

COVER SHEET

FINAL ENVIRONMENTAL STEWARDSHIP PLAN FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF TACTICAL INFRASTRUCTURE U.S. BORDER PATROL TUCSON SECTOR, NOGALES STATION, ARIZONA

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

Coordinating Agencies: U.S. Forest Service (USFS); U.S. Army Corps of Engineers (USACE)-Los Angeles District; U.S. Fish and Wildlife Service (USFWS); and the U.S. Section, International Boundary and Water Commission (USIBWC).

Affected Location: Public and private lands east of the DeConcini Port of Entry (POE) in Nogales, Santa Cruz County, Arizona.

Project Description: The Planned Action consists of the construction of primary pedestrian and vehicle fence starting 1 mile east of the DeConcini POE and extending eastward for a total of 7.6 miles. Bollard-style primary pedestrian fence will be installed approximately 3 to 6 feet north of the U.S./Mexico border. Normandy-style vehicle fence will be installed within the Santa Cruz River floodplain and temporarily removed during each monsoon season. A road will be constructed along the border to allow installation and maintenance of the fence; due to steep terrain, the construction footprint will be up to 125 feet wide. A new access road will connect USFS Road 4903 to the border. The new road will be approximately 1.34 miles long.

Report Designation: Final Environmental Stewardship Plan (ESP)

Abstract: CBP will construct, operate, and maintain approximately 7.6 miles of tactical infrastructure, including two discrete sections of primary pedestrian fence, vehicle fence, and patrol and access roads along the U.S./Mexico international border in the USBP Tucson Sector, Nogales Station, Arizona. Segment D-5B will start approximately 1 mile east of the DeConcini POE and extend 5.2 miles eastward. Segment D-6 will extend another 2.4 miles eastward and include both primary pedestrian and vehicle fence. A new access road will be constructed through the USFS Coronado National Forest. This ESP analyzes and documents environmental consequences associated with the Planned Action.

The public may obtain additional copies of the ESP from the project Web site at www.BorderFencePlanning.com; by emailing information@BorderFencePlanning.com; or by written request to Mr. Loren Flossman, Program Manager, SBI Tactical Infrastructure, Suite 7.2C, 1300 Pennsylvania Ave, NW, Washington, DC 20229, Tel: (877) 752-0420, Fax: (703) 752-7754.

EXECUTIVE SUMMARY

BACKGROUND

United States (U.S.) Customs and Border Protection (CBP) and U.S. Border Patrol (USBP) will construct, operate, and maintain approximately 7.6 miles of tactical infrastructure (TI) along the U.S./Mexico international border in Santa Cruz County, Arizona, east of the City of Nogales, Arizona. TI will consist of primary pedestrian fence, construction/maintenance road, and improvements to existing roads within the USBP Tucson Sector. The Planned Action will occur within the USBP Nogales Station's Area of Operation (AO).

In Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Congress mandated that the U.S. Department of Homeland Security (DHS) install fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwestern border. This total includes certain priority miles of fencing in areas most practical and effective in deterring illegal entry and smuggling into the United States. Congress has mandated that these priority miles be completed by December 2008. To that end, DHS plans to complete 370 miles of pedestrian fencing and 300 miles of vehicle fencing along the southwestern 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 to meet the December 2008 deadline. These efforts support the CBP mission to prevent terrorists and terrorist weapons from entering the U.S., while also facilitating the flow of legitimate trade and travel.

On April 1, 2008, the Secretary of DHS, pursuant to his authority under Section 102(c) of IIRIRA, exercised his authority to waive certain laws that were an impediment to the expeditious construction of tactical infrastructure along the southwestern border. Although the Secretary's waiver means that CBP no longer has any specific legal obligations under these laws, the Secretary committed the Department 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.

In support of this commitment, CBP will continue to work in a collaborative manner with local government, state and federal land managers, and the interested public to identify and minimize the impact to environmentally sensitive resources.

CBP is performing an environmental review of the fencing projects and will publish the results of this analysis in Environmental Stewardship Plans (ESPs), including mitigation and Best Management Practices (BMPs) developed to minimize adverse effects to the environment. These ESPs will be developed for each USBP Sector scheduled for tactical infrastructure improvements and will address each segment of pedestrian and vehicle fencing covered by the waiver.

GOALS AND OBJECTIVES OF THE PLANNED ACTION

The goal of the project is to increase border security within the USBP Tucson Sector with an ultimate objective of reducing illegal cross-border activity. 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 Tucson Sector identified two distinct areas along the border that experience high levels of illegal cross-border activity. This activity occurs in areas near POEs where concentrated populations might live on either side of the border, are fairly remote and not easily accessed by USBP agents, contain thick vegetation that can provide concealment, or have quick access to U.S. transportation routes.

The Planned Action will help to deter illegal entries within the USBP Tucson 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.

PLANNED ACTION

The Planned Action consists of the construction of primary pedestrian and vehicle fence starting 1 mile east of the DeConcini POE and extending eastward for a total of 7.6 miles. The fence will be installed approximately 3 to 6 feet north of the U.S./Mexico border. USBP will construct a bollard style fence for the primary pedestrian fence. The performance measures of such a design dictate that the fence must: extend 15 to 18 feet above ground and several feet below ground; be capable of withstanding an impact from a 10,000-pound gross weight vehicle traveling at 40 miles per hour; be semi-transparent, as dictated by operational need; be designed to survive extreme climate changes of a desert environment; be designed to allow movement of small animals from one side to the other; and not impede the natural flow of water. A Normandy-style vehicle fence will be installed within the floodplain of the Santa Cruz River, so that it could be removed prior to each monsoon season and replaced shortly after flood flows subside.

A road will be constructed adjacent to the border to allow installation and future maintenance of the fence, as well as for patrols and other operations. The construction footprint of this road will encompass a 60- to 125-foot wide corridor. In order to facilitate operation of equipment, staging of materials, and construction access to the project corridor, four temporary staging areas and three existing access roads will be used. One of these will be a new road that will be constructed to connect USFS Road 4903 to the border, near the eastern end of the project corridor.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

Table ES-1 provides an overview of potential environmental impacts by specific resource areas. Chapters 3 through 12 of this ESP address these impacts in more detail. CBP followed specially developed design criteria to reduce adverse environmental impacts and will implement 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 conserve 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 whenever possible. 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. BMPs relative to wildlife populations and their habitats are described in detail in Appendix B of this document.

Table ES-1. Summary of Anticipated Environmental Impacts

Resource Area	Effects of the Project	Best Management Practices/Mitigation
Air Quality	Minor and temporary impacts 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.
Noise	Minor temporary increases to ambient noise during construction activities will occur.	Equipment will be operated on an as-needed basis. A majority of the activities will occur away from population centers.
Land Use, Recreation, and Aesthetics	Beneficial effects, such as reduced vandalism, habitat degradation, debris left by IAs, and wildfires will be expected.	No mitigation needed.
Soils	Minor to moderate impact on soils. No prime or unique farmland soils will be impacted.	Dust Control Plan. SWPPP.
Hydrology and Groundwater	A temporary and one-time water usage will require 7.6 acre-feet of water. There will be a negligible to minor impact on the availability of water in the region. Grading and contouring will result in short-term minor adverse impacts.	SPCC and CM&R plans.

Table ES-1. continued

Resource Area	Effects of the Project	Best Management Practices/Mitigation
Surface Waters and Waters of the United States	Minor and temporary impacts on surface water resources from sedimentation and erosion caused by construction. Surface runoff potential will result in short-term minor adverse impacts on wetlands. Impacts to 1.0 acre of unvegetated Waters of the U.S. (WUS) will occur at 27 stream crossings.	Mitigation measures pertaining to WUS crossings include minimizing construction time in drainage areas, incorporating energy dissipation designs into drainage crossings, requiring nonessential construction to avoid crossing wetland areas, storing and returning the top foot of soil from WUS areas to preserve root stock for regrowth.
Floodplains	Direct, minor impact on floodplains at Santa Cruz River.	Installation of vehicle fence, rather than primary pedestrian fence within the floodplain. Remove the vehicle fence prior to monsoon season.
Vegetation Resources	Minor to moderate impact on vegetation communities (116 acres), primarily desert grassland/scrub habitats. Less than 2 acres of cottonwood-willow riparian corridor will be affected, but is considered a moderate impact due to the scarcity of this resource.	Fire Suppression and Prevention Plan. Biological monitor on site during construction to ensure all appropriate BMPs and mitigation plans are followed. Consider replanting cottonwood-willow saplings.
Wildlife and Aquatic Resources	Fragmentation of wildlife habitat for large mammals will occur along the corridor where primary pedestrian fence is installed. Bollard-style fence will minimize impact for other small animals. Beneficial impact on wildlife populations is anticipated as a result of protecting habitat from IA traffic.	Surveys of nesting migratory birds will be conducted and migratory bird nests, including burrowing owl burrows, will be flagged and avoided, to the extent practicable. Use of vehicle fence at Santa Cruz River will minimize fragmentation effects for larger mammals. See general BMPs in Appendix B.
Threatened and Endangered Species	Pima pineapple cactus, Chiricahua leopard frog, Huachuca water umbel, jaguar and lesser long-nosed bat may be affected but is not likely to be adversely affected by the planned actions.	CBP will implement BMPs for these species, such as the use of biological monitors during construction, limited night-time construction, avoidance of bat roots, and salvage of Pima pineapple cacti (when off-site conservation opportunities are not available). See general and other species-specific BMPs in Appendix B.
Cultural Resources	No impacts are expected.	No mitigation needed.
Hazardous Material	No impacts are expected.	SPCCP will be implemented.

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