

PROPOSED FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment
for the Proposed SBInet Tucson West Project
Ajo, Tucson, Casa Grande, Nogales, and Sonoita Stations Areas of Operation,
U.S. Border Patrol, Tucson Sector, Arizona

1 **PROJECT HISTORY:** The Secure Border Initiative (SBI) is a comprehensive, multi-
2 year plan established by the Department of Homeland Security (DHS) in November
3 2005 to secure America's borders and reduce illegal immigration. The DHS Secretary
4 created SBI to bring clarity of mission, effective coordination of DHS assets, and greater
5 accountability in securing the Nation's borders. The SBI mission is to promote border
6 security strategies that protect against and prevent terrorist attacks and other
7 transnational crimes. Additionally, the SBI initiative will coordinate DHS efforts to
8 ensure the legal entry and exit of people and goods moving across our borders, and
9 improve the enforcement of immigration, customs, and agriculture laws at our borders,
10 within the country, and abroad.

11
12 SBInet is the component of SBI charged with developing and installing technology and
13 tactical infrastructure (TI) solutions to gain operational control of our Nation's borders.
14 The goal of SBInet is to field the most effective, proven technology, infrastructure,
15 personnel, and response platforms, and integrate them into a single, comprehensive
16 border security suite for DHS.

17
18 Customs and Border Protection (CBP) will deploy a mix of technology, TI, and
19 personnel based on operational need to gain control of each diverse mile of the United
20 States (U.S.) border. Operational control exists when CBP is consistently able to: (1)
21 detect illegal entries into the U.S.; (2) identify and classify these entries to determine the
22 level of threat involved; (3) efficiently and effectively respond to these entries; and, (4)
23 bring each event to an appropriate law enforcement resolution.

24
25 The Environmental Assessment (EA) was prepared in compliance with provisions of the
26 National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S. Code [U.S.C.].
27 4332, *et seq.*), the Council on Environmental Quality's (CEQ) NEPA implementing
28 regulations at 40 Code of Federal Regulations (CFR) Part 1500, and DHS
29 Environmental Planning Management Directive 5100.1 (71 Federal Register [FR]
30 16790).

31
32 The EA analyzes various aspects of a proposed project that would be carried out under
33 SBI and be implemented as a part of the SBInet program. It addresses the potential
34 direct and indirect effects, beneficial and adverse, of the proposed construction,
35 installation, operation, and maintenance of a system of sensor and communication
36 towers, which include associated access roads, communications components, and a
37 combination of sensor and communication components on towers within the U.S.
38 Border Patrol (USBP) Ajo, Casa Grande, Tucson, Nogales and Sonoita stations' Areas
39 of Operation (AO) in southwest Arizona

40

1 **PROJECT LOCATION:** The proposed project area generally lies within a corridor
2 south of Tucson, Arizona with towers located east and west of Interstate-19. Several
3 proposed towers also lie to the east of the Cabeza Prieta Wilderness Area and a few
4 can be found near the towns of Casa Grande, Sasabe, and Sierra Vista, Arizona and
5 near the City of Tucson. All proposed towers are within the counties of Cochise, Pima,
6 Maricopa, Pinal, and Santa Cruz, Arizona.

7
8 **PURPOSE AND NEED:** The purpose of the proposed action is to employ technological
9 infrastructure capable of providing a more efficient and effective means of assessing
10 illegal entrants (IE) activities along the border, including rapid detection, accurate
11 characterization of the potential threat, coordinated tracking, and deployment of
12 appropriate resources in the apprehension of IEs. The proposed project would
13 establish and maintain operational control of the U.S. border along the approximately 81
14 miles of border in the Tucson Sector, encompassing border zones in and around
15 Tucson, Nogales, and Sonoita stations, as well as portions of Ajo and Casa Grande
16 stations.

17
18 This *SBI*net Tucson West project is proposed to meet the stated purpose and need by:

- 19 • Installing and upgrading technology and infrastructure components to give USBP
20 agents ability to gain, maintain, and strengthen control of the border within
21 proximity of the international boundary;
- 22 • Including improved surveillance technology solutions to enhance border
23 enforcement capabilities;
- 24 • Applying surveillance technologies that would refine detection, interception, and
25 apprehension of IEs, smugglers, and terrorists; and
26
- 27 • Reducing crime in border communities by detecting, apprehending, and deterring
28 smugglers of humans, drugs, and other contraband.

29
30 **ALTERNATIVES:** Two alternatives were considered: No Action Alternative, and
31 Proposed Action Alternative. Other alternatives considered but rejected and not further
32 analyzed in this EA were the use of:

- 33
- 34 • Unmanned air vehicles;
- 35 • Remote sensing satellites;
- 36 • Unattended ground sensors;
- 37 • Increased workforce; and
- 38 • Increased aerial reconnaissance/operations

39
40 **No Action Alternative:** The No Action Alternative describes future circumstances if the
41 proposed sensor and communications tower installation does not take place, and can
42 be characterized as the continuation of current practices and procedures. While the No
43 Action Alternative does not satisfy the stated purpose and need, its inclusion in this EA

1 is required by NEPA regulations as a basis of comparison to the anticipated effects of
2 the proposed action.

3
4 **Proposed Action Alternative:** The Proposed Action includes the construction,
5 operation, and maintenance of 57 fixed, sensor and communication towers and
6 associated access roads, which create a communications network for CBP and other
7 Federal, state, and local partners outside CBP. The 57 towers included in the Proposed
8 Action contain upgrades to 12 existing towers (seven existing USBP towers, one tower
9 located at the new proposed Ajo station, and four existing commercial towers). All of
10 the 57 proposed towers supporting the COP are assessed as part of the cumulative
11 impacts section in this EA. Impacts resulting from the construction of the 45 new towers
12 and the retrofit/replacement of 11 of the 12 existing towers are fully assessed in this EA;
13 however, upgrades to the existing towers are considered to be environmentally benign
14 due to the fact the areas are currently disturbed and no further ground disturbance
15 would occur. One of the 12 towers is actually a replacement tower which would be
16 located at the new Ajo Station. The station is currently under construction. This tower
17 would be located within an area which has already been fully analyzed under a previous
18 EA. The remaining 11 towers would only receive retrofits or upgrades to the current
19 tower communications hardware arrays. Access roads in and near the 45 remaining
20 proposed towers would be constructed or improved as necessary. Additionally, three
21 main storage areas as well as individual staging areas at each proposed tower site
22 would be utilized for tower and associated access road work.

23
24 In general, a typical new tower in the Tucson West SBI^{net} tower project would:

- 25
- 26 • be 80 to 200 feet 6 inches high;
- 27 • have no larger than a 80-foot X 80-foot permanent site footprint;
- 28 • have an equipment shelter with an approximately 8-foot X 12-foot footprint;
- 29 • have perimeter fencing;
- 30 • not have guy wires; and
- 31 • have commercial grid power where available, or a propane-solar hybrid
32 generator system; and a 1,000 gallon propane fuel tank.
- 33

34 **ENVIRONMENTAL CONSEQUENCES:** Implementation of the Proposed Action would
35 permanently disturb approximately 30 acres for the construction of all towers and roads.
36 Additionally, approximately 79 acres would be temporarily disturbed during construction
37 activities for all proposed towers and access roads. The proposed tower sites are
38 located predominately in rangeland, agricultural lands and Federally owned lands. The
39 Proposed Action would have adverse impacts on cultural resources at five newly
40 recorded sites; however, the preparation and implementation of a site testing plan would
41 mitigate these effects through data recovery. Aesthetic resources would be
42 permanently impacted, and these resources are currently impacted by existing
43 structures, or are in remote areas. One tower site on National Park Service land at a
44 developed site, which would have minor impacts. All other tower and road impacts
45 would be considered insignificant. CBP is coordinating with the National Park Service

1 to minimize impacts to associated with the National Park Service tower site. Ten
2 proposed tower sites are within the critical habitat for the Mexican spotted owl and TCA-
3 SON-056 is within critical habitat for the Huachuca water umbel. CBP has determined
4 that the Proposed Action may affect but not likely to adversely affect 10 species;
5 however, the Proposed Action may affect and is likely to adversely affect the Mexican
6 spotted owl and Pima pineapple cactus. Consultation with U.S. Fish and Wildlife
7 Services (USFWS) is ongoing. No impacts to floodplains from access roads would
8 occur with implementation of the Proposed Action. Additionally, the Proposed Action
9 would have temporary and minor impacts to air, roadways and traffic, and ambient
10 noise levels during construction activities. A total of 37 potential Waters of the U.S.
11 would be impacted as a result of the Proposed Action. Construction and other road
12 improvements within these washes are authorized under a Nationwide Permit 14. No
13 utilities would be impacted as a result of the Proposed Action although long-term
14 benefits to socioeconomics could occur.

15
16 Additionally, the proposed project would result in overall beneficial impacts within the
17 region through a reduction in illegal activities. IE traffic tramples vegetation and wildlife
18 habitat and disturbs soils and previously unknown cultural resources. The proposed
19 project would reduce IE traffic, thereby reducing erosion and compaction in soils
20 resulting in protection to unstable soils from wind and water erosion. With smaller
21 amounts of IE traffic there would be also be a reduction in garbage and abandoned cars
22 throughout the surrounding desert region and less impacts to vegetation and wildlife
23 habitat would occur. Also, a decrease in border area crime rates and fewer impacts to
24 previously unknown cultural resources would be expected from the reduction in illegal
25 activities.

26
27 No significant adverse effects to the natural or human environment, as defined in 40
28 CFR Section 1508.27 of the CEQ's Regulations for Implementing NEPA, are expected
29 upon implementation of the Proposed Action.

30
31 **MITIGATION:** Mitigation measures are identified for each resource category that could
32 be potentially affected. Many of these measures have been incorporated as standard
33 operating procedures by USBP in similar past projects. It is USBP policy to mitigate
34 adverse impacts through a sequence of avoidance, minimization, and compensation.
35 These mitigation measures detailed below will be incorporated into a Site Management
36 Plan. The following measures will be employed to mitigate impacts as identified in this
37 project's EA.

38
39 General Construction Activities

40 Best management practices (BMPs) will be implemented as standard operating
41 procedures during all construction activities, and will include proper handling, storage,
42 and/or disposal of hazardous and/or regulated materials. To minimize potential impacts
43 from hazardous and regulated materials, all fuels, waste oils and solvents will be collected
44 and stored in tanks or drums within a secondary containment system that consists of an
45 impervious floor and bermed sidewalls capable of containing the volume of the largest

1 container stored therein. The refueling of machinery will be completed in accordance with
2 accepted industry and regulatory guidelines, and all vehicles will have drip pans during
3 storage to contain minor spills and drips. Although it is unlikely that a major spill would
4 occur, any spill of reportable quantities will be contained immediately within an earthen
5 dike, and the application of an absorbent (e.g., granular, pillow, sock, etc.) will be used to
6 absorb and contain the spill. To ensure, oil pollution prevention, a Spill Prevention
7 Containment and Countermeasures Plan (SPCCP) will be in place prior to the start of
8 construction activities and all personnel will be briefed on the implementation and
9 responsibilities of this plan as is typical in CBP/SBI projects. All spills will be reported to
10 the designated OBP point of contact for the project. Furthermore, a spill of any petroleum
11 liquids (e.g., fuel) or material listed in 40 CFR 302 Table 302.4 of a reportable quantity
12 must be cleaned up and reported to the appropriate Federal and state agencies.

13

14 All waste oil and solvents will be recycled. All non-recyclable hazardous and regulated
15 wastes will be collected, characterized, labeled, stored, transported, and disposed of in
16 accordance with all applicable Federal, state, and local regulations, including proper
17 waste manifesting procedures.

18

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

23

24 Soils

25 Vehicular traffic associated with the tower and access road construction activities and
26 operational support activities will remain on established roads to the maximum extent
27 practicable. Areas with highly erodible soils will be given special consideration when
28 designing the proposed project towers and access roads to ensure incorporation of
29 various erosion control techniques such as, straw bales, silt fencing, aggregate materials,
30 wetting compounds, and rehabilitation, where possible, to decrease erosion. Site
31 rehabilitation will include re-vegetating or the distribution of organic and geological
32 materials (i.e., boulders and rocks) over the disturbed area to reduce erosion while
33 allowing the area to naturally vegetate. Additionally, erosion control measures and
34 appropriate BMPs, as required and promulgated through the Stormwater Pollution
35 Prevention Plan (SWPPP) and engineering designs, will be implemented before, during,
36 and after construction activities.

37

38 Road maintenance shall avoid, to the greatest extent practicable, creating wind rows with
39 the soils once grading activities are completed. Excess soils from construction activities
40 will be used on-site to raise and shape proposed tower sites and road surfaces.

41

42 Vegetation Resources

43 Native seeds or plants, which are compatible with the enhancement of protected species,
44 will be used to the extent practicable, as required under Section 7(a)(1) of the

1 Endangered Species Act (ESA) to revegetate staging areas and other temporarily
2 disturbed areas.

3
4 Construction equipment will be cleaned at the temporary staging areas, in accordance
5 with BMPs, prior to entering and departing the project corridor to minimize the spread and
6 establishment of non-native invasive plant species.

7
8 Wildlife Resources

9 The Migratory Bird Treaty Act (16 U.S.C. 703-712, [1918, as amended 1936, 1960, 1968,
10 1969, 1974, 1978, 1986 and 1989]) requires that Federal agencies coordinate with the
11 USFWS if a construction activity would result in the take of a migratory bird. If
12 construction or clearing activities are scheduled during nesting seasons (February 15
13 through August 31); surveys will be performed to identify active nests. If construction
14 activities will result in the take of a migratory bird; then coordination with the USFWS,
15 Federal Aviation Administration (FAA), and Arizona Game and Fish Department (AGFD) will
16 be required and applicable permits would be obtained prior to construction or clearing
17 activities. Another mitigation measure that would be considered is to schedule all
18 construction activities outside nesting seasons negating the requirement for nesting bird
19 surveys. The proposed sensor and communication towers would also comply with
20 USFWS guidelines for reducing fatal bird strikes on communication towers (USFWS
21 2000) to the greatest extent practicable. Guidelines recommend co-locating new
22 antennae arrays on existing towers whenever possible and to build towers as short as
23 possible, without guy wires or lighting, and use white strobe lights whenever lights are
24 necessary for aviation safety.

25
26 Helicopter deployment would occur at one tower and may potentially occur at two other
27 proposed tower sites. To reduce any possible impacts to wildlife, helicopter use should
28 be limited to daylight hours and hovering should be avoided, to the greatest extent
29 possible.

30
31 Protected Species

32 Several BMPs have been established to decrease any potential impacts to Federal and
33 state protected species. CBP is responsible for carrying out the following BMPs:

- 34
- 35 • Construction equipment will be cleaned prior to entering and departing the project
36 area to minimize the spread and establishment of non-native invasive plant
species.
 - 37 • Soil disturbances in temporary impact areas will be re-vegetated with native
38 vegetation from nursery stock or seed.
 - 39 • To minimize critical habitat impacts, construction and maintenance vehicle travel
40 will be restricted to the existing roads under most circumstances.
 - 41 • Facilities, including roads will maintain a distance of 0.5 mile from cienegas
42 containing water umbel habitat.

- 1 • CBP actions with the potential to impact topminnow habitat will include
2 coordination with involved land management agencies, landowners, and the
3 AGFD and USFWS.
- 4 • CBP activities will maintain a distance of at least 0.5 mile away from known Gila
5 topminnow and Sonora chub habitat.
- 6 • CBP activities including land clearing and tower implementation, will maintain a
7 distance of 1,650 feet away from aquatic salamander habitat including stock
8 tanks.
- 9 • Access roads to proposed tower sites will avoid routes which cross seasonal or
10 perennial waterways, to the extent practicable.
- 11 • CBP will use existing roads within the Buenos Aires National Wildlife Refuge
12 (BANWR) when executing activities which have the potential to impact areas
13 occupied by masked bobwhite quail, or areas deemed to be high quality habitat.
- 14 • CBP activities which require land clearing, the use and production of artificial light
15 and noise, will avoid habitat deemed suitable for Mexican spotted owl, and
16 activities will remain within 1.0 mile of known Primary Activity Centers (PAC).
17 Proposed tower structures will not be located near nest sites and known foraging
18 areas, and that any roads used to service towers are closed to other access to
19 minimize disturbance from increased human activity. CBP activities carried out
20 within suitable owl habitat will occur during daylight hours in order to minimize
21 disturbance to this nocturnal species.
- 22 • CBP activities, especially those requiring land clearing will avoid riparian
23 vegetation communities, particularly between June through September, during
24 migration and the breeding season of the yellow-billed cuckoo.
- 25 • CBP activities occurring in suitable jaguar habitat will use existing roads to avoid
26 further fragmentation of habitat, and avoid the use of lights or generators in
27 jaguar habitat, which may disturb and discourage jaguars from occupying or
28 traveling through specific areas.
- 29 • All contractors, work crews (including National Guard and military personnel),
30 and CBP personnel in the field performing construction and maintenance
31 activities would receive training. Training would provide information on the
32 habitat and behavior of the specific sensitive species found in the area, including
33 information on how to avoid impacts to these species resulting from construction
34 and operational activities. It will be the responsibility of the construction project
35 manager(s) to ensure that their personnel are familiar with general BMP, the
36 specific conservation measures presented here, and other limitations and
37 constraints. In addition, training in identification of non-native invasive plants and
38 animals should be provided for contracted personnel engaged in follow-up
39 monitoring of construction sites.
- 40 • Road maintenance and repair would not widen any driving surface;

- 1 ➤ The removal of roadside vegetation would be limited to only those
2 portions of plants necessary to allow the passage of vehicles, material,
3 and equipment;
- 4 ➤ All access routes into and out of the disturbance area should be
5 flagged, and no travel outside of those boundaries should be
6 authorized;
- 7 ➤ Road maintenance shall avoid, to the extent practicable, making wind
8 rows with the soils once grading activities are completed, and any
9 excess soils will be used on-site to raise and shape the tower site
10 and/or road surface;
- 11 ➤ To the extent practicable, areas already disturbed by past activities or
12 those that will be used later in the construction period should be used
13 for staging, parking, and equipment storage;
- 14 ➤ The perimeter of all areas to be disturbed during construction should
15 be clearly demarcated using flagging, and no disturbance outside that
16 perimeter should be authorized;
- 17 ➤ The area to be disturbed should be minimized by limiting deliveries of
18 materials and equipment to only those needed for effective project
19 implementation;
- 20 ➤ Within the designated disturbance area, grading or topsoil removal
21 should be limited to areas where this activity is needed to provide the
22 ground conditions necessary for construction or maintenance activities;
- 23 ➤ Any vegetation removal outside the actual tower site should be
24 minimized, and vegetation should be removed using hand tools or
25 controlled by mowing; and
- 26 • The number of vehicles traveling to and from the project site and the number of
27 trips per day should be minimized to reduce the likelihood of disturbing animals in
28 the area or injuring an animal on the road. Construction speed limits should not
29 exceed 35 miles per hour (mph) on major unpaved roads (graded with ditches on
30 both sides) and 25 mph on all other unpaved roads. Night time travel speeds
31 should not exceed 25 mph, or less based on visibility and other safety
32 considerations.
- 33 • Transmission of disease vectors and invasive non-native aquatic species can
34 occur if vehicles cross infected or infested streams or other waters and water or
35 mud remains on the vehicle. If these vehicles subsequently cross or enter
36 uninfected or uninfested waters, the disease or invasive species may be
37 introduced to the new area. To prevent this, crossing of streams or marsh areas
38 with flowing or standing water should be avoided, and if not, the vehicle sprayed
39 with a 10 percent bleach solution or allowed to dry completely to kill any
40 organisms. Construction equipment will be cleaned at the temporary staging
41 areas, in accordance with BMPs, prior to entering and departing the project

1 corridor to minimize the spread and establishment of non-native invasive plant
2 species.

- 3 • Area restrictions are intended to prevent impacts to individuals and habitats
4 occurring near the Proposed Action (Table 1).

5

6

Table 1. Area Restrictions for Potentially Affected Species

SPECIES	RESTRICTION	PURPOSE
Mexican spotted owl	No habitat disturbance or facilities constructed within 1 mile of a PAC	To protect the integrity of habitat components within the PAC
Yellow-billed cuckoo	Avoid removing more than 10 percent of vegetation from a habitat area, or reducing it to below 25 acres in size	To protect nesting habitat and maintain suitable territory size
Chiricahua leopard frog	No handling, storage, or disposal of hazardous and regulated materials within 0.3 miles of potentially occupied habitats	To avoid pollution of habitat
Sonora tiger salamander	No handling, storage, or disposal of hazardous and regulated materials within 0.3 miles of potentially occupied habitats	To avoid pollution of habitat
	No activities within 0.1 mile of occupied habitat	To protect terrestrial salamanders from death or injury

7

- 8 • Seasonal restrictions are intended to prevent impacts to individuals and habitats
9 occurring during breeding seasons (Table 2).

10

11

Table 2. Seasonal Restrictions for Potentially Affected Species

SPECIES	RESTRICTION	PURPOSE
Masked bobwhite	No activity August 1 to November 1 within potential habitat	Avoid disturbance to breeding and nesting areas
Mexican spotted owl	No activity March 1 to August 31 within 1 mile of a PAC	Avoid disturbance to breeding and nesting areas
Yellow-billed cuckoo	No activity June 1 to September 30 within 500 feet of nesting habitat	Avoid disturbance to migration and breeding areas
Lesser long-nosed bat	No activity May 1 to September 30 within 5 miles of roost site	Avoid disturbance to maternity roosts and summer roosts
Chiricahua leopard frog	Close roads March 1 to October 31 within 0.1 mile of known populations	Avoid killing adults and sub-adults

12

- 13 • On-site monitors would be required where there is potential for the Proposed
14 Action to disturb protected species or damage their habitats. Biological monitors
15 would provide on-site knowledge of the intent of all conservation measures and
16 would be able to consult construction project managers on appropriate actions.
17 Duties of the biological monitor may include ensuring that activities stay within
18 designated project footprints, evaluating the response of individuals that come

1 near the project site and implementing the appropriate action. Biological
2 monitor(s) shall stop any job activity that may harm or harass protected species.

- 3 • Disturbed areas that supported native vegetation prior to construction and are not
4 needed for operations should be returned to pre-disturbance conditions once
5 construction is completed. Appropriate techniques to re-contour the site, replace
6 soils, and restore proper drainage should be implemented. Follow-up monitoring
7 should be conducted to identify the establishment of non-native plants. Removal
8 of non-native plants should be done in ways that eliminate the entire plant and
9 remove all plant parts to a disposal area. Herbicides can be used according to
10 label directions if they are not toxic to Federally-listed species that may be in the
11 area. Training to identify non-native and invasive species will be provided for
12 CBP personnel or contractors as necessary.
- 13 • A reduction of illegal cross-border activity in habitats occupied by sensitive
14 species would result in reduced disturbance and habitat degradation. Placement
15 of cameras or other sensor technologies that result in IE traffic avoiding a
16 sensitive area could provide benefits for some species.
- 17 • Potential mitigation for unavoidable adverse effects to the Mexican spotted owl
18 and Critical Habitat include:
 - 19
 - 20 ➤ Funding to contribute to fuels reduction programs that are in
21 compliance with the Recovery Plan.
 - 22 ➤ Provide funds for monitoring known PACs and/or inventorying suitable
23 habitat.
- 24 • Potential mitigation for the take of Pima pineapple cactus and loss or degradation
25 of potential habitat include:
 - 26 ➤ Development and implementation of a method to define the amount of
27 ongoing disturbance from CBP activities, particularly by patrol
28 operations.
 - 29 ➤ Compensation for habitat degradation or loss should be provided on a
30 1 acre to 1 acre basis in either an established conservation bank or a
31 new one set up for CBP purposes.
 - 32

33 Cultural Resources

34 A site testing plan for the sites that have unknown eligibility status is being developed
35 through consultation with CBP, the land manager and Arizona State Historic Preservation
36 Office (SHPO) to ascertain eligibility status for National Register of Historic Places (NRHP).
37 In addition, archaeological monitoring for NRHP-eligible sites adjacent to the access
38 roads and tower compound areas would be conducted during construction.
39 Archaeologists would delineate all NRHP eligible sites to ensure no adverse affects would
40 occur to those significant resources through the development of an Memorandum of
41 Agreement (MOA) for data recovery. Archaeologists would delineate all NRHP eligible
42 sites to assure no adverse impacts would occur to those significant resources.

1 Archaeologists would also provide in-field awareness training to construction personnel to
2 ensure avoidance. All construction will be restricted to previously surveyed areas. If any
3 cultural material is discovered during construction, Arizona SHPO, as appropriate, will be
4 notified immediately and all activities halted in that area until a qualified archaeologist
5 assesses the cultural remains. Additionally, *SBI*net will complete the Section 106 process
6 prior to the start of any construction activities.

7
8 Water Resources

9 Standard construction procedures will be implemented to minimize potential for erosion
10 and sedimentation during construction. All work shall cease during heavy rains and
11 would not resume until conditions are suitable for the movement of equipment and
12 material. All fuels, waste oils, and solvents will be collected and stored in tanks or drums
13 within secondary containment areas consisting of an impervious floor and bermed
14 sidewalls capable of holding the volume of the largest container stored therein. The
15 refueling of machinery will be completed following accepted guidelines, and all vehicles
16 will have drip pans during storage to contain minor spills and drips. No refueling or
17 storage will take place within 100 feet of drainages. Other environmental design
18 measures will be implemented such as straw bales, silt fencing, aggregate materials,
19 wetting compounds, and re-vegetation with native plant species, where possible, to
20 decrease erosion and sedimentation. Furthermore, a SWPPP will be completed before
21 implementation of construction activities.

22
23 Road improvement activities in wash or drainage crossings shall not impede the flow of
24 affected water courses.

25
26 Air Quality

27 Mitigation measures will be incorporated to ensure that fugitive dust emission levels do
28 not rise above the minimum threshold as required per 40 CFR 51.853(b)(1). Measures
29 will include dust suppression methods such as road watering to minimize airborne
30 particulate matter created during construction activities. Standard construction BMPs
31 such as routine watering of the construction site as well as access roads to the site will be
32 used to control fugitive dust and thereby assist in limiting potential particulate matter
33 measuring less than 10 microns (PM-10) excursions during the construction phase of the
34 proposed project. Additionally, all construction equipment and vehicles will be required to
35 be maintained in good operating condition to minimize exhaust emissions.

36
37 Noise

38 During the construction phase, short-term noise impacts are anticipated. All applicable
39 Occupational Safety and Health Administration regulations and requirements will be
40 followed. On-site activities would be restricted to daylight hours to the greatest extent
41 practicable although nighttime construction could occur if CBP schedules are constrained.
42 Construction equipment will possess properly working mufflers and would be kept
43 properly tuned to reduce backfires. Implementation of these measures will reduce the
44 expected short-term noise impacts to an insignificant level in and around tower
45 construction sites.

1 Hazardous Materials

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

7

8 **FINDING:** Based upon the analyses of the EA and the mitigation measures to be
9 incorporated as part of the Proposed Action, it has been concluded that the Proposed
10 Action will not result in any significant effects to the environment. Therefore, no further
11 environmental impact analysis is warranted.

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19 _____
20 Robert F. Janson
21 Acting Executive Director
22 Facilities Management and Engineering
U.S. Customs and Border Protection

Date