any towers and access roads within the 100-year floodplain and would not have any direct impacts on the water flow of major washes and drainages during heavy rain events. Therefore, the Proposed Action would not impact the 100-year floodplain.
<b>Vegetative Habitat</b>	No construction of towers and roads would occur so no direct impacts would occur. Although, IE activity that creates foot trails, damages vegetation, promotes the dispersal and establishment of invasive species, and can result in catastrophic wild fires would continue to occur.	Under the Proposed Action, a total of 1.5 acres of vegetation communities or disturbed and maintained vegetation would be permanently impacted and 5.8 acres would be temporarily impacted. The Proposed Action would result in indirect benefits on Chihuahuan Desert vegetation communities through the reduction of IE activity.

Table 2-4, continued

Affected Environment	No Action Alternative	Proposed Action Alternative
<b>Wildlife and Aquatic Resources</b>	Under the No Action Alternative, no direct impacts on wildlife habitats would occur. However, IE activity would continue to impact vegetation communities resulting in decreased suitability as wildlife habitat.	The Proposed Action would cause the permanent loss and degradation of 1.5 acres of Chihuahuan Desert vegetation or disturbed and maintained vegetation, but would have a minimal impact on wildlife. Although, there would be indirect beneficial impacts on wildlife by reducing the adverse impacts of IE activity. The proposed towers could potentially impact migratory birds, although the tower construction would follow USFWS guidelines to the maximum extent practicable, which would reduce these potential impacts.
<b>Protected Species and Critical Habitat</b>	No construction of towers and roads would occur so no direct impacts would occur. However, the impacts of IE activity on habitats throughout the Trans-Pecos region of the Chihuahuan Desert would continue to threaten endangered species and their habitats.	Under the Proposed Action, a total of 1.5 acres of Chihuahuan Desert vegetation communities would be lost or degraded. One tower site has habitat potentially suitable for the northern aplomado falcon. Two state-protected species observed near two of the tower sites could be avoided during construction activities. Although the state protected Texas horned lizard was observed at one tower site and that individual may be impacted, overall the species would not be impacted.
<b>Cultural Resources</b>	Under the No Action Alternative, no direct impacts on cultural resources would occur. However, IE traffic would continue to impact cultural resources within the area.	The Proposed Action would not diminish the location, design, setting, materials, workmanship, feeling, or association of the National Register of Historic Places (NRHP) districts nor impair any functioning aspect of the systems. Potential unidentified cultural resource sites located within the study area and regionally would receive increased protection from disturbance by IE traffic.
<b>Air Quality</b>	No construction of towers and roads would occur so no direct impacts would occur.	Under the Proposed Action, temporary and minor increases in air pollution would occur during construction activities. Tower operations would not cause air emissions to exceed <i>de minimis</i> levels.
<b>Socioeconomics</b>	Under the No Action Alternative, no direct impacts on socioeconomics would occur, however IE activities would continue to impact the socioeconomics within the area.	The Proposed Action would not cause any changes to local employment rates, poverty levels, or local incomes. Long term minimal beneficial socioeconomic impacts would be realized from the purchase of commercial electricity and propane.
<b>Noise</b>	Under the No Action Alternative, the noise receptors near the tower installations would not experience additional noise events.	Under the Proposed Action, during construction activities, a portion of residential properties, adjacent to three tower construction sites, may experience unacceptable noise levels. However, the noise emissions during construction are expected to be minor and of short term duration. During tower operations, the intermittent operations of the backup power generators could cause a minor temporary increase in noise levels. However, these impacts would be lessened through the use of sound muffling devices.

Table 2-4, continued

Affected Environment	No Action Alternative	Proposed Action Alternative
<b>Radio Frequency Environment</b>	No construction of towers and roads would occur so no direct impacts would occur.	Under the Proposed Action, the radio frequency (RF) environment created by the towers would not result in significant adverse effects on human health or safety or the natural and biological environment.
<b>Utilities and Infrastructure</b>	No construction of towers and roads would occur so no direct impacts on utilities, infrastructure, or fiber optic systems would occur.	The Proposed Action would cause minimal impact to local power grids, but no impact when assessed against electrical power consumption in the overall regional power grid.  No impacts to the local fiber optic system would occur, although the fiber optic installation to the new towers could potentially impact cultural resources. These impacts would be minimized by trenching for the fiber optic cable along access roads and through the use of a qualified archeological monitor near one tower site during trenching activities.
<b>Roadways and Traffic</b>	No construction of towers and roads would occur so no direct impacts would occur.	Under the Proposed Action, construction and staging for the access roads, foundations, and towers would create a minor short term impact on roadways and traffic within the project corridor. However, traffic patterns would return to normal conditions upon completion of construction.
<b>Aesthetic and Visual Resources</b>	Under the No Action Alternative, no direct impacts on aesthetics would occur. However, IE traffic would continue to impact overall aesthetics within the area.	The Proposed Action installation of the towers would detract from the visual resources of the proposed corridor. However, these infrastructure components would be located within agricultural areas and near existing stations and within fairly rural areas. Therefore, impacts to aesthetic quality of the area would be less than significant.
<b>Hazardous Waste</b>	Under the No Action Alternative, no direct impacts on solid and hazardous waste would occur. However, IE traffic would continue to impact cultural resources within the area.	The Proposed Action would not result in a significant exposure of the environment or public to any hazardous materials, however, some potential exists for petroleum, oil, and lubricants (POL) contamination during construction or site maintenance activities. Best management practices (BMPs) would be put in place to minimize any potential contamination at the proposed sites during construction and maintenance activities.
<b>Sustainability and Greening</b>	No construction of towers and roads would occur so no direct impacts would occur.	Under the Proposed Action, applicable Federal sustainability and greening practices would be implemented to the greatest extent practicable.

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**SECTION 3.0**  
***AFFECTED ENVIRONMENT AND CONSEQUENCES***





### **3.0 AFFECTED ENVIRONMENT AND CONSEQUENCES**

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#### **3.1 PRELIMINARY IMPACT SCOPING**

This section of the EA describes issues and environmental media that may be affected by this Proposed Action, describes the natural and human environment that exists, and the potential impacts of the No Action and Proposed Action as outlined in Section 2.0 of this document. The ROI for the tower project is the Texas counties of El Paso and Hudspeth. Only those parameters that have the potential to be affected by the Proposed Action are described, per CEQ guidance and NEPA regulation (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 corridor. Resources such as climate and Wild and Scenic Rivers are not addressed for the following reasons:

##### Climate

In El Paso County, the average annual rainfall is approximately 7.8 inches while in Hudspeth County average annual rainfall does not exceed 10 inches. Low humidity conditions exist in both counties and summer temperatures may rise above 100 degrees Fahrenheit (°F) for brief periods, although, the average high temperature is typically 94 °F in July. In El Paso County, the winters are mild with occasional light snows, although, such extremes as fourteen inches of snow and 8 °F below zero are on record. The climate in Hudspeth County is considered to be subtropical, arid, warm, and dry, with an average minimum winter temperature of 29 °F in January (Handbook of Texas Online 2001).

The climate would not be impacted by the construction and operation of the proposed towers.

### Wild and Scenic Rivers

There are no rivers designated as Wild and Scenic located within or near the Proposed Action area. Therefore, the Proposed Action would not affect any designated Wild and Scenic Rivers. The Rio Grande is designated as a Wild and Scenic River for 196 miles, but is not within, or near the project area (DHS 2006). The nearest proposed tower, EPT-YST-072, is approximately 0.7 mile north of the Rio Grande and would not be visible from the Rio Grande. The other proposed towers are generally located 1.3 to 2.5 miles north of the river. Given these distances from the tower sites in the Proposed Action to the Rio Grande, no adverse effects on the visual quality of the Rio Grande would occur from construction or operation of the towers.

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 No Action and Proposed Action alternatives may create temporary (lasting the duration of the project), short term (up to 3 years), long term (3 to 10 years following construction), or permanent impacts or effects. Significant impacts receive the greatest attention in the decision-making process. 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 or no 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 corridor. All impacts described below are considered to be adverse unless stated otherwise.

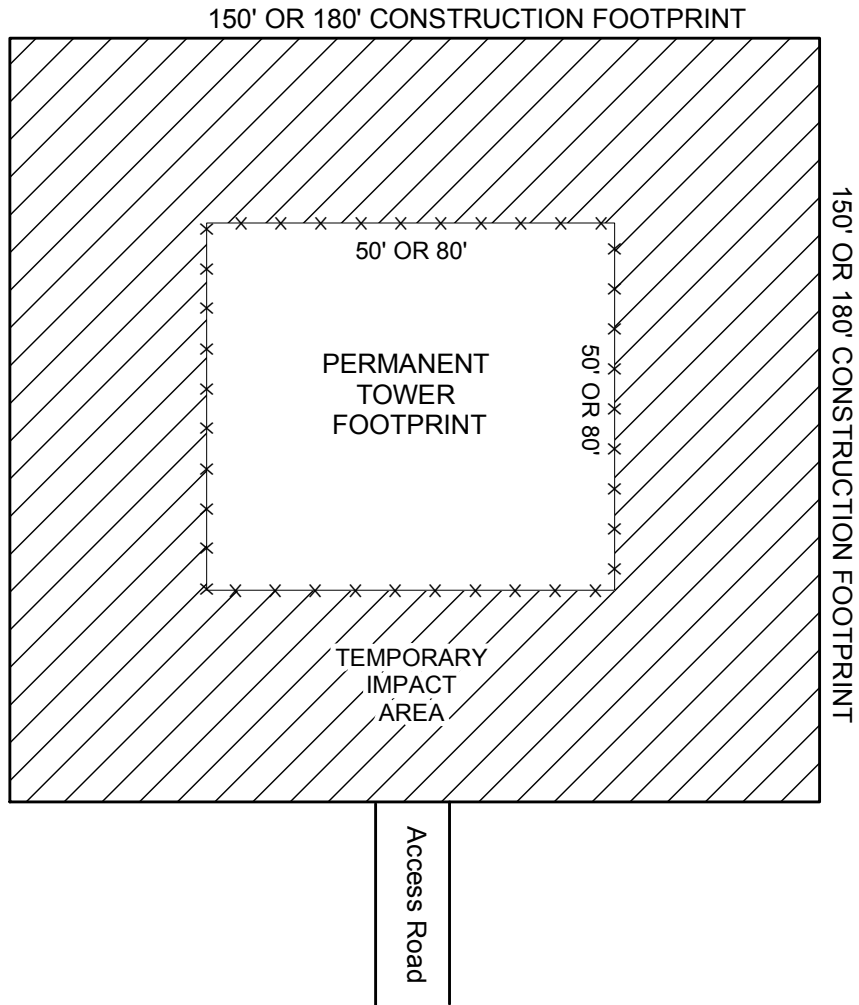


To clarify the discussion in this section, Table 3-1 presents the anticipated permanent and temporary impacts for the construction of the proposed new towers and access roads. Table 3-1 illustrates how these impacts would occur or were calculated.

**Table 3-1. Temporary and Permanent Impacts from the Proposed Action**

<b>Tower Name</b>	<b>Temporary Impacts (in acres)</b>	<b>Permanent Impacts (in acres)</b>
<b>EPT-EPS-065</b>	0.00	0.00
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.00	0.00
<b>EPT-YST-059</b>	0.46	0.06
Access road	<u>2.02</u>	<u>0.11</u>
Subtotal	2.48	0.17
<b>EPT-YST-066</b>	0.00	0.00
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.00	0.00
<b>EPT-YST-072</b>	0.23	0.06
Access road	<u>0.03</u>	<u>0.03</u>
Subtotal	0.26	0.09
<b>EPT-FBN-055</b>	0.00	0.00
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.00	0.00
<b>EPT-FBN-070</b>	0.60	0.15
Access road	<u>0.15</u>	<u>0.14</u>
Subtotal	0.75	0.29
<b>EPT-FBN-071</b>	0.46	0.06
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.46	0.06
<b>EPT-FHT-058</b>	0.46	0.06
Access road	<u>0.28</u>	<u>0.26</u>
Subtotal	0.74	0.32
<b>EPT-FHT-064</b>	0.60	0.15
Access road	<u>0.26</u>	<u>0.24</u>
Subtotal	0.86	0.38
<b>EPT-FHT-068</b>	0.46	0.06
Access road	<u>0.34</u>	<u>0.31</u>
Subtotal	0.80	0.37
<b>EPT-FHT-069</b>	0.46	0.06
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.46	0.06
<b>EPT-FHT-254</b>	0.00	0.00
Access road	<u>0.00</u>	<u>0.00</u>
Subtotal	0.00	0.00
<b>Total Impacts</b>	<b>6.8</b>	<b>1.5</b>

NOTE: includes previously disturbed acres



NOT TO SCALE

Figure 3-1: Typical Tower Impact Footprint

### 3.2 LAND USE

#### 3.2.1 Affected Environment

Land use for the project corridor area was discussed in the 2006 DHS PEA and is summarized below (DHS 2006). Land use was assessed using the U.S. Geological Survey (USGS) land cover/land use map (USGS 2006a) and is generally categorized as developed, agriculture, or natural. Nearly 20 percent of lands within 2006 DHS PEA study area of El Paso, Ysleta, Fabens, and Fort Hancock stations have been developed. Developed land use categories include commercial and services, industrial, mixed urban or built-up land, residential, strip mines, quarries and gravel pits, reservoirs, transportation, and communication and utilities. Developed land use areas are generally associated with the City of El Paso and the Texas SH 20 corridor. Agriculture is also an important land use in the region and accounts for 73 percent of the land use in the 2006 DHS PEA study area. Specific land use classifications categorized as agriculture include cropland and pasture; confined feeding operations; and orchards, groves, vineyards, nurseries and ornamental horticulture. Cotton, corn, and other crops are grown on irrigated lands adjacent to the Rio Grande. A general land use classification for each tower site, as determined during field surveys, is reported below in Table 3-2.

**Table 3-2. Land Use Classification for the Proposed Towers**

<b>Tower</b>	<b>Land Use</b>
EPT-EPS-065	Developed (existing CBP tower)
EPT-YST-059	Shrub and brush rangeland
EPT-YST-066	Developed (existing CBP tower)
EPT-YST-072	Agricultural (cropland and pasture)
EPT-FBN-055	Developed (existing CBP tower)
EPT-FBN-070	Shrub and brush rangeland
EPT-FBN-071	Residential (developed)
EPT-FHT-058	Shrub and brush rangeland
EPT-FHT-064	Shrub and brush rangeland
EPT-FHT-068	Shrub and brush rangeland
EPT-FHT-069	Developed (parking lot)
EPT-FHT-254	Agricultural (cropland and pasture) although planned on being developed into the new USBP Fort Hancock Station

Source: EComm 2007a and USGS 2006a.

### **3.2.2 Environmental Consequences**

#### ***3.2.2.1 No Action Alternative***

Under the No Action Alternative, illegal traffic would continue to impact and disturb existing land uses within the tower corridor area. Due to illegal pedestrian and vehicle traffic, urbanized areas and agricultural lands currently experience increased crime and damage to crops, respectively. The impact of illegal activities (especially drug trafficking) within the project area has a negative impact on residential and commercial land uses within the project area. The trampling and destruction of natural vegetation and agricultural crops from illegal pedestrian and vehicular traffic would continue to have an adverse impact on agricultural land uses in the study area (DHS 2006).

#### ***3.2.2.2 Proposed Action Alternative***

Existing land uses, such as agricultural operations, would be protected from continued and potentially increasing disruption by IE traffic with implementation of the Proposed Action; therefore, the Proposed Action would provide a beneficial impact relative to the No Action Alternative. The construction of the towers and access roads would permanently convert 1.5 acres for all proposed new towers and roads from their current use to CBP enforcement activities. Nearly all of the proposed towers in this project would occur in or near developed or agricultural areas (*i.e.*, adjacent to the City of El Paso, along maintained irrigation levees, or on existing roads). The majority of the towers would be constructed along irrigation ditches and existing levee roads. Given the vast amount of agricultural and rangeland in the region, the loss of 1.5 acres would be considered insignificant.

### **3.3 GEOLOGY AND SOILS**

#### **3.3.1 Geology**

Geological resources include physical surface and subsurface features of the earth such as geological formations, and the seismic activity of the area. During the middle Tertiary Period of the Cenozoic Era, a major episode in the geologic development of Trans-Pecos Texas occurred in which a series of elongate, north and northwest

trending, fault-bounded basins formed along with intervening highlands (ranges), such as the Hueco Basin near El Paso and the Salt and Presidio basins farther east and south. Recent seismic activity is evident along the margins of the larger basins. In 1931 the largest earthquake in historical times in Texas, approximately 6.0 on the Richter scale, was produced by a sudden rupture along one of these faults near El Paso (Handbook of Texas Online 2001). The second largest earthquake in Texas, measured at 5.7, occurred in 1995 with an epicenter located approximately 200 miles southeast of the project area in Alpine, north of the Big Bend, Texas area (USGS 2006b). Overall, significant seismic activity is considered to be somewhat unusual in Texas (USGS 2006b).

Other landforms located within the region, include alluvial fan piedmonts, interfan valleys, and rock pediments along the flanks of mountains, and interior basin floors of fine-grained alluvial and aeolian sediments with small playa depressions and extensive alluvial flats (EComm 2007a).

### **3.3.2 Soils**

Soil surveys, general soil maps, and individual soil maps from the NRCS were reviewed for El Paso and Hudspeth counties in the 2006 DHS PEA and this information is incorporated herein by reference (DHS 2006). In summary, within the proposed area of El Paso County, there are three soil associations, comprised of several corresponding soil types. These associations include:

- the Delnorte-Canutio association;
- the Harkey-Glendale association; and
- the Igneous rock land-Limestone rock land association.

The largest association in El Paso County, the Harkey-Glendale, is typically described as a deep, nearly level soil with loamy sand to silty very fine sand to silty clay as the underlying material. Most of this association is utilized as irrigated farmland while a small percentage is associated with residential or commercial land uses (DHS 2006).

The Delnorte-Canutio association is the second largest soil covering in El Paso County and can be classified as shallow, nearly level to steep soils that are underlain with caliche or are gravelly throughout (DHS 2006).

The Igneous rock land-Limestone rock land association covers less than 1 percent of the study area and is located on the face of the Franklin Mountains. It is characterized as igneous and limestone rock (DHS 2006).

There are also three general soil associations in Hudspeth County within the proposed tower corridor and include:

- the Harkey-Glendale association;
- the Nickel-Delnorte-Canutio association; and
- the Wink-Hueco-Bluepoint association.

Much like in El Paso County, these soils can be grouped by their relative topography: floodplains/terraces, broad plains, valleys, and summit and side slopes. Due to the lack of soil unit map data, an accurate list of each soil unit occurring in Hudspeth County could not be obtained. However, it is expected that soils are similar in type to El Paso County, particularly where the Harkey-Glendale association is present in the Rio Grande floodplain. No data are available for soil units that occur within the Nickel-Delnorte-Canutio or the Wink-Hueco-Bluepoint associations. However, it is also expected that these would be comparable to the soil units that occur in the Delnorte-Canutio association in El Paso County (DHS 2006).

### **Prime Farmland**

Prime farmland is protected under the Farmland Protection Policy Act of 1980 and 1995 (FPPA). The FPPA's purpose is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to non-agricultural uses. As required by Section 1541(b) of Act, 7 USC 4202(b), Federal agencies are, (a) to use the criteria to identify and take into account the adverse effects of their programs on the preservation of farmland; (b) to consider alternative actions, as appropriate, that

could lessen adverse effects; and (c) to ensure that their programs, to the extent practicable, are compatible with state and local governments and private programs and policies to protect farmland.

The 2006 DHS PEA reported that no prime farmland exists within El Paso or Hudspeth counties and that even irrigated farmland in production fails to meet prime farmland criteria due to high salinity water quality standards (DHS 2006).

### **3.3.3 Environmental Consequences**

#### **3.3.3.1 No Action Alternative**

##### *Geology*

With the implementation of the No Action Alternative, there would be no direct impacts on the geology of the project area because no towers would be installed.

##### *Soils*

With the implementation of the No Action Alternative, there would be no direct impacts on soils because no towers would be installed. The continuation of illegal traffic and consequent enforcement activities primarily utilizing vehicles would continue to have adverse impacts on soils (*i.e.*, erosion) in the proposed area as currently experienced.

#### **3.3.3.2 Proposed Action Alternative**

##### *Geology*

The Proposed Action involves only disturbances of topsoil layers, and somewhat deeper in the case of SS towers. During construction activities, any holes or excavations for either perimeter fence posts or towers would impact an area no larger than an approximately 38-square-foot area for the three piers on the larger SS towers, and as such would not substantially alter the geology of the region. Additionally, all roads proposed within the tower corridor would be located in predominately alluvial material and would, therefore, not require substantial modifications to the area's topography (*i.e.*, road cuts). Although there is seismic activity in the project area, overall seismic activity

in Texas is considered unusual; therefore, seismicity is not likely to affect the tower sites or would not be affected by the towers.

### *Soils*

The construction of the proposed towers and access roads would permanently impact approximately 1.5 acres of soils and temporarily impact approximately 6.8 acres of soil. The majority of the soils potentially impacted would be in the Harkey-Glendale Association and most of the proposed towers would be located in areas where soils have been previously disturbed (*i.e.*, access and farm roads). Although these impacts would be long term, they would be minor when examined on a regional scale, due to the small amount of soils lost relative to the quantity of the same soils regionally. Furthermore, existing roads and previously disturbed areas would be used to the fullest extent possible, thus, reducing potential impacts to soils within the area. As there are no prime farmlands or farmlands of statewide importance within the proposed area, no consultation with NRCS would be required.

## **3.4 HYDROLOGY AND GROUNDWATER**

### **3.4.1 Affected Environment**

The water resources within the project region were described in detail in the 2006 DHS PEA, and those discussions are incorporated herein by reference. Briefly, the Rio Grande aquifer system underlies the study area as well as a majority of southeastern New Mexico and west Texas, and is the principal aquifer of southern Colorado, central New Mexico, and western Texas. Recharge to the Rio Grande aquifer system primarily originates as precipitation in the mountainous areas of Colorado. Irrigation-return recharge is also an important component in the areas of extensively irrigated agriculture near El Paso. Groundwater is discharged from the Rio Grande aquifer system through evapotranspiration, withdrawal from wells and drains, discharge to stream flow, and underflow from one basin to another (DHS 2006).



The Hueco Basin includes a closed basin immediately east of the Franklin Mountains and an open basin underlying the Rio Grande from just below El Paso to Fort Hancock (Ryder 1996). Although the closed basin is rapidly recharged by stormwater runoff, water level declines have been large near the municipal well fields of El Paso and Ciudad Juárez, Mexico. The open portion of the basin is within the study area of the eastern El Paso, Ysleta, and Fabens stations' AOs, and the northwestern half of Fort Hancock station AO. Although some fresh water is available within the aquifer near El Paso, the salinity of groundwater increases rapidly toward the southeast. The saline groundwater below El Paso is used for livestock watering and irrigation agriculture in the Ysleta, Fabens, and Fort Hancock stations' AOs.

Tower sites EPT-FHT-068 and EPT-FHT-069 have water wells approximately 300 feet to 1300 feet away from the tower sites, respectively. Both wells were drilled in the early to mid 1990s and these water wells encountered free water between 21 feet and 71 feet bgs. No wells are known to be in close proximity to the other seven tower sites.

### **3.4.2 Environmental Consequences**

#### ***3.4.2.1 No Action Alternative***

Illegal traffic and USBP operations within the Rio Grande Basin have little or no effect on surface and groundwater availability. Furthermore, the No Action Alternative would not require the use of water because there would be no construction. Therefore, the No Action Alternative would have no impacts on surface or groundwater availability or quality.

#### ***3.4.2.2 Proposed Action Alternative***

Under the Proposed Action, water would be required for pouring concrete during installation of the SS towers, equipment pads, and fences, and watering of road surfaces to minimize fugitive dust. Volumes were estimated for dust suppression for new and improved access road construction using a value of 325,851 gallons per mile of road. Water calculations for the perimeter fence construction for all nine new towers also used 325,851 gallons per mile of fence. Additionally, the water required for the

installation of the SS tower piers used estimates based on a 2-foot pier radius with a depth of 30 feet and water refill occurring 3 times. These calculations yielded a volume of water needed for construction of all new towers, perimeter fencing, and new access roads of approximately 174,000 gallons, and is insignificant compared to the volume used annually for municipal, agricultural, and industrial purposes. In comparison, in 2002, the El Paso area used approximately 20.4 billion gallons of groundwater pumped from the Hueco and Mesilla Basins (El Paso Water Utilities Public Service Board 2004).

Water not lost to evaporation during watering of road surfaces during construction would potentially contribute minimally to aquifer recharge through downward seepage. The construction of proposed towers and access roads would not substantially alter natural drainage patterns. New access roads would be surfaced with gravel. Therefore, little impermeable surface would be created as a result of the construction of the new towers and roads and thus, would not interfere with groundwater recharge.

### **3.5 SURFACE WATERS AND WATERS OF THE U.S.**

#### **3.5.1 Affected Environment**

##### ***3.5.1.1 Surface Waters***

Major surface water systems or resources within the project area include intermittent and ephemeral streams, drainage ditches, and the Rio Grande, and comprise the surface hydrology of the Rio Grande-Fort Quitman watershed. This watershed encompasses a 1,780 square mile area of the Rio Grande Basin drainage from the junction of the Mexico, New Mexico, and Texas international boundary to near Fort Quitman, Texas. Besides the Rio Grande, surface waters are primarily ephemeral drainages originating from the slopes of nearby mountains and hills. Numerous irrigation canals, ditches and drains are present within the project corridor and primarily support agricultural uses. Irrigation mainly occurs in Hudspeth County for crops, including alfalfa, hay, and peppers (DHS 2006).

The CWA, Sections 301-320, establishes standards and enforcement guidelines for the protection of water quality. If a waterbody should become polluted to the extent that it is

not suitable for its designated use, TCEQ is required to list this waterbody as impaired under Section 303(d) of the CWA. The Rio Grande below the international dam is within the Rio Grande basin, and is listed as an area of concern for water quality screening levels for general use support. The nutrient screening parameters of concern are specifically for nitrate and total phosphorus levels (TCEQ 2006a). All other constituents and levels for this segment of the Rio Grande are fully supporting aquatic use, general use, and recreational use for the waterbody. The nitrate and total phosphorus levels of concern are generally considered to be attributed to non-point sources from outside state jurisdiction or borders, and from urban run-off and/or storm sewer discharges.

Surface water resources in the proposed tower corridor area (including irrigation canals and ephemeral drainages) are shown in Figure 3-2. Seven of the tower sites would require the installation of culverts to allow for drainage of washes or ditches across access roads. EPT-YST-059 would require a culvert as the access road from U.S. 62/180 crosses the roadside ditch to the tower site. EPT-YST-072 would require a culvert at the intersection of the blacktop road and the access road. EPT-FBN-070 would require a culvert as the access road from I-10 crosses the roadside ditch to the tower site. EPT-FHT-058 would require a culvert as the access road from I-10 crosses the roadside ditch to the tower site. EPT-FHT-064 would require a culvert as the access road from I-10 crosses the roadside ditch to the tower site. EPT-FHT-068 would require three culverts as the access road crosses several small washes to the tower site and is discussed further in Section 3.5.1.2. EPT-FHT-069 would require two culverts to control stormwater runoff and any possible water tank releases from the nearby community water tank which is located approximately 100 feet north of the tower site. TXDOT would be consulted prior to culvert installation within or near highway easements.

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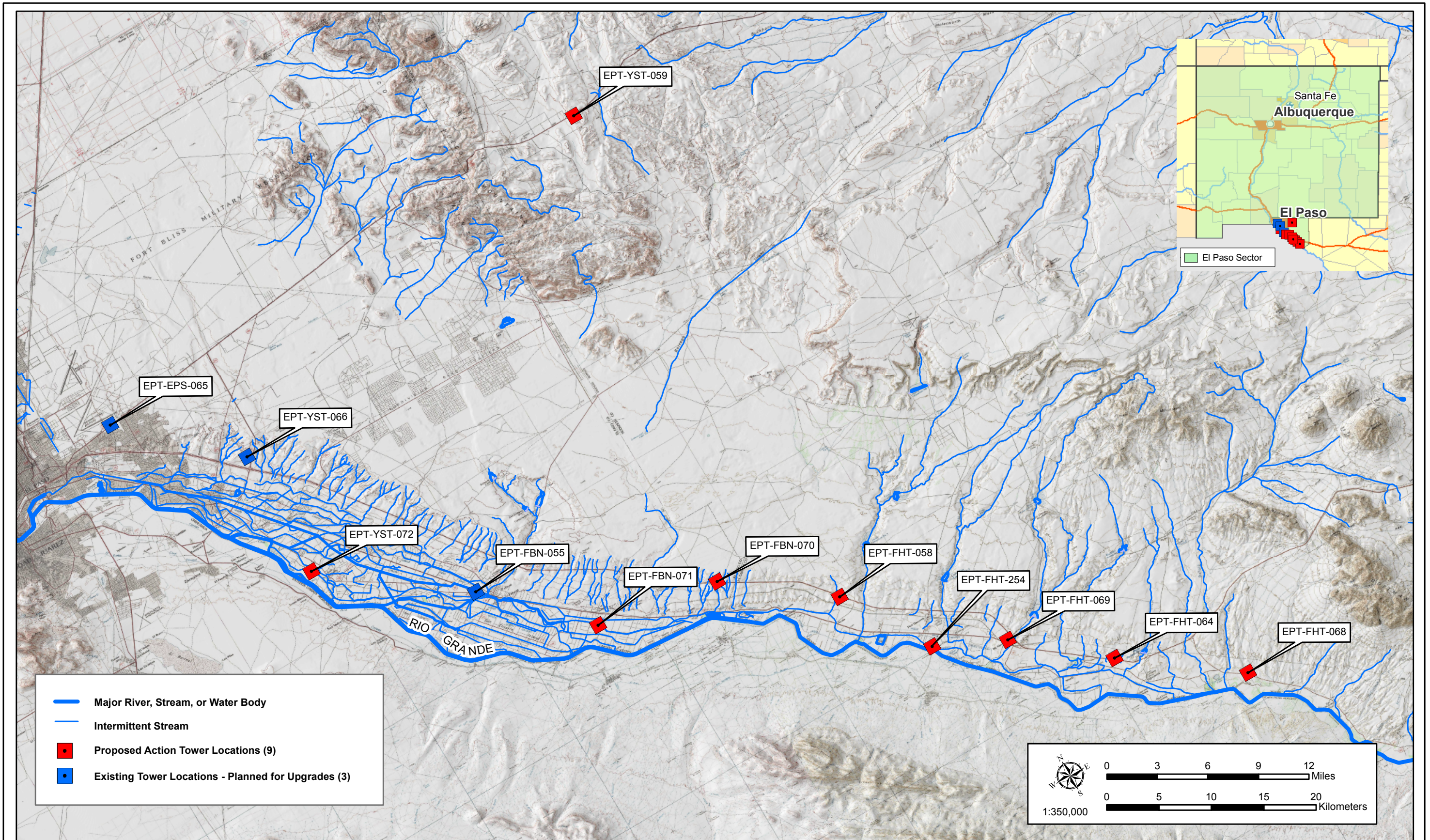


Figure 3-2: Major Surface Waterbodies

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### ***3.5.1.2 Waters of the U.S. and Wetlands***

A general discussion of Waters of the U.S. (WUS) and wetlands was presented in the 2006 DHS PEA, and is incorporated herein by reference (DHS 2006). In summary, activities that result in the dredging or filling of WUS, including wetlands, are regulated under Section 404 of the CWA. The U.S. Army Corps of Engineers (USACE) has established Nationwide Permits (NWP) to efficiently authorize common activities, which do not significantly impact WUS, including wetlands. Within the region, the Rio Grande and its tributaries are jurisdictional WUS and the USACE authorizes construction permits under a NWP or individual permits.

Three washes located at proposed tower site EPT-FHT-068 have the potential to be considered jurisdictional WUS (EComm 2007a). For these three WUS, impacts associated with access road construction and culvert placement would be covered under a NWP14 (for linear transportation). The drainages located at proposed tower site EPT-FHT-069 convey stormwater runoff and water releases from a community water tank and would not be considered WUS. Additionally, all other drainages and roadside ditches within the project area are considered to be non-jurisdictional.

## **3.5.2 Environmental Consequences**

### ***3.5.2.1 No Action Alternative***

Under the No Action Alternative, surface waters and WUS would not be impacted, since no construction would occur.

### ***3.5.2.2 Proposed Action Alternative***

With the implementation of the Proposed Action, three potential jurisdictional WUS would be impacted at the proposed tower site EPT-FHT-068. Impacts on potential WUS for all washes within the project tower area would total 0.08 acre, less than the maximum threshold established for a NWP14 (for linear transportation). Therefore, construction would be authorized under a NWP14 and a preconstruction notice would not be required.

## **3.6 FLOODPLAINS**

### **3.6.1 Affected Environment**

Tower sites are generally chosen for their higher elevation compared to the surrounding topography to allow for greater LOS to other towers to maximize the tower's communications and surveillance capabilities; therefore, towers are usually located outside of floodplain areas. However, the 100-year floodplain can occur far from low-lying areas along washes and major drainages that flow to the Rio Grande. All tower sites were evaluated using the most recent Federal Emergency Management Agency (FEMA) floodplain data available. El Paso County data are from 1996 Q3 GIS Flood data, while Hudspeth County FEMA on-line maps dated 1985 were used (FEMA 1985 and 1996). All 12 tower sites are located outside of the 100-year floodplain.

### **3.6.2 Environmental Consequences**

#### ***3.6.2.1 No Action Alternative***

Under the No Action Alternative, the proposed tower sites would not be used. Construction of access roads, towers, foundations, and associated buildings would not occur. Therefore, there would be no impacts on the 100-year floodplain.

#### ***3.6.2.2 Proposed Action Alternative***

None of the proposed tower sites are within the 100-year floodplain and would not have any direct impacts on the water flow of major washes and drainages during heavy rain events. Therefore, compliance with EO 11988, Floodplain Management, would be achieved.

## **3.7 VEGETATIVE HABITAT**

### **3.7.1 Affected Environment**

The vegetation communities within the project tower corridor were discussed in detail in the 2006 DHS PEA, and those discussions are incorporated herein by reference (DHS 2006). Briefly, the region is located at the northeastern edge of the Chihuahuan Desert biome (Brown 1994). The vegetation of the Chihuahuan Desert is shrub dominated,



with stem and leaf succulents being common. Two major subdivisions of the desert occur in the region: Chihuahuan Desertscrub and Chihuahuan Semidesert Grassland (DHS 2006).

The majority of the Chihuahuan Desertscrub is dominated by creosote (*Larrea tridentatae*), tarbush (*Flourensia ternua*) or whitethorn acacia (*Acacia neovernicosa*). At its lowest elevations, the Chihuahuan Desertscrub community may include saltbushes (*Atriplex* spp.) or open stands of mesquite (*Prosopis glandulosa var. torreyana*) (DHS 2006).

Grasses characteristic of the Chihuahuan Semidesert Grassland community are tobosa (*Hilaria mutica*), black grama (*Bouteloua eriopoda*), hairy tridens (*Tridens pilosus*) and fluffgrass (*T. pulchellus*); the latter two are common to abundant in heavily grazed or disturbed areas. Many of the stem and leaf succulents found in the lower Chihuahuan Desertscrub community are characteristic of the Chihuahuan Semidesert Grassland community, including the stools (*Sotol* spp.), beargrasses (*Nolina* spp.), agaves (*Agave* spp.), and yuccas (*Yucca* spp.), especially soap tree yucca (*Y. elata*) (DHS 2006). Additionally, scattered sand prickly pear cacti (*Opuntia arenaria*) were observed during the October and November 2007 site surveys of EPT-YST-059 (EComm 2007a).

## **3.7.2 Environmental Consequences**

### ***3.7.2.1 No Action Alternative***

Under the No Action Alternative, vegetation communities of the Chihuahuan Desert would continue to be impacted by IE activity that creates trails, damages vegetation, promotes the dispersal and establishment of invasive species, and can result in catastrophic wild fires. No direct impact would occur under the No Action Alternative, as no construction would be conducted.

**3.7.2.2 Proposed Action Alternative**

A total of approximately 1 acre of vegetation communities characteristic of the Chihuahuan Desert biome would be permanently impacted by the Proposed Action. Additionally, 0.46 acre of disturbed or maintained vegetation would be impacted for a total of approximately 1.5 permanent impacts. Additionally, temporary impacts on approximately 5.8 acres of desert scrub and disturbed or maintained vegetation communities would be temporarily impacted during construction of the towers (Table 3-3). These vegetation community types are common throughout the Chihuahuan Desert biome. Loss and degradation resulting from the Proposed Action would have a minimal effect on the abundance, distribution, and health of the Chihuahuan Desert Biome.

**Table 3-3. Proposed Action Permanent and Temporary Impacts to Vegetation**

Station	Tower	Vegetation Community	Permanent Impacts (acre)	Temporary Impacts (acre)
El Paso	EPT-EPS-065	Disturbed or Maintained	0	0
	<b>subtotal</b>		0	0
Ysleta	EPT-YST-072	Disturbed or Maintained	0.09	0.26
	EPT-YST-066	Disturbed or Maintained	0	0
	EPT-YST-059	Disturbed or Maintained	0.17	2.48
	<b>subtotal</b>		0.26	2.74
Fabens	EPT-FBN-071	Disturbed or Maintained	0.20	0.61
	EPT-FBN-070	Chihuahuan Desertscrub	0	0
	EPT-FBN-055	Disturbed or Maintained	0	0
	<b>subtotal</b>		0.20	0.61
Fort Hancock	EPT-FHT-254	Disturbed or Maintained	0	0
	EPT-FHT-069	Disturbed or Maintained	0	0
	EPT-FHT-068	Chihuahuan Desertscrub	0.37	0.80
	EPT-FHT-064	Chihuahuan Desertscrub	0.30	0.92
	EPT-FHT-058	Chihuahuan Desertscrub	0.32	0.74
	<b>subtotal</b>		0.99	2.46
<b>Total</b>			<b>1.5</b>	<b>5.8</b>

Note: Impacts include access roads, but does not include existing developed/disturbed areas

Additionally, deployment of UGS could potentially disturb vegetative habitat; however, to minimize any potential impacts, USBP would follow standard and customary practices and procedures by placing UGS in previously disturbed areas, near known illegal traffic areas, and avoid impacts on sensitive species.

## **3.8 WILDLIFE AND AQUATIC RESOURCES**

### **3.8.1 Affected Environment**

The wildlife resources within the project corridor area were discussed in detail in the 2006 DHS PEA, and those discussions are incorporated herein by reference (DHS 2006). The various wildlife resources discussed in the 2006 DHS PEA are summarized in the following sections.

#### **3.8.1.1 Mammals**

Large hooved mammals likely to occur in the study region include collared peccary (*Tayassu tajacu*), and pronghorn (*Antilocapra americana*) (TPWD 2005). Carnivore species likely to occur within the region include coyote (*Canis latrans*), kit fox (*Vulpes velox*), grey fox (*Urocyon cinereoargenteus*), ringtail (*Bassariscus astutus*), and raccoon (*Procyon lotor*) (Burt and Grossenheider 1976). Rodents make up the largest order of mammals that occur in the area and include: Mexican ground squirrel (*Spermophilus mexicanus*), Botta's pocket gopher (*Thomomys bottae*), desert pocket gopher (*Geomys arenarius*), kangaroo rat (*Dipodomys* spp.) and approximately 17 species of mice and rats (American Society of Mammalogists 1999). Hares and rabbits commonly seen in the study corridor include black-tailed jackrabbit (*Lepus californicus*) and desert cottontail (*Sylvilagus auduboni*) (American Society of Mammalogists 1999). No mammals were observed during the October and November 2007 site surveys (EComm 2007a).

#### **3.8.1.2 Birds**

A variety of habitats contribute to the diverse and complex avifauna of the Trans-Pecos. A total of 505 species of birds have been observed in the region, which is 81 percent of the total bird species known to occur in Texas (DHS 2006). Bird species expected to occur in the study area include the red-tailed hawk (*Buteo jamaicensis*), Swainson's hawk (*Buteo swainsoni*), Gambel's quail (*Callipepla gambelii*), scaled quail (*Callipepla squamata*), rock dove (*Columba livia*), common ground-dove (*Columbina passerina*), cactus wren (*Campylorhynchus brunneicapillus*), great-tailed grackle (*Quiscalus*

*mexicanus*), and numerous passerine species (DHS 2006). A Montezuma quail was observed in flight during the October 2007 site survey of EPT-FHT-069 (EComm 2007a).

There is a possibility that the proposed surveillance and communication towers could pose hazards for migratory birds; however, since the both the RDT and SS towers do not use guy wires and USFWS (2000) guidelines for tower lighting would be utilized, the potential is greatly reduced.

### **3.8.1.3 Amphibians and Reptiles**

Common reptiles include many lizard species, such as whiptail lizards (*Aspidoscelis* spp.), side-blotched lizard (*Uta stansburiana*), Texas banded gecko (*Colonyx brevis*), greater earless lizard (*Cophosaurus texanus*), round tailed horned lizard (*Phrynosoma modestum*), ornate tree lizard (*Urosaurus ornata*), and several species of spiny lizards (*Sceloporus* spp.). Appropriate habitat is present for approximately 30 species of snakes within study area, including western diamondback rattlesnake (*Crotalus atrox*), prairie rattlesnake (*Crotalus viridis*), glossy snake (*Arizona elegans*), Sonoran gopher snake (*Pituophis melanoleucus*), Trans-Pecos ratsnake (*Bogertophis subocularis*), western ground snake (*Sonora semiannulata*), and night snake (*Hypsiglena torquata*) (Stebbins 2003). The desert box turtle (*Terrepene ornate luteola*) is also found in the Chihuahuan Desertscrub and Chihuahuan Semidesert Grassland communities (DHS 2006). A Texas horned lizard (*Phrynosoma cornutum*) was observed during the October and November 2007 site survey of EPT-FHT-064 (EComm 2007a).

## **3.8.2 Environmental Consequences**

### **3.8.2.1 No Action Alternative**

Under the No Action Alternative, no direct impacts on wildlife habitats would occur. However, IE activity would continue to impact vegetation communities resulting in decreased suitability as wildlife habitat.

### ***3.8.2.2 Proposed Action Alternative***

The permanent loss of 1.5 acres and temporary degradation of 5.8 acres of Chihuahuan Desert vegetation communities would have a minimal impact on wildlife. Although a few less motile animals (e.g., toads, horned lizards) could be harmed or lost during construction activities, most wildlife would avoid harm from construction activities as they are likely to retreat to surrounding habitat. USBP operational needs may make it necessary to light the towers, which may potentially cause nighttime impacts on wildlife. These impacts can be reduced by following the USFWS interim guidelines designed to reduce impacts on migratory birds through the installation of white or red strobe lights (USFWS 2000). If lights are utilized, bats could potentially be positively impacted by a possible increase in insects near the lighted towers. Therefore, the Proposed Action is not anticipated to have a significant impact on the sustainability of the wildlife populations in the region.

Maintenance of access roads and towers would cause temporary short term disturbances of wildlife; however, no significant losses of wildlife population due to operation and maintenance of the towers would be expected. The Proposed Action could result in indirect beneficial impacts on wildlife by reducing the adverse impacts of IE activity on the regional wildlife habitat.

## **3.9 THREATENED AND ENDANGERED SPECIES**

The ESA was enacted to provide a program for the preservation of endangered and threatened species and to provide protection for the ecosystems upon which these species depend for their survival. All Federal agencies are required to implement protection programs for designated species and to use their authorities to further the purposes of the act. Responsibility for the identification of a threatened or endangered species and development of any potential recovery plan lies with the Secretary of the Interior and the Secretary of Commerce (marine species).

The responsibilities and processes of the ESA were discussed in the 2006 DHS PEA, and those discussions are incorporated herein by reference (DHS 2006). In summary, the USFWS is the primary agency responsible for implementing the ESA, and is responsible for birds and other terrestrial and freshwater species. The USFWS has identified species that are listed as threatened or endangered, as well as candidates for listing as a result of identified threats to their continued existence. Although not protected by the ESA, candidate species may be protected under other Federal or state laws.

### 3.9.1 Federal

A total of nine Federally endangered, threatened, proposed threatened, and candidate species occur in El Paso and Hudspeth Counties (USFWS 2006a). Of the nine, seven species are listed as endangered, one as threatened, and one as a candidate species (Table 3-4). A detailed description of habitat requirements for Federally protected species potentially occurring in the study area is provided in the 2006 DHS PEA and the EComm (2007a) natural resources survey report found in Appendix E. These species are briefly described in the following paragraphs.

**Table 3-4. Federally Listed, Proposed, and Candidate Species Potentially Occurring within El Paso and Hudspeth Counties, Texas**

Common Name	Scientific Name	Listing Status	Habitat Requirements	County
Interior least tern	<i>Sterna antillarum athalassos</i>	E	Nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony.	El Paso
Mexican spotted owl	<i>Strix occidentalis lucida</i>	T	Remote, shaded canyons of coniferous mountain woodlands (pine and fir); nocturnal predator of mostly small rodents and insects; day roosts in densely vegetated trees, rocky areas, or caves.	El Paso, Hudspeth

Table 3-4, continued

Common Name	Scientific Name	Listing Status	Habitat Requirements	County
Northern aplomado falcon	<i>Falco femoralis septentrionalis</i>	E	Open country, especially savanna and open woodland, sometimes in barren areas; grassy plains and valleys with scattered mesquite, yucca and cactus; nests in old stick nests of other bird species.	El Paso, Hudspeth
Southwestern willow flycatcher	<i>Empidonax traillii</i>	E	Thickets of willow, cottonwood, mesquite, and other species along desert streams.	El Paso, Hudspeth
Western yellow-billed cuckoo	<i>Coccyzus americanus</i>	C	Breeds in riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; deciduous woodlands with cottonwoods and willows; dense understory foliage is important for nest site selection; nests in willow, mesquite, cottonwood, and hackberry; forages in similar riparian woodlands; breeding season mid-May-late Sept.	El Paso, Hudspeth
Rio Grande silvery minnow	<i>Hybognathus amarus</i>	E	Extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves.	El Paso, Hudspeth
Black-footed ferret	<i>Mustela nigripes</i>	E	Extirpated; inhabited prairie dog towns in the general area.	El Paso, Hudspeth
Gray wolf	<i>Canis lupis</i>	E	Extirpated; formerly known throughout the western two-thirds of state in forests, brushlands, or grasslands.	El Paso, Hudspeth
Sneed pincushion cactus	<i>Coryphantha sneedii</i>	E	Dry limestone outcrops on rocky slopes in desert mountains of the Chihuahuan Desert; flowering April-September (peak season in April)	El Paso

**Legend:** E – Endangered T – Threatened C – Candidate

**Source:** USFWS 2006a. (Last Updated May 2007), EComm 2007a

The proposed tower sites and surrounding areas were surveyed for Federally protected species and suitable habitat by EComm in 2007 (EComm 2007a). The only Federally protected species for which potential habitat occurs within the area of the proposed new tower construction is the northern aplomado falcon (*Falco femoralis septentrionalis*). The northern aplomado falcon prefers habitat in open woodland or savannah, but is also known to utilize grassy plains and valleys with scattered mesquite, yucca, and cactus.

However, the aplomado falcon is no longer extirpated in the Trans-Pecos region due to reintroduction efforts and subsequent sightings (USFWS 2008).

Riparian areas potentially supporting the southwestern willow flycatcher (*Empidonax traillii*) were observed within 100 and 350 feet of proposed tower sites EPT-FHT-064 and EPT-FBN-070, respectively. The southwestern willow flycatcher occurs in riparian habitats with dense growths of willows (*Salix* spp.), marsh broom (*Baccharis* spp.), arrowweed (*Pluchea* spp.), buttonbush (*Cephalanthus* spp.), tamarisk (*Tamarix* spp.), Russian olive (*Eleagnus* spp.), and often with a scattered overstory of cottonwood (*Populus deltoides*). However, neither the falcon nor the flycatcher was observed during the recent 2007 surveys (EComm 2007a).

The interior least tern (*Sterna antillarum athalassos*) nests on sandbars and islands adjacent to the Rio Grande and other large rivers. The Mexican spotted owl (*Strix occidentalis lucida*) occurs in disjunctive localities that correspond to isolated mountain systems and canyons. Yellow-billed cuckoos (*Coccyzus americanus*) are restricted in their distribution to large, continuous blocks of mature cottonwood/willow riparian habitat, and have one of the most restrictive macro-habitat requirements of any bird species. The Sneed pincushion cactus (*Coryphantha sneedii*) grows in dry limestone outcrops on rocky slopes in Chihuahuan Desert mountains.

### **3.9.1.1 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. There are no designated critical habitats within the proposed project corridor area (USFWS 2006b).

### **3.9.1.2 State Sensitive Species**

In 1973, the Texas legislature authorized the TPWD to establish a list of endangered animals for the state. State endangered species are defined as those species which TPWD has named as being threatened with statewide extinction. Threatened species are those species which are likely to become endangered in the near future (TPWD



2007). In 1988, the Texas legislature authorized the TPWD to establish a list of threatened and endangered plant species for the state. An endangered plant is one that is in danger of extinction throughout all or a significant portion of its range, and a threatened plant is one which is likely to become endangered in the near future (TPWD 2007). A complete list of protected species, as well as species that TPWD consider rare, but have no regulatory status, and a description of their preferred habitats is provided 2006 DHS PEA; that information is incorporated herein by reference (DHS 2006).

The only species listed as threatened or endangered by the TPWD for which suitable habitat is found in the vicinity of five of the nine proposed tower sites is the Texas horned lizard. This species prefers open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees on sandy to rocky soils. Potentially suitable habitat for this species was observed at EPT-FBN-070, EPT-FHT-064, EPT-FHT-068, and is likely to occur at EPT-YST-059, and EPT-FHT-058. Scattered sand prickly pear cacti, a TPWD species of concern, were observed adjacent to the existing path and within and around the area around tower site EPT-YST-059.

### **3.9.2 Environmental Consequences**

#### ***3.9.2.1 No Action Alternative***

Under the No Action Alternative there would be no direct impacts on endangered species or their habitats. However, adverse impacts from IE activity to threatened and endangered species and their habitat throughout the Trans-Pecos region would continue. IE activity that creates trails, damages vegetation, promotes the dispersal and establishment of invasive species, and can result in catastrophic wild fires would continue to have an indirect adverse impact on threatened and endangered species by causing harm to individuals and degrading habitats occupied by these species.

#### ***3.9.2.2 Proposed Action Alternative***

Although the Chihuahuan Semidesert Grassland vegetation community at tower site EPT-YST-059 is potentially suitable for the northern aplomado falcon, the area around

this site lacks woodland and savannah vegetation communities preferred by this species. Based on GIS models of the region, this region is considered to have low to no suitable habitat for aplomado falcon (Young *et al.* 2005). Therefore, CBP has determined that no effects on any listed species would occur under the Proposed Action Alternative. A letter was sent to USFWS requesting their concurrence with this determination and is included in Appendix A. USFWS responded by stating that a determination of may affect, but not likely to adversely effect, the northern aplomado falcon would be more appropriate due to its potential presence approximately 60 miles to the east. CBP disagreed and maintains that no effects would occur on this species, based on current scientific evidence. CBP's comments on this matter can be found in Appendix A.

The only state protected species for which potential habitat was observed in the area of a new tower site is the Texas horned lizard. This species has very general habitat requirements, which are common throughout the area; thus, the minimal loss and degradation of habitat resulting from the Proposed Action would not affect Texas horned lizard populations. Any individual loss resulting from site construction and routine maintenance activities would also be minimal and is not likely to affect Texas horned lizard populations. Mitigation activities, such as the use of lizard fences or escape routes in excavated areas or periodic survey of trenches, would be implemented to reduce the effects on the Texas horned lizard. Appropriate consultations with TPWD would be conducted as necessary prior to tower site construction. Additionally, access roads would be designed and constructed in a manner to avoid any takes of sand prickly-pear cacti observed at EPT-YST-059, to the greatest extent practicable. The Proposed Action would be expected to reduce potential adverse impacts on Federal and state threatened and endangered species habitat through a reduction of IE traffic.

### 3.10 CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL RESOURCES

#### 3.10.1 Affected Environment

The process of identifying and evaluating potential impacts on cultural resources was described in detail in the 2006 DHS PEA (DHS 2006). That discussion is incorporated herein by reference. Briefly, the NHPA of 1966 established the Advisory Council on Historic Preservation (ACHP) to advocate full consideration of historic values in Federal decision-making and ensure consistency in national policies. Additionally, the NHPA also established SHPO to administer the national historic preservation program on a state level and Tribal Historic Preservation Officer on tribal lands, where appropriate. In Texas, the SHPO is the executive director of the THC. The NHPA also established the National Register of Historic Places (NRHP), which is the nation's official list of cultural resources worthy of preservation and protection. The historic preservation review process mandated by Section 106 of the NHPA is outlined in the ACHP regulations, *Protection of Historic Properties* (36 CFR Part 800), which were revised and became effective on January 11, 2001.

The cultural overview of the project region was described in the 2006 DHS PEA, and is incorporated herein by reference (DHS 2006). Briefly, prehistoric occupation in the U.S. is generally divided into three major periods that vary regionally, and these periods are sometimes subdivided into smaller temporal phases. Table 3-5 presents the different cultural periods, with further discussion in the following subsections (DHS 2006).

**Table 3-5. Prehistoric Cultural Phases and Age Estimates from Choke Canyon Reservoir**

<b>Cultural Period and Phase</b>	<b>Age Range (B.C./A.D.)</b>
Paleo-Indian Period	9200-6000 B.C.
<i>Archaic Period</i>	
Early Archaic Phase	6000-2500 B.C.
Middle Archaic Phase	2500-400 B.C.
Late Archaic Phase	400 B.C.-A.D. 200-900
Hiatus Phase	A.D. 200-900
<i>Prehistoric Period</i>	
Late Prehistoric (Early) Period	A.D. 900-1400
Late Prehistoric (Late) Period	A.D. 1400-1650

Source: Hall *et al.* 1986

### ***3.10.1.1 Paleo-Indian***

The Paleo-Indian people hunted large and small game and gathered wild edible plants for subsistence. Artifacts from this period include lanceolate, fluted spear points along with scrapers, graters, choppers, and knives chipped from stone. Paleo-Indian sites are less common than sites dating to later periods, which suggest there were smaller populations as compared to the later periods (Hester 1980; Texas State Historical Association [TSHA] 2005).

### ***3.10.1.2 Archaic***

By about 8,000 B.C., a gradual change to a warmer, drier environment resulting in the extinction of many big game animals stimulated a change in adaptive strategies and was reflected in the tool content of these cultures. Grinding equipment for the processing of vegetal foods, roasting ovens, rock-lined hearths, a more restricted and perhaps more consistently scheduled pattern of mobility indicated by intensive repeated occupation at some sites, local resource usage, and a variety of notched stemmed projectile point-knives serve to differentiate Archaic complexes from those of the preceding Paleo-Indian Period (Hester 1980, TSHA 2005).

### ***3.10.1.3 Prehistoric Period***

The Prehistoric Period is marked by the introduction of bow and arrow and pottery. The period also marked the transition from nomadic hunters and gatherers relying on wild plants and animals to a more sedentary people who practiced agriculture and lived in more hierarchical chiefdom societies (Hester 1980, TSHA 2005).

### ***3.10.1.4 Historic Period***

The El Paso area was inhabited for centuries by various Indian groups before the Spaniards came. The first Europeans, in all probability, were Álvar Núñez Cabeza de Vaca and his three companions, survivors of an unsuccessful Spanish expedition to Florida, who passed through the El Paso area in 1535 or 1536, although their exact route is debated by historians.

As Spaniards of the 16<sup>th</sup> century approached the Rio Grande from the south, they viewed two mountain ranges rising out of the desert with a deep chasm between them. They named this site El Paso del Norte (the Pass of the North), the future location of two border cities, Ciudad Juárez on the south, or right bank, of the Rio Grande, and El Paso, Texas, on the opposite side of the river.

When the Spaniards entered the area, they encountered the Tigua Indians, a group of Pueblo tribes comprising three geographic divisions, one occupying Taos and Picuris (the most northerly of the New Mexican pueblos) on the upper waters of the Rio Grande; another inhabiting Sandia and Isleta, north and south of Albuquerque, respectively; the third division, living in the pueblos of Isleta del Sur, Texas, and Senecu del Sur, Chihuahua, on the lower Rio Grande. At the time of Coronado's visit to New Mexico in 1540-42, the Tigua were separated from the middle group by the Tano, the Tewa, and the Rio Grande Queres (Keresan). The pueblos in the south, near El Paso, were not established until late in the 17<sup>th</sup> century. Chroniclers describe their territory, the province of Tiguex, on the Rio Grande, as containing 12 pueblos on both sides of the river (Access Genealogy 2006).

The Tigua of Ysleta del Sur Pueblo, a 12-mile drive east of downtown El Paso, are the southern-most of the Rio Grande Indian Pueblos that extend northward to Taos Pueblo, above Santa Fe, New Mexico. Ysleta del Sur Pueblo is the oldest community in the State of Texas and the Tigua Tribal Council is the oldest government in the state. Ysleta del Sur Pueblo has a tribal population of some 1,200 members. The combined reservation lands include two housing communities and several tracts near the Ysleta Mission and Hueco Tanks. Other tribally-owned lands include the historic Chilicote Ranch near Valentine, Texas (Houser 2006).

By the middle of the 18<sup>th</sup> century approximately 5,000 people lived in the El Paso area, the largest population on the Spanish northern frontier. A large dam and a series of acequias (irrigation ditches) made agriculture possible. With the establishment of Mexican independence from Spain in 1821, the El Paso area and what is now the

American southwest became a part of the Mexican nation. Agriculture, ranching, and commerce continued to flourish, but the Rio Grande frequently overflowed its banks, causing great damage to fields, crops, and adobe structures.

The Treaty of Guadalupe Hidalgo (February 2, 1848), which officially ended the Mexican War, fixed the boundary between the U.S. and Mexico at the Rio Grande, the Gila River, and the Colorado River, thence westward to the Pacific. By late 1849, aided by the gold rush to California, five settlements had been founded along the left bank of the Rio Grande, including Ysleta. A number of important developments during the 1850s shaped the character of the area north of the river. A settlement on Coons' Rancho called Franklin became the nucleus of El Paso, Texas. El Paso County was established in March 1850, with San Elizario as the first county seat. The U.S. Senate fixed a boundary between Texas and New Mexico at the 32<sup>nd</sup> parallel, thus largely ignoring history and topography. A military post called Fort Bliss was established in 1854, and the Butterfield Overland Mail arrived in 1858. A year later pioneer Anson Mills completed his plat of the town of El Paso, a name that resulted in endless confusion until the name of the town across the river, El Paso del Norte, was changed to Ciudad Juárez in 1888.

Most authorities agree that the arrival of the railroads in 1881 and 1882 was the single most significant event in El Paso history, as it transformed a sleepy, dusty little adobe village of several hundred inhabitants into a flourishing frontier community that became the county seat in 1883 and reached a population of more than 10,000 by 1890. After 1900, El Paso shed its frontier image and developed as a modern municipality and significant industrial, commercial, and transportation center (DHS 2006).

### ***3.10.1.5 Previous Archaeological Investigations***

A record search was conducted for pedestrian surveys of the proposed tower locations. According to records maintained within the THC and Texas Archaeological Research Laboratory, previous archaeological surveys have only been conducted on one of the 22 candidate tower locations investigated (*i.e.*, Tower EPT-YST-059), which resulted in

the recordation of historic site 41HZ582. This site is a buried AT&T communication cable which was installed in 1947-1948 as part of the 3,000-mile transcontinental telephone cable system.

According to the records maintained within the THC – Atlas Database, some of the proposed tower locations fall within one or more National Register Districts, including the El Paso County Water Improvement District No. 1 and the Franklin Canal.

The El Paso County Water Improvement District (EPWID) No. 1 was listed on the NRHP in 1997 as an extensive architectural and engineering district covering more than 48,000 acres (75 square miles). The nomination identifies irrigation agriculture as the Area of Significance and the periods 1900 through 1924 and 1925 through 1949 as the Period of Significance.

The EPWID No. 1 includes two major canals (the Franklin Canal and the Riverside Canal), 67 smaller distribution canals and 37 drains. The system currently includes 206 miles of canals and 195 miles of drains and serves 56,000 acres (87.5 square miles) of irrigated crop land. The system also contains hundreds of smaller engineering features such as gates, checks, and drops.

The district is significant on the local level as a key element facilitating agricultural development in El Paso County. It is also significant on a national level, reflecting the Federal government's intervention in water management, which allowed the agricultural transformation of the Rio Grande Valley.

The Franklin Canal is owned and operated by the U.S. Bureau of Reclamation for the purpose of distributing water to agricultural users. It extends for 30.5 miles from the City of El Paso to the vicinity of the community of Fabens in southeast El Paso County. The upper portion of the canal parallels the Rio Grande along the international border. East of the city, the canal changes to a course north of the border.

The Franklin Canal was listed in the NRHP in 1992 and is significant as a local irrigation facility with various antecedents dating as early as the 1840s. It is also significant on an international basis as relating to a cooperative water distribution effort between the U.S. and Mexico as mandated by the international treaty of 1906-1907 (EComm 2007b).

According to the National Register nominations, the contributing elements of the Franklin Canal and the EPWID No. 1 National Register districts are 206 miles of canals and laterals, and 195 miles of drains (EComm 2007b).

### ***3.10.1.6 Current Investigations***

An archaeological pedestrian survey was conducted on September 10-12, and November 10, 2007 of the area of potential effect (APE) for 22 potential tower locations (EComm 2007b). In a June 27, 2007 letter from the THC, CBP was informed that “This particular area of Texas contains very old pit house structures, camps and villages that are one-of-a-kind, unique cultural sites.” The survey conducted for the candidate tower sites did not, however, reveal any sites of this nature and resulted in the discovery of no new archaeological sites. However, one previously recorded archaeological site is located at proposed tower site EPT-YST-059. As noted above, this site is a buried AT&T cable installed between 1947 and 1948. The linear site is more than several miles in length and is buried 3 to 6 feet below the modern surface. The exact alignment of the cable at this location is unknown due to imprecise archival maps, but it appears to be outside of all but one of the tower’s APE. Tower EPT-YST-059 is located near the AT&T cable, and, during fiber optic cable trenching, could be potentially disturbed.

Of the twelve tower locations comprising the Proposed Action, three sites are within the boundaries of the EPWID No. 1, an extensive architectural and engineering district that was listed on the NRHP in 1997. The characteristics of the district that make it eligible for the NRHP are its extensive nature; EPWID No. 1 covers more than 75 square miles.

Utilities are discussed in Section 3.15, and have the potential to impact cultural resources with the installation of new power lines and fiber optic cable to the proposed tower sites. Information regarding placement of these new power lines and possibly



new poles is unknown at this time, but it is assumed that new power lines would be installed adjacent to the surveyed access roads.

### **3.10.2 Environmental Consequences**

#### ***3.10.2.1 No Action Alternative***

Implementation of the No Action Alternative would have no effect, either beneficial or adverse, on cultural resources, since tower construction would not occur.

#### ***3.10.2.2 Proposed Action Alternative***

None of the proposed towers would diminish the location, design, setting, materials, workmanship, feeling, or association of historic districts nor impair any functioning aspect of the systems. Consequently, the Proposed Action would have no adverse effect on contributing elements of the EPWID No. 1 National Register district. Additionally, the proposed towers are isolated and small in size relative to the geographic areas of the districts; thus, none of the proposed towers has the potential to diminish those characteristics of the districts that make them eligible for the NRHP. The proposed tower construction for tower EPT-YST-059 would not adversely affect the character, integrity, or setting of the AT&T cable site due to its length and depth of the cable. To ensure that the AT&T cable would not be adversely impacted, an archaeological monitor would be employed during the fiber optic cable trenching activities. The qualified archaeological monitor would work with the construction crew to ensure that the buried AT&T cable is not adversely impacted by the proposed fiber optic cable installation. A letter to the Texas SHPO was sent seeking concurrence with this determination, and the Texas SHPO has concurred with CBP's determination of no adverse effects. A copy of this letter can be found in Appendix A. Additionally, the Ysleta del Sur Pueblo THPO also believes that there will be no adverse effects, but has requested to be a consulting party in the Section 106 process. The letter from the Ysleta del Sur Pueblo can also be found in Appendix A.

New power lines would be installed adjacent to surveyed access roads; therefore, no impacts should occur on cultural resources. If it is necessary to deviate from the access

roads for new power lines or fiber optic cable installation, the Section 106 consultation process would be reinstated to ensure environmental compliance and the minimization of impacts on any cultural resources.

If any unknown cultural resources are found during the construction of the proposed new towers, construction would temporarily stop in the immediate vicinity of the find(s), and a qualified archaeologist, along with the SHPO, would be contacted to assess significance and determine appropriate procedures. The Ysleta del Sur Pueblo THPO would also be contacted if any unknown cultural resources that fall under NAGPRA guidelines should be unearthed during the construction period.

Beneficial impacts in the form of increased knowledge of the past may be realized as a result of surveys conducted under the Proposed Action. Additionally, potential unidentified cultural resource sites located within the study area and regionally would receive increased protection from disturbance through the deterrence of illegal foot and vehicle traffic from IEs moving through surrounding areas.

### **3.11 AIR QUALITY**

#### **3.11.1 Affected Environment**

The 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 intended to protect public health and welfare and are classified as either "primary" or "secondary" standards. The major pollutants of concern, or criteria pollutants, are carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), lead (Pb), particulate matter less than 10 microns (PM-10), particulate matter less than 2.5 microns (PM-2.5), and sulfur dioxide (SO<sub>2</sub>). 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 3-6.

**Table 3-6. National Ambient Air Quality Standards**

<b>POLLUTANT</b>	<b>STANDARD VALUE</b>	<b>STANDARD TYPE</b>
<b>CO</b>		
8-hour average	9ppm (10mg/m <sup>3</sup> )	P
1-hour average	35ppm (40mg/m <sup>3</sup> )	P
<b>NO<sub>2</sub></b>		
Annual arithmetic mean	0.053ppm (100µg/m <sup>3</sup> )	P and S
<b>O<sub>3</sub></b>		
8-hour average*	0.08ppm (157µg/m <sup>3</sup> )	P and S
1-hour average*	0.12ppm (235µg/m <sup>3</sup> )	P and S
<b>Pb</b>		
Quarterly average	1.5µg/m <sup>3</sup>	P and S
<b>PM-10</b>		
Annual arithmetic mean	50µg/m <sup>3</sup>	P and S
24-hour average	150µg/m <sup>3</sup>	P and S
<b>PM-2.5</b>		
Annual arithmetic mean	15µg/m <sup>3</sup>	P and S
24-hour average	65µg/m <sup>3</sup>	P and S
<b>SO<sub>2</sub></b>		
Annual average mean	0.03ppm (80µg/m <sup>3</sup> )	P
24-hour average	0.14ppm (365µg/m <sup>3</sup> )	P
3-hour average	0.50ppm (1300µg/m <sup>3</sup> )	S

Legend: P= Primary

S= Secondary

ppm = parts per million

mg/m<sup>3</sup> = milligrams per cubic meter of air

µg/m<sup>3</sup> = micrograms per cubic meter of air

Source: USEPA 2006

Areas that do not meet these NAAQS standards are called non-attainment areas; areas that meet both primary and secondary standards are known as attainment areas. The Federal General Conformity Final Rule (40 CFR Parts 51 and 93) specifies criteria or requirements for conformity determinations for Federal projects. The General Conformity Final Rule was first promulgated in 1993 by the USEPA, following the passage of Amendments to the CAA in 1990.

The rule mandates that a conformity analysis 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. A conformity analysis is the process used to determine whether a Federal action meets the requirements of General Conformity Rule. It requires the responsible Federal agency to evaluate the nature of the Proposed

Action and associated air pollutant emissions, calculate emissions as a result of the Proposed Action, and mitigate emissions if *de minimis* thresholds are exceeded.

Currently, Hudspeth County is in attainment for all NAAQS while El Paso County has been in non-attainment for CO and PM-10 since 1990 (TCEQ 2006b). Since that time, El Paso County has implemented extensive legislation, as well as partnerships with Ciudad Juárez, to attain healthier air quality.

### **3.11.2 Environmental Consequences**

#### ***3.11.2.1 No Action Alternative***

The No Action Alternative would not result in any impacts on air quality because there would be no tower construction activities.

#### ***3.11.2.2 Proposed Action Alternative***

##### *Construction Activities*

Temporary and minor increases in air pollution would occur from the use of construction equipment (combustible emissions) and the subsequent disturbance of soils (fugitive dust) while constructing the surveillance and communication towers, improving access roads, and installing new access roads.

Combustible emission calculations were made for standard construction equipment, such as bulldozers, excavators, pole trucks, front end loaders, backhoes, cranes, and dump trucks, using emission factors from USEPA-approved emission model NONROAD6.2.

Fugitive dust calculations were made for disturbance of soils while excavating and grading and during constructing of roads and structures. Dust can arise from the mechanical disturbance of surface soils. Fugitive dust emissions were calculated using emission factors from the Mid-Atlantic Regional Air Management Association (2006).

Assumptions were made regarding the type of equipment, duration of 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. The assumptions, emission factors, and resulting calculations are also presented in Appendix C. A summary of the total emissions is presented in Table 3-7. As can be seen from this table, the proposed construction activities do not exceed *de minimis* thresholds and, thus, do not require a Conformity Determination.

**Table 3-7. Total Air Emissions (tons/year) from Construction Activities vs. the *de minimis* Levels**

<b>Pollutant</b>	<b>Total (tons/year)</b>	<b><i>De minimis</i> Thresholds (tons/year)</b>
CO	29.58	100
Volatile Organic Compounds (VOC)	5.88	NA
Nitrogen Oxides (NO <sub>x</sub> )	51.21	NA
PM-10	10.41	100
PM-2.5	5.28	NA
SO <sub>2</sub>	6.60	NA

Source: 40 CFR 51.853 and Gulf South Research Corporation (GSRC) model projections

The operations of towers would produce post-construction air emissions. It was assumed that potentially one tower would require a constant on-site power supply from a 30 kW, 40 horsepower generator fueled by liquefied propane gas. In addition, it is assumed that each of the towers would use a back-up generator once a month for two hours. These assumptions were applied to model projections and the results are summarized in Table 3-8.

**Table 3-8. Total Air Emissions (tons/year) from Tower Operations vs. the *de minimis* Levels**

<b>Pollutant</b>	<b>Total (tons/year)</b>	<b><i>De minimis</i> Thresholds (tons/year)</b>
CO	2.97	100
VOCs	0.96	NA
NO <sub>x</sub>	4.68	NA
PM-10	0.58	100
PM-2.5	0.56	NA
SO <sub>2</sub>	0.63	NA

Source: 40 CFR 51.853 and GSRC model projections

As can be seen from this table, the anticipated operational activities do not exceed *de minimis* thresholds and, thus, do not require a Conformity Determination.

The transport of wind blown soils could be mitigated by watering soils at construction sites (Midwest Research Institute 1997). Mitigation measures to reduce air impacts are detailed in Section 5.8. Air emissions from the Proposed Action would be temporary and are not expected to significantly impair air quality in the region.

### 3.12 SOCIOECONOMICS

#### 3.12.1 Affected Environment

The socioeconomic environment for part of the project region is described in detail in the 2001 INS PEIS (INS 2001) and 2006 DHS PEA (DHS 2006), and is incorporated herein by reference. In summary, these NEPA documents examined population structure, housing, environmental justice and protection of children. Only portions of the socioeconomic environment that have changed since the 2001 INS PEIS and 2006 DHS PEA are discussed in this EA. Table 3-9 illustrates the difference in socioeconomic data for those indices which have changed between the current EA and the previous 2006 DHS PEA. The ROI examined is El Paso and Hudspeth Counties, Texas. Ysleta and Fabens stations' AO are in El Paso County and the Fort Hancock Station AO is Hudspeth County.

**Table 3-9. Socioeconomic Comparisons from 2006 DHS PEA and Current Data**

Index	El Paso County		Hudspeth County	
	2006 DHS Data	Current Data	2006 DHS Data	Current Data
Total population	702,609 (2000)	736,310 (2006)	3,257 (2000)	3,344 (2000)
Total number of jobs	240,723 (2000)	349,204 (2005)	1,228 (2000)	1,551 (2005)
Percent annual unemployment rate	5.2 (2000)	6.7 (2006)	4.3 (2000)	7.4 (2006)
Total personal income	\$14.7B (2003)	\$16.8B (2005)	\$53.7M (2003)	\$48.9M (2005)
Per capita personal income, in thousands	\$20,875 (2003)	\$23,256 (2005)	\$16,482 (2003)	\$14,804 (2005)
Percentage of all ages in poverty	23.8 (2000)	24.6 (2004)	35.8 (2000)	26.6 (2004)

Source:INS 2001, DHS 2006, Bureau of Economic Analysis (BEA) 2005a and b, c, and d, and U.S. Census Bureau 2004

B = Billions      M = Millions

In 2005, El Paso County had a per capita personal income (PCPI) of \$23,256 (BEA 2005c). This PCPI ranked 184<sup>th</sup> in the State of Texas, and was 72 percent of the state average of \$32,460, and 67 percent of the national average of \$34,471. The average annual growth rate of PCPI from 1995 to 2005 was 4.6 percent. This average annual growth rate was higher than the growth rate for the state (4.4 percent) and higher than that for the nation (4.1 percent). In 2005, El Paso County had a total personal income (TPI) of \$16.8 billion and this TPI ranked 9<sup>th</sup> in the state. The 2005 TPI reflected an increase of 6.6 percent from 2004, which was lower than the 2004-2005 state change of 7.8 percent and higher than the national change of 5.2 percent. In El Paso County during 2004, 24.6 percent of the population was living below the poverty level, which is higher than the 16.2 percent of the state population in poverty (U.S. Census Bureau 2004).

In 2005, Hudspeth County had a PCPI of \$14,804 (BEA 2005d). This PCPI ranked 249<sup>th</sup> in the State of Texas, and was 46 percent of the state average of \$32,460, and 43 percent of the national average of \$34,471. The average annual growth rate of PCPI from 1995 to 2005 was 3.7 percent. This average annual growth rate was lower than the growth rate for the state (4.4 percent) and lower than that for the nation (4.1 percent). In 2005, Hudspeth County had a TPI of \$48.9 million and this TPI ranked 234<sup>th</sup> in the state. The 2005 TPI reflected a decrease of 7.1 percent from 2004, which was lower than the 2004-2005 state increase of 7.8 percent and higher than the national increase of 5.2 percent. In Hudspeth County during 2004, 26.6 percent of the population was living below the poverty level, which is higher than the 16.2 percent of the state population in poverty (U.S. Census Bureau 2004).

### **3.12.2 Executive Order 12898, Environmental Justice**

The fair treatment of all races has assumed an increasingly prominent role in environmental legislation and implementation of environmental statutes. In February 1994, President Clinton signed EO 12898 titled, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This action requires all Federal agencies to identify and address disproportionately high and

adverse effects of its programs, policies, and activities on minority and low-income populations. Both El Paso and Hudspeth counties have a large proportion of their population claiming to be of Hispanic or Latino origin; 81 percent in El Paso County (U.S. Census Bureau 2006) and 75 percent in Hudspeth County (U.S. Census Bureau 2000). Furthermore, both counties are below both the national and state median household income and have a greater percentage of all their populations at or below the poverty level of both the state and the nation (U.S. Census Bureau 2000 and 2006).

### **3.12.3 Executive Order 13045, Protection of Children**

EO 13045 requires each Federal agency “to identify and assess environmental health risks and safety risks that may disproportionately affect children”; and “ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.” This EO was prompted by the recognition that children, still undergoing physiological growth and development, are more sensitive to adverse environmental health and safety risks than adults. In El Paso County, 78,024 persons, or 34.4 percent of the population, are children under the age of 18 that are at or below poverty level. In Hudspeth County, 391 individuals, or 38.1 percent of the population, are children under the age of 18 that are at or below the poverty level (U.S. Census Bureau 2004). The potential for impacts on the health and safety of children may be slightly higher where proposed towers are located near residential areas (*i.e.*, EPT-YST-072).

### **3.12.4 Environmental Consequences**

#### ***3.12.4.1 No Action Alternative***

Under the No Action Alternative, no construction of towers would take place. As a result, no direct impacts would occur under the No Action Alternative for environmental justice issues. However, current illegal foot and vehicle traffic and other illegal activities would continue and probably increase, likely resulting in an increase in insurance costs, property losses, law enforcement expenses, and other social costs (*i.e.*, drug rehabilitation, medical expenses, and labor opportunities). The No Action Alternative would continue to endanger the lives and increase health risks to both IEs attempting to



cross the southern border and the safety of USBP agents who attempt to apprehend them as well as to other legal occupants of the border areas.

#### ***3.12.4.2 Proposed Action Alternative***

Labor for the Proposed Action would be provided by private contractors, resulting in minor and temporary increases in the ROI population during the construction period of the Proposed Action. When possible, project support materials and other project support expenditures would predominantly be obtained through merchants in the local community, resulting in minor, temporary economic benefits. All construction activities, regardless of the area, would be limited to daylight hours to the greatest extent practicable. Safety buffer zones would be designated around tower and access road construction sites to ensure public health and safety. No intentional or unintentional displacement of residential or commercial properties would result from this action. Adequate housing and contracting resources are available in the El Paso area for private contractor involvement in surveillance and communication towers construction; therefore, there would be only minor direct impacts on housing or employment in the project areas from temporary, short term increases in the tower construction workforce that would last for the approximate 10- to 45-day construction work schedule. No changes in local employment rates, poverty levels, or local incomes would occur as a result of this Proposed Action. Minimal, long term economic impacts are expected from the purchase of local electricity to power up to nine towers and future maintenance needs for the towers (three towers currently use grid power and are not included).

The increased surveillance and improved USBP response times to apprehend IEs would reduce illegal traffic in the project area. IEs have been associated with increased reports of car thefts, prowlers, break-ins, and other illegal activities. Reductions in IE traffic resulting from increased surveillance from the implementation of the towers are expected to reduce crimes in the El Paso area and enhance the safety of U.S. residents.

The Proposed Action is expected to beneficially affect El Paso and Hudspeth counties, regardless of race and income level. The Proposed Action would not result in disproportionately high or adverse environmental health or safety impacts on minority or low-income populations. This conclusion is based on the fact that no significant adverse environmental effects have been identified for any resource area or population (minority, low-income, children, or otherwise) analyzed in this EA.

### 3.13 NOISE

#### 3.13.1 Affected Environment

Noise is generally described as unwanted sound, which can be based either on objective effects (*i.e.*, hearing loss, damage to structures, *etc.*) 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 0 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. It is generally agreed that people perceive intrusive noise at night as being 10 dBA (A-weighted decibel is a measure of noise at a given, maximum level or constant state level) higher than the same level of intrusive noise during the day, at least in terms of its potential to cause community annoyance. This perception is largely because background environmental sound levels at night in most areas are also about 10 dBA lower than those during the day.

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

**Acceptable** (not exceeding 65 dB) – The noise exposure level may be of some concern, but common building construction will make the indoor environment acceptable and the outdoor environment will be reasonably tolerant for recreation and play.

**Normally Unacceptable** (above 65 but not greater than 75 dB) – 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 constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.

**Unacceptable** (greater than 75 dB) – 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 of thumb, noise generated by a stationary noise source, or “point source,” will decrease by approximately 6 dB over hard surfaces and 9 dB 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:

$$\text{Equation 1: } dBA_2 = dBA_1 - 20 \log^{(d_2/d_1)}$$

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

### **3.13.2 Environmental Consequences**

#### ***3.13.2.1 No Action Alternative***

Under the No Action Alternative, the noise receptors near the tower installations would not experience additional noise events; however, they would continue to experience

intermittent and temporary noise disturbances in excess of 65 dBA from vehicles traveling in the area.

**3.13.2.2 Proposed Action Alternative**

The nine new tower sites are located in urban residential, urban commercial and rural areas. The installation of the larger SS towers would require the use of an auger drill rig (84 dBA) to install the concrete piers. The SS towers are being installed at three sites. Two of the SS tower sites are located in rural areas. The RDT towers would not require the use of pile drivers, but would require the use of conventional construction equipment which produces noise emissions up to 81 dBA. The installation of both the RDT and SS towers has the potential to expose sensitive receptors to noise levels that are normally unacceptable at urban sites. Table 3-10 describes noise emission levels for construction equipment which range from 70 dBA to 84 dBA (Federal Highway Administration [FHWA] 2007).

**Table 3-10. A-Weighted (dBA) Sound Levels of Construction Equipment and Modeled Attenuation at Various Distances<sup>1</sup>**

Noise Source	50 feet	100 feet	200 feet	500 feet	1000 feet
Backhoe	78	72	68	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
Auger drill rig	84	78	72	64	58
Pneumatic tools	81	75	69	61	55
Bull dozer	82	76	70	62	56
Generator	81	75	69	61	55

Source: FHWA 2007

1. The dBA at 50 feet is a measured noise emission (FHWA 2007). The 100 to 1,000 feet results are modeled estimates.

Assuming the worst case scenario of 84 dBA, the noise model projected that noise levels of 84 dBA from the auger drill would have to travel 500 feet before they would attenuate to acceptable levels of 65 dBA. To achieve attenuation from 84 dBA to a normally unacceptable level of 75 dBA, the distance from the noise source to the

receptor would have to be approximately 140 feet. Common construction equipment can produce noise levels of 81 dBA, although noise emissions attenuate to normally acceptable levels of 65 dBA, approximately 300 feet away from the noise source.

At two of the nine tower installation sites, adjacent sensitive noise receptors may likely be subjected to noise emissions that are normally unacceptable (approximately 65 dBA to 75 dBA). A noise exposure table is presented in Appendix D that lists the nine towers and the probability of short term noise exposure. The two proposed tower sites located in urban areas are EPT-FBN-071 and EPT-YST-072.

Therefore, a portion of these residential properties adjacent to the tower construction sites may experience normally unacceptable noise levels (65 to 75 dBA) during construction activities; however, the noise emissions are expected to be minor and short term in duration. Tower construction activities are estimated to last 10 to 45 days per tower. To minimize this impact, construction activities near residential neighborhoods would be limited to daylight hours during the work week when most of the residents are at school or at work. More specifically, construction activities would be limited to hours between 7:00 am and 7:00 pm on Monday through Friday at the proposed tower EPT-FBN-071 and EPT-YST-072 installation sites. Additionally, the two towers of concern are proposed RDT towers, and as such, the installation of this type of tower has a construction time which is 10 day shorter than for the SS towers.

Operation and maintenance of towers would result in negligible, intermittent, and temporary increases in noise levels. Backup generators, when in operation, would increase noise levels to 75 dBA within 20 feet of the source. The noise emission would have to travel 75 feet before attenuating to acceptable levels of 65 dBA. The backup generators would only function when commercial power is out and during maintenance testing which would occur approximately 12 hours per year. There is a small likelihood that one tower would not have commercial power infrastructure in place prior to start of tower operations and would temporarily require on-site generator power. The tower for which this possibility could occur would be the most remote of all the new proposed

towers (EPT-FBN-070), where there are no sensitive receptors near the site. Noise emissions from generators would not create significant noise impacts.

### **3.14 RADIO FREQUENCY ENVIRONMENT**

#### **3.14.1 Affected Environment**

The radio frequency (RF) environment refers to the presence of electromagnetic (EM) radiation emitted by radiowaves and microwaves on the human and biological environment. EM radiation is self propagating waves of electric and magnetic energy that move through space via radio waves and microwaves emitted by transmitting antennas. RF is a frequency or rate of oscillation within the range of approximately 3 Hertz (Hz) to 300 Giga-Hz (GHz). This range corresponds to a frequency of alternating current and electrical signals used to produce and detect radio waves. The EM radiation produced by radio waves and microwaves carry energy and momentum and can interact with matter.

The Federal Communications Commission (FCC) is responsible for licensing frequencies and ensuring that the approved use would not interfere with television, radio broadcasts, or substantially affect the natural or human environment. The FCC adopted recognized safety guidelines for evaluating RF exposure in the mid 1980s (FCC 1999). Specifically, in 1985, the FCC adopted the 1982 American National Standards Institute (ANSI) guidelines to evaluate exposure due to RF transmitters licensed and authorized by the FCC (FCC 1999). In 1992, ANSI adopted the 1991 Institute of Electrical and Electronics Engineers (IEEE) standard as an American National Standard (a revision of its 1982 standard) and designated it as ANSI/IEEE C95.1-1992 (FCC 1999). The FCC proposed to update its rules and adopt the new ANSI/IEEE guidelines in 1993, and in 1996, the FCC adopted a modified version of the original proposal.

In addition to ANSI/IEEE standards, the FCC's guidelines also reflect the National Council of Radiation Protection and Measurements (NCRP) exposure guidelines. The NCRP and ANSI/IEEE exposure criteria identify the same threshold level at which

harmful biological effects may occur. The whole body human absorption of RF energy varies with the frequency of the RF signal. The most restrictive limits on exposure are in the frequency range from 30 to 300 Mega-Hz where the human body absorbs RF energy most efficiently when exposed in the far field of an RF transmitting source (ANSI/IEEE C95.1-1992).

There are two tiers of exposure limits; occupational or “controlled” and general or “uncontrolled”. Operational exposure is when a person is exposed to RF fields as a part of their employment and the persons have been made fully aware of the potential exposure and can exercise control over their exposure. Uncontrolled exposure is when the general public is exposed or when persons employed are not made fully aware of the potential for exposure or cannot exercise control over their exposure.

In order for a transmitting facility or operation to be out of compliance with the FCC’s RF guidelines in an area where levels exceed Maximum Permissible Exposure (MPE) limits, it must first be accessible to the public. The MPE limits indicate levels above which people may not be safely exposed regardless of the location where those levels occur.

Adverse biological effects associated with RF energy are typically related to the heating of tissue by RF energy. This is typically referred to as a “thermal” effect, where the EM radiation emitted by an RF antenna, passes through and rapidly heats biological tissue; similar to the way a microwave oven cooks food. The Health Physics Society indicates that numerous studies have shown that environmental levels of RF energy routinely encountered by the general public are typically far below levels necessary to produce significant heating and increased body temperature, and are generally only associated with workplace environments near high-powered RF sources, such as used for molding plastics or processing food products. In such cases, exposure of human beings to RF energy could be exceeded and would, thus, require restrictive measures or actions to ensure their safety (Kelly 2007).

There is also some concern that signals from some RF devices could interfere with pacemakers or other implanted medical devices. However, electromagnetic shielding has been incorporated into the design of modern pacemakers to prevent RF signals from interfering with the electronic circuitry in the pacemaker (FCC 1999).

Other non-thermal adverse effects such as the disorientation of passing birds by RF waves are also of concern. Past studies on effects of communication towers were noted by Robert Beason (1999) during the 1999 Workshop on Avian Mortality at Communication Towers (Evans, W. R., and A. M. Manville, II (eds.) 2000). During this workshop, Beason (1999) noted that most research on RF signals produced by communication towers have no general disorientation effects on migratory birds. However, more research is needed to better understand the effects of RF energy on the avian brain.

### **3.14.2 Environmental Consequences**

#### ***3.14.2.1 No Action Alternative***

Under the No Action Alternative, the proposed tower sites would not be installed or operated. There would be no impacts on existing RF environment or effect on the human or natural environment.

#### ***3.14.2.2 Proposed Action Alternative***

With the implementation of the Proposed Action, nine new towers equipped with radio wave and microwave communication systems, as well as radar systems, would be installed for use by USBP in maintaining a secure border. In addition, three existing towers would require retrofits or replacements of their radar, and radiowave and microwave communication systems. As with any RF transmitter, all of these systems would emit RF energy and EM radiation; therefore, a potential for adverse effects could occur. However, any adverse effects on human safety and wildlife would likely be negligible due to the minimal exposure limits associated with the both the type of equipment used and the elevated locations in which they would be positioned. The MSTAR radar is proposed as one of the tower communications components that emits



the highest amount of energy, and is used to illustrate the worst case scenario for exposure analysis in this EA. A safe distance from this particular piece of tower equipment is 17 feet, as specified in the MSTAR Operator's Manual (OP599300). As all radars in the SBI~~net~~ system are expected to be a minimum of 80 feet off of the ground, the safe distance for the radars would be maintained. As mentioned previously in Section 2.3, equipment components which emit RF energy and EM radiation are commonly mounted along each tower at approximately 80 to 180 feet above ground level, depending on the local terrain. At these heights, it is highly improbable that any individual would come into direct contact with any RF and EM emissions; therefore, human exposure would be highly unlikely.

Additionally, the potential to exceed MPE limits of RF energy, such as those described by Kelly (1999), are far outside the capability limits of data and communications systems in the Proposed Action. Furthermore, communication and radar systems installed on the proposed towers would be a minimum of 32 feet off the ground and would not exceed the safe operating distance for these systems (*i.e.*, 17 feet); thus, maintenance and operational personnel working within the secure tower site would not be exposed to any RF energy that exceeds MPE limits set by the FCC. Therefore, human exposure for maintenance and operational personnel would be highly unlikely.

Though greater research is required to have a better understanding of the effects of RF energy on the avian brain, the potential effects on passing birds is expected to be negligible. Any disorientating effect, if experienced, would be short term and would occur only at close distances to the antennas.

While the communication systems and the frequencies in which they would be operated are considered law enforcement sensitive and cannot be disclosed, compliance with FCC regulations is required, and would ensure that recognized safety guidelines are not exceeded. Use of the telecommunications radio spectrum is regulated, access is controlled, and rules for its use are enforced because of the possibilities of radio frequency interference between uncoordinated uses. The electromagnetic spectrum is

considered a common good, or a natural resource, so it can be adversely impacted by use. However, the frequency spectrum is not adversely impacted in the same way as other natural resources, because its use can be regulated through allocation and approval of the use of certain frequency ranges. The spectrum is scarce, because at any given time or place, one use of a portion of the spectrum precludes any other use of that portion. Therefore, prior to initial operation of the tower system, CBP/SBInet is required to submit an application for certification of its telecommunications equipment and their proposed operating frequencies to the National Telecommunications and Information Administration (NTIA) for approval. The NTIA reviews all Federal agencies' new telecommunications systems and certifies that space on the frequency spectrum will be available for component systems that operate within certain frequency ranges. This review, approval, and certification process helps ensure that the agencies' communications equipment will not cause frequency interferences with nearby users of other communications equipment (e.g., cell phones, televisions) that use the same or adjacent portions of the frequency spectrum. Therefore, the RF environment created by the installation, operation and maintenance of the communication and radar systems on the proposed towers would not result in significant adverse impacts on human safety or the natural and biological environment.

### **3.15 UTILITIES AND INFRASTRUCTURE**

#### **3.15.1 Affected Environment**

##### *Power*

The commercial utility power company which services the Ysleta, Fabens and Fort Hancock stations' AOs is El Paso Electric Company. El Paso Electric Company was incorporated in 1901, and is a public utility engaged in the generation, transmission and distribution of electricity for an approximately 10,000 square miles area in west Texas and southern New Mexico. The utility company owns or has ownership interests in six electrical generating facilities, providing it with a net generating capability of approximately 1,492 megawatts (mW). For 2006, the company's energy sources consisted of approximately 42 percent nuclear fuel, 25 percent natural gas, 9 percent

coal, 24 percent purchased power and less than 1 percent generated by wind turbines. El Paso Electric Company serves approximately 350,000 residential, commercial, industrial and wholesale customers (El Paso Electric Company 2007). The utilities' principal industrial and other large customers include steel production, copper and oil refining, and U.S. military installations, including the U.S. Army Air Defense Center at Fort Bliss in Texas and White Sands Missile Range and Holloman Air Force Base in New Mexico (El Paso Electric Company 2007).

In a Request for Proposal issued in March 2007, the utility company sought proposals to meet its future capacity needs of approximately 100 and 200 mW for the years 2013 and 2014, respectively (El Paso Electric Company 2007). Therefore, El Paso Electric Company fully expects to meet the growing demand for power within the region.

Primary power to the towers within the proposed Texas Mobile project area is generally supplied by aerial (overhead) lines from nearby commercial power grids generally along I-10. As required by the Proposed Action, power would be extended from the service or secondary pole to each proposed tower utilizing overhead lines. Coordination is currently underway with the local utility provider, El Paso Electric Company, although power line corridors have not been defined as of yet. It is assumed that new power lines would be installed adjacent to surveyed new or existing access roads. If it is necessary to deviate from access road locations then archaeological and biological monitors would be utilized to ensure NHPA Section 106 and environmental compliance.

Propane-powered generators would be used as the secondary backup power source to the primary electric power source and power needs are assumed to be no more than 5,000 watts per month. Each proposed tower is not expected to utilize more than 3,650 kW-hours per month of commercial grid power.

The secondary backup power propane fuel source for the generator at each tower would be supplied by local propane dealers. The backup generators would only be used during commercial power outages, and, therefore, it is somewhat difficult to

assess actual generator run times. In order to provide a basis for analysis, it is estimated that typical generator usage would be approximately 2 hours of run time every month to allow for a generator maintenance check. It is anticipated that refueling of each 500 gallon propane tank would be required approximately every 2 months. As mentioned in Section 2.3, all new Texas Mobile project towers will have primary power provided by commercial grid power; although, there may be instances when commercial power may not be available immediately upon tower deployment. In that case, primary power would be supplied by a 30 kW generator until the commercial power infrastructure is in place. If this should occur, a larger 2,000 gallon propane tank would temporarily be employed, and refueling of these larger propane fuel tanks would be approximately every 7 days.

### *Fiber Optics*

Fiber optic networks, where available, would be used for data transmission for the communication component of each proposed tower. Fiber optics carry information from one point to another in the form of light. Unlike the copper-based form of transmission, fiber optic cable is not electrical in nature and the fiber itself is passive and does not contain any active, generative properties. A basic fiber optic system consists of a transmitting device, which generates the light signal; an optical fiber cable, which carries the light; and a receiver, which accepts the light signal transmitted (Corning Cable Systems 2007). A single non-copper based optical fiber strand has virtually limitless capacity, with transmission speeds that are in the terabit-per-second range. Additionally, fiber does not exhibit RF emissions that can interfere with other electronics (International Engineering Consortium 2007).

Fiber optic cables can typically be installed in duct systems in spans of 6,000 meters or more; depending on the duct's condition, layout of the duct system, and installation technique. In the case of the Proposed Action, when fiber optic networks are available, trenching would be utilized to connect the fiber optic cable to each tower. Designs generally plan optical systems that would meet growth needs for a 15- to 20-year span. Growth can be accommodated by installing spare fibers for future requirements, as the

installation of spare fibers is more economical than installing additional cables later (Corning Cable Systems 2007).

Typically, fiber optic cable, where available, would follow existing roadways. The new proposed towers' fiber optic cable placement would travel from the main connection trenches alongside any new or improved access roads. If any unknown cultural resources are found during the installation of new fiber optic cabling, activities would temporarily stop in the immediate vicinity of the find(s), and a qualified archaeologist, along with the SHPO, would be contacted to assess significance and determine appropriate procedures.

To minimize any disturbance of cultural resources at tower site EPT-YST-059, a qualified archeologist would monitor the fiber optic cable placement to ensure environmental compliance as detailed in Section 3.10.2.2.

### **3.15.2 Environmental Consequences**

#### ***3.15.2.1 No Action Alternative***

Under the No Action Alternative, the proposed towers would not be installed and operated. There would be no impacts on local utilities because no additional power would be needed in the area.

#### ***3.15.2.2 Proposed Action Alternative***

There would be minimal impact on the local power grid due to the operation and maintenance of the tower system; although, the additional demand would be expected to minimally impact power consumption and electrical power resources. Additionally, future power needs are being actively assessed by the electric company, which could potentially further minimize any power consumption impacts.

There would be no impacts on the local fiber optics system, as the transmission and bandwidth is very large in non-copper based fiber optics. However, fiber optic cable installation to the tower sites could impact cultural resources; any possible impacts from

the installation would be minimized by the placement of cables along previously surveyed proposed or existing access roads (EComm 2007b). The construction of one tower, EPT-YST-059, has the potential to impact an NRHP-eligible site (see Section 3.10.2.2).

### **3.16 ROADWAYS/TRAFFIC**

#### **3.16.1 Affected Environment**

The project corridor is approximately 74 miles long and starts near the City of El Paso, following a southeastern trend along the Rio Grande. The main transportation route in this area is I-10, which runs parallel with the Rio Grande for approximately 60 miles east outside of El Paso before turning east and away from the river. Additional state highways within the project corridor include U.S. Highway 62/180, SH 20, SH 1110, SH 76, SH 192, SH 2217 and SH 1281. These roads connect the towns of Fort Hancock, Fabens, and McNary with direct routes and access roads to I-10.

Much of the project corridor is considered a rural area with agriculture and ranching as the main land uses for the region. State highways are generally used less frequently than I-10, and usually by local farmers and ranchers. Traffic counts for the state highways in the tower corridor range from 120 vehicles per day for SH 192 and SH 2217, to 15,640 vehicles per day for SH 1281. SH 1281 receives more traffic per day than U.S. Highway 62/180 and SH 20 (TxDOT 2005). Traffic flow is usually low on these roads because most vehicular movement in the region occurs on I-10.

#### **3.16.2 Environmental Consequences**

##### ***3.16.2.1 No Action Alternative***

Under the No Action Alternative, the proposed tower sites would not be used. Construction of access roads, towers, foundations, and associated buildings would not occur. There would be no impacts on local vehicular traffic because no construction equipment, materials or construction crews would be needed in the area.

### ***3.16.2.2 Proposed Action Alternative***

With the implementation of the Proposed Action, nine new towers and three existing towers would be installed or improved for use by USBP in maintaining a secure border. Construction and staging for the access roads, foundations, towers and associated buildings and structures would create a minor short term impact on roadways and traffic within the project corridor. The increase in vehicular traffic would be anticipated due to the delivery of supply materials and the presence of work crews at each tower site during the construction period. RDT towers would be installed within a 10-day work period and SS towers would be completed in 45 days. The initial construction phase would include creation of a staging area for materials and equipment within the tower construction footprint. Once a staging area is established, traffic near the construction site would be from construction workers and tower construction materials. Staging areas are at tower sites and, therefore, would be set off the main roads and would not disrupt existing traffic flow.

Long term impacts on traffic are not expected from the installation of the towers. Once construction work is completed, occasional maintenance visits are anticipated approximately every 60 days for preventative maintenance activities and refilling of the propane tank at each tower. These visits would not increase overall normal traffic frequency or adversely affect traffic activity locally or regionally.

## **3.17 AESTHETIC AND VISUAL RESOURCES**

### **3.17.1 Affected Environment**

Aesthetics is essentially based on an individual or group of individuals' judgment as to whether or not an object is visually pleasing or would influence quality of life. The rural character of the Rio Grande Valley is valued by its residents and is largely defined by the vast open vistas created by agricultural development. There are no designated scenic routes, scenic views, or vistas located within the project area. The areas surrounding many of the proposed tower sites are predominately used for agriculture and contribute to the open spaces and rural character of the Rio Grande Valley. Some

tower sites, however, are located within or near developed areas that have been degraded by past construction activities.

### **3.17.2 Environmental Consequences**

#### ***3.17.2.1 No Action Alternative***

Under the No Action Alternative, the aesthetics of the project region would not be directly affected by installation of towers. However, trash, graffiti, and general vandalism resulting from IE traffic would be expected to continue to detract from the visual quality of the area. It has been estimated that each IE leaves 8 pounds of trash on U.S. soil per entry (Davis 2005).

#### ***3.17.2.2 Proposed Action Alternative***

The installation of towers would detract from the aesthetic and visual resources of the proposed corridor. However, these towers would be located primarily within agricultural areas and near existing stations that lack significant aesthetic qualities; therefore, impacts on visual quality of the area would be minor. Additionally, the proposed towers are a common component along major routes such as I-10 within the U.S. For this reason, combined with the fact that the towers would be approximately 6 to 10 miles apart, the Proposed Action would result in minimal visual impacts on the regional landscape. Ultimately, by deterring and preventing IEs, the Proposed Action would provide protection for visual resources, including native ecosystems and cultural sites which add to the aesthetic value of the proposed tower corridor.

## **3.18 HAZARDOUS MATERIALS**

### **3.18.1 Affected Environment**

Solid and hazardous wastes are regulated in Texas by a combination of laws promulgated by USEPA, TCEQ, and regional Councils of Government. Typically, CBP performs a Phase I Environmental Site Assessment for all properties that are being considered for lease or purchase. A Phase I Environmental Site Assessment allows



CBP to know if a property is likely to have soil, surface water or groundwater contamination within the property's boundaries.

A Phase I Environmental Site Assessment was prepared for eight proposed tower sites by EComm in September 10-12, 2007 (EComm 2007c). Site reconnaissance was conducted according to the American Society for Testing and Materials (ASTM) guidelines (ASTM E1527-05), which defines good commercial and customary practices in the U.S. for conducting a Phase I Environmental Site Assessment of a parcel of commercial real estate. ASTM E1527-05 pertains to a range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601) and petroleum products. Included in these Phase I investigations were searches of a number of different environmental regulatory databases. A Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) search was performed by EComm, within 0.5 mile radius from each tower site. 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. No tower sites had any NPL sites listed within a 0.5 mile radius (EComm 2007c). All other environmental databases yielded no issues of environmental concern or identification of recognized environmental conditions on, adjacent to, or near any of the proposed tower sites (EComm 2007c).

Additionally, all Phase I Environmental Site Assessments for proposed tower sites found no historical information that would indicate the possible presence of a recognized environmental condition at any of the sites assessed. No further investigations were recommended (EComm 2007c).

### **3.18.2 Environmental Consequences**

#### ***3.18.2.1 No Action Alternative***

The No Action Alternative would not contribute any hazardous waste or materials to the project areas, as no construction of towers or access roads would take place.

### ***3.18.2.2 Proposed Action Alternative***

#### ***Construction Activities***

During construction of new towers and access roads, the potential exists for petroleum, oil, and lubricants (POL) contamination at the construction site due to storage of POL material for maintenance and refueling of vehicles and fuel storage tanks. However, these activities should include primary and secondary containment measures. Clean-up materials (e.g., oil mops) would be maintained at each site for appropriate spill response and cleanup in case an accidental spill occurs. Drip pans would be provided for the power generators and other stationary equipment to capture any POL that is accidentally spilled during maintenance activities or leaks from equipment.

Portable sanitary facilities would be provided during construction activities and waste products would be collected and disposed of by licensed contractors. Disposal contractors would use only established roads to transport equipment and supplies; all waste would be disposed of in compliance with Federal, state, and local regulations, and in accordance with contractors' permits. With implementation of these practices, the Proposed Action would not result in a significant environmental or public exposure to any hazardous materials.

#### ***Maintenance and Operations Activities***

Additionally, all solid and hazardous wastes and materials, including universal waste (such as UGS batteries, fluorescent light bulbs, etc.), would be handled in accordance with applicable Federal and state laws and guidelines governing these items.

The Proposed Action may result in indirect beneficial impacts on solid and hazardous waste. As illegal vehicle traffic is reduced or eliminated within the project corridor, fewer abandoned vehicles and other solid or hazardous waste associated with illegal cross border activities would be expected.

### **3.19 SUSTAINABILITY AND GREENING**

#### **3.19.1 Affected Environment**

In accordance with EO 13423, *Strengthening Federal Environmental, Energy, and Transportation Management* (56 FR 56289), USBP would incorporate environmental sustainability in daily operations through cost-effective waste reduction, recycling of UGS batteries and other reusable materials, and purchase of items produced using recovered materials. Road improvements would be designed using guidelines and standards established by the U.S. Green Building Council and would qualify for Leadership in Energy and Environmental Design (LEED) certification, which requires pollution prevention for construction activities, use of low emission and fuel-efficient vehicles or use of alternative fuels, reduction of light pollution, reduced generation of waste water, optimization of energy use, management of refrigerants, storage and collection of recyclables, construction waste management, and other measures to ensure sustainable growth.

#### **3.19.2 Environmental Consequences**

##### ***3.19.2.1 No Action Alternative***

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

##### ***3.19.2.2 Proposed Action Alternative***

Under the Proposed Action, the Federal sustainability and greening practices, such as LEED certification, would be implemented to the greatest extent practicable.

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**SECTION 4.0**  
**CUMULATIVE IMPACTS**





## **4.0 CUMULATIVE IMPACTS**

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CEQ defines cumulative impacts as an “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions” (40 CFR 1508.7). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time by various agencies (Federal, state, and local) or individuals. Informed decision-making is served by consideration of cumulative impacts resulting from projects that are proposed, under construction, recently completed, or anticipated to be implemented in the reasonably foreseeable future.

This cumulative impacts analysis summarizes expected environmental effects from the combined impacts of past, current, and reasonably foreseeable future projects within the Proposed Action corridor area. Projects were identified for this analysis by reviewing USBP documents, news releases, and published media reports, and through consultation with planning and engineering departments of local governments, and Federal and state agencies, including DHS/CBP/SBI and *SBI<sub>net</sub>* project proponents. Projects that do not occur or are not planned in proximity to the proposed tower sites would not contribute to cumulative impacts within the project area and were not considered. As indicated previously, the ROI for the proposed tower locations is considered to be El Paso and Hudspeth counties. Therefore, the following analyses will address cumulative impacts within this ROI.

### **4.1 IDENTIFICATION OF CUMULATIVE EFFECTS ISSUES**

#### **4.1.1 Water, Soils, and Air**

The pollution of water, soils, and air resulting from independent and small scale actions can have cumulative and synergistic effects on individual resources, ecosystems, and human communities when combined with the cumulative effects of similar actions in a region.

The effects of water pollution on wildlife, sensitive fish, migratory birds, Rio Grande riparian communities, and the Chihuahuan Desert ecosystem over time have been significant. Water quality in the Middle Rio Grande Valley is affected by agricultural development in and upstream of the middle valley and by insufficient treatment of wastewater entering the river from Mexico. Planned and existing improvements to agricultural and wastewater treatment infrastructure can reduce pollution and reduce effects on resources ecosystems and human communities. The Proposed Action and other similar development actions would most likely occur on agricultural lands, primarily because over 73 percent of land within the project corridor is under agricultural production and the remaining land is Chihuahuan Desert Scrub. Desert scrub is difficult to develop due to terrain, deep sandy soil types, and limited water availability. The increased development of agricultural lands would reduce the amount of agricultural pollutants potentially resulting in beneficial cumulative effects on water quality. However, land development would potentially increase the amount of wastewater and stormwater runoff produced, as well as increasing the potential for fuel, oil, and hazardous material pollution.

Each new development action in the Middle Rio Grande Valley would be expected to require the implementation of mitigation measures to reduce the potential and accidental effects of pollutants associated with the handling of fuels, oils, VOCs, and hazardous materials. Additionally, new developments would also be required to comply with wastewater treatment regulations, and most would be required to connect to the existing wastewater treatment system. Therefore, the point- and non-point sources of pollution created by the Proposed Action and other similar developments would not likely contribute to cumulative effects.

The flat topography and deep soils of the Middle Rio Grande Valley limit the potential effects of soil loss, and each new development would be expected to be incorporated into local and regional SWPPPs. The pollution of soils, which can synergistically affect other resources and ecosystems, would also be mitigated through use of a SWPPP and



associated BMPs. Therefore, the cumulative effects of the Proposed Action, when combined with other similar developments, are expected to be minimal.

Individual vehicle use, industrial and farming operations, and the generation of energy from petroleum products on both sides of the border, have resulted in a non-attainment status for CO and PM-10 within El Paso County. Increased international trade, increased urban development, the presence of a major east-west transportation route, and increased operations at Fort Bliss, have additively and synergistically affected air quality in the El Paso and Hudspeth Counties. The Proposed Action and other similar new development actions would further contribute to the total concentration of CO and PM-10 in the Middle Rio Grande Valley. Therefore, the Proposed Action would temporarily contribute to cumulative effects on air quality during construction activities and would have minimal impacts during on-going operations of the towers due to intermittent generator usage. Air quality is a cumulative effects issue discussed and analyzed.

#### **4.1.2 Vegetation Communities and Wildlife**

Much of the vegetation in Middle Rio Grande Valley has been replaced by agricultural development, and to a lesser extent by urban development. The Proposed Action and other similar developments would not be expected to result in substantial new development of previously undisturbed lands, as the majority (about 73 percent) of the project corridor is currently under agricultural production. The Rio Grande and associated riparian habitats would not be directly affected by the Proposed Action, but this ecosystem could realize minimal beneficial effects from the reduction of pollution associated with agricultural run-off and other SWPPP measures incorporated into future developments. The Proposed Action would have negligible effects on vegetation and wildlife (1.5 acres total), no effect on sensitive species, and would not create opportunities for the spread of invasive plants and noxious weeds. However, lights could be utilized on the towers, but these impacts could be reduced by following the USFWS interim guidelines designed to reduce impacts on migratory birds through the installation of white or red strobe lights (USFWS 2000). Therefore, there is minimal

potential for the Proposed Action, when combined with other similar developments, to cumulatively affect wildlife or wildlife habitats.

#### **4.1.3 Cultural Resources**

The vast majority of the land within the ROI has been developed or disturbed. Consequently, it is likely that most pre-historic resources have been removed or lost if they were not previously recorded. The remaining historic properties could be historic structures, such as those identified during the surveys for the Proposed Action. Future Federal development actions are expected to include surveys and assessment of the potential of impacts to cultural resources. Depending on the location of these actions, cumulative impacts could occur on the historic districts or their components within the ROI; therefore, cultural resources are an issue and warranted further analysis.

#### **4.1.4 Land Use, Roadways and Traffic, and Socioeconomics**

Although the Proposed Action would affect only 1.5 acres, other future developments could cumulatively affect the current major land use within the ROI. As the City of El Paso continues to grow, it has limited expansion potential to the south (due to the international border), to the west (due to the New Mexico state line), or the north (due to Fort Bliss); consequently, the only real opportunity for future development is to the east, which would affect agricultural lands that comprise the majority of the project corridor. Therefore, land use warranted further analysis.

As additional development and expansion occurs, increased demands on transportation routes could occur. New highways or increased capacity (*i.e.*, widening) of existing highways would be required. These highways would be planned, designed and constructed to accommodate existing and future traffic demands, in accordance with TxDOT and FHWA standards. The Proposed Action would add about two vehicle trips per month to traffic and, therefore, would not represent a cumulative impact issue that warranted further analysis.

Other socioeconomic/human resources, including noise, aesthetics, local economy, and housing have been impacted by past and on-going development. Future development would result in cumulative adverse and beneficial impacts on these conditions. However, the Proposed Action would have only temporary and negligible impacts on the human environment. Therefore, when combined with the future development that could occur within the ROI, the Proposed Action would not be expected to result in cumulative effects and this issue does not warrant additional analysis.

#### **4.2 DEFINING CUMULATIVE EFFECTS ASSESSMENT GOALS**

Three effects issues, two resource-related (air quality and cultural resources) and one related to human communities (land use), have been identified as potentially cumulative. These issues are inter-dependent since air quality, cultural resources and land use will be affected primarily by urban development. Ultimately, the construction, operation and maintenance of the proposed towers represent a minimal contribution to the planned and anticipated growth in the Rio Grande Valley, which would occur regardless of the action implemented by CBP. Therefore, relative to the baseline conditions (*i.e.*, No Action Alternative), implementation of the Proposed Action would have a minimal cumulative effect on air quality, cultural resources or land use.

#### **4.3 SUMMARY OF OTHER PROJECTS CONTRIBUTING TO CUMULATIVE EFFECTS ISSUES**

The following sections describe current and proposed actions by CBP and other entities which, when combined with the Proposed Action, could result in cumulative impacts on the natural and human environment. The USBP El Paso Sector encompasses counties in both Texas and New Mexico and of the New Mexico stations, the Santa Teresa Station AO is spatially and geographically the closest and most similar to the ROI in this EA. For this reason, in addition to the ROI, this section of the EA will also examine the Santa Teresa AO within Doña Ana County, New Mexico.

### **4.3.1 Other CBP/USBP Operations**

#### ***4.3.1.1 Past Actions***

Past actions are those within the project areas that have occurred prior to the project described in this EA. The effects of these past actions are generally described in Section 3.0 as part of the existing project site conditions.

#### ***4.3.1.2 Present Actions***

Present actions include on-going or funded CBP projects or other operations in proximity to the proposed tower locations. These include:

- CBP and SBI Projects. Other CPB and SBI initiatives include additional staffing, additional detention and removal facilities and actions, enhanced border security technology, additional TI, and additional worksite enforcement. It is the goal of CBP to have better operational control of both the northern and southern borders by 2012. However, no other CBP or SBI construction project is on-going within the ROI at the time of the preparation of this EA. There are CBP projects under construction in the El Paso Sector; however, those projects are located near Columbus, New Mexico and not within the current ROI.
- USBP Checkpoint. One USBP checkpoint is being relocated on U.S. Highway 62/180 near Ysleta. A total of 7 acres were disturbed to accommodate the project site.

#### ***4.3.1.3 Reasonably Foreseeable Future Actions***

Reasonably foreseeable future actions consist of activities that have been approved and can be evaluated with respect to their effects. However, these activities are not currently being implemented. The following activities are reasonably foreseeable future CBP actions:

- New Border Fence, Lights, and Canal Crossings. USBP proposes construction of 57 miles of fence along the USIBWC levees from downtown El Paso to east of the Fort Hancock POE. Lights are also proposed as part of this TI project; however, the lights would be installed only in the corridor from the El Paso Wastewater Treatment Plant to the Fabens POE (approximately 21 miles). In addition, there are eight canal crossings included in the proposed TI corridor. All construction activities associated with this project would occur within previously disturbed areas,

primarily the flood control levees. Consequently, no additional disturbance of native vegetation or soils would be expected.

- El Paso Fence. CBP proposes to replace existing chainlink fence with 3 miles of primary pedestrian fence and gates that meet height and impact standards specified by CBP along the American Canal Extension/Rio Grande property starting near an abandoned Rio Grande pumphouse and ending near the Paso del Norte POE in El Paso, Texas and a railroad bridge. The primary pedestrian fence would be installed in 3 segments, the first of which would be along U.S. Highway 85 (Paisano Drive) and would consist of post and rail construction of the primary pedestrian fence while the remaining two segments, at approximately 2 miles, would be primary pedestrian fence with a floating foundation construction process, adjacent to the American Canal Extension/Rio Grande and on or near the USIBWC levee. The proposed primary pedestrian fence and gates would cause approximately 6 acres of permanent impacts. The Supplemental EA is final and the FONSI was signed in December 2007.
- Santa Teresa Fence. CBP proposes the construction of approximately 6.8 miles of aesthetic fence starting 1.11 miles west of the Santa Teresa POE, and extending east of the POE along the U.S.-Mexico Border, for 5.7 miles to the west end of Sunland Park. The aesthetic fence and associated unimproved aggregate maintenance road would be installed approximately 3 feet north of the international border within the Roosevelt Reservation. The final fence design will be developed by the design/build contractor. However, at a minimum, it must be 15 to 18 feet high, capable of withstanding vandalism, not easily climbed, and be aesthetically pleasing. Implementation would cause approximately 8 acres of permanent impacts on soils, native vegetation, and wildlife habitats. The EA is final and the FONSI was signed in November 2007.
- Other CBP TI Projects. Numerous TI projects are being planned by CBP throughout the El Paso Sector. In 2006, a Programmatic EA was prepared to address proposed construction of TI along the U.S.-Mexico border in the Texas portion of the El Paso Sector. The TI involves improvements or construction of up to 19 RVS towers (some of which are included as part of the Proposed Action of this EA), improvements to or construction of approximately 99 miles of all-weather patrol roads and approximately 40 miles of drag roads, installation of permanent pedestrian barriers and permanent lights, construction of ancillary structures (*i.e.*, low water crossings, access gates, pipe gates, bridges), vegetation management, and installation of permanent vehicle barriers. It is anticipated that the projects would be implemented over the next 10 years and disturb a total of 571 acres.

- USBP Facilities. CBP is also planning several facilities projects in the El Paso Sector. These include the construction of a new USBP station in Fort Hancock (14 acres) and improvements to a weapons training range near Fabens (50 acres with 250 acres of buffer area).
- Proposed El Paso Mobile Towers. CBP SBI*net* is also planning new surveillance and communication towers in the El Paso Sector, New Mexico stations. Surveillance and communication towers would be constructed throughout the Deming, Lordsburg and Santa Teresa AOs. At present, approximately 11 towers and associated access roads are proposed for the Santa Teresa AO. The EA is currently in the initial drafting stage.
- Proposed North American Free Trade Agreement (NAFTA) Facility. The Santa Teresa POE is proposed to become a major NAFTA-import/export facility for both rail and trucking traffic. Increased illegal traffic and new NAFTA traffic would increase the need for improved border security and infrastructure (Rogers 2006).

#### **4.3.2 Other Agency/Organizations Projects**

##### ***4.3.2.1 Texas Department of Transportation.***

TxDOT, El Paso District has several construction projects in progress or in planning stages:

- I-10 Southern Relief Route. TxDOT is studying the feasibility of a Southern Relief Route for I-10 along the southern corridor of Loop 375 in El Paso.
- I-10 E3 rail project/closure update. Permanent concrete railings will be built, and high mast illumination lights will be installed on I-10 between Schuster Drive and Reynolds Street.
- Northeast Parkway Project- TxDOT. In cooperation with the New Mexico Department of Transportation (NMDOT), has recently completed the design schematic for a 21-mile long, limited access highway connecting Loop 375 in northeast El Paso near Railroad Drive to I-10 in Anthony, New Mexico.
- I-10/Americas Interchange. The I-10/Americas Interchange project will involve improving the existing cloverleaf interchange; constructing the Loop 375 main lanes over I-10 to the Socorro Independent School District's Activities Center at Bob Hope Drive; and adding directional ramps/connections between Loop 375 and I-10.
- I-10 East Corridor Study. TxDOT has completed the 22-mile I-10 East Corridor Study from just west of U.S. Highway 54 at Piedras Street to farm to market (FM) 1110 at the Town of Clint. The corridor also included portions of FM 76 (North Loop Road) from FM 1281 (Horizon Boulevard) to FM 1110, and SH 20 (Alameda Avenue) from just east of Loop 375 to

FM 1110, and FM 1110 between I-10 and FM 76. The I-10 East Corridor Study was designed as a comprehensive multi-modal study and has resulted in recommended strategies to address identified long term transportation and corridor needs through 2025.

#### ***4.3.2.2 New Mexico Department of Transportation.***

NMDOT has several road improvement projects scheduled for Doña Ana County in the next 5 years. However, the level of impacts would tend to be low, as the majority of the construction would be within existing right of way. The projects listed below are in the planning stage and potential impacts are unknown at this time (NMDOT 2007).

- I-10 Corridor Study. It will study and recommend improvements on I-10 between Las Cruces, New Mexico and the Texas State Line. This project consists of the reconstruction of the existing highway and other improvements to accommodate public transportation elements, including high commuter and commercial traffic. The I-10 Corridor Study is being prepared in three phases: Phase A includes an initial evaluation of a broad base of alternates; Phase B includes further engineering design of the potential alternates and concludes with a final recommendation; and Phase C includes the preparation of the environmental document in accordance with NEPA.
- I-25 Doña Ana Bridge (Exit 9). NMDOT is working with Reiman Corporation on re-construction of the I-25 Dona Ana Bridge at exit 9. The project is complete with minor details pending. The cost of this project was \$7.3 million, and it is located in Doña Ana County just north of Las Cruces. Minor work continues under the bridge and on NM 320.

#### ***4.3.2.3 El Paso County Projects.***

The El Paso County Road and Bridge Department has an ongoing road paving program and schedule. All of the streets in the paving program are 24 feet in width. Paving projects in the Fabens area include:

- Wingo Reserve Road from Jeff Harris Road to Rawls Road- 0.8 mile.
- Rawls Road from Wingo Reserve Road to Isla Road- 0.1 mile.
- Island Road from Lower Island Road to Newman Road- 1.4 miles.
- Highland Street from 5<sup>th</sup> Street to the end of Highland Street- 0.6 mile.
- Tornillo Avenue from OT Smith Road to 5<sup>th</sup> Street- 0.3 mile.
- Florinda Drive from Cobb Avenue to Linda Drive- 0.3 mile.
- Flor Del Rio Drive from Cobb Avenue to Linda Drive- 0.3 mile.
- Florelia Drive from Gaby Road to Linda Drive- 0.1 mile.

- Flor Bella Lane from Linda Drive to the end of Flor Bella Lane- 0.1 mile.
- Linda Drive from Feed Penn Road to Henderson Street- 0.3 mile.
- Los Lettunich Road from Henderson Street to Feed Penn Road- 0.3 mile.
- Chamizo Road from Feed Penn Road to Henderson Street- 0.3 mile.

#### **4.3.2.4 Doña Ana County Projects.**

Current Doña Ana County projects as outlined on the county website include (Doña Ana County 2007):

- Future plans call for significant expansion of airport capabilities utilizing funds allocated by the U.S. Congress through the FAA. Upon completion of the improvements, the Doña Ana County Airport at Santa Teresa will be able to accommodate large passenger and cargo jets, including DC-10 aircraft.
- The Doña Ana County Administrative Complex is currently under construction. This 154,000 square foot state-of-the-art facility will house most county departments and include the offices of the Third Judicial District Attorney.

## **4.4 CUMULATIVE EFFECTS ASSESSMENT**

A summary of the anticipated cumulative impacts relative to the Proposed Action (*i.e.*, construction, operation, improvement, and maintenance of 12 tower sites) is presented below. These discussions are for each resource identified previously with the potential to result in cumulative impacts.

### **4.4.1 Air Quality**

The emissions generated during and after construction of the towers and access roads would be short term and minor. As indicated in Table 3-7, the total air emissions for construction activities would be far below the *de minimis* thresholds where a conformity analysis would be required. Although maintenance of the towers and access roads would result in cumulative impacts on the region's airshed, these impacts would be much less than that created during the construction activities. Propane generators would be used only intermittently, and emissions from these generators would be also be negligible. As noted in Table 3-8, emissions from the generators are estimated to be



less than 3 percent of the *de minimis* thresholds. Deterrence of and improved response time to IEs from the operation of the towers would reduce off-road enforcement actions currently required by USBP agents.

Other developments within the Rio Grande Valley would occur regardless of the Proposed Action or other actions currently being planned by CBP. Developments would remove agricultural land from production, which could have long term reduction in PM-10; however, new developments would also increase traffic and the potential for CO emissions. The CBP projects currently being planned or constructed would have temporary and minor impacts on the region's airshed, similar to the Proposed Action. However, due to the temporal (over a 10 year period) and spatial (throughout two counties) nature of the CBP projects, the cumulative effect of construction activities is not expected to be significant. Furthermore, other CBP planned projects are not expected to increase PM-10 or CO emissions once those projects are completed. Therefore, the negligible amount of long term emissions associated with the Proposed Action, when combined with other projects in the region, is not expected to result in significant cumulative impacts.

#### **4.4.2 Cultural Resources**

The Proposed Action would have little effect on cultural resources. Although three of the proposed towers are located within NRHP districts, the Proposed Action would not diminish the location, design, setting, materials, workmanship, feeling, or association of the Districts nor impair any functioning aspect of the systems. The proposed CBP fence projects mentioned above would also occur within or near these districts; however, the design of those fences are expected to require limited, if any, ground disturbance or be placed at the toe of the levee slope within previously disturbed lands. Thus, fence projects, when combined, would not affect the integrity of the levees or the drainage system. Other CBP projects described above have the potential to affect an additional 642 acres. However, CBP would conduct required surveys and complete Section 106 compliance prior to construction near any site identified as potentially eligible for NRHP listing. Mitigation measures identified during the Section 106 consultation process

would ensure that adverse impacts on cultural resources are avoided or minimized. Furthermore, other future development in the region is expected to occur primarily within previously disturbed lands due to the harsh terrain, deep sandy soils, and limited water availability that occurs in other undisturbed Chihuahuan desert areas of El Paso and Hudspeth counties. Other developments, including highway construction or improvements that would require Federal permits, lands, or financial assistance, would be subject to the same compliance requirements under Section 106 of the NHPA as CBP. Consequently, avoidance of historic properties or other mitigation measures are expected to be implemented. Furthermore, these actions would occur with or without implementation of the Proposed Action. The Proposed Action, when combined with other existing and proposed projects in the region, is not expected to result in significant cumulative impacts on cultural resources.

#### **4.4.3 Land Use**

The Proposed Action would permanently affect approximately 1.5 acres of agricultural land, open rangeland and developed/disturbed lands. The construction and operation of the towers would not conflict with known land use plans, and would not substantially alter the availability of farm or rangelands in the region. Other CBP actions would affect up to 642 acres of developed, agriculture, and open rangeland. Future urban development surrounding the City of El Paso would also permanently convert disturbed and agricultural lands, particularly within the study corridor, regardless of whether the Proposed Action is implemented. The amount of land impacted by the Proposed Action (1.5 acres), when combined with the 642 acres that could be permanently converted by other CBP projects, would be less than 0.02 percent of the total land area (3.6 million acres) within the ROI. Therefore, the Proposed Action is not expected to result in significant cumulative adverse effects on land use within the ROI.

**SECTION 5.0**  
**MITIGATION MEASURES**





## **5.0 MITIGATION MEASURES**

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This chapter describes those measures that would 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 are presented for each resource category potentially affected. These are general mitigation measures; development of specific mitigation measures would be required for certain activities implemented under the action alternatives. The proposed mitigation measures would be coordinated through appropriate agencies and land managers or administrators, as required.

It is CBP's policy to reduce impacts through a sequence of avoidance, minimization, mitigation, and compensation. Mitigation measures vary, and include activities such as restoration of habitat in other areas, acquisition of lands, implementation of BMPs, and are typically coordinated with the USFWS and other appropriate Federal and state resource agencies.

### **5.1 GENERAL CONSTRUCTION ACTIVITIES**

BMPs will be implemented as standard operating procedures during all construction activities, and would include proper handling, storage, and/or disposal of hazardous and/or regulated materials. To minimize potential impacts from hazardous and regulated materials, all fuels, waste oils and solvents would be collected and stored in tanks or drums within a secondary containment system that consists 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 in accordance with accepted industry and regulatory guidelines, and all vehicles will have drip pans during storage to contain minor spills and drips. Although it is unlikely that a major spill would occur, any spill of reportable quantities will be contained immediately within an earthen dike, and the application of an absorbent (*e.g.*, granular, pillow, sock, *etc.*) will be used

to absorb and contain the spill. To ensure oil pollution prevention, a SPCCP will be in place prior to the start of construction activities and all personnel will be briefed on the implementation and responsibilities of this plan as is typical in CBP/SBI projects. All spills will be reported to the designated USBP point of contact for the project. Furthermore, a spill of any petroleum liquids (e.g., fuel) or material listed in 40 CFR 302 Table 302.4 or any other applicable state or Federal regulation of a reportable quantity must be cleaned up and reported to the appropriate Federal and state agencies.

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 applicable Federal, state, and local regulations, including proper waste manifesting procedures.

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

## **5.2 SOILS**

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 erosion control techniques, such as, straw bales, silt fencing, aggregate materials, wetting compounds, and rehabilitation, where possible, to decrease erosion. Rehabilitation will include re-vegetating or the distribution of organic and geological materials (*i.e.*, boulders and rocks) over the disturbed area to reduce erosion while allowing the area to naturally vegetate. Additionally, erosion control measures and appropriate BMPs, as required and promulgated through the SWPPP and engineering designs, will be implemented before, during, and after construction activities.

Road maintenance shall avoid, to the extent practicable making wind rows with the soils once grading activities are completed. Any excess soils from construction activities will be used on-site to raise and shape the road surface.

### **5.3 VEGETATION**

Native seeds or plants, which are compatible with the enhancement of protected species, will be used to the extent practicable, as required under Section 7(a)(1) of the ESA, to revegetate staging areas and other temporarily disturbed areas. Additionally, vegetation and topsoil will be collected and stockpiled during construction to be used for erosion control after construction while the areas naturally revegetate.

Construction equipment will be cleaned at the temporary staging areas, in accordance with BMPs, prior to entering and departing the project corridor to minimize the spread and establishment of non-native invasive plant species.

### **5.4 WILDLIFE RESOURCES**

The Migratory Bird Treaty Act requires that Federal agencies coordinate with USFWS if a construction or site activity would result in the take of a migratory bird. If construction or clearing activities are scheduled during nesting season (February 15 through August 31), surveys will be performed to identify active nests. If construction activities would result in the take of a migratory bird, then coordination with USFWS and TPWD will be undertaken and applicable permits would be obtained prior to construction or clearing activities. The proposed towers will also comply with USFWS guidelines for reducing fatal bird strikes on communication towers (USFWS 2000) to the greatest extent practicable. These guidelines recommend co-locating new antennae arrays on existing towers whenever possible and building towers as short as possible without guy wires or lighting. Additionally, white or red strobe lights will be used whenever lights are required for aviation safety.

## **5.5 PROTECTED SPECIES**

Construction equipment will be cleaned prior to entering and departing the project corridor area to minimize the spread and establishment of non-native invasive plant species. Soil disturbances in temporary impact areas will be re-vegetated. To minimize critical habitat impacts, designated travel corridors will be marked with easily observed removable or biodegradable markers, and travel will be restricted to the established corridor under most circumstances.

Potentially suitable habitat for the Texas horned lizard, a TPWD threatened or endangered species, was observed at tower sites EPT-FBN-070, EPT-FHT-064, EPT-FHT-068, and is likely to exist at EPT-YST-059, and EPT-FHT-058. Care will be taken to avoid Texas horned lizards to the greatest extent possible; however, where avoidance is impractical, consultation with TPWD will be conducted to identify conservation measures and reasonable and prudent measures, such as using qualified biologists to monitor construction and conduct post-project, long term monitoring, as deemed necessary. During below-ground construction, construction personnel will avoid leaving open trenches, and will routinely check for the presence of animals within the trenches to minimize the risk of injury or death to wildlife.

Scattered sand prickly pear cacti, a TPWD species of concern, was observed adjacent to the existing path and within and around the area around tower site EPT-YST-059. Care will be taken to avoid this species, if encountered at tower site EPT-YST-059.

## **5.6 CULTURAL RESOURCES**

All construction will be restricted to previously surveyed areas. If any cultural material is discovered during construction and UGS deployment, the SHPO and THC will be notified immediately and all activities halted until a qualified archeologist assesses the cultural remains. As a consulting party to the Section 106 process, the Ysleta del Sur Pueblo will also be contacted if any human remains should be unearthed, per Native American Graves Protection and Repatriation Act guidelines.



Additionally, to ensure environmental compliance for all UGS during their placement, USBP will follow standard practices and procedures for management of the sensors at the time of deployment to avoid disturbing cultural resources.

SBI*net* staff submitted a letter to the Texas SHPO seeking concurrence with a determination of no adverse effect in accordance with Section 106 of the National Historic Preservation Act. The Texas SHPO has concurred with CBP's determination of no adverse effects. The Ysleta del Sur Pueblo has requested to be a consulting party per the Section 106, process and states that they concur that there would be no adverse effects on their Pueblo.

## **5.7 WATER RESOURCES**

Standard erosion control measures will be implemented to minimize the potential for erosion and sedimentation during construction. All work shall cease during heavy rains and will not resume until conditions are suitable for the movement of equipment and material. All fuels, waste oils, and solvents used during construction activities will be collected and stored in tanks or drums within a secondary containment area consisting of an impervious floor and bermed sidewalls capable of holding 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. Additionally, no refueling or storage of POL will take place within 100 feet of drainages. Other environmental design measures for erosion control will be implemented, such as the use of straw bales, silt fencing, aggregate materials, wetting compounds, and re-vegetation with native plant species, where possible, to decrease erosion and sedimentation. Furthermore, NWP procedures will be completed before construction is initiated.

## **5.8 AIR QUALITY**

Mitigation measures will be incorporated to ensure that fugitive dust emission levels do not rise above the minimum threshold, as required per 40 CFR 51.853(b)(1). Measures will include dust suppression methods such as road watering to minimize airborne particulate matter created during construction activities. Standard construction BMPs, such as routine watering of the construction site and access roads to the site, will be used to control fugitive dust during the construction phases of the proposed project. Additionally, all construction equipment and vehicles will be required to be maintained in good operating condition to minimize exhaust emissions.

## **5.9 NOISE**

During the construction phase of the proposed project, short term noise impacts are anticipated. All applicable Occupational Safety and Health Administration regulation requirements will be followed. On-site activities will be restricted to daylight hours. Construction equipment will possess properly working mufflers and will be kept properly tuned to reduce backfires. Implementation of these measures will reduce the expected short term noise impacts to an insignificant level in and around tower construction sites.

To minimize noise impacts, construction activities near residential neighborhoods will be limited to daylight hours during the work week when most of the residents are at school or at work. Construction activities will be limited to hours between 7:00 am and 7:00 pm on Monday through Friday at the EPT-FBN-071 and EPT-YST-072 tower installation sites.

During the operational phase of the proposed project, when utilized, backup generators will create noise levels up to 75 dBA. To minimize noise levels, generators will be equipped with appropriate sound muffling devices.

## **5.10 HAZARDOUS MATERIALS**

Disposal of used batteries or other small quantities of hazardous waste will be handled, managed, maintained, stored, and disposed of in accordance with applicable Federal and state rules and regulations for the management, storage, and disposal of hazardous materials, hazardous waste and universal waste. Additionally, to the extent practicable, all batteries will be recycled locally.

## **5.11 AESTHETIC AND VISUAL RESOURCES**

Mitigation measures to minimize potential impacts resulting from the surveillance and communication towers would include, but not be limited to, painting the proposed towers to blend into their background and the use of decorative tower site perimeter fencing in the residential areas.

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***SECTION 6.0***  
***REFERENCES***





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***SECTION 7.0***  
***ACRONYMS AND ABBREVIATIONS***

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## 7.0 ACRONYMS AND ABBREVIATIONS

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ACHP	Advisory Council on Historic Preservation
ANSI	American National Standards Institute
AO	Area of Operation
APE	Area of Potential Effect
ASTM	American Society for Testing and Materials
bgs	below ground surface
BEA	Bureau of Economic Analysis
BMP	Best Management Practice
CAA	Clean Air Act
CBP	U.S. Customs and Border Protection
CEQ	Council on Environmental Quality
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CFR	Code of Federal Regulations
CO	carbon monoxide
COP	Common Operating Picture
CRT	Communications Relay Tower
CWA	Clean Water Act
dB	decibel
dBA	decibel – A weighted scale
DHS	Department of Homeland Security
DOI	Department of Interior
EA	Environmental Assessment
EComm	Ecological Communications Corporation
EIS	Environmental Impact Statement
EM	electromagnetic
EO	Executive Order
EPWID	El Paso County Water Improvement District
ESA	Endangered Species Act
°F	degrees Fahrenheit
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FM	Farm to Market Road
FPPA	Farmland Protection Policy Act
FR	Federal Register
GHz	gigahertz
GIS	Geographic Information System
GSRC	Gulf South Research Corporation
Hz	hertz
I-10	Interstate 10

I-15	Interstate 15
IE	Illegal Entrants
IEEE	Institute of Electrical and Electronics Engineers
INS	Immigration and Naturalization Service
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act of 1996
JTF-6	Joint Task Force Six
kW	kilowatt
LEED	Leadership in Energy and Environmental Design Green Building Rating System
LOS	line-of-sight
MOA	Memorandum of Agreement
MPE	Maximum Permissible Exposure
mW	megawatts
NAAQS	National Ambient Air Quality Standards
NAFTA	North American Free Trade Agreement
NCRP	National Council of Radiation Protection and Measurements
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NM	New Mexico
NMDOT	New Mexico Department of Transportation
NOA	Notice of Availability
NOx	nitrous oxides
NO <sub>2</sub>	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NRCS	Natural Resource Conservation Service
NRHP	National Register of Historic Places
NTIA	National Telecommunications and Information Administration
NWP	Nationwide Permits
O <sub>3</sub>	ozone
OET	Office of Engineering and Technology (FCC)
Pb	lead
PCPI	per capita personal income
PEA	Programmatic Environmental Assessment
PEIS	Programmatic Environmental Impact Statement
PM-10	particulate matter measuring less than 10 microns
PM-2.5	particulate matter measuring less than 2.5 microns
P.L.	Public Law
POE	Port of Entry
POL	Petroleum, Oil, and Lubricants
RDT	Rapidly Deployed Tower
RF	radio frequency
ROI	Region of Influence
RRVS	Radar and Remote Video System
RRVS-CRT	Combination Radar and Remote Video System and Communications Tower



RVS	Remote Video Surveillance
SBI	Secure Border Initiative
SH	State Highway
SHPO	State Historic Preservation Office
SO <sub>2</sub>	sulfur dioxide
SPCCP	Spill Prevention, Control, and Countermeasures Plan
SS	Self Standing
SWPPP	Stormwater Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
THC	Texas Historical Commission
TI	Tactical Infrastructure
TPI	total personal income
TPWD	Texas Parks and Wildlife Department
TSHA	Texas State Historical Association
TxDOT	Texas Department of Transportation
TX	Texas
UAV	unmanned air vehicles
UGS	unattended ground sensors
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
USGS	U.S. Geological Service
USIBWC	U.S. Section, International Boundary and Water Commission
VOC	volatile organic compounds
WASSPT	Wide Area Surveillance Sensor Placement Tool
WUS	Waters of the United States

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**SECTION 8.0**  
**LIST OF PREPARERS**





## 8.0 LIST OF PREPARERS

The following people were primarily responsible for preparing this Environmental Assessment.

NAME	AGENCY/ORGANIZATION	DISCIPLINE/EXPERTISE	EXPERIENCE	ROLE IN PREPARING EA
Patience E. Patterson, RPA	Customs and Border Protection	Archaeology/NEPA	30 years professional archeologist/cultural resource and NEPA manager	EA review
Paula Miller	Customs and Border Protection	NEPA/Legal	30 years of environmental compliance law and NEPA compliance	EA review
Suna Adam Knaus	Gulf South Research Corporation	Forestry/Wildlife	17 years natural resources	EA review
Chris Ingram	Gulf South Research Corporation	Biology/Ecology	30 years EA/EIS studies	EA review
Denise Rousseau Ford	Gulf South Research Corporation	Environmental Engineering	Over 15 years of environmental experience	Project Manager (EA preparation and review)
Michael Hodson	Gulf South Research Corporation	Community Ecology/Plant Biology	10 years natural resources studies and 3 years NEPA	EA preparation (Vegetation, Wildlife Resources and Protected Species)
Joanna Cezniak	Gulf South Research Corporation	Wildlife	9 years natural resources and 4 years of NEPA experience	EA preparation (Surface Waters and Waters of the US, Floodplains, Roadways and Traffic)
Steve Kolian	Gulf South Research Corporation	Noise and Air Quality	10 years experience in environmental science	EA preparation (Noise and Air Quality)
Maria Bernard Reid	Gulf South Research Corporation	Environmental Studies	5 years NEPA and natural resources	EA preparation (land use) and EA review
Sharon Newman	Gulf South Research Corporation	GIS/Graphics	12 years GIS/graphics experience	GIS/graphics
Shanna McCarty	Gulf South Research Corporation	Forestry	3 years experience in natural resource studies	EA preparation (socioeconomics) and EA review

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*APPENDIX A*  
*CORRESPONDENCE*









**U.S. Customs and  
Border Protection**

Honorable Mark Chino, President  
ATTN: Ms. Holly Houghten, Cultural Affairs Office  
Mescalero Apache Tribe  
124 Chiricahua Plaza  
Mescalero, New Mexico 88340

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Sir:

The Secure Border Initiative (SBI), *SBI<sub>net</sub>* Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

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SBI<sup>net</sup> is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI<sup>net</sup> is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI<sup>net</sup>'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and

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SBInet intends to evaluate the following potential environmental impact areas:

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Kirk Evans  
Program Manager, SBInet





**U.S. Customs and  
Border Protection**

Honorable Arturo Senclair, Governor  
Ysleta del Sur Pueblo  
Tigua Reservation  
119 South Old Pueblo Road  
El Paso, Texas 79907

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

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Kirk Evans  
Program Manager, *SBI<sub>net</sub>*







**U.S. Customs and  
Border Protection**

Mr. Bill Martin  
State Historic Preservation Officer  
Texas Historical Commission  
1511 Colorado St.  
Austin, Texas 78701

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Martin:

The Secure Border Initiative (SBI), *SBI<sub>net</sub>* Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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Kirk Evans  
Program Manager, SBI<sup>net</sup>





**U.S. Customs and  
Border Protection**

Mr. Charles Peveto  
Architecture Division  
Capitol Station  
Texas Historical Commission  
P.O. Box 12276  
Austin, TX 78711-2276

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Peveto:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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Kirk Evans  
Program Manager, *SBI<sub>net</sub>*







**U.S. Customs and  
Border Protection**

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

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Strand:

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Kirk Evans  
Program Manager, SBInet





U.S. Customs and  
Border Protection

Mr. F. Lawrence Oakes  
State Historic Preservation Officer  
Texas Historical Commission  
1511 Colorado St.  
Austin, TX 78701

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Oakes:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

SBI is a comprehensive, multi-year plan to secure America's borders and reduce illegal immigration. *SBI*net is the component of SBI that is developing and implementing technology and tactical infrastructure that will help the Border Patrol secure the border by immediately detecting and identifying border entries, classifying the threat, and implementing effective and efficient resolution. For this proposed action, *SBI*net plans to design, develop, and deploy a technology-based solution to decrease illegal border activities and deter and prevent illegal entry in and around the area east of El Paso, Texas.

While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI<sup>net</sup> is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI<sup>net</sup> is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI<sup>net</sup>'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and

local restrictions, permitting or other requirements with which *SBI*net would have to comply during project siting, construction and operation.

*SBI*net intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, *SBI*net







**U.S. Customs and  
Border Protection**

Mr. Fred Nahwoosky  
Comanche Nation  
584 NW Bingo Rd  
HC 32 Box 1720  
Lawton, Oklahoma 73507

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Nahwoosky:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

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The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

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local restrictions, permitting or other requirements with which *SBI*net would have to comply during project siting, construction and operation.

*SBI*net intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
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- Farmlands
- Noise
- Visual Quality
- Recreational Resources
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Kirk Evans  
Program Manager, *SBI*net





**U.S. Customs and  
Border Protection**

Honorable Billy Evans Horse, Chairman  
Kiowa Tribe of Oklahoma  
Hwy 9 West  
Carnegie, OK 73015

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Sir:

The Secure Border Initiative (SBI), *SBI<sub>net</sub>* Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

*SBI<sub>net</sub>*'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers,

ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

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The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

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SBInet intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
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Kirk Evans  
Program Manager, SBInet







U.S. Customs and  
Border Protection

Honorable Jeff Houser, Chairman  
Ft. Sill Apache Tribe  
Attn: Mr. Leland Darrow  
2 Miles north of Apache on HWY 281  
Apache, Oklahoma 73006

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

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The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBInet's proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

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Kirk Evans  
Program Manager, SBInet





**U.S. Customs and  
Border Protection**

Honorable Wallace Coffey, Chairman  
Comanche Nation  
584 NW Bingo Rd  
HC 32 Box 1720  
Lawton, Oklahoma 73507

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Kirk Evans  
Program Manager, SBInet







**U.S. Customs and  
Border Protection**

Honorable Ronnie Lupe, Chairman  
White Mountain Apache Tribal Council  
Attn: Mark T. Altaha, THPO  
202 East Walnut Street  
Whiteriver, AZ 85941

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

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Kirk Evans  
Program Manager, *SBI*net





**U.S. Customs and  
Border Protection**

International boundary and Water Commission  
U.S. Section  
Attn: Doug Echlin  
4171 North Mesa St., C-130  
El Paso, TX 79902

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Echlin:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

*SBI*net's proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers,

ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI*net* is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI*net* is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI*net*'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and local restrictions, permitting or other requirements with which SBI*net* would have to comply during project siting, construction and operation.

SBI*net* intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).

  
Kirk Evans  
Program Manager, SBI*net*







**U.S. Customs and  
Border Protection**

Ms. Katherine Slick, Director  
Department of Cultural Affairs  
Historic Preservation Division  
228 East Palace Ave, Room 320  
Santa Fe, NM 87501

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Ms. Slick:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI<sup>net</sup> is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI<sup>net</sup> is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI<sup>net</sup>'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and

local restrictions, permitting or other requirements with which *SBI*net would have to comply during project siting, construction and operation.

*SBI*net intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, *SBI*net





**U.S. Customs and  
Border Protection**

Kathy Boydston  
TPWD Wildlife Habitat Assessment Program  
4200 Smith School Road  
Austin, TX 78744

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Ms. Boydston:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

*SBI*net's proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers,

ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI*net* is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI*net* is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI*net*'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and local restrictions, permitting or other requirements with which SBI*net* would have to comply during project siting, construction and operation.

SBI*net* intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

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Kirk Evans  
Program Manager, SBI*net*







U.S. Customs and  
Border Protection

Mr. Tim Bone  
Texas Parks and Wildlife  
West Texas Wildlife District  
Natural Resource Specialist  
109 South Cockrell  
Alpine, TX 79830

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Bone:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI<sup>net</sup> is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI<sup>net</sup> is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI<sup>net</sup>'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described

above. Your response to this solicitation for input should include any state and local restrictions, permitting or other requirements with which *SBI<sub>net</sub>* would have to comply during project siting, construction and operation.

*SBI<sub>net</sub>* intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, *SBI<sub>net</sub>*





**U.S. Customs and  
Border Protection**

Texas Commission on Environmental Quality  
Region 6  
Attn: Archie Clouse  
401 E. Franklin Ave., Suite 560  
El Paso, TX 79901-1206  
U.S. Fish and Wildlife Service

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Clouse:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBlnef's proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBlnef is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBlnef is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBlnef's proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and

local restrictions, permitting or other requirements with which SBInet would have to comply during project siting, construction and operation.

SBInet intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
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Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, SBInet







**U.S. Customs and  
Border Protection**

Mr. Charles Peveto  
Architecture Division  
Capitol Station  
Texas Historical Commission  
P.O. Box 12276  
Austin, TX 78711-2276

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Peveto:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI*net*'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

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- Land Use and Zoning
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Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, *SBI*net





U.S. Customs and  
Border Protection

US Fish & Wildlife Service  
Southwest Region (AZ, NM, TX)  
10711 Burnett Road Suite 200  
Austin, TX 78758

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

To Whom It May Concern:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

SBI<sup>net</sup>'s proposed action would strengthen and support the Border Patrol's enforcement strategies. The technology components (communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment) that would be a part of this proposed action are intended to supplement and enhance the effectiveness of existing tactical infrastructure such as fencing, vehicle barriers, and roads near the United States – Mexico border. The technologies that would be utilized under this proposed action would enhance apprehension of illegal entrants (IEs) in the proximity of the border, which may result in a more compact patrol and enforcement area, and could allow for relocation of agents as necessary. The operational effectiveness of the Border Patrol would be enhanced by increased surveillance capabilities once the technologies are installed and operational.

The need for this proposed action is to decrease illegal border activities in and around Fabens, Ft. Hancock and Ysleta areas within the El Paso Border Patrol Sector. Not only does illegal border activity have direct and indirect costs for all U.S. citizens, it has environmental costs as well. IEs have contributed heavily to the destruction of native vegetation and left litter throughout the El Paso Sector. Illegal cross border activity threatens public lands, destroys historic and cultural structures and artifacts, harms endangered plant and animal species, and adversely affects other sensitive resources. Additionally, vehicles used by smugglers and IEs are abandoned in national parks and other environmentally sensitive areas. Dealing with the detrimental effects of illegal cross border activity is an ever-increasing burden on Federal and State land managers and private landowners.

The Area of Potential Effect (APE) of this proposed action will be defined through the identification of a range of areas within which communications towers and supporting technological components may be placed, accounting for radio frequency connectivity requirements between towers, end users, and a central communications location. Site Selection Criteria will be applied to assess site feasibility, analyze frequency availability, and balance it with stakeholder input, engineering assessments, and environmental factors. The design phase of this proposal is planned for completion before Fall 2007. Project deployment is expected to begin around September 2007 and reach completion around Spring 2008.

SBI<sup>net</sup> is seeking input from your organization regarding this proposed action to alleviate illegal border activities. SBI<sup>net</sup> is currently gathering data and input from state and local governmental agencies, departments, and bureaus that may be affected by or otherwise have an interest in this proposed action. Since your agency may have particular knowledge and expertise regarding potential environmental impacts from SBI<sup>net</sup>'s proposed action, your input and commentary are sought regarding the likely or anticipated environmental effects of this proposed action in and around the proposed project areas described above. Your response to this solicitation for input should include any state and

local restrictions, permitting or other requirements with which SBI<sup>net</sup> would have to comply during project siting, construction and operation.

SBI<sup>net</sup> intends to evaluate the following potential environmental impact areas:

- Land Use and Zoning
- Geology/Soils/Geotechnical concerns
- Hydrology/Drainage/Water Quality
- Floodplains
- Wetlands
- Water Resources/Water Quality
- Farmlands
- Noise
- Visual Quality
- Recreational Resources
- Biological Resources/Protected Species
- Cultural/Archaeological/Historic Resources
- Vehicular Transportation
- Air Resources/Air Quality
- Radiofrequency Emissions
- Socioeconomics/Environmental Justice
- Solid and Hazardous Waste Generation
- Energy Use
- Utilities Infrastructure

Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or [John.A.Wells@cbp.dhs.gov](mailto:John.A.Wells@cbp.dhs.gov).



Kirk Evans  
Program Manager, SBI<sup>net</sup>







U.S. Customs and  
Border Protection

Mr. William Seawell, Field Supervisor  
U.S. Fish and Wildlife Service  
10711 Burnet Road, Suite 200  
Austin, TX 78758

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Seawell:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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Kirk Evans  
Program Manager, SBInet





**U.S. Customs and  
Border Protection**

Ms. Celeste Brancel-Brown  
Texas Parks and Wildlife  
3000IH-35 South, Suite 100  
Austin, TX 78704

Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Ms. Brancel-Brown:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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While no final decisions on locations have been made, the geographic area of this proposed action is approximately 71 miles along the Texas border with Mexico, east of El Paso. It could include areas approximately 25 miles inland from that border area as well, and include areas in Ysleta, Fabens and Fort Hancock located within El Paso and Hudspeth Counties.

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Kirk Evans  
Program Manager, SBInet





Honorable Jeff Houser, Chairman  
ATTN: Mr. Leland Michael Darrow, Tribal Historian  
Fort Sill Apache Tribe of Oklahoma  
Rt. 2, Box 121  
Apache, Oklahoma 73006

SUBJECT: Section 106 Compliance and an Environmental Assessment for the Texas Mobile Tower Project, OBP El Paso Sector, El Paso, Texas

Dear Chairman Houser:

The U.S. Customs and Border Protection (CBP), Secure Border Initiative (*SBI<sub>net</sub>*), is preparing an Environmental Assessment (EA) for the construction of 10 sensor and communication towers and 8 canal crossings. The objective of this *SBI<sub>net</sub>* project is to develop a solution to establish and maintain effective control of the U.S. border along the approximately 73.6 miles of border in the El Paso Sector, encompassing border zones in and around the Ysleta, Fabens, and Fort Hancock, Texas OBP Areas of Responsibility (AORs). This project would support the Border Patrol's mission by strengthening national security between ports of entry (POEs) to prevent illegal entry of terrorists, terrorist weapons, contraband, and illegal aliens into the United States.

CBP and *SBI<sub>net</sub>* wish to continue its consultation process with appropriate, federally recognized tribes who historically used this region and/or continue to use the area. In a letter dated September 11, 2007, we notified you of the project mentioned above. In accordance with 36 CFR Part 800, an archaeological survey was conducted on the 21 locations (10 primary and 2 alternate towers and 9 canal crossings 8 primary and 1 alternate). A copy of the survey report is enclosed for your review, comments, and records. The survey resulted in the discovery of no new archaeological sites. One previously recorded archaeological site is located at proposed Tower EPT\_YST\_059. This site, 41HZ582, is a buried AT&T communication cable installed in 1947-48 as part of the 3,000-mile transcontinental telephone cable system. The linear site is more than several miles in length and is buried three to six feet below the modern surface. The exact alignment of the cable at this location is unknown due to imprecise archival maps but it appears to be outside of the tower area of potential effect (APE). The proposed tower undertaking will not adversely affect the character, integrity, or setting of the site.

Six of the 12 tower locations and all nine crossing locations are within the boundaries of the El Paso Water Control District #1, an extensive architectural and engineering district that was listed on the National Register of Historic Places (NRHP) in 1997. In addition, Tower EPT\_FBN\_055 is situated within 50 m of the Franklin Canal, an irrigation feature that was listed in 1992. None of the towers or crossings will have any direct adverse effect on either of these districts. The characteristics of both of these districts that make them eligible for the NRHP are their extensive nature; the Franklin Canal extends for more than 30 linear miles and the El Paso Water Control District #1 covers more than 75 square miles. Because all of the proposed towers and crossings are isolated and small in size relative to the districts, none of the proposed towers or crossings has the potential to diminish those characteristics of the districts that make them eligible for the NRHP. Further, the proposed towers and crossings will not have any adverse visual effect on either of the two districts because neither visual setting nor visual elements are character-defining elements of their eligibility.

Given the findings and recommendations noted above, which are included in the enclosed report and in accordance with 36 CFR Part 800.4(d)(1), we have asked for the Texas State Historic Preservation Officer's (SHPO) concurrence in our determination of, "...historic properties present but the undertaking will have no effect upon them as defined in § 800.16(i)...." If we have not heard from the SHPO within 30 days of their receipt of this letter and report, we will assume their concurrence with our determination. If you have any concerns at this time regarding known sacred sites or other traditional cultural properties within the proposed project area, please inform us immediately.

Thank you for participating in this public process. If you have any questions pertaining to this project please do not hesitate to contact Ms. Patience Patterson, RPA at (202) 344-1131, or via e-mail to [patience.patterson@dhs.gov](mailto:patience.patterson@dhs.gov).

Sincerely,

Kirk Evans, Program Manager  
SBInet, Program Office

Enclosure



TEXAS  
HISTORICAL  
COMMISSION

*The State Agency for Historic Preservation*

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

June 27, 2007

Kirk Evans  
Program Manager, SBInet  
US Department of Homeland Security  
Washington, DC 20229

Re: Project review under Section 106 of the National Historic Preservation Act of 1966 and the Antiquities Code of Texas, Secure Border Initiative's proposed EA for the siting, construction, and operation of a technology-based security system within a 71 by 25 mile border area east of El Paso, El Paso and Hudspeth Counties, Texas (US Customs and Border Protection /Homeland Security)

Dear Mr. Evans:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed federal undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. As the state agency responsible for administering the Antiquities Code of Texas, these comments also provide recommendations on compliance with state antiquities laws and regulations

The review staff, led by Debra L. Beene, has completed its review. We understand that the Area of Potential Effect (APE) has yet to be defined; however, this particular area of Texas contains very old pit house structures, camps, and villages that are one-of-a-kind, unique cultural sites. Much of the study area has a moderate to high probability of containing these significant cultural resources and an archeological investigation may be warranted. We recommend that a professional archeological staff identify the high probability areas for future investigation. We will be pleased to review the research design and survey results when available.

You can obtain lists of most professional archeologists in Texas on-line at [www.rpanet.org](http://www.rpanet.org) or <http://www.counciloftexasarcheologists.org>. Please note that other professional archeologists meeting the qualifying standards may be used; see these standards at [http://www.cr.nps.gov/locallaw/arch\\_stnds\\_9.htm](http://www.cr.nps.gov/locallaw/arch_stnds_9.htm). Please check the THC's web page for survey procedures at [www.thc.state.tx.us/rulesregs/rstate.html](http://www.thc.state.tx.us/rulesregs/rstate.html) and follow the CTA's report guidelines [http://www.thc.state.tx.us/rulesregs/RulesRegsPDF/CTA\\_guidelines.pdf](http://www.thc.state.tx.us/rulesregs/RulesRegsPDF/CTA_guidelines.pdf).

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your assistance in this federal and state review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Debra L. Beene at 512/463-5865.**

Sincerely,

A handwritten signature in cursive script, appearing to read "F. Lawrence Oaks".

for  
F. Lawrence Oaks, State Historic Preservation Officer

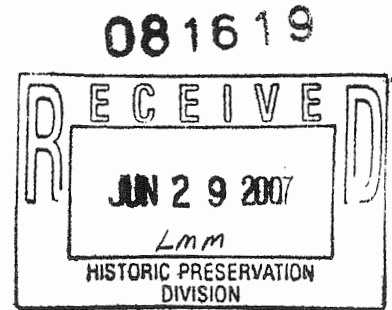
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U.S. Customs and  
Border Protection

Ms. Katherine Slick, Director  
Department of Cultural Affairs  
Historic Preservation Division  
228 East Palace Ave, Room 320  
Santa Fe, NM 87501



Re: Request for information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Ms. Slick:

The Secure Border Initiative (SBI), *SBI*net Program Management Office, a program in the Commissioner's Office of U.S. Customs and Border Protection (CBP), is preparing an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system that will cover a portion of the international border in western Texas. The EA will be prepared in compliance with Section 102(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. 1500 et seq., and Department of Homeland Security's *Management Directive 5100.1 – Environmental Planning Program*

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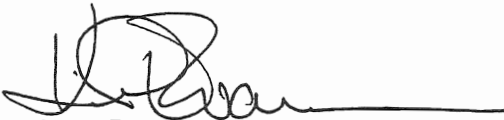
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Please submit your comments within 30 days after receipt of this notice. Agencies are requested to indicate their applicable statutory responsibilities in connection with this proposed project when responding. Responses should be sent to: John Wells, Project Manager at (202)344-3418 or John.A.Wells@cbp.dhs.gov.



Kirk Evans  
Program Manager, SBInet

#### COMMENTS

*We look forward to consulting  
for NM State Historic Preservation Officer  
under section 106 of the  
National Historic Preservation Act  
when the APE and historic  
properties are identified.  
Thank you.*

*Jim M. Meyer  
7/2/07*







INTERNATIONAL BOUNDARY AND WATER COMMISSION  
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER  
UNITED STATES SECTION

July 6, 2007

John Wells  
Project Manager  
SBInet Program Management Office  
Ronald Reagon Bldg (Rm. 7.5-62)  
1300 Pennsylvania Ave, NW  
Washington, DC 20229

Subject: Request for Information in support of an Environmental Assessment for the siting, construction and operation of a technology-based border security system

Dear Mr. Wells:

The United States Section, International Boundary and Water Commission (USIBWC), appreciates the opportunity to provide comments on the Secure Border Initiative (SBI). The following comments are provided for your perusal. As we understand the project, you propose to develop and implement technology and tactical infrastructure that will help the Border Patrol secure the border by immediately detecting and identifying border entries, classifying threat, and implementing effective and efficient resolution. The goal is to design, develop, and deploy technology-based solutions to decrease illegal border activities and deter and prevent illegal entry in and around a 71-mile area east of El Paso, Texas.

As you may already be aware, it is the responsibility of the United States Section, International Boundary and Water Commission (USIBWC) to preserve the Rio Grande as the international boundary and maintain flood control works. A license will be required from the USIBWC for any proposed activities crossing or encroaching upon the United States portion of the Rio Grande. To obtain a license from the USIBWC, we will require complete compliance with the National Environmental Policy Act (P.L. 91-190, as amended), the Endangered Species Act (P.L. 93-205, as amended), the National Historic Preservation Act (P.L. 89-665, as amended), and the Clean Water Act (Federal Water Pollution Control Act)(P.L. 92-500, P.L. 93-243, and P.L. 95-217; 33 U.S.C. Sec. 1251, et seq.). The environmental assessment documentation should be sufficient support for any request for license for the proposed SBInet initiative. Questions regarding USIBWC permitting should be addressed to Mr. Richard Peace, Operations and Maintenance Division at the letterhead address or via telephone at (915) 832-4158. Further information regarding license requests can be obtained online at: [www.ibwc.state.gov/Permits\\_Licenses/boundary\\_realty.html](http://www.ibwc.state.gov/Permits_Licenses/boundary_realty.html). During the permitting process the USIBWC also requires that engineering drawings be submitted to the USIBWC for review and approval before beginning construction of the proposed project infrastructure on USIBWC property. The drawings must show the location of each component in relation to the Rio Grande.

For your information, the USIBWC will be releasing a draft Programmatic Environmental Impact Statement (PEIS) for its Flood Control Projects in Texas. The PEIS evaluates a range of alternatives for maintenance activities and future improvements to three of the USIBWC flood control projects (FCP) along the Rio Grande. Those flood control projects are:

- Rio Grande Rectification Project extending 84.4 miles along the Rio Grande, downstream from American Diversion Dam to Fort Quitman, Texas. For the purposes of the PEIS, this project is identified as Rectification FCP.
- Presidio-Ojinaga Flood Control Project extending over 13.1 river miles of the Rio Grande near Presidio, Texas.

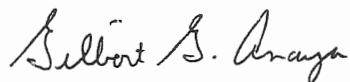
- Lower Rio Grande Flood Control Project extending 186 river miles on the Rio Grande, from Peñitas, Texas to the Gulf of Mexico, and including 120 miles of interior floodways.

The PEIS evaluates, at a programmatic level, potential environmental consequences that may result from implementation of a No Action Alternative and three Action Alternatives. The following environmental resources are assessed in the PEIS: water resources, biological resources, land use, air quality, noise, public health and environmental hazards, cultural resources, socioeconomic resources, and cumulative impacts. Once released the PEIS will be available on the USIBWC website: [www.ibwc.state.gov](http://www.ibwc.state.gov). You may possibly utilize information from the PEIS in developing your environmental assessment.

Also, the USIBWC has identified several priority areas within the Rio Grande Rectification Project for immediate flood control improvements. The need for improvements was determined by hydraulic modeling completed by the USIBWC in 2003. The hydraulic study indicated that increases in levee height would be required to meet USIBWC design criteria and the Federal Emergency Management Agency (FEMA) requirements for flood protection and levee certification. Close coordination with this agency will be required in order to avoid schedule conflicts with current and planned levee rehabilitation efforts.

If you have any questions regarding these comments, please call me at (915) 832-4702, or you may contact Environmental Protection Specialist Daniel Borunda at (915) 832-4767 or via email at [danielborunda@ibwc.state.gov](mailto:danielborunda@ibwc.state.gov).

Sincerely,



Gilbert G. Anaya  
Supervisory Environmental Protection Specialist  
Environmental Management Division



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

10711 Burnet Road, Suite 200  
Austin, Texas 78758  
512 490-0057  
FAX 490-0974



JUL 26 2007

John Wells  
U.S. Customs and Border Patrol  
Ronald Reagan Building  
1300 Pennsylvania Avenue  
Room 7.5B-62  
Washington, District of Columbia 20229

Consultation #: 21450-2007-TA-0196

Dear Mr. Wells:

This letter is in response to letters received from Kirk Evans, Project Manager, *SBI<sub>net</sub>*, on June 25, 2007, by the U.S. Fish and Wildlife Service's Corpus Christi Ecological Service Field Office and Austin Ecological Services Field Office (Service) regarding the preparation of an Environmental Assessment for the siting, construction, and operation of an *SBI<sub>net</sub>* technology-based border security system that will cover a portion of the international border in El Paso and Hudspeth Counties in western Texas. Please note that for your convenience, we have established a single point of contact for U.S. Customs and Border Patrol projects. Please send all future correspondence to Mr. Allan Strand, Field Supervisor, Corpus Christi Ecological Services Field Office, U.S. Fish and Wildlife Service, c/o TAMU-CC, 6300 Ocean Drive, Campus Box 338, Corpus Christi, TX 78412. However, you may receive letters signed by myself or Allan Strand, depending upon the geographic location of the project. For your convenience, please find enclosed a map of both offices' jurisdictions on a county-by-county basis.

According to your project description, the *SBI<sub>net</sub>* project in western Texas may include communication towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment in a geographic area approximately 71 miles along the Texas border with Mexico, east of El Paso, Texas. It could include areas approximately 25 miles inland from the border and areas around the communities of Ysleta, Fabens, and Fort Hancock, Texas.

We are providing the following information to assist consultants and/or Federal action agencies in assessing, avoiding, and minimizing adverse effects to species listed as threatened or endangered according to the Endangered Species Act of 1973, as amended (16 United States Code [U.S.C.] 1531 *et seq.*), designated critical habitat, as well as migratory birds protected by the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. §§ 703-712), and designated wetlands.

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### Federally Listed Species

According to Section 7(a)(2) of the Endangered Species Act and its implementing regulations, it is the responsibility of each Federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any federally-listed species. In this case the responsibility belongs to the U.S. Customs and Border Patrol or their designated representative.

A county by county listing of federally-listed threatened and endangered species that occur within this office's work area can be found at <http://ifw2es.fws.gov/endangeredspecies/lists/>. You should use the county by county listing and other current species information to determine whether suitable habitat for a listed species is present at your project site. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present. After completing a habitat evaluation and/or any necessary surveys, you should evaluate the project for potential effects to listed species and make one of the following determinations:

- 1) *No effect* - the appropriate determination when a project, as proposed, is anticipated to have no effects to listed species or critical habitat. A "no effect" determination does not require section 7 consultation; however, the action agency should maintain a complete record of their evaluation, including the steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information.
- 2) *May affect, but is not likely to adversely affect* – the appropriate determination when a proposed action's anticipated effects are insignificant, discountable, or completely beneficial. Insignificant effects relate to the size of the impact and should never reach the scale where "take" of a listed species occurs. "Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if it would result in the death or injury of wildlife by removing essential habitat components or impairing essential behavior patterns, including breeding, feeding or sheltering. Discountable effects are those extremely unlikely to occur. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects, or expect discountable effects to occur. This determination requires written concurrence from the Service. A biological evaluation or other supporting information justifying this determination should be submitted with a request for written concurrence.
- 3) *May affect, is likely to adversely affect* – the appropriate determination if any adverse effect to listed species or critical habitat may occur as a direct or indirect result of the proposed action, and the effect is not discountable or insignificant. This determination requires formal section 7 consultation.

The Service's Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Endangered Species Act requirements for your projects at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm>.

If a “may affect” determination is made, the Federal agency shall initiate the formal section 7 consultation process by writing to: Field Supervisor; U.S. Fish and Wildlife Service; c/o TAMU-CC, Campus Box 338; 6300 Ocean Drive; Corpus Christi, Texas 78412. If no effect is evident, no further consultation is needed; however, we would appreciate it if you could submit a copy of your determination for our files.

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, we recommend non-Federal representatives provide a complete record of their evaluation to the Federal action agency so that they may make a determination of affect and, if necessary, consult with the appropriate Service office on the proposed action.

The Service recommends the action agency and/or non-Federal representative maintain a complete record that identifies steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service’s Consultation Handbook is available at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm> for further information on definitions and process.

#### State Listed Species

The State of Texas protects certain species. Please 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 or visit their website at <http://www.tpwd.state.tx.us/nature/endang/animals/mammals/>.

#### Migratory Birds

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of migratory birds. Under the MBTA, 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 ( $\geq 164$  feet [ft] for songbirds,  $\geq 328$  ft for wading birds, and  $\geq 590$  ft 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/intnltr/mbta/proposedbirdlist.pdf>.

#### Wetlands

Wetlands and riparian zones provide valuable fish and wildlife habitat and 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 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, TX 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.

#### Service Response

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have effects to threatened and endangered species.

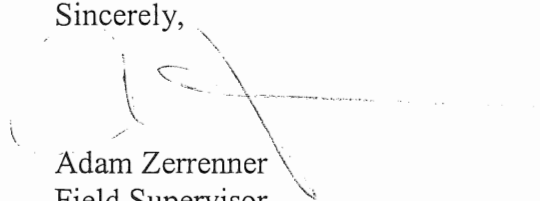
Thank you for your concern for endangered and threatened species and other resources, and we appreciate the opportunity to comment on the proposed project. If we can be of further assistance, or if you have any questions about these comments, please contact Larisa Ford at

Mr. John Wells

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361-994-9005. Please refer to the Service Consultation number listed above in any future correspondence regarding the siting, construction, and operation of an *SBI*net technology-based border security system that will cover a portion of the international border in El Paso and Hudspeth Counties in western Texas.

Sincerely,



Adam Zerrenner  
Field Supervisor

cc: Allan Strand, Corpus Christi ESFO, Corpus Christi, Texas







August 15, 2007

Mr. John Wells  
US Customs and Border Protection  
1300 Pennsylvania Ave. NW  
Washington, DC 20229-001

RE: Proposed Secure Border Initiative (SBI) for the Siting, Construction,  
and Operation of a Technology-based Border Security System, El Paso  
and Hudspeth Counties

Dear Mr. Wells:

Texas Parks and Wildlife Department (TPWD) received the request for information regarding the above-referenced border security system that will cover a portion of the international border in western Texas. TPWD staff has reviewed the information provided and offers the following information concerning this project for SBI<sup>net</sup> reference in preparation of an Environmental Assessment (EA).

Project Description

Technology components that would be installed as a result of this project could include communications towers, ground sensors, cameras, and other electronic surveillance, communication, and detection equipment. The proposed action is located along approximately 71 miles of the Texas border with Mexico east of El Paso. The proposed project could include areas approximately 25 miles inland from that border and areas in Ysleta, Fabens, and Fort Hancock within El Paso and Hudspeth Counties. No final decisions have been made on the locations of the proposed action.

Communication Towers

Agencies proposing to site new communications towers are strongly encouraged to co-locate the communications equipment on an existing communication tower or related structure. Depending on tower load factors, from 6-10 providers may co-locate on an existing tower. If at all possible, new towers should be located within existing "antenna farms," preferably in an area not used by migratory birds or listed species. New towers should be designed structurally and electrically to accommodate the antennas and

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Take a kid  
hunting or fishing



Visit a state park  
or historic site

Mr. John Wells  
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number of towers needed in the future. Co-location is always recommended unless the design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower.

If co-location is not feasible, TPWD strongly recommends that the proposed towers be less than 199 feet in height using construction techniques which do not require guy wires. Such towers should be unlighted. If the proposed towers are greater than 199 feet, TPWD recommends that the minimum amount of pilot warning and obstruction avoidance lighting required by the Federal Aviation Administration (FAA) be used. Towers requiring lights for aviation safety should use white strobe lights.

Avoid siting towers in or near (within 3-5 miles of) wetlands, other known bird concentration areas (e.g. refuges), or habitat of threatened or endangered species known to be impacted by towers. Collisions with communications towers are a known cause of avian mortality. Large birds such as ravens, hawks and vultures frequently select towers for perching, roosting and nesting due to the expansive view of the surrounding terrain. Power connections should be properly designed and constructed so as to avoid potential bird electrocutions. If significant populations of breeding birds are known to occur within the tower footprint, seasonal restrictions on construction should be adopted in order to reduce or avoid impacts to breeding bird populations. Attached are the "***Guidelines Recommended by the U.S. Fish and Wildlife Service for New Communications Tower Sitings***" to further assist you in your planning activities.

#### Vegetation Impacts

The information provided did not specifically describe the location of the study area. The information request stated only that the proposed project would include 71 miles along the border east of El Paso. Because approximately 150 miles of the international border is located in El Paso and Hudspeth Counties, it was not possible for TPWD to determine the location of the study area. Therefore, in the information provided below, the study area was considered to be the area within 25 miles of the Rio Grande in El Paso County and Hudspeth County. According to the TPWD Vegetation Types of Texas (1984), the following vegetation types are found in the project study area (see attached map):

- Creosotebush (*Larrea tridentata*)- Lechuguilla (*Agave lecheguilla*)  
Shrub

Mr. John Wells  
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- Creosotebush-Mesquite (*Prosopis glandulosa*) Shrub
- Gray oak (*Quercus grisea*)- Pinyon pine (*Pinus cembroides*) Alligator juniper (*Juniperus deppeana*) Parks/Woods
- Mesquite- Sandsage (*Artemisia filifolia*) Shrub
- Tobosa (*Hilaria mutica*)-Black grama (*Bouteloua eriopoda*) Grassland
- Crops
- Urban

**Recommendation:** TPWD recommends minimizing impacts to native vegetation to the extent feasible during project design and construction. If native vegetation must be removed to construct the necessary technology components, TPWD recommends mitigating for the loss of wildlife habitat by revegetating disturbed areas with site specific native vegetation that is beneficial to wildlife in the area.

Construction requiring ground disturbance should be conducted in conjunction with a storm water pollution prevention plan to protect drainages and streams from sedimentation. In order to enhance the stabilization of exposed soils resulting from construction activities, newly disturbed areas should be seeded or sodded with native plant species. Lists of native plant species that can be tailored to fit your site revegetation needs can be found at <http://tpid.tpwd.state.tx.us/>.

#### Water Resource Impacts

The Rio Grande and tributaries to the Rio Grande including Glen Creek, Red Light Draw, Alamo Arroyo, and several other waterways are located in the project study area.

**Recommendation:** All waterways and associated floodplains, riparian corridors, arroyos, irrigation canals, and wetlands in the study area provide valuable wildlife habitat and should be protected to the maximum extent possible. Natural buffers contiguous to any wetlands or aquatic systems should remain undisturbed to preserve wildlife cover, food sources, and travel corridors.

#### Migratory Birds

The Migratory Bird Treaty Act (MBTA) implicitly prohibits intentional and unintentional take of migratory birds, including their nests and eggs, except

Mr. John Wells  
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where permitted. Additional information regarding the MBTA may be obtained through the Southwest Regional Office (Region 2) Division of Migratory Birds, US Fish and Wildlife Service (USFWS), at (505) 248-7882.

**Recommendation:** Proposed project areas should be surveyed for migratory bird nests, including ground nesting species, prior to construction. Measures should be taken to ensure that migratory bird species within and near the project area are not adversely impacted by clearing and construction activities. TPWD recommends avoiding vegetation removal during the primary breeding season, March through August, for migratory bird species to help minimize impacts to this group.

#### Rare and Protected Species

Based on records in the Texas Natural Diversity Database (TXNDD), occurrences of the following species and natural communities have been documented in the proposed project study area as defined above:

#### **Federal and State Listed Endangered**

Sneed's pincushion cactus (*Escobaria sneedii* var. *sneedii*)

#### **State Listed Endangered**

American Peregrine Falcon (*Falco peregrinus anatum*)

#### **State Listed Threatened**

Black bear (*Ursus americanus*)

Texas horned lizard (*Phrynosoma cornutum*)

#### **Species of Concern**

Western Burrowing Owl (*Athene cunicularia hypugaea*)

Cave myotis bat (*Myotis velifer*)

Fringed myotis bat (*Myotis thysanodes*)

Long-legged myotis bat (*Myotis volans*)

Pale Townsend's big-eared bat (*Corynorhinus townsendii pallescens*)

Pecos River muskrat (*Ondatra zibethicus ripensis*)

Western red bat (*Lasiurus blossevillii*)

Western small-footed myotis bat (*Myotis ciliolabrum*)

Yellow-nosed cotton rat (*Sigmodon ochrognathus*)

Franklin Mountains talus snail (*Sonorella metcalfi*)

Mr. John Wells  
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San Carlos threeband (*Humboldtiana hoegiana praesidii*)  
Chisos agave (*Agave glomeruliflora*)  
Comal snakewood (*Colubrina stricta*)  
Desert nigh-blooming cereus (*Peniocereus greggii* var. *greggii*)  
Hueco rock-daisy (*Perityle huecoensis*)  
Ojinaga ringstem (*Anulocaulis reflexus*)  
Resinleaf brickellbush (*Brickellia baccharidea*)  
Sand prickly-pear (*Opuntia arenaria*)  
Swallow spurge (*Chamaesyce golondrina*)  
Texas false saltgrass (*Allolepis texana*)  
Texas wolf-berry (*Lycium texanum*)  
Watson's false clappia-bush (*Pseudoclappia watsonii*)  
Wheeler's spurge (*Chamaesyce geyeri* var. *wheeleriana*)

#### **Natural Communities**

Apache Plume (*Fallugia paradoxa*) Series  
Creosotebush-Mariola (*Larrea tridentata-Parthenium incanum*) Series  
Lechuguilla-Sotol (*Agave lechuguilla-Dasyilirion leiophyllum*) Series  
Oneseed Juniper (*Juniperus monosperma*) Series  
Scrub Oak-Mountain Mahogany (*Quercus pungens-Cercocarpus montanus*) Series  
Sideoats Grama-Black Grama (*Bouteloua curtipendula-B. eriopoda*) Series

A map showing an overview of the location of TXNDD records of rare and protected species that have been documented within the study area is attached. Because much of the data in the TXNDD overlaps, maps showing labeled records in such a large area can become cluttered and unclear. TPWD recommends SBI<sup>net</sup> contact Stephanie Shelton of the Wildlife Diversity Program at (512) 912-7053 or [Stephanie.Shelton@tpwd.state.tx.us](mailto:Stephanie.Shelton@tpwd.state.tx.us) to obtain TXNDD data for the study area in digital format (shapefiles).

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 presence, absence or condition of special species, natural communities, or other significant features

Mr. John Wells  
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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. The TXNDD is updated continuously. As your project progresses and for future projects, please contact Stephanie Shelton for the most current and accurate information.

Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, taking into account all the variable factors contributing to the lack of detectable presence. If encountered during construction, measures should be taken to avoid impacting wildlife.

Due to the limitations in the TXNDD discussed above, some rare and protected species are poorly represented in the TXNDD although they may have substantial populations in the study area. Lists of rare, threatened, and endangered species with the potential to occur in El Paso and Hudspeth Counties are attached for your reference.

**Recommendation:** Please review these lists, as rare species could occur throughout the study area depending on habitat availability. Updated TPWD county lists of rare and protected species can be found online at [http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered\\_species.phtml](http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered_species.phtml). The USFWS should be contacted for additional species occurrence data, guidance, permitting, survey protocols, and mitigation for federally listed species. For the USFWS rare species lists please visit <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>.

### Managed Areas

The following managed areas are located within the study area for the proposed project:

- Chamizal National Memorial
- Fort Bliss Military Reservation
- Franklin Mountains State Park
- Hueco Tanks State Historic Park
- Magoffin Home State Historic Site

Mr. John Wells  
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**Recommendation:** TPWD recommends that *SBI*net contact personnel from the managed areas listed above if the proposed project could potentially impact property or activities within the facilities.

Because the locations of the project activities have not yet been decided, TPWD cannot provide specific comments on potential impacts to threatened and endangered species or general fish and wildlife resources. Once the EA has been completed, please submit a copy to TPWD for review and comment. I appreciate the opportunity to provide preliminary input on potential impacts related to this project, and I look forward to reviewing the EA. Please contact me at (512) 389-4579 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Julie C. Wicker".

Julie C. Wicker  
Wildlife Habitat Assessment Program  
Wildlife Division

JCW:gg.12482

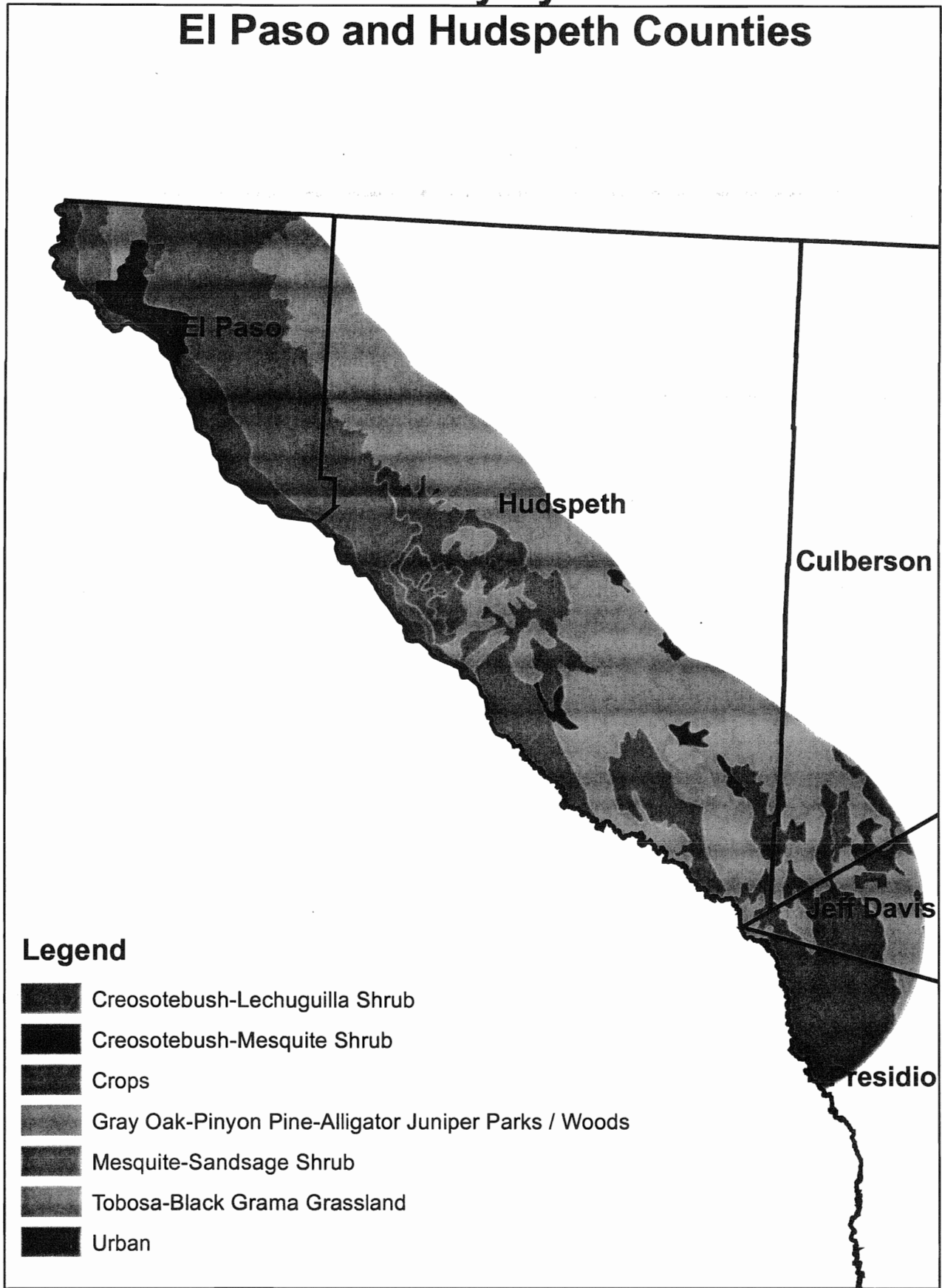
Attachments

cc: Stephanie Shelton, TPWD (w/out attachments)








# Vegetation Types of Texas (1984)

## International Border Security System - 25 mile Study Area

### El Paso and Hudspeth Counties



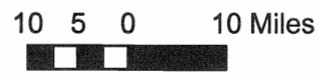
#### Legend

-  Creosotebush-Lechuguilla Shrub
-  Creosotebush-Mesquite Shrub
-  Crops
-  Gray Oak-Pinyon Pine-Alligator Juniper Parks / Woods
-  Mesquite-Sandsage Shrub
-  Tobosa-Black Grama Grassland
-  Urban

13 July 2007

Projection: Texas State Mapping System

Map compiled by the Texas Parks and Wildlife Department, Wildlife Habitat Assessment Program. No claims are made to the accuracy of the data or to the suitability of the data to a particular use.

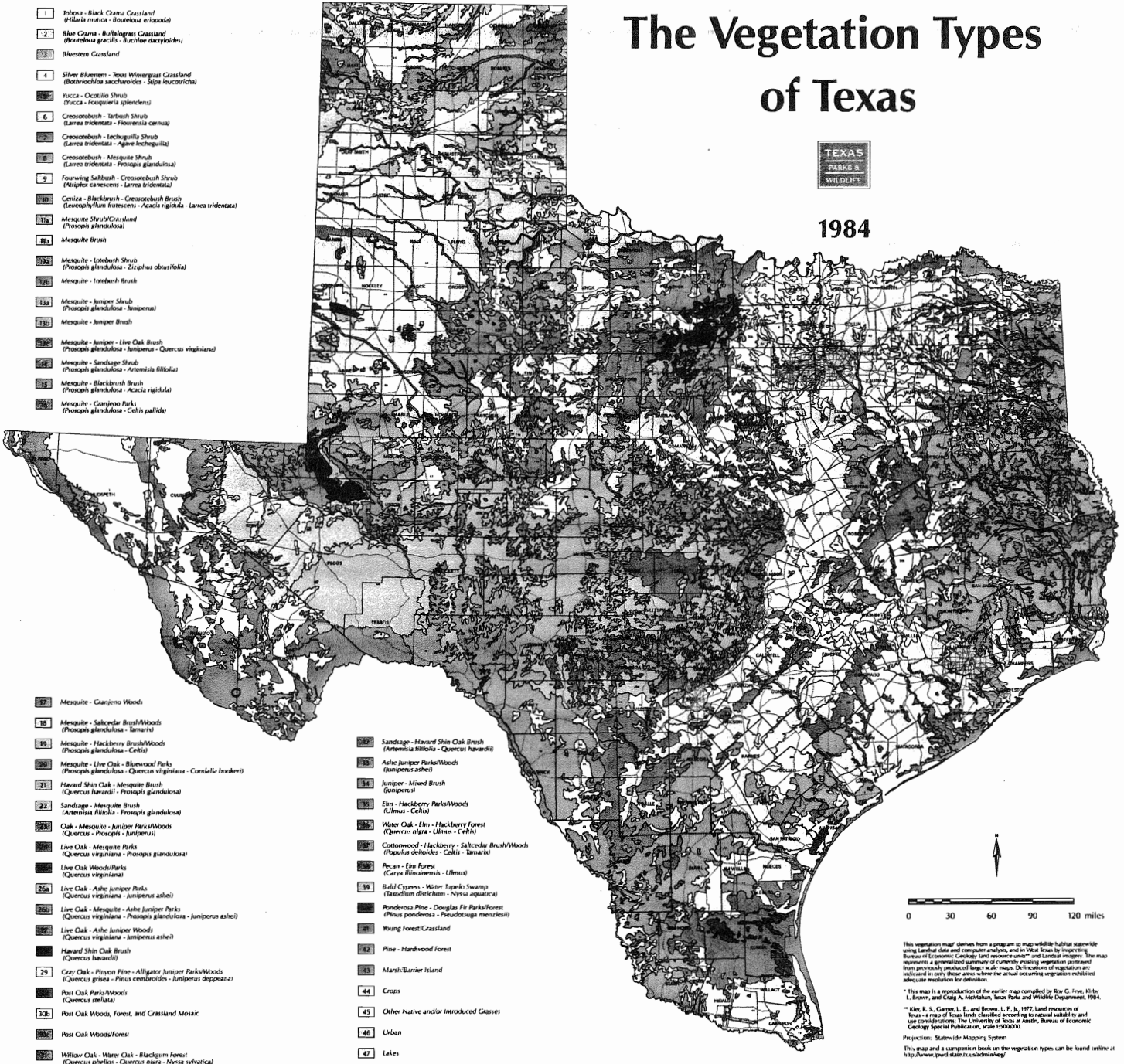




# The Vegetation Types of Texas



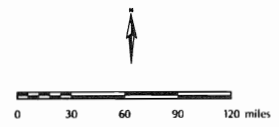
1984



- 1. **Bobcat - Black Grama Grassland**  
(*Hilaria mutica* - *Bouteloua eriopoda*)
- 2. **Blue Grama - Buffalograss Grassland**  
(*Bouteloua gracilis* - *Bouteloua dactyloides*)
- 3. **Bluestem Grassland**
- 4. **Silver Bluestem - Texas Winegrass Grassland**  
(*Bouteloua saccharoides* - *Stipa leucostriata*)
- 5. **Yucca - Ocotillo Shrub**  
(*Yucca* - *Fouquieria splendens*)
- 6. **Crescentbush - Tarbush Shrub**  
(*Larrea tridentata* - *Fouquieria cornata*)
- 7. **Crescentbush - Lechuguilla Shrub**  
(*Larrea tridentata* - *Agave lechuguilla*)
- 8. **Crescentbush - Mesquite Shrub**  
(*Larrea tridentata* - *Prosopis glandulosa*)
- 9. **Fourwing Saltbush - Crescentbush Shrub**  
(*Quilex canescens* - *Larrea tridentata*)
- 10. **Ceniza - Blackbrush - Crescentbush Brush**  
(*Leucophyllum frutescens* - *Acacia rigidula* - *Larrea tridentata*)
- 11a. **Mesquite Shrub/Grassland**  
(*Prosopis glandulosa*)
- 11b. **Mesquite Brush**
- 12a. **Mesquite - Lonestar Shrub**  
(*Prosopis glandulosa* - *Ziziphus obtusifolia*)
- 12b. **Mesquite - Lonestar Brush**
- 13a. **Mesquite - Juniper Shrub**  
(*Prosopis glandulosa* - *Juniperus*)
- 13b. **Mesquite - Juniper Brush**
- 13c. **Mesquite - Juniper - Live Oak Brush**  
(*Prosopis glandulosa* - *Juniperus* - *Quercus virginiana*)
- 14a. **Mesquite - Sandpaper Shrub**  
(*Prosopis glandulosa* - *Artemisia filifolia*)
- 14b. **Mesquite - Blackbrush Brush**  
(*Prosopis glandulosa* - *Acacia rigidula*)
- 15a. **Mesquite - Granjeno Parks**  
(*Prosopis glandulosa* - *Celtis pallida*)

- 17. **Mesquite - Granjeno Woods**
- 18. **Mesquite - Saltcedar Brush/Woods**  
(*Prosopis glandulosa* - *Tamarix*)
- 19. **Mesquite - Hackberry Brush/Woods**  
(*Prosopis glandulosa* - *Celtis*)
- 20. **Mesquite - Live Oak - Bluewood Parks**  
(*Prosopis glandulosa* - *Quercus virginiana* - *Condalia hookeri*)
- 21. **Hawthorn Oak - Mesquite Brush**  
(*Quercus haworthii* - *Prosopis glandulosa*)
- 22. **Sandpaper - Mesquite Brush**  
(*Artemisia filifolia* - *Prosopis glandulosa*)
- 23a. **Oak - Mesquite - Juniper Parks/Woods**  
(*Quercus* - *Prosopis* - *Juniperus*)
- 23b. **Live Oak - Mesquite Parks**  
(*Quercus virginiana* - *Prosopis glandulosa*)
- 24. **Live Oak Woods/Parks**  
(*Quercus virginiana*)
- 25a. **Live Oak - Ashe Juniper Parks**  
(*Quercus virginiana* - *Juniperus ashei*)
- 25b. **Live Oak - Mesquite - Ashe Juniper Parks**  
(*Quercus virginiana* - *Prosopis glandulosa* - *Juniperus ashei*)
- 26. **Live Oak - Ashe Juniper Woods**  
(*Quercus virginiana* - *Juniperus ashei*)
- 27. **Hawthorn Oak Brush**  
(*Quercus haworthii*)
- 28. **Gray Oak - Pinon Pine - Alligator Juniper Parks/Woods**  
(*Quercus grisea* - *Pinus cembaloides* - *Juniperus deppeana*)
- 29. **Post Oak Parks/Woods**  
(*Quercus stellata*)
- 30a. **Post Oak Woods, Forest, and Grassland Mosaic**
- 30b. **Post Oak Wood/Forest**
- 31. **Willow Oak - Water Oak - Blackgum Forest**  
(*Quercus phellos* - *Quercus nigra* - *Nyssa sylvatica*)

- 32. **Sandpaper - Hawthorn Oak Brush**  
(*Artemisia filifolia* - *Quercus haworthii*)
- 33. **Ashe Juniper Parks/Woods**  
(*Juniperus ashei*)
- 34. **Juniper - Mixed Brush**  
(*Juniperus*)
- 35. **Elm - Hackberry Parks/Woods**  
(*Ulmus* - *Celtis*)
- 36. **Water Oak - Elm - Hackberry Forest**  
(*Quercus nigra* - *Ulmus* - *Celtis*)
- 37. **Cottonwood - Hackberry - Saltcedar Brush/Woods**  
(*Populus deltoides* - *Celtis* - *Tamarix*)
- 38. **Pecan - Elm Forest**  
(*Carya illinoensis* - *Ulmus*)
- 39. **Bald Cypress - Water Tupelo Swamp**  
(*Taxodium distichum* - *Nyssa aquatica*)
- 40. **Ponderosa Pine - Douglas Fir Parks/Forest**  
(*Pinus ponderosa* - *Pinus strobus*)
- 41. **Young Forest/Grassland**
- 42. **Pine - Hardwood Forest**
- 43. **Marsh/Barrier Island**
- 44. **Crops**
- 45. **Other Native and/or Introduced Grasses**
- 46. **Urban**
- 47. **Lakes**



This vegetation map derives from a program to map wildlife habitat statewide using land-use data and computer analysis, and is the first by the Texas Department of Parks and Wildlife. The map represents a general and summary of current existing vegetation patterns from primary production data. It is not intended to show the actual occurring vegetation in the field, but rather the general pattern of vegetation.

This map is a reproduction of the earlier map compiled by Roy C. Fry, Walter L. Brown, and Craig A. MacMahon, Texas Parks and Wildlife Department, 1984.

Kear, R. S., Garman, L. E., and Brown, L. J., Jr. 1972. Land resources of Texas - a map of Texas lands classified according to natural suitability and use considerations. The University of Texas at Austin, Bureau of Economic Geology Special Publication, vol. 15, 200 pp.

Projection: Statewide Mapping System

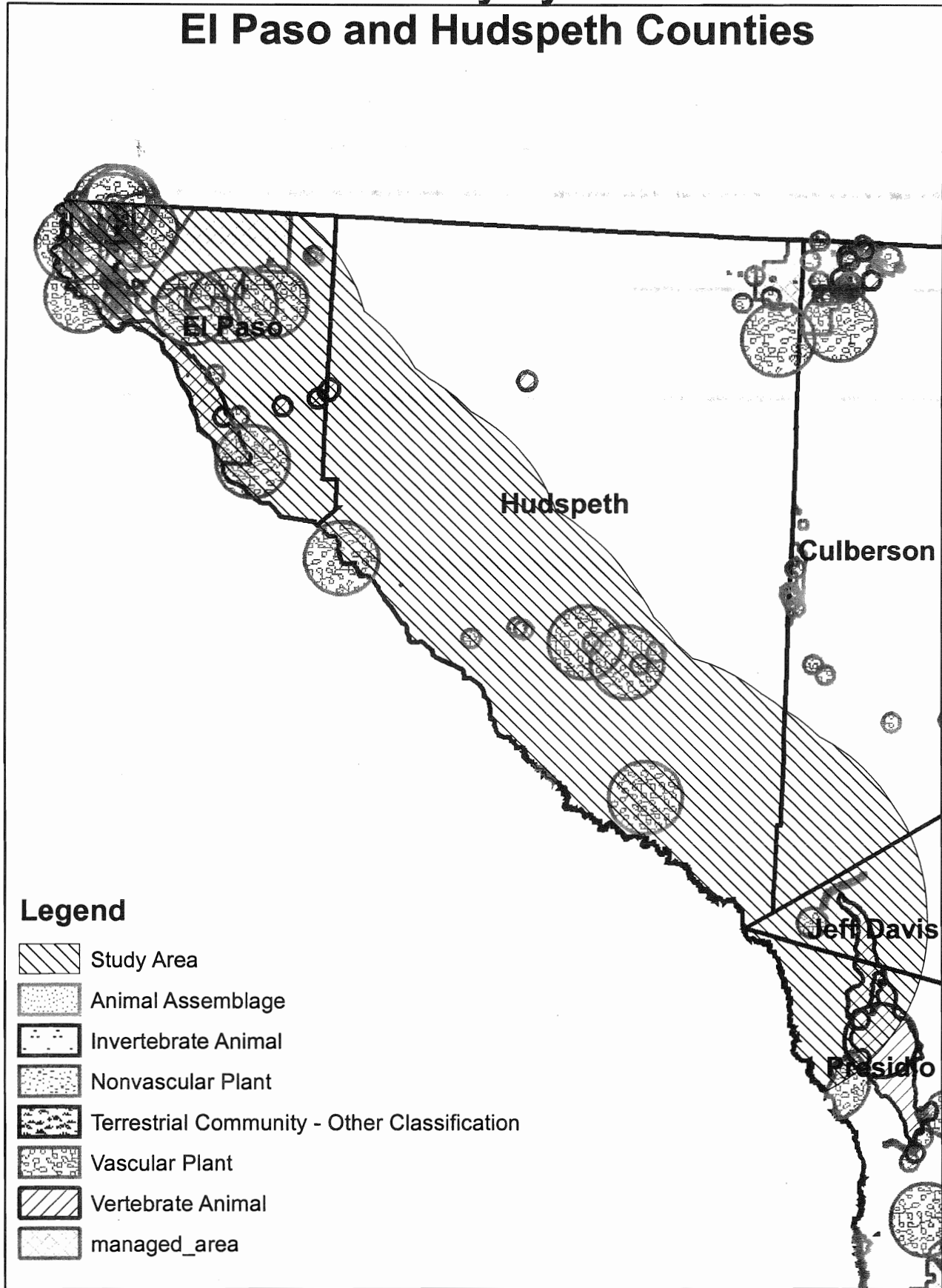
This map and a companion book on the vegetation types can be found online at <http://www.tpwd.state.tx.us/info/ma/veg/>

Map prepared by GIS Lab, TPWD

# TXNDD Data Overview

## International Border Security System - 25 mile Study Area

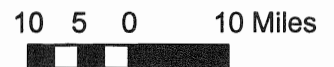
### El Paso and Hudspeth Counties



13 July 2007

Projection: Texas State Mapping System

Map compiled by the Texas Parks and Wildlife Department, Wildlife Habitat Assessment Program. No claims are made to the accuracy of the data or to the suitability of the data to a particular use.



## **Texas Natural Diversity Database: Map Interpretation and Use**

In our database every element occurrence representation (EORep) is represented geographically as a polygon. The polygon is a combination of the geographic location of the reported observation and the locational uncertainty of the observation.

### **Data Interpretation**

When viewing the map data that has been provided, interpretation is not necessarily intuitive. Each record consists of at least one polygon, be that polygon a simple circle or a more complex boundary. However, a record may consist of numerous shapes that all combine to represent a single occurrence. An occurrence may consist of many observations over many years. What an occurrence of a species has in common is geographic proximity to other observations of that same species. By combining observations over time we develop a better representation of that species in a specific area. Distances used to decide if an observation should be part of an occurrence or not can be found as part of the species information on the NatureServe Explorer web site (<http://www.natureserve.org/explorer/>) under the heading of EO Separation Distances.

When interpreting an occurrence as it is displayed on screen in a GIS application or on a map, the representation of that occurrence is the smallest feature that could be drawn that we are confident contains that occurrence inside its boundaries. Therefore, when analyzing an EORep, we are confident that the element in question (plant, animal, ...) could be found within the boundary of the EORep on the day it was observed. We cannot be certain where within that EORep the element occurred or what the distribution of the element was within the EORep. We only know that for the day(s) in question, the element could be found within the boundaries of the EORep. Further, the boundary of any EORep is not necessarily meant to indicate the total real extent of the element. The EORep is only meant to geographically represent the observation(s) in the best, most accurate way possible based on the available data. The absence of information on the map should not be interpreted as an absence of rare, threatened, or endangered species in that location. These data cannot provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features in any area. Nor can these data substitute for on-site evaluation by qualified biologists. The Texas Natural Diversity Database information is intended to assist users in avoiding harm to rare species or significant ecological features.

**The Texas Natural Diversity Database data is not to be published in a public document, nor redistributed.** Refer all requests for data or maps back to the Texas Natural Diversity Database to obtain the most current information. The Texas Natural Diversity Database is a dynamic database that changes almost daily. You are encouraged to request updates to data at least quarterly for ongoing long term projects.

If you have any questions about use or interpretation of the data please call Bob Gottfried (512)912-7044 or email to [bob.gottfried@tpwd.state.tx.us](mailto:bob.gottfried@tpwd.state.tx.us).

## **Guidelines Recommended by the U.S. Fish and Wildlife Service for New Communications Tower Sitings**

1. Any company/licensee proposing to site a new communications tower is strongly encouraged to co-locate the communications equipment on an existing communication tower or related structure (*e.g.*, church steeple, billboard mount, monopole, or building mount). Depending on tower load factors, from 6-10 providers may co-locate on an existing tower. If co-location is not possible, the tower licensee should justify in writing why co-location is not feasible.
2. If co-location is not feasible, providers are strongly encouraged to construct towers less than 199 feet, using construction techniques which do not require guy wires (*e.g.*, use a lattice structure). Such towers should be unlighted. If at all possible, new towers should be located within existing "antenna farms," preferably in areas not used by migratory birds or listed species. Avoid siting towers in or near – within 3-5 miles – of wetlands, other known bird concentration areas (*e.g.*, Refuges), or in Critical Habitat of threatened or endangered species known to be impacted by towers. Review local meteorological conditions, and recommend against siting towers in areas with an especially high incidence of fog, mist and low ceilings.
3. If taller (>199 feet) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the Federal Aviation Administration (FAA) should be used. Only white strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights.
4. Towers constructed in known raptor or waterbird concentration areas which must use guy wires for support should have daytime visual markers on the wires to minimize collisions by these diurnally moving species.
5. Towers should be constructed so as to limit or minimize habitat loss within the tower "footprint." Road access and fencing should be minimized to reduce or prevent habitat fragmentation and disturbance, and to reduce above ground obstacles to birds in flight. However, a larger tower footprint is preferable to the use of guy wires in construction.
6. If significant populations of breeding birds are known to occur within the tower footprint, seasonal restrictions on construction should be adopted in order to reduce or avoid impacts to breeding bird populations.
7. New towers should be designed structurally and electrically to accommodate the applicant's antennas and comparable antennas for at least two additional users (minimum of three users required for each tower structure), in order to reduce the number of towers needed in the future, unless this design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower.
8. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.
9. Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

Notes for  
County Lists of Texas' Special Species

The Texas Parks and Wildlife (TPWD) county lists **include**:

**Vertebrates, Invertebrates, and Vascular Plants** identified as being of conservation concern by TPWD within Texas. These special species lists are comprised of species, subspecies, and varieties that are federally listed; proposed to be federally listed; have federal candidate status; are state listed; or carry a global conservation status indicating a species is critically imperiled, very rare, vulnerable to extirpation, or uncommon.

The TPWD county lists **do not include**:

**Natural Plant Communities** such as Little Bluestem-Indiangrass Series (native prairie remnant), Water Oak-Willow Oak Series (bottomland hardwood community), Saltgrass-Cordgrass Series (salt or brackish marsh), Sphagnum-Beakrush Series (seepage bog).

**Other Significant Features** such as bird rookeries, migratory songbird fallout areas, comprehensive migratory bird information, bat roosts, bat caves, invertebrate caves, and prairie dog towns.

**These lists are not all inclusive for all rare species distributions.** The lists were compiled, developed, and are updated based on field guides, staff expertise, scientific publications, and the TPWD Natural Diversity Database (NDD) (formerly the Biological and Conservation Data System) occurrence data. Historic ranges for some state extirpated species, full historic distributions for some extant species, accidentals and irregularly appearing species, and portions of migratory routes for particular species are not necessarily included. Species that appear on county lists do not all share the same probability of occurrence within a county. Some species are migrants or wintering residents only. Additionally, a few species may be historic or considered extirpated within a county.

TPWD includes the Federal listing status for your convenience and makes every attempt to keep the information current and correct. However, the US Fish and Wildlife Service (FWS) is the responsible authority for Federal listing status. The TPWD lists do not substitute for contact with the FWS and federally listed species county ranges may vary from the FWS county level species lists because of the inexact nature of range map development and use.

Status Key:

- LE, LT - Federally Listed Endangered/Threatened
- PE, PT - Federally Proposed Endangered/Threatened
- E/SA, T/SA - Federally Listed Endangered/Threatened by Similarity of Appearance
- C - Federal Candidate for Listing; formerly Category 1 Candidate
- DL, PDL - Federally Delisted/Proposed for Delisting
- NL - Not Federally Listed
- E, T - State Listed Endangered/Threatened
- NT - Not tracked or no longer tracked by the State
- "blank" - Rare, but with no regulatory listing status

This information is specifically for your assistance only; due to continuing data updates, **please do not redistribute the lists**, instead refer all requesters to the web site at: [http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered\\_species.phtml](http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered_species.phtml) or to our office for the most current information available. For questions regarding county lists, please call (512) 912-7011.

Please use the following citation to credit the source for this county level information:

Texas Parks and Wildlife Department, Wildlife Division, Diversity and Habitat Assessment Programs. County Lists of Texas' Special Species. [county name(s) and revised date(s)].

## HUDSPETH COUNTY

### BIRDS

Federal Status      State Status

**American Peregrine Falcon**      *Falco peregrinus anatum*

DL      E

year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Arctic Peregrine Falcon**      *Falco peregrinus tundrius*

DL      T

migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Baird's Sparrow**      *Ammodramus bairdii*

shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties

**Ferruginous Hawk**      *Buteo regalis*

open country, primarily prairies, plains, and badlands; nests in tall trees along streams or on steep slopes, cliff ledges, river-cut banks, hillsides, power line towers; year-round resident in northwestern high plains, wintering elsewhere throughout western 2/3 of Texas

**Interior Least Tern**      *Sterna antillarum athalassos*

LE      E

subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

**Mexican Spotted Owl**      *Strix occidentalis lucida*

LT      T

remote, shaded canyons of coniferous mountain woodlands (pine and fir); nocturnal predator of mostly small rodents and insects; day roosts in densely vegetated trees, rocky areas, or caves

**Montezuma Quail**      *Cyrtonyx montezumae*

open pine-oak or juniper-oak with ground cover of bunch grass on flats and slopes of semi-desert mountains and hills; travels in pairs or small groups; eats succulents, acorns, nuts, and weed seeds, as well as various invertebrates

**Mountain Plover**      *Charadrius montanus*

breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous

**Northern Aplomado Falcon**      *Falco femoralis septentrionalis*

LE      E

open country, especially savanna and open woodland, and sometimes in very barren areas; grassy plains and valleys with scattered mesquite, yucca, and cactus; nests in old stick nests of other bird species

## HUDSPETH COUNTY

### BIRDS

Federal Status      State Status

**Peregrine Falcon**      *Falco peregrinus*      DL      E T

both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (*F. p. anatum*) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, thus the species level shows this dual listing status; because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.

**Prairie Falcon**      *Falco mexicanus*

open, mountainous areas, plains and prairie; nests on cliffs

**Snowy Plover**      *Charadrius alexandrinus*

formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast

**Southwestern Willow Flycatcher**      *Empidonax traillii extimus*      LE      E

thickets of willow, cottonwood, mesquite, and other species along desert streams

**Western Burrowing Owl**      *Athene cunicularia hypugaea*

open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

**Western Snowy Plover**      *Charadrius alexandrinus nivosus*

uncommon breeder in the Panhandle; potential migrant; winter along coast

**Western Yellow-billed Cuckoo**      *Coccyzus americanus occidentalis*      C;NL

status applies only to western population beyond the Pecos River Drainage; breeds in riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; deciduous woodlands with cottonwoods and willows; dense understory foliage is important for nest site selection; nests in willow, mesquite, cottonwood, and hackberry; forages in similar riparian woodlands; breeding season mid-May-late Sept

### FISHES

Federal Status      State Status

**Bluntnose shiner**      *Notropis simus*      T

extirpated; Rio Grande; main river channel, often below obstructions over substrate of sand, gravel, and silt; damming and irrigation practices presumed major factors contributing to decline

**Rio Grande silvery minnow**      *Hybognathus amarus*      LE      E

extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves

**West Mexican redhorse**      *Scartomyzon austrinus*

Rio Grande basin above Amistad Reservoir; restricted to rocky riffles of creeks and small to medium rivers, often near boulders in swift water

## HUDSPETH COUNTY

### INSECTS

Federal Status      State Status

**A Royal moth**

*Sphingicampa raspa*

woodland - hardwood; with oaks, junipers, legumes and other woody trees and shrubs; good density of legume caterpillar foodplants must be present; Prairie acacia (*Acacia augustissima*) is the documented caterpillar foodplant, but there could be a few other woody legumes used

**A tiger beetle**

*Cicindela hornii*

grassland/herbaceous; burrowing in or using soil; dry areas on hillside or mesas where soil is rocky or loamy and covered with grasses, invertivore; diurnal, hibernates/aestivates, active mostly for several days after heavy rains. the life cycle probably takes two years so larvae would always be present in burrows in the soil

**A tiger beetle**

*Amblycheila picolominii*

bare rock/talus/scree, desert, grassland/herbaceous; burrowing in or using soil; invertivore; crepuscular, nocturnal, hibernates/aestivates; larva always present in burrows in soil

**Barbara Ann's tiger beetle**

*Cicindela politula barbarannae*

limestone outcrops in arid treeless environments or in openings within less arid pine-juniper-oak communities; open limestone substrate itself is almost certainly an essential feature; roads and trails

**Guadalupe Mountains tiger beetle**

*Cicindela politula petrophila*

open, sunny areas; predaceous and feeds on a variety of small insects; larva lives in vertical burrows in soil of dry paths, fields, or sandy beaches

**Leonora's dancer damselfly**

*Argia leonorae*

south central and western Texas; small streams and seepages

### MAMMALS

Federal Status      State Status

**Big free-tailed bat**

*Nyctinomops macrotis*

habitat data sparse but records indicate that species prefers to roost in crevices and cracks in high canyon walls, but will use buildings, as well; reproduction data sparse, gives birth to single offspring late June-early July; females gather in nursery colonies; winter habits undetermined, but may hibernate in the Trans-Pecos; opportunistic insectivore

**Black bear**

*Ursus americanus*

T/SA;NL

T

bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened

**Black-footed ferret**

*Mustela nigripes*

LE

E

extirpated; inhabited prairie dog towns in the general area

**Black-tailed prairie dog**

*Cynomys ludovicianus*

dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups

**Cave myotis bat**

*Myotis velifer*



## HUDSPETH COUNTY

### MAMMALS

Federal Status      State Status

colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (*Hirundo pyrrhonota*) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore

**Davis Mountains cottontail**      *Sylvilagus floridanus robustus*

brushy pastures, brushy edges of cultivated fields, and well-drained streamsides; active mostly at twilight and at night, where they may forage in a variety of habitats, including open pastures, meadows, or even lawns; rest during daytime in thickets or in underground burrows and small culverts; feed on grasses, forbs, twigs and bark; not sociable and seldom seen feeding together

**Desert bighorn sheep**      *Ovis canadensis mexicana*

rough, rocky mountainous terrain; bluffs and steep slopes with sparse vegetation

**Desert pocket gopher**      *Geomys arenarius*

cottonwood-willow association along the Rio Grande in El Paso and Hudspeth counties; live underground, but build large and conspicuous mounds; life history not well documented, but presumed to eat mostly vegetation, be active year round, and bear more than one litter per year

**Fringed bat**      *Myotis thysanodes*

habitat variable, ranging from mountainous pine, oak, and pinyon-juniper to desert-scrub, but prefers grasslands at intermediate elevations; highly migratory species that arrives in Trans-Pecos by May to form nursery colonies; single offspring born June-July; roosts colonially in caves, mine tunnels, rock crevices, and old buildings

**Ghost-faced bat**      *Mormoops megalophylla*

colonially roosts in caves, crevices, abandoned mines, and buildings; insectivorous; breeds late winter-early spring; single offspring born per year

**Gray wolf**      *Canis lupus*      LE      E

extirpated; formerly known throughout the western two-thirds of the state in forests, brushlands, or grasslands

**Gray-footed chipmunk**      *Tamias canipes*

forest-dwelling; occur in Texas only in the Sierra Diablo and Guadalupe Mountains in the Trans-Pecos; favorite habitat is downed logs near edges of clearings; also occur in dense stands of mixed timber (oaks, pines, firs) and on brushy hillsides, especially with rock crevices

**Guadalupe southern pocket gopher**      *Thomomys bottae guadalupeensis*

known from Guadalupe Mountains; habitat variable, ranging from loose sands and silts to tight clays; dry deserts to montane meadows; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring

**Limpia Creek pocket gopher**      *Thomomys bottae texensis*

## HUDSPETH COUNTY

### MAMMALS

Federal Status

State Status

throughout Davis Mountains; habitat variable, ranging from lower canyons to higher coniferous woodlands; loose sands and silts to tight clays; dry deserts to montane meadows; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring

**Limpia southern pocket gopher** *Thomomys bottae limpiae*

Limpia Canyon area of Davis Mountains; habitat variable, ranging from loose sands and silts to tight clays; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring

**Long-legged bat** *Myotis volans*

in Texas, Trans-Pecos region; high, open woods and mountainous terrain; nursery colonies (which may contain several hundred individuals) form in summer in buildings, crevices, and hollow trees; apparently do not use caves as day roosts, but may use such sites at night; single offspring born June-July

**Pale Townsend's big-eared bat** *Corynorhinus townsendii pallescens*

roosts in caves, abandoned mine tunnels, and occasionally old buildings; hibernates in groups during winter; in summer months, males and females separate into solitary roosts and maternity colonies, respectively; single offspring born May-June; opportunistic insectivore

**Pecos River muskrat** *Ondatra zibethicus ripensis*

creeks, rivers, lakes, drainage ditches, and canals; prefer shallow, fresh water with clumps of marshy vegetation, such as cattails, bulrushes, and sedges; live in dome-shaped lodges constructed of vegetation; diet is mainly vegetation; breed year round

**Western red bat** *Lasiurus blossevillii*

roosts in tree foliage in riparian areas, also inhabits xeric thorn scrub and pine-oak forests; likely winter migrant to Mexico; multiple pups born mid-May - late Jun

**Western small-footed bat** *Myotis ciliolabrum*

mountainous regions of the Trans-Pecos, usually in wooded areas, also found in grassland and desert scrub habitats; roosts beneath slabs of rock, behind loose tree bark, and in buildings; maternity colonies often small and located in abandoned houses, barns, and other similar structures; apparently occurs in Texas only during spring and summer months; insectivorous

**Yellow-nosed cotton rat** *Sigmodon ochrognathus*

higher elevations in the Chisos Mountains, Davis Mountains, and Sierra Vieja; rocky slopes with scattered bunches of grass; underground dens and aboveground nests in various locations, including at base of agaves or roots of junipers; active in daytime; several litters possible during breeding season of March-October

**Yuma myotis bat** *Myotis yumanensis*

desert regions; most commonly found in lowland habitats near open water, where forages; roosts in caves, abandoned mine tunnels, and buildings; season of partus is May to early July; usually only one young born to each female

### MOLLUSKS

Federal Status

State Status

## HUDSPETH COUNTY

### MOLLUSKS

Federal Status      State Status

**Northern threeband** *Humboldtiana pultima*  
leaf litter in mesic canyons of limestone mountains; in soil, under rocks

### REPTILES

Federal Status      State Status

**Big Bend slider** *Trachemys gaigeae*  
almost exclusively aquatic, sliders (*Trachemys* spp.) prefer quiet bodies of fresh water with muddy bottoms and abundant aquatic vegetation, which is their main food source; will bask on logs, rocks or banks of water bodies; breeding March-July

**Chihuahuan Desert lyre snake** *Trimorphodon wilkinsonii* T

mostly crevice-dwelling in predominantly limestone-surfaced desert northwest of the Rio Grande from Big Bend to the Franklin Mountains, especially in areas with jumbled boulders and rock faults/fissures; secretive; egg-bearing; eats mostly lizards

**Mountain short-horned lizard** *Phrynosoma hernandesi* T

diurnal, usually in open, shrubby, or openly wooded areas with sparse vegetation at ground level; soil may vary from rocky to sandy; burrows into soil or occupies rodent burrow when inactive; eats ants, spiders, snails, sowbugs, and other invertebrates; inactive during cold weather; breeds March-September

**Texas horned lizard** *Phrynosoma cornutum* T

open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

### PLANTS

Federal Status      State Status

**Chisos agave** *Agave glomeruliflora*  
grasslands or oak-juniper woodlands at elevations of about 1050-1850 m (3500-6000 ft); flowering July-August

**Desert night-blooming cereus** *Peniocereus greggii var greggii*  
shrublands in lower elevation desert flats and washes; flowering concentrated during a few nights in late May to late June

**Gyp locoweed** *Astragalus gypsodes*  
gypsum or stiff gypseous clay soils on low rolling hills, mostly low elevations in areas adjacent to the Guadalupe Mountains; many of the known locations are on the Castile Formation (Permian); flowering April-June

**Gypsum scalebroom** *Lepidospartum burgessii*  
grasslands on stabilized gypsum; flowering May-late summer

**Sand prickly-pear** *Opuntia arenaria*

## HUDSPETH COUNTY

### PLANTS

Federal Status

State Status

deep, loose sands in sparsely vegetated dune or sandhill areas; flowering May-June

**Sand sacahuista**

*Nolina arenicola*

windblown Quaternary sand in dune areas east of Van Horn; also in shrublands on steep Permian limestone slopes in the Guadalupe Mountains; flowering March-August

**Smooth-stem skullcap**

*Scutellaria laevis*

on mountain slopes and in arroyos along dry streambeds; known from Beach and Guadalupe mountains; flowering April-September

**Swallow spurge**

*Chamaesyce golondrina*

alluvial or eolian sand along Rio Grande, occasionally on adjacent shale or limestone slopes; flowering June-November

**Terlingua brickellbush**

*Brickellia hinckleyi* var *terlinguensis*

various situations in Chihuahuan Desert; slopes in the Chisos Mountains; also along creek bottoms; flowering July-October?

**Texas wolf-berry**

*Lycium texanum*

semi-desert grasslands and thorn shrublands on sandy, gravelly, and/or loamy soils, on very gently sloping terrain as well as in rocky areas in canyons, often over limestone at moderate elevations; flowering March-October

**Watson's false clappia-bush**

*Pseudoclappia watsonii*

Chihuahuan Desert shrublands on dry, rocky, gypseous clay hills; flowering May-August

**Wheeler's spurge**

*Chamaesyce geyeri* var *wheeleriana*

sparsely vegetated loose sand in reddish sand dunes or coppice mounds; flowering and fruiting August-September?

## EL PASO COUNTY

### AMPHIBIANS

Federal Status      State Status

**Northern leopard frog**      *Rana pipiens*

streams, ponds, lakes, wet prairies, and other bodies of water; will range into grassy, herbaceous areas some distance from water; eggs laid March-May and tadpoles transform late June-August; may have disappeared from El Paso County due to habitat alteration

### BIRDS

Federal Status      State Status

**American Peregrine Falcon**      *Falco peregrinus anatum*

DL      E

year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Arctic Peregrine Falcon**      *Falco peregrinus tundrius*

DL      T

migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Baird's Sparrow**      *Ammodramus bairdii*

shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties

**Ferruginous Hawk**      *Buteo regalis*

open country, primarily prairies, plains, and badlands; nests in tall trees along streams or on steep slopes, cliff ledges, river-cut banks, hillsides, power line towers; year-round resident in northwestern high plains, wintering elsewhere throughout western 2/3 of Texas

**Interior Least Tern**      *Sterna antillarum athalassos*

LE      E

subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

**Mexican Spotted Owl**      *Strix occidentalis lucida*

LT      T

remote, shaded canyons of coniferous mountain woodlands (pine and fir); nocturnal predator of mostly small rodents and insects; day roosts in densely vegetated trees, rocky areas, or caves

**Montezuma Quail**      *Cyrtonyx montezumae*

open pine-oak or juniper-oak with ground cover of bunch grass on flats and slopes of semi-desert mountains and hills; travels in pairs or small groups; eats succulents, acorns, nuts, and weed seeds, as well as various invertebrates

## EL PASO COUNTY

### BIRDS

Federal Status      State Status

**Peregrine Falcon**      *Falco peregrinus*      DL      E T

both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, thus the species level shows this dual listing status; because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.

**Prairie Falcon**      *Falco mexicanus*

open, mountainous areas, plains and prairie; nests on cliffs

**Snowy Plover**      *Charadrius alexandrinus*

formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast

**Southwestern Willow Flycatcher**      *Empidonax traillii extimus*      LE      E

thickets of willow, cottonwood, mesquite, and other species along desert streams

**Western Burrowing Owl**      *Athene cunicularia hypugaea*

open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

**Western Snowy Plover**      *Charadrius alexandrinus nivosus*

uncommon breeder in the Panhandle; potential migrant; winter along coast

**Western Yellow-billed Cuckoo**      *Coccyzus americanus occidentalis*      C;NL

status applies only to western population beyond the Pecos River Drainage; breeds in riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; deciduous woodlands with cottonwoods and willows; dense understory foliage is important for nest site selection; nests in willow, mesquite, cottonwood, and hackberry; forages in similar riparian woodlands; breeding season mid-May-late Sept

### FISHES

Federal Status      State Status

**Bluntnose shiner**      *Notropis simus*      T

extirpated; Rio Grande; main river channel, often below obstructions over substrate of sand, gravel, and silt; damming and irrigation practices presumed major factors contributing to decline

**Rio Grande silvery minnow**      *Hybognathus amarus*      LE      E

extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves

### INSECTS

Federal Status      State Status

**A Royal moth**      *Sphingicampa raspa*

## EL PASO COUNTY

### INSECTS

Federal Status      State Status

woodland - hardwood; with oaks, junipers, legumes and other woody trees and shrubs; good density of legume caterpillar foodplants must be present; Prairie acacia (*Acacia augustissima*) is the documented caterpillar foodplant, but there could be a few other woody legumes used.

**A tiger beetle**      *Cicindela hornii*

grassland/herbaceous; burrowing in or using soil; dry areas on hillside or mesas where soil is rocky or loamy and covered with grasses, invertivore; diurnal, hibernates/aestivates, active mostly for several days after heavy rains. the life cycle probably takes two years so larvae would always be present in burrows in the soil

**Barbara Ann's tiger beetle**      *Cicindela politula barbarannae*

limestone outcrops in arid treeless environments or in openings within less arid pine-juniper-oak communities; open limestone substrate itself is almost certainly an essential feature; roads and trails

**Poling's hairstreak**      *Fixsenia polingi*

oak woodland with *Quercus grisea* as substantial component, probably also uses *Q. emoryi*; larvae feed on new growth of *Q. grisea*, adults utilize nectar from a variety of flowers including milkweed and catslaw acacia; adults fly mid May - Jun, again mid Aug - early Sept

### MAMMALS

Federal Status      State Status

**Big free-tailed bat**      *Nyctinomops macrotis*

habitat data sparse but records indicate that species prefers to roost in crevices and cracks in high canyon walls, but will use buildings, as well; reproduction data sparse, gives birth to single offspring late June-early July; females gather in nursery colonies; winter habits undetermined, but may hibernate in the Trans-Pecos; opportunistic insectivore

**Black bear**      *Ursus americanus*      T/SA;NL      T

bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened

**Black-footed ferret**      *Mustela nigripes*      LE      E

extirpated; inhabited prairie dog towns in the general area

**Black-tailed prairie dog**      *Cynomys ludovicianus*

dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups

**Cave myotis bat**      *Myotis velifer*

colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (*Hirundo pyrrhonota*) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore

**Desert pocket gopher**      *Geomys arenarius*





## EL PASO COUNTY

### MOLLUSKS

Federal Status

State Status

**Franklin Mountain talus snail** *Sonorella metcalfi*  
terrestrial; bare rock, talus, scree; inhabits igneous talus most commonly of rhyolitic origin

**Franklin Mountain wood snail** *Ashmunella pasonis*  
terrestrial; bare rock, talus, scree; talus slopes, usually of limestone, but also of rhyolite, sandstone, and siltstone, in arid mountain ranges

### REPTILES

Federal Status

State Status

**Big Bend slider** *Trachemys gaigeae*  
almost exclusively aquatic, sliders (*Trachemys* spp.) prefer quiet bodies of fresh water with muddy bottoms and abundant aquatic vegetation, which is their main food source; will bask on logs, rocks or banks of water bodies; breeding March-July

**Chihuahuan Desert lyre snake** *Trimorphodon wilkinsonii* T

mostly crevice-dwelling in predominantly limestone-surfaced desert northwest of the Rio Grande from Big Bend to the Franklin Mountains, especially in areas with jumbled boulders and rock faults/fissures; secretive; egg-bearing; eats mostly lizards

**Mountain short-horned lizard** *Phrynosoma hernandesi* T  
diurnal, usually in open, shrubby, or openly wooded areas with sparse vegetation at ground level; soil may vary from rocky to sandy; burrows into soil or occupies rodent burrow when inactive; eats ants, spiders, snails, sowbugs, and other invertebrates; inactive during cold weather; breeds March-September

**New Mexico garter snake** *Thamnophis sirtalis dorsalis*  
nearly any type of wet or moist habitat; irrigation ditches, and riparian-corridor farmlands, less often in running water; home range about 2 acres; active year round in warm weather, both diurnal and nocturnal, more nocturnal during hot weather; bears litter July-August

**Texas horned lizard** *Phrynosoma cornutum* T  
open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

### PLANTS

Federal Status

State Status

**Comal snakewood** *Colubrina stricta*  
only known Texas population lies at the base of an igneous rock outcrop in the Chihuahuan Desert east of El Paso; flowering late spring or early summer

**Desert night-blooming cereus** *Peniocereus greggii var greggii*  
shrublands in lower elevation desert flats and washes; flowering concentrated during a few nights in late May to late June

**Hueco rock-daisy** *Perityle huecoensis*

## EL PASO COUNTY

### PLANTS

Federal Status      State Status

dry limestone rock outcrops only known location is in the Hueco Mountains

**Resin-leaf brickellbush**      *Brickellia baccharidea*

mixed desert shrublands on gravelly soils derived from limestone and perhaps also from igneous rocks, on bajada slopes and in arroyos; flowering summer-fall

**Sand prickly-pear**      *Opuntia arenaria*

deep, loose sands in sparsely vegetated dune or sandhill areas; flowering May-June

**Sand sacahuista**      *Nolina arenicola*

windblown Quaternary sand in dune areas east of Van Horn; also in shrublands on steep Permian limestone slopes in the Guadalupe Mountains; flowering March-August

**Sneed's pincushion cactus**      *Escobaria sneedii* var *sneedii*      LE      E

dry limestone outcrops on rocky slopes in desert mountains of the Chihuahuan Desert; flowering April-September (peak season in April?)

**Texas false saltgrass**      *Allolepis texana*

sandy to silty soils of valley bottoms and river floodplains; flowering (June-) July-October

**Wheeler's spurge**      *Chamaesyce geyeri* var *wheeleriana*

sparsely vegetated loose sand in reddish sand dunes or coppice mounds; flowering and fruiting August-September?



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
New Mexico State Office  
1474 Rodeo Rd.  
P.O. Box 27115  
Santa Fe, New Mexico 87502-0115  
[www.blm.gov](http://www.blm.gov)



IN REPLY REFER TO

1790 (93200)

October 1, 2007

Mr. Abel Anderson  
Project Manager, SBI *net*  
1300 Pennsylvania Ave. Room 7.5  
Washington, DC 20229

Dear Mr. Anderson:

The Bureau of Land Management (BLM) recently received the letter from Mr. Kirk Evans addressed to Mr. Mark Spencer of my staff requesting information in support of an Environmental Assessment (EA) for the siting, construction, and operation of a technology-based border security system for the El Paso Border Patrol Sector, El Paso, Texas.

The BLM's role in this effort is to review all documents assuring compliance with the National Environmental Policy Act (NEPA) and Council of Environmental Quality regulations and to authorize site-specific proposed actions as appropriate. Our history of coordination with the Border Patrol and their contractors has shown that there is a significant need for up-front coordination with the BLM. There is also a need to "go the extra mile" in notifying the public and local governments of the availability of the EA and the opportunity to provide input. The ranching families that hold grazing permits in these rural areas may not have access to newspapers, public libraries or other notification, so one-on-one consultation between the rancher and applicant is often required.

The staff at the Las Cruces District Office (LCDO) will be working with you to help coordinate this project, and the LCDO has specialists to address most of the resource concerns that would be addressed in the EA. The LCDO also will review the EA and any other relevant NEPA documents to ensure they meet program specific requirements, as well as consistency with other BLM laws and policies.

We will provide comments within 30 days of our receipt of the EA. The BLM requests that the Office of the Border Patrol allow at a minimum 120 days to process each site-specific realty application.

Regulations at 43 CFR 2804.14 require that the BLM recover the full reasonable costs of processing each realty application. No action to process any applications will be undertaken until the Cost Recovery Agreement/Master Agreement is in effect and funding is in place to process your applications.

We appreciate the opportunity to become involved with this effort and look forward to a productive and effective collaboration process. In the future, please send all related correspondence to Mr. Edward Seum at the Las Cruces District Office, Bureau of Land Management, 1800 Marquess St., Las Cruces, NM 88005. If you have any questions, you may reach him by telephone at 505-525-4313. Also, Mr. Seum will need a single point of contact for this project from your office.

Sincerely,



Ron Dunton  
Deputy State Director  
Lands and Resources

cc:

NM (030, E. Guerrero)

NM (030, E. Seum)

NM (930, M. Spencer)



OFFICE OF THE COMMISSIONER  
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION  
UNITED STATES AND MEXICO

October 10, 2007

Abel Anderson  
Project Manager  
1300 Pennsylvania Avenue, NW, Room 7.5  
Washington, D.C. 20229

Re: Scoping Comments on proposed siting, construction, and operation of a technology-based border security system for the El Paso Border Patrol Sector, El Paso Texas

Dear Mr. Anderson:

Thank you for the opportunity to provide input on the above referenced project. The United States Section, International Boundary and Water Commission (USIBWC) understands the proposed project is to develop and construct technology and tactical-based infrastructure beginning in El Paso, Texas and running west through the entire New Mexico border to the Arizona/New Mexico state line. The following comments are provided for your information.

The USIBWC has a duty to access, maintain, and utilize the international boundary monuments along the United States/Mexico international land boundary. The USIBWC is charged with these duties through treaties and international agreements between the United States and Mexico. We require that the proposed works, and related facilities not affect the permanence (disturb the foundations) of existing boundary monuments nor impede access for their maintenance. In addition, any proposed construction must allow for line-of-sight visibility between each of the boundary monuments.

The USIBWC requires that engineering drawings be submitted to the USIBWC for review and approval prior to beginning any construction near the international boundary. These drawings must show the location of each component in relation to the international boundary and the boundary monuments.

The USIBWC requests that proposed construction activities be accomplished in a manner that does not change historic surface runoff characteristics at the international border. The USIBWC will not approve any construction near the international boundary in the United States that increases, concentrates, or relocates overland drainage flows into either country. This requirement is intended to ensure that developments in one country will not cause damage to lands or resources in the other country. The USIBWC will need copies of any hydrological or hydraulic studies and site specific drawings for work proposed in the vicinity of the international boundary, particularly if new roads, pad sites or other structures are to be constructed in any drainage courses that cross the boundary. We will also require that you ensure that structures constructed along the border are maintained in an adequate manner and that liability issues created by these structures are addressed.





U.S. Customs and  
Border Protection

OCT 31 2007

Texas Historical Commission  
Mr. F. Lawrence Oaks, State Historic Preservation Officer  
ATTN: Ms. Debra Beene  
108 W. 16<sup>th</sup> Street  
Austin, Texas 78711

RE: Section 106 Compliance and a Supplemental Environmental Assessment for  
the Texas Mobile Tower Project, OBP El Paso Sector, El Paso, Texas

Dear Mr. Oaks:

The U.S. Customs and Border Protection (CBP), Secure Border Initiative (SBI<sup>net</sup>), is preparing an Environmental Assessment (EA) for the construction of 10 sensor and communication towers and 8 canal crossings. The objective of this SBI<sup>net</sup> project is to develop a solution to establish and maintain effective control of the U.S. border along the approximately 73.6 miles of border in the El Paso Sector, encompassing border zones in and around the Ysleta, Fabens, and Fort Hancock, Texas OBP Areas of Responsibility (AORs). This project would support the Border Patrol's mission by strengthening national security between ports of entry (POEs) to prevent illegal entry of terrorists, terrorist weapons, contraband, and illegal aliens into the United States.

In a letter dated September 11, 2007, we notified you of the project mentioned above. In accordance with 36 CFR Part 800, an archaeological survey was conducted on the 21 locations (10 primary and 2 alternate towers and 9 canal crossings 8 primary and 1 alternate). A copy of the survey report is enclosed for your review and comment. The survey resulted in the discovery of no new archaeological sites. One previously recorded archaeological site is located at proposed Tower EPT\_YST\_059. This site, 41HZ582, is a buried AT&T communication cable installed in 1947-48 as part of the 3,000-mile transcontinental telephone cable system. The linear site is more than several miles in length and is buried three to six feet below the modern surface. The exact alignment of the cable at this location is unknown due to imprecise archival maps but it appears to be outside of the tower area of potential effect (APE). The proposed tower undertaking will not adversely affect the character, integrity, or setting of the site.

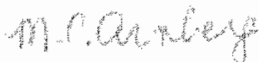
Six of the 12 tower locations and all 9 crossing locations are within the boundaries of the El Paso Water Control District #1, an extensive architectural

and engineering district that was listed on the National Register of Historic Places (NRHP) in 1997. In addition, Tower EPT\_FBN\_055 is situated within 50 miles of the Franklin Canal, an irrigation feature that was listed in 1992. None of the towers or crossings will have any direct adverse effect on either of these districts. The characteristics of both of these districts that make them eligible for the NRHP are their extensive nature; the Franklin Canal extends for more than 30 linear miles and the El Paso Water Control District #1 covers more than 75 square miles. Because all of the proposed towers and crossings are isolated and small in size relative to the districts, none of the proposed towers or crossings has the potential to diminish those characteristics of the districts that make them eligible for the NRHP. Further, the proposed towers and crossings will not have any adverse visual effect on either of the two districts because neither visual setting nor visual elements are character-defining elements of their eligibility.

Given the findings and recommendations noted above which are included in the enclosed report and in accordance with 36 CFR Part 800.4(d)(1), we ask for your concurrence in our determination of, "...historic properties present but the undertaking will have no effect upon them as defined in § 800.16(i)..." If we do not hear from you within 30 days of your receipt of this letter and report, we will assume your concurrence with our determination.

If you have any questions pertaining to this project please do not hesitate to contact Ms. Patience Patterson, RPA at (202) 344-1131, or via e-mail to [patience.patterson@dhs.gov](mailto:patience.patterson@dhs.gov).

Sincerely,



*for* Kirk Evans, Program Manager  
SBI/*net*, Program Office

Enclosure





TEXAS  
HISTORICAL  
COMMISSION

*The State Agency for Historic Preservation*

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

December 05, 2007

Kirk Evans  
Program Manager  
SBI<sup>net</sup>, Programs Office  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
Washington, DC 20229

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Draft Report: *Archeological Survey of Tower Sites and Crossing Localities along the U.S. Mexico International Border, El Paso and Hudspeth Counties, Texas* (Homeland Security)

Dear Mr. Evans:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Debra L. Beene, has completed its review. We concur that the 21 surveillance towers, access roads and water canals should not have an adverse effect on the Franklin Canal and the El Paso Water Control District #1, two National Register Districts. However, we do not agree with the reasons presented in the reports. The authors have stated that the significance criterion of these two districts is their extensive nature and because the proposed towers and crossings are isolated and small, they will not damage the extensive nature of the districts. Please have the authors revise their report to reflect the contributing elements as defined in the National Register nomination; this can be easily accessed by the authors.

The historical importance of the EPCWID irrigation system derives from two sources. First, the system meets National Register Criterion A in that it is "associated with events that have made a significant contribution to the broad patterns of our history" -- specifically, the transformation of long-established farming patterns in the El Paso Valley. This local event was part of a much larger pattern, the federal transformation of Western agriculture representing a radical departure from the village-based irrigation agriculture practiced by Hispanic settlers and the private enterprises of Anglo settlers. This intervention affected local historical developments in several ways. The system also meets National Register Criterion C in that it embodies "the distinctive characteristics of a type, period, or method of construction." The network of irrigation canals and the network of drains are important examples of historic engineering.

The Franklin Canal's meets National Register Criterion A as well; it's significance as part of an international irrigation system stems from the terms of the Treaty of 1906 between the United States and Mexico. In 1906 the problems of water allocation led the U.S. and Mexico to add that aspect of border problems to the areas of consideration. The two nations engaged in formal diplomacy at the highest levels which resulted in a treaty. The treaty also marked an important U.S. realization of the rights of its immediate neighbor in Latin America during a period when overall Latin American relations were at a very low point.

We look forward to reviewing the survey report and EIS upon completion and thank you for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Debra L. Beene at 512/463-5865.**

Sincerely,



for

F. Lawrence Oaks, State Historic Preservation Officer  
FLO/dlb



**U.S. Customs and  
Border Protection**

Gerardo and Ofelia Duran  
8242 Loma Terrace  
El Paso, TX 79907

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Gerardo and Ofelia Duran:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

The purpose of the Proposed Action is to further CBP's ability to gain effective control of our nation's borders by providing 24-hour, year-round surveillance capabilities that will help deter illegal entry attempts into the United States, and enable CBP agents to detect, analyze, and rapidly respond to illegal cross border activity.

The Draft EA was prepared in compliance with provisions of the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4321, et seq.), the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. Part 1500 et seq., and the U.S. Department of Homeland Security's *Management Directive 5100.1, Environmental Planning Program*.

CBP invites your participation in this public process. Comments must be received by February 4, 2008. When submitting your comments, please include name and address, and identify comments as intended for the Texas Mobile Draft EA and Proposed FONSI. Comments on the enclosed documents, or questions about them, can be submitted by:

(a) E-mail to: [TxMComments@cbp.gov](mailto:TxMComments@cbp.gov)

(b) Mail to: Ms. Patience E. Patterson, RPA, U.S. Department of Homeland Security, SBInet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1301 Constitution Avenue, NW, Room B115N, Washington, D.C. 20004.

(c) Fax to: (202) 344-3550.

Your prompt attention to this request is greatly appreciated. If you have any questions, please contact Ms. Patterson via E-mail or the postal address listed above.

Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Horak Development, LLC  
16001 Socorro Road  
Fabens, TX 79838

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Horak Development, LLC:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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(c) Fax to: (202) 344-3550.

Your prompt attention to this request is greatly appreciated. If you have any questions, please contact Ms. Patterson via E-mail or the postal address listed above.

Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Zay and Nancy Clopton  
Victorio Ranch  
Hachita, NM 88040

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Zay and Nancy Clopton:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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(c) Fax to: (202) 344-3550.

Your prompt attention to this request is greatly appreciated. If you have any questions, please contact Ms. Patterson via E-mail or the postal address listed above.

Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

(Robert) Skov Family Limited Partnership  
Box 310  
Clint, TX 79836

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear (Robert) Skov Family Limited Partnership:

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The purpose of the Proposed Action is to further CBP's ability to gain effective control of our nation's borders by providing 24-hour, year-round surveillance capabilities that will help deter illegal entry attempts into the United States, and enable CBP agents to detect, analyze, and rapidly respond to illegal cross border activity.

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Ed Orr  
Box 876  
Fabens, TX 79838

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Ed Orr:

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

David Burrus  
P.O. Box 685  
Windsor, CO 80550

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear David Burrus:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Craig Ivey  
P.O. Box 168  
Tomillo, TX 79853

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Craig Ivey:

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Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Dr. Thomas F. Crais and Bonnie Crais  
315 South River Street  
Hailey, ID 83333

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Dr. Thomas F. Crais and Bonnie Crais:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Billy Mack Jobe  
Fort Hancock East Inc.  
P.O. Box 89  
Toyah, TX 79785

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Billy Mack Jobe:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

William Lion  
1512 Eagle Feather Drive  
Kissimmee, FL 34746

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear William Lion:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Ian Martin  
c/o Attorney  
P.O. Box 1770  
El Paso, TX 79949

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Ian Martin:

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Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Larry T. Bishop  
HC 66, Box 35  
Ft. Hancock, TX 79839

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Larry T. Bishop:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Heriberto B. and Yvonne A. Parada  
1908 Bayview Lane  
El Paso, TX 79938

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBlnet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Heriberto B. and Yvonne A. Parada:

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Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Evans", with a long horizontal flourish extending to the right.

Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Emil Kiehne  
3620 Buxton Drive  
El Paso, TX 79928

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Emil Kiehne:

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Senator John Cornyn  
517 Hart Senate Office Building  
Washington, D.C. 20510

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sub>net</sub> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Senator John Cornyn:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Senator Kay Bailey Hutchison  
284 Russell Senate Office Building  
Washington, D.C. 20510-4304

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Senator Kay Bailey Hutchison:

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- (b) Mail to: Ms. Patience E. Patterson, RPA, U.S. Department of Homeland Security, SBInet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1301 Constitution Avenue, NW, Room B115N, Washington, D.C. 20004.
- (c) Fax to: (202) 344-3550.

Your prompt attention to this request is greatly appreciated. If you have any questions, please contact Ms. Patterson via E-mail or the postal address listed above.

Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Congressman Silvestre Reyes  
2433 Rayburn House Office Building  
Washington, D.C. 20515

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Congressman Silvestre Reyes:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

The purpose of the Proposed Action is to further CBP's ability to gain effective control of our nation's borders by providing 24-hour, year-round surveillance capabilities that will help deter illegal entry attempts into the United States, and enable CBP agents to detect, analyze, and rapidly respond to illegal cross border activity.

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Congressman Ciro Rodriguez  
2458 Rayburn House Office Building  
Washington, D.C. 20515

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Congressman Ciro Rodriguez:

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Sheriff Leo Samaniego  
El Paso County Sheriff's Office  
P.O. Box 125, 800 E. Overland  
El Paso, TX 79941

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Sheriff Leo Samaniego:

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Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Judge Anthony Cabos  
500 E. San Antonio, County Courthouse  
El Paso, TX 79901

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Judge Anthony Cabos:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Judge Rebecca Dean Walker  
P.O. Box 68, County Courthouse  
Sierra Blanca, TX 79851

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Judge Rebecca Dean Walker:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Sheriff Arvin West  
525 N. Wilson  
Sierra Blanca, TX 79851

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Sheriff Arvin West:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Mayor John Cook  
#2 Civic Center Plaza, 10th Floor  
El Paso, TX 79901

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Mayor John Cook:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Jim Miller  
Commissioner: Precinct 1  
P.O. Box 205  
Ft. Hancock, TX 79839

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Jim Miller:

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Curtis Carr  
Commissioner: Precinct 2  
P.O. Box 111  
Ft. Hancock, TX 79839

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Curtis Carr:

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Kirk Evans  
Program Manager, SBInet

Enclosures



U.S. Customs and  
Border Protection

Mr. Tim Bone  
Natural Resource Specialist  
Texas Parks and Wildlife, West Texas Wildlife District  
109 South Cockrell  
Alpine, TX 79830

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Mr. Tim Bone:

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Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Ms. Celeste Brancel-Brown  
Environmental Review Coordinator  
Texas Parks and Wildlife, Endangered Resource Branch  
4200 Smith School Rd  
Austin, TX 78744

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Ms. Celeste Brancel-Brown:

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Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Ms. Kathy Boydston  
Environmental Review Program Leader  
Texas Parks and Wildlife, Wildlife Habitat Assessment Program  
4200 Smith School Rd  
Austin, TX 78744

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Ms. Kathy Boydston:

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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Mr. Archie Clouse  
Regional Director  
Texas Commission on Environmental Quality, Region 6  
401 E. Franklin Ave., Suite 560  
El Paso, TX 79901

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

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The Draft EA was prepared in compliance with provisions of the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4321, et seq.), the Council on Environmental Quality's NEPA implementing regulations at 40 C.F.R. Part 1500 et seq., and the U.S. Department of Homeland Security's *Management Directive 5100.1, Environmental Planning Program*.

CBP invites your participation in this public process. Comments must be received by February 4, 2008. When submitting your comments, please include name and address, and identify comments as intended for the Texas Mobile Draft EA and Proposed FONSI. Comments on the enclosed documents, or questions about them, can be submitted by:

- (a) E-mail to: [TxMComments@cbp.gov](mailto:TxMComments@cbp.gov)
- (b) Mail to: Ms. Patience E. Patterson, RPA, U.S. Department of Homeland Security, SBInet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1301 Constitution Avenue, NW, Room B115N, Washington, D.C. 20004.
- (c) Fax to: (202) 344-3550.

Your prompt attention to this request is greatly appreciated. If you have any questions, please contact Ms. Patterson via E-mail or the postal address listed above.

Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Mr. Carlos Pena  
Supervisory Environmental Protection Specialist  
International Boundary and Water Commission, Environmental Management Division  
4171 N Mesa, Suite C-100  
El Paso, TX 79902

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Mr. Carlos Pena:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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Sincerely,

  
Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

Mr. Allan Strand  
Field Supervisor  
U.S. Fish and Wildlife Service, Southwest Region 2  
6300 Ocean Drive, Campus Box 338  
Corpus Christi, TX 78412

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBI<sup>net</sup> Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Mr. Allan Strand:

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures





**U.S. Customs and  
Border Protection**

Mr. Adam Zerrenner  
Field Supervisor  
U.S. Fish and Wildlife Service, Ecological Services  
10711 Burnet Rd., Ste. 200  
Austin, TX 78758

**Subject: Draft Environmental Assessment and Proposed Finding of No Significant Impact for the Proposed SBlnet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas**

Dear Mr. Adam Zerrenner:

Enclosed for your review and comment is the above-referenced document. The 30-day review period begins on January 4, 2008 and ends on February 4, 2008. U.S. Customs and Border Protection (CBP) has prepared the Draft EA to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communication towers; vehicles, supporting infrastructure components; and technological improvements to existing facilities for the CBP along approximately 73 miles of the U. S./Mexico international border, within the El Paso Sector, Texas (the Proposed Action).

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Sincerely,



Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

JAN 03 2008

Ysleta Branch Library  
9321 Alameda  
El Paso, Texas 79907

Dear Librarian:

U.S. Customs and Border Protection (CBP) requests that your library make available to the public the enclosed *Draft Environmental Assessment for the Proposed SBInet Texas Mobile Project, Fort Hancock, Fabens, and Ysleta Stations Area of Operations, El Paso Sector, Texas*, and the related Proposed *Finding of No Significant Impact*, for a 30-day public review period. To assist the public, please place a copy of this letter with the Draft Environmental Assessment (EA) that is made available for public review. The public comment period begins January 4, 2008 and all comments must be received no later than February 4, 2008.

In support of the Secure Border Initiative program, on January 4, 2008, CBP is publishing a Notice of Availability for the Draft EA. The draft document identifies and assesses the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communications towers, vehicles, supporting infrastructure components, and technological improvements to existing facilities within the El Paso Sector. The location for the Proposed Action, "Texas Mobile Project," is along approximately 73 miles of the U.S./Mexico international border within the El Paso Sector, Texas (the Proposed Action).

The enclosed document is also available to the public by the following:

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I appreciate your assistance with our efforts to invite public involvement in our decision making process.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Evans", with a long horizontal line extending to the right.

Kirk Evans  
Program Manager, *SBI*net

Enclosures



**U.S. Customs and  
Border Protection**

**JAN 03 2008**

Ft. Hancock Public Library  
100 School Drive  
Ft. Hancock, Texas 79839

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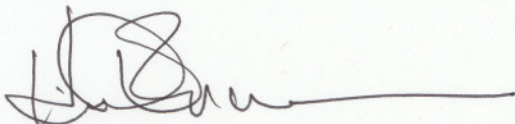
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Kirk Evans  
Program Manager, SBInet

Enclosures



**U.S. Customs and  
Border Protection**

JAN 03 2008

El Paso Public Library  
Richard Burgess Branch  
9600 Dyer  
El Paso, Texas 79901

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Kirk Evans  
Program Manager, *SBlnet*

Enclosures





## 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

January 14, 2008

Ms. Patience Patterson  
SBInet Environment Land and Facilities  
1300 Pennsylvania Avenue  
Room 7.5B-62  
Washington, District of Columbia 20229

Consultation Number 21450-2007-TA-0196

Dear Ms. Patterson:

This letter responds to the letter received from Kirk Evans, Project Manager, SBInet, on December 14, 2007, concerning the proposal for the construction, operation and maintenance of 12 radar, sensor and communication towers; the construction and improvement of roads, and the installation of unattended ground sensors within the Fabens, Fort Hancock, and Ysleta Stations in El Paso and Hudspeth counties, Texas. The letter requests the U.S. Fish and Wildlife Service (Service) to concur with the determinations for effects to federally-listed species stated in the letter. The Service also received the Draft Environmental Assessment for this project on January 4, 2007.

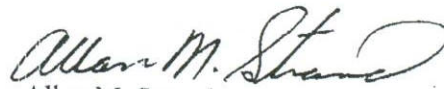
The Service is unable to concur with the determinations, primarily because the letter appears to make two determinations. On page 2, paragraph 4 the letter states, "Therefore SBInet has determined that no effects to any listed species would occur under the Proposed Action Alternative", and on page 3 the letter states that, "...SBInet has determined that the proposed action would not adversely affect any of the Federally or state listed species for Hudspeth and El Paso Counties". The Service asks for clarification of the determination of effects to federally-listed species for this project. The Service does not provide concurrence with determinations for species listed only by the state, and suggests that you contact Texas Parks and Wildlife (Endangered Resources Branch), Fountain Park Plaza Building, Suite 100, 3000 South IH-35, Austin, Texas 78704 (telephone 512/912-7011) concerning effect of your proposed project to state listed species.

Please note that the federally-listed endangered northern aplomado falcon (*Falco femoralis septentrionalis*) is no longer extirpated from the Trans-Pecos region due to reintroduction efforts and subsequent sightings. The Service will provide you with the most current release sites and sighting information available for the vicinity near your proposed project, in particular site EPT-YST-059#. The request for this information has been made through the Peregrine Fund and will be forwarded to your consultants as soon as it is received. Depending on the information received, and due to the revegetation planned for 7.26 acres of Chihuahuan Desert scrub or Chihuahuan Desert grassland habitat in the project area, a determination of may affect, but not likely to adversely affect the northern aplomado falcon may be appropriate. Please coordinate

with the Service so that all relevant information is available to verify your request for concurrence. If Customs and Border Protection decides that a no effect determination is appropriate, then concurrence by the Service is not required.

Thank you for your concern for endangered and threatened species and other resources, and we appreciate the opportunity to comment on the proposed project. The Service wishes to continue to coordinate this project with you and provide you with technical assistance. Please contact Dr. Larisa Ford at 361-994-9005 (office) or 361-533-2797 (cell) if you have any questions. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,



Allan M. Strand  
Field Supervisor

cc: Amy Roberson, USFWS, Alpine, Texas  
Adam Zerrenner, USFWS, Austin, Texas

**MEMORANDUM OF AGREEMENT**  
**for**  
**Environmental Coordination and Review**  
**Between the Department of the Interior and**  
**U.S. Customs and Border Protection for the**  
**Secure Border Initiative**

This Memorandum of Agreement (“MOA”) is entered into by the U.S. Department of the Interior (“DOI”) on behalf of the following DOI bureaus: the National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, Bureau of Reclamation, and the Bureau of Indian Affairs, (collectively the “DOI Bureaus”), and U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security (“DHS”). The DOI and CBP are collectively referred to herein as the “Parties.”

**I. Purpose**

This MOA is entered into in order to further effectuate the goals, principles, and objectives of the 2006 Memorandum of Understanding between DHS, DOI, and the Department of Agriculture entitled “Cooperative National Security and Counterterrorism Efforts on Federal Lands along the United States’ Borders.” The purpose of this MOA is to formalize the commitment among the Parties to coordinate the review of projects subject to the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 et seq., and Council on Environmental Quality (CEQ) Regulations implementing NEPA, 40 C.F.R. Parts 1500-1508. This agreement will facilitate a coordinated approach that ensures sound decisions based on concurrent and expedited agency reviews. This MOA shall be applicable to CBP projects that are undertaken for the purposes of securing the border, which may include, but are not limited to the construction, maintenance, and operation of borderland security fences, roads, towers, vehicle deterrent fences, remote detection systems, and other related tactical and technological infrastructure.

**II. Background**

The goal of the Secure Border Initiative is for CBP to obtain operational control of our Nation’s borders consistent with its Homeland Security mission. This will be accomplished in part through the construction, maintenance, and operation of various tactical and technological infrastructure along the United States–Mexico international border, including pedestrian and vehicle fences, roads, lighting systems, communication towers, remote detection systems, and electronic surveillance systems.

DOI has a longstanding responsibility for many cultural and natural resources in our Nation’s borderlands. The value of these interests is manifested to a significant degree in the borderlands and waters administered by DOI Bureaus and in Indian tribal lands. In particular, an array of valuable fish, wildlife, and plant communities coexist with important archaeological sites that collectively contribute to the fabric of the borderlands of the Southwest.

These important resources are being damaged or destroyed by large numbers of cross border violators entering the United States from Mexico. Likewise, Indian communities, visitors to DOI lands, and DOI employees are subject to increased danger to their well being due to the presence of criminal activity.

The need to coordinate the environmental review process for the planning, construction, and operation of borderland security projects is seen as necessary by the Parties to efficiently fulfill the mandates of NEPA.

### **III. Statutory and Regulatory Authority**

WHEREAS, this MOA is entered into under the authority of NEPA , 42 U.S.C. §§ 4321 et seq., and the Council on Environmental Quality (CEQ) regulations implementing NEPA, 40 C.F.R. Parts 1500-1508;

WHEREAS, pursuant to NEPA, 42 U.S.C. § 4331(b), the Federal government shall use all practicable means to improve and coordinate Federal plans, functions, programs, and resources to enhance the quality of the environment;

WHEREAS, regulations implementing NEPA at 40 C.F.R. § 1501.6 emphasize interagency cooperation early in the environmental review process;

WHEREAS, if more than one Federal agency is involved in the same action, 40 C.F.R. § 1501.5 provides for the designation in writing of a lead agency that will supervise the preparation of an environmental impact statement. The other agencies are identified as cooperating agencies;

WHEREAS, pursuant to 40 C.F.R. § 1508.5, an Indian tribe may by agreement with the lead agency become a cooperating agency when the effects are on a reservation;

WHEREAS, consistent with the intent of the CEQ regulations, the Parties may designate a lead agency for all NEPA documents; and

WHEREAS, pursuant to 40 C.F.R. § 1501.6(c), a cooperating agency may, in response to a lead agency's request for assistance in preparing an environmental analysis, defer to the lead agency in preparing such analysis;

**NOW, THEREFORE:**

### **IV. Commitment of the Agencies**

In the spirit of cooperation and collaboration, and with the mutual understanding that this is a flexible working agreement among the signatory agencies, the Parties hereby commit to the following responsibilities:

- A. To facilitate preparation of NEPA environmental documents, the Parties agree:

1. That CBP will serve as lead agency for all CBP border infrastructure projects (including, but not limited to Secure Border Initiative tactical and technological infrastructure) and will coordinate all NEPA document development and review;
  2. That the DOI Bureaus involved in any CBP projects, by and through their respective offices and branches, and, where appropriate, Indian tribes, will serve as cooperating agencies for such projects, or in appropriate cases as joint lead; and
  3. That each party will assume responsibility for its own actions.
- B. As lead agency, CBP agrees:
1. To provide project information in a timely and thorough manner;
  2. To invite cooperating agencies to coordination meetings and joint field reviews; and
  3. To provide cooperating agencies an opportunity to comment on draft documents.
- C. When serving as a cooperating agency, the DOI Bureaus agree:
1. To promptly provide comments on draft documents and otherwise fulfill the role of a cooperating agency as set forth at 40 C.F.R. Part 1501, in accordance with established Departmental procedures;
  2. To provide technical assistance to CBP on tribal and non-tribal environmental and cultural resource issues; and
  3. To the degree possible, seek ways to streamline and facilitate the completion of environmental and cultural compliance processes.

**V. Miscellaneous Provisions**

- A. Nothing in this MOA may be construed to obligate the Parties or the United States to any current or future expenditure of funds in advance of availability of appropriations, nor does this MOA obligate the Parties or the United States to spend funds for any particular purpose, even if funds are available.
- B. The Parties will, as appropriate, enter into specific reimbursable agreements pursuant to the Economy Act, 31 U.S.C. § 1535, when one party is to furnish materials or perform work or provide a service on behalf of another party.

C. The Parties shall retain all applicable legal responsibility for their respective personnel working pursuant to this MOA. This MOA is not intended to change in any way the individual employee status or the liability or responsibility of any party under Federal law.

D. Nothing in this MOA is intended to conflict with current law, regulation, directive, or other governing authority of any party to this MOA. If any term of this MOA is inconsistent with such authority, then that term shall not apply, but the remaining terms and conditions of the MOA shall remain in full force and effect.

E. This document is an intra-governmental agreement among the Parties and does not create or confer any rights, privileges, or benefits upon any person or entity not a signatory hereto. This MOA is not and shall not be construed as a rule or regulation.

F. This MOA may be modified or amended in writing upon the consent of all Parties, and other affected Federal or State agencies may seek to become a party to this MOA.

G. This MOA shall be effective through December 31, 2012, and may be renewed for another five years upon mutual agreement of the Parties. Any party to this MOA may terminate its participation in this MOA upon thirty (30) days written notice to the other Party.

H. This MOA becomes effective upon the date of signature by the last signatory.

## VI. Conclusion

In signing this MOA, the undersigned recognize and accept the roles and responsibilities assigned to each party. Each of the Parties agrees to pursue maximum cooperation and communication to secure our Nation's borders and to eliminate the environmental degradation of DOI-administered lands by persons illegally entering the United States.

### DEPARTMENT OF THE INTERIOR

By: James E. Cason Date: 1/11/08  
James E. Cason, Associate Deputy Secretary

### U.S. CUSTOMS AND BORDER PROTECTION

By: W. Ralph Basham Date: 1/18/08  
W. Ralph Basham, Commissioner



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

10711 Burnet Road, Suite 200

Austin, Texas 78758

512 490-0057

FAX 490-0974

**FEB 04 2008**

Rec'd  
2/13/08  
PEP



Ms. Patience Patterson  
SBInet Environment Land and Facilities  
1300 Pennsylvania Avenue  
Room 7.5B-62  
Washington, District of Columbia 20229

Consultation Number 21450-2007-TA-0196

Dear Ms. Patterson:

Thank you for the opportunity to review the Draft Environmental Assessment (DEA) and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas, dated January 2008 and received by the U.S. Fish and Wildlife Service (Service) on January 4, 2008. The DEA describes the preferred alternative as the construction, operation and maintenance of 12 radar, sensor and communication towers; the construction and improvement of roads; and the installation of unattended ground sensors within the Fabens, Fort Hancock, and Ysleta Stations in El Paso and Hudspeth counties, Texas.

Please note that the federally-listed endangered northern aplomado falcon (*Falco femoralis septentrionalis*) is no longer extirpated from the Trans-Pecos region due to reintroduction efforts and subsequent sightings. The DEA states that there is potentially suitable habitat for the aplomado falcon in the vicinity of tower site EPT-YST-059#. The Service contacted the Peregrine Fund, which is the organization carrying out the reintroduction and monitoring efforts for this species, to request the most recent information on the species in the project area. Based on the information we received, we have determined that the nearest location to tower site EPT-YST-059# where northern aplomado falcons have been released and/or sited is 6 miles east of Sierra Blanca, Texas. Based on rough calculations, this is approximately 50-60 miles from the tower site and is within the dispersal distance of the northern aplomado falcon. Due to the potential presence of the species in the project area; the presence of potentially suitable habitat; the permanent disturbance of 1.45 acres; and the temporary disturbance and revegetation planned for 5.81 acres of Chihuahuan Desert scrub or Chihuahuan Desert grassland habitat in the project area, a determination of may affect, but not likely to adversely affect the northern aplomado falcon may be appropriate. Please coordinate with the Service to ensure all relevant information is available to you for your analysis. If Customs and Border Protection decides that a no effect determination is appropriate, then concurrence by the Service is not required.

Please provide more information about the 5.81 acres of Chihuahuan Desert scrub or Chihuahuan Desert grassland that will be revegetated, as described in the preferred alternative. Specifically, what species will be planted, will they be provided with supplemental water to increase the likelihood of establishment, and will the revegetated areas be monitored?




Ms. Patience Patterson

2

The DEA mentions the potential impacts to birds of lighting the towers and describes measures that will be taken to reduce the impacts. Please also consider the potential impacts of the tower lights on bats in your analysis.

Thank you for your concern for endangered and threatened species and other resources, and we appreciate the opportunity to comment on the proposed project. The Service wishes to continue to coordinate this project with you and provide you with technical assistance. Please contact Dr. Larisa Ford at 361-994-9005 (office) or 361-533-2797 (cell) if you have any questions. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,



for  
Adam Zerrenner  
Field Supervisor

cc: Allan Stand, USFWS, Corpus Christi, Texas





## Ysleta del Sur Pueblo

Tribal Council

119 S. Old Pueblo Rd. • P.O. Box 17579 • El Paso, Texas 79917 • (915) 859-8053 • Fax: (915) 859-4252

February 4, 2008

RE: Texas Mobile Draft EA and Proposed FONSI

Ms. Patience E. Patterson, RPA  
U.S. Department of Homeland Security  
SBlnet Program Management Office  
U.S. Customs and Border Protection Headquarters  
1301 Constitution Avenue, NW, Room B115N  
Washington, D.C. 20004

Dear Ms. Patterson:

This letter is in response to the correspondence received in our office in which you provide Ysleta del Sur Pueblo the opportunity to review and comment on the Draft Environmental Assessment and Proposed Finding of No Significant for the proposed SBlnet Texas Mobile Project, Fort Hancock, Fabens, and Ysleta Stations Areas of Operation, El Paso Sector, Texas.

While we believe that this project will not adversely affect traditional, religious or culturally significant sites of our Pueblo and have no opposition to it, we would like to request consultation should any human remains or artifacts unearthed during this project be determined to fall under NAGPRA guidelines. Copies of our Pueblo's Cultural Affiliation Position Paper and Consultation Policy are attached for your review.

Thank you for allowing us the opportunity to comment on the draft EA, proposed FONSI, and proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Paiz', written over a white background.

Frank Paiz  
Tribal Governor

FP:svg





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

10711 Burnet Road, Suite 200

Austin, Texas 78758

512 490-0057

FAX 490-0974

**FEB 04 2008**

Rec'd  
2/13/08  
PEP



Ms. Patience Patterson  
SBInet Environment Land and Facilities  
1300 Pennsylvania Avenue  
Room 7.5B-62  
Washington, District of Columbia 20229

CBP comments to February 4, 2008  
USFWS letter.

Consultation Number 21450-2007-TA-0196

Dear Ms. Patterson:

Thank you for the opportunity to review the Draft Environmental Assessment (DEA) and Proposed Finding of No Significant Impact for the Proposed SBInet Texas Mobile Project, Ysleta, Fabens, and Fort Hancock Stations Areas of Operation, El Paso Sector, Texas, dated January 2008 and received by the U.S. Fish and Wildlife Service (Service) on January 4, 2008. The DEA describes the preferred alternative as the construction, operation and maintenance of 12 radar, sensor and communication towers; the construction and improvement of roads; and the installation of unattended ground sensors within the Fabens, Fort Hancock, and Ysleta Stations in El Paso and Hudspeth counties, Texas.

Please note that the federally-listed endangered northern aplomado falcon (*Falco femoralis septentrionalis*) is no longer extirpated from the Trans-Pecos region due to reintroduction efforts and subsequent sightings. The DEA states that there is potentially suitable habitat for the aplomado falcon in the vicinity of tower site EPT-YST-059#. The Service contacted the Peregrine Fund, which is the organization carrying out the reintroduction and monitoring efforts for this species, to request the most recent information on the species in the project area. Based on the information we received, we have determined that the nearest location to tower site EPT-YST-059# where northern aplomado falcons have been released and/or sited is 6 miles east of Sierra Blanca, Texas. Based on rough calculations, this is approximately 50-60 miles from the tower site and is within the dispersal distance of the northern aplomado falcon. Due to the potential presence of the species in the project area; the presence of potentially suitable habitat; the permanent disturbance of 1.45 acres; and the temporary disturbance and revegetation planned for 5.81 acres of Chihuahuan Desert scrub or Chihuahuan Desert grassland habitat in the project area, a determination of may affect, but not likely to adversely affect the northern aplomado falcon may be appropriate. Please coordinate with the Service to ensure all relevant information is available to you for your analysis. If Customs and Border Protection decides that a no effect determination is appropriate, then concurrence by the Service is not required.

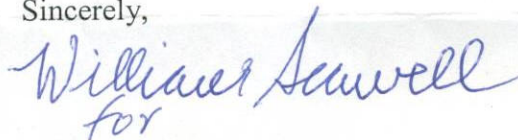
Please provide more information about the 5.81 acres of Chihuahuan Desert scrub or Chihuahuan Desert grassland that will be revegetated, as described in the preferred alternative. Specifically, what species will be planted, will they be provided with supplemental water to increase the likelihood of establishment, and will the revegetated areas be monitored?

TAKE PRIDE  
IN AMERICA 

The DEA mentions the potential impacts to birds of lighting the towers and describes measures that will be taken to reduce the impacts. Please also consider the potential impacts of the tower lights on bats in your analysis.

Thank you for your concern for endangered and threatened species and other resources, and we appreciate the opportunity to comment on the proposed project. The Service wishes to continue to coordinate this project with you and provide you with technical assistance. Please contact Dr. Larisa Ford at 361-994-9005 (office) or 361-533-2797 (cell) if you have any questions. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,



for  
Adam Zerrenner  
Field Supervisor

cc: Allan Stand, USFWS, Corpus Christi, Texas

Paragraph 2 CBP Comment #1. CBP feels that the *no effect* determination can be defended for a number of reasons as noted below:

- only an approximate 1.45 acres would be permanently disturbed within an overall 80 mile long by 16 mile wide project corridor;
- According to USFWS and the Peregrine Fund, the closest proposed tower location (EPT-YST-059) to known aplomado falcon occurrences is approximately 50-60 miles and this occurrence was due to the release of reintroduced aplomado falcons;
- There is limited suitable habitat within the vicinity of EPT-YST-059, since this site is predominately surrounded by agriculture lands;
- None of the proposed towers will have guy wires which could increase collision risks to the aplomado falcons;
- All proposed towers will follow the USFWS guidelines for communication towers, and;
- The proposed towers will reduce foot traffic which could disturb any reintroduced aplomado falcons in other regions north of the proposed tower corridor.

Paragraph 3 CBP Comment #2. CBP feel that the replanting as note in the EA which states, "Native seeds or plants, which are compatible with the enhancement of protected species, will be used to the extent practicable, as required under Section 7(a)(1) of the ESA to revegetate staging areas and other temporarily disturbed areas." is adequate to ensure the small amount of impacted Chihuahuan Desertscrub, Chihuahuan Desert grassland, or maintained vegetation is adequate to ensure revegetation in the area.

Paragraph 4 CBP Comment #3. CBP has included more information regarding bats and the potential for impacts to bats. This can be found in Section 3.8.2.2.

PUBLISHERS AFFIDAVIT

GULF SOUTH RESEARCH CORP

STATE OF TEXAS  
COUNTY OF EL PASO

Before me, a Notary Public in and for El Paso County, State of Texas, on this day personally appeared TERRIE CARTER who state upon oath that he is the CLASSIFIED SUPERVISOR of the El Paso Times, a daily newspaper published in the City and County of El Paso, State of Texas, which is a newspaper of general circulation and which has been continuously and regularly published for the period of not less than one year in the said County of El Paso, and that he was such upon the dates herein mentioned:

That the LEGAL copy was published in the El Paso Times for the ONE DAY. The dates of such publication being as follows, to wit JANUARY 04, 2008

Subscribed and sworn to before me, Signed

*Jean H. Carter*

This the 4th day of JANUARY 2008  
2007

*Belia Duenes*





**NOTICE OF AVAILABILITY  
DRAFT ENVIRONMENTAL ASSESSMENT (EA) AND PROPOSED FINDING OF NO  
SIGNIFICANT IMPACT (FONSI) FOR THE PROPOSED SBINET TEXAS MOBILE  
PROJECT, YSLETA, FABENS, AND FORT HANCOCK STATIONS AREAS OF  
OPERATION, EL PASO SECTOR, TEXAS**

U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security (DHS), announces the availability of and invites public comments on a Draft EA and proposed FONSI for the proposed SBInet Texas Mobile Project Pursuant to the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 et seq., CBP has prepared the Draft EA and proposed FONSI to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communications towers, vehicles, supporting infrastructure components, and technological improvements to existing facilities within the El Paso Sector. The location for the Proposed Action, which is known as the "Texas Mobile Project," is an approximately 73-mile area of the U.S./Mexico international border within El Paso Sector, Texas.

The Draft EA and proposed FONSI were prepared in accordance with CBP's obligations under NEPA, the Council on Environmental Quality (CEQ) implementing regulations at 40 CFR Parts 1500-1508, and DHS Management Directive 5100.1 (Environmental Planning Program). Copies of the Texas Mobile Draft EA and proposed FONSI can be downloaded from the project website at [www.cbp.gov/sbi](http://www.cbp.gov/sbi) under the link SBI NEPA Documents for Public Review and Comment. Additionally, copies will be available in the following libraries for public review:

El Paso Public Library  
Main Branch  
501 N. Oregon St.  
El Paso, TX 79901  
Phone (915) 543-5442

El Paso Public Library  
Richard Burgess Branch  
9600 Dyer  
El Paso, TX 79901  
(915) 759-2400

Ft. Hancock Public Library  
100 School Drive  
P.O. Box 98  
Ft. Hancock, TX 79839  
(915) 769-3811

Ysleta Branch Library  
9321 Alameda  
El Paso, TX 79907  
(915) 858-0905

Pursuant to the CEQ regulations, CBP invites public participation in the NEPA process. The public may participate by reviewing and submitting comments on the Draft EA and proposed FONSI. The public may submit comments by one of three methods described below. CBP will consider all applicable and pertinent comments submitted during the public comment period, and subsequently will prepare the Final EA. CBP will announce the availability of the Final EA and FONSI.

Comments on the Draft EA and proposed FONSI should be received by February 4, 2008. Please use only one of the following methods:

- (a) By Email to: [TxMComments@cbp.gov](mailto:TxMComments@cbp.gov)
- (b) By mail to: Ms. Patience E. Patterson, RPA, U.S. Department of Homeland Security, SBInet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1301 Constitution Avenue, NW, Room B115N, Washington, D.C. 20004.
- (c) By fax to: (202) 344-3550.

When submitting comments, please include your name and address, and identify your comments as being for the Texas Mobile Draft EA and proposed FONSI. To request a hard copy of the Draft EA, please use one of the aforementioned contact methods.





*APPENDIX B*  
*PUBLIC SCOPING MEETING MINUTES*





1                   **UNITED STATES CUSTOMS AND BORDER PROTECTION**

2  
3  
4  
5                   **PUBLIC SCOPING MEETING**

6  
7                   **ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED SECURE**  
8                   **BORDER INITIATIVE PROJECT IN YSLETA, FABENS**  
9                   **AND FORT HANCOCK, TEXAS**

10                   **WEDNESDAY, JULY 11, 2007**  
11                   **7:00 PM**

12                   **LOCATION:           FABENS COMMUNITY CENTER**  
13                   **201 Camp Street, Fabens, Texas**

14                   **REPORTED BY:   RHONDA MCCAY, CSR, RPR**  
15                   **TERRY J. THUMMEL, CSR**

16                   **PRESENT:**

17                   Agent Lee Stovall, Special Operations Supervisor  
18                   Agent Loren Klein, Acting Assistant Agent  
19                   Mr. Rudy Karisch, Co-chair of the SBInet Communications  
20                   Ms. Paula Miller, Environmental Compliance Specialist  
21                   Ms. Enas Qutob, Environmental Specialist  
22                   Mr. John Wells, Project Manager, Texas Mobile Solutions  
23                   Ms. Kanon McGill, Office of Congressional Affairs  
24                   Mr. Chris Ingram, Environmental Specialist, Gulf South  
25                   Research Corporation  
                  Mr. Salvador Payan, Congressman Reyes' Office  
                  Mr. Ezekiel Saldivar, PAIC, Fabens Station  
                  Mr. Mark Griego, PAIC, Fort Hancock Station

**ORIGINAL**

1 (Public scoping meeting called to order)

2 MR. STOVALL: I'd like to welcome everybody  
3 to the Texas scoping meeting. Glad to see that you are  
4 taking an interest and coming to see what this meeting  
5 is about.

6 My name is Lee Stovall. I'm the special  
7 operations supervisor at the El Paso Sector with the  
8 Secure Border Initiative, SBInet specifically. This is  
9 Acting Assistant Agent Loren Klein. He's also over the  
10 Ysleta station, just next door here, to the west of us.  
11 He's the patrol agent in charge. He's kind of serving a  
12 dual role tonight.

13 I'm going to turn it over to him and let  
14 him speak about some of the SBInet issues that we are  
15 here to speak about.

16 MR. KLEIN: Again, I want to thank  
17 everybody for coming and welcome you here tonight. I'm  
18 going to start off with kind of an overview of where we  
19 started and where we're at and how this thing has all  
20 come about so that you have a basic understanding of  
21 some of the things we are going to be talking about  
22 tonight.

23 We have to go back to basically 9/11, and  
24 start from there. That's when all of our worlds changed  
25 as we know them today. What developed out of 9/11, as

1 you are all aware of, is the Department of Homeland  
2 Security was created, all the agencies that make up a  
3 part of that. And I think it's about 44 different  
4 agencies that were brought under the Department of  
5 Homeland Security, the Border Patrol being one of them.

6           The most important part for tonight, I  
7 believe, is that when we came under the Department of  
8 Homeland Security, and with the threat from 9/11, the  
9 Border Patrol, as a whole, our mission changed, and we  
10 went from basically focusing on illegal entries, illegal  
11 cross-border traffic. Our mission then went to the  
12 prevention of the entry of terrorists, terrorist weapons  
13 and weapons of mass destruction. That kind of leads us  
14 into where we are today.

15           The Secure Border Initiative, which we will  
16 refer to as "SBI" a lot tonight, is the large umbrella  
17 that all of these programs come underneath. The SBI  
18 program is a comprehensive multiyear program to secure  
19 America's borders and reduce illegal entries into the  
20 United States. The Department of Homeland Security  
21 formally launched SBI in September of 2005. That was to  
22 bring clarity of mission, effective coordination of DHS  
23 assets and greater accountability in securing the  
24 nation's borders.

25           The SBI mission is to promote border

1 security strategies that protect against and prevent  
2 terrorist attacks and other transnational crimes. In  
3 addition, the initiative will coordinate DHS efforts to  
4 ensure the legal entry and exit of people and goods  
5 moving across our borders and enforce immigration,  
6 customs and agricultural laws at our borders, within the  
7 country and abroad.

8           Now, within SBI, you will hear another term  
9 called "SBInet." SBInet is a component of SBI, and it  
10 is the technology portion of the entire SBI umbrella.  
11 SBI, in itself, includes all of the components of the  
12 entire program, technical infrastructure, roads,  
13 bridges, lighting, all of those things. SBInet refers  
14 to the technology portion of it.

15           Within that is what we are here tonight  
16 talking about, is what we refer to as "Texas Mobile."  
17 Texas Mobile is simply a piece of SBInet under SBI that  
18 we are putting out. It's a project that's coming out  
19 now. And it's the intent of this focus meeting to talk  
20 about.

21           Texas Mobile is a component of SBInet and  
22 it will deploy mobile technology platforms over a  
23 portion of the border in the area east of El Paso, that  
24 area being station areas that we refer to as Ysleta,  
25 Fabens and Fort Hancock. It will be the entire area.

1 It's approximately 71 miles at this point.

2           One thing that you have to remember is that  
3 this program is, right now, in its infancy. This is the  
4 very basic first steps of the designing phase. We are  
5 now reaching out to the communities to provide you with  
6 this information in these public scoping meetings. And  
7 that way we can get your input back to us, which is a --  
8 is a major component of this Texas Mobile Program.

9           Based on -- well, let me back up.

10           When fully operational, the Texas Mobile  
11 System will provide the Border Patrol with the most  
12 effective mix of technology, infrastructure and response  
13 platforms to detect, identify, classify and respond to  
14 illegal cross-border activity in the Fort Hancock,  
15 Fabens and Ysleta areas.

16           Based on extensive field experience of  
17 illegal cross-border activity, the local Border Patrol  
18 representatives -- and those folks are in this room  
19 tonight with you. Myself, as the PAIC of the Ysleta  
20 station. The PAICs of Fabens and Fort Hancock are also  
21 here. Based on input from us, they have started looking  
22 at designing this thing and that was used as a starting  
23 point for these discussions on where the tactical  
24 infrastructure and technology was going to be placed.  
25 We were providing input to the SBI folks, and they, in

1 turn, were starting to looking at developing systems  
2 that will fulfill our needs.

3 Environmental concerns, which is the basis  
4 of this meeting tonight, and local community input and  
5 engineering assessments, which include the cost of  
6 construction, have been and continue to be considered.  
7 Again, no final decisions have been made with respect to  
8 specific placement of any of these systems. But,  
9 however, potential sites have been developed and we are  
10 looking at those sites. Again, the first step in  
11 looking at those sites is environmental.

12 Customs and Border Protection and the  
13 Department of Homeland Security is committed to having  
14 meetings like this one in the communities to gather this  
15 input so that we have a clear picture and an  
16 understanding of the communities' concerns regarding  
17 these issues.

18 One thing I do want to mention again is  
19 that there have been no decisions made on where this  
20 stuff is going to go, where the technology is going to  
21 be placed, what exactly it is going to be. That depends  
22 upon the inputs from these meetings. This meeting  
23 tonight is covering the environmental aspects of this  
24 project, and there will be further meetings later on in  
25 the future as different pieces of this Texas Mobile



1 solution or system starts to role out. And those will  
2 be open to the public, as this one is, and we will ask  
3 for your input.

4           With that said, we're going to move forward  
5 with the presentations tonight. But before I do that, I  
6 want to introduce some of the folks that are around the  
7 room so you will kind of have an idea of who is what and  
8 who to talk to.

9           The first one I want to introduce is  
10 Mr. Rudy Karisch. Rudy is the co-chair of the SBInet  
11 communications and he's part of the integrated project  
12 team. Rudy is based out of headquarters in Washington,  
13 D.C. for Border Patrol.

14           Mr. John Wells is with us. John is the  
15 project manager for this part of the program, Texas  
16 Mobile Solution, and he works for SBInet.

17           Also with us tonight is Ms. Kanon McGill.  
18 She is with the Office of Congressional Affairs.

19           And then, for the environmental side of the  
20 house, we have Mr. Chris Ingram, standing over there in  
21 the back. He is an environmental specialist, and he is  
22 actually a contractor. He works for Gulf South Research  
23 Corporation. And GSRC does a lot of the environmental  
24 studies for DHS.

25           We also have Ms. Paula Miller here with us,

1 and Paula is going to be coming up here next. She's an  
2 environmental compliance specialist with Customs and  
3 Border Protection.

4 And we also have with us tonight, Enas  
5 Qutob, who is -- I know I messed it up. And she is also  
6 an environmental specialist with Customs and Border  
7 Protection.

8 The other person I want to recognize  
9 tonight is Mr. Salvador Payan, is with us tonight. He  
10 is from Congressman Reyes' office. We are glad to have  
11 him.

12 As I said before, we have the  
13 representatives from each of the stations; myself  
14 representing Ysleta in a dual role; Mr. Ezekiel Saldivar  
15 is the patrol agent in charge of the Fabens station; and  
16 Mr. Mark Griego, patrol agent in charge of the Fort  
17 Hancock station, along with the various agents from the  
18 stations and the SBInet office in El Paso Sector.

19 One thing I did want to mention, is that if  
20 anybody needs any of this translated into Spanish, we  
21 have several people here tonight that can do that.

22 Mr. Victor Velasquez, sitting in the back, is one of the  
23 gentlemen that can translate for you. And Ruben --  
24 Mr. Ruben Padilla in the corner over there can also  
25 translate it if you're having difficulty and need this

1 translated into Spanish.

2           With that said, again, the purpose of this  
3 meeting is a kickoff on the environmental. This meeting  
4 is not designed as a question-and-answer program. It is  
5 designed to give you information, except for that one,  
6 and to receive input from the community. In order for  
7 us to capture your comments correctly and to be able to  
8 make them part of the record, we have stenographers here  
9 tonight who are taking down the minutes of this meeting  
10 and are available for your questions and your comments  
11 and your concerns.

12           We also have comment sheets that you can  
13 fill out, if you choose to, and turn those in. But we  
14 ask, if you have any comments or concerns regarding the  
15 information or the program tonight, please, before you  
16 leave, get with one of the stenographers or write your  
17 comments down on one of the sheets and turn it in to the  
18 stenographers, and they will give that information  
19 tonight before we leave.

20           With that said, I'm going to ask Paula to  
21 come up here and kind of go through the environmental  
22 process and how we -- how we go through this and how we  
23 got to where we are at today.

24           MS. MILLER: This is Christopher Ingram and  
25 I'm Paula Miller, and we are going to be working on

1 developing the Environmental Assessment Document.

2 Can you hear me now?

3 The purpose of this meeting is to  
4 essentially explain what this document is, why we are  
5 doing it, and how this scoping meeting fits into the  
6 development of the environmental assessment. And  
7 essentially we are having this meeting today so that we  
8 can receive input from you, the public, to help us  
9 develop the scope of the assessment. So I'm going to  
10 talk a little bit about what the National Environment  
11 Policy Act is, usually referred to as NEPA. We are  
12 going to review Border Patrol's mission. I'll do a  
13 little bit of an overview of the proposed project. I'll  
14 talk about the project's purpose and need and we'll have  
15 a discussion after we're finished with this  
16 presentation.

17 Okay. So let me go through the process of  
18 talking about what an environmental assessment is. It  
19 determines the anticipated level of environmental impact  
20 through analysis of various aspects of the project. We  
21 are going to explain the project activities and the  
22 components with their environmental implications that we  
23 will conduct analyses of in the document. And we are  
24 going to obtain input on -- hopefully, obtain some input  
25 from you on the environmental issues that we are going

1 to be concerned with.

2           The proponent agency for this project is  
3 the US Customs and Border Protection, and the component  
4 sponsors of this are the Secure Border Initiative and  
5 Office of Border Patrol.

6           Okay. So what is the NEPA? NEPA is a  
7 federal statute that requires documentation of each  
8 federal agency's decisions to engage in a project that  
9 could have or could lead to environmental impacts. So  
10 we want to ask ourselves a question. The trigger  
11 question in the statute is, is the project a major  
12 federal action that could significantly affect the  
13 quality of a human environment? The best way to answer  
14 that question is to conduct analyses in three levels of  
15 documentation -- or one of three levels of  
16 documentation.

17           So the choices that we would have are to  
18 look at, well, could we categorically exclude this from  
19 further environmental analysis? Well, we can't do this  
20 with this project because we know that there probably  
21 will be some environmental impacts. So we couldn't  
22 categorically exclude this from further consideration.

23           Where there are known significant impacts  
24 to a project, you would conduct an Environment Impact  
25 Statement, which is a very broad scope and much more

1 detailed examination of project impacts. Since we are  
2 not sure what the level of impacts are going to be, we  
3 have chosen to engage in an environmental assessment  
4 process, which will lead to one of two conclusions; one,  
5 to get to a finding of no significant impact, or, if we  
6 determine that there are potential significant impacts,  
7 we will move on and conduct an environmental impact  
8 statement, which is, as I said, is a much more detailed  
9 examination of the impacts and how you would go about  
10 trying to alleviate them.

11           Okay. So the environmental assessment  
12 process for this proposed action is, first, to identify  
13 the action's purpose, need and scope. To establish the  
14 scope -- to help establish the scope, we hold the public  
15 scoping meeting for further definition of the project  
16 through your input. From there, we will take those  
17 comments, see what is pertinent and produce a draft  
18 environmental assessment. After that draft is produced,  
19 we will issue a notice of availability of the draft and  
20 provide it to the public, to public libraries, community  
21 centers for you to review and comment on that. And  
22 those comments are usually submitted in writing to the  
23 agency.

24           We will take those comments and integrate  
25 any applicable input or comments that you provide. And

1 from there, if we identify any potential impact, we  
2 would also try to define some mitigation actions to  
3 eliminate or alleviate any of those identified potential  
4 impacts.

5           And then, after that is done, we will  
6 produce a final Environmental Assessment Document, and  
7 hopefully, we can conclude, with application of  
8 mitigation actions, that we could issue a finding of no  
9 significant impact. Otherwise, if there are significant  
10 problems, that we identify through the analyses of  
11 potential environmental effects, we would issue a notice  
12 of intent to prepare an Environmental Impact Statement.

13           And then, finally, whichever one we do,  
14 we'll issue another notice of availability of the final  
15 document. Okay.

16           So what is an environmental assessment? An  
17 environmental assessment essentially describes the  
18 agency's proposed project, its components and identifies  
19 the project location and alternatives. And the  
20 alternatives are really the heart of the document. In  
21 our case, we are going to be looking at some siting  
22 alternatives, like where are the best locations for some  
23 of the components of this project. And each one of  
24 those alternatives that we look at will be responsive to  
25 the purpose and need for this project.

1           The assessment will describe the baseline  
2 or affected environment. It will analyze potential  
3 direct and indirect -- potential direct and indirect  
4 environmental impacts in and around the project area.  
5 And it will also analyze cumulative effects with other  
6 planned and current activities near and in the same  
7 location as this proposed action.

8           And finally it will determine the level of  
9 overall environmental impact of the project.

10           So what does purpose and need mean? The  
11 purpose of this project is to support the Border  
12 Patrol's mission by strengthening national security  
13 between the ports of entry, to prevent the illegal entry  
14 of terrorists, terrorist weapons, contraband and illegal  
15 aliens into the United States.

16           How would we do this? How would it meet  
17 the purpose and need? The proposal is to install and  
18 upgrade technology and infrastructure solutions to  
19 provide the Border Patrol with the ability to gain,  
20 maintain, and strengthen control of the border within  
21 the proximity of the international boundary, which is  
22 the border to 25 miles inland.

23           These infrastructure and technology  
24 solutions are going to include the use of improved  
25 surveillance technologies to enhance border enforcement



1 capabilities. And those technology applications would  
2 refine detection, interception and apprehension of  
3 undocumented aliens, smugglers and terrorists, and  
4 hopefully lead to the reduction in crime in border  
5 communities by detecting, apprehending and deterring  
6 smugglers, drugs and other contraband.

7           So preliminary project components are the  
8 location, which is approximately 71, 72 miles along the  
9 Interstate 10 corridor. And the proposed components of  
10 this project are likely to include the installation of  
11 approximately 9 to 12 communications and sensor towers,  
12 access to tower sites, vehicular surveillance systems,  
13 supporting communications infrastructure, which includes  
14 cabling and routing, the trenching associated with  
15 cabling and routing, unattended ground sensors, border  
16 and tower lighting, canals and low-water crossings, and  
17 possibly some existing infrastructure improvements to  
18 roads, crossings, culverts and those sort of things.

19           This is just a map of the project area,  
20 which is 71 or 72 miles of the project area, along the  
21 I-10 corridor.

22           So what is the overall process? We want to  
23 characterize the free project environment to establish  
24 the existing baseline environment. And then from there,  
25 we would determine areas of potential effect to, for

1 example, plants, vegetation, animals' habitat, sensitive  
2 habitats, water, soils, soil conditions, and those sort  
3 of things. We have a listing at the end to go through  
4 that is more detailed.

5           Then we're going to analyze the likelihood  
6 and level of potential effect to those environmental  
7 resources. And then we would identify actions that may  
8 be needed to mitigate or eliminate any identified  
9 potential significant effects to the environment and  
10 those environmental resources.

11           So this is two photographs of what the  
12 surveillance towers are likely to look like. They are  
13 probably going to be lattice structures like this, with  
14 antennas and microwave components to them.

15           This is just an example of some road  
16 construction, maintenance and repair that might be  
17 needed. They may need to pave dirt roads to bring in  
18 equipment. It's possible.

19           And then we would maintain and improve  
20 stream and canal crossings as the need arises.

21           These are two pictures of possible lighting  
22 fixtures that we might install at the various tower  
23 locations.

24           And these are -- this is an example of a  
25 list of items that are typically analyzed in an

1 environmental assessment: Land use, geology and soils,  
2 hydrology and ground water, flood plains, wetlands and  
3 other water resources. We look at water quality  
4 impacts, impacts to vegetation, impacts to wildlife and  
5 aquatic resources, such as they are in the desert. We  
6 look at threatened and endangered species and how they  
7 might be affected. We'll review sensitive habitats and  
8 try to identify where those are, in order to avoid them.  
9 We look at air quality impacts, noise impacts  
10 particularly during a construction period of the  
11 project. We look at historical, cultural and  
12 archeological resources. Aesthetic and visual  
13 resources. Utilities and energy consumption, for power  
14 hookups and that sort of thing. And finally, we'll look  
15 at socioeconomic impacts and environmental  
16 considerations.

17           So what is your role to assist us? We are  
18 seeking your input on environmental matters and any  
19 concerns you might have about this project that are  
20 environmentally related, and that would help us to focus  
21 our impacts analyses on areas and issues that we may not  
22 have previously considered at this point, and that would  
23 help us refine the project's scope based on your  
24 environmental concerns.

25           MR. KARISCH: Just for the people that came

1 out here tonight, the new technology that you've seen  
2 out here on the border, it's similar to what we  
3 currently use. This is all off-the-shelf technology.  
4 Nothing that we are bringing out today is going to be  
5 anything that some people have said is Star Wars  
6 material, okay? This is all technology that you've  
7 seen. The current cameras that we have on these slides,  
8 we've use in other parts of El Paso.

9           What we want to do basically is let you  
10 know that the Border Patrol basically came out with an  
11 idea of where they would like to put them, okay, the  
12 infrastructure and their technology.

13           However, now, as part of that, we actually  
14 need to find out if it's environmentally sound to do it,  
15 whether the engineers tell us it is going to make sense.  
16 And more importantly, we need to hear from the  
17 community. We have to hear. Maybe you have some  
18 insight as to why we should not put some form of  
19 technology or infrastructure in a certain area. That's  
20 what we are trying to capture here from you folks  
21 tonight.

22           It's very important for us to get that  
23 because that is the reason that we're having a scoping  
24 meeting, is to discuss at the environmental sidek. The  
25 stations here and each station that you have, the

1 representatives, they are going to have future outreach  
2 meetings and they're going to let you know at some point  
3 in time when that decision is made, what type of  
4 technology that is going to be deployed in an area and  
5 what type of infrastructure. I just wanted to let you  
6 know, this is just a basic idea of what we have.

7           We would like you folks, here in a little  
8 while, to come up and look at some of the photographs  
9 that we have here, look at the maps, look at some of the  
10 diagrams that we have. And then, in order to capture  
11 your comments, we are going to have the stenographers  
12 out here in this room, or, if you prefer, to just leave  
13 comment cards with us. We want to hear what you have to  
14 say about this. It's important. This is part of why we  
15 are here today, is to listen to the communities.

16           This is one of the communities, but we are  
17 also members of the community. We want to know if there  
18 is something in here that bothers you, okay?

19           Paula, anything?

20           MS. MILLER: We mentioned the comment  
21 sheets?

22           MR. KARISCH: Right. We have some comment  
23 sheets that we would gladly pass out. We also do have  
24 some people that are going to actually record any  
25 comments that you have.

1           But what I would like to do, at this point  
2 in time, I would like to get you people to come on up,  
3 take a look. We will be here to answer some of the  
4 questions that you have that we can answer.

5           Like I said, we are not going to be able to  
6 give you exact time lines. We are not going to be able  
7 to talk about a lot of issues. Today we are here to  
8 focus on environmental concerns that you have, okay.  
9 All we can talk about is some of the equipment that  
10 we've used in the past and the reasons that we think  
11 they are good.

12           With that, folks, please come on up and  
13 look at some of this stuff.

14           (Instructions given in Spanish)

15           MR. KARISCH: Once again, folks, come on up  
16 and take a look at this stuff, and we are here to answer  
17 any questions that you have.

18           (Public scoping meeting adjourned for  
19 comment)

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**PUBLIC COMMENTS**

1  
2  
3 MR. CHAVEZ: My name is Manuel Chavez. I'm  
4 from Fabens, and I was born here in 1941. And in our  
5 days, of course -- talking about immigration -- there  
6 was only two Border Patrol Agents here, and they had  
7 that Bracero Program, which was working, oh, I would  
8 say, almost perfect. Nobody's perfect, but it was doing  
9 a great job on that Bracero Program. And there wasn't  
10 that many human smuggling as today. But people got, I  
11 guess, greedy, and they started smuggling, not only  
12 human beings, drugs and what have you.

13 And I was looking at the pictures and that  
14 technology's really advanced. And on those permanent  
15 lights, they would work perfectly, because nobody would  
16 do any damage during the daytime because they know that  
17 you're watching them. And as far as the wall and the  
18 fences that they're building, I'm in agreement about 50  
19 percent, part of it because of the terrain, where  
20 there's mountains or, you know, places where you can't  
21 hardly get in, that's where all the activity is, mostly.

22 And like, here, in the valley, it's totally  
23 different, because, see, instead of trying to unite  
24 people, they're separating people by saying that they  
25 want to build a wall. What did President Reagan do in

1 Germany? He says, Mr. Gorbachev, please tear the Berlin  
2 Wall down. And they became more united when they tore  
3 the Berlin Wall down.

4 And then President Bush comes in and says,  
5 Mr. Gorbachev, please tear the Berlin Wall down so we  
6 can build it here in the U.S. I think that's separating  
7 people instead of trying to accomplish something, rather  
8 than building walls or fences or what have you.

9 And as far as the lights is concerned, that  
10 would help a hundred percent better, I would say. Now,  
11 I'm one person, but I have my public meetings every  
12 week, and I talk to the people. And what I try to do is  
13 get people to do the right thing, you know. Instead of  
14 separating the people, to become more united. And  
15 that's what I do. And that's the comment that I have to  
16 make.

17 THE COURT REPORTER: Do you want to give  
18 your address and phone number?

19 MR. CHAVEZ: Well, my box number is P.O.  
20 Box 514, Fabens, Texas 79838. If you've got anything  
21 for me, let me know, but that's my opinion. That's the  
22 way I see it. And I don't speak only for myself, I  
23 speak for a lot of people here in the community. Only  
24 sometimes, some of them don't know how to talk English  
25 and they think they're out of place or whatever, but I



1 inform them.

2 MR. CHAVEZ: Thank you.

3

4 WRITTEN COMMENT NUMBER 1:

5 Right now, in the planning stages, it  
6 sounds good. No one will know the effects until it is  
7 up and running.

8

9 WRITTEN COMMENT NUMBER 2:

10 Considering the goal of the project, I see  
11 nothing but good coming from it. As far as on  
12 environmental impact, I don't believe it will be a major  
13 one, given that most of the equipment will be placed on  
14 or near existing farmland. Given that the locations are  
15 mostly farming areas, the environment has already been  
16 impacted.

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C E R T I F I C A T E

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STATE OF TEXAS )  
COUNTY OF EL PASO )

I, Rhonda McCay, Certified Shorthand Reporter in  
and for the State of Texas and Registered Professional  
Reporter hereby certify that this transcript is a true  
record of the said proceedings, and that said  
transcription is done to the best of my ability.

Given under my hand and seal of office on this  
16th day of July, 2007.



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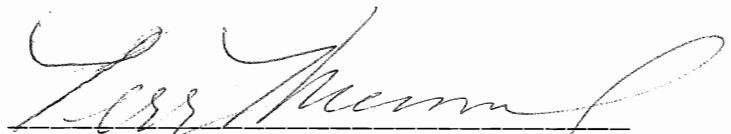
## C E R T I F I C A T E

STATE OF TEXAS )

COUNTY OF EL PASO )

I, Terry Thummel, Certified Shorthand Reporter  
in and for the State of Texas and Registered  
Professional Reporter, hereby certify that this  
transcript is a true record of the testimony given in  
said proceedings, and that said transcription is done to  
the best of my ability.

Given under my hand and seal of office on this  
16th day of July, 2007.



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U.S. Customs and  
Border Protection

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**PUBLIC SCOPING MEETING**

**ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED SECURE BORDER  
INITIATIVE PROJECT IN YSLETA, FABENS, AND FORT HANCOCK, TEXAS**

JULY 11, 2007

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**Comments and Suggestions**

U.S. Customs and Border Protection is interested in addressing your concerns and questions regarding this study. Suggestions regarding alternatives, resources issues, public involvements, etc. are encouraged as well. Your input is an important part of the NEPA process. Please write your comment or suggestion on the space provided below. Feel free to use the back of this form or add pages if needed.

Considering the goal of the project I see nothing  
but good coming from it. As far as on environmental  
impact I don't believe it will be a <sup>major</sup> ~~major~~ one given  
that most of the equipment will be placed on or near  
existing paved land. Given that the locations are  
mostly farming areas the environment has already  
been impacted.

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*APPENDIX C*  
*AIR QUALITY CALCULATIONS*







CALCULATION SHEET-COMBUSTABLE EMISSIONS

Assumptions for Cumbustable Emissions					
Type of Construction Equipment	Num. of Units	HP Rated	Hrs/day	Days/yr	Total hp-hrs
Water Truck	2	300	8	240	1152000
Diesel Road Compactors	1	100	8	240	192000
Diesel Dump Truck	3	300	8	240	1728000
Diesel Excavator	1	300	8	240	576000
Diesel Hole Trenchers	1	175	8	240	336000
Diesel Bore/Drill Rigs	0	300	8	240	0
Diesel Cement & Mortar Mixers	2	300	8	240	1152000
Diesel Cranes	1	175	8	240	336000
Diesel Graders	1	300	8	240	576000
Diesel Tractors/Loaders/Backhoes	2	100	8	240	384000
Diesel Bull Dozers	1	300	8	240	576000
Diesel Front End Loaders	1	300	8	240	576000
Diesel Fork Lifts	1	100	8	240	192000
Diesel Generator Set	2	40	8	240	153600

Emission Factors							
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 Bull Dozers	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 Fork Lifts	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-COMBUSTABLE EMISSIONS

Emission factors (EF) were generated from the NONROAD2005 model for the 2006 calendar year. The VOC EFs includes exhaust and evaporative emissions. The VOC evaporative components included in the NONROAD2005 model are diurnal, hotsoak, running loss, tank permeation, hose permeation, displacement, and spillage. The construction equipment age distribution in the NONROAD2005 model is based on the population in U.S. for the 2006 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	0.559	2.628	6.970	0.520	0.508	0.939	680.454
Diesel Road Paver	0.078	0.313	1.037	0.072	0.070	0.157	113.451
Diesel Dump Truck	0.838	3.942	10.454	0.781	0.762	1.409	1020.681
Diesel Excavator	0.216	0.825	2.920	0.203	0.197	0.470	340.417
Diesel Hole Cleaners\Trenchers	0.189	0.903	2.151	0.170	0.163	0.274	198.392
Diesel Bore/Drill Rigs	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Cement & Mortar Mixers	0.774	2.945	9.242	0.609	0.597	0.927	672.456
Diesel Cranes	0.163	0.481	2.118	0.126	0.122	0.270	196.318
Diesel Graders	0.222	0.863	3.002	0.209	0.203	0.470	340.417
Diesel Tractors/Loaders/Backhoes	0.783	3.474	3.055	0.580	0.563	0.402	292.451
Diesel Bull Dozers	0.229	0.876	3.021	0.209	0.203	0.470	340.417
Diesel Front End Loaders	0.241	0.984	3.174	0.222	0.216	0.470	340.354
Diesel Aerial Lifts	0.419	1.642	1.811	0.294	0.286	0.201	146.162
Diesel Generator Set	0.205	0.636	1.011	0.124	0.120	0.137	99.411
<b>Total Emissions</b>	<b>4.915</b>	<b>20.514</b>	<b>49.966</b>	<b>4.120</b>	<b>4.009</b>	<b>6.595</b>	<b>4781.384</b>

Conversion factors	
Grams to tons	1.102E-06

CALCULATION SHEET-SUMMARY OF EMISSIONS

<b>Proposed Action Construction Emissions for Criteria Pollutants (tons per year)</b>						
Emission source	VOC	CO	NOx	PM-10	PM-2.5	SO <sub>2</sub>
Combustable Emissions	4.92	20.51	49.97	4.12	4.01	6.60
Construction Site-fugitive PM-10	NA	NA	NA	6.27	1.25	NA
Construction Workers Commuter & Trucking	0.97	9.06	1.25	0.02	0.02	NA
Total emissions	5.88	29.58	51.21	10.41	5.28	6.60
De minimis threshold	NA	100.00	NA	100.00	NA	NA

CALCULATION SHEET-TRANSPORTATION COMBUSTABLE EMISSIONS

Construction Worker Personal Vehicle Commuting to Construction Sight-Passenger and Light Duty Trucks									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	Passenger Cars g/mile	Pick-up Trucks, SUVs g/mile	Mile/day	Day/yr	Number of cars	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	1.36	1.61	120	240	10	10	0.43	0.51	0.94
CO	12.4	15.7	120	240	10	10	3.94	4.98	8.92
NOx	0.95	1.22	120	240	10	10	0.30	0.39	0.69
PM-10	0.0052	0.0065	120	240	10	10	0.00	0.00	0.00
PM 2.5	0.0049	0.006	120	240	10	10	0.00	0.00	0.00

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Heavy Duty Trucks Delivery Supply Trucks to Construction Sight									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	10,000-19,500 lb Delivery Truck	33,000-60,000 lb semi trailer rig	Mile/day	Day/yr	Number of trucks	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	0.29	0.55	60	240	2	2	0.01	0.02	0.03
CO	1.32	3.21	60	240	2	2	0.04	0.10	0.14
NOx	4.97	12.6	60	240	2	2	0.16	0.40	0.56
PM-10	0.12	0.33	60	240	2	2	0.00	0.01	0.01
PM 2.5	0.13	0.36	60	240	2	2	0.00	0.01	0.02

OBP Commute to New Site									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	Passenger Cars g/mile	Pick-up Trucks, SUVs g/mile	Mile/day	Day/yr	Number of cars	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	1.36	1.61	60	0	0	0	-	0.00	-
CO	12.4	15.7	60	0	0	0	-	0.00	-
NOx	0.95	1.22	60	0	0	0	-	0.00	-
PM-10	0.0052	0.0065	60	0	0	0	-	0.00	-
PM 2.5	0.0049	0.006	60	0	0	0	-	0.00	-

POV Source: USEPA 2005 Emission Facts: Average annual emissions and fuel consumption for gasoline-fueled passenger cars and light trucks. EPA 420-F-05-022 August 2005. Emission rates were generated using MOBILE.6 highway vehicle emission factor model.

Fleet Characterization: 20 POVs commuting to work were 50% are pick up trucks and 50% passenger cars

CALCULATION SHEET-TRANSPORTATION COMBUSTABLE EMISSIONS

Conversion factor:	gms to tons
	0.000001102

CALCULATION SHEET-FUGITIVE DUST

<b>Fugitive Dust Emissions at New Construction Site.</b>					
<b>Construction Site</b>	<b>Emission Factor tons/acre/month (1)</b>	<b>Total Area- Construction Site</b>	<b>Months/yr</b>	<b>Total PM-10 Emissions tns/yr</b>	<b>Total PM-2.5 (2)</b>
Fugitive Dust Emissions	0.11	4.75	12	6.27	1.25

1. Mid-Atlantic Regional Air Management Association (MARAMA). Fugitive Dust-Construction Calculation Sheet can be found online at: [http://www.marama.org/visibility/Calculation\\_Sheets/](http://www.marama.org/visibility/Calculation_Sheets/). MRI= Midwest Research Institute, Inventory of Agricultural Tiling, Unpaved Roads, Airstrips and construction Sites., prepared for the U.S. EPA, PB 238-929, Contract 68-02-1437 (November 1977)

2. 20% of the total PM-10 emissions are PM-2.5 (EPA 2006).

<b>Costruction Site Area</b>	<b>Demension (ft)</b>			<b>Total Acres</b>
	<b>Length</b>	<b>Width</b>	<b>Units</b>	
<b>Proposed Prioject</b>				
Multi-use Towers	100.00	100.00	8.00	1.84
Canal Crossings	50.00	50.00	8.00	0.46
Power Installation	12,776	6.00	1.00	1.76
New Road Construction Area	1,900	16.00	1.00	0.70
<b>Total</b>				<b>4.75</b>

<b>Conversion Factors</b>	<b>Feet to Miles</b>	<b>Acres to sq ft</b>	<b>Sq ft to acres</b>	<b>Sq ft in 0.5 acres</b>
	5280	0.000022957	43560	21780

ON-GOING CALCULATION SHEET-COMBUSTABLE EMISSIONS

Assumptions for Cumbustable Emissions					
Type of Construction Equipment	Num. of Units	HP Rated	Hrs/day	Days/yr	Total hp-hrs
Water Truck		300	8	240	0
Diesel Road Compactors		100	8	240	0
Diesel Dump Truck		300	8	240	0
Diesel Excavator		300	8	240	0
Diesel Hole Trenchers		175	8	240	0
Diesel Bore/Drill Rigs		300	8	240	0
Diesel Cement & Mortar Mixers		300	8	240	0
Diesel Cranes		175	8	240	0
Diesel Graders		300	8	240	0
Diesel Tractors/Loaders/Backhoes		100	8	240	0
Diesel Bull Dozers		300	8	240	0
Diesel Front End Loaders		300	8	240	0
LPG Generator Set	8	40	2	12	7680
LPG Generator Set	2	40	24	365	700800

Emission Factors							
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 Bull Dozers	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
LPG Generator Set	2.03	31.91	9.93	0.06	0.06	0.01	653.9
LPG Generator Set	2.03	31.91	9.93	0.06	0.06	0.01	653.9

## ON-GOING CALCULATION SHEET-COMBUSTABLE EMISSIONS

Emission factors (EF) were generated from the NONROAD2005 model for the 2006 calendar year. The VOC EFs includes exhaust and evaporative emissions. The VOC evaporative components included in the NONROAD2005 model are diurnal, hotsoak, running loss, tank permeation, hose permeation, displacement, and spillage. The construction equipment age distribution in the NONROAD2005 model is based on the population in U.S. for the 2006 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	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Road Paver	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Dump Truck	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Excavator	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Hole Cleaners\Trenchers	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Bore/Drill Rigs	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Cement & Mortar Mixers	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Cranes	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Graders	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Tractors/Loaders/Backhoes	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Bull Dozers	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Front End Loaders	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Aerial Lifts	0.017	0.066	0.072	0.012	0.011	0.008	5.846
Diesel Generator Set	0.934	2.904	4.611	0.564	0.548	0.626	453.561
<b>Total Emissions</b>	<b>0.951</b>	<b>2.969</b>	<b>4.683</b>	<b>0.576</b>	<b>0.560</b>	<b>0.634</b>	<b>459.407</b>

Conversion factors	
Grams to tons	1.102E-06



ON-GOING OPERATIONS CALCULATION SHEET-SUMMARY OF EMISSIONS

<b>Proposed Action Construction Emissions for Criteria Pollutants (tons per year)</b>						
Emission source	VOC	CO	NOx	PM-10	PM-2.5	SO <sub>2</sub>
Combustable Emissions	0.95	2.97	4.68	0.58	0.56	0.63
De minimis threshold	NA	100.00	NA	100.00	NA	NA



*APPENDIX D*  
*NOISE EXPOSURE TABLE*





**Twelve Tower Installation Sites and Distance to Nearest Noise Receptors**

<b>Tower Name</b>	<b>Tower Location</b>	<b>Type of Tower</b>	<b>Require Pile Driving?</b>	<b>Distance to Closest Sensitive Noise Receptor (ft)</b>	<b>Exposure to noise greater than 65 dBA</b>	<b>Number of Days of Construction</b>
EPT-FBN-55	Fabens OBP St.	SS	No	300	Yes	45
EPT-YST-59	Rural	RDT	No	2300	No	10
EPT-FHT-58	Rural	RDT	No	7,600	No	10
EPT-FHT-64	Rural	SS	No	2,400	No	45
EPT-EPS-65	Urban El Paso	RDT	No	300	No	10
EPT-YST-66	Urban Ysleta	RDT	No	150	No	10
EPT-FHT-67	Urban Ft. Hancock	RDT	No	100	Yes	10
EPT-FHT-68	Rural	RDT	No	10,000	No	10
EPT-FHT-69	Rural	RDT	No	500	No	10
EPT-FBN-70	Rural	SS	No	10,000	No	45
EPT-FBN-71	Semi Rural	RDT	No	50	Yes	10
EPT-YST-72	Urban	RDT	No	190	Yes	10

SS = Self Standing Large Tower

RDT = Rapidly Deployed Tower



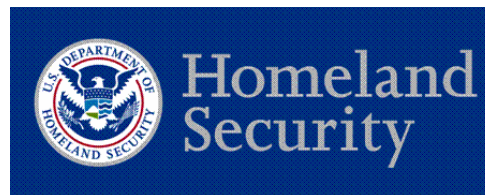
*APPENDIX E*  
*EComm NATURAL RESOURCES SURVEY*







**NATURAL RESOURCES SURVEY  
OF PROPOSED TOWER SITES ALONG  
THE U.S. – MEXICO INTERNATIONAL BORDER,  
EL PASO AND HUDSPETH COUNTIES, TEXAS**



February 2008

**NATURAL RESOURCE SURVEY OF  
PROPOSED TOWER SITES ALONG THE  
U.S. – MEXICO INTERNATIONAL BORDER,  
EL PASO AND HUDSPETH COUNTIES, TEXAS**

Prepared for:  
**Texas Mobile**  
**The Boeing Company**

Prepared by  
***Ecological Communications Corporation***  
Austin, Texas

**February 2008**

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## **EXECUTIVE SUMMARY**

The Boeing Company contracted Ecological Communications Corporation (EComm) to provide environmental and regulatory compliance services to be performed in support of the installation of stationary surveillance tower equipment along the US/Mexico border south and east of El Paso, Texas in El Paso and Hudspeth Counties. All work is being performed in support of the Department of Homeland Security (DHS), and the US Customs and Border Protection (CBP) Secure Border Initiative (SBI) Program.

This Environmental Survey Report documents the findings of a detailed field survey of 14 sites in El Paso and Hudspeth Counties, Texas. These sites consist of 10 primary, three alternative, and one relay tower site selections.

It is unlikely that the proposed undertaking would adversely impact the biological quality of any of these locations. However, avoidance of certain features and populations may be coordinated with the State and Federal natural resource agencies.

## 1.0 INTRODUCTION

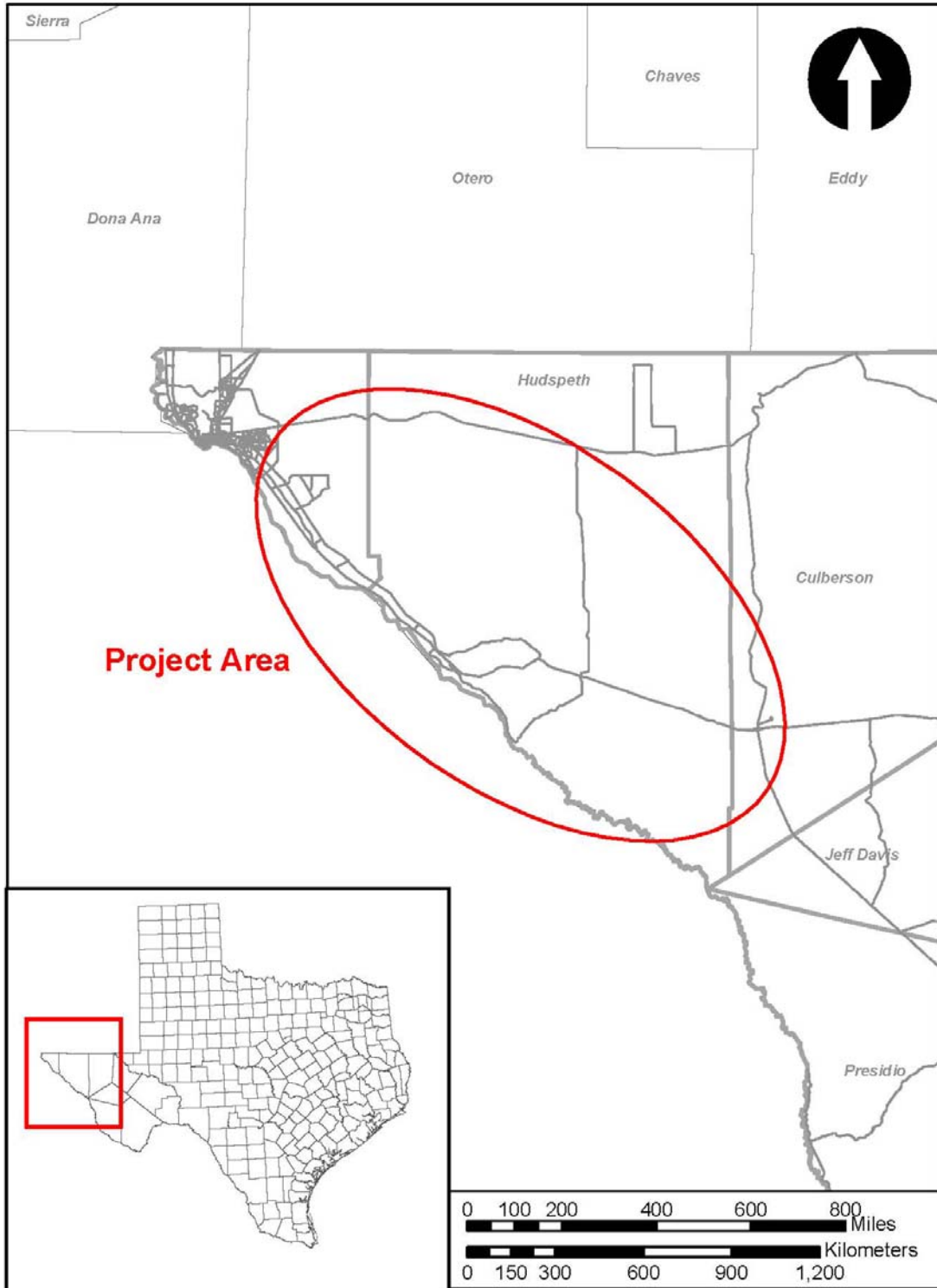
The Boeing Company contracted with Ecological Communications Corporation (EComm) to provide environmental and regulatory compliance services to be performed in support of the installation of stationary surveillance tower equipment along the US/Mexico border south and east of El Paso, Texas. All work is being performed in support of the DHS, and the CBP SBI-net Program.

This Environmental Constraints Report documents the findings of a detailed field survey of 14 sites in El Paso and Hudspeth Counties, Texas. This survey was conducted on September 10-12, 2007 and November 1, 2007. These 14 sites are the primary and alternative selections after an initial constraints survey on June 18-19, 2007. Table 1 provides the locations of each of the 14 selected sites inspected.

<b>Table 1: Tower Site Designations and Locations</b>			
<b>Boeing ID</b>	<b>UTM (NAD 83) Z13</b>		<b>USGS 7.5" Topographic Quadrangle</b>
EPT_YST_072	E378265	N3496694	San Elizario
EPT_YST_054	E378357	N3496820	San Elizario
EPT_FBN_055	E388956	N3487029	Clint
EPT_FBN_056	E396311	N3478109	Tornillo
EPT_FBN_097	E396353	N3478169	Tornillo
EPT_FBN_071	E396133	N3478384	Tornillo Canal
EPT_FBN_070	E406325	N3476228	Fort Hancock NW
EPT_FBN_058	E414312	N3469047	Acala
EPT_FHT_069	E415573	N3521415	Phone Line Canyon
EPT_FHT_064	E424388	N3457420	McNary
EPT_FHT_068	E439962	N3443157	Esperanza
EPT_YST_059	E431153	N3450784	Esperanza
EPT_FHT_067	E418814	N3462244	Fort Hancock
Fort Hancock Relay Tower	E418775	N3460501	Fort Hancock

This survey covered the area of the tower sites themselves (2,500 square foot area), as well as space to construct a fence surrounding the tower site, and a 100 foot buffer area to provide for construction vehicle access and mobility during construction.

Also surveyed were access corridors that would be required to provide access for construction and maintenance of the towers. These corridors were inspected 50 feet out from the centerline of the planned access road. The roadway itself would be approximately 24 feet wide, providing a single 12-foot travel lane, two 2-foot wide berms on either side, and two 4-foot drainages on either side. While the approximate locations of these access roads were determined and surveyed, exact locations and lengths to determine vegetation impacts were not provided. These impacts will be updated pending final determination of access road locations.



**Figure 1. Project area within El Paso and Hudspeth Counties, Texas.**

## 2.0 ENVIRONMENTAL SETTING

The project area is located within the western Trans Pecos basin and range physiographic region. The major physiographic landform of the project area is the Hueco Bolson, an expansive northwest to southeast trending drainage basin that's bounded by the Hueco Mountains and Diablo Plateau to the east and Rio Grande River to the west. Other landforms located within the region, include alluvial fan piedmonts, interfan valleys, and rock pediments along the flanks of mountains, and interior basin floors of fine-grained alluvial and aeolian sediments with small playa depressions and extensive alluvial flats.

### 2.1 Soils

A total of nine soil series are mapped within the project areas visited by EComm during the survey. Comparable United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS) soil data is not available for Hudspeth County; soils at these five tower locations were listed as “Unknown” (Table 2).

Table 2. Soils Encountered Within Project Areas				
Location	County	Setting	Soil Data Available?	Soil Series Name
<b>Towers</b>				
EPT_YST_072	El Paso	Agricultural field	Yes	Glendale (Ge)
EPT_YST_054	El Paso	House lot	Yes	Saneli (Sc)
EPT_FBN_063	El Paso	Agricultural field	Yes	Glendale (Gs)
EPT_FBN_097	El Paso	Construction lot	Yes	Harkey (Ha)
EPT_FBN_071	El Paso	House lot	Yes	Glendale (Gs)
EPT_FBN_070	El Paso	Desert scrub land	Yes	Bluepoint (BPC)
EPT_FBN_058	Hudspeth	Desert scrub land	No	Unknown
EPT_YST_059	Hudspeth	Upland desert	No	Unknown
EPT_FHT_069	Hudspeth	Parking lot	No	Unknown
EPT_FHT_086	Hudspeth	Desert knoll	No	Unknown
EPT_FHT_064	Hudspeth	Desert scrub land	No	Unknown
EPT_FBN_055	El Paso	Parking lot	Yes	Harkey (Hk)
EPT_FHT_067	Hudspeth	Parking lot	No	Unknown
Fort Hancock Relay Tower	Hudspeth	Plowed field	No	Unknown

*Bluepoint* soils are mapped at the Tower EPT\_FBN\_070 location. The *Bluepoint* series is described as a soil commonly observed on hillside slopes within desert shrub environments and is derived from wind modified sandy alluvium. *Bluepoint* soils typically have the following pedon:

0 to 6 inches: loamy fine sand

6 to 12 inches: fine sand

12 to 60 inches: stratified sand to loamy fine sand to very fine sandy loam

*Glendale* soils are mapped at Towers EPT\_YST\_072, EPT\_YST\_054, and EPT\_FBN\_071. The *Glendale* series is described as a Holocene aged fine silty alluvium



commonly observed on flood plains and loamy bottomlands. Glendale soils typically have the following pedon:

- 0 to 18 inches: silty clay
- 18 to 35 inches: silty clay loam
- 35 to 60 inches: stratified fine sand to silty clay loam

*Harkey* soils are mapped at Towers EPT\_YST\_054, EPT\_FBN\_055, and Crossings 2, 3, 5, 6, 6 (Alternate), and 8. The *Harkey* series is described as a soil commonly observed on foot slopes, and floodplains within loamy bottomlands. *Harkey* soils typically have the following pedon:

- 0 to 12 inches: silty clay loam
- 12 to 60 inches: silty loam

*Saneli* soils are mapped at the Tower EPT\_YST\_054 location. The *Saneli* series is described as a Holocene clayey alluvium over sandy alluvium commonly observed on the toe slopes of terraces and floodplains within loamy bottomlands. *Saneli* soils typically have the following pedon:

- 0 to 33 inches: silty clay
- 33 to 60 inches: fine sand

## 2.2 Climate

The modern climate of the region is characterized as semi-arid with warm, dry winters and hot monsoonal summers. The growing season in this region is relatively long (ca. 230 days) with the productivity of the environment tied primarily to moisture availability rather than growing season temperature. The mean annual temperature range is from 58 to 62 degrees Fahrenheit (14.4-16.7 degrees Celsius) with hot summers on the basin floors often above 90 degrees Fahrenheit (Johnson 1997). Average annual rainfall is less than eight inches. Most rainfall occurs during the summer months of July, August, and September, with the spring usually being the driest period of the year when the average precipitation equals less than three centimeters (Brown 1982). As with most desert environments, substantial variation exists in precipitation rates over a period of years or decades. Rainfall during the summer monsoon occurs in localized, high intensity thunderstorms that produce substantial intermittent runoff in drainages and standing water in some playas. In addition, evaporation rates are high due to high temperatures. Taken together, these climatic patterns created an uncertain, unpredictable, and geographically variable environment from year to year, and accordingly subsistence, mobility, and scheduling patterns of prehistoric populations were, to a large extent, influenced by these parameters.

### 2.3 Biota

The vegetative community of the area is best described as typical Chihuahuan desert scrubland community dominated by mesquite (*Prosopis glandulosa*), creosote (*Larrea tridentata*), saltbush (*Atriplex canescens*), and broom snakeweed (*Xanthocephalum sarothrae*). Other common plant species include soap tree yucca (*Yucca elata*), Mormon tea (*Ephedra* sp.), and assorted range grasses and forbs. Various cacti and succulents, including lechuguilla (*Agave lechuguilla*), prickly pear (*Opuntia* sp.), sotol (*Dasyllirion wheeleri*), and datil (*Yucca baccata*) are present on the alluvial fans.

A variety of fauna, many of which may have been used prehistorically, are present in the northern Chihuahuan Desert. Species diversity is higher in mountain regions and the lowest in the bolson areas (Abbott 1996). Large ungulates in the area consist primarily of mule deer (*Odocoileus hemionus*) and pronghorn antelope (*Antilocapra americana*).

Other important animals include small and medium sized lagomorphs (desert cottontail *Sylvilagus auduboni*, black-tailed jack-rabbits (*Lepus californicus*), javelina (also called Collared peccary, *Dicotyles tajacu*), and a variety of smaller rodents, reptiles, and birds.

## **2.0 FOCUS OF THE SURVEY**

The biological and environmental aspects that were focused upon for this investigation were sensitive vegetation areas, threatened and endangered species and their habitats, and Waters of the U.S., including wetlands.

### 2.1 Vegetation

The proposed tower sites were inspected to determine if any rare or sensitive vegetation areas were located within the site vicinity, and to determine any impacts that may result from the construction of the proposed tower and any access route necessary for construction equipment and maintenance vehicles.

Such rare or sensitive vegetation areas include un-maintained vegetation, fencerow vegetation, riparian vegetation, trees that are unusually larger than other trees in the area, and unusual stands or islands of vegetation.

### 2.2 Threatened and Endangered Species

The proposed tower sites were inspected to assess the potential for the proposed project to adversely affect any of the endangered or threatened species or subspecies considered by the United States Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife (TPWD) as having the potential to occur in El Paso and Hudspeth Counties. This analysis includes a review of TPWD's Natural Diversity Database (NDD), including review of maps and Element of Occurrence Records (EORs).

Species listed as threatened or endangered by USFWS are protected by the Endangered Species Act (ESA). Section 9 of the ESA prohibits the "take" of threatened and endangered species; take is defined as "harass, harm, pursue, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." Generally, USFWS considers modification of regularly occupied endangered species habitat to constitute "harm" and, therefore, be a violation of the ESA.

Table 3 and Table 4 include the listing status of these species.

**TABLE 3: FEDERAL AND STATE-LISTED THREATENED AND ENDANGERED SPECIES WHICH MAY OCCUR IN EL PASO COUNTY**

Species	Federal Status	State Status	Description of Suitable Habitat
<b>Amphibians</b>			
Northern leopard frog ( <i>Rana pipiens</i> )	—	—	Streams, ponds, lakes, wet prairies, and other bodies of water; will range into grassy, herbaceous areas some distance from water; eggs laid March-May and tadpoles transform late June-August; may have disappeared from El Paso County due to habitat alteration.
<b>Birds</b>			
American Peregrine Falcon ( <i>Falco peregrinus anatum</i> )	DL	E	Year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.
Arctic Peregrine Falcon ( <i>Falco peregrinus tundrius</i> )	DL	T	Migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.
Baird's Sparrow ( <i>Ammodramus bairdii</i> )	—	—	Shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties.
Ferruginous Hawk ( <i>Buteo regalis</i> )	—	—	Open country, primarily prairies, plains, and badlands; nests in tall trees along streams or on steep slopes, cliff ledges, river-cut banks, hillsides, power line towers; year-round resident in northwestern high plains, wintering elsewhere throughout western 2/3 of Texas.
Interior Least Tern ( <i>Sterna anitillarum athalassos</i> )	LE	E	Subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony.
Mexican Spotted Owl ( <i>Strix occidentalis lucida</i> )	LT	T	Remote, shaded canyons of coniferous mountain woodlands (pine and fir); nocturnal predator of mostly small rodents and insects; day roosts in densely vegetated trees, rocky areas, or caves.
Montezuma Quail ( <i>Cyrtonyx montezumae</i> )	—	—	Open pine-oak or juniper-oak with ground cover of bunch grass on flats and slopes of semi-desert mountains and hills; travels in pairs or small groups; eats succulents, acorns, nuts, and weed seeds, as well as various invertebrates.
Peregrine Falcon ( <i>Falco peregrinus</i> )	DL	E T	Both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies ( <i>F. p. anatum</i> ) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, thus the species level shows this dual listing status; because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.
Prairie Falcon ( <i>Falco mexicanus</i> )	—	—	Open, mountainous areas, plains and prairie; nests on cliffs.
Snowy Plover ( <i>Charadrius alexandrinus</i> )	—	—	Formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast.
Southwestern Willow Flycatcher ( <i>Empidonax traillii extimus</i> )	LE	E	Thickets of willow, cottonwood, mesquite, and other species along desert streams.

Natural Resources Survey of Proposed Tower Sites along the U.S. – Mexico International Border,  
El Paso and Hudspeth Counties, Texas

Western Burrowing Owl ( <i>Anthene cucularia hypugaea</i> )	—	—	Open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows.
Western Snowy Plover ( <i>Charadrius alexandrinus nivosus</i> )	—	—	Uncommon breeder in the Panhandle; potential migrant; winter along coast.
Western Yellow-billed Cuckoo ( <i>Coccyzus americanus occidentalis</i> )	C;NL	—	Status applies only to western population beyond the Pecos River Drainage; breeds in riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; deciduous woodlands with cottonwoods and willows; dense understory foliage is important for nest site selection; nests in willow, mesquite, cottonwood, and hackberry; forages in similar riparian woodlands; breeding season mid-May-late Sept.
<b>Fishes</b>			
Bluntnose shiner ( <i>Notropis simus</i> )	—	T	Extirpated; Rio Grande; main river channel, often below obstructions over substrate of sand, gravel, and silt; damming and irrigation practices presumed major factors contributing to decline.
Rio Grande silvery minnow ( <i>Hybognathus amarus</i> )	LE	E	Extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves.
<b>Insects</b>			
A Royal moth ( <i>Sphingicampa raspa</i> )	—	—	Woodland - hardwood; with oaks, junipers, legumes and other woody trees and shrubs; good density of legume caterpillar foodplants must be present; Prairie acacia ( <i>Acacia augustissima</i> ) is the documented caterpillar foodplant, but there could be a few other woody legumes used.
A tiger beetle ( <i>Cicindela hornii</i> )	—	—	Grassland/herbaceous; burrowing in or using soil; dry areas on hillside or mesas where soil is rocky or loamy and covered with grasses, invertivore; diurnal, hibernates/aestivates, active mostly for several days after heavy rains. the life cycle probably takes two years so larvae would always be present in burrows in the soil.
Barbara Ann's tiger beetle ( <i>Cicindela politula barbarannae</i> )	—	—	Limestone outcrops in arid treeless environments or in openings within less arid pine-juniper-oak communities; open limestone substrate itself is almost certainly an essential feature; roads and trails.
Poling's hairstreak ( <i>Fixsenia polingi</i> )	—	—	Oak woodland with <i>Quercus grisea</i> as substantial component, probably also uses <i>Q. emoryi</i> ; larvae feed on new growth of <i>Q. grisea</i> , adults utilize nectar from a variety of flowers including milkweed and catslaw acacia; adults fly mid May - Jun, again mid Aug - early Sept.
<b>Mammals</b>			
Big free-tailed bat ( <i>Nyctinomops macrotis</i> )	—	—	Habitat data sparse but records indicate that species prefers to roost in crevices and cracks in high canyon walls, but will use buildings, as well; reproduction data sparse, gives birth to single offspring late June-early July; females gather in nursery colonies; winter habits undetermined, but may hibernate in the Trans-Pecos; opportunistic insectivore.
Black bear ( <i>Ursus americanus</i> )	T/SA;NL	T	Bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened.
Black-footed ferret ( <i>Mustela nigripes</i> )	LE	E	Extirpated; inhabited prairie dog towns in the general area.
Black-tailed prairie dog ( <i>Cynomys ludovicianus</i> )	—	—	Dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups.

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Cave myotis bat ( <i>Myotis velifer</i> )	—	—	Colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow ( <i>Hirundo pyrrhonota</i> ) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.
Desert pocket gopher ( <i>Geomys arenarius</i> )	—	—	Cottonwood-willow association along the Rio Grande in El Paso and Hudspeth counties; live underground, but build large and conspicuous mounds; life history not well documented, but presumed to eat mostly vegetation, be active year round, and bear more than one litter per year.
Fringed bat ( <i>Myotis thysanodes</i> )	—	—	Habitat variable, ranging from mountainous pine, oak, and pinyon-juniper to desert-scrub, but prefers grasslands at intermediate elevations; highly migratory species that arrives in Trans-Pecos by May to form nursery colonies; single offspring born June-July; roosts colonially in caves, mine tunnels, rock crevices, and old buildings.
Gray Wolf ( <i>Canis lupis</i> )	LE	E	Extirpated; formerly known throughout the western two-thirds of state in forests, brushlands, or grasslands.
Long-legged bat ( <i>Myotis volans</i> )	—	—	In Texas, Trans-Pecos region; high, open woods and mountainous terrain; nursery colonies (which may contain several hundred individuals) form in summer in buildings, crevices, and hollow trees; apparently do not use caves as day roosts, but may use such sites at night; single offspring born June-July.
Pale Townsend's big-eared bat ( <i>Corynorhinus townsendii pallescens</i> )	—	—	Roosts in caves, abandoned mine tunnels, and occasionally old buildings; hibernates in groups during winter; in summer months, males and females separate into solitary roosts and maternity colonies, respectively; single offspring born May-June; opportunistic insectivore.
Pecos River muskrat ( <i>Ondatra zibethicus ripensis</i> )	—	—	Creeks, rivers, lakes, drainage ditches, and canals; prefer shallow, fresh water with clumps of marshy vegetation, such as cattails, bulrushes, and sedges; live in dome-shaped lodges constructed of vegetation; diet is mainly vegetation; breed year round.
Western red bat ( <i>Lasiurus blossevillii</i> )	—	—	Roosts in tree foliage in riparian areas, also inhabits xeric thorn scrub and pine-oak forests; likely winter migrant to Mexico; multiple pups born mid-May - late Jun.
Western small-footed bat ( <i>Myotis ciliolabrum</i> )	—	—	Mountainous regions of the Trans-Pecos, usually in wooded areas, also found in grassland and desert scrub habitats; roosts beneath slabs of rock, behind loose tree bark, and in buildings; maternity colonies often small and located in abandoned houses, barns, and other similar structures; apparently occurs in Texas only during spring and summer months; insectivorous.
Yuma myotis bat ( <i>Myotis yumanensis</i> )	—	—	Desert regions; most commonly found in lowland habitats near open water, where forages; roosts in caves, abandoned mine tunnels, and buildings; season of partus is May to early July; usually only one young born to each female.
<b>Mollusks</b>			
Franklin Mountain talus snail ( <i>Sonorella metcalfi</i> )	—	—	Terrestrial; bare rock, talus, scree; inhabits igneous talus most commonly of rhyolitic origin.
Franklin Mountain wood snail ( <i>Ashmunella pasonis</i> )	—	—	Terrestrial; bare rock, talus, scree; talus slopes, usually of limestone, but also of rhyolite, sandstone, and siltstone, in arid mountain ranges.
<b>Reptiles</b>			
Big Bend slider ( <i>Trachemys gaigeae</i> )	—	—	Almost exclusively aquatic, sliders ( <i>Trachemys</i> spp.) prefer quiet bodies of fresh water with muddy bottoms and abundant aquatic vegetation, which is their main food source; will bask on logs, rocks or banks of water bodies; breeding March-July.
Chihuahuan Desert lyre snake ( <i>Trimorphodon vilkinsonii</i> )	—	T	Mostly crevice-dwelling in predominantly limestone-surfaced desert northwest of the Rio Grande from Big Bend to the Franklin Mountains, especially in areas with jumbled boulders and rock faults/fissures; secretive; egg-bearing; eats mostly lizards.

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Mountain short-horned lizard (Phrynosoma hernandesi)	—	T	Diurnal, usually in open, shrubby, or openly wooded areas with sparse vegetation at ground level; soil may vary from rocky to sandy; burrows into soil or occupies rodent burrow when inactive; eats ants, spiders, snails, sowbugs, and other invertebrates; inactive during cold weather; breeds March-September.
New Mexico garter snake (Thamnophis sirtalis dorsalis)	—	—	Nearly any type of wet or moist habitat; irrigation ditches, and riparian-corridor farmlands, less often in running water; home range about 2 acres; active year round in warm weather, both diurnal and nocturnal, more nocturnal during hot weather; bears litter July-August.
Texas Horned Lizard (Phrynosoma cornutum)	—	T	Open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September.
<b>Vascular Plants</b>			
Comal snakewood (Colubrina stricta)	—	—	Only known Texas population lies at the base of an igneous rock outcrop in the Chihuahuan Desert east of El Paso; flowering late spring or early summer.
Desert night-blooming cereus (Peniocereus greggii var greggii)	—	—	Shrublands in lower elevation desert flats and washes; flowering concentrated during a few nights in late May to late June.
Hueco rock-daisy (Perityle huecoensis)	—	—	Dry limestone rock outcrops only known location is in the Hueco Mountains.
Resin-leaf brickellbush (Brickellia baccharidea)	—	—	Mixed desert shrublands on gravelly soils derived from limestone and perhaps also from igneous rocks, on bajada slopes and in arroyos; flowering summer-fall.
Sand prickly-pear (Opuntia arenaria)	—	—	Deep, loose sands in sparsely vegetated dune or sandhill areas; flowering May-June.
Sand sacahuista (Nolina arenicola)	—	—	Windblown Quaternary sand in dune areas east of Van Horn; also in shrublands on steep Permian limestone slopes in the Guadalupe Mountains; flowering March-August.
Sneed's pincushion cactus (Escobaria sneedii var sneedii)	LE	E	Dry limestone outcrops on rocky slopes in desert mountains of the Chihuahuan Desert; flowering April-September (peak season in April?).
Texas false saltgrass (Allolepis texana)	—	—	Sandy to silty soils of valley bottoms and river floodplains; flowering (June-) July-October.
Wheeler's spurge (Chamaesyce geyeri var wheeleriana)	—	—	Sparsely vegetated loose sand in reddish sand dunes or coppice mounds; flowering and fruiting August-September?
LE, LT - Federally Listed Endangered/Threatened PT, C - Federally Proposed Threatened, or Candidate Species DL, PDL - Federally Delisted/Proposed Delisted " — " - Species of Concern, but with no regulatory listing status		LE, LT - Federally Listed Endangered/Threatened PT, C - Federally Proposed Threatened, or Candidate Species DL, PDL - Federally Delisted/Proposed Delisted Updated: 5/2/2007	

**TABLE 4: FEDERAL AND STATE-LISTED THREATENED AND ENDANGERED SPECIES WHICH MAY OCCUR IN HUDSPETH COUNTY**

Species	Federal Status	State Status	Description of Suitable Habitat
<b>Birds</b>			
American Peregrine Falcon ( <i>Falco peregrinus anatum</i> )	DL	E	Year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.
Arctic Peregrine Falcon ( <i>Falco peregrinus tundrius</i> )	DL	T	Migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.
Baird's Sparrow ( <i>Ammodramus bairdii</i> )	—	—	Shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties.
Ferruginous Hawk ( <i>Buteo regalis</i> )	—	—	Open country, primarily prairies, plains, and badlands; nests in tall trees along streams or on steep slopes, cliff ledges, river-cut banks, hillsides, power line towers; year-round resident in northwestern high plains, wintering elsewhere throughout western 2/3 of Texas.
Interior Least Tern ( <i>Sterna anitillarum athalassos</i> )	LE	E	Subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony.
Mexican Spotted Owl ( <i>Strix occidentalis lucida</i> )	LT	T	Remote, shaded canyons of coniferous mountain woodlands (pine and fir); nocturnal predator of mostly small rodents and insects; day roosts in densely vegetated trees, rocky areas, or caves.
Montezuma Quail ( <i>Cyrtonyx montezumae</i> )	—	—	Open pine-oak or juniper-oak with ground cover of bunch grass on flats and slopes of semi-desert mountains and hills; travels in pairs or small groups; eats succulents, acorns, nuts, and weed seeds, as well as various invertebrates.
Mountain Plover ( <i>Charadrius montanus</i> )	—	—	Breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous.
Northern Aplomado Falcon ( <i>Falco femoralis septentrionalis</i> )	LE	E	Open country, especially savanna and open woodland, and sometimes in very barren areas; grassy plains and valleys with scattered mesquite, yucca, and cactus; nests in old stick nests of other bird species.
Peregrine Falcon ( <i>Falco peregrinus</i> )	DL	E T	Both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies ( <i>F. p. anatum</i> ) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, thus the species level shows this dual listing status; because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.
Prairie Falcon ( <i>Falco mexicanus</i> )	—	—	Open, mountainous areas, plains and prairie; nests on cliffs.
Snowy Plover ( <i>Charadrius alexandrinus</i> )	—	—	Formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast.
Southwestern Willow Flycatcher ( <i>Empidonax traillii extimus</i> )	LE	E	Thickets of willow, cottonwood, mesquite, and other species along desert streams.



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Western Burrowing Owl ( <i>Anthene cucicularia hypugaea</i> )	—	—	Open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows.
Western Snowy Plover ( <i>Charadrius alexandrinus nivosus</i> )	—	—	Uncommon breeder in the Panhandle; potential migrant; winter along coast.
Western Yellow-billed Cuckoo ( <i>Coccyzus americanus occidentalis</i> )	C;NL	—	Status applies only to western population beyond the Pecos River Drainage; breeds in riparian habitat and associated drainages; springs, developed wells, and earthen ponds supporting mesic vegetation; deciduous woodlands with cottonwoods and willows; dense understory foliage is important for nest site selection; nests in willow, mesquite, cottonwood, and hackberry; forages in similar riparian woodlands; breeding season mid-May-late Sept.
<b>Fishes</b>			
Bluntnose shiner ( <i>Notropis simus</i> )	—	T	Extirpated; Rio Grande; main river channel, often below obstructions over substrate of sand, gravel, and silt; damming and irrigation practices presumed major factors contributing to decline.
Rio Grande silvery minnow ( <i>Hybognathus amarus</i> )	LE	E	Extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves.
West Mexican redhorse ( <i>Scartomyzon austrinus</i> )	—	—	Rio Grande basin above Amistad Reservoir; restricted to rocky riffles of creeks and small to medium rivers, often near boulders in swift water.
<b>Insects</b>			
A Royal moth ( <i>Sphingicampa raspa</i> )	—	—	Woodland - hardwood; with oaks, junipers, legumes and other woody trees and shrubs; good density of legume caterpillar foodplants must be present; Prairie acacia ( <i>Acacia augustissima</i> ) is the documented caterpillar foodplant, but there could be a few other woody legumes used.
A tiger beetle ( <i>Cicindela hornii</i> )	—	—	Grassland/herbaceous; burrowing in or using soil; dry areas on hillside or mesas where soil is rocky or loamy and covered with grasses, invertivore; diurnal, hibernates/aestivates, active mostly for several days after heavy rains. the life cycle probably takes two years so larvae would always be present in burrows in the soil.
A tiger beetle ( <i>Amblycheila picolomini</i> )	—	—	Bare rock/talus/scree, desert, grassland/herbaceous; burrowing in or using soil; invertivore; crepuscular, nocturnal, hibernates/aestivates; larva always present in burrows in soil.
Barbara Ann's tiger beetle ( <i>Cicindela politula barbarannae</i> )	—	—	Limestone outcrops in arid treeless environments or in openings within less arid pine-juniper-oak communities; open limestone substrate itself is almost certainly an essential feature; roads and trails.
Guadalupe Mountains tiger beetle ( <i>Cicindela politula petrophila</i> )	—	—	Open, sunny areas; predaceous and feeds on a variety of small insects; larva lives in vertical burrows in soil of dry paths, fields, or sandy beaches.
Leonora's dancer damselfly ( <i>Argia leonora</i> )	—	—	South central and western Texas; small streams and seepages.
<b>Mammals</b>			
Big free-tailed bat ( <i>Nyctinomops macrotis</i> )	—	—	Habitat data sparse but records indicate that species prefers to roost in crevices and cracks in high canyon walls, but will use buildings, as well; reproduction data sparse, gives birth to single offspring late June-early July; females gather in nursery colonies; winter habits undetermined, but may hibernate in the Trans-Pecos; opportunistic insectivore.
Black bear ( <i>Ursus americanus</i> )	T/SA;NL	T	Bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened.
Black-footed ferret ( <i>Mustela nigripes</i> )	LE	E	Extirpated; inhabited prairie dog towns in the general area.

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Black-tailed prairie dog ( <i>Cynomys ludovicianus</i> )	—	—	Dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups.
Cave myotis bat ( <i>Myotis velifer</i> )	—	—	Colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow ( <i>Hirundo pyrrhonota</i> ) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.
Davis Mountains cottontail ( <i>Sylvilagus floridanus robustus</i> )	—	—	Brushy pastures, brushy edges of cultivated fields, and well-drained streambanks; active mostly at twilight and at night, where they may forage in a variety of habitats, including open pastures, meadows, or even lawns; rest during daytime in thickets or in underground burrows and small culverts; feed on grasses, forbs, twigs and bark; not sociable and seldom seen feeding together.
Desert bighorn sheep ( <i>Ovis canadensis mexicana</i> )	—	—	Rough, rocky mountainous terrain; bluffs and steep slopes with sparse vegetation.
Desert pocket gopher ( <i>Geomys arenarius</i> )	—	—	Cottonwood-willow association along the Rio Grande in El Paso and Hudspeth counties; live underground, but build large and conspicuous mounds; life history not well documented, but presumed to eat mostly vegetation, be active year round, and bear more than one litter per year.
Fringed bat ( <i>Myotis thysanodes</i> )	—	—	Habitat variable, ranging from mountainous pine, oak, and pinyon-juniper to desert-scrub, but prefers grasslands at intermediate elevations; highly migratory species that arrives in Trans-Pecos by May to form nursery colonies; single offspring born June-July; roosts colonially in caves, mine tunnels, rock crevices, and old buildings.
Ghost-faced bat ( <i>Mormoops megalophylla</i> )	—	—	Colonially roosts in caves, crevices, abandoned mines, and buildings; insectivorous; breeds late winter-early spring; single offspring born per year.
Gray Wolf ( <i>Canis lupis</i> )	LE	E	Extirpated; formerly known throughout the western two-thirds of state in forests, brushlands, or grasslands.
Gray-footed chipmunk ( <i>Tamias canipes</i> )	—	—	Forest-dwelling; occur in Texas only in the Sierra Diablo and Guadalupe Mountains in the Trans-Pecos; favorite habitat is downed logs near edges of clearings; also occur in dense stands of mixed timber (oaks, pines, firs) and on brushy hillsides, especially with rock crevices.
Guadalupe southern pocket gopher ( <i>Thomomys bottae guadalupensis</i> )	—	—	Known from Guadalupe Mountains; habitat variable, ranging from loose sands and silts to tight clays; dry deserts to montane meadows; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring.
Limpia Creek pocket gopher ( <i>Thomomys bottae texensis</i> )	—	—	Throughout Davis Mountains; habitat variable, ranging from lower canyons to higher coniferous woodlands; loose sands and silts to tight clays; dry deserts to montane meadows; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring.
Limpia southern pocket gopher ( <i>Thomomys bottae limpiae</i> )	—	—	Limpia Canyon area of Davis Mountains; habitat variable, ranging from loose sands and silts to tight clays; active year round, mostly underground; diet variable, but mostly roots and tubers; breeds continuously, but main season in spring.
Long-legged bat ( <i>Myotis volans</i> )	—	—	In Texas, Trans-Pecos region; high, open woods and mountainous terrain; nursery colonies (which may contain several hundred individuals) form in summer in buildings, crevices, and hollow trees; apparently do not use caves as day roosts, but may use such sites at night; single offspring born June-July.
Pale Townsend's big-eared bat ( <i>Corynorhinus townsendii pallescens</i> )	—	—	Roosts in caves, abandoned mine tunnels, and occasionally old buildings; hibernates in groups during winter; in summer months, males and females separate into solitary roosts and maternity colonies, respectively; single offspring born May-June; opportunistic insectivore.

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Pecos River muskrat ( <i>Ondatra zibethicus ripensis</i> )	—	—	Creeks, rivers, lakes, drainage ditches, and canals; prefer shallow, fresh water with clumps of marshy vegetation, such as cattails, bulrushes, and sedges; live in dome-shaped lodges constructed of vegetation; diet is mainly vegetation; breed year round.
Western red bat ( <i>Lasiurus blossevillii</i> )	—	—	Roosts in tree foliage in riparian areas, also inhabits xeric thorn scrub and pine-oak forests; likely winter migrant to Mexico; multiple pups born mid-May - late Jun.
Western small-footed bat ( <i>Myotis ciliolabrum</i> )	—	—	Mountainous regions of the Trans-Pecos, usually in wooded areas, also found in grassland and desert scrub habitats; roosts beneath slabs of rock, behind loose tree bark, and in buildings; maternity colonies often small and located in abandoned houses, barns, and other similar structures; apparently occurs in Texas only during spring and summer months; insectivorous.
Yellow-nosed cotton rat ( <i>Sigmodon ochrognathus</i> )	—	—	Higher elevations in the Chisos Mountains, Davis Mountains, and Sierra Vieja; rocky slopes with scattered bunches of grass; underground dens and aboveground nests in various locations, including at base of agaves or roots of junipers; active in daytime; several litters possible during breeding season of March-October.
Yuma myotis bat ( <i>Myotis yumanensis</i> )	—	—	Desert regions; most commonly found in lowland habitats near open water, where forages; roosts in caves, abandoned mine tunnels, and buildings; season of partus is May to early July; usually only one young born to each female.
<b>Mollusks</b>			
Northern threeband ( <i>Humboldtiana ultima</i> )	—	—	Leaf litter in mesic canyons of limestone mountains; in soil, under rocks.
<b>Reptiles</b>			
Big Bend slider ( <i>Trachemys gaigeae</i> )	—	—	Almost exclusively aquatic, sliders ( <i>Trachemys</i> spp.) prefer quiet bodies of fresh water with muddy bottoms and abundant aquatic vegetation, which is their main food source; will bask on logs, rocks or banks of water bodies; breeding March-July.
Chihuahuan Desert lyre snake ( <i>Trimorphodon vilkinsonii</i> )	—	T	Mostly crevice-dwelling in predominantly limestone-surfaced desert northwest of the Rio Grande from Big Bend to the Franklin Mountains, especially in areas with jumbled boulders and rock faults/fissures; secretive; egg-bearing; eats mostly lizards.
Mountain short-horned lizard ( <i>Phrynosoma hernandesi</i> )	—	T	Diurnal, usually in open, shrubby, or openly wooded areas with sparse vegetation at ground level; soil may vary from rocky to sandy; burrows into soil or occupies rodent burrow when inactive; eats ants, spiders, snails, sowbugs, and other invertebrates; inactive during cold weather; breeds March-September.
Texas Horned Lizard ( <i>Phrynosoma cornutum</i> )	—	T	Open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September.
<b>Vascular Plants</b>			
Chisos agave ( <i>Agave glomeruliflora</i> )	—	—	Grasslands or oak-juniper woodlands at elevations of about 1050-1850 m (3500-6000 ft); flowering July-August.
Desert night-blooming cereus ( <i>Peniocereus greggii</i> var <i>greggii</i> )	—	—	Shrublands in lower elevation desert flats and washes; flowering concentrated during a few nights in late May to late June.
Gyp locoweed ( <i>Astragalus gypsodes</i> )	—	—	Gypsum or stiff gypseous clay soils on low rolling hills, mostly low elevations in areas adjacent to the Guadalupe Mountains; many of the known locations are on the Castile Formation (Permian); flowering April-June.
Gypsum scalebroom ( <i>Lepidospartum burgessii</i> )	—	—	Grasslands on stabilized gypsum; flowering May-late summer.
Sand prickly-pear ( <i>Opuntia arenaria</i> )	—	—	Deep, loose sands in sparsely vegetated dune or sandhill areas; flowering May-June.

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Sand sacahuista ( <i>Nolina arenicola</i> )	—	—	Windblown Quaternary sand in dune areas east of Van Horn; also in shrublands on steep Permian limestone slopes in the Guadalupe Mountains; flowering March-August.
Smooth-stem skullcap ( <i>Scutellaria laevis</i> )	—	—	On mountain slopes and in arroyos along dry streambeds; known from Beach and Guadalupe mountains; flowering April-September.
Swallow spurge ( <i>Chamaesyce golondrina</i> )	—	—	Alluvial or eolian sand along Rio Grande, occasionally on adjacent shale or limestone slopes; flowering June-November.
Terlingua brickellbush ( <i>Brickellia hinckleyi</i> var <i>terlinguensis</i> )	—	—	Various situations in Chihuahuan Desert; slopes in the Chisos Mountains; also along creek bottoms; flowering July-October?
Texas wolf-berry ( <i>Lycium texanum</i> )	—	—	Semi-desert grasslands and thorn shrublands on sandy, gravelly, and/or loamy soils, on very gently sloping terrain as well as in rocky areas in canyons, often over limestone at moderate elevations; flowering March-October.
Watson's false clappia-bush ( <i>Pseudoclappia watsonii</i> )	—	—	Chihuahuan Desert shrublands on dry, rocky, gypseous clay hills; flowering May-August.
Wheeler's spurge ( <i>Chamaesyce geyeri</i> var <i>wheeleriana</i> )	—	—	Sparsely vegetated loose sand in reddish sand dunes or coppice mounds; flowering and fruiting August-September?
LE, LT - Federally Listed Endangered/Threatened PT, C - Federally Proposed Threatened, or Candidate Species DL, PDL - Federally Delisted/Proposed Delisted " — " - Species of Concern, but with no regulatory listing status	LE, LT - Federally Listed Endangered/Threatened PT, C - Federally Proposed Threatened, or Candidate Species DL, PDL - Federally Delisted/Proposed Delisted Updated: 5/2/2007		

### 2.3 Waters of the U.S.

The proposed tower sites were inspected to determine if any Jurisdictional Waters of the U.S. were located within the site vicinity, and to determine any impacts that may result from the construction of the proposed tower and any access routes necessary for construction equipment and maintenance vehicles, and if coordination with the U.S. Army Corps of Engineers (USACE) is necessary. Projects impacting jurisdictional waters would require a USACE Nationwide Permit (NWP).

Examples of Waters of the U.S. include creeks, rivers, streams, water crossings such as drainage washes, and wetlands as defined by USACE.

## 3.0 RESULTS

### 3.1 Tower Location EPT\_YST\_072

#### *General Description*

Site EPT\_YST\_072 was located in an area of mixed agricultural and residential use in the community of San Elizario. The site itself was located within an alfalfa field, and a cotton field was located to the south. Single-family residences and undeveloped lots were located along Dindinger Road to the north and Salcito Street to the east.

#### *Vegetation*

Located within a pre-existing alfalfa field, alfalfa dominates the majority of the area's vegetation, with scattered silver-leaf nightshade (*Solanum elaeagnifolium*) and Texas Storksbill (*Erodium texanum*) throughout the general area. Ground cover was approximately 95%.

A line of mature pecan trees (*Carya illinoensis*), giant ragweed (*Ambrosia trifida*), and morning glory (*Ipomoea trichocarpa*) are located directly southwest of the proposed tower location. Giant ragweed is also growing along Salcito Street east of the proposed location. The diameter at breast height (dbh) of the pecan trees were approximately 8-20 inches.

The construction of the proposed tower and the 50 feet long access drive to the location would permanently impact 3,700 square feet (0.085 acre) of cultivated and maintained vegetation. Approximately 11,300 square feet (0.259 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

None of the threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No evidence of any threatened or endangered species was observed.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



Figure 2. Towers EPT\_YST\_072 and EPT\_YST\_054 on aerial photograph.



**Photo 1. Tower Site EPT\_YST\_072, facing southwest.**



**Photo 2. Tower Site EPT\_YST\_072, facing southeast.**



**Photo 3. Tower Site EPT\_YST\_072, facing southwest.**



**Photo 4. Tower Site EPT\_YST\_072, facing north.**



### **3.2 Tower Location EPT\_YST\_054**

#### *General Description*

Site EPT\_YST\_054 was located in an area of mixed agricultural and residential use in the community of San Elizario. The site itself was located between two adobe residences, and an alfalfa field was located to the south. Single-family residences and undeveloped lots were located along Dindinger Road to the south of the proposed site.

#### *Vegetation*

Located within a previously developed field, the vegetation within the vicinity of the proposed site is dominated by scattered silver-leaf nightshade, Texas Storksbill, giant ragweed, spiderwort (*Tradescantia gigantea*), bermudagrass (*Cynodon dactylon*), and globe mallow (*Sphaeralcea ambigua*). Ground cover was approximately 70%.

One mature pecan tree with a dbh of approximately 22 inches was within the vicinity of the proposed site.

The construction of the proposed tower and the 150 feet long access drive to the location would permanently impact 6,100 square feet (0.140 acre) of cultivated and maintained vegetation. Approximately 18,900 square feet (0.434 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

None of the threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No evidence of any threatened or endangered species was observed.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Photo 5. Tower Site EPT\_YST\_054, facing north.**



**Photo 6. Tower Site EPT\_YST\_054, facing west.**



**Photo 7. Tower Site EPT\_YST\_054, facing west.**



**Photo 8. Tower Site EPT\_YST\_054, bordering vegetation, facing north.**

### **3.3 Tower Location EPT\_FBN\_055**

#### *General Description*

Site EPT\_FBN\_055 was located on the OBP Station property in the community of Fabens. This area is completely cleared and developed for use by CBP. The site vicinity is flat and covered by imported river cobble. Office facilities and parking areas are located adjacent to the proposed site.

#### *Vegetation*

The proposed tower site has been previously cleared. No vegetation occurs within the vicinity of the proposed tower site.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

None of the threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No evidence of any threatened or endangered species was observed.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Figure 3. Tower EPT\_FBN\_055 on aerial photograph.**



**Photo 9. Tower Site EPT\_FBN\_055, facing southeast.**

### **3.4 Tower Location EPT\_FBN\_056**

#### *General Description*

Site EPT\_FBN\_056 was located in an agricultural area use in the community of Tornillo. The site itself was located within a cleared and fenced off agricultural equipment storage facility. Pecan groves were located to the west and south of the proposed tower site. Cotton fields were located to the north and west of the proposed tower site. An irrigation canal running west to east is located to the north of the storage facility and the proposed tower site.

#### *Vegetation*

The proposed tower site has been previously cleared. No vegetation occurs within the vicinity of the proposed tower site.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

Five western burrowing owls were observed in and around the storage facility. However, no burrows or nests were observed within the proposed tower site.

No other threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No impacts to any threatened or endangered species are anticipated as a result of the proposed project.

#### *Waters of the U.S.*

An irrigation canal running west to east is located to the north of the storage facility and the proposed tower site. No impacts to this channel are anticipated.

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Figure 4. Tower Sites EPT\_FBN\_056 and EPT\_FBN\_097 on aerial photograph.**





**Photo 10. Tower Site EPT\_FBN\_056, facing northwest.**



**Photo 11. Tower Site EPT\_FBN\_056, facing west.**



**Photo 12. Tower Site EPT\_FBN\_056, facing south.**



**Photo 13. Tower Site EPT\_FBN\_056, facing northeast.**

### **3.5 Tower Location EPT\_FBN\_097**

#### *General Description*

Site EPT\_FBN\_097 was located in an agricultural area use in the community of Tornillo. The site itself was located within a cotton field owned by the Burrus family. Pecan groves were located to the south and southwest of the proposed tower site. Another cotton field was located to the east of the proposed tower site. An irrigation canal running west to east is located to the south of the cotton field and the proposed tower site. An agricultural equipment storage facility is located southeast of the proposed tower site.

#### *Vegetation*

Located within a pre-existing cotton field, cotton dominates the majority of the area's vegetation, with scattered silver-leaf nightshade throughout the general area. Ground cover was approximately 85%.

The construction of the proposed tower and the 50 feet long access drive to the location would permanently impact 3,700 square feet (0.085 acre) of cultivated and maintained vegetation. Approximately 11,300 square feet (0.259 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

Five western burrowing owls were observed around the cotton field. However, no burrows or nests were observed within the proposed tower site.

No other threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No impacts to any threatened or endangered species are anticipated as a result of the proposed project.

#### *Waters of the U.S.*

An irrigation canal running west to east is located to the north of the storage facility and the proposed tower site. No impacts to this channel are anticipated.

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



### **3.6 Tower Location EPT\_FBN\_071**

#### *General Description*

Site EPT\_FBN\_071 was located on 19370 Telegraph Road in the community of Tornillo. The property was seized by the USCBP, and is now designated USCBP property. This area is developed for residential use. An abandoned single family residence is located on the property, and is scheduled for removal. Single family residences are located adjacent to the proposed site to the east and west. A pecan grove is located to the south of the property. An irrigation canal running west to east is located to the north of the property.

#### *Vegetation*

The proposed project site is located on a former residential property that has been cleared and developed for residential use. The vegetation within the project vicinity is dominated by bermudagrass and non-native ornamental plants.

Twelve mature pecan trees are located on the property. The dbh of these trees are approximately 10-16 inches. None of these trees are anticipated to be removed.

No access road would be required at this site, as there is an existing driveway on the property. No impacts to native vegetation are anticipated, due to the existing disturbance and developed nature of the property. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

None of the threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No evidence of any threatened or endangered species was observed.

#### *Waters of the U.S.*

An irrigation canal running west to east is located to the north of the storage facility and the proposed tower site. No impacts to this channel are anticipated.

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



Figure 5. Tower Site EPT\_FBN\_071 on aerial photograph.



**Photo 14. Tower Site EPT\_FBN\_071, facing south.**



**Photo 15. Tower Site EPT\_FBN\_071, facing west.**

### 3.7 Tower Location EPT\_FBN\_070

#### *General Description*

Proposed Tower site EPT\_FBN\_070 is located within a flat area of mesquite/creosote scrub approximately 250 feet northeast of US Interstate Highway 10 (IH-10).

#### *Vegetation*

The area between the highway and the fence-line marking the property the proposed tower is located on, consists of maintained roadway vegetation, such as four-wing saltbush (*Atriplex canescens*), broomweed (*Salsola kali*), and rabbitbush (*chrysothamnus nauseosus*).

The vegetation within the vicinity of the proposed tower site, and the proposed access corridor consists of mesquite/creosote scrub, dominated by approximately 60% creosote bush (*Larrea tridentata*), 25% mesquite (*Prosopis glandulosa*), and 15% a combination of four-wing saltbush, rabbitbush, and soap tree yucca (*Yucca elata*). Vegetative ground cover is approximately 70%.

The construction of the proposed tower and the approximately 250 feet long access corridor to the location would permanently impact approximately 12,400 square feet (0.285 acre) of mesquite/creosote scrub and maintained roadway vegetation. Approximately 26,500 square feet (0.608 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

Areas of thick mesquite brush along a large wash, indicative of southwestern willow flycatcher habitat, a state and federally listed endangered species, were observed approximately 350 feet east of the proposed tower site. These areas would be avoided during construction of the tower and access corridor.

Suitable habitat for Texas horned lizard, a state listed threatened species, was observed tower site within the vicinity of the proposed access corridor.

Care would be taken to avoid any potential impacts to southwestern willow flycatchers, Texas horned lizards, or their habitat.

No other listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.



*Waters of the U.S.*

A drainage wash, approximately 20 to 30 feet wide, was observed approximately 350 feet east of the proposed tower site, running north to south. This wash would be avoided during the construction of the proposed tower and access corridor.

No other washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.

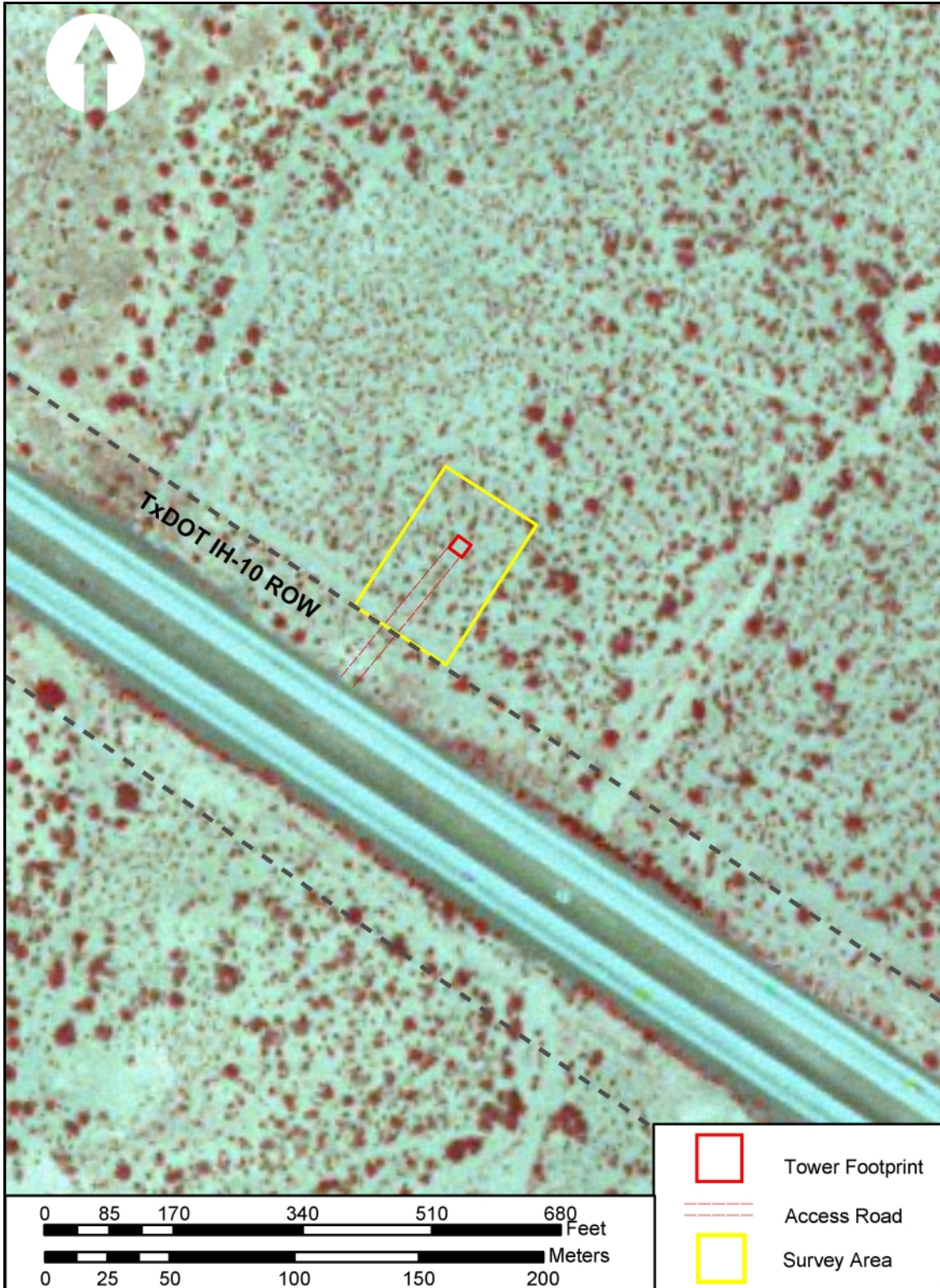


Figure 6. Tower Site EPT\_FBN\_070 on aerial photograph.



**Photo 16. Tower Site EPT\_FBN\_070, facing north.**



**Photo 17. Tower Site EPT\_FBN\_070, facing south.**



**Photo 17. Tower Site EPT\_FBN\_070, facing east.**



**Photo 18. Tower Site EPT\_FBN\_070, facing west.**

### 3.8 Tower Location EPT\_FBN\_058

#### *General Description*

Proposed Tower site EPT\_FBN\_058 is located within an area of sand dunes and mesquite/creosote scrub approximately 300 feet west of IH-10. The only other feature in the area is a billboard for the Fort Hancock Motel.

#### *Vegetation*

The area between the highway and the fence-line marking the property the proposed tower is located on, consists of maintained roadway vegetation, such as four-wing saltbush, broomweed, aster (*Aster spp.*), and rabbitbush.

The vegetation within the vicinity of the proposed tower site, and the proposed access corridor consists of mesquite/creosote scrub, dominated by approximately 50% mesquite (*Prosopis glandulosa*), 40% creosote bush (*Larrea tridentata*), and 10% a combination of four-wing saltbush and rabbitbush. Vegetative ground cover is approximately 70%.

The construction of the proposed tower and the approximately 475 feet long access corridor to the location would permanently impact approximately 13,900 square feet (0.319 acre) of mesquite/creosote scrub and maintained roadway vegetation. Approximately 32,350 square feet (0.743 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

A collapsed and abandoned turtle/tortoise burrow was observed approximately 65 feet southeast of the proposed project site. No turtles or tortoises were observed.

Suitable habitat for Texas horned lizard, a state listed threatened species, was observed tower site within the vicinity of the proposed access corridor. Care would be taken to avoid any potential impacts to Texas horned lizards or their habitat.

No other listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.

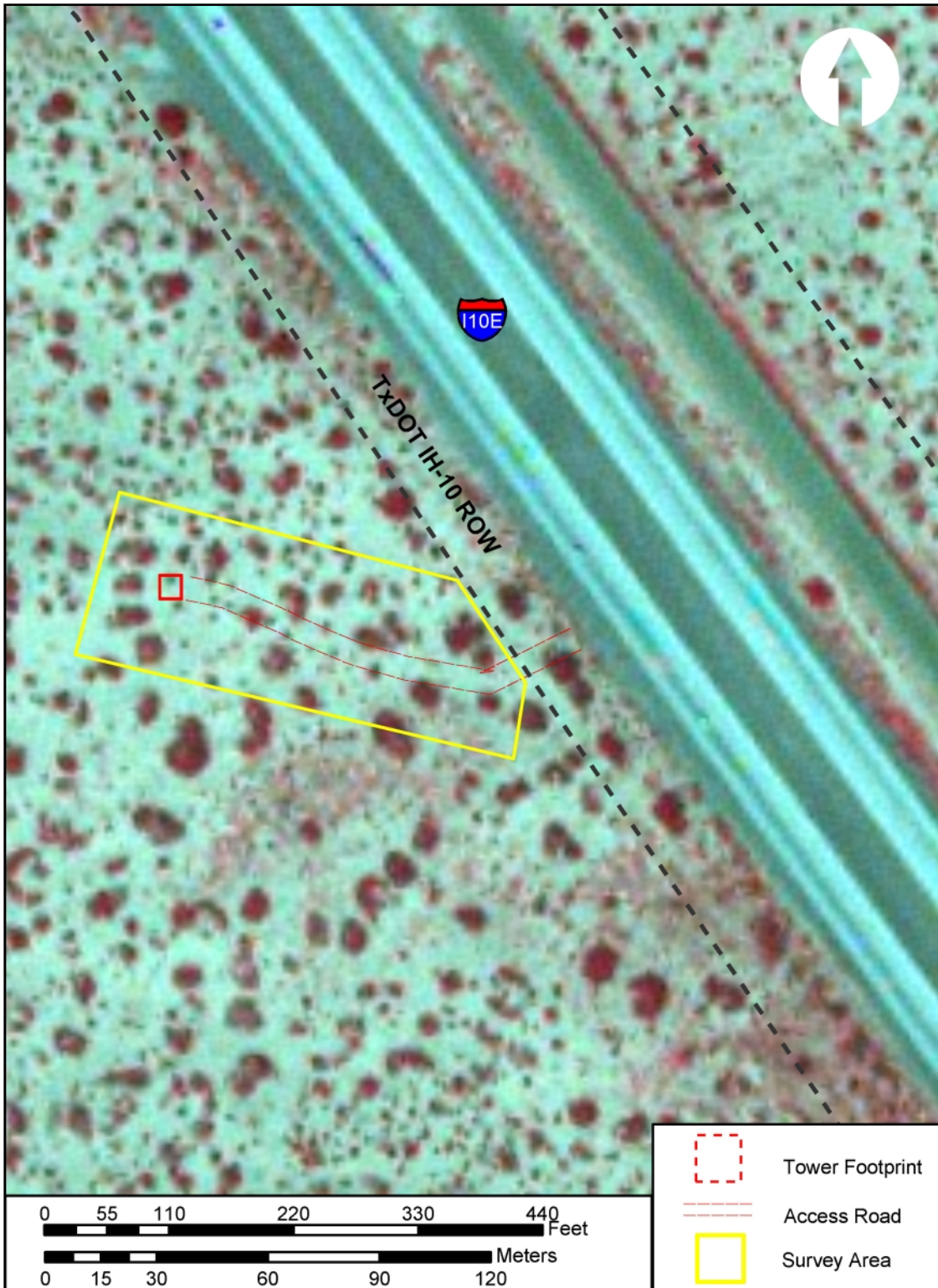


Figure 7. Tower Site EPT\_FBN\_058 on aerial photograph.



**Photo 19. Tower Site EPT\_FBN\_058, facing south.**



**Photo 20. Tower Site EPT\_FBN\_058, facing northwest.**



**Photo 21. Tower Site EPT\_FBN\_058, facing west.**



**Photo 22. Tower Site EPT\_FBN\_058, nearby turtle/tortoise burrow, facing southeast.**



### **3.9 Tower Location EPT\_FHT\_069**

#### *General Description*

The proposed tower site EPT\_FHT\_069 is located on privately owned upland desert approximately 800 feet northeast of State Highway 20. The land in the vicinity of the proposed tower site has been cleared and developed for use for a concrete manufacturing facility to the south, a water tower directly north, and residential use to the southwest.

#### *Vegetation*

The area surrounding the proposed tower site has been cleared to construct the adjacent water tower. The scattered vegetation within the vicinity of the proposed tower site consists of mesquite/creosote scrub, dominated by approximately 50% creosote bush, 30% mesquite, 10% four-wing saltbush, and 5% rabbitbush. Vegetative ground cover is approximately 20%.

No access road would be required at this site, as there is an existing access path passing the proposed tower site leading to the adjacent water tower. No impacts to native vegetation are anticipated, due to the existing disturbance and developed nature of the property. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

A single montezuma quail, a state listed species of concern, was observed in flight in the vicinity of the project. However, no suitable habitat for Montezuma quail was observed within the vicinity of the proposed tower site.

No other threatened or endangered species or associated habitat listed for the project location's county were observed during the field reconnaissance. No evidence of any threatened or endangered species was observed.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Figure 8. Tower Site EPT\_FHT\_069 on aerial photograph.**



**Photo 23. Tower Site EPT\_FHT\_069, facing north.**



**Photo 24. Tower Site EPT\_FHT\_069, facing southeast.**



**Photo 25. Tower Site EPT\_FHT\_069, facing east.**



**Photo 26. Tower Site EPT\_FHT\_069, facing west.**

### 3.10 Tower Location EPT\_FHT\_064

#### *General Description*

Proposed tower site EPT\_FHT\_064 was located approximately 50 yards northeast of Interstate 10, between Mile Markers 82 and 83. The site itself was located area of undeveloped ranch land, at the base of a series of hills.

#### *Vegetation*

The area between the highway and the fence-line marking the property the proposed tower is located on consists of maintained roadway vegetation, such as four-wing saltbush (*Atriplex canescens*), broomweed (*Salsola kali*), goldenrod (*Solidago spp.*), and rabbitbush (*chrysothamnus nauseosus*).

The vegetation within the vicinity of the proposed tower site and the proposed access corridor consists of mesquite/creosote scrub, dominated by approximately 50% mesquite (*Prosopis glandulosa*), 30% creosote bush (*Larrea tridentata*), 15% goldenrod, and 5% four-wing saltbush. Vegetative ground cover is approximately 60%.

The construction of the proposed tower and the 430 feet long access corridor to the location would permanently impact approximately 16,720 square feet (0.384 acre) of mesquite/creosote scrub and maintained roadway vegetation. Approximately 37,180 square feet (0.854 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

Areas of thick mesquite brush along a large wash, indicative of southwestern willow flycatcher habitat, a state and federally listed endangered species, were observed approximately 100 feet east of the proposed tower site. These areas would be avoided during construction of the tower and access corridor.

A collapsed and abandoned turtle/tortoise burrow was observed approximately 60 feet south of the proposed project site. No turtles or tortoises were observed.

One Texas horned lizard, a state listed threatened species, was observed within the highway ROW within the vicinity of the proposed access corridor.

Care would be taken to avoid any potential impacts to southwestern willow flycatchers, Texas horned lizards, or their habitat.

No other listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

*Waters of the U.S.*

A drainage wash, approximately 20 to 30 feet wide, was observed approximately 100 feet east of the proposed tower site, running north to south. The northern portion of the wash forked off into two separate channels, with the northwest branch running to within approximately 80 feet of the proposed tower site. This wash would be avoided during the construction of the proposed tower and access corridor.

No other washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Figure 9. Tower Site EPT\_FHT\_064 on aerial photograph.**



**Photo 27. Tower Site EPT\_FHT\_064, facing north.**



**Photo 28. Tower Site EPT\_FHT\_064, facing south.**





**Photo 29. Tower Site EPT\_FHT\_064, facing east.**

### **3.11 Tower Location EPT\_FHT\_068**

#### *General Description*

Proposed tower site EPT\_FHT\_068 was located approximately 450 feet northeast of State Highway 192. It is situated on top of a rise overlooking rolling sandy hills.

#### *Vegetation*

The vegetation within the vicinity of the proposed tower site and the proposed access corridor consists of mesquite/creosote scrub, dominated by approximately 40% mesquite, 40% creosote bush, 10% rabbitbush, and 10% a combination of soaptree yucca, aster, ocotillo (*Fouquieria splendens*), purple prickly pear (*Opuntia violacea*), claret cup cactus (*Echinocereus triglochidiatus*) and dog cholla (*Opuntia schottii*). Vegetative ground cover is approximately 30%.

The construction of the proposed tower and the 575 feet long access corridor would permanently impact 16,300 square feet (0.374 acre) of mesquite/creosote scrub vegetation. Approximately 34,950 square feet (0.802 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

A collapsed and abandoned turtle/tortoise burrow was observed approximately 300 feet northeast of the proposed project site. No turtles or tortoises were observed.

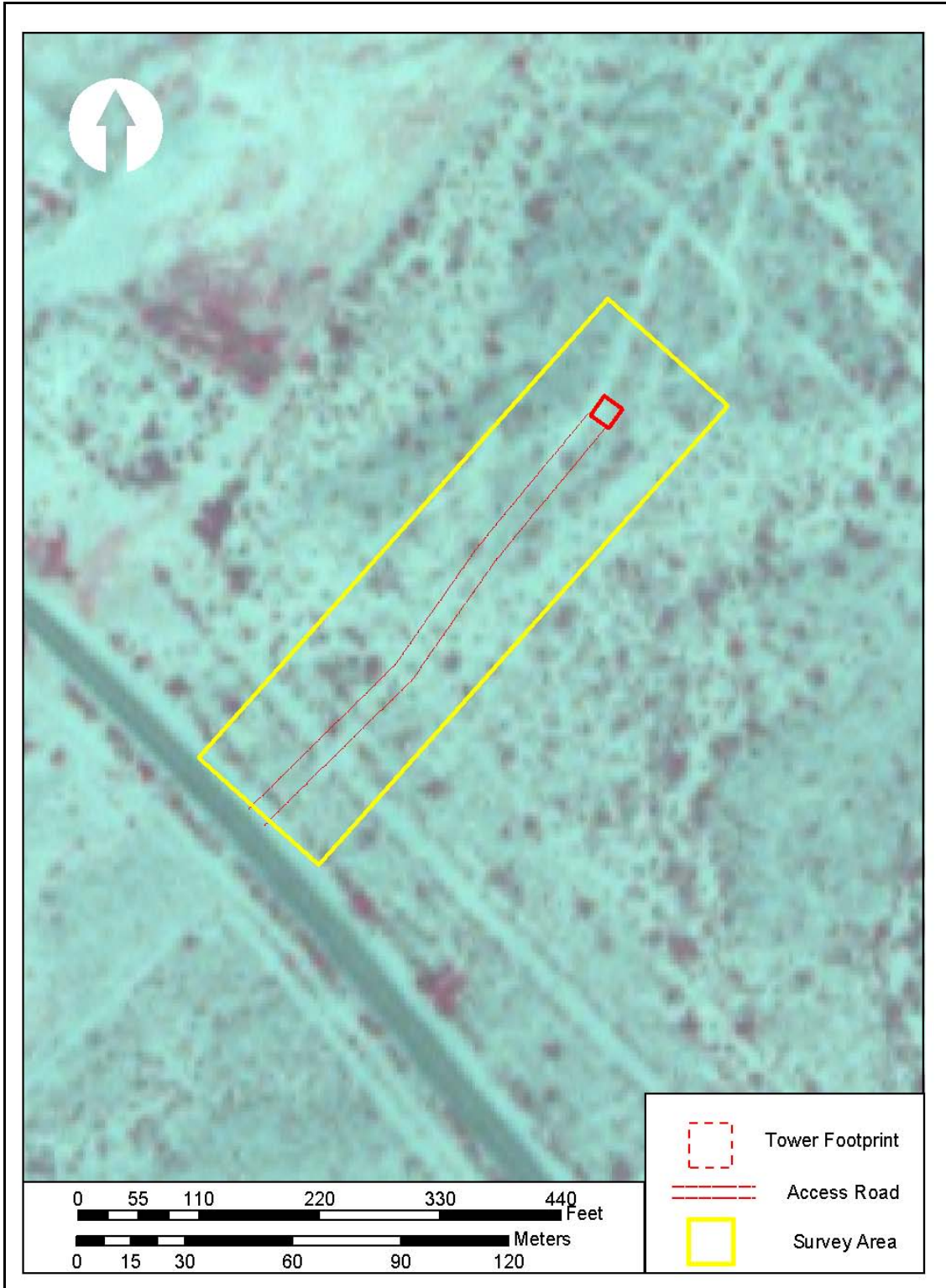
Habitat for Texas horned lizard, a state listed threatened species, is present within the vicinity of the proposed tower site and access corridor. Care would be taken to avoid any potential impacts to Texas horned lizards or their habitat.

No other listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

#### *Waters of the U.S.*

While the proposed access corridor would follow an existing bulldozed path, it would cross three drainage washes, all approximately 2 to 5 feet wide. Additional information about these culverts and their respective impacts would be provided at a later time as the information becomes available.

No other washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP 14 – Linear Transportation Crossings would be necessary.



**Figure 10. Tower Site EPT\_FHT\_068 on aerial photograph.**



**Photo 30. Tower Site EPT\_FHT\_068, facing north.**



**Photo 31. Tower Site EPT\_FHT\_068, facing south.**



**Photo 32. Tower Site EPT\_FHT\_068, facing west.**



**Photo 33. Tower Site EPT\_FHT\_068, facing east.**



**Photo 34. Tower Site EPT\_FHT\_068, wash adjacent to access, facing south.**



**Photo 35. Tower Site EPT\_FHT\_068, wash crossing access, facing north.**

### 3.12 Tower Location EPT\_YST\_059

#### *General Description*

Proposed tower site EPT\_YST\_059 was located approximately 750 feet south of State Highway 62. It is situated on top of a rise overlooking rolling sandy hills, within an area of privately owned upland desert.

#### *Vegetation*

The vegetation within the vicinity of the proposed tower site and the proposed access corridor is dominated by approximately beargrass (*Nolina erumpens*), soaptree yucca, sideoats grama (*Bouteloua curtipendula*), rabbitbush, ocotillo, Spanish dagger (*Agave havardiana*), purple prickly pear, sand prickly pear (*Opuntia arenaria*), cane cholla (*Opuntia imbricata*), claret cup cactus, Mormon tea (*Ephedra spp.*), and lace cactus (*Echinocereus reichenbachii*). Vegetative ground cover is approximately 40%.

While an existing access road is present at this site, it would require rehabilitation to allow heavy vehicle access.

The construction of the proposed tower and access corridor rehabilitation would permanently impact 7,500 square feet (0.172 acre) of cultivated and maintained vegetation. Approximately 161,500 square feet (3.71 acre) of temporary impacts are anticipated. No sensitive vegetation features or mature trees would be impacted.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

Scattered sand prickly pear cacti, a state listed species of concern, were observed adjacent to the existing access path and within the 100 foot buffer area around the proposed tower site. While individuals may be impacted, other sand prickly pears in the vicinity would be avoided to reduce any impacts on the regional population.

No other listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



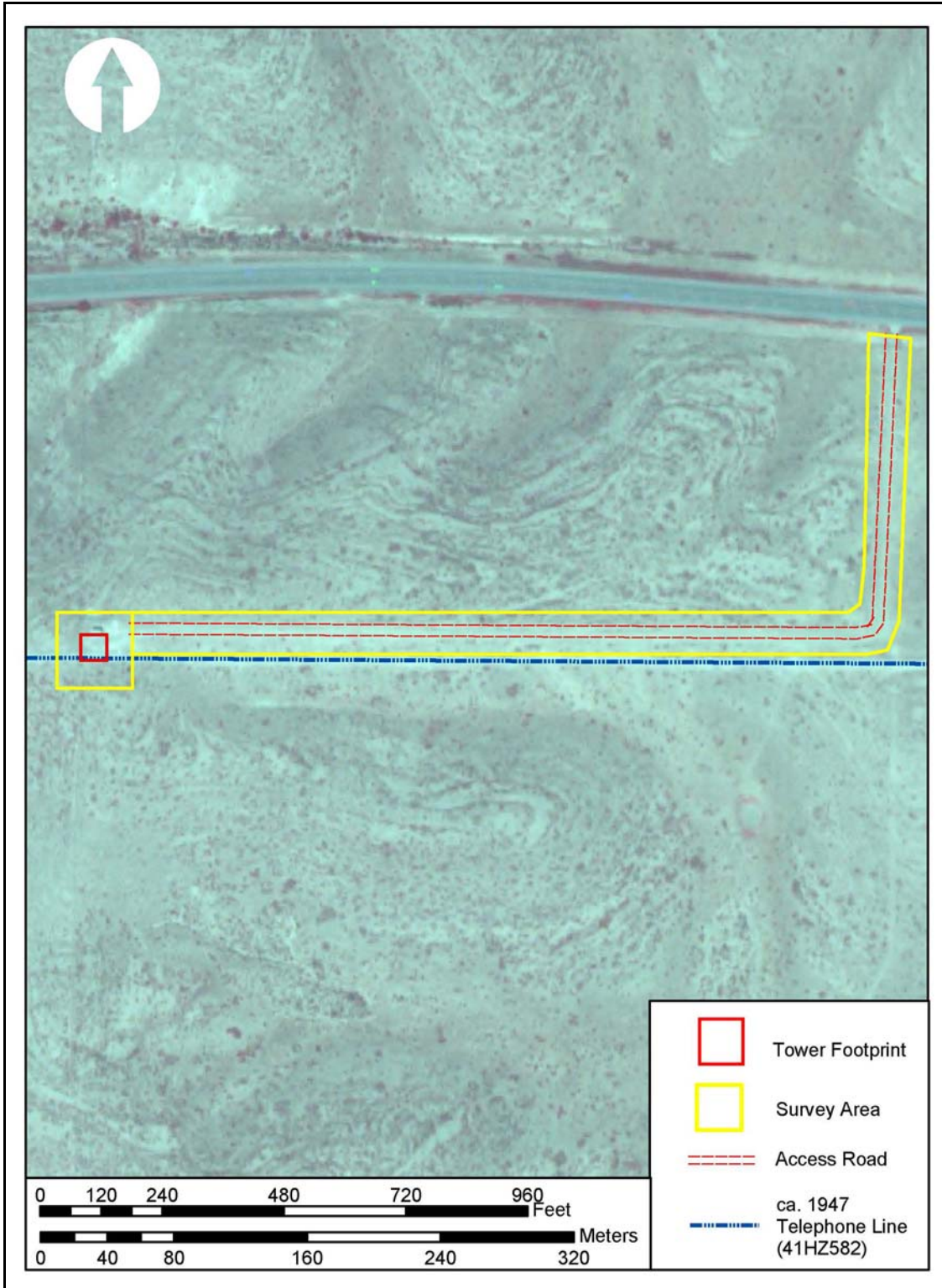


Figure 11. Tower Site EPT\_YST\_059 on aerial photograph.



**Photo 36. Tower Site EPT\_YST\_059, facing east.**



**Photo 37. Tower Site EPT\_YST\_059, facing west.**



**Photo 38. Tower Site EPT\_YST\_059, access corridor to site, facing east.**



**Photo 39. Tower Site EPT\_YST\_059, access corridor to road, facing south.**

### **3.13 Tower Location EPT\_FHT\_067**

#### *General Description*

Proposed tower site EPT\_FHT\_067 was located adjacent to the Fort Hancock CBP Station, within the back parking area of the former Fort Hancock Masonic Lodge. The site is bordered by single family residences and the CBP station.

#### *Vegetation*

The proposed tower site has been cleared from previous construction activity and use as a parking facility. Some scattered vegetation around nearby buildings and facilities are present, and include four-wing saltbush, broomweed, and acacia. No sensitive vegetation features or mature trees were observed.

No impacts to vegetation are anticipated as a result of the construction of the proposed tower.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

No listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.



**Figure 12. Tower Site EPT\_FHT\_067 on aerial photograph.**



**Photo 40. Tower Site EPT\_FHT\_067, facing southwest.**



**Photo 41. Tower Site EPT\_FHT\_067, adjacent CBP Station, facing northeast.**



**Photo 42. Tower Site EPT\_FHT\_067, adjacent residences, facing west.**



**Photo 43. Tower Site EPT\_FHT\_067, adjacent building, facing southwest.**

### **3.14 Fort Hancock Relay Tower**

#### *General Description*

The proposed tower site, designated as the Fort Hancock Relay Tower, is located adjacent to the Fort Hancock CBP Point of Entry (POE) Station, at the border of Mexico and Fort Hancock, Texas. The site is bordered by cotton fields and the POE station.

#### *Vegetation*

The proposed tower site has been cleared and plowed over from previous construction activity to construct a CBP facility on the property. No vegetation was observed on this property. No sensitive vegetation features or mature trees were observed within the vicinity of this property.

No impacts to vegetation are anticipated as a result of the construction of the proposed tower.

#### *Threatened and Endangered Species*

A search of the Texas Parks and Wildlife Department (TPWD) Biological Conservation Data System (BCD) indicated that there are no known threatened or endangered species located within the vicinity of the project.

No listed threatened or endangered species or their associated habitats were observed during the field reconnaissance. No impacts to these species or their habitats are anticipated.

#### *Waters of the U.S.*

No washes or stream crossings are located within the vicinity of the proposed tower location. No wetlands were observed. A USACE NWP would not be necessary.





**Figure 13. Fort Hancock Relay Tower Site on aerial photograph.**



**Photo 44. Fort Hancock Relay Tower Site, facing southwest.**



**Photo 45. Fort Hancock Relay Tower Site, adjacent POE Station, facing southwest.**