



ENVIRONMENTAL STEWARDSHIP PLAN
FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
OF TACTICAL INFRASTRUCTURE, SEGMENTS HV-1 THROUGH HV-3
U.S. Border Patrol El Paso Sector, Lordsburg Station, New Mexico

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



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ACRONYMS AND ABBREVIATIONS

AO	Areas of Operation
BLM	Bureau of Land Management
BMP	Best Management Practices
BP	years before present
BRP	Biological Resources Plan
CAA	Clean Air Act
CBP	U.S. Customs and Border Protection
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CM&R	Construction Mitigation and Restoration
CRS	Congressional Research Service
CWA	Clean Water Act
dBA	decibel – A weighted scale
DHS	U.S. Department of Homeland Security
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
ESP	Environmental Stewardship Plan
FEMA	Federal Emergency Management Agency
FY	Fiscal Year
IA	illegal alien
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act
LASER	Labor Analysis Statistics and Economic Research
LWC	low water crossing
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMDGF	New Mexico Department of Game and Fish
NMDOT	New Mexico Department of Transportation
NRCS	Natural Resources Conservation Service
PCPI	per capita personal income
PEA	Programmatic Environmental Assessment
PM-10	Particulate <10 micrometers
POE	Port of Entry
POL	petroleum, oil, and lubricants
ROI	region of influence
SBI	Secure Border Initiative
SHPO	State Historic Preservation Officer
SPCCP	Spill Prevention, Control, and Countermeasures Plan
SWPPP	Storm Water Pollution Prevention Plan
TI	Tactical Infrastructure

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U.S.	United States
USACE	United States Army Corps of Engineers
USBP	United States Border Patrol
USCB	United States Census Bureau
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USIBWC	United States Section, International Boundary Water Commission
WUS	Waters of the U.S.

COVER SHEET

ENVIRONMENTAL STEWARDSHIP PLAN FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF TACTICAL INFRASTRUCTURE, SEGMENTS HV-1 THROUGH HV-3, U.S. BORDER PATROL EL PASO SECTOR, LORDSBURG STATION, NEW MEXICO

Responsible Agencies: United States (U.S.) Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), U.S. Border Patrol (USBP).

Coordinating Agencies: U.S. Army Corps of Engineers (USACE)-Albuquerque District; U.S. Fish and Wildlife Service (USFWS); U.S. Bureau of Land Management (BLM)—Las Cruces Field Office; and U.S. Section, International Boundary and Water Commission (USIBWC).

Affected Location: U.S./Mexico International border, west of the Antelope Wells Port of Entry (POE), Hidalgo County, New Mexico.

Project Description: The Project includes the construction, operation, and maintenance of 36 miles of tactical infrastructure (TI) to include vehicle fence and access and construction roads near and along the U.S./Mexico border within the USBP El Paso Sector, Lordsburg Station, New Mexico. In order to facilitate the construction activities four staging areas will also be used. The Project will be implemented in two discrete sections (HV1-2 and HV-3).

Report Designation: Environmental Stewardship Plan (ESP).

Abstract: CBP plans to construct, operate, and maintain approximately 36 miles of tactical infrastructure, which includes two discrete sections of vehicle fence, construction road, and access roads along the U.S./Mexico International border in the USBP El Paso Sector, Lordsburg Station, New Mexico. The HV-1 and HV-2 section begins approximately 1 mile west of Border Monument 69 and extends east 10.45 miles. The HV-3 segment begins approximately 1.5 miles west of Border Monument 64 and extends east 5.80 miles to Border Monument 62. The Normandy-style vehicle fence will be installed 3 to 6 feet north of the U.S./Mexico border. The vehicle fence will be comprised of steel and the construction roads will be 28 feet wide. This ESP analyzes and documents environmental consequences associated with the Project.

EXECUTIVE SUMMARY

INTRODUCTION

In Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Congress mandated the United States (U.S.) Department of Homeland Security (DHS) to install fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwest border. This total includes 370 miles of primary pedestrian fencing to be completed in 2008, in areas most practical and effective in deterring smugglers and aliens attempting to gain illegal entry into the U.S. In addition, DHS has committed to completing a total of 300 miles of vehicle fence along the southwest border by the end of 2008. As of March 21, 2008, 201 miles of primary pedestrian fence and 140 miles of vehicle fence remained to be constructed by December 2008.

On April 1, 2008, the Secretary of the DHS, pursuant to his authority under Section 102(c) of IIRIRA, exercised his authority to waive certain environmental and other laws in order to ensure the expeditious construction of tactical infrastructure along the U.S./Mexico border. The tactical infrastructure described in this Environmental Stewardship Plan (ESP) is covered by the Secretary's April 1, 2008, waiver (73 Federal Register [FR] 65, pp. 18293-24, Appendix A). Although the Secretary's waiver means that U.S. Customs and Border Protection (CBP) no longer has any specific legal obligations under the laws that are included in the waiver, the Secretary committed DHS to responsible environmental stewardship of our valuable natural and cultural resources. CBP strongly supports this objective and remains committed to being a good steward of the environment. CBP will continue to work in a collaborative manner with local government, state and Federal land managers, and the interested public to identify environmentally sensitive resources and develop appropriate Best Management Practices (BMPs) to avoid or minimize adverse impacts resulting from the installation of tactical infrastructure.

To that end, CBP has prepared the following ESP, which analyzes the potential environmental impacts associated with construction of tactical infrastructure in the U.S. Border Patrol's (USBP) El Paso Sector, Lordsburg Station area of operation. The ESP also discusses CBP plans to mitigate potential environmental impacts. The ESP further details the BMPs associated with the tactical infrastructure that CBP will implement during and after construction.

GOALS AND OBJECTIVES OF THE PROJECT

The goal of the Project is to increase border security within the USBP El Paso Sector with the ultimate objective of achieving effective control of our Nation's borders. The Project further meets the objectives of the Congressional direction in the Fiscal Year (FY) 2007 DHS Appropriations Act (Public Law [P.L.] 109-295), Border Security Fencing, Infrastructure, and Technology appropriation to install fencing, infrastructure, and technology along the border.

The USBP El Paso Sector identified a distinct area along the U.S./Mexico border that experiences high levels of illegal cross-border activity. This activity occurs in areas near Ports of Entry (POEs) where concentrated populations might live on either side of the border, contain thick vegetation that can provide concealment, is fairly remote and not easily accessed by USBP agents or have quick access to U.S. transportation routes. The Project will help to deter illegal entries within the USBP, Lordsburg Station area of operation, El Paso Sector by improving enforcement efficiency, thus preventing terrorists and terrorist weapons, illegal aliens, drugs, and other cross border violators and contraband from entering the U.S., while providing a safer work environment for USBP agents.

PUBLIC OUTREACH AND COORDINATION

CBP held meetings with the public and resource agencies and posted Project descriptions on www.BorderFencePlanning.com to elicit information on sensitive resources that may be present and/or potentially affected in the Project area. Information obtained has been included in the analysis of effects and presented in this ESP.

In addition to the public outreach program, CBP has continued to coordinate with various Federal and state agencies during the development of this ESP. These agencies are described in the following paragraphs.

U.S. Section, International Boundary and Water Commission (USIBWC) - CBP has coordinated with USIBWC to ensure that any construction along the international border does not adversely affect International Boundary Monuments or substantially impede floodwater conveyance within international drainages.

U.S. Army Corps of Engineers (USACE), Albuquerque District - CBP has coordinated activities with USACE to identify potential jurisdictional Waters of the U.S. (WUS), including wetlands, and to develop measures to avoid, minimize or compensate for losses to these resources.

U.S. Department of the Interior (DOI) - CBP has coordinated extensively with two resource managing agencies (U.S. Fish and Wildlife Service [USFWS] and U.S. Bureau of Land Management [BLM]) within DOI throughout the development of this ESP. The USFWS has assisted in identifying listed species that have the potential to occur in the Project area as well as preparation of the Biological Resources Plan (BRP). The BRP presents the analysis of potential effects to listed species and the BMPs proposed to reduce or off-set any adverse impacts. A copy of the BRP is contained in Appendix B. CBP has also continued to coordinate with BLM, since portions of other fence segments are planned for construction within or adjacent to BLM lands.

DESCRIPTION OF THE PROJECT

CBP will construct and maintain approximately 36 miles of tactical infrastructure (TI), which includes vehicle fence, access roads, and associated construction roads along the U.S./Mexico border in Hidalgo County, New Mexico. The TI is comprised of two discrete sections and will extend approximately from 1 mile west of Border Monument 69 east to 1.5 miles east of Border Monument 66 and from 1.5 miles west of Border Monument 64 eastward to Border Monument 62 (see Figures 1-1 and 1-2). The vehicle fence will be placed approximately 3 to 6 feet north of the U.S./Mexico International border, within the Roosevelt Reservation.

Upon the completion of construction, CBP will be responsible for repair and maintenance of the fence and construction and access roads. Such activities will include replacement or repair of fence segments that are vandalized, removal of debris that becomes entrapped along the fence or within any drainage structures, and grading of the road surface. These activities will occur on an as-needed basis; however, routine road maintenance will be expected to occur at least annually.

In order to facilitate operation of equipment, staging of materials, and construction access to the Project corridor, four temporary staging areas, totaling approximately 7 acres will be used. Vegetation will be cleared and grading may occur where needed in the staging areas. Upon completion of construction activities, the temporary staging areas will be rehabilitated.

Two access roads will be used as part of this Project. These roads will be up to 28 feet wide, will only be graded on an as needed basis, and will be used to access the fence construction area. The 60-foot wide Roosevelt Reservation will be used to provide construction vehicles and equipment access along the U.S./Mexico border.

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION, AND BMPs

Table ES-1 provides an overview of potential environmental impacts by specific resource areas. Chapters 3 through 5 of this ESP address these impacts in more detail. CBP followed specially developed design criteria to reduce adverse environmental impacts and will implement BMPs and mitigation measures to further reduce or offset adverse environmental impacts. Design criteria to reduce adverse environmental impacts include selecting a route that will minimize impacts, consulting with Federal and state agencies and other stakeholders to avoid or minimize adverse environmental impacts, and developing appropriate BMPs to protect natural and cultural resources. Potential effects, including physical disturbance and construction of solid barriers on wetlands, riparian areas, streambeds, and floodplains, will be avoided or mitigated, as appropriate. BMPs will include implementation of a Storm Water Pollution Prevention Plan (SWPPP), Construction Mitigation and Restoration (CM&R) Plan, Spill Prevention Control and Countermeasures Plan (SPCCP), Dust Control Plan, Fire Prevention and Suppression Plan, and Unanticipated Discovery Plan to protect natural and cultural resources.

Table ES-1. Summary of Anticipated Environmental Impacts

Resource Area	Effects of the Project	Best Management Practices/Mitigation
Air Quality	Minor and temporary impact on air quality will occur during construction; air emissions will remain below <i>de minimis</i> levels.	Dust Control Plan. Fire Prevention and Suppression Plan. Maintain equipment according to specifications.
Land Use and Aesthetics	Approximately 9 acres of private lands will be impacted temporarily through the use of staging areas and passing zones. There are no land use impacts within the 60-foot Roosevelt Reservation because TI implementation there is consistent with the intention of the Roosevelt Reservation. There will be a minor permanent impact on visual resources. Beneficial effects, such as reduced habitat degradation will be expected.	No mitigation necessary.
Soils	Minor impacts to soils from a loss of biological production are expected as a result of new road construction. Construction of vehicle fence will result in minimal impacts.	Dust Control Plan.
Hydrology and Groundwater	A temporary and one-time water usage will require 22 acre-feet of water, creating a negligible to minor impact on the availability of water in the region. Grading and contouring will result in short-term minor adverse impacts.	SPCCP and CM&R plans.
Surface Waters and Waters of the United States	Minor and temporary impacts on surface water resources from sedimentation and erosion caused by construction are expected. Impacts will be minimized through mitigation measures, as appropriate. Direct impact on approximately 22 potentially jurisdictional Waters of the U.S. (WUS) (0.67 acre total) and 0.3 acres of potential jurisdictional wetlands are also expected. Minor and temporary impacts on surface water resources from sedimentation and erosion are expected as a result of construction. Surface runoff potential will result in short-term minor adverse impacts on wetlands.	Mitigation for 0.3 acres potential jurisdiction wetlands, SWPPP.
Vegetation Resources	Permanent loss of 186 acres of vegetation communities due to construction of TI. Approximately 9 acres of vegetation will be temporarily impacted via the use of staging areas but will be rehabilitated upon completion of the construction activities.	Fire Suppression and Prevention Plan. Biological monitor on site during construction to ensure all BMPs and mitigation plans are followed.
Wildlife and Aquatic Resources	Negligible impact on wildlife expected. Some permanent loss of habitat. Potential loss of small mammals and reptiles during construction. There are no aquatic resources in the Project corridor.	No mitigation necessary.

Table ES-1, continued

Resource Area	Effects of the Project	Best Management Practices/Mitigation
Threatened and Endangered Species	May effect, but not likely to adversely affect five Federally listed species (Northern aplomado falcon [<i>Falco femoralis septentrionalis</i>], jaguar [<i>Panthera onca</i>], Mexican long-nosed bat [<i>Leptonycteris nivalis</i>], lesser long-nosed bat [<i>Leptonycteris cuasoae yerbabuena</i>], and New Mexico ridge-nosed rattlesnake [<i>Crotalus willardi obscurus</i>]). Likely to adversely affect the Chiricahua leopard frog (<i>Rana chiricahuensis</i>).	Disease prevention protocols will be employed if the Project is in areas known or likely to harbor chytridiomycosis.
Cultural Resources	Cultural resources surveys were completed within the Project footprint.	CBP will mitigate for impacts to cultural resources, as appropriate, in coordination with the land managers.

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