

**FINAL
FINDING OF NO SIGNIFICANT IMPACT
FOR
THE CONSTRUCTION, OPERATION, AND MAINTENANCE
OF THE NEW LAREDO AIR BRANCH FACILITY
U.S. BORDER PATROL, LAREDO SECTOR, TEXAS**

INTRODUCTION

United States (U.S.) Customs and Border Protection (CBP), in cooperation with the Federal Aviation Administration (FAA), prepared an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction of a new Air Branch facility at the Laredo International Airport in Laredo, Texas.

The Laredo Air Branch facility is strategically located at the Laredo International Airport to meet CBP Air and Marine Operations' (AMO) mission of "safeguarding our nation by anticipating and confronting security threats through our aviation and maritime law enforcement expertise, innovative capabilities, and partnerships at the border and beyond." The Laredo Air Branch would relocate the functions of the existing 14,000 square foot (ft²) Air Branch facility (hangar and office workspace) which is undersized and does not support current assigned personnel or air assets to the proposed Air Branch facility. The overcrowded conditions do not provide the safest and most secure working environment for personnel. The Laredo Air Branch, a component of CBP's AMO is unable to expand operations or support surge capacity to meet mission requirements at the current facility. Additionally, the current facility does not meet CBP facility standards. The new Laredo Air Branch facility and associated supporting infrastructure are designed to alleviate overcrowded conditions and to allow room for current and planned future growth.

CBP PROPOSED ACTION

The Proposed Action would construct a new Laredo Air Branch facility on an approximately 13-acre parcel of land at the Laredo International Airport in Laredo, Texas.

The new Laredo Air Branch facility in Laredo, Texas would alleviate overcrowded conditions and allow room for current and planned future growth in personnel and additional hangar space would accommodate future operations. The new facility would include an administrative operational space, hangar space, aircraft and vehicle parking, and additional site improvements. The new facilities are being designed to meet CBP facility standards.

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

- 14,300 ft² administrative operations building
- 31,500 ft² maintenance hangar facility
- 17,000 ft² storage hangar facility
- Parking area to accommodate 10 government-owned vehicles, 75 agent vehicles, five (5) visitor vehicles, one (1) oversized vehicle, one (1) fuel truck, and three (3) fuel trailers

- 70,000 ft² aircraft parking apron and ramp
- One (1) exterior aircraft wash/rinse rack
- Hazardous material storage area
- Storage canopy
- Signage
- Security fencing
- Sidewalks and curbs
- Additional site improvement
- Two stormwater detention ponds
- Enhanced lighting

The stormwater detention ponds would be designed in compliance with FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants in or near Airports. This includes a maximum 48-hour detention period for the designed storm.

FAA REQUESTED FEDERAL ACTION

The following determination is prescribed by the statutory provision set forth in Section 163 of the FAA Reauthorization Act of 2018 House Resolution (H.R.) 302, (Public Law [P.L. 115-254]).

Unconditional approval of the Laredo International Airport Layout Plan (ALP) to depict portions of the Proposed Action as previously described in Section 2.1.1 of this document pursuant to 49 USC §§ 40103(b) and 47107(a)(16). Because portions of the proposed development may have a material impact on aircraft operations, at, to, or from the airport, the FAA retains the legal authority to approve or disapprove the following changes to the LRD ALP:

- 31,500 ft² maintenance hangar facility
- 17,000 ft² storage hangar facility
- 70,000 ft² aircraft parking apron and ramp
- Exterior aircraft wash/rinse rack

Because the remaining portions of the proposed development would have no material impact on aircraft operations at, to, or from the airport, would not affect the safety of people and property on the ground, and would not have an adverse effect on the value of prior Federal investments to a significant extent, the FAA lacks the legal authority to approve or disapprove changes to the LRD ALP for the following project components:

- 14,300 square foot (ft²) administrative operations building
- Hazardous material storage area
- Storage canopy
- Enhanced lighting
- Parking area
- Security fencing
- Stormwater detention ponds

The property for the Proposed Project was acquired from the U.S. Government via a Surplus Property Act transfer on February 21, 1975. Under section 163(b) of the Act, the FAA has the legal authority to regulate land acquired through a surplus property act transfer. However, the proposed project is considered an aeronautical use, consistent with the intended

land use when acquired; therefore, the FAA will not require a release of obligations of the subject parcel as depicted on the currently approved ALP.

PROJECT LOCATION

The proposed Laredo Air Branch facility would be constructed in the western portion of the Laredo International Airport in Laredo, Texas. The proposed facility would be located east of and adjacent to an existing aircraft parking ramp and bordered by Thomas Avenue on the west.

PURPOSE AND NEED

CBP proposes to construct, operate, and maintain a new Laredo Air Branch facility in the U.S. Border Patrol (USBP) Laredo Sector in support of AMO's mission to safeguard the nation by anticipating and confronting security threats through aviation and maritime law enforcement expertise, innovative capabilities, and partnerships at the border and beyond. CBP AMO provides air support to USBP Laredo Sector ground units and other law enforcement agencies to interdict foreign national smuggling operations and to detect and report other illegal air or ground activities. The purpose of the Proposed Action is to alleviate overcrowded conditions that exist at the current leased facility, provide sufficient space to house existing personnel and air assets, and allow adequate space for enforcement flexibilities.

The current Laredo Air Branch facility consists of a 14,000 ft² hangar and office workspace. The current facility's size is insufficient to support currently assigned staff and air assets. Approximately 50 CBP and contract personnel occupy the space, which leads to overcrowded conditions, compromising the safety and health of the staff. Further, the current facility configuration does not meet AMO facility standards.

The Laredo Air Branch would relocate operations from the existing deficient facility located at the Laredo International Airport to the new Air Branch facility upon completion. The new facilities would be able to accommodate the existing personnel and air assets, as well as allow for growth in staffing due to future operational demands placed upon the facility.

The need for the Proposed Action includes provision of the following:

- Appropriate facilities to allow CBP AMO to operate more efficiently, safely, and securely - resulting in more effective deployment of required assets in the area of responsibility (AOR) to support the USBP Laredo Sector;
- Facilities that enable CBP to attain and maintain compliance with CBP facility standards; and
- Facilities necessary for increased effectiveness of an expanded number of CBP personnel and air assets (e.g., administrative building; maintenance hangar; storage hangar; aircraft parking apron and ramp; exterior aircraft wash/rinse rack; parking area; and additional facilities including hazardous material storage, storage canopy, enhanced lighting, signage, security fencing, sidewalks and curbs, storm drainage, and additional site improvements).

ALTERNATIVES

CBP analyzed two action alternatives in this EA: the Proposed Action (Alternative 1) and the No Action Alternative (Alternative 2). During the early planning stages for the Proposed Action, CBP reviewed additional site locations within the Laredo International Airport. However, due to site constraints (i.e., location availability, presence of wetlands, site configuration, proximity of taxiways, etc.), CBP determined that the other sites would not meet CBP's mission requirements.

The Proposed Action would construct a new Laredo Air Branch facility on an approximately 13-acre parcel of land in the western portion of the Laredo International Airport in Laredo, Texas. Based upon potential site designs, it has been determined that a 13-acre project site is sufficient to construct the main administrative building and associated infrastructure including, but not limited to, a maintenance hangar, storage hangar, and aircraft parking apron and ramp.

Alternative 2 is the No Action Alternative, which would preclude the construction, operation, and maintenance of a new Laredo Air Branch facility. The existing facility would continue to be inadequate for the support of operations within the Laredo Sector AOR, and would have to accommodate the Laredo Air Branch operations, but would not be able to do so while operating in an effective manner. Consequently, this alternative would hinder AMO's ability to respond to high levels of illegal border-related activity. The No Action Alternative does not meet the purpose and need for the proposed project, but was carried forward for analysis, as required by the Council on Environmental Quality (CEQ) regulations. The No Action Alternative describes the existing conditions in the absence of the Proposed Action.

ENVIRONMENTAL CONSEQUENCES

No effects would occur on protected species and critical habitat, cultural resources, or floodplains, as none were found within the boundaries of the Proposed Action. Effects on biological resources such as soils, vegetation, and wildlife would range from negligible to minor, temporary to long-term. The Proposed Action would have negligible impacts on ground water resources (i.e., water used for municipality purposes) due to the increase in usage in the Laredo area. No impacts are expected to surface waters as none are present. No jurisdictional wetlands or waters of the U.S. would be impacted by construction of the new Laredo Air Branch facility. No impacts would occur on land use as the project area is located within Laredo International Airport property. The Proposed Action would not have an impact on Department of Transportation Act, Section 4(f) resources. The project site is located entirely on airport property and would not cause an increase in aircraft or noise.

Temporary and negligible to minor increases in air pollution, noise, and traffic would occur during construction activities. Vehicular traffic would increase near the proposed site to transport materials and work crews during construction activities. Negligible increases in demands on utilities would be expected as a result of the new Laredo Air Branch facility. Construction of the new facility would create temporary and minor impacts on roadways and traffic during construction. The Proposed Action is not expected to have a significant change to energy demands or natural resource consumption.

The Proposed Action would have negligible impacts on socioeconomics through increased taxes, salaries, and the purchase of supplies during construction and operation of the new facility. 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 (BMPs) 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 4.0 of this 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 the 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 and in accordance with label directions.
5. CBP will ensure that all construction will follow Department of Homeland Security (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 while allowing the area to naturally vegetate.

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 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 United States Fish and Wildlife Service (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 Texas Parks and Wildlife Department (TPWD) will be required and applicable permits would be obtained prior to construction or clearing activities. Other mitigation measures that would be considered are to install visual markers on any guy wires used, and to schedule all construction activities outside of the nesting season, negating the requirement for nesting bird surveys.

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. In the event that human remains are inadvertently discovered all ground-disturbing activity would cease immediately. The Project Manager would immediately notify CBP. CBP would notify state police within 24 hours of the discovery and follow their directions for securing the site pending examination of a medical examiner/coroner. Law enforcement and the coroner would determine whether or not the discovery constitutes a crime scene. CBP would coordinate with the state police and the coroner regarding where construction activities can resume. No work may proceed without the written authorization of CBP. CBP would notify the Advisory Council on Historic Preservation, the Texas Historical Commission or Tribal Historic Preservation Officer, any impacted Indian Tribe, and any impacted federal agency of the discovery in writing within two business days. Native American Graves Protection and Repatriation Act would be followed if the discovery is determined to be of Native American origin. CBP's established standard operating procedures for inadvertent discoveries would be adhered to in all cases.

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 facility 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 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 Storm Water Pollution Prevention Plan (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 Health and Safety 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 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.

8. A 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 proper flagging and safety precautions.

FINDING

On the basis of the findings of this EA, which is incorporated by reference, and which has been conducted in accordance with NEPA, CEQ regulations, DHS Directive Number 023-01, Rev.01, and DHS Instruction Manual 023-01-001-01, Rev. 01, Implementation of the NEPA 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; therefore, there is no requirement to develop an Environmental Impact Statement. Further, we commit to implement BMPs and environmental design measures identified in the EA and supporting documents.

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Date

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Date