

FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment
Construction of Replacement Tower TX13487 and Demolition of Existing Tower TX13487
Rio Grande Valley Sector, Falfurrias Station Texas
U.S. Customs and Border Protection

PURPOSE AND NEED: The purpose of the Proposed Action is to maintain and improve tactical communications in the U.S. Border Patrol's (USBP) Rio Grande Valley (RGV) Sector's area of responsibility (AOR) for Federal agents working for United States Customs and Border Protection (CBP) and other agencies. The existing tower is structurally unsound and in need of replacement. The TX13487 site provides critical operational capabilities for USBP within the RGV AOR.

The need for the Proposed Action is to provide the following:

- Adequate communication coverage in the RGV AOR
- Sustained safety of CBP agents through continued communication coverage and technology
- An opportunity for future expansion of communication services, as necessary
- A more safe, effective, and efficient work environment for CBP agents

DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES: CBP analyzed two alternatives in the Environmental Assessment (EA). Alternative 1 is the Proposed Action. The Proposed Action includes the decommissioning/removal of an existing tower and the construction, operation, and maintenance of a new replacement tower to the east of the existing tower and construction of an 1800-ft of approach road from the existing access road to the tower site.

Alternative 2 is the No Action Alternative. Under the No Action Alternative, the existing, structurally unsound tower would remain in place. This would be inadequate for the support of CBP operations. The No Action Alternative does not meet the purpose and need for this project.

Alternative 1: Proposed Action. The Proposed Action includes the lease, construction, installation, operation, and maintenance of a new 440-foot, guyed wire communications tower and associated communications equipment and decommissioning of the existing tower located approximately 500-feet west of the proposed tower. The communications equipment would include one or more repeaters, receivers, microwave dishes, and antennas. In addition to the tower, one 16-foot x 14-foot prefabricated shelter to house equipment and racks, one ice bridge for data and power cables, one 20-kilowatt (kW) backup generator, one electrical transformer, and one 500-gallon propane aboveground storage tank would be installed in the immediate vicinity of the tower. A permanent footprint of 70-feet x 70-feet. (4,900 square feet) surrounding the tower and its associated equipment would be cleared, graded, and covered with Geo-textile fabric and gravel. This permanent footprint would be surrounded by an 8-ft. tall chain link fence. Four-foot-high hog wire fencing will be around each of the guyed wire anchor posts. Equipment staging may require up to 1 acre; any area impacted by equipment staging or other construction operations would be revegetated or otherwise returned to its original condition.

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CBP would also remove the existing, antiquated communication tower. All communication equipment on the existing tower would be moved to the replacement tower site and installed by CBP. Tower decommissioning is expected to take 15 calendar days. Prior to the demolition of the tower, the shelter foundation and stoops would be completely removed. Once lowered, the old tower would be hauled from its current location and disposed of properly. The tower foundation would be removed to a minimum of 1-foot below grade. It would be backfilled with soil and stabilized. All conductors or cables from abandoned underground conduits would be removed. Conduit would be capped. A total of six guy anchor foundations and associated hog wire fencing would be removed and backfilled with soil and stabilized. The existing propane tank, slab and piping would be removed.

Alternative 2: No Action Alternative. The No Action Alternative would preclude the lease, construction, installation, operation, and maintenance of new communications equipment on a replacement tower. The existing tower would continue to remain overloaded, structurally unsound, and inadequate for support of CBP operations.

ENVIRONMENTAL CONSEQUENCES: The Proposed Action would have permanent, negligible impacts on land use. Approximately 0.5 acres of rangeland would be converted to a developed land use at the replacement tower site and up to 25 acres would be temporarily disturbed during construction and decommissioning activities. Upon decommissioning of the existing TX13487 tower, approximately 0.5 acres, of once permanent land impacts, would be allowed to naturally revegetate. Existing access roads adjacent to the project site would be utilized during construction. The direct impact from the conversion of approximately 0.5 acres of rangeland to law enforcement infrastructure would be negligible due to the decommissioning of the existing site and small size of the permanent project footprint (<1 acre).

Four Federally listed species have the potential to occur within the project area: ocelot (*Leopardus pardalis*), northern Aplomado falcon (*Falco femoralis spectentrionalis*), piping plover (*Charadrius melodus*), and red knot (*Calidris canutus rufa*). The Proposed Action would have no effect on any of these Federally listed species. No designated critical habitat occurs within the construction footprint. Endangered Species Act, Section 7, consultation with U.S. Fish and Wildlife Service (USFWS), is complete and the USFWS has concurred with CBP's determination of No Effect for all species that have the potential to occur in the project area.

No impacts on archeological resources would occur because of the Proposed Action. CBP has ensured that the replacement tower will be similar in size and design to the existing tower. Once the replacement tower is operational, the old tower will be removed. As a result, CBP and the Texas Historical Commission have determined the undertaking would have No Adverse Effect on the King Ranch Historic District and National Historic Landmark and no adverse effects on

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cultural resources are anticipated at the TX13487 site from the implementation of the Proposed Action.

Temporary and minor increases in air emissions would occur during the construction and decommissioning of the replacement and existing TX13487 towers. Air emissions would be below the Federal *de minimis* thresholds for construction, operation, maintenance, and repair activities.

Noise level increases associated with the tower construction and decommissioning would result in temporary, minor, and negligible impacts on wildlife. Noise levels associated with the operation and maintenance of the replacement TX13487 tower would have permanent, negligible impacts on nearby resources.

BEST MANAGEMENT PRACTICES: Best Management Practices (BMPs) were identified for each resource category that could be potentially affected. See Section 5 of the EA.

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 the Department of Homeland Security Management Directive, 023-001, Rev. 01, and the Instruction Manual 023-01-001-01, Rev. 01; *Environmental Planning Program* and after careful review of the potential environmental impacts of implementing the proposal, we find there would be no significant impact on the quality of the human or natural environments, either individually or cumulatively; therefore there is no requirement to develop an Environmental Impact Statement. Further, we commit to implement BMPs and environmental design measures identified in the EA and supporting documents.

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Executive Director
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