

**FINAL FINDING OF NO SIGNIFICANT IMPACT
FOR
THE NEW FREER BORDER PATROL STATION AND BORDER PATROL
CHECKPOINT
U.S. BORDER PATROL, LAREDO SECTOR, TEXAS
U.S. CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON, D.C.**

INTRODUCTION: The Department of Homeland Security's (DHS) U.S. Customs and Border Protection (CBP), has prepared an Environmental Assessment (EA) addressing the potential effects, beneficial and adverse, resulting from the proposed construction and operation of a new U.S. Border Patrol (USBP) Station and Border Patrol Checkpoint (BPC) in Freer, Texas.

The proposed new Border Patrol Station (BPS) would be constructed to accommodate 250 agents and would replace the current Freer BPS, which does not have the capacity to meet current and future needs for USBP operations in the area. The existing checkpoint is disjunct from the existing BPS and does not meet the need of the USBP in regards to the Border Patrol Strategic Plan. Therefore, the new BPS, BPC, and associated supporting infrastructure are designed for continuous operation in support of the Border Patrol Strategic Plan to gain and maintain effective control of the borders of the United States.

The proposed new station would include some or all of the following components:

- Main administration building
- Four-bay vehicle maintenance facility
- Security borders
- Support building area
- Special operations
- Sensor shop
- 2,400 square foot Command Center (C2)
- Squad room
- Training facility
- Field support and communications
- All-terrain vehicle (ATV) operations and storage shed
- Alien processing and detention space
- Physical plant support
- Treated water well and anaerobic septic system
- Four to six remote video surveillance system (RVSS) cameras per tower
- Border patrol checkpoint
- FIPS201/HSPD-12 compliant security systems
- Fifty-yard outdoor firing range with parking
- Two-bay carwash facility
- Security lighting
- 8-foot high chain link security fencing
- Storm water retention system
- Communication building
- Weapons cleaning station
- 100-foot high communications tower
- Kennels for canines
- Equestrian facilities for 10 horses
- Fully functional heliport facility
- Parking area and vehicle impound lot
- Facility maintenance and administrative spaces
- Fuel islands

PROJECT LOCATION: The proposed BPS and BPC would be constructed southwest of the city of Freer, Texas, approximately 63 miles north of the U.S.-Mexico border at Laredo, Texas. Freer is located in the southern portion of Texas, in Webb County, and is considered to be within the South Texas Plains ecoregion.

PURPOSE AND NEED: CBP and USBP propose the construction, operation, and maintenance of a new BPS and BPC in the Freer Station Area of Responsibility (AOR) for the purpose of facilitating the primary goals and objectives of USBP's strategy, which include the addition of as-needed new agents and personnel. The need for the new BPS and BPC is due to the increasing number of agents that have been required to operate in the Freer AOR to effectively support USBP's mission. The proposed installation of an upgraded permanent facility will address the occupational health, safety, security, and operational deficiencies that are found at the existing Freer BPS and will effectively anticipate and adapt to future law enforcement challenges following the development of I-69.

ALTERNATIVES: CBP analyzed two alternatives in the Environmental Assessment (EA). Alternative 1 is the Proposed Action. The Proposed Action would construct a new Freer BPS and BPC on an approximately 45-acre parcel of land west of Freer, Texas. Based upon potential site designs, it has been determined that a 45-acre project site is sufficient to construct the BPS main administrative building, the adjacent covered BPC, and associated infrastructure including a fueling station, communications tower, parking area, and maintenance facility. In addition to the construction of the new BPS and BPC, the Proposed Action also includes the demolition and removal of the existing BPC located adjacent to the northeast corner of the 45-acre project site. The current BPS is located on Highway 44 in Freer, Texas. The existing station is located on General Services Administration (GSA) leased property and is the responsibility of the GSA.

Alternative 2 is the No Action Alternative, which would preclude the construction, operation, and maintenance of a new BPS and BPC. The existing station would continue to be inadequate for the support of operations within the Freer AOR, and would have to accommodate the projected increase in USBP agents, but would not be able to do so while operating in an effective manner. Consequently, this alternative would hinder USBP's ability to respond to high-levels of illegal border-related activity. The No Action Alternative does not meet the purpose and need for the proposed project, but will be carried forward for analysis, as required by CEQ regulations. The No Action Alternative describes the existing conditions in the absence of the Proposed Action.

ENVIRONMENTAL CONSEQUENCES: The Proposed Action would have permanent, negligible impacts on land use. Approximately 45 acres would be permanently converted from undeveloped land to law enforcement facilities. Temporary, minor impacts would be expected on surface water quality as a result of erosion and sedimentation during construction activities. The withdrawal of water through ground water sources for construction purposes could have a temporary, minor impact. No jurisdictional wetlands would be impacted by construction of the BPS and BPC. Best management practices (BMPs) and standard construction procedures will be implemented to minimize the potential for erosion and sedimentation during construction.

Permanent, although minor impacts, would occur on soils and vegetative habitat as a result of disturbing 45 acres for the construction of the new BPS and BPC. The permanent loss of 45 acres to the new BPS and BPC would have a negligible impact on local wildlife. The Proposed Action is not likely to impact any of the Federally listed species. No designated critical habitat occurs within the construction footprint.

No historic properties would be impacted by implementation of the Proposed Action. Temporary and minor increases in air emissions would occur during construction of the BPS and BPC. Air emissions would be below the Federal *de minimis* thresholds for construction, operation, maintenance, and repair activities. The proposed project site is located in a remote area, far from residential homes or National Wildlife Refuges, and noise level increases associated with construction equipment would result in temporary, negligible impacts. Negligible demands on utilities would be required as a result of the Proposed Action.

Construction of the BPS and BPC would create long-term, minor impacts on roadways and traffic within the region. Vehicular traffic would increase near the proposed site to transport materials and work crews during construction activities. An increase in the number of USBP agents traveling to the new BPS and BPC would also occur after construction has completed.

BEST MANAGEMENT PRACTICES: Best Management Practices were identified for each resource category that could be potentially affected. Many of these measures have been incorporated as standard operating procedures by CBP in similar past projects. The BMPs were also identified in the EA in Section 5.

FINDING: On the basis of the findings of the EA, which is incorporated by reference, and which has been conducted in accordance with the National Environmental Policy Act, the Council on Environmental Quality regulations, and DHS Directive Number 023-01, Rev.01, and DHS Instruction Manual 023-01-001-01, Rev. 01, Implementation of the National Environmental Policy Act and after careful review of the potential environmental impacts of implementing the proposal, we find there would be no significant impact on the quality of the human or natural environments, either individually or cumulatively; therefore, there is no requirement to develop an Environmental Impact Statement. Further, we commit to implement BMPs and environmental design measures identified in the EA and supporting documents.

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