



**FINAL**

**ENVIRONMENTAL ASSESSMENT  
FOR A NEW CENTRAL PROCESSING CENTER  
U.S. BORDER PATROL, YUMA SECTOR, ARIZONA  
U.S. CUSTOMS AND BORDER PROTECTION  
DEPARTMENT OF HOMELAND SECURITY  
WASHINGTON, D.C.**

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

Points of Contact: Mr. John Petrilla  
U.S. Customs and Border Protection  
Border Patrol and Air and Marine  
Program Management Office  
24000 Avila Road, Suite 5020  
Laguna Niguel, CA 92677

**FINDING OF NO SIGNIFICANT IMPACT  
FOR  
A NEW CENTRAL PROCESSING CENTER  
U.S. BORDER PATROL, YUMA SECTOR, ARIZONA  
U.S. CUSTOMS AND BORDER PROTECTION  
DEPARTMENT OF HOMELAND SECURITY  
WASHINGTON, D.C.**

**INTRODUCTION:** United States (U.S.) Customs and Border Protection (CBP) prepared an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction and operation of a new U.S. Border Patrol (USBP) Central Processing Center (CPC) at the USBP Yuma Sector Headquarters (SHQ) in Yuma, Arizona.

The proposed new CPC would be a permanent processing facility constructed to accommodate 1,000 migrants and a staff of 200 for the processing and temporary holding of migrants who have crossed into the United States. The facility would be located in a completely developed area within the perimeter fence of the Yuma SHQ. The CPC facility would be a 113,361 square-foot one- or two-story facility. Construction would be expected to last six months and include demolition of the existing parking lot and storm water detention basin, earthwork, installation of a new underground storm water management system, paving, connection to existing on-site utilities, concrete placement, installation of perimeter fencing and security lighting, installation of signage, and installation of emergency backup power, diesel-fueled generators.

The Yuma SHQ was constructed in 2001 and consists of a single story administration building, offices, conference rooms, asphalt paved parking lot, fuel tanks, and storage spaces. The SHQ also has maintenance and warehouse buildings, perimeter fencing, and lighting. Currently, Yuma SHQ does not have the processing space to hold and process the influx of migrants that are currently entering the United States on a daily basis. Therefore, the purpose of the proposed CPC would be to provide an immediate processing solution for incoming migrants. CBP uses the National Standards for the Transport, Escort, Detention, and Search (TEDS), which govern CBP's interaction with migrants. These standards state that migrants should generally not be held for longer than 72 hours in CBP hold rooms or holding facilities and every effort must be made to hold migrants for the least amount of time. The Proposed Action would help minimize the potential for TEDS not to be met and for CBP to be able to process migrants in an efficient manner.

**PROJECT LOCATION:** The proposed CPC would be located at the Yuma SHQ, which is located at 4035 South Avenue A in Yuma, Arizona. Within the secure perimeter fence at the Yuma SHQ, the CPC would specifically be located in the northeast corner in an area that currently supports a parking lot and storm water detention basin.

**PURPOSE AND NEED:** CBP proposes the construction, operation, and maintenance of a new CPC at the Yuma SHQ (the Proposed Action) for the purpose of providing immediate, safe, and secure processing and holding space for migrant families and unaccompanied children in the USBP Yuma Sector. The need for the Proposed Action is the inadequacy of existing CBP and

USBP facilities to accommodate the number of migrants without overcrowding and provide the necessary separation of males, females, adults, and unaccompanied children being held. Further, this CPC would allow for a sustainable humanitarian processing and holding facility.

**ALTERNATIVES:** The Proposed Action and one alternative (No Action Alternative) were identified and considered during the planning stages of the proposed project. The Proposed Action consists of the construction of a new CPC and associated infrastructure that meets the purpose of and need for the project. As required by NEPA and CEQ regulations, the No Action Alternative reflects conditions within the project area should the Proposed Action not be implemented. Three total sites were initially compared and evaluated for suitability, and one potential CPC site was carried forward for evaluation in the EA. The two sites that were considered, but eliminated from consideration, were the USBP Wellton Station and the USBP Yuma Annex. Neither one of these sites is a viable alternative for the new CPC. The USBP Wellton Station is located more than 20 miles away and not immediately accessible from the border. The USBP Yuma Annex site sits approximately 15 feet below street level and would require extensive, costly, and time-consuming earthwork and importation of material to develop. Neither site meets the purpose and need of the Proposed Action; therefore, these alternatives are not carried forward for analysis.

**ENVIRONMENTAL CONSEQUENCES:** The Proposed Action would have minimal impacts on ground water resources. Temporary, minor impacts would be expected on surface water quality as a result of erosion and sedimentation during construction activities. No jurisdictional wetlands or waters of the United States would be impacted by construction of the CPC. Best management practices (BMPs) and standard construction procedures would be implemented to minimize the potential for erosion and sedimentation during construction.

Temporary and minor increases in air pollution and noise would occur during construction activities. Negligible increases in demands on utilities would be expected as a result of the new CPC. Construction of the CPC 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 personnel traveling to the new CPC would also occur after construction has completed.

The Proposed Action would have minor to negligible impacts on socioeconomics through increased taxes, salaries, and buying of supplies during construction and operation of the CPC. Further, the Proposed Action would not result in disproportionately high and adverse human health or environmental effects on minority populations or low income populations.

**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 to be implemented are found below and in Section 5.0 of the EA.

## **GENERAL PROJECT PLANNING CONSIDERATIONS**

1. If required, night-vision-friendly strobe lights necessary for CBP operational needs will use the minimum wattage and number of flashes per minute necessary to ensure operational safety.
2. Avoid contamination of ground and surface waters by storing concrete wash water, and any water that has been contaminated with construction materials, oils, equipment residue, etc., in closed containers on-site until removed for disposal. This wash water is toxic to wildlife. Storage tanks must have proper air space (to avoid rainfall-induced overtopping), be on-ground containers, and be located in upland areas instead of washes.
3. Avoid lighting impacts during the night by conducting construction and maintenance activities during daylight hours only. If night lighting is unavoidable, 1) use special bulbs designed to ensure no increase in ambient light conditions, 2) minimize the number of lights used, 3) place lights on poles pointed down toward the ground, with shields on lights to prevent light from going up into sky, or out laterally into landscape, and 4) selectively place lights so they are directed away from all native vegetative communities.
4. CBP will avoid the spread of non-native plants by not using natural materials (e.g., straw) for on-site erosion control. If natural materials must be used, the natural material would be certified weed and weed-seed free. Herbicides not toxic to listed species that may be in the area can be used for non-native vegetation control. Application of herbicides will follow Federal guidelines and can be used according to in accordance with label directions.
5. CBP will ensure that all construction will follow DHS *Directive 025-01* for Sustainable Practices for Environmental, Energy, and Transportation Management.
6. CBP will place drip pans under parked equipment and establish containment zones when refueling vehicles or equipment.

## **SOILS**

1. Clearly demarcate the perimeter of all new areas to be disturbed using flagging or temporary construction fencing. Do not allow any disturbance outside that perimeter.
2. The area of disturbance will be minimized by limiting deliveries of materials and equipment to only those needed for effective project implementation.
3. Within the designated disturbance area, grading or topsoil removal will be limited to areas where this activity is needed to provide the ground conditions necessary for construction or maintenance activities.

4. Rehabilitation will include revegetating or the distribution of organic and geological materials (i.e., boulders and rocks) over the disturbed area to reduce erosion.

## **BIOLOGICAL RESOURCES**

1. Materials used for on-site erosion control will be free of non-native plant seeds and other plant parts to limit potential for infestation.
2. Identify by its source location any fill material, sandbags, hay bales, and mulch brought in from outside the project area. These materials will be free of non-native plant seeds and other plant parts to limit potential for infestation.
3. Native seeds or plants will be used to revegetate temporarily disturbed areas.
4. Obtain materials such as gravel, topsoil, or fill from existing developed or previously used sources that are compatible with the project area and are from legally permitted sites. Do not use materials from undisturbed areas adjacent to the project area.
5. To prevent entrapment of wildlife species, ensure that excavated, steep-walled holes or trenches are either completely covered by plywood or metal caps at the close of each workday or provided with one or more escape ramps (at no greater than 1,000-foot intervals and sloped less than 45 degrees) constructed of earthen fill or wooden planks.
6. Each morning before the start of construction or maintenance activities and before such holes or trenches are filled, ensure that they are thoroughly inspected for trapped animals. Ensure that any animals discovered are allowed to escape voluntarily (by escape ramps or temporary structures), without harassment, and before construction activities resume, or are removed from the trench or hole by a qualified person and allowed to escape unimpeded.
7. The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712, [1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989]) requires that Federal agencies coordinate with the USFWS if a construction activity would result in the take of a migratory bird. If construction or clearing activities are scheduled during nesting season (March 15 through September 15) within potential nesting habitats, surveys will be performed to identify active nests. If construction activities will result in the take of a migratory bird, then coordination with the USFWS and AGFD will be required and applicable permits would be obtained prior to construction or clearing activities.
8. CBP will not, for any length of time, permit any pets inside the project area or adjacent native habitats. This BMP does not pertain to law enforcement animals.

## **CULTURAL RESOURCES**

1. In the event that unanticipated archaeological resources are discovered during construction or any other project-related activities, or should known archaeological resources be inadvertently affected in a manner that was not anticipated, the project proponent or contractor shall immediately halt all activities in the immediate area of the discovery and take steps to stabilize and protect the discovered resource until it can be evaluated by a qualified archaeologist.
2. If any human remains are accidentally encountered during construction, work shall cease and the human remains left undisturbed, and the state police and CBP will be notified immediately.

## **AIR QUALITY**

1. Soil watering will be utilized to minimize airborne particulate matter created during construction activities. Bare ground may be covered with hay or straw to lessen wind erosion during the time between construction and the revegetation of temporary impact areas with a mixture of native plant seeds or nursery plantings (or both). All construction equipment and vehicles will be kept in good operating condition to minimize exhaust emissions.

## **WATER RESOURCES**

1. Wastewater is to be stored in closed containers on-site until removed for disposal. Wastewater is water used for project purposes that is contaminated with construction materials or from cleaning equipment and thus carries oils or other toxic materials or other contaminants as defined by Federal or state regulations.
2. Avoid contamination of ground and surface waters by collecting concrete wash water in open containers and disposing of it off-site.
3. Avoid contaminating natural aquatic and wetland systems with runoff by limiting all equipment maintenance, staging, and laydown and dispensing hazardous liquids, such as fuel and oil, to designated upland areas.
4. Cease work during heavy rains and do not resume work until conditions are suitable for the movement of equipment and materials.
5. Erosion control measures and appropriate BMPs, as required and promulgated through a site-specific SWPPP and engineering designs, will be implemented before, during, and after soil-disturbing activities.

6. Areas with highly erodible soils will be given special consideration when preparing the SWPPP 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.
7. All construction and maintenance contractors and personnel will review the CBP-approved spill protection plan and implement it during construction and maintenance activities.
8. Wastewater from pressure washing must be collected. A ground pit or sump can be used to collect the wastewater. Wastewater from pressure washing must not be discharged into any surface water.
9. If soaps or detergents are used, the wastewater and solids must be pumped or cleaned out and disposed of in an approved facility. If no soaps or detergents are used, the wastewater must first be filtered or screened to remove solids before being allowed to flow off-site. Detergents and cleaning solutions must not be sprayed over or discharged into surface waters.

## **NOISE**

1. Avoid noise impacts during the night by conducting construction and maintenance activities during daylight hours only.
2. All Occupational Safety and Health Administration (OSHA) requirements will be followed. To lessen noise impacts on the local wildlife communities, construction will only occur during daylight hours. All motor vehicles will be properly maintained to reduce the potential for vehicle-related noise.

## **SOLID AND HAZARDOUS WASTES**

1. BMPs will be implemented as standard operating procedures during all construction activities, and will 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 will 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 (i.e., generator) 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) will be used to absorb and contain the spill.



2. CBP will contain non-hazardous waste materials and other discarded materials, such as construction waste, until removed from the construction and maintenance sites. This will assist in keeping the project area and surroundings free of litter and reduce the amount of disturbed area needed for waste storage.
3. CBP will minimize site disturbance and avoid attracting predators by promptly removing waste materials, wrappers, and debris from the site. Any waste that must remain more than 12 hours should be properly stored until disposal.
4. 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.
5. Solid waste receptacles will be maintained at the project site. 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.
6. 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.
7. All rainwater collected in secondary containment will be pumped out, and secondary containment will have netting to minimize exposure to wildlife. Properly licensed and certified hazardous waste disposal contractor will be used for hazardous waste disposal, and manifests will be traced to final destinations to ensure proper disposal is accomplished.

## **ROADWAYS AND TRAFFIC**

1. Construction vehicles will travel and equipment will be transported on established roads with safety precautions.

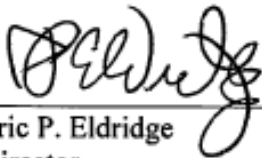
**FINDING:** On the basis of the findings of the EA, which is incorporated by reference, and which has been conducted in accordance with the National Environmental Policy Act, the Council on Environmental Quality regulations, and DHS Directive Number 023-01, Rev.01, and DHS Instruction Manual 023-01-001-01, 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.



Bartolome Mirabal  
Director  
Facilities Division  
U.S. Border Patrol

9/30/19

Date



Eric P. Eldridge  
Director  
Facilities Management and Engineering

10 OCT 19

Date

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## EXECUTIVE SUMMARY

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### INTRODUCTION

U.S. Customs and Border Protection (CBP) is the law enforcement component of the Department of Homeland Security (DHS) responsible for securing the border and facilitating lawful international trade and travel. U.S. Border Patrol (USBP) is the uniformed law enforcement component within CBP responsible for securing the Nation's borders against the illegal entry of people and goods between ports of entry.

CBP is proposing to construct a new USBP Central Processing Center (CPC) at the USBP Yuma Sector Headquarters (SHQ) in Yuma, Arizona. The proposed new CPC would be a permanent processing facility constructed to accommodate 1,000 migrants and a staff of 200 for the processing and temporary holding of migrants who have crossed into the United States. The facility would be located in a completely developed area within the perimeter fence of the Yuma SHQ.

### STUDY LOCATION

The Proposed Action would take place at the Yuma SHQ, which is located at 4035 South Avenue A in Yuma, Arizona. Within the secure perimeter fence at the Yuma SHQ, the CPC would specifically be located in the northeast corner in an area that currently supports a parking lot and storm water detention basin.

### PURPOSE AND NEED

CBP and USBP propose the construction, operation, and maintenance of a new CPC at the Yuma SHQ (the Proposed Action) for the purpose of providing immediate, safe, and secure processing and detention space for migrant families and unaccompanied children in the USBP Yuma Sector. The need for the Proposed Action is the inadequacy of existing CBP and USBP facilities to accommodate the number of migrants without overcrowding and provide the necessary separation of males, females, adults, and unaccompanied children being held.

### PROPOSED ACTION AND ALTERNATIVES

The Proposed Action and one alternative (No Action Alternative) were identified and considered during the planning stages of the proposed project. The Proposed Action (Preferred Alternative) consists of the construction of a new CPC and associated infrastructure that meet the purpose of and need for the project. As required by the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) regulations, the No Action Alternative reflects conditions within the project area should the Proposed Action not be implemented. Per the No Action Alternative, no CPC would be built and the Yuma Sector would continue to be faced with the lack of facilities needed to hold and process the influx of migrants. One potential CPC site was carried forward for evaluation in the EA; three total sites were initially compared and evaluated for suitability. The two sites that were considered but eliminated were the USBP Wellton Station and the USBP Yuma Annex. Neither one of these sites is a viable alternative for

the new CPC. The USBP Wellton Station is located more than 20 miles away and not immediately accessible from the border. The USBP Yuma Annex site sits approximately 15 feet below street level and would require extensive, costly, and time-consuming earthwork and importation of material to develop. Neither site meets the purpose and need of the Proposed Action; therefore, these alternatives are not carried forward for analysis.

## **AFFECTED ENVIRONMENT AND CONSEQUENCES**

The Proposed Action would have minimal impacts on ground water resources. Temporary, minor impacts would be expected on surface water quality as a result of erosion and sedimentation during construction activities. No jurisdictional wetlands or waters of the United States would be impacted by construction of the CPC. Best management practices (BMPs) and standard construction procedures would be implemented to minimize the potential for erosion and sedimentation during construction.

Temporary and minor increases in air pollution and noise would occur during construction activities. Negligible increases in demands on utilities would be expected as a result of the new CPC. Construction of the CPC 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 personnel traveling to the new CPC would also occur after construction has completed.

The Proposed Action would have minor to negligible impacts on socioeconomics through increased taxes, salaries, and buying of supplies during construction and operation of the CPC. Further, the Proposed Action would not result in disproportionately high and adverse human health or environmental effects on minority populations or low income populations.

## **FINDINGS AND CONCLUSIONS**

Based upon the analyses of the Environmental Assessment (EA) and the BMPs to be implemented, the Proposed Action would not have a significant adverse effect on the environment. Therefore, no further analysis or documentation (i.e., Environmental Impact Statement) is warranted. CBP, in implementing this decision, would employ all practical means to minimize the potential for adverse impacts on the human and natural environments.

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## **1.0 INTRODUCTION**

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### **1.1 BACKGROUND**

United States (U.S.) Customs and Border Protection (CBP) prepared this Environmental Assessment (EA) to address the potential effects, beneficial and adverse, resulting from the proposed construction and operation of a new U.S. Border Patrol (USBP) Central Processing Center (CPC) at the USBP Yuma Sector Headquarters (SHQ) in Yuma, Arizona. The proposed new CPC would be a permanent processing facility constructed to accommodate 1,000 migrants and a staff of 200 for the processing and temporary holding of migrants who have crossed into the United States. The facility would be located in a completely developed area within the perimeter fence of the Yuma SHQ. The Yuma SHQ was constructed in 2001 and consists of a single story administration building, offices, conference rooms, asphalt paved parking lot, fuel tanks, and storage spaces. The SHQ also has maintenance and warehouse buildings, perimeter fencing, and lighting. Currently, Yuma SHQ does not have the processing space to hold and process the influx of migrants that are currently entering the United States on a daily basis. Therefore, the purpose of the proposed CPC would be to provide an immediate processing solution for incoming migrants. CBP uses the National Standards for the Transport, Escort, Detention, and Search (TEDS), which govern CBP's interaction with migrants. These standards state that migrants should generally not be held for longer than 72 hours in CBP hold rooms or holding facilities and every effort must be made to hold migrants for the least amount of time. The Proposed Action would help minimize the potential for TEDS not to be met and for CBP to be able to process migrants in an efficient manner.

The Yuma Sector is one of nine sectors located on the U.S.-Mexico International Border and consists of three stations (Blythe, Yuma, and Wellton) (CBP 2019). Yuma Sector's area of responsibility (AOR) is located in the southeast corner of California and the southwest corner of Arizona and is comprised of approximately 181,670 square miles of primarily desert terrain divided between California and Arizona. The sector secures 126 miles of the U.S. Border from the Imperial Sand Dunes in California to the Yuma-Pima County line in Arizona. This area consists of vast open deserts, rocky mountain ranges, large drifting sand dunes, and the ever changing Colorado River. The Yuma SHQ Project location is shown in Figure 1-1.

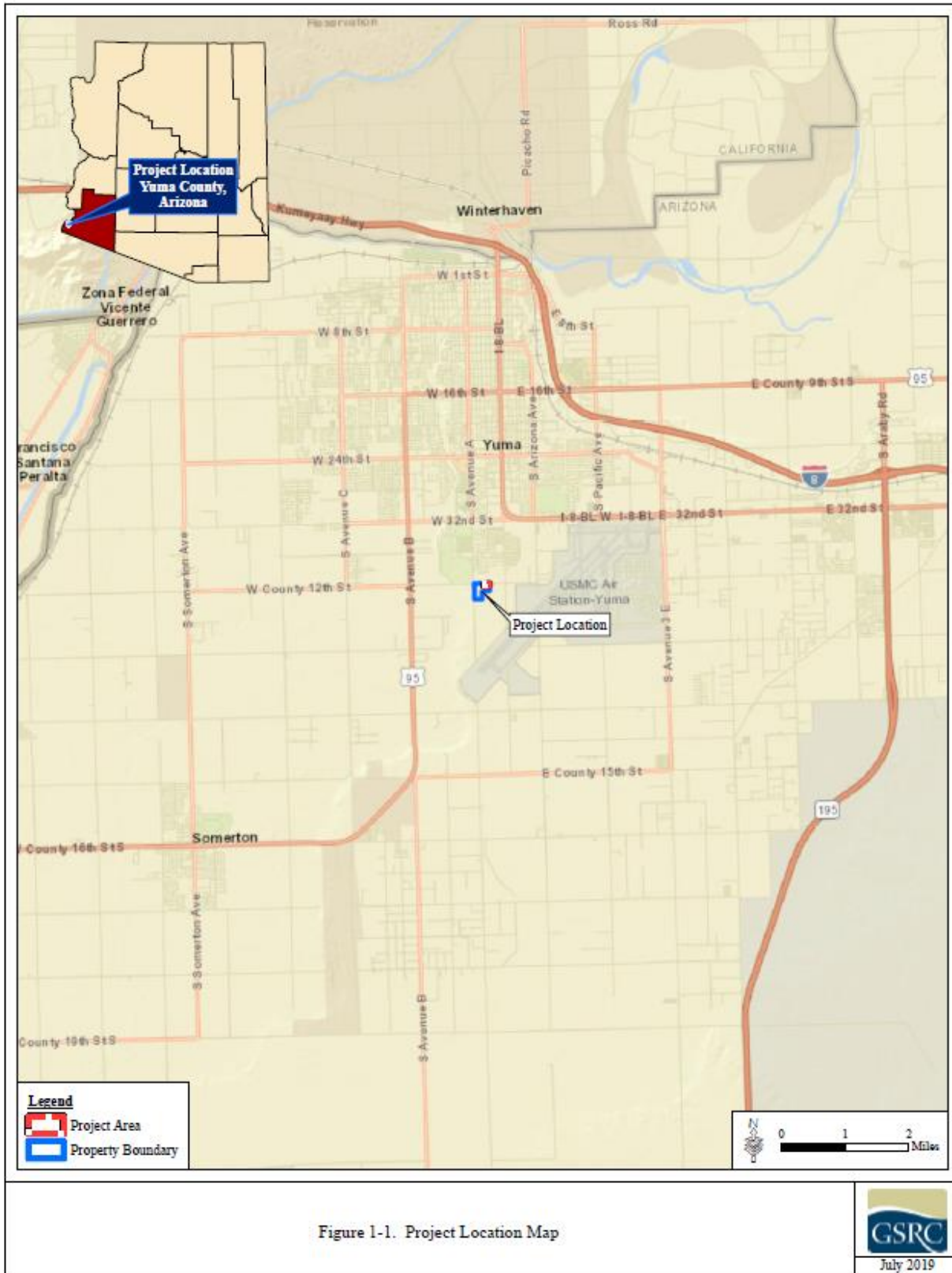
### **1.2 PROJECT LOCATION**

The proposed CPC would be located at the Yuma SHQ, which is located at 4035 South Avenue A in Yuma, Arizona. Within the secure perimeter fence at the Yuma SHQ, the CPC would specifically be located in the northeast corner in an area that currently supports a parking lot and storm water detention basin (Figure 1-2).

### **1.3 PURPOSE AND NEED OF THE PROPOSED ACTION**

CBP proposes the construction, operation, and maintenance of a new CPC at the Yuma SHQ (the Proposed Action) for the purpose of providing immediate, safe, and secure processing and holding space for migrant families and unaccompanied children in the USBP Yuma Sector.







The need for the Proposed Action is the inadequacy of existing CBP and USBP facilities to accommodate the number of migrants without overcrowding and provide the necessary separation of males, females, adults, and unaccompanied children being held. Further, this CPC would allow for a sustainable humanitarian processing and holding facility.

#### **1.4 SCOPE OF ENVIRONMENTAL ANALYSIS AND DECISIONS TO BE MADE**

The scope of the EA includes an evaluation of the direct, indirect, and cumulative effects on the natural, cultural, social, economic, and physical environments resulting from the construction, operation, and maintenance of a new CPC within the Yuma Sector AOR (see Figure 1-2). This analysis does not include an assessment of operations conducted in the field and away from the CPC. The potentially affected natural and human environment is limited to resources associated with the City of Yuma, Arizona. Most potential effects will be limited to the construction site and immediately adjacent resources.

The EA documents the context and intensity of the environmental effects of the Proposed Action and will look at alternatives that could potentially achieve the objectives of the Proposed Action. The EA allows decision makers to determine if the Proposed Action would or would not have a significant impact on the natural, cultural, social, economic and physical environment, as well as whether the action can proceed to the next phase of project development or if an Environmental Impact Statement (EIS) is required. The process for developing the EA also allows for input and comments on the Proposed Action from the concerned public, interested non-governmental groups, and interested government agencies to inform agency decision making. The EA was prepared as follows:

1. Conduct scoping for environmental planning. The first step in the National Environmental Policy Act (NEPA) process is to determine the scope of issues to be addressed and the significant issues related to a proposed action. CBP initiated agency scoping activities to identify significant issues related to the Proposed Action.
2. Prepare a draft EA. CBP prepared a draft EA based on issues identified during agency scoping activities.
3. Announce that the draft EA has been prepared. A Notice of Availability (NOA) was published in the *Yuma Sun* newspaper (Appendix A) on August 23, 2019 to announce the public comment period and the availability of the draft EA and Finding of No Significant Impact (FONSI).
4. Provide a public comment period. A public comment period allows for all interested parties to review the analysis presented in the draft EA and provide feedback. The draft EA was available to the public for a 30-day review in hard copy at the Yuma County District Main Library, 2951 South 21<sup>st</sup> Drive, Yuma, Arizona, 85364. The draft EA was available for download from the CBP internet web page at the following URL address: <http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review>. No comments were received.

5. Prepare a final EA. This final EA was prepared following the public comment period.
6. Issue a FONSI or Other Determination. The final step in the NEPA process is the signature of a FONSI if the environmental analysis supports the conclusion that impacts on the quality of the human and natural environments from implementing the Proposed Action would not be significant. In this case, no EIS would be prepared.

## **1.5 APPLICABLE ENVIRONMENTAL GUIDANCE, STATUTES, AND REGULATIONS**

CBP will follow applicable Federal laws and regulations. The EA was developed in accordance with the requirements of NEPA, regulations issued by the Council on Environmental Quality (CEQ) published in 40 Code of Federal Regulations (CFR) Parts 1500-1508, and DHS Directive 023-01, Rev. 01 and DHS Instruction Manual 023-01-001-01, Rev. 01, Implementation of the National Environmental Policy Act and other pertinent environmental statutes, regulations, and compliance requirements. The EA addresses compliance with all applicable environmental statutes, such as the Endangered Species Act (ESA) of 1973, 16 United States Code (U.S.C.) Part §1531 et seq., as amended, and the National Historic Preservation Act (NHPA) of 1966, 16 U.S.C. §470a et seq., as amended.

## **1.6 PUBLIC INVOLVEMENT**

In accordance with 40 CFR §1501.7, 1503 and 1506.6, CBP initiated public involvement and agency scoping activities to identify significant issues related to the Proposed Action. CBP is coordinating, and will continue to coordinate, with appropriate local, state, and Federal government agencies, as well as Federally recognized tribes, throughout the EA process. Formal and informal coordination will be conducted with the following agencies:

Federal Agencies:

- U.S. Fish and Wildlife Service (USFWS)

State Agencies:

- Arizona State Historic Preservation Office (AZSHPO)
- Arizona Game and Fish Department (AGFD)
- Arizona Department of Environmental Quality (AZDEQ)

Other:

- Native American Tribes
- Yuma County
- City of Yuma

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## **2.0 PROPOSED ACTION AND ALTERNATIVES**

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The Proposed Action and one alternative (No Action Alternative) were identified and considered during the planning stages of the proposed project. The Proposed Action consists of the construction of a new CPC and associated infrastructure that meets the purpose of and need for the project. As required by NEPA and CEQ regulations, the No Action Alternative reflects conditions within the project area should the Proposed Action not be implemented. Three total sites were initially compared and evaluated for suitability, and one potential CPC site was carried forward for evaluation in the EA. The two sites that were considered, but eliminated from consideration, were the USBP Wellton Station and the USBP Yuma Annex. Neither one of these sites is a viable alternative for the new CPC. The USBP Wellton Station is located more than 20 miles away and not immediately accessible from the border. The USBP Yuma Annex site sits approximately 15 feet below street level and would require extensive, costly, and time-consuming earthwork and importation of material to develop. Neither site meets the purpose and need of the Proposed Action; therefore, these alternatives are not carried forward for analysis.

### **2.1 PROPOSED ACTION**

The Proposed Action would construct a new CPC within the perimeter fence at the Yuma SHQ (See Figure 1-2). The proposed CPC facility would provide a permanent facility to accommodate 1,000 migrants and a staff of 200 for the processing and temporary holding of migrant families and unaccompanied children who have crossed into the United States. The CPC facility would be a 113,361 square-foot one- or two-story facility. Construction would be expected to last six months and include demolition of the existing parking lot and storm water detention basin, earthwork, installation of a new underground storm water management system, paving, connection to existing on-site utilities, concrete placement, installation of perimeter fencing and security lighting, installation of signage, and installation of emergency backup power, diesel-fueled generators.

The total project area would be approximately 2.5 acres in size. The storm water detention basin to be removed is approximately 1.25 acres. Approximately 125 parking spots would be removed during demolition of the existing parking area in order to build the proposed CPC. It should be noted that at least 125 new parking spaces would be created where the detention pond would be removed.

Operation of the Yuma CPC would be expected to begin upon completion of construction. The CPC would operate 24 hours per day and 7 days per week. Operational activities would consist primarily of the transportation of migrants to and from the CPC using buses or other motor vehicles on established public roadways and existing driveways to the Yuma SHQ; transfer of migrants from buses into the CPC using a sally port or similar building for processing; utilization of public utilities for power, heating, ventilation, air conditioning, potable water, and waste disposal to run the CPC; and transportation by CBP, USBP, and contractor personnel in three shifts per day to the CPC for staffing.

Maintenance of the Yuma CPC would also be expected to begin upon completion of construction. Maintenance activities could include routine upgrade, repair, and maintenance of the buildings, roofs, parking area, grounds, or other facilities that would not result in a change in their functional use (e.g., replacing door locks or windows, painting interior or exterior walls, resurfacing a road or parking lot, grounds maintenance, or replacing essential facility components such as an air conditioning unit).

## 2.2 NO ACTION ALTERNATIVE

The No Action Alternative would preclude the construction, operation, and maintenance of a new permanent CPC. The existing permanent facilities used to process migrants would be inadequate for the support of holding and processing migrants within the Yuma Sector AOR. Consequently, this alternative would hinder USBP's ability to respond to the influx of migrant activity in a safe, secure, timely, and sustainable manner. 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.

## 2.3 ALTERNATIVES SUMMARY

The two alternatives selected for further analyses are the Proposed Action (Preferred Alternative) and the No Action Alternative. The Proposed Action fully meets the purpose of and need for the project, and the preferred construction site offers the best combination of environment, land ownership, and operational requirements to serve as a processing facility within Yuma Sector's AOR. An evaluation of how the Proposed Action meets the project's purpose and need is provided in Table 2-1.

**Table 2-1. Alternatives Matrix: Purpose of and Need for Alternatives**

<b>Purpose and Need</b>	<b>Proposed Action</b>	<b>No Action Alternative</b>	<b>USBP Wellton Station</b>	<b>USBP Yuma Annex</b>
Located in USBP Yuma Sector; close to and easily accessible from the border	Yes	No	No	Yes
Co-located on existing CBP facility for efficiency	Yes	No	Yes	Yes
Adequate space for size requirements	Yes	No	Yes	Yes
Free from known site development or environmental challenges that could delay construction	Yes	No	Yes	No



### 3.0 AFFECTED ENVIRONMENT AND CONSEQUENCES

#### 3.1 PRELIMINARY IMPACT SCOPING

This section describes the natural and human environments that exist within the region of influence (ROI) and the potential impacts of the No Action Alternative and the Proposed Action outlined in Section 2.0 of this document. The ROI for the new CPC and associated infrastructure is the City of Yuma and Yuma County, Arizona. The Proposed Action would be located on Federally owned land within the secure perimeter of the Yuma SHQ. Only those issues that have the potential to be affected by any of the alternatives are described, per CEQ guidance (40 CFR § 1501.7 [3]).

Some topics are limited in scope due to the lack of direct effect from the Proposed Action on the resource or because that particular resource is not located within the project corridor (Table 3-1).

**Table 3-1. Resources Analyzed in the Environmental Impact Analysis Process**

Resource	Potential to Be Affected by Implementation of the Proposed Action	Analyzed in This EA	Rationale for Elimination
Wild and Scenic Rivers	No	No	No rivers designated as Wild and Scenic Rivers (16 U.S.C. § 551, 1278[c], 1281[d]) are located within or near the project corridor.
Land Use	No	No	No land use change as a result of the Proposed Action
Geology	No	No	No geologic resources would be affected
Soils	No	No	No soils would be impacted
Prime Farmlands	No	No	No prime farmlands would be affected
Water Resources	Yes	Yes	Not Applicable
Floodplains	No	No	The Proposed Action is not located in a floodplain
Vegetative Habitat	No	No	No vegetation would be affected
Wildlife Resources	No	No	No habitat or individuals would be affected
Threatened and Endangered Species	No	No	No effect to any threatened and endangered species, Proposed Action is located at the existing Yuma SHQ
Cultural, Archaeological, and Historical Resources	No	No	Proposed Action would be located in previously surveyed and disturbed area. CBP has determined that there is no effect to historic properties. Concurrence from the Arizona State Historic Preservation Office is provided in Appendix A.
Air Quality	Yes	Yes	Not Applicable
Noise	Yes	Yes	Not Applicable
Utilities and Infrastructure	Yes	Yes	Not Applicable
Radio Frequency Environment	No	No	No towers or communications equipment included in Proposed Action

<b>Resource</b>	<b>Potential to Be Affected by Implementation of the Proposed Action</b>	<b>Analyzed in This EA</b>	<b>Rationale for Elimination</b>
Roadways and Traffic	Yes	Yes	Not Applicable
Aesthetic and Visual Resources	No	No	No aesthetic or visual resources would be affected
Hazardous Materials	Yes	Yes	Not Applicable
Unique and Sensitive Areas	No	No	No unique or sensitive areas would be affected
Socioeconomics	Yes	Yes	Not Applicable
Environmental Justice and Protection of Children	Yes	Yes	Not Applicable

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 effects are caused by the action and occur at the same time and place (40 CFR § 1508.8[a]). Indirect effects are caused by the action and are later in time or further removed in distance but that are still reasonably foreseeable (40 CFR § 1508.8[b]). As discussed in this section, the 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 effects.

Whether an impact is significant depends on the context in which the impact occurs and the intensity of the impact (40 CFR § 1508.27). The context refers to the setting in which the impact occurs and may include society as a whole, the affected region, the affected interests, and the locality. Impacts on each resource can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. For the purpose of this analysis, the intensity of impacts would be classified as negligible, minor, moderate, or major. The intensity thresholds are defined as follows:

- **Negligible:** A resource would not be affected or the effects would be at or below the level of detection, and changes would not be of any measurable or perceptible consequence.
- **Minor:** Effects on a resource would be detectable, although the effects would be localized, small, and of little consequence to the sustainability of the resource. Mitigation measures, if needed to offset adverse effects, would be simple and achievable.
- **Moderate:** Effects on a resource would be readily detectable, long-term, localized, and measurable. Mitigation measures, if needed to offset adverse effects, would be extensive and likely achievable.
- **Major:** Effects on a resource would be obvious and long-term, and would have substantial consequences on a regional scale. Mitigation measures to offset the adverse effects would be required and extensive, and success of the mitigation measures would not be guaranteed.

Table 3-2 is provided to summarize the impacts of the No Action Alternative and Proposed Action on each of the elements discussed in this section (Affected Environment and Consequences).



The following discussions describe and, where possible, quantify the potential effects of each alternative on the resources within or near the project area. All construction activities, staging areas, and final siting of the CPC would be entirely contained within the existing secure perimeter of the Yuma SHQ. Specifically, the Proposed Action would be located within the northeast corner of the Yuma SHQ on an existing parking lot and detention pond.

## **3.2 WATER RESOURCES**

### **3.2.1 Ground Water**

The Proposed Action is located in the Yuma Basin. The Yuma Basin covers approximately 792 square miles of southwestern Arizona. The Gila and Tinajas Altas Mountains bound it to the east, the Colorado and Gila Rivers to the west and north, respectively, and the U.S./Mexico border to the south (Arizona Department of Water Resources [ADWR] 2014). The Yuma Basin consists of recent stream alluvium overlying older, partially consolidated basin-fill deposits, which overlie the Bouse formation (ADWR 2014). The Bouse formation consists of two zones; the upper and lower zones. The upper zone is composed of medium to coarse-grained sand which can yield moderate amounts of groundwater under unconfined conditions. The lower zone contains fine-grained sediments which produce limited amounts of groundwater. Tertiary and Quaternary basin fill is the primary aquifer in the Yuma Basin.

The natural recharge estimate for the Yuma Basin is 213,000 acre-feet per year. Groundwater storage estimates range from 34 million acre-feet to 49 million acre-feet to a depth of 1,200 feet (ADWR 2014). Prior to development, nearly all groundwater recharge was from the Colorado and Gila rivers through direct channel infiltration and annual flooding. The general groundwater flow direction was from the Colorado and Gila rivers southward under the Yuma Mesa. Currently, a significant source of groundwater recharge comes from percolation of excess irrigation water. A groundwater mound has developed under Yuma Mesa as a result of agricultural irrigation and because groundwater flow away from the area is insufficient to drain rising water levels. Groundwater flow patterns have been altered as a result of this groundwater mound. Groundwater flow in the western portion of the basin is west towards the Colorado River while south of the mound, flow is still generally south towards the U.S./Mexico border (ADWR 2014).

Municipal water throughout the City of Yuma is from groundwater supplied by the City of Yuma.

### **3.2.2 Surface Water**

The Proposed Action is within the Yuma Desert watershed (ADWR 2015). The Yuma Desert watershed encompasses approximately 1,866,844 acres. The USGS topographical maps show no natural drains or surface waters within or near the Proposed Action.

#### Waters of the United States

No Waters of the U.S., including wetlands, are located within or near the Proposed Action.

**Table 3-2. Summary Matrix of Potential Impacts**

Affected Environment	Proposed Action (Alternative 1)	No Action Alternative (Alternative 2)
<b>Groundwater</b>	The Proposed Action would have minor, short-term impacts on groundwater resources during construction activities.	No direct impacts would occur.
<b>Surface Waters and Waters of the United States</b>	Surface water quality could be temporarily impacted during construction activities as a result of erosion and sedimentation. However, due to the lack of surface waters present at the proposed CPC and through the use of BMPs these effects would be minor. No impacts to wetlands and waters of the United States as none exists on or near the project site.	No direct impacts would occur.
<b>Air Quality</b>	Temporary and minor increases in air pollution would occur from the use of construction equipment (combustion emissions) and the disturbance of soils (fugitive dust) during construction.	No direct impacts would occur.
<b>Noise</b>	Temporary and negligible increases in noise would occur during construction.	No direct impacts would occur.
<b>Utilities and Infrastructure</b>	Negligible demands on power utilities would be required as a result of the Proposed Action.	No direct impacts would occur.
<b>Roadways and Traffic</b>	Construction activities would have a temporary, minor impact on roadways and traffic within the region. The increase of vehicular traffic would occur to supply materials and work crews at the project site during construction.	No direct impacts would occur.
<b>Hazardous Material</b>	The Proposed Action would not result in the exposures of the environment or public to any hazardous materials. The potential exists for minor releases of petroleum, oil, or lubricant during construction activities. BMPs would be implemented to minimize any potential contamination during construction activities.	No direct impacts would occur.
<b>Socioeconomics</b>	The Proposed Action would have minor to negligible impacts.	No direct impacts would occur.
<b>Environmental Justice</b>	The Proposed Action would not result in disproportionately high and adverse human health or environmental effects on minority populations and low income populations. There would be no environmental health or safety risks that disproportionately affect children.	No direct impacts would occur.

### Floodplains

The Proposed Action is located in Zone X per Federal Emergency Management Agency (FEMA) Flood Map (04027C1520F) and is located in the 0.2 percent Annual Chance Flood Hazard area (FEMA 2019).

#### **3.2.3 Alternative 1: Proposed Action**

The Proposed Action would have a permanent, minor, adverse impacts on groundwater resources. The Proposed Action would slightly increase demands on water supplies during construction activities. Water would be needed for a variety of construction activities including, but not limited to, drinking water supply for construction crews, wetting the construction site for dust suppression, and concrete mixing. These increases would be temporary and minor. Water usage by migrants and agents at the proposed CPC would slightly increase groundwater consumption and long-term demand on regional water supplies. However, impacts associated with this usage and demands are considered minor due to the capacity of the local aquifer and the City of Yuma's ability to handle this minor increase in demand. Any permits required to add capacity to the current Yuma SHQ's water system would be completed by the contractor and in place prior to construction activities. Therefore, under the Proposed Action there would be no major impacts on groundwater resources.

The Proposed Action would have temporary, minor impacts on surface water as a result of potential increases in erosion and sedimentation associated with construction activities. Disturbed soils and hazardous substances (i.e., anti-freeze, fuels, oils, and lubricants) could directly affect water quality during a rain event. These effects would be minimized through the use of Best Management Practices (BMPs). In compliance with Clean Water Act (CWA) Section 402, a Construction Stormwater General Permit would be obtained prior to construction, which would require approval of a site-specific Stormwater Pollution Prevention Plan (SWPPP). A site-specific spill response plan would also be in place prior to the start of construction. BMPs outlined in these plans would reduce potential migration of soils, oil and grease, and construction debris into local surface waters. Although the detention pond would be eliminated from the footprint of the Yuma SHQ which could increase runoff during storm events due to the loss of storage capacity, engineering designs would be implemented to capture the runoff above ground and use a percolating system to capture runoff and return it to the aquifer. Therefore, no major impacts on surface water resources would be expected if the Proposed Action were implemented.

No impacts to floodplains or waters of the U.S. would occur as none are located near or within the footprint of the Proposed Action.

#### **3.2.4 Alternative 2: No Action Alternative**

Under the No Action Alternative, no construction activities would occur; therefore, no impacts to water resources would occur.

### **3.3 AIR QUALITY**

The United States Environmental Protection Agency (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 classified as

either "primary" or "secondary." The major pollutants of concern, or criteria pollutants, are carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), PM-10 (particulate matter less than 10 microns), PM-2.5, and lead. 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 3-3.

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

Pollutant	Primary Standards	Primary Standards	Secondary Standards	Secondary Standards
	Level	Averaging Time	Level	Averaging Times
Carbon Monoxide	9 ppm (10 mg/m <sup>3</sup> )	8-hour <sup>(1)</sup>	None	
	35 ppm (40 mg/m <sup>3</sup> )	1-hour <sup>(1)</sup>	None	
Lead	0.15 µg/m <sup>3</sup> <sup>(2)</sup>	Rolling 3-Month Average	Same as Primary	
	1.5 µg/m <sup>3</sup>	Quarterly Average	Same as Primary	
Nitrogen Dioxide	53 ppb <sup>(3)</sup>	Annual (Arithmetic Average)	Same as Primary	
	100 ppb	1-hour <sup>(4)</sup>	None	
Particulate Matter (PM-10)	150 µg/m <sup>3</sup>	24-hour <sup>(5)</sup>	Same as Primary	
Particulate Matter (PM-2.5)	12.0 µg/m <sup>3</sup>	Annual <sup>(6)</sup> (Arithmetic Average)	15.0 µg/m <sup>3</sup>	Annual <sup>(6)</sup> (Arithmetic Average)
	35 µg/m <sup>3</sup>	24-hour <sup>(7)</sup>	Same as Primary	
Ozone	0.075 ppm (2008 std)	8-hour <sup>(8)</sup>	Same as Primary	
	0.070 ppm (2015 std)	8-hour <sup>(9)</sup>	Same as Primary	
	0.12 ppm	1-hour <sup>(10)</sup>	Same as Primary	
Sulfur Dioxide	75 ppb <sup>(11)</sup>	1-hour	0.5 ppm	3-hour <sup>(11)</sup>

Source: USEPA 2019

Units of measure for the standards are parts per million (ppm) by volume, parts per billion (ppb - 1 part in 1,000,000,000) by volume, milligrams per cubic meter of air (mg/m<sup>3</sup>), and micrograms per cubic meter of air (µg/m<sup>3</sup>).

<sup>(1)</sup> Not to be exceeded more than once per year.

<sup>(2)</sup> Final rule signed October 15, 2008.

<sup>(3)</sup> The official level of the annual NO<sub>2</sub> standard is 0.053 ppm, equal to 53 ppb, which is shown here for the purpose of clearer comparison to the 1-hour standard

<sup>(4)</sup> To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb (effective January 22, 2010).

<sup>(5)</sup> Not to be exceeded more than once per year on average over 3 years.

<sup>(6)</sup> To attain this standard, the 3-year average of the weighted annual mean PM2.5 concentrations from single or multiple community-oriented monitors must not exceed 15.0 µg/m<sup>3</sup>.

<sup>(7)</sup> To attain this standard, the 3-year average of the 98th percentile of 24-hour concentrations at each population-oriented monitor within an area must not exceed 35 µg/m<sup>3</sup> (effective December 17, 2006).

<sup>(8)</sup> To attain this standard, the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentrations measured at each monitor within an area over each year must not exceed 0.075 ppm (effective May 27, 2008).

<sup>(9)</sup> To attain this standard, the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentrations measured at each monitor within an area over each year must not exceed 0.070 ppm (effective December 28, 2015).

<sup>(10)</sup> (a) USEPA revoked the 1-hour ozone standard in all areas, although some areas have continuing obligations under that standard ("anti-backsliding").

(b) The standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above 0.12 ppm is ≤ 1.

<sup>(11)</sup> (a) Final rule signed June 2, 2010. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

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 Conformity Final Rule (40 Code of Federal Regulations [CFR] Parts 51 and 93) specifies criteria or requirements for conformity determinations for Federal projects. The Federal Conformity Rule was first promulgated in 1993 by USEPA, following the passage of Amendments to the CAA in 1990. The rule mandates that a conformity analysis must be performed when a Federal action generates air pollutants in a region that has been designated as 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 the general conformity rule. It requires the responsible Federal agency to evaluate the nature of a proposed action and associated air pollutant emissions and calculate emissions as a result of the Proposed Action. If the emissions exceed established limits, known as *de minimis* thresholds, the proponent is required to implement appropriate mitigation measures. Yuma County is designated as a moderate non-attainment area for PM-10 and a portion of the county is marginal non-attainment area for 8-Hour Ozone (2015 std). The sources of PM-10 include natural windstorms, windblown dust from agricultural operations, and emissions from the combustion of hydrocarbons in cars, trucks, generators, and industrial equipment.

### **3.3.1 Alternative 1: Proposed Action**

Temporary and minor increases in air pollution would occur from the use of construction equipment (combustion emissions) and the disturbance of soils (fugitive dust) during construction of the CPC. Particulate emissions would occur as a result of construction activities such as vehicle trips, bulldozing, compacting, and grading operations. Construction activities would also generate minimal hydrocarbon, NO<sub>2</sub>, CO<sub>2</sub>, and SO<sub>2</sub> emissions from construction equipment and support vehicles. Fugitive dust would be generated during these construction activities, especially during the initial groundbreaking activities. Fugitive dust emissions would be eliminated once the concrete flooring for the CPC has been constructed. Other emissions from vehicles would increase marginally during construction; however, these emissions would be temporary and return to pre-project levels upon the completion of construction. Emissions as a result of the Proposed Action are expected to be below the *de minimus* threshold (i.e., 100 tons per year) and therefore would not be considered significant. BMPs, such as dust suppression and maintaining equipment in proper working condition would reduce the temporary construction impacts. Furthermore, due to the urban location of the proposed CPC, good wind dispersal conditions, and short duration of construction, impacts to air quality are expected to be minimal under the Proposed Action.

### **3.3.2 Alternative 2: No Action Alternative**

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

## **3.4 NOISE**

Noise is generally described as unwanted sound, which can be based either on objective effects (i.e., hearing loss, damage to structures) or subjective judgments (e.g., community annoyance).

Sound is usually represented on a logarithmic scale in a unit called the decibel (dB). Sound on the decibel scale is referred to as sound level. The perceived threshold of human hearing is 0 dB, and the threshold of discomfort or pain is around 120 dB (USEPA 1974). The A-weighted sound level (dBA) is a measurement of sound pressure adjusted to conform to the frequency response of the human ear.

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 louder than the same level of intrusive noise during the day, at least in terms of its potential for causing 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. Long-term noise levels are computed over a 24-hour period and adjusted for nighttime annoyances to produce the day-night average sound level (DNL). DNL is the community noise metric recommended by the USEPA and has been adopted by most Federal agencies (USEPA 1974).

Noise within the project area in general is elevated due to the proximity of the project area to a major thoroughfare (South Avenue A), the Yuma International Airport, an existing gravel and sand mining operation, and because the Proposed Action would occur within the existing Yuma SHQ. Further, no sensitive noise receptors are within 0.5 mile of the Proposed Action.

### 3.4.1 Alternative 1: Proposed Action

The construction of the proposed CPC would require the use of common construction equipment. Table 3-4 describes noise emission levels for construction equipment that range from 47 dBA to 85 dBA at a distance of 50 feet (Federal Highway Administration [FHWA] 2007).

**Table 3-4. 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
Bulldozer	82	76	70	62	56
Concrete mixer truck	85	79	73	65	59
Crane	81	75	69	61	55
Drill rig	85	79	73	65	59
Dump truck	84	78	72	64	58
Excavator	81	75	69	61	55
Front-end loader	79	73	67	59	53
Generator	47	41	35	26	20

Source: FHWA 2007

1. The dBA at 50 feet is a measured noise emission. The 100- to 1,000-foot results are GSRC modeled estimates.

Assuming the worst case scenario of 85 dBA from general construction equipment, the noise model predicts that noise emissions would have to travel 1,138 feet before they would be attenuated to acceptable levels equal to or below 57 dBA, which is the criterion for National Monument and Wildlife Refuges (23 CFR § 722, Table 1), or 482 feet to attenuate to 65 dBA, which is the criterion for residential receptors.

The project site is located in a urban area over 0.5 mile away from sensitive noise receptors such as residential homes. Therefore, impacts on noise would be short term and negligible.

### **3.4.2 Alternative 2: No Action Alternative**

Under the No Action Alternative, no impacts on noise would occur as the construction of the proposed CPC would not occur.

## **3.5 UTILITIES AND INFRASTRUCTURE**

Commercial grid power is currently available within the site and would be used to power the proposed CPC. Sewerage and water services are currently available at the project site and would be used for the CPC. No new public infrastructure would be required for ingress or egress at the proposed CPC.

### **3.5.1 Alternative 1: Proposed Action**

The Proposed Action would result in negligible effects on the availability of utilities throughout the ROI because the current amperage available through the existing grid power system can withstand the anticipated electrical load of the proposed CPC. Additionally, the CPC would be tied into existing and available sewerage and water services. No new infrastructure would be needed for ingress or egress to the CPC. Therefore, no adverse impacts would occur as result of the Proposed Action.

### **3.5.2 Alternative 2: No Action Alternative**

Under the No Action Alternative, the proposed CPC would not be constructed. The No Action Alternative would not affect the availability of utilities or require construction of additional facilities.

## **3.6 ROADWAYS AND TRAFFIC**

Interstate 8 is the main west-east route and U.S. Highway 95 is the north-south route in Yuma County, Arizona. The project area is bordered by South Avenue A to the west, West 40<sup>th</sup> Street to the north, and South Avenue A to the south. South Avenue A is a major thoroughfare through the City of Yuma. As part of the Proposed Action, approximately 200 CBP personnel would be hired to work at the new CPC. It is anticipated that the CPC would be staffed in three 8-hour shifts; therefore, approximately 67 personnel would be expected to be entering and exiting the Yuma SHQ, as well as driving on the roads prior to and at the conclusion of the each shift. It is not currently known how many additional busses, vans, and other modes of transportation used to bring migrants to the CPC would be needed. The volume of traffic related to those types of vehicles is dependent on migrant activities.

### **3.6.1 Alternative 1: Proposed Action**

With the implementation of the Proposed Action, construction activities at the project site would have a temporary, minor impact on roadways and traffic adjacent to the project site. An increase of vehicular traffic along South Avenue A and West 40<sup>th</sup> Street would occur from supplying materials, hauling debris, and from work crews commuting to the project site during construction activities. Upon completion of construction activities, the increase in CBP personnel traveling

those roads to access the CPC would increase as well. This increase in volume of traffic associated with personnel coming and going from the CPC would have negligible impacts on roadways and traffic as all of the roadways near the CPC would be able to withstand the projected volumes. Therefore, traffic impacts associated with construction and operation of the CPC would be long-term and negligible.

### **3.6.2 Alternative 2: No Action Alternative**

Under the No Action Alternative, no impacts to roadways and traffic would occur.

## **3.7 HAZARDOUS MATERIALS**

Hazardous materials are substances that cause physical or health hazards (29 CFR 1910.1200). Materials that are physically hazardous include combustible and flammable substances, compressed gases, and oxidizers. Health hazards are associated with materials that cause acute or chronic reactions, including toxic agents, carcinogens, and irritants. Hazardous materials are regulated in Arizona by a combination of mandated laws promulgated by the USEPA and the Arizona Department of Environmental Quality (ADEQ).

### **3.7.1 Alternative 1: Proposed Action**

Construction of the proposed CPC as described in the Proposed Action would involve the use of heavy construction equipment. There is a potential for the release of hazardous materials such as fuels, lubricants, hydraulic fluids, and other chemicals during the construction activities. The impacts from spills of hazardous materials during construction would be minimized by utilizing BMPs during construction such as fueling only in controlled and protected areas away from surface waters, maintaining emergency spill cleanup kits at all sites during fueling operations, and maintaining all equipment in good operating condition to prevent fuel and hydraulic fluid leaks.

All hazardous and regulated wastes and substances generated by operation of the new CPC would be collected, characterized, labeled, stored, transported, and disposed of in accordance with all Federal, state, and local regulations, including proper waste manifesting procedures. All other hazardous and regulated materials or substances would be handled according to materials safety data sheet instructions and would not affect water, soils, vegetation, wildlife, or the safety of USBP agents and staff. Therefore, hazardous and regulated materials and substances would not impact the public, groundwater, or general environment.

The potential impacts of the handling and disposal of hazardous and regulated materials and substances during construction activities would be insignificant when mitigation measures and BMPs as described in Section 5 are implemented.

### **3.7.2 Alternative 2: No Action Alternative**

Under the No Action Alternative, no construction activities would occur; therefore, no existing hazardous materials risks would be encountered and no potential for hazardous materials spills during CPC construction would be realized. No impacts from hazardous materials would result from the No Action Alternative.



### 3.8 SOCIOECONOMICS

The ROI for the Proposed Action is Yuma County, Arizona which is part of the Yuma Metropolitan Statistical Area. Yuma is one of 15 counties in Arizona and had a 2017 population of 204,281 (U.S. Census Bureau 2019a). The racial mix of Yuma County is composed of Caucasians (73.1 percent), Black or African American (2.1 percent), American Indian and Alaska Native (1.3 percent), Asian (1.3 percent), Native Hawaiian and other Pacific Islander (0.1 percent), some other race (19.6 percent), and two or more races (2.5 percent).. More than half of the total estimated 2017 population of Yuma County (62.9 percent) claim to be of Hispanic origin (U.S. Census Bureau 2019a).

The estimated number of civilians employed in Yuma County in 2017 was 74,891 (U.S. Census Bureau 2019b). The industry employing the largest amount of civilians in Yuma County in 2018 was educational services, and health care and social assistance industry (19.8 percent). This was followed by the retail trade industry (12.7 percent) and the agriculture, forestry, fishing and hunting, and mining industry (11.3 percent). The 2017 estimated unemployment rate for Yuma County was 10.9 percent (U.S. Census Bureau 2019b).

In 2017, Yuma County had a per capita personal income (PCPI) of \$34,752 (Bureau of Economic Analysis [BEA] 2019). This PCPI, ranked 9<sup>th</sup> in the state, was 82 percent of the state average (\$42,280) and 67 percent of the National average (\$51,640). Total personal income (TPI) of an area is the income that is received by, or on behalf of, all the individuals who live in that area. In 2017, the TPI of Yuma County was \$7.2 billion (BEA 2019). The median income in 2017 was \$43,253, significantly less than the median income of the state (\$53,510) and Nation (\$57,652) (U.S. Census Bureau 2019b).

Impacts on socioeconomic conditions would be considered significant if they included displacement or relocation of residences or commercial buildings or increases in long-term demands for public services in excess of existing and projected capacities.

#### 3.8.1 Alternative 1: Proposed Action

The proposed CPC would be located within the existing Yuma SHQ, which is located on the outskirts of the City of Yuma. The proposed CPC would add up to 200 personnel and their families moving into the area, needing homes, schools, and public services. Those personnel and their families would be expected to live in the City of Yuma. The City of Yuma has many options for housing, schools, shopping, and other amenities and would be able to handle the increased demand for housing and public services. With many of the 200 additional personnel and their families expected to live in the City of Yuma, increases in the demand for public services in excess of existing and projected capacities would not be expected.

Temporary, minor, beneficial impacts in the form of jobs and income for area residents, revenues to local businesses, and sales and use taxes to Yuma County, Yuma, and the State of Arizona from locally purchased building materials could be realized if construction materials are purchased locally and local construction workers are hired for construction.

### 3.8.2 Alternative 2: No Action Alternative

Under the No Action Alternative, the proposed CPC would not be constructed in Yuma County so there would be no direct socioeconomic impacts. The USBP's ability to detect and interdict illicit cross-border activity would not be enhanced, so indirect impacts from illegal activity would continue.

## 3.9 ENVIRONMENTAL JUSTICE AND PROTECTION OF CHILDREN

Executive order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was issued by President Clinton on February 11, 1994. It was intended to ensure that proposed Federal actions do not have disproportionately high and adverse human health and environmental effects on minority and low-income populations and to ensure greater public participation by minority and low-income populations. It required each agency to develop an agency-wide environmental justice strategy. A Presidential Transmittal Memorandum issued with the EO states that "Each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the NEPA 42 U.S.C. section 4321, et seq." The Department of Defense (DoD) has directed that NEPA will be used to implement the provisions of the EO.

EO 12898 does not provide guidelines as to how to determine concentrations of minority or low-income populations. However, analysis of demographic data on race, ethnicity, and poverty provides information on minority and low-income populations that could be affected by the proposed actions. The 2017 Census reports numbers of minority individuals and the U.S. Census American Community Survey (ACS) provides the most recent poverty estimates available. Minority populations are those persons who identify themselves as African American, Hispanic, Asian American, American Indian/Alaskan Native, Pacific Islander, or Other. Poverty status is used to define low-income, and it is defined as the number of people with income below the poverty level, which was \$24,858 for a family of four in 2017, according to the U.S. Census Bureau (U.S. Census Bureau 2017). A potential disproportionate impact may occur when the minority population in the study area exceeds 50 percent and/or the low-income population exceeds 20 percent of the population. Additionally, a disproportionate impact may occur when the percent minority and/or low-income in the study area are meaningfully greater than those in the region. The potential for impacts on the health and safety of children is greater in areas where projects are located near residential areas. Table 3-5 presents U.S. Census data for minority population and poverty rates for the ROI.

**Table 3-5. Minority Population and Poverty Rates**

	Minority Population (Percent)	All Ages in Poverty (Percent)
City of Yuma	22.8	16.9
Yuma County	64.7	19.0
Arizona	58.0	14.9
United States	39.3	12.3

Source: U.S. Census Bureau 2018

**3.9.1 Alternative 1: Proposed Action**

Under the Preferred Alternative, the proposed CPC would be located within the Yuma SHQ, which is located in an area with no residences located nearby. In fact, the closest residences are located over 0.5-mile away. The additional 200 personnel and their families would be expected to live in Yuma. With no homes located in the area of the proposed CPC and because the construction activities would be located within the perimeter fence of the Yuma SHQ, the Proposed Action would not result in disproportionately high and adverse human health or environmental effects on minority populations and low income populations. There would be no environmental health or safety risks that disproportionately affect children.

**3.9.2 Alternative 2: No Action Alternative**

Under the No Action Alternative, the proposed CPC would not be constructed. There would be no impacts on the local population, so there would be no disproportionately high and adverse human health or environmental effects on minority populations or low income populations. There would be no environmental health or safety risks that could disproportionately affect children.

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## **4.0 CUMULATIVE IMPACTS**

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This section of the EA defines cumulative impacts, identifies past, present, and reasonably foreseeable projects relevant to cumulative impacts, and analyzes the potential cumulative impacts associated with the implementation of the Proposed Action and other projects/programs planned within the ROI, which comprises the USBP's Yuma SHQ's AOR.

### **4.1 DEFINITION OF CUMULATIVE IMPACTS**

The CEQ defines cumulative impacts as “the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable 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, or local) or individuals. CEQ guidance on cumulative effects requires the definition of the scope of the other actions and their interrelationship with the Proposed Action (CEQ 1997). The scope must consider geographic and temporal overlaps with the Proposed Action and all other actions occurring within the ROI. Informed decision making is served by consideration of cumulative impacts resulting from activities 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 activities affecting any part of the human or natural environment impacted by the Proposed Action. Activities were identified for this analysis by reviewing CBP and USBP documents, news/press releases, and published media reports, and through consultation with planning and engineering departments of local governments and state and Federal agencies.

### **4.2 PAST IMPACTS WITHIN THE REGION OF INFLUENCE**

The ecosystems within the ROI have been significantly impacted by historical and ongoing activities such as ranching, livestock grazing, mining, agricultural development, cross-border violator activity, and climate change. All of these actions have, to a greater or lesser extent, contributed to several ongoing threats to the ecosystem, including loss and degradation of habitat for both common and rare wildlife and plants and the proliferation of roads and trails. Although activities that occurred on Federal lands (U.S Department of the Interior [DOI]) were regulated by NEPA, the most substantial impacts of these activities within the ROI such as ranching, livestock grazing, and cross-border violator activity, were not or are not regulated by NEPA and did not include efforts to minimize impacts.

### **4.3 CURRENT AND REASONABLY FORESEEABLE CBP PROJECTS WITHIN AND NEAR THE REGION OF INFLUENCE**

USBP has conducted law enforcement actions along the border since its inception in 1924 and has continuously transformed its methods as new missions, modes of operations of cross-border violators, agent needs, and National enforcement strategies have evolved. Development and maintenance of training ranges, station and sector facilities, detention facilities, roads, and fences

have impacted thousands of acres, with synergistic and cumulative impacts on soil, wildlife habitats, water quality, and noise. Beneficial effects, too, have resulted from the construction and use of these roads and fences, including, but not limited to: increased employment and income for border regions and its surrounding communities, protection and enhancement of sensitive resources north of the border, reduction in crime within urban areas near the border, increased land value in areas where border security has increased, and increased knowledge of the biological communities and prehistory of the region through numerous biological and cultural resources surveys and studies.

With continued funding and implementation of CBP's environmental conservation measures, including use of biological monitors, wildlife water systems, and restoration activities, adverse impacts due to future and ongoing projects would be avoided or minimized. Recent, ongoing, and reasonably foreseeable proposed actions will result in cumulative impacts; however, the cumulative impacts will not be significant. CBP is currently planning, conducting, or has completed several projects in the USBP's Yuma SHQ's AOR and other nearby areas and include the following:

- Installation of a temporary, soft sided processing facility at the Yuma SHQ.
- Removal and replacement of approximately 27.5 miles of existing pedestrian fence with bollard fence along the U.S.-Mexico International Border within Yuma Sector's AOR.
- Border Wall: As part of this or future administrations, DHS/CBP may construct additional border walls in the USBP Yuma Sector AOR. Currently, approximately 0.9-mile of primary fence replacement is proposed at the Andrade Port of Entry (POE) in California. Approximately 0.3-mile and 0.6-mile of existing primary pedestrian fence will be replaced east and west of the Andrade POE, respectively.

In addition, the California Department of Transportation (Caltrans) is currently planning or conducting several projects in the ROI. In 2016, Caltrans initiated a project to extend the life expectancy of the pavement of Interstate 8 to the Arizona border.

A summary of the anticipated cumulative impacts relative to the Proposed Action is presented below. The discussion is presented for each of the resources described previously.

#### **4.4 ANALYSIS OF CUMULATIVE IMPACTS**

Impacts on each resource were analyzed according to how other actions and projects within the ROI might be affected by the No Action Alternative and Proposed Action. Impacts can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. For the purpose of this analysis the intensity of impacts will be classified as negligible, minor, moderate, or major. These intensity thresholds were previously defined in Section 3.1. A summary of the anticipated cumulative impacts on each resource is presented below.

##### **4.4.1 Groundwater, Surface Water, Waters of the United States, and Floodplains**

Under the No Action Alternative, no impacts on water resources would occur because the construction activities would not occur. Limited groundwater withdrawals are expected as a result of the Proposed Action; therefore, there would be minimal cumulative effects. Drainage

patterns of surface waters would not be impacted by the Proposed Action as none exists within or near the project site. Water quality would remain unchanged under the Proposed Action. No wetlands exist within the project site; therefore, no cumulative impacts would occur on wetlands. As mentioned previously, specific erosion and sedimentation controls and other BMPs would be in place during construction as standard operating procedures. Therefore, the Proposed Action, in conjunction with other past, ongoing, and proposed regional projects, would not create a major cumulative effect on water resources in the region.

#### **4.4.2 Air Quality**

No direct impacts on air quality would occur due to construction activities under the No Action Alternative. The emissions generated during the construction of the Proposed Action would not exceed Federal *de minimis* thresholds and would be short-term and minor. Therefore, the Proposed Action, when combined with other past, ongoing, and proposed actions in the region, would not result in major adverse cumulative impacts on air quality.

#### **4.4.3 Noise**

A major impact would occur if ambient noise levels permanently increased to over 65 dBA. Under the No Action Alternative, no impacts on noise would occur as no construction activities would take place. The noise generated by the Proposed Action would occur during CPC construction. These activities would be temporary and would not contribute to cumulative impacts on ambient noise levels. Thus, the noise generated by the Proposed Action, when considered with the other existing and proposed actions in the region, would not result in a major cumulative adverse effect.

#### **4.4.4 Utilities and Infrastructure**

Actions would be considered to cause major impacts if they require greater utilities or infrastructure use than can be provided. The proposed CPC would not be constructed under the No Action Alternative, so the availability of utilities would not be affected. The proposed CPC would connect to existing commercial grid power infrastructure. The use of commercial grid power would not require greater utilities or infrastructure than can be provided since there is existing commercial grid power infrastructure at the project site. Therefore, when combined with past, ongoing, or proposed actions in the region, no major cumulative adverse effect on utilities or infrastructure would occur as a result of the Proposed Action.

#### **4.4.5 Roadways and Traffic**

Impacts on traffic or roadways would be considered to cause major impacts if the increase of average daily traffic exceeded the ability of the surface streets to offer a suitable level of service for the area. Under the No Action Alternative, impacts on roadways and traffic would remain status quo. Construction activities for the Proposed Action would be limited in duration; therefore, when combined with past, ongoing, or proposed actions in the region, no major cumulative adverse effect on roadways and traffic would occur as a result of the Proposed Action.

#### **4.4.6 Hazardous Materials**

Major impacts would occur if an action creates a public hazard, if the project area is considered a hazardous waste site that poses health risks, or if the action would impair the implementation of

an adopted emergency response or evacuation plan. Under the No Action Alternative, no impacts associated with the use of hazardous materials would be expected. Only temporary, minor increases in the use of hazardous substances would occur as a result of the Proposed Action. BMPs would be implemented to minimize the risk from hazardous materials during construction activities. Through the use of BMPs, no health or safety risks would be created by the Proposed Action. The effects of the Proposed Action, when combined with other past, ongoing, and proposed actions in the region, would not be considered a major cumulative effect.

#### **4.4.7 Socioeconomics and Environmental Justice**

No impacts on socioeconomics or environmental justice would occur under the No Action Alternative. No adverse direct impacts would occur on socioeconomics or environmental justice issues as a result of the Proposed Action; therefore, no adverse cumulative impacts would occur. However, construction of the proposed CPC could have temporary cumulative beneficial impacts on the region's economy due to temporary employment and sales taxes generated through the purchase of construction-related items such as fuel and food. When combined with the other currently proposed or ongoing projects within the region, the Proposed Action is considered to have minor beneficial cumulative impacts.

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## **5.0 BEST MANAGEMENT PRACTICES**

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This chapter describes those measures that will be implemented to reduce or eliminate potential adverse impacts on the human and natural environments. Many of these measures have been incorporated as standard operating procedures by CBP on past projects. BMPs will be presented for each resource category that would be potentially affected. It should be emphasized that these are general BMPs and the development of specific BMPs will be required for certain activities implemented under the action alternatives. The proposed BMPs will be coordinated through the appropriate agencies and land managers/administrators, as required.

It is Federal policy to reduce adverse impacts through the sequence of avoidance, minimization, and, finally, compensation. Compensation varies and includes activities such as restoration of habitat in other areas, acquisition of lands, etc., and is typically coordinated with the appropriate Federal and state resource agencies.

### **5.1 GENERAL PROJECT PLANNING CONSIDERATIONS**

1. If required, night-vision-friendly strobe lights necessary for CBP operational needs will use the minimum wattage and number of flashes per minute necessary to ensure operational safety.
2. Avoid contamination of ground and surface waters by storing concrete wash water, and any water that has been contaminated with construction materials, oils, equipment residue, etc., in closed containers on-site until removed for disposal. This wash water is toxic to wildlife. Storage tanks must have proper air space (to avoid rainfall-induced overtopping), be on-ground containers, and be located in upland areas instead of washes.
3. Avoid lighting impacts during the night by conducting construction and maintenance activities during daylight hours only. If night lighting is unavoidable, 1) use special bulbs designed to ensure no increase in ambient light conditions, 2) minimize the number of lights used, 3) place lights on poles pointed down toward the ground, with shields on lights to prevent light from going up into sky, or out laterally into landscape, and 4) selectively place lights so they are directed away from all native vegetative communities.
4. CBP will avoid the spread of non-native plants by not using natural materials (e.g., straw) for on-site erosion control. If natural materials must be used, the natural material would be certified weed and weed-seed free. Herbicides not toxic to listed species that may be in the area can be used for non-native vegetation control. Application of herbicides will follow Federal guidelines and can be used according to in accordance with label directions.
5. CBP will ensure that all construction will follow DHS *Directive 025-01* for Sustainable Practices for Environmental, Energy, and Transportation Management.
6. CBP will place drip pans under parked equipment and establish containment zones when refueling vehicles or equipment.



## 5.2 SOILS

1. Clearly demarcate the perimeter of all new areas to be disturbed using flagging or temporary construction fencing. Do not allow any disturbance outside that perimeter.
2. The area of disturbance will be minimized by limiting deliveries of materials and equipment to only those needed for effective project implementation.
3. Within the designated disturbance area, grading or topsoil removal will be limited to areas where this activity is needed to provide the ground conditions necessary for construction or maintenance activities.
4. Rehabilitation will include revegetating or the distribution of organic and geological materials (i.e., boulders and rocks) over the disturbed area to reduce erosion.

## 5.3 BIOLOGICAL RESOURCES

1. Materials used for on-site erosion control will be free of non-native plant seeds and other plant parts to limit potential for infestation.
2. Identify by its source location any fill material, sandbags, hay bales, and mulch brought in from outside the project area. These materials will be free of non-native plant seeds and other plant parts to limit potential for infestation.
3. Native seeds or plants will be used to revegetate temporarily disturbed areas.
4. Obtain materials such as gravel, topsoil, or fill from existing developed or previously used sources that are compatible with the project area and are from legally permitted sites. Do not use materials from undisturbed areas adjacent to the project area.
5. To prevent entrapment of wildlife species, ensure that excavated, steep-walled holes or trenches are either completely covered by plywood or metal caps at the close of each workday or provided with one or more escape ramps (at no greater than 1,000-foot intervals and sloped less than 45 degrees) constructed of earthen fill or wooden planks.
6. Each morning before the start of construction or maintenance activities and before such holes or trenches are filled, ensure that they are thoroughly inspected for trapped animals. Ensure that any animals discovered are allowed to escape voluntarily (by escape ramps or temporary structures), without harassment, and before construction activities resume, or are removed from the trench or hole by a qualified person and allowed to escape unimpeded.
7. The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712, [1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989]) requires that Federal agencies coordinate with the USFWS if a construction activity would result in the take of a migratory bird. If construction or clearing activities are scheduled during nesting season (March 15 through

September 15) within potential nesting habitats, surveys will be performed to identify active nests. If construction activities will result in the take of a migratory bird, then coordination with the USFWS and AGFD will be required and applicable permits would be obtained prior to construction or clearing activities.

8. CBP will not, for any length of time, permit any pets inside the project area or adjacent native habitats. This BMP does not pertain to law enforcement animals.

#### **5.4 CULTURAL RESOURCES**

1. In the event that unanticipated archaeological resources are discovered during construction or any other project-related activities, or should known archaeological resources be inadvertently affected in a manner that was not anticipated, the project proponent or contractor shall immediately halt all activities in the immediate area of the discovery and take steps to stabilize and protect the discovered resource until it can be evaluated by a qualified archaeologist.
2. If any human remains are accidentally encountered during construction, work shall cease and the human remains left undisturbed, and the state police and CBP will be notified immediately.

#### **5.5 AIR QUALITY**

1. Soil watering will be utilized to minimize airborne particulate matter created during construction activities. Bare ground may be covered with hay or straw to lessen wind erosion during the time between construction and the revegetation of temporary impact areas with a mixture of native plant seeds or nursery plantings (or both). All construction equipment and vehicles will be kept in good operating condition to minimize exhaust emissions.

#### **5.6 WATER RESOURCES**

1. Wastewater is to be stored in closed containers on-site until removed for disposal. Wastewater is water used for project purposes that is contaminated with construction materials or from cleaning equipment and thus carries oils or other toxic materials or other contaminants as defined by Federal or state regulations.
2. Avoid contamination of ground and surface waters by collecting concrete wash water in open containers and disposing of it off-site.
3. Avoid contaminating natural aquatic and wetland systems with runoff by limiting all equipment maintenance, staging, and laydown and dispensing hazardous liquids, such as fuel and oil, to designated upland areas.
4. Cease work during heavy rains and do not resume work until conditions are suitable for the movement of equipment and materials.

5. Erosion control measures and appropriate BMPs, as required and promulgated through a site-specific SWPPP and engineering designs, will be implemented before, during, and after soil-disturbing activities.
6. Areas with highly erodible soils will be given special consideration when preparing the SWPPP 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.
7. All construction and maintenance contractors and personnel will review the CBP-approved spill protection plan and implement it during construction and maintenance activities.
8. Wastewater from pressure washing must be collected. A ground pit or sump can be used to collect the wastewater. Wastewater from pressure washing must not be discharged into any surface water.
9. If soaps or detergents are used, the wastewater and solids must be pumped or cleaned out and disposed of in an approved facility. If no soaps or detergents are used, the wastewater must first be filtered or screened to remove solids before being allowed to flow off-site. Detergents and cleaning solutions must not be sprayed over or discharged into surface waters.

## **5.7 NOISE**

1. Avoid noise impacts during the night by conducting construction and maintenance activities during daylight hours only.
2. All Occupational Safety and Health Administration (OSHA) requirements will be followed. To lessen noise impacts on the local wildlife communities, construction will only occur during daylight hours. All motor vehicles will be properly maintained to reduce the potential for vehicle-related noise.

## **5.8 SOLID AND HAZARDOUS WASTES**

1. BMPs will be implemented as standard operating procedures during all construction activities, and will 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 will 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 (i.e., generator) 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) will be used to absorb and contain the spill.

2. CBP will contain non-hazardous waste materials and other discarded materials, such as construction waste, until removed from the construction and maintenance sites. This will assist in keeping the project area and surroundings free of litter and reduce the amount of disturbed area needed for waste storage.
3. CBP will minimize site disturbance and avoid attracting predators by promptly removing waste materials, wrappers, and debris from the site. Any waste that must remain more than 12 hours should be properly stored until disposal.
4. 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.
5. Solid waste receptacles will be maintained at the project site. 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.
6. 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.
7. All rainwater collected in secondary containment will be pumped out, and secondary containment will have netting to minimize exposure to wildlife. Properly licensed and certified hazardous waste disposal contractor will be used for hazardous waste disposal, and manifests will be traced to final destinations to ensure proper disposal is accomplished.

## **5.9 ROADWAYS AND TRAFFIC**

1. Construction vehicles will travel and equipment will be transported on established roads with safety precautions.

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## 7.0 ACRONYMS/ABBREVIATIONS

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ACS	U.S. Census American Community Survey
AOR	Area of Responsibility
ADEQ	Arizona Department of Environmental Quality
ADWR	Arizona Department of Water Resources
AGFD	Arizona Game and Fish Department
AZDEQ	Arizona Department of Environmental Quality
AZSHPO	Arizona State Historic Preservation Office
BMP	Best management practices
CAA	Clean Air Act
CBP	U.S. Customs and Border Protection
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon monoxide
CPC	Central Processing Center
CWA	Clean Water Act
dB	Decibel
dBA	A-weighted decibel
DHS	Department of Homeland Security
DNL	Day-night average sound level
DoD	Department of Defense
DOI	U.S. Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
MBTA	Migratory Bird Treaty Act
NAAQS	National Ambient Air Quality Standards
NO <sub>2</sub>	Nitrogen dioxide
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOA	Notice of Availability
OSHA	Occupational Safety and Health Administration
O <sub>3</sub>	Ozone
PCPI	Per capita personal income
PM-2.5	Particulate matter less than 2.5 microns
PM-10	Particulate matter less than 10 microns
POE	Port of Entry
ROI	region of influence
SWPPP	Stormwater Pollution Prevention Plan
SHQ	Sector Headquarters
SO <sub>2</sub>	Sulfur dioxide

TEDS	Transport, Escort, Detention, and Search
TPI	Total personal income
USBP	U.S. Border Patrol
U.S.C.	United States Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service



**APPENDIX A**  
**CORRESPONDENCE**

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**A NEW CENTRAL PROCESSING CENTER  
U.S. BORDER PATROL, YUMA SECTOR, ARIZONA  
U.S. CUSTOMS AND BORDER PROTECTION  
DEPARTMENT OF HOMELAND SECURITY  
WASHINGTON, D.C.**

**Mailing List  
Agency Coordination Letters**

**Distribution List**

Mr. Jeff Humphrey, Field Supervisor  
Arizona Ecological Services Field Office  
U.S. Fish and Wildlife Service  
9828 North 31<sup>st</sup> Avenue  
Suite C3  
Phoenix, Arizona 85051-2517

Mr. Pat Barber, Supervisor  
Arizona Game and Fish Department  
9140 E. 28<sup>th</sup> Street  
Yuma, AZ 85365

Ms. Edna Mendoza, Director  
Arizona Department of Environmental Quality  
Office of Border Environmental Protection  
400 West Congress, Suite 433  
Tucson, AZ 85701

President Keeny Escalanti  
Quechan Tribe  
P.O. Box 1899  
Yuma, Arizona 85366-1899

Chairperson Robert Miguel  
Ak-Chin Indian Community Council  
42507 West Peters & Nall Road  
Maricopa, Arizona 85138

Chairperson Sherry Cordova  
Cocopah Tribal Council  
14515 S. Veterans Drive  
Somerton, Arizona 85350

Governor Stephen Roe Lewis  
Gila River Indian Community  
P. O. Box 97  
Sacaton, Arizona 85147

President Arthur "Butch" Blazer  
Mescalero Apache Tribe  
P.O. Box 227  
108 Central Avenue  
Mescalero, New Mexico 88340

Chairman Robert Valencia  
Pascua Yaqui Tribe  
7474 South Camino de Oeste  
Tucson, Arizona 85746

President Delbert Ray  
Salt River Pima-Maricopa Indian Community  
10005 East Osborn Road  
Scottsdale, Arizona 85256

Chairperson Terry Rambler  
San Carlos Apache Tribe  
PO Box "o"  
San Carlos, Arizona 85550

Chairman Edward D. Manuel  
Tohono O'odham Nation  
P. O. Box 837  
Sells, Arizona 85634

Chairwoman Gwendena Lee-Gatewood  
White Mountain Apache Tribe  
White Mountain Apache Tribe Historic Preservation Office  
201 East Walnut Street  
Whiteriver, Arizona 85941

Chairwoman Jeri DeCola  
Tonto Apache Tribe  
Tonto Apache Tribe Reservation 30  
Payson, Arizona 85541

Ms. Susan K. Thorpe, County Administrator  
Yuma County  
198 S. Main Street  
Yuma, Arizona 85364

Ms. Lynda Bushong  
City of Yuma  
City Clerk's Office  
One City Plaza  
Yuma, Arizona 85364

The letter below will be sent to all recipients on the mailing list.



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

August 19, 2019

Mr. Jeff Humphrey, Field Supervisor  
Arizona Ecological Services Field Office  
U.S. Fish and Wildlife Service  
9828 North 31<sup>st</sup> Avenue  
Suite C3  
Phoenix, Arizona 85051-2517

**RE: Draft Environmental Assessment for the Proposed New Central Processing Center,  
U.S. Border Patrol, Yuma Sector, Arizona, U.S. Customs and Border Protection,  
Department of Homeland Security**

Dear Mr. Humphrey:

U.S. Customs and Border Protection (CBP) is pleased to provide the enclosed Draft Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI) addressing the proposed construction and operation of a new Central Processing Center (CPC) in Yuma, Arizona.

The Draft EA was prepared in compliance with provisions of the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S. Code 4321, et seq.), the Council on Environmental Quality's NEPA implementing regulations (40 Code of Federal Regulations Part 1500 et seq.), Department of Homeland Security (DHS) Directive Number 023-01, Rev.01, and DHS Instruction Manual 023-01-001-01, Rev. 01, *Implementation of the National Environmental Policy Act*.

The proposed CPC facility would provide a permanent facility to accommodate 1,000 detainees and 200 staff for the processing and temporary detention of migrant families and unaccompanied children who have crossed into the United States. The CPC facility would be a 113,361 square foot one- or two-story facility within the perimeter fence at the existing U.S Border Patrol Yuma Sector Headquarters. Construction would be expected to last six months and include demolition of the existing parking lot and storm water detention basin, earthwork, installation of a new underground storm water management system, paving, connection to existing on-site utilities, concrete placement, installation of perimeter fencing and security lighting, installation of signage, and installation of emergency backup power, diesel-fueled generators. The total project area is approximately 2.5 acres in size.

CBP invites your participation in the public review process for the enclosed Draft EA and FONSI. The 30-day public comment period begins on August 23, 2019, and comments must be

received by September 23, 2019 to be considered for incorporation into the Final EA. Comments on the Draft EA and Draft FONSI can be submitted by:

- E-mail to: Mr. John Petrilla, [john.p.petrilla@cbp.dhs.gov](mailto:john.p.petrilla@cbp.dhs.gov)
- Mail to:

Mr. John Petrilla  
U.S. Customs and Border Protection  
24000 Avila Road, Suite 5020  
Laguna Niguel, CA 92677

Your prompt attention to this request is greatly appreciated. If you require additional information or have any questions, please contact Mr. John Petrilla by telephone at (949) 643-6385 or by e-mail at [john.p.petrilla@cbp.dhs.gov](mailto:john.p.petrilla@cbp.dhs.gov).

Sincerely,

A handwritten signature in blue ink that reads "Joseph Zidron". The signature is written in a cursive style with a large, sweeping initial "J".

Joseph Zidron  
Real Estate and Environmental Branch Chief  
Border Patrol & Air and Marine  
Program Management Office  
U.S. Customs and Border Protection

Enclosure



August 22, 2019

Yuma County District Main Library  
Attn: Librarian  
2951 South 21<sup>st</sup> Drive  
Yuma, AZ 85364

**RE:** *Environmental Assessment for the New Central Processing Center at the Yuma Sector Headquarters*

Dear Librarian:

I would request that your library make available to the public the enclosed Draft Environmental Assessment (EA) and FONSI for a -day public review period, beginning on the 30-day the Notice of Availability is published in the *Yuma Sun*. The anticipated date of publication is August 23, 2019. The EA and draft FONSI are also available for review and download from the following web address: <http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review>.

Members of the public can submit any comments on the draft EA and draft FONSI to John Petrilla at: U.S. Customs and Border Protection, 24000 Avila Road, Suite 5020, Laguna Niguel, CA 92677 or by email at [john.p.petrilla@cbp.dhs.gov](mailto:john.p.petrilla@cbp.dhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Josh McEnany", is written over a white background.

Josh McEnany

Enclosures

AFFP  
NOTICE OF AVAILABILITY DRAFT

**Affidavit of Publication**

STATE OF ARIZONA }  
COUNTY OF YUMA } SS

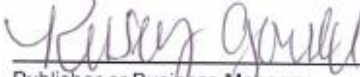
Lisa Reilly or Kelsey Bistodeau, being duly sworn, says:

That she is Publisher or Business Manager of the Yuma Sun, a daily newspaper of general circulation, printed and published in Yuma, Yuma County, Arizona; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 23, 2019

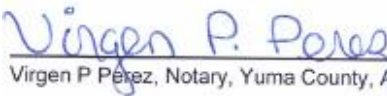
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Publisher or Business Manager

Subscribed to and sworn to me this 23rd day of August 2019.

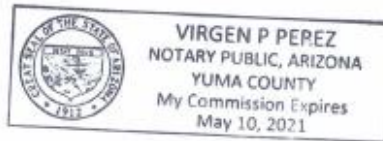


Virgen P Perez, Notary, Yuma County, Arizona

My commission expires: May 10, 2021

00005296 00179097 2257618077

GULF SOUTH RESEARCH CORP GULF SOUTH RESEA  
GULF SOUTH RESEARCH CORP  
8081 GSRI AVENUE  
BATON ROUGE, LA 70820



**NOTICE OF AVAILABILITY**

**DRAFT ENVIRONMENTAL ASSESSMENT  
FOR  
A NEW CENTRAL PROCESSING CENTER  
U.S. BORDER PATROL, YUMA SECTOR, ARIZONA  
U.S. CUSTOMS AND BORDER PROTECTION  
DEPARTMENT OF HOMELAND SECURITY  
WASHINGTON, D.C.**

The public is hereby notified of the availability of the Draft Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI) prepared by U.S. Customs and Border Protection (CBP) to address the potential effects, beneficial and adverse, resulting from the proposed construction and operation of a new U.S. Border Patrol (USBP) Central Processing Center (CPC) at the USBP Yuma Sector Headquarters (SHQ) in Yuma, Arizona. The proposed new CPC would be a permanent processing facility constructed to accommodate 1,000 detainees and a staff of 200 for the processing and temporary detention of migrants who have crossed into the United States. The facility would be located in a completely developed area within the perimeter fence of the Yuma SHQ. The CPC facility would be a 113,361 square-foot one- or two-story facility. Construction would be expected to last six months and include demolition of the existing parking lot and storm water detention basin, earthwork, installation of a new underground storm water management system, paving, connection to existing on-site utilities, concrete placement, installation of perimeter fencing and security lighting, installation of signage, and installation of emergency backup power, diesel-fueled generators.

The Draft EA and FONSI will be available to the public at Yuma County District Main Library, 2951 South 21st Drive, Yuma, Arizona, 85364. The Draft EA and FONSI will also be available for download from the CBP web page at the following URL address:

<http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review>

The 30-day public comment period begins on August 23, 2019. In order for comments to be considered, comments on the Draft EA and FONSI must be received by September 23, 2019. Comments should be sent to Mr. John Petrilla via email to [john.p.petrilla@cbp.dhs.gov](mailto:john.p.petrilla@cbp.dhs.gov) or by mail to:

Mr. John Petrilla  
U.S. Customs and Border Protection  
24000 Avila Road, Suite 5020  
Laguna Niguel, CA 92677  
Yuma Sun: August 23, 2019 - 00179097

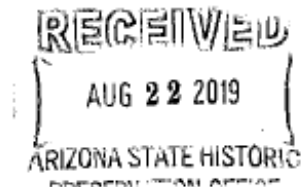


AUG 21 2019



U.S. Customs and  
Border Protection

Ms. Kathryn Leonard  
State Historic Preservation Officer  
State Historic Preservation Office  
1100 W. Washington Street  
Phoenix, AZ 85007



**Reference: U.S. Border Patrol, Yuma Sector, Construction, Operation, and Maintenance of a New Central Processing Center at Yuma Sector Headquarters**

Dear Ms. Leonard:

Pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, U.S. Customs and Border Protection (CBP) is transmitting this letter and enclosures to initiate consultation and identify historic properties for the above referenced Undertaking. The Undertaking consists of the proposed construction, operation, and maintenance of a new U.S. Border Patrol (USBP) Central Processing Center (CPC) at the USBP Yuma Sector Headquarters (SHQ) in Yuma, Arizona. The Yuma SHQ is located at 4035 South Avenue A, Yuma, Arizona. See Figure 1 for location information.

**Description of Undertaking:**

The Undertaking consists of the proposed construction, operation, and maintenance of a new permanent processing facility to accommodate 1,000 detainees and a staff of 200 for the processing and temporary detention of migrants who have crossed into the United States. The facility would be located in a completely developed area within the perimeter fence of the Yuma SHQ. The CPC facility would be a 113,361 square foot one- or two-story facility. Construction would be expected to last six months and include demolition of the existing parking lot and storm water detention basin, earthwork, installation of a new underground storm water management system, paving, connection to existing on-site utilities, concrete placement, installation of perimeter fencing and security lighting, installation of signage, and installation of emergency backup power, diesel-fueled generators. The total project area would be approximately 2.5 acres in size. See Figure 2 for a proposed layout of the CPC.

**Identification of Historic Properties:**

CBP has defined the Area of Potential Effect (APE) for the Undertaking as the Yuma SHQ property boundary. Activities would take place on an existing asphalt-paved parking lot and adjacent storm water detention basin located at the northeastern edge of the SHQ property boundary. A cultural resources survey of the APE conducted in 1999, prior to the acquisition and development of the project area as the Yuma SHQ, discovered neither archaeological sites

Ms. Kathryn Leonard, SHPO  
Page 2

nor isolated artifacts. A hard copy or digital copy of the cultural resources survey report, *An Intensive Cultural Resources Survey of 24 Acres on Behalf of the U.S. Border Patrol in Yuma, Arizona*, is available upon request.

Existing structures at the Yuma SHQ were built between 2002 and 2005 and the APE has been completely developed. There are no structures within the APE that are more than 45 years old. No historic structures or historic districts are located within the APE.

**Determination of Effects:**

The APE for the Undertaking has been previously developed for use as the Yuma SHQ. The APE does not contain any archaeological resources or structures that are more than 45 years old. Based on this information, CBP has made a determination of no historic properties present or affected for the Undertaking. CBP requests your concurrence with this determination.

In accordance with Section 106 of the National Historic Preservation Act, CBP will also contact tribal governments regarding its determination. Representatives for the following tribal governments will be notified:

Ak-Chin Indian Community  
Cocopah Indian Tribe  
Colorado River Indian Tribes  
Fort Mojave Indian Tribe  
Fort Yuma-Quechan Tribe  
Gila River Indian Community  
Hopi Tribe  
Hualapai Indian Tribe  
Salt River Pima-Maricopa Indian Community  
Tohono O'odham Nation  
Yavapai-Apache Nation

Your prompt attention to this request is greatly appreciated. If CBP has not received a response from your office within 30 days of your receipt of this determination letter, CBP will consider its responsibilities under Section 106 to have been fulfilled. Written correspondence may be submitted to me by mail at the following address:

Joseph Zidron  
Real Estate and Environmental Branch Chief  
Border Patrol & Air and Marine Program Management Office  
24000 Avila Road, Suite 5020  
Laguna Niguel, CA 92677

Ms. Kathryn Leonard, SHPO  
Page 3

If possible, please send a scanned copy of the correspondence by email to:

John Petrilla  
Environmental Protection Specialist  
Border Patrol & Air and Marine Program Management Office  
john.p.petrilla@cbp.dhs.gov

We look forward to continuing the Section 106 consultation process with you. If you require additional information or have any questions or concerns, please feel free to contact John Petrilla by telephone at (949) 643-6385 or by email at john.p.petrilla@cbp.dhs.gov.

Sincerely,



Joseph Zidron  
Real Estate and Environmental Branch Chief  
Border Patrol & Air and Marine Program Management Office

**CONCUR**

  
Arizona State Historic Preservation Office

*Thank you for your Tribal consultation efforts.*